

"Mary's Pond" Harmful Algae Pollution...

sp johnson <[REDACTED]>

Tue 9/29/2020 10:00 AM

To:town comments <[REDACTED]>

Someone has to care about the damaging harmful algae developing at "Mary's Pond" in Kittery.
Any small sealife will suffocate and is suffocating, if not already gone, because of allowing algae to grow there.
Birds will get sick and diseased sipping anything from the pond as is.
Please care. AND please make plans to revert the whole pond area into a small public park with a few benches.
Kittery desperately needs green peaceful / meditating parks.
Residents don't want more useless unnecessary buildings of inferior design and increasing costs.
Find help getting rid of the algae naturally, without poisoning the pond more and work to preserve,
not destroy or alter old Kittery, Maine.
Thank you Suzy Courage Johnson

Comments on Affordable Housing code changes

David Durling

Thu 10/1/2020 8:33 PM

To: town comments <tcomments@kitteryme.org>;

To Whom It May Concern,

While I applaud the majority of the Affordable Housing initiative, I am writing to express my opposition to a couple of portions of the TITLE 16 AFFORDABLE HOUSING &

C-1 AND C-3 ZONES AMENDMENTS.

The first area of concern to me are the proposed changes to the setbacks in the C-1 Zone, where I reside at 29 Adams Drive.

The current code (16.3.2.11) stipulates side yards of 30' except where a nonresidential use abuts a residential zone or use, in which case a minimum yard of 40' is required.

- (d) Minimum rear and side yards: 30 feet. (NOTE: Except as may be required by the buffer provisions of this title, and where the side and/or rear yards of the proposed nonresidential use abut a residential zone or use; in which case a minimum of 40 feet is required.)

The proposed changes to the C-zones specify a range of rear and side yard setbacks as follows, with asterisks for the specific C-zones:

- 388 (d) Minimum rear and side yards setbacks: 30 feet.

C-1 Zone All uses 10 feet*

C-2 Zone All uses 30 feet**

C-3 Zone All uses 10 feet***

The proposed changes do take into consideration our neighborhood of Adams Drive and Ox Point Drive, by increasing the setbacks to 30' as follows.

- 389 ***NOTE: Except where side and/or rear setbacks of proposed new uses abut a single-family use and/or any**
- 390 **properties located on the east side of Route 1 from the southernmost extent of the C-1 zone north to**
- 391 **properties abutting Ox Point Drive in which case a minimum of 30 feet is required. See**
- 392 16.3.2.11.C.(4).(e) for buffer requirements.
- 393 (**NOTE: Except as may be required by the buffer provisions of this title, and where the side and/or rear
- 394 yards of the proposed nonresidential use abut a residential zone or use; in which case a minimum of 40
- 395 feet is required.)
- 396 ***NOTE: Except where side and/or rear setbacks of proposed new uses abut a single-family use in
- 397 which case a minimum of 15 feet is required.

I appreciate the increase from 10' to 30' for the setback, but this is still **less** than the current 40' setback, and less than the proposed setback standard for the C-2 zone. And that 30' setback distance is for **all** noncommercial uses that abut a residential use, not just affordable housing uses. This appears to be an attempt to slip a pro-development change into the code under the guise of affordable housing.

I strongly urge the council to reject this change and keep the original 40' setback for all non-residential uses that abut residential uses across all the C-zones.

The proposed elimination of a minimum size for dwelling units also has me concerned.

Line 239 - Dwelling Unit definition, reduction from minimum of 650 square feet to that of the Maine Bureau of Building Codes and Standards.

It would be helpful to know what those Maine codes and standards are. According to the [maine.gov](https://www.maine.gov/dps/fmo/building-codes) website (<https://www.maine.gov/dps/fmo/building-codes>) Maine bases its building code on the 2015 International Residential Code (IRC), but that document is difficult to find online (it was behind a paywall). I would like to know what the intent was in eliminating the 650 square feet minimum. **I would suggest wording that says dwelling units will adhere to the Maine codes but shall be a minimum of 650 square feet.** How much smaller can a dwelling unit be?

Line 552 - Another area of concern to me, as an owner of a residential lot that abuts a nonresidential use, is the matter of screening parking lots. There are standards for screening parking lots from the street but there do not appear to be any requirements to screen parking lots on side yards. I'm concerned that a developer could put unscreened parking spaces abutting a residential use parcel.

I urge the council to look closely at these changes.

Barb and David Durling
29 Adams Dr
Kittery, ME 03904
207-439-6698
dadurling@mac.com

affordable housing

Kenneth FEllows <[REDACTED]>

Thu 10/8/2020 8:46 AM

To:town comments <tcomments@kitteryme.org>;

We, as longtime residents of Kittery Point (73 Ch.Ck.Rd.) fully support

- .Rezoning Mall Rd & Bypass to permit various forms of affordable housing.
- . Requiring developers to include affordable housing units in their building projects or monetary payments in lieu thereof.
- . Making the ad hoc Housing Committee a permanent committee of the Town Council.

