



TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904
Telephone: (207) 439-0452 Fax: (207) 439-6806

KITTERY TOWN COUNCIL COUNCIL CHAMBERS

September 12, 2022

6:00PM

Meetings may be watched in person, on Channel 22, the Town's website, or Kittery Channel 22 Facebook page.

The public may submit public comments via email, US Mail, or by dropping off written comments at the Town Hall. Emailed comments should be sent to:
TownComments@kitteryme.org.

The public may participate in person or via Zoom webinar. **To register for the Zoom webinar, click this link:**

https://us02web.zoom.us/webinar/register/WN_q0nnFTbtThSqYXVx0pMmg

After registering, you will receive a confirmation email containing information about joining the webinar. Webinar participants will be able to submit questions and comments during a public hearing and public comment.

Written comments received by noon on the day of the meeting will become part of the public record and may be read in whole or in summary by the Council Chair.

1. Call to Order
2. Introductory
3. Pledge of Allegiance
4. Roll Call
5. Agenda Amendment and Adoption
6. Town Manager's Report
7. Acceptance of Previous Minutes
8. Interviews for the Board of Appeals and Planning Board
9. All items involving the town attorney, town engineers, town employees or other town consultants or requested officials.

- a. (090122-1) The Kittery Town Council moves to establish an overlay amount of \$_____, resulting in a mil rate of _____ per mil, and to charge an interest rate of 4% per annum on past due accounts and an interest rate of 2% on overpayment of property taxes, and confirms the dates of October 31, 2022, February 15, 2023 and May 31, 2023, as the due dates for property and personal taxes.

10. PUBLIC HEARINGS

11. DISCUSSION

- a. Discussion by members of the public (three minutes per person)
- b. Response to public comment directed to a particular Councilor
- c. Chairperson's response to public comments

12. UNFINISHED BUSINESS

- a. (090122-2) The Kittery Town Council moves to vote on Title 16 – Affordable Housing BL-BL1 amendments.

13. NEW BUSINESS

- a. Donations/gifts received for Council disposition

(090122-3) The Kittery Town Council moves to accept a donation in the amount of \$2,000 from Barbara Fein to be deposited in account 5023 Library Donations.

- b. (090122-4) The Kittery Town Council moves to open shellfish harvesting in Braveboat Harbor from December 4, 2022 to April 30, 2023, as recommended by the Shellfish Conservation Commission and approved by the Department of Marine Resources.
- c. (090122-5) The Kittery Town Council moves to appoint a Councilor along with the Chair of Port Authority to interview H. Scott Mason for a three-year term on the Kittery Port Authority.
- d. (090122-6) The Kittery Town Council moves to appoint Leela Pahl to the Kittery Community Center Board of Directors for a three-year term.
- e. (091222-7) The Kittery Town Council moves to appoint Kathleen Starkey to the Kittery Community Center Board of Directors for a three-year term.

14. COUNCILOR ISSUES OR COMMENTS

15. COMMITTEE AND OTHER REPORTS

- a. Communications from the Chairperson
- b. Committee Reports

16. EXECUTIVE SESSION

17. ADJOURNMENT

Posted: September 8, 2022



TOWN OF KITTERY

Office of the Town Manager

200 Rogers Road, Kittery, ME 03904

Telephone: 207-475-1329 Fax: 207-439-6806

kamaral@kitteryme.org

Town Manager's Report to the Town Council September 12, 2022

- 1. Gorges Road Fire Station Expansion** – Working with Port One Architects, the Fire Chief has refined the expansion plans for the Gorges Road Fire Station. The expansion is designed to include bays, office, and bunk space to support the ambulance and fire service. As the Council may recall this project was approved by ballot in 2021. This project was put forward to achieve the beneficial service outcomes of having the ambulance service out of the Foreside and co-located with the Fire Department on the Rte 1 Bypass. The importance and need for the project are still highly relevant; albeit delayed due to the pandemic.

Construction costs have skyrocketed since the warrant article was approved. The cost of the project is estimated at \$1.5M. Our original estimate was \$800,000.

The sale of the 25 Walker Street is for approximately \$900,000. After fees, there will be approximately \$850,000, leaving a funding gap for the expansion of approximately \$650,000. The gap is resolvable using the proceeds from the recent sale of other properties; but such approach would require Council approval due.

I am seeking Council consensus on whether you will entertain a funding strategy to accomplish the project using proceeds from sales of other surplus property. If so, I will present a plan to the Council at the September 26 meeting.

- 2. Hydrological/Watershed Study Route 236 Area** – The Town has received two proposals for the Hydrological/Watershed Study of the Route 236/Martin Road area. We are reviewing the proposals and will select a consultant in the next two weeks.

The scope of work for the selected consultant will include collecting data in records and on site, assessing the functionality of the wetlands, estimating the pollutant load calculations, and proposing recommendations to mitigate stormwater and wetland functionality deficiencies resulting from existing and potential future development in the area. We anticipate two public sessions, one in which the consultant presents the draft findings of their analysis of existing conditions, and a second where they present their recommendations and full report. The study is expected to be complete by late spring next year.

- 3. PFAS/New Water Line** – Jessa Kellogg and I had individual conversations with the impacted property owners in July and August regarding the opportunity to connect to the proposed new waterline. We also held a Zoom call with the residents on August 17 to discuss next steps and timeline. By August 31, we had responses from all eligible residents on their choice whether to connect to the new public water line or go with a filter. The majority are interested in connecting to the water line.

With this information, we are able to develop the bid package for the construction of the water line and connection to each home as applicable. Our hope is to have the bid issued in the next few weeks.

- 4. 375th Celebration Finale** - The Town of Kittery has celebrated its 375th with a year-long focus on Kittery's past, present, and future. The calendar has been packed with events, tours, arts, lectures, and concerts.

We look forward to seeing everyone for the finale events: the 375th Birthday Bash on September 23rd and the Taste of Kittery on September 24th. The Birthday Bash brings back the much loved "lawn fete". Lead by Jane Durgin and the School Department, the Bash will have carnival games, bike parade, dessert walk, pony rides, music, food and more for the whole family. The next day we host our 2nd annual Taste of Kittery. Come experience Kittery's vibrant restaurants with the most delicious mix of sips and bites from your favorite local eateries and brewers.

For more information about these events and the full 375th celebration visit www.kittery375th.com

- 5. Grant Updates** – The Town has recently been awarded two grants from MaineDOT. The first is a Municipal Partnership Initiative grant for \$234,568 for stormwater infrastructure repair/replacement along Route 1. David Rich and Jessa Kellogg worked on the grant application. The stormwater infrastructure project was part of our Right of Way capital plan this year; with the grant award we are able to save money on that project and utilize it for the Village pavement and stormwater work in our pavement management plan.

The second MDOT grant award is for a Planning Partnership Initiative grant for \$70,000 to develop a transportation corridor study for Route 1, from the Mall Road to the York line. This study will help guide transportation improvement needs and standards as future development occurs along this priority development area. Adam Causey developed the successful application.

We were unsuccessful in our Defense Community Infrastructure Pilot Program application for funding support for the Walker/Wentworth sidewalk project. The request was for \$1.8M and would address the funding gap needed to implement the project. We will be working with MDOT on funding gaps in the coming year, as they prepare to put the project out to bid.

SMPDC approved funding for the brownfields assessments of the old Community Center on Cole Street. The assessment was completed in August. We will use that assessment as the basis to request additional funding to remove the building. The anticipated value of the grant is \$85,000. Adam and I worked on this grant effort.

