

PUBLIC HEARINGS



TOWN OF KITTERY Housing Committee

April 6, 2022

Kittery Town Council
200 Rogers Road
Kittery, ME 03904

Dear Kittery Town Council,

The Kittery Housing Committee supports the proposed amendments to the BL/BL-1 zones under consideration at your meeting this Monday, April 11. These changes will help remove significant barriers to the development of affordable housing in our community and incentivize the addition of modestly priced units to our scant housing stock. Applying inclusionary housing language to these zones will help generate new housing units benefiting those from various income strata.

Restrictive zoning is one of the primary impediments to addressing the housing crisis. However, as we learned from recent proposed developments, affordable housing goals will not be achieved simply by relaxing zoning standards. We must instead pair changes with an affordability mandate. The proposed amendments achieve both goals and allow the inevitable growth of our town to include households with moderate means.

These proposals are the result of thorough vetting by multiple committees, including unanimous approval by the Kittery Housing Committee. While each group has their own unique charge, the underlying impetus for proposing these changes is universal and unquestionable: the need for more affordable housing options in our community.

The Planning Board voted to adopt almost identical changes to the C-1 and C-3 zones in the fall of 2020, which were then moved onto the Town Council and incorporated into the code with no contest. This clearly demonstrates precedent and support for changes of this nature.

As the governing body charged with achieving the goals set out in our comprehensive plan, I encourage you to pass these changes which will provide far reaching and long-lasting benefits to our community.

Thank you,

Matt Brock, Chair
Kittery Housing Committee



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Kittery, ME 03904
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www.fairtide.org

April 7, 2022

Kittery Town Council
200 Rogers Road
Kittery, ME 03904

Dear Councilors-

As the Chair of Fair Tide's board of directors, I am writing to strongly encourage you to pass the BL/BL-1 zoning amendments. For the last five years, Fair Tide has been laying the groundwork for affordable housing projects here in Kittery. Our persistence and hard work are paying off in the form of three potential projects that would create housing opportunities for middle- and lower-income households.

The barrier standing in the way of forward progress is restrictive zoning which, among other constraints, limits the number of units possible on these sites. You hold the key to unlocking this roadblock that stands in the way of so many opportunities for desperately needed housing. These amendments not only help affordable housing developers achieve their mission, but also ensure all new developments contribute housing stock that will benefit those with moderate means.

My job as a real estate professional gives me unique, in-depth knowledge of the realities of our housing market. We are in the midst of an unprecedented shortage of housing, which pushes prices to all-time highs and prevents a huge swath of households from being able to call our community home. Please adopt the amendments that are in front of you this evening so Fair Tide, and other developers, can begin to balance the scales.

Thank you in advance for your support and commitment to our community.

Ali Goodwin, Realtor®
Board Chair, Fair Tide

A long-term solution to homelessness

April 11, meeting, Title 16: Affordable Housing BL BL1 Amendments

Diane Harvey <[REDACTED]>

Thu 4/7/2022 3:41 PM

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

Dear Councilors,

I write in support of the amendments to the BL/BL1 zones. As a member of the Trustees of Trust Funds committee and part of the ad hoc committee of Social Service Providers that networks on how to better provide services to those in need, I have become acutely aware of how great the need is for affordable housing in Kittery. Almost every meeting we learn of the increased requests that have come to the Town clerk for help dealing with the lack of housing. Often the only answer is money for a short motel stay, or gas to keep the engine and heat on for a family who are living in their car. This lack of affordable housing will only continue to grow given the extremely limited supply and housing prices that continue to rise.

I believe the proposed amendments will make it more possible for affordable housing to be built. I commend the work the Town Council has already done on this issue as well as the Planning Board and the Kittery Housing Committee.

Thank you,

Diane L Harvey
190 Brave Boat Harbor Road
Kittery Point, ME 03905
Member, Trustees of Trust Funds

April 11, 2021

Kittery Town Council
200 Rogers Road
Kittery, Maine 03904

RE: BL and BL-1 Proposed Zoning Changes

Dear Kittery Town Council,

As a property owner in the BL-1 zone, I would like to ask the Town Council to consider performing a visioning build out session to see just how many housing units could be built on State Road and Shapleigh Road before enacting the proposed zoning amendments for BL and BL-1 zones.

A well respected friend recently brought to my attention that this proposal allows density comparable to Portsmouth. My entire time serving on the Comprehensive Plan Committee, I never heard anyone say we want to be like Portsmouth, quite the opposite.