Respectfully submitted,

Ken and Kristin Fellows

Fwd: Affordable Housing/public hearing comment



Mon 10/12/2020 2:13 PM

To:town comments <tcomments@kitteryme.org>;

Comments for Town Council for Public Hearing, Wednesday, October 14, 2020

Dear Council,

I want to strongly voice my support for the affordable housing proposals that include the rezoning and the proposed funding pieces that include proceeds from tax foreclosed properties and developer investments. Additionally, I support establishing a standing Housing Commission to assure good guidance, policy and tap economic support from other available resources through government programs or grants.

This proposal may be one of the most promising opportunities for not just those in need of general affordable housing, which is and should be a priority, but for all residents, businesses, families and workers such as our teachers, police and government employees. Areas that can be transformed into more village like spaces, retail and human scale spaces that offer more mixed use while also including crucial social infrastructure like parks, trees and sidewalks will raise the overall health of this community for everyone. This could transform these areas in ways that benefit all of us while attracting real investment.

National and local economies are facing many unknowns. This is a positive and pro-active step that offers creative and exciting opportunities that can both improve these areas of our town while providing what could be significant tax revenue. As we are seeing economic hardship across the nation, stabilizing Kittery's economic and social health and the ability to fund our schools, police and town services that we all depend on must be a priority.

Gayle Wells
22 Seapoint Road

Affordable housing hearing statement

William Peirce <[REDACTED]>

Tue 10/13/2020 9:18 AM

To: town comments <tcomments@kitteryme.org>;

Please read my comments at the meeting.

I recommend that the council not approve the proposed affordable housing law. Secretary of Housing and Urban Development Ben Carson says, "Regulations such as density limitations, height restrictions, parking requirements, lengthy permitting and approval processes, and 'not in my backyard' ... opposition are the primary reasons for housing supply restrictions and increased housing costs." A [2016 study](#) by the National Association of Homebuilders found that land use regulations make up the cost of 15 percent of a home price, while regulations that apply after a builder acquires the land make up 10 percent of the cost. That is why housing is affordable in Texas, which has fewer regulations, and Kittery has expensive housing.

Not all Maine towns make it difficult to build new housing. Many are friendly to development. At one time Kittery had three or four new homes under construction while Sanford had about 100.

The proposed affordable housing regulations make housing more expensive, not less, in 9 out of 10 cases. The proposed law says that if a developer wants to build 10 units, one of these units has to be a subsidized unit. So the builder has to construct an oddball unit and likely lose money on it. The cost of this will be absorbed by the other 9 units. If the developer does not want to build an oddball unit, the developer can instead contribute cash to a town affordable housing fund.

The Town Council does not have to act on affordable housing. The problem is taking care of itself. Hundreds of new housing units have been approved or are under construction from Dennett Road to Lafayette Road. These massive new developments will have a great effect in depressing local housing prices.

William C. Peirce

Please explain further the redistribution of the tax burden

Judy Quinby <[REDACTED]>

Tue 10/13/2020 5:28 PM

To:town comments <tcomments@kitteryme.org>;

I live in Foreside, and my taxes increased 90%. Reports from residents in other parts of Kittery range from a nearly doubling of property tax to very small, insignificant decreases, with the majority on the increase side.

Do the Kittery Mall stores pay the same mil rate as the residents? If that is the case, then the property taxes of Kittery Trading Post have decreased by over \$20,000.

Are the retirees and hard working residents of Kittery taking up the slack for the Kittery Mall stores having a bad year because of Covid?

Thank you for explaining further.

With kind regards,
Judy Quinby
16 Otis Avenue

property taxes

Turney Tomcat <[REDACTED]>

Tue 10/13/2020 5:47 PM

To:town comments <tcomments@kitteryme.org>;

Hello Town councilors.

I have a few questions about the recent property assessment and tax changes. Most property owners I know from the Foreside to Gerrish Island to Brave Boat Harbor Rd saw increases in their taxes despite a reduction of the mill rate to \$12.90/\$1000. Out of 20 property owners, two told me they saw a reduction of under \$200 while everyone else saw an increase from \$600 to \$4000. Three landlords have told me that they will need to raise their rental rates because of the significant increase in property taxes. Two are in Admiralty village and one is off Shapleigh Rd. (not exactly posh neighborhoods) If our goal is to broaden affordable housing options, how does this support this?

What was our revenue from property taxes in 2019, 2020? What is our expected revenue stream for 2021? The town manager has said that she was able to create a budget for this year that only saw an overall increase of 2%. Please explain future financial goals and issues that are before the town.

Thank you for your time.

warm regards, Julia O'Connell

Public comment

Bill McCarthy <[REDACTED]>

Wed 10/14/2020 8:26 AM

To: town comments <towncomments@kitteryme.org>;

October 14, 2020

Letter to the Town Council for Public Comments:

At the last meeting of the Planning Board(Sept 24) the Chairman refused to read a letter of mine in it's entirety, that I had submitted clearly intended to be read during the Public Comments section of the meeting. My comments were not directed toward any development project, so by not entering them into the record I feel that my right to speak has been wrongfully denied. This kind of behavior should not be tolerated!
I would appreciate it if the council would look into this matter.