- 6. 2022 Annual Goals Report** – Attached please find the 2022 Q2 Annual Goals Report
- 7. New Town Clerk Jillian Richards**– Please help me in congratulating Jillian Richards on her appointment to Town Clerk. Jillian takes over for Karen Estee who retired as Town Clerk at the end of August. Karen served the Town just shy of 11 years, starting in November of 2011 as the Assistant Town Clerk. Over the course of her career, she was promoted to the Deputy Clerk, Interim Town Clerk, and then ultimately the Town Clerk in July of 2019. During her career in Kittery, Karen helped grow our online services and absentee balloting due to COVID. Karen's team successfully navigated software upgrades, new processes involving Fort Foster and the dump, different caucus and preliminary election processes, and more. Karen also refined the election work flow to get us results quickly after polls closing.

Jillian has served the Town since 2015. Early on in her career she expressed an interest in becoming Town Clerk, and actively engaged, under Karen Estee's guidance, in the process of learning and expanding her role to be ready when the time came.

She has helped grow the service at the front counter by the Administrative Clerk staff, becoming more actively involved in election operations including processing voter registration and absentee ballots at the counter and on Election Day. She helped us transition to processing all vital records requests at the front counter (this used to be limited in the past) further increasing our ability to serve customers effectively. Jillian assisted in planning and implementing the transition to online applications for dump stickers and Fort Foster passes, which have been highly successful. She learned how to administer General Assistance, training under Karen both in Kittery and another community and has served as the back-up for a number of years. She truly exemplifies our customer-centric service approach and has a positive, can-do attitude.

Upcoming Dates:

- November Election Absentee Ballot Applications Available – Town Clerk's Office
- Property Tax Stabilization Applications Due – December 1, 2022, Town Hall
- Kittery 375th Birthday Bash – September 23, 4:30PM, Kittery Community Center
- Taste of Kittery – September 24, 1PM, Post Office Square, tickets at www.kittery375th.com

Respectfully Submitted,



Kendra Amaral
Town Manager



TOWN COUNCIL & TOWN MANAGER ANNUAL GOALS 2022

Q2 Update: September 12, 2022

Town Council Goals

Council Conduct

- Continue to conduct Council business respectfully as we work toward consensus and capitalize on our experiences and diversity
- Work to keep the demands we place on the Town Manager and her staff at a manageable level and maintain an open line of communication with the Manager regarding questions and demands

Affordability

- Increase housing stock for those meeting affordability guidelines:
 - Support proposed zoning changes to make developing affordable housing more cost competitive (3.3, 4.1, 4.2, 8.5) – Title 16 amendments to BL & BL-1 Zone being reviewed by Council. Title 16 petition article changed zoning in TIF zone. New process being developed to resolve issues with petition zone and modernize.
 - Direct funding, where appropriate, to the Housing Fund (4.1, 4.2) – tax-acquired properties preparing for sale, two as deed restricted affordable housing. ADU grant applications being issued.
- Promote weatherization for low-income residents (4.1, 4.2, 9.2, 9.3)
- Investigate options for tax relief for low-income property owners and develop a plan for implementation and funding (4.1, 4.2) – Information about Property Tax Fairness program added to website and notices. Senior Tax Circuit Breaker will be up to \$2,500 per applicant, awaiting state information on Property Tax Stabilization program.

Community

- Develop a plan to review and change, where necessary and appropriate, Town ordinances, policies, and practices to assure fairness, equity, and inclusion for all Kittery residents and visitors. Establish a Council Committee to this end, working with the Town Manager to identify a process, experts, and resources to assist. (7.1) – DEI committee formed. 29 Mainers Show installed at KCC.
- Continue implementation of plans to control traffic, reduce speeds in Kittery neighborhoods, including:
 - Implementation of JLUS recommendations with respect to public transportation and remote satellite parking (5.1, 5.4) – Park & Ride at Simon Malls launched; PNSY advised they hit a hurdle on their TIPs program revisions to support use of remote parking facilities within 10 miles; Round 3 JLUS grant application submitted.
 - Implementation of bike/ped master plan recommendations (5.2, 5.3) – Stevenson Sidewalk grant application being refined for resubmission.
- Assess Memorial Field for potential improvements that will support the demand for high quality playing fields (2.2,7.2) – Incorporated in FY23 CIP. YAC will serve as steering com.
- Expand use of social media to communicate with residents, business owners, and visitors (7.1)

- Increase citizen involvement in Town governance – Call for volunteers ongoing; See ClickFix launched and receiving citizen requests for service (i.e. potholes, signs down, etc).

Climate Resilience

- Support development of a comprehensive Kittery Climate Action Plan (9.1, 9.2)- SMPDC with collaborative communities received State grant for CAP development. RFP for community engagement consultant in process.
- Create a climate resilience reserve fund (9.1, 9.2)
- Support ordinances to protect the shoreland zone (8.1, 8.2) – draft ordinance in development.

Fiscal Responsibility and Town Services

- Adopt a budget that is progressive, responsible, responsive to community expectations and needs (7.4) – COMPLETE
- Investigate costs, benefits, and effectiveness of:
 - growing the full-time Fire Department (7.3) – Ambulance analysis in process, gathering data from ambulance operations in comparable communities.
 - increasing the Police embedded social worker program to full-time status (7.3)
- Encourage the Town Manager’s continued assessment of the effectiveness of Town service delivery (7.1) – ongoing

Town Manager Goals

Support Council’s efforts to implement the Comprehensive Plan 5 Year Action Plan (see Council Goals)

Support long term planning and growth management objectives:

- Obtain funding to advance JLUS implementation strategies including micro- and mass-transit, housing, and communication with PNSY – Grant application submitted
- Propose and implement a property surplus strategy for 3 Walker – Property is in need of tear down; working with RE Agent to place property on the market.
- Identify programs, grants, and property acquisitions that retain or increase working waterfront access. – registered for National Working Waterfront Conference in July to gather more information about funding and technical assistance.
- Complete Gorges Road expansion project and implement surplus strategy for Walker Street Fire Station – architect developing drawings and cost estimate.
- Complete land agreement and transfer of Taylor Building – COMPLETE.

Climate Action

- Propose and implement additional strategies and projects to reduce municipal greenhouse gas emissions

Social and Racial Equity and Justice

- Develop strategies to attract a diverse candidate pool for town positions, boards, commissions, and committees – Reviewing job postings and adjusting to align with best

practices and current job seeker trends. Beginning transition to include pronouns in signature/title text.

Enhance Financial Stability

- Produce a 2023 budget that seeks to respond to service expectations of the community, and appropriately addresses unmet needs and responds to growing inflation – **COMPLETE**
- Develop and implement enhancements to the investment strategies to maximize returns without significantly increasing risk – **COMPLETE**

Enhance Municipal Services

- Increase Town's presence on social media platforms
- Implement tech-based interactive resident request system (SeeClickFix) – **COMPLETE**
- Launch Police Citizens Academy and expand to other areas as appropriate
- Implement short-term recommendations from Bike/Ped Master Plan
- Launch five-year strategic planning effort for Library – **Library Advisory Com meeting and discussing next steps to engage a consultant.**
- Advance the integration of general assistance with our local social service agencies
- Working with partners, develop a plan to reestablish a preschool/daycare program at the KCC – **negotiations complete, planning for the opening of Seeds of Wonder in September with Brixham Montessori Friends School and White Pines. Program includes preference for Kittery residents and financial aid for qualified families.**

KITTERY COMPREHENSIVE PLAN
 5 YEAR ACTION PLAN
 SECONDARY OBJECTIVES

TOPIC AREA	GOAL	ACTION ITEMS	STATUS
PRIMARY OBJECTIVES			
2 – Natural Resources & Recreation	Establish mechanisms to protect visual assets such as creating a photographic documentation of scenic vistas and establishing an historic preservation committee to create a comprehensive inventory of historic resources . These are the first steps in helping to protect and promote those visual assets that contribute to Kittery’s uniqueness. (2.1)	<ul style="list-style-type: none"> • Conduct an inventory of historic resources, including landscapes, archaeological resources and buildings. 	
2 – Natural Resources & Recreation	Review existing hunting regulations and provide public education regarding these to improve the safety of residents especially in the Town Forest, while at the same time protecting resident’s right to carry firearms and hunt. (2.2)	<ul style="list-style-type: none"> • Create signage about hunting safety and regulations at Town Forest & Rogers Park 	Title 6 amendments complete. New signage installed at Fort Foster. Signage designed and ordered for Rogers Park and Seapoint Beach