Here is one example:

In 2021, 25 State Road (Carl's) on 1.43 acres **sold for \$1.5 million.**

$1.43 \text{ acres} \times 43,560 = 62,290 \text{ sq. ft.}$

$62,290 \text{ sq. ft.} / 8,000 \text{ sq. ft.} = 7 \text{ units current BL zone}$

$62,290 \text{ sq. ft.} / 4,000 \text{ sq. ft.} = 15 \text{ units}$

$62,290 \text{ sq. ft.} / 2,000 \text{ sq. ft.} = 31 \text{ units}$

$62,290 \text{ sq. ft.} / 1,500 \text{ sq. ft.} = 41 \text{ units proposed with 25\% affordable component.}$

In 2021, 42 State Road condos sold for \$525,000 each.

If you could build 31 units at that price they could sell for **over \$16 million.**

With prices like that, do you think Carl's would consider leaving?

There are locations on the west side of Route One Mall Area and parts of the By-Pass where taller more dense development may be appropriate. But it would be a very dramatic change if allowed in our local business zones.

Can you imagine both sides of Route 1, from John Paul Jones Park to the the traffic circle going from 8,000 sq. ft. per unit to 2,000 sq. ft. per unit? This major increase in density, could have a serious impact on traffic, which is already an issue and demand for services, most immediately in the Planning Department. Other services would certainly be impacted as well.

With the current demand for housing and the proposed changes to BL and BL-1 zones Kittery could be forever changed.

I can honestly say having been on the Housing Committee for the past few years, I never really considered the extreme change this could make to our town.

I know Kittery wants and needs more affordable housing, but I think it would be wise to go through a build out exercise before enacting these amendments.

With the recent uproar about the latest Dennett Road proposal we owe to our residents and local businesses to take a moment to really try to understand what we could wind up with before we change the zoning.

Thank you for considering one more step,

Debbie Driscoll
Kittery Resident and
Business Owner on
Shapleigh Road

GENERAL PUBLIC
COMMENT

Spruce Creek algae source

Lainey McCartney <[REDACTED]>

Fri 4/8/2022 10:25 AM

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

📎 3 attachments

IMG_3733.jpg; IMG_3732.jpg; IMG_3731.jpg;

Hello,

I'm writing in regards to the 4/11 Town Council Mtg. I live at 30 Heron Point (one of the original homes of the recent 412 Haley development).

Approved drainage for the 412 Development runs in front of our home. It was mostly a drybed with occasional run-off post storms. In the last 2-3 yrs it has flowed non-stop due to increased drainage. Worse than that is that it is currently choked-up with the green algae that is devastating Spruce Creek. And because of the high water table, the ditch has created swamping and has up-ended dozens of shrubs and trees (to include ancient apple trees) in the buffer. This never happened before this development.

I wrote to the planning board several times in 2017, cautioning against what would be increased waste from the bituminous, fertilizers and pesticides landing directly into the creek from the proposed drainage. This is egregious especially in light of the enormous effort/funds put forth only years earlier into mitigating sources of watershed-waste into Spruce Creek.

Now we have an algae disaster in the creek with at least one very obvious culprit. Please see attached images taken 4/7/22 at three different points in this drainage swale.

Thank-you for taking the time to read this.

Very best regards,

Lainey McCartney







Comment to be read at Apr 11, 2022 Town Council Meeting

JAMES KNOWLES <[REDACTED]>

Mon 4/11/2022 9:07 AM

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

To the Kittery Town Council

In the last Town Council meeting on Mar 28, I requested the Town Council speak to the Planning Board about its duty to the town. I did not expect the Council to intervene in a specific application under consideration by the Planning Board. I merely requested the Council remind the Planning Board members that they need not approve a project that has a negative effect on the town just because all zoning ordinances are met. And that the duty of the Planning Board, as stated on the town website, is to "ensure proposed development does not adversely impact the health, safety of Kittery, assuring the protection of the town's character."

Many in Kittery feel that that the Planning Board lost sight of its duty when it approved the 303 apartment complex off Dennett Rd. The size of the housing project was clearly not in the town's character..

The Town Council initially vetted all the applicants to the Planning Board to insure they could do their duty as a board member.. The Town Council should, therefore, be comfortable reminding the Planning Board members that their primary duty is to protect the town's character. So I ask again, "Will the Town Council speak to the Planning Board?"

Respectfully,
Filomena Knowles