Bill McCarthy
27 Adams Drive

Sent from my iPad

Affordable housing public hearing

Joan Beskenis <[REDACTED]>

Wed 10/14/2020 8:27 AM

To: town comments <[REDACTED]>

Dear Council Members,

I strongly support the affordable housing plan put forward by the Planning Board and thank them for the hard work that went into its development. When my husband and I moved here over 30 years ago the town was more diverse and it was one attribute-among many- that made it attractive to us. I never thought that could be lost, but the types of housing that were constructed left many people at unable to keep their homes or to move here. I hope adopting this affordable housing plan will be the start of providing housing that will allow people who work here to live here along with other creative, energetic people who wish to be part of an exciting Kittery community.

Thank you.

Sincerely,

Joan Beskenis
6 Barters Creek Rd
Kittery Point

Sent from my iPhone

For Public Hearing

Bill McCarthy

Wed 10/14/2020 8:31 AM

To: town comments <tcomments@kitteryme.org>;

October 14, 2020

To the Town Counsel for Public Hearing

I would appreciate answers to the following questions I have regarding the proposed changes to the code.

Item 1

Lines 180-184 Minimum rear and side setbacks :

In different drafts of these proposals the setback requirements were changed a number of times.

We ask that the current standard of 40' setbacks be maintained.

Lines 185-187 For the sake of consistency shouldn't "side and/or rear yards" be changed to side and rear setbacks?

Line 173. Maximum front setback:

If there's no minimum setback, does that mean it could be built to the property line?

Lines 192-195. The current standard for roof design goes into quite a lot of detail about the requirements for pitched roofs and states that "flat roofs are unacceptable as prominent roof forms."

These new proposals: "Flat roofs....are acceptable provided...screening is designed as an integral part of the building."

This would allow buildings possibly in excess of 60'.

Since our fire truck can only service at the maximum a 50' building, does this mean we would have to buy a new fire truck?

Line 309: This proposal would reduce open space by 40% from the current standard of 25% to 15%.

This is what open space is intended for, " the open space must be located to...minimize environmental impacts, protect significant natural features, and maintain wildlife habitat."

How does reducing the open space "minimize, protect and maintain" our sensitive environment along Spruce Creek?

The current code Building Design Standards states " the primary architectural styles are New England Colonial, Georgian, Federal and Classic Revival. New Buildings must be compatible with Kittery's characteristic style in form and scale. We believe that these new proposals would allow buildings not in keeping with Kittery's characteristic style in form and scale.

Item 2

Line 19: "three or more new dwelling units"

Since there's no other mention of three units in this proposal,

Are there any requirements for three new dwelling units?

Line 36-40 "any fractional unit left after the rounding"

This text doesn't seem to agree with the example given since there is no fractional unit left after rounding a number.

10/14/2020

For Public Hearing - town comments

Can anyone explain this?

Line 111. "affordable housing units need not be the same size."

Line 64-67 "may be located either onsite ...or offsite"

Lowering the standards for affordable housing units seems to be unfair to the work force citizen we hope to attract.

Has it been determined how much smaller the affordable housing can be?

We believe that accepting these proposals with their radical changes would overturn our current code to a great degree allowing development to encroach on existing residences and the Spruce Creek environment and so should be amended to more accurately reflect what our current zoning standards and comprehensive plan set out.

Respectfully,

Bill and Eileen McCarthy
27 Adams Drive

Sent from my iPad

Comments for Town Council for Public Hearing, Wednesday, October 14, 2020

Dear Council,

I support the affordable housing proposals that include the rezoning and the proposed funding pieces that include proceeds from tax foreclosed properties and developer investments. Additionally, I support establishing a standing Housing Commission.

Sincerely,

Mary Connors
30 Cutts Island Lane

Support Affordable Housing Package

Faith Harrington <[REDACTED]>

Wed 10/14/2020 10:23 AM

To: town comments <tcomments@kitteryme.org>;

Dear Town Council,

I am writing in support of the affordable housing ordinance package as recently proposed. I am sending this email because I have a prior commitment and will not be able to attend the public hearing tonight.

I am supportive of this proposal because I care deeply about my community and keeping it an affordable place for our youth, our elderly, our teachers, our police and firemen, our restaurant owners and workers, our entrepreneurs, and anyone else who cannot afford expensive housing.

The proposed ordinance includes a provision to rezone the mall road and bypass to permit residential and mixed use development which is a forward-thinking, progressive approach to the decline in the traditional bricks and mortar retail part of our economy. No-one wants to see this part of our community become a ghost town so allowing more residential and mixed use development in that area is a positive approach. The ordinance will create incentives for developers to make some of the new housing stock affordable to those in occupations that are traditionally lower paid, and/or make a payment in lieu into a newly created affordable housing fund. I also agree with the idea of establishing a Housing Committee to be a permanent Council Committee to develop future measures in support of affordable housing.

I would also like to thank the councilors, especially Councilor Matt Brock, and all the individuals who have worked so hard to envision our beloved town of Kittery an affordable place to live for all.

Sincerely,

Faith Harrington

3 Sea Oaks Lane

Kittery Point ME 03905