KITTERY COMPREHENSIVE PLAN
 5 YEAR ACTION PLAN
 SECONDARY OBJECTIVES

TOPIC AREA	GOAL	ACTION ITEMS	STATUS
<p>3 - Economic Development</p>	<p>Engage in targeted outreach to business and industry sectors marketing Kittery’s economic development areas. (3.5)</p>	<ul style="list-style-type: none"> • Improve town website and have routine maintenance. • Identify similar business or industry partners who may have insights on what businesses in those sectors are looking for in terms of amenities, infrastructure, costs/revenues, workforce characteristics, etc. • Talk with brokers and real estate agents about marketing property in Kittery. • Work with land owners to actively market properties through websites and brokers. 	<p>Website updated, expanded use of email and social media to share info. Website look refreshed again in 2021. Coordination of design for new flyers, signage, and e-coms with website colors, front, look.</p> <p>Kittery is a member of the Chamber of Commerce and serves on the Exec Board. Kittery staff serve on the SMPDC Exec Board.</p> <p>Regular meetings with Foreside Business Group and outreach to Rte 1 and Bypass businesses.</p> <p>Urban Land Institute study of Rte 1 Mall area. Meeting with multi-use developers.</p>

KITTERY COMPREHENSIVE PLAN
 5 YEAR ACTION PLAN
 SECONDARY OBJECTIVES

TOPIC AREA	GOAL	ACTION ITEMS	STATUS
4 – Housing	Undertake to complete a Comprehensive town-wide Housing Plan that will document existing supply and identify needs and ways of meeting these, including methods for encouraging the development of affordable housing (e.g. creation of new types of housing, including workforce housing, and housing for seniors wishing to downsize, etc.). (4.1)	<ul style="list-style-type: none"> • Create a scope and request for proposals to undertake a comprehensive town-wide housing plan. Plan should include in-depth analysis of housing supply, demand, and strategies to encourage a variety of housing types and prices points. • Explore possibility of local regional planning commission undertaking the study on behalf of the town. 	<p>Affordable Housing ordinances implemented; BL & BL-1 amendments in review.</p> <p>Housing Com established. Housing fund established and receiving seed funds. ADU grant pilot program approved.</p> <p>Two tax-acquired properties approved for surplus for deed-restricted affordable housing.</p> <p>SMPDC leading leading regional housing inventory/barriers analysis (JLUS Implementation Phase 2)</p>
5 – Transportation	Evaluate Town-wide current parking conditions and policies and revise to meet development goals by improving management of existing spaces and exploring shared parking and other strategies. (5.4)	<ul style="list-style-type: none"> • Review and revise town code to support goal. 	<p>Title 10 revisions completed for Foreside, Badger’s Island and Pocahontas.</p> <p>JLUS Phase 1 complete. JLUS Implementation Phase 1 project complete. JLUS Implementation Phase 2 grant awarded and to include micro-transit program.</p> <p>Walker/Wentworth revisions enacted by Council.</p>

KITTERY COMPREHENSIVE PLAN
 5 YEAR ACTION PLAN
 SECONDARY OBJECTIVES

TOPIC AREA	GOAL	ACTION ITEMS	STATUS
7 - Municipal Facilities, Services, & Fiscal Capacity	Increase and improve communication with Town residents. Using a variety of modes including the internet and cable TV in innovative ways will help to keep residents more informed and connected to town government. (7.1)	<ul style="list-style-type: none"> • Become more efficient by streamlining the permitting process. • Update town’s GIS maps and establish a system for continuous update. • Explore ways of reaching the largest number of residents and conduct outreach to actively recruit volunteers, especially representation of demographics that are currently missing or underrepresented. • Develop clear messaging regarding what the boards and committees do, roles and expectations and information regarding opportunities and benefits of participation. 	<p>Online permitting launched. Implemented use of social media to expand resident participation on Boards.</p> <p>GIS upgrade complete.</p> <p>Use of Channel 22, FB, Twitter, and website expanded.</p> <p>Council Chambers and Conference Rm A upgraded to support hybrid (in-person/remote) meetings.</p> <p>SeeClickFix launched.</p>
7 - Municipal Facilities, Services, & Fiscal Capacity	Educate residents about town planning roles and processes and ensure that planning and town management processes are open, transparent, informative, inclusive, respectful and welcoming. (7.1)	<ul style="list-style-type: none"> • Explore the use of communication technologies to increase the communication between residents and Town government. • Revise Town Code so that regulations are clear and easy to use and are aligned with Comprehensive Plan goals. 	<p>Use of Social Media, Channel 22, and website increased. Website refresh completed. SeeClickFix launched.</p> <p>Title 16 recodification approved.</p> <p>E-Alert subscribers increased. Reverse 911 software quotes received and funding being explored.</p>

KITTERY COMPREHENSIVE PLAN
 5 YEAR ACTION PLAN
 SECONDARY OBJECTIVES

TOPIC AREA	GOAL	ACTION ITEMS	STATUS
7 - Municipal Facilities, Services, & Fiscal Capacity	Develop a long-range plan for the library including where the library will be located (renovation and expansion on existing site, new building on another site) and whether the Library should become a Town Department. (7.2)	<ul style="list-style-type: none"> • Explore possibilities and compare and contrast advantages and disadvantages of sites being considered for Library facility. • Consider converting the Library to a Town Department. • Support Library Director’s efforts to support literacy, digitize the library’s collection of photographs, and to provide support and programming for the increasing elderly population. 	<p>Library expansion and renovation complete.</p> <p>Library is now a Town Department.</p> <p>Library Adv Com established. Forming a workplan to develop a 5-year strategic plan for the Library. RFP expected to be issued in fall 2022.</p>
7 - Municipal Facilities, Services, & Fiscal Capacity and 8 – Land Use	Guide development to areas already served by public utilities, resulting in a more efficient and cost-effective use of these public services. (7.3) (8.1)	<ul style="list-style-type: none"> • Direct new development where feasible, to vacant or underutilized sites and buildings; direct development away from areas with natural constraints, key wildlife or open space corridors, protected shorelands, and areas where public utilities are not yet available and would be costly to extend. • Add utilities map to GIS. • Establish efficient permitting procedures, especially in areas designated as “growth areas” in Future Land Use Plan. 	<p>Mixed Use Neighborhood rezoning complete. MU-N zone repealed via petition.</p> <p>Affordable housing ordinances enacted.</p> <p>GIS upgrade complete. Online permitting launched.</p>

KITTERY COMPREHENSIVE PLAN
 5 YEAR ACTION PLAN
 SECONDARY OBJECTIVES

TOPIC AREA	GOAL	ACTION ITEMS	STATUS
8 – Land Use	Review, update and incorporate where appropriate, the recommendations from the Foreside Forums. Residents have expressed much enthusiasm for recent improvements in the Foreside and support for future infill development that is appropriate in scale and activity. (8.3)	<ul style="list-style-type: none"> Study the opportunities and challenges associated with the Foreside area to determine if the zoning district boundaries should change in the future. Identify desired uses. Identify the regulations and infrastructure needed to support the future of the area. 	<p>Foreside Traffic, Parking and Build Out Study complete. RFP being developed for surplus of 42-44 Old Post for affordable housing.</p> <p>Reviewing tax acquired and Town owned property for potential beneficial infill. Two parcels approved for affordable housing. RE Agent hired to assist with sale of tax-acquired and surplus property.</p>
9 - Coastal Community Resilience	Complete a climate adaptation study to plan for the potential impacts of sea level rise and prepare for extreme weather events (9.1)	<ul style="list-style-type: none"> Complete a Climate Adaption Study. 	<p>Climate adaptation committee formed. Flood resiliency checklist complete. Flood vulnerability assessment complete. Kittery joined with regional climate adaptation planning. Kittery a member of ICLEI. EV charging station installed at Town Hall. Sustainability evaluation added to CIP. Town leasing two EVs for fleet. Solar net energy billing credit project approved. Community GHG Inventory complete.</p>

KITTERY COMPREHENSIVE PLAN
5 YEAR ACTION PLAN
SECONDARY OBJECTIVES

TOPIC AREA	GOAL	ACTION ITEMS	STATUS
			Regional Climate Action Plan funded and in ramp up phase.

KITTERY COMPREHENSIVE PLAN
 5 YEAR ACTION PLAN
 SECONDARY OBJECTIVES

TOPIC AREA	GOAL	ACTION ITEMS	STATUS
SECONDARY OBJECTIVES			
2- Natural Resources & Recreation	Working with the Kittery Land Trust, develop a strategy for open space acquisition , setting priorities for parcels to be included. (2.1)	<ul style="list-style-type: none"> • Complete an inventory of open spaces in Kittery. • Consider purchase of unprotected open spaces. • Create/amend zoning to prohibit destruction of wetlands (high value, wildlife corridors) and add farmland and unprotected open space for review. • Revisit the inventory of scenic views defined in the 1999 Comprehensive Plan Update, making a photographic record (survey) and updating the inventory, as needed. 	Shoreland overlay zoning amendments adopted. Constructed wetlands zoning amendments in development.
2- Natural Resources & Recreation and 8 – Land Use	Protect existing open lands , including farmlands and wetlands from over-development by implementing effective strategies such as larger minimum lot sizes in the rural residential zone. As one way of preserving Kittery’s rural character, review and revise the cluster zoning ordinance and provide incentives for developers to use the ordinance. (2.1) (8.1) (8.2)	<ul style="list-style-type: none"> • Review/Revise Cluster Zoning Law 	Review of amendments underway.

KITTERY COMPREHENSIVE PLAN
 5 YEAR ACTION PLAN
 SECONDARY OBJECTIVES

TOPIC AREA	GOAL	ACTION ITEMS	STATUS
2- Natural Resources & Recreation	Reduce dog and horse waste at area open spaces through enhanced enforcement and public education. (2.2)	<ul style="list-style-type: none"> • Increase awareness regarding enforcement of pet waste ordinance, support the efforts of the Police. • Establish Volunteer Dog Patrol. 	<p>Hired full time ACO.</p> <p>Phase 2 Title 6 update complete.</p> <p>New signage at Fort Foster.</p>
2 – Natural Resources & Recreation and 5 – Transportation and 6 – Marine Resources and 7 - Municipal Facilities, Services, & Fiscal Capacity	Continue to support healthy lifestyle choices and wellness by increasing recreational opportunities for all ages, evaluating the Athletic Fields Master Plan, improving walking and biking infrastructure so that it is safe and pleasant, ensuring appropriate recreational access to the waterfront , and increasing awareness of existing resources. Updating the Sidewalks Conditions Report (5.2.1) and developing a Bike Plan are among the specific steps recommended (2.2) (2.2.6) (5.2) (6.1) (7.2)	<ul style="list-style-type: none"> • Monitor athletic field planning process. • Evaluate opportunities for providing bike infrastructure on roads including bike lanes, wide shoulders and “Share the Road” signs (ex. “sharrows” and stencils). • Develop a sidewalk and pedestrian plan including updating sidewalk conditions report and inventory to identify existing conditions and gaps in the pedestrian network. Identify opportunities for new trails. • Work with schools, Community Center and Town Departments to prioritize sidewalk projects on town-owned facilities and recreational areas. • Update street and publicly owned shade tree inventory. 	<p>Athletic Field Master Plan accepted.</p> <p>Bicycle/Pedestrian Master Plan complete and incorporated into CIP. Discussions ongoing with MDOT on planning for demonstration project to begin Bike/Ped Plan implementation.</p>

KITTERY COMPREHENSIVE PLAN
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TOPIC AREA	GOAL	ACTION ITEMS	STATUS
3 – Economic Development	Collaborate with property owners in the area around the Route 1 corridor to identify strategies towards making mutually beneficial changes to the area including exploring options to redevelop commercial properties with mixed use (e.g. retail, housing, office) and consider zoning amendments such as an overlay district to provide more flexibility concerning permitted uses. (3.3) (8.5)	<ul style="list-style-type: none"> • Draft a scope of work for planning, market analysis, and transportation engineering services to re-envision the Route 1 area. 	Urban Land Institute Study (part of JLUS) complete. Grant application to MDOT for corridor study.
6 – Marine Resources and 8 – Land Use	Continue to support Kittery’s maritime based economy including the fishing and shell fishing industry by maintaining access to the working waterfront and creating innovative avenues to better connect fishing to the local economy. (6.2) (8.4)	<ul style="list-style-type: none"> • Conduct poll/outreach/meetings with commercial fishermen and boat operators to determine need (KPA). • Conduct poll/outreach/meetings with commercial fishermen and boat operators to identify areas where navigation is difficult or impossible due to shallow depths (KPA). 	Survey on Pepperrell Cove depths completed. Identifying “piggy back” projects for cost reduction. Identifying funding for engineering. RFP for engineering being developed and ACOE application for FNP dredge being developed Identifying funding and

KITTERY COMPREHENSIVE PLAN
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TOPIC AREA	GOAL	ACTION ITEMS	STATUS
			support to prevent working waterfront property from changing to private access to the water.
6 – Marine Resources	Increase awareness in residents and business owners with regard to the effects of pollutants, pesticides, and stormwater runoff and evaluate Town Code regarding the use of pesticides and herbicides with chemicals, in waterfront areas and town-wide . Providing information and incentives for greener practices will help to mitigate these environmental hazards. (6.3)	<ul style="list-style-type: none"> • Prepare easy-to-read materials that summarize Kittery’s water quality challenges and the effects of pollutants and pesticides. Distribute to property and business owners, and post on municipal website. 	Lawn care training conducted. Town transition to environmentally sustainable pesticide treatment complete.
8 – Land Use	Consider an Adaptive Reuse Ordinance to guide redevelopment of existing buildings. By promoting the reuse of existing structures more efficient development can occur in areas already services by public utilities and protecting open land from development. (8.1)	<ul style="list-style-type: none"> • Consider adopting a demolition delay ordinance. • Consider adopting Adaptive Reuse Ordinance. 	

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<p>9 - Coastal Community Resilience</p>	<p>Develop a Plan for Town facilities and property owners to transition to low and zero impact energy sources (9.2)</p>	<ul style="list-style-type: none"> Establish a timeline for converting all Town-owned buildings to renewable energy. 	<p>Physical constraints of municipal sites make PV challenging.</p> <p>Multi-town community solar project approved.</p> <p>Sustainable and low impact development ordinances in development.</p> <p>LED Building light conversion project funded for FY23.</p>

Memorandum

TO: Kendra Amaral
Town Manager

FROM: Paul McKenney, CMA
Municipal Resources, Inc.
Contracted Assessor

DATE: September 12, 2022

RE: Tax Rate Calculation Form

On the following attached spreadsheets, I have provided a comparison of the prior year's tax rate calculation. You will see the town's total taxable valuation base increased by 1.53%. There was \$31,131,474 increase in real estate taxable valuation due to new construction, and building permits. Personal property increased by \$817,800 (2.42%) and the Business Equipment Tax Exemption (BETE) valuation increased by \$1,791,400 (14.3%).

On the following spreadsheet is the Prior Year Tax Rate Calculation Comparison. I have attached an overlay relationship spreadsheet showing the potential range of overlay amounts depending on the tax rate selected. The minimum tax rate that could be selected is \$13.18 per thousand while the maximum rate is \$13.84 per thousand.

With consideration for all aspects including prior year tax rates, it is my suggestion that a rate of \$13.25 be selected which is a 1.92% increase from last year and has an overlay amount of \$156,760.

For a property assessed last year, 2021-22, for \$425,000, the taxes were \$5,525 as compared to the same 2022-23 assessment of \$425,000, the taxes will be \$5,631, an increase of \$106.25 per year (1.92%) or \$8.85 per month.

For each penny change in the tax rate, taxes on the above assessment amount changes \$4.00 while the overlay changes by roughly \$21,506.

If there is any further information you desire, please let me know.

PRIOR YEAR COMPARISON

LINE		2021-2022	2022-2023	\$ CHANGE	% CHANGE
1	LOCAL TAXABLE RE	\$2,054,897,939	\$2,086,029,413	\$31,131,474	1.51%
2	LOCAL TAXABLE PP	\$33,845,900	\$34,663,700	\$817,800	2.42%
3	TOTAL TAXABLE	\$2,088,743,839	\$2,120,693,113	\$31,949,274	1.53%
4a	HOMESTEAD EXEMPT VALUATION	\$37,075,300	\$33,062,300	-\$4,013,000	-10.82%
4b	HOMESTEAD REIMBURSEMENT	\$25,952,710	\$24,135,479	-\$1,817,231	-7.00%
5a	BETE EXEMPT VALUATION*	\$12,525,900	\$14,317,300	\$1,791,400	14.30%
5b	BETE REIMBURSEMENT	\$6,262,950	\$7,158,650	\$895,700	14.30%
6	VALUATION BASE	\$2,120,959,499	\$2,151,987,242	\$31,027,743	1.46%
7	COUNTY	\$1,006,515	\$989,989	-\$16,526	-1.64%
8	MUNICIPAL	\$14,783,155	\$15,666,405	\$883,250	5.97%
9	TIF FINANCING	\$17,853	\$18,196	\$343	1.92%
10	LOCAL EDUCATION	\$19,284,752	\$19,986,622	\$701,870	3.64%
11	TOTAL APPROPRIATIONS	\$35,092,275	\$36,661,212	\$1,568,937	4.47%
12	REVENUE SHARING	\$775,000	\$1,125,000	\$350,000	45.16%
13	OTHER REVENUES	\$6,902,093	\$7,179,141	\$277,048	4.01%
14	TOTAL DEDUCTIONS	\$7,677,093	\$8,304,141	\$627,048	8.17%
15	NET TO BE RAISED	\$27,415,182	\$28,357,071	\$941,889	3.44%
	MIN RATE	\$12.95	\$13.18		
	MAX RATE	\$13.59	\$13.84		
	SELECTED RATE	\$13.00	\$13.25	\$0.25	1.92%
	OVERLAY	\$157,292	\$156,759	-\$533.00	-0.34%
	TAXES ON \$425,000 ASSMNT	\$5,525	\$5,631	\$106.25	1.92%

2021-2022 TAX RATE - OVERLAY RELATIONSHIP

TAX RATE	OVERLAY AMOUNT	EQUATES TO ASSESSED VALUE	% OF TOTAL TAXABLE ASMNT
\$13.23	\$113,720	\$8,595,616	0.41%
\$13.25	\$156,760	\$11,830,943	0.56%
\$13.27	\$199,799	\$15,056,443	0.71%

LINE				
1	LOCAL TAXABLE REAL ESTATE VALUATION	\$2,086,191,613		
2	LOCAL TAXABLE PERSONAL PROPERTY VALUATION	\$34,663,700		
3	TOTAL TAXABLE VALUATION		\$2,120,855,313	
4A	TOTAL OF ALL HOMESTEAD EXEMPT VALUATION	\$33,062,300		
4B	HOMESTEAD EXEMPT REIMBURSEMENT VALUE	\$24,135,479		
5A	TOTAL OF ALL BETE EXEMPT VALUATION	\$14,317,300		
5B	BETE REIMBURSEMENT VALUE	\$7,158,650		
6	TOTAL VALUATION BASE		<u>\$2,152,149,442</u>	
	ASSESSMENTS			
7	COUNTY TAX	\$989,989		
8	MUNICIPAL APPROPRIATION	\$15,666,405		
9	TIF FINANCING PLAN AMOUNT	\$18,196		
10	SCHOLEDCATION APPROPRIATIONS	\$19,986,622		
11	TOTAL APPROPRIATIONS		<u>\$36,661,212</u>	
	ALLOWABLE DEDUCTIONS			
12	STATE MUNICIPAL REVENUE SHARING	\$1,125,000		
13	OTHER REVENUES	\$7,179,141		
14	TOTAL DEDUCTIONS		<u>\$8,304,141</u>	
15	NET TO BE RAISED BY LOCAL PROPERTY TAX RATE	<u>\$28,357,071</u>		
16	MAXIMUM ALLOWABLE TAX	\$28,357,071	1.05	\$29,774,925
17	MINIMUM TAX RATE	\$28,357,071	\$2,152,149,442	\$0.013176
18	MAXIMUM TAX RATE	\$29,774,925	\$2,152,149,442	\$0.013835
19	TAX FOR COMMITMENT	\$2,120,855,313	\$0.01325	\$28,101,333
20	MAXIMUM OVERLAY	\$28,357,071	0.05	\$1,417,854
21	HOMESTEAD REIMBURSEMENT	\$24,135,479	\$0.01325	\$319,795
22	BETE REIMBURSEMENT	\$7,158,650	\$0.01325	\$94,852
23	OVERLAY	\$28,515,980	\$28,357,071	\$158,909



TOWN OF KITTERY
200 Rogers Road, Kittery, ME 03904
Telephone: 207-475-1329

REPORT TO TOWN COUNCIL

Date: September 12, 2022
From: Kendra Amaral, Town Manager
Subject: Alternative Tax Commitment – Full Time Firefighters
Councilor Sponsor: N/A

EXECUTIVE SUMMARY

The FY23 budget report included discussion about the continued need to expand our full-time firefighter force in order to meet the existing demands of the community in the face of call firefighter shortages. To accomplish this, the Town has applied for the SAFER grant with the hope of being awarded funding for eight additional fulltime firefighters. The SAFER grant funds wages and benefits.

SAFER grant awards began being announced last week. Announcements/notifications will continue through September. It is unclear at this critical juncture whether the Town's application will be successful this year.

Therefore, I am recommending we move forward with funding an additional four fighters in this year's budget.

TIMING OF GRANT DECISIONS AND TAX COMMITMENT

The grant literature had indicated decisions on 2022 grant awards would be issued by the federal government in June of this year. In actuality, announcements for awards just began the last week of August. This has impacted our ability to know whether we were awarded the grant before the tax commitment vote, and to propose a "Plan B" prior to the setting of the tax commitment.

There is no way to know if Kittery will be successful this round at this moment. However, the Council must vote on the tax commitment September 12 in order for staff to prepare the first tax bills for issuance on time. We are in a true crunch.

As has been discussed at length with the annual budgets since 2017, fewer and fewer call firefighters are responding to calls for service. This endangers public safety, delays response for service, and creates a burn-out situation for our fulltime firefighters who are also having to respond off-duty to calls for service. Fulltime firefighters ensure there are trained professionals available to respond, when the 911 call comes in.

OPTIONS

The Council has a few options to consider, as outlined below:

Option A: Approve Budget for Additional Firefighters

The Council can approve a tax commitment with an addition \$500,000 in order to provide the funds sufficient to hire four additional firefighters this year if the SAFER grant is not awarded.

The technical approach would be to approve a \$13.48 tax rate and a \$651,315 overlay (see attached). The Council would then schedule a public hearing for the following meeting to transfer the \$500,000 from the overlay to the Fire Department and Shared Services accounts (employee benefits).

The FY23 budget is currently \$2,476,681 below the LD1 levy limit. This approach keeps the Town within the allowable mil rate range and below the LD1 limit.

If the town is ultimately awarded the SAFER grant, the additional \$500,000 can remain unspent and carried forward to the FY24 budget as revenue offsetting the levy, similar to the School Department's carryforward approach.

Option B: Do nothing

If the Town is not awarded the SAFER grant this year, it will wait until the next fiscal year to add fulltime firefighters to meet demand. This continues to strain the fulltime force and the small number of call firefighters responding to calls for service.

PROPOSED SOLUTION/RECOMMENDATION

Approve the additional funding as proposed.

ATTACHMENTS

- Alternative Tax Commitment Calculation
- FY23 Budget Presentation and Book – Relevant Pages for Fire Department

LINE				
1	LOCAL TAXABLE REAL ESTATE VALUATION	\$2,086,023,013		
2	LOCAL TAXABLE PERSONAL PROPERTY VALUATION	\$34,663,700		
3	TOTAL TAXABLE VALUATION		\$2,120,686,713	
4A	TOTAL OF ALL HOMESTEAD EXEMPT VALUATION	\$33,062,300		
4B	HOMESTEAD EXEMPT REIMBURSEMENT VALUE	\$24,135,479		
5A	TOTAL OF ALL BETE EXEMPT VALUATION	\$14,317,300		
5B	BETE REIMBURSEMENT VALUE	\$7,158,650		
6	<u>TOTAL VALUATION BASE</u>		<u>\$2,151,980,842</u>	
	ASSESSMENTS			
7	COUNTY TAX	\$989,989		
8	MUNICIPAL APPROPRIATION	\$15,666,405		
9	TIF FINANCING PLAN AMOUNT	\$18,512		
10	SCHOOL/EDUCATION APPROPRIATIONS	\$19,986,622		
11	<u>TOTAL APPROPRIATIONS</u>		<u>\$36,661,528</u>	
	ALLOWABLE DEDUCTIONS			
12	STATE MUNICIPAL REVENUE SHARING	\$1,125,000		
13	OTHER REVENUES	\$7,179,141		
14	<u>TOTAL DEDUCTIONS</u>		<u>\$8,304,141</u>	
15	NET TO BE RAISED BY LOCAL PROPERTY TAX RATE	<u>\$28,357,387</u>		
16	MAXIMUM ALLOWABLE TAX	\$28,357,387	1.05	\$29,775,256
17	MINIMUM TAX RATE	\$28,357,387	\$2,151,980,842	\$0.013177
18	MAXIMUM TAX RATE	\$29,775,256	\$2,151,980,842	\$0.013836
19	TAX FOR COMMITMENT	\$2,120,686,713	\$0.01348	\$28,586,857
20	MAXIMUM OVERLAY	\$28,357,387	0.05	\$1,417,869
21	HOMESTEAD REIMBURSEMENT	\$24,135,479	\$0.01348	\$325,346
22	BETE REIMBURSEMENT	\$7,158,650	\$0.01348	\$96,499
23	OVERLAY	\$29,008,702	\$28,357,387	\$651,315

Taxes on \$425,000 ASSMNT ~ \$204 per year; 3.7% increase over prior year



TOWN OF KITTERY
200 Rogers Road, Kittery, ME 03904
Telephone: 207-475-1329

REPORT TO TOWN COUNCIL

Date: March 14, 2022
Update: April 11, 2022, May 23, 2022, July 18, 2022, August 15, 2022, September 12, 2022
From: Kendra Amaral, Town Manager
CC: Dutch Dunkelberger, Planning Board Chair, Emily Flinkstrom, Acting Housing Committee Chair
Subject: Title 16 – Affordable Housing BL & BL-1 Zones
Councilor Sponsor: Chairperson Judy Spiller

SUMMARY

Please see the attached report from Adam Causey, Director of Planning and Development.

UPDATE

The Council held a workshop with the Planning Board and Housing Committee. The discussion focused on the payment in lieu, the front-yard setbacks, density, and affordability requirement. At the conclusion of the workshop the Council requested the following be prepared:

- Written responses to the workshop questions
- Increased payment in lieu recommendation
- Draft of revision that required all units to be affordable (100% affordable) to qualify for density bonuses
- Bring forward the affordable housing amendment for the Mixed Use-Neighborhood that was just recommended by the Planning Board (separate agenda item for the 5/23/22 meeting)

The Town held a webinar information and Q&A session on June 29 to review the background and details of the proposed amendments. Presenters included staff, Tom Emerson from the Housing Committee, and Clyde Barr from Maine Housing. Approximately 35 attendees signed on including members of the Council and Planning Board.

The Housing Committee's charge, as established by the Town Council, includes developing recommendations and proposing ordinances, policies, projects and objectives to increase the number of affordable housing units available in Kittery. The Housing Committee held two meetings since the Council closed the public hearing to discuss the questions and feedback the Council was receiving on the ordinance amendments. The Housing Committee voted to recommend the following amendments/adjustments. The vote was four in favor and one opposed.

Housing Committee recommended amendments/adjustments (see attached):

- Amend the density language to make clear non-residential on a portion of the first floor is incentivized.
- Amend Appendix A – Payment in Lieu Fee from \$35,000 to \$100,000
- Amend 16.5.4.C(3) to restrict Payment in Lieu option to no more than 50% of the affordable units required.

- Amend BL-1 special exception to cap the maximum height the Planning Board can approve to 50 feet.

The public hearing on this matter was closed by Council on May 23, 2022. The Council has continued to receive comments directly from individual- and groups of citizens/residents. Whether the Council chooses to consider the comments/proposed revisions from its duly appointed Housing Committee, is solely within the Council's purview.

Materials provided in previous reports including the Planning Staff memo, responses to the May workshop questions and the slides from the June presentation are not included in this package, due in large part to the growing size of the package. We list in the header of the report all of the dates the matter has been on a Council agenda, and encourage Council and the public to review the posted Council packets for those dates if they are interested in reviewing those materials.

PROPOSED SOLUTION/RECOMMENDATION

Adopt amendment to Title 16 as proposed.

ATTACHMENTS

- Draft Title 16 – Affordable Housing Business Local (BL) Zone
- Draft Title 16 – Affordable Housing Business – Local 1 (BL-1) Zone
- Draft Title 16 – Affordable Housing Enactment
- Housing Committee Recommended Amendments

TITLE 16
AFFORDABLE HOUSING
BUSINESS LOCAL ZONE

1. AMEND §16.4.17 Business – Local (B-L) to include affordable housing provisions as follows:

1 16.4.17 Business – Local Zone (B-L)

2 A. Purpose

3 The purpose of the Business – Local B-L Zone is to provide local sales retail, services, and business
4 space as well as a variety of housing types within a walkable context. Much of this zone serves a well-
5 traveled corridor through Kittery with many buildings, including residential structures, oriented within
6 the Town, to Route 1. Other portions of the zone serve as business hubs for the neighborhoods they are
7 situated in.

8 B. Permitted uses

9 The following uses are permitted in the B-L Zone:

- 10 (1) Accessory Dwelling Unit
11 (2) Dwelling, Attached Single-Family
12 (3) Dwelling, Manufactured Housing
13 (4) Dwelling, Multi-Family
14 a. Development proposing three or four dwelling units are permitted through minor site plan
15 review;
16 (4)b. Development proposing five or more dwelling units are permitted through major site plan
17 review;
18 (5) Dwelling, Single-Family
19 (6) Dwellings Two-Family
20 (6)(7) Dwelling Units as part of a Mixed-Use Building
21 (7)(8) Convalescent Care Facility
22 (8)(9) Nursing Care Facility, Long-term
23 (9)(10) Residential Care Facility
24 (10)(11) Accessory Buildings, Structures, and Uses
25 (11)(12) Home Occupation, Major
26 (12)(13) Home Occupation, Minor
27 (13)(14) Day Care Facility
28 (14)(15) Hospital
29 (15)(16) Nursery School
30 (16)(17) Private Assembly
31 (17)(18) Public Facility
32 (18)(19) Public or Private School
33 (19)(20) Religious Use
34 (20)(21) Recreation, Public Open Space

- 35 ~~(21)~~(22) ___ Aquaculture
- 36 ~~(22)~~(23) ___ Commercial Fisheries/Maritime Activities (provided only incidental cleaning and
- 37 cooking of seafood occur at the site)
- 38 ~~(23)~~(24) ___ Commercial School
- 39 ~~(24)~~(25) ___ Art Studio or Gallery
- 40 ~~(25)~~(26) ___ Business & Professional Offices
- 41 ~~(26)~~(27) ___ Business Service
- 42 ~~(27)~~(28) ___ Conference Center
- 43 ~~(28)~~(29) ___ Personal Service
- 44 ~~(29)~~(30) ___ Restaurant
- 45 ~~(30)~~(31) ___ Retail Sales (excluding those of which the principal activity entails outdoor sales and/or
- 46 storage and excluding those specifically mentioned under Subsection C of this section)
- 47 ~~(31)~~(32) ___ Retail Sales, Building Materials & Garden Supply (excluding those of which the
- 48 principal activity entails outdoor sales and/or storage)
- 49 ~~(32)~~(33) ___ Retail Sales, Convenience
- 50 ~~(33)~~(34) ___ Specialty Food and/or Beverage Facility
- 51 ~~(34)~~(35) ___ Mass Transit Station
- 52 ~~(35)~~(36) ___ Parking Area

53 C. Special exception uses

54 The following uses are permitted as special exception uses in the B-L Zone:

55 (1) Dwellings, cottage cluster

- 56 ~~(1)~~(2) ___ Motel
- 57 ~~(2)~~(3) ___ Hotel
- 58 ~~(3)~~(4) ___ Inn
- 59 ~~(4)~~(5) ___ Rooming House
- 60 ~~(5)~~(6) ___ Funeral Home
- 61 ~~(6)~~(7) ___ Gasoline Service Station
- 62 ~~(7)~~(8) ___ Public Assembly Area
- 63 ~~(8)~~(9) ___ Theater
- 64 ~~(9)~~(10) ___ Public Utility Facility
- 65 ~~(10)~~(11) ___ Mechanical Service
- 66 ~~(11) Residential Dwelling Units, as part of a mixed-use building~~

67 D. Standards.

68 All development and the use of land in the B-L Zone must meet the following standards. Kittery's
69 Design Handbook illustrates how these standards can be met. In addition, the design and performance
70 standards of Chapters §16.5, §16.7 and §16.8 must be met.

71 (1) The following space and dimensional standards apply:

72 (a) Minimum land area per dwelling unit:

73 [1] If served by on-site sewage disposal: 20,000 square feet;

74 [2] If served by the public sewerage system and:

75 [a] All floors are residential: 3,000 square feet; or

76 [b] When less than five dwelling units are proposed with, at minimum, one
77 nonresidential use to be located on the first floor facing State Road or Route 1
78 Bypass such that the use will be visible from the street:3,000 square feet. Such a
79 nonresidential use or uses need not occupy the entire first floor but must be an
80 independent nonresidential use, e.g., not a home office marketed with a dwelling
81 unit as a work/live unit.

82 [c] When five or more dwelling units are proposed with, at minimum, one
83 nonresidential use to be located on the first floor facing State Road or Route 1
84 Bypass such that the use will be visible from the street: 2,500 square feet. Such a
85 nonresidential use or uses need not occupy the entire first floor but must be an
86 independent nonresidential use, e.g. not a home office marketed with a dwelling
87 unit as a work/live unit; or

88 [d] 25% or more of the dwelling units will be affordable housing units as defined by
89 this code: 2,000 square feet.

90 Note: Except as otherwise required by the buffer provisions of this title.

91 ~~(b)(4) Parking. One row of parking spaces and a related access drive may be located between the~~
92 ~~front property line and the front wall of the building extending the full width of the lot. All~~
93 ~~other parking must be located to the side and/or rear of the building. All new or revised~~
94 ~~parking must be visually screened through the use of landscaping, earthen berms and/or~~
95 ~~fencing from adjacent public streets or residential properties. (See the Design Handbook for~~
96 ~~appropriate examples.)~~ Parking requirements are to be met on site. If meeting the parking
97 requirements is not possible, the parking demand may be satisfied off site or through joint-
98 use agreements as specified herein. Notwithstanding the off-street parking requirements in §
99 16.7.11.F(4), minimum parking requirements for the uses below are modified as specified:

100 [1] Dwelling units: 1.5 parking space per dwelling unit; unless:

101 [a] Affordable housing as defined by this code is proposed in which case the parking
102 requirements may be reduced to one parking space per dwelling unit at the
103 Planning Board’s discretion; and/or

104 [b] Some or all of the proposed dwelling units are one-bedroom or studio type units in
105 which case parking requirements for these types of units may be reduced to one
106 parking space for each unit so described.

107 [2] For multifamily dwellings, if more than ten parking spaces are required, up to 20% of
108 the parking may be designated for compact cars. See § 16.7.11.F.(4) Off-Street Parking
109 Standards.

110 [3] Electric car charging stations are allowed and encouraged in parking lots but must not
111 interfere with pedestrian movement on sidewalks.

112 (c) Off-site parking. Required off-street parking may be satisfied at off-site locations, provided
113 such parking is on other property owned by the applicant or is under the terms of a contractual
114 agreement that will ensure such parking remains available for the uses served. Applicant
115 must present evidence of a parking location and a contractual agreement prior to final

116 approval and file the same with Planning and Code office each time the contract is renewed.
117 Any changes to the contractual agreement must be reviewed by the Code Enforcement
118 Officer and if the location of the off-site parking changes, will require approval from the
119 municipal permitting authority which originally approved the off-site parking.

120 (d) Joint-use parking. Required off-street parking may also be satisfied by the joint use of parking
121 space by two or more uses if the applicant can show that parking demand is nonconflicting
122 and will reasonably provide adequate parking for the multiple uses without parking
123 overflowing into undesignated areas. Nonconflicting periods may consist of daytime as
124 opposed to evening hours of operation or weekday as opposed to weekends or seasonal
125 variation in parking demand.

126 [1] Such joint parking areas must be held under ownership of the applicant or under terms
127 of a contractual agreement that ensures such parking remains available to all users of
128 the shared parking spaces. Applicant must present evidence of the parking location and
129 a contractual agreement prior to final approval and file the same with the Planning and
130 Code office each time the contract is renewed. Any changes to the contractual agreement
131 must be reviewed by the Code Enforcement Officer and if the municipal permitting
132 authority which originally approved the off-site parking.

133 [2] Determination of parking adequacy will be based on a most frequent basis, not a "worst
134 case" scenario;

135 [3] Joint use parking areas must be located within 1,500 feet to the use served, but do not
136 need to be located on the same lot as the uses served;

137 [4] Ease and safety of pedestrian access to shared parking by the users served must be
138 demonstrated, including any proposed improvements or shuttle service that may be
139 offered and its requisite loading/unloading areas;

140 [5] Such joint parking areas must not be located in residential zones of the Town.

141 (e) In making determinations on off-site or joint-use parking under a development plan review,
142 the municipal permitting authority with jurisdiction to review and approve will make a final
143 determination of the joint-use and/or off-site spaces that constitute an acceptable combination
144 of spaces to meet the required parking demand.

145 (f) Special parking and access situations.

146 [1] In instances where one row of parking spaces and/or a related access drive is located
147 between the front property line and the front wall of the building extending the full width
148 of the lot and was utilized in accordance with previous permits or approvals, for parking,
149 display, storage, building or necessary vehicle circulation, the Planning Board may
150 allow such improvements to remain provided all other parking meets the location
151 requirements and provided that a landscaping plan for the property frontage is reviewed
152 and approved by the Planning Board.

153 (g) Minimum lot size: none.

154 NOTE: Except that all screening, open space, buffering and landscaping requirements must
155 be met or in instances where the Planning Board may modify such requirements, such
156 modifications must be found satisfactory by the Board.

157 (h) Minimum street frontage: none.

158 NOTE: All lots must meet the requirements of § 16.5.13 Lots unless specifically modified
159 by this section (§ 16.4.17). Street frontage must provide sufficient vehicular and pedestrian
160 access for the uses proposed while meeting public health and safety requirements (e.g. Fire
161 Department, Department of Public Works). The applicant must demonstrate to the municipal

162 permitting authority that the street frontage and lot design meet these requirements to the
163 extent practicable.

164 (i) Maximum-front setback: 20 feet.

165 NOTE: Except when a multistory building comprising 1) three or more residential dwelling
166 units; 2) nonresidential uses or 3) a combination of residential and nonresidential uses is
167 proposed directly across the street from a residential district or single-family use; in which
168 case a minimum of 15 is required.

169 Note: The Planning Board may, at its discretion, allow a greater setback when public
170 amenities such as pocket parks, outdoor dining or seating areas are proposed within the front
171 setback. Pocket parks must be at least 200 square feet with a minimum of three trees and a
172 bench for sitting required. Park must be vegetated with ground cover except for walkways.
173 Outdoor dining areas must meet any additional requirements specific to that use. Parking is
174 prohibited in the front setback except as allowed in subsection (1).(f).[1] above.).

175 (j) Minimum rear and side: setbacks: 10 feet.

176 NOTE: Except as otherwise required by the buffer provisions of this title, and except where
177 the side and/or rear setbacks about a residential district or single-family use; in which case a
178 minimum of 15 feet or 50% of the building height is required, whichever is greater.

179 (k) Maximum building height: 40 feet. Solar apparatus is excluded from height determinations.

180 NOTE: Except that height standards for single- and two-family residential uses are the same
181 as for those of the Urban Residential District.

182 (l) Impervious surface: No maximum allowable, but all open space, landscaping, setbacks,
183 buffers, screening and street tree requirements apply. For development that is proposing 70%
184 or more impervious surface, the stormwater requirements in (m) below may not be modified.

185 (m) Stormwater: All new development must use LID (Low Impact Development) and BMP (Best
186 Management Practices), based on Maine DEP's Maine Stormwater Best Management
187 Practices Manual Volumes 1-III as amended from time to time, to manage 100% of the total
188 stormwater generated on-site. The stormwater report and plan demonstrating that this
189 requirement is met must be included with the application at the time of submission. A request
190 for a modification may be submitted to the Planning Board but it is incumbent on the
191 applicant to prove to the Planning Board's satisfaction that such a modification is necessary.
192 The Town reserves the right to submit such modification requests for independent
193 engineering review at the applicant's expense. The Board may also require additional
194 landscaping/plantings and/or LID-design features when granting such concessions.

195 (n) A minimum of fifteen percent of each lot must be designated as open space. See subsection
196 (4).(e).

197 (o) Minimum setback from functionally water dependent uses: zero feet.

198 (p) Minimum setback from streams, water bodies and wetlands: in accordance with § 16.5.30
199 and Appendix A, Fee Schedules.

200 (2) Parking design.

201 (a) Parking must be located to the side or rear of the building. If all parking cannot be located to
202 the rear or side, the Planning Board may allow limited parking in front of the building, but it
203 is incumbent upon the applicant to demonstrate why such a modification request should be
204 granted. In granting this concession, the Board may require more intensive landscape
205 plantings and/or LID-design features.

206 (b) Shared access between buildings and/or lots must be provided where feasible. Feasibility
207 criteria include:

208 [1] Fewer curb cuts required;

209 [2] Improved or new pedestrian access between buildings or lots;

210 [3] Improved internal circulation between buildings or lots; and

211 [4] Improved overall site design with shared access.

212 (c) Screening through the use of plantings and/or fencing is required for all new or revised
213 parking abutting public streets and/or single-family uses or residential zones. Such screening
214 does not require that the parking lot and vehicles within it be completely obscured from view,
215 rather the screening must provide visual interest and distraction from the parking area
216 beyond, as well as buffer vehicle headlight trespass.

217 [1] A landscape plan showing screening and other landscaping requirements prepared by a
218 registered landscape architect is a submission requirement. However, a landscape plan
219 done by other design professionals may be allowed at the Planning Board's discretion.

220 [2] Any required plantings that do not survive must be replaced within one year. This
221 requirement does not expire and runs with the land.

222 [3] Surface parking lots designed for five or more cars that will service multi-family or
223 mixed-use buildings with dwelling units and which abut a street, single-family use or
224 residential zone must provide screening in one of the following ways:

225 [a] Any combination of trees, shrubs, tall ornamental grasses or perennial plants in a
226 planting bed at least eight (8) feet wide. Climate-change tolerant Northeastern
227 native plants are preferred. Plantings must be sufficient, as determined by the
228 Planning Board, to screen the parking area from the street except for necessary
229 vehicular and pedestrian access. Planting beds may be mulched but no dyed
230 mulching material may be used. Drip irrigation is recommended.

231 [b] One tree per 25 feet of street frontage within a planting bed at least eight (8) feet
232 wide which will include other plantings such as perennials. Plantings must be
233 sufficient to screen the parking area from the street except for necessary vehicular
234 and pedestrian access. To ensure survival, trees must be planted using silva cells,
235 bioretention cells or tree wells. Trees must be at least 2.5-inch caliper and 12 feet
236 high at the time of planting. Existing large healthy trees must be preserved if
237 practical and will count towards this requirement. Trees proposed within the public
238 right-of-way must remain under 20 feet tall at maturity. Trees native to the
239 Northeast, selected for climate change tolerance, are preferred and must be drought
240 and salt tolerant when used along streets. A diversity of tree species (three to five
241 species per every 12 trees) is required to provide greater resiliency to threats from
242 introduced insect pests and diseases. Planting beds may be mulched but no dyed
243 mulching material may be used. Drip irrigation is recommended for plantings
244 proposed to accompany the trees.

245 [c] Fencing, no taller than six (6) feet, of a type that screens rather than blocks a view
246 and made of a material compatible with surrounding buildings. Chain link fences
247 are not allowed unless they have a PVC color coating to blend in with
248 surroundings. Stockade fences may only be allowed to buffer a parking lot along

249 the lot line that abuts a single-family use or residential zone. A planting bed at least
 250 six (6) feet wide, including the fence, is required, with a combination of trees,
 251 shrubs and perennials located on the proposed development's side of the fence.
 252 Planting beds may be mulched but no dyed mulching material may be used. Drip
 253 irrigation is recommended.

254 (d) A minimum of 10% of any surface parking area consisting of 10 or more spaces must be
 255 landscaped with trees and vegetated islands. This requirement is in addition to other required
 256 landscaping and street tree requirements.

257 (e) If 20% or more of the proposed development will be affordable dwelling units built rather
 258 than using payment-in-lieu for required units, the Planning Board may, at its discretion,
 259 modify surface parking lot screening and landscaping requirements under subsections (c) and
 260 (d).

261 **A(3)** Building design standards. Kittery's characteristic buildings reflect its historic seacoast past. The
 262 primary architectural styles are New England Colonial (such as Cape Cod and saltbox), Georgian,
 263 Federal and Classical Revival. New buildings must be compatible with Kittery's characteristic
 264 styles in form, scale, material and color. In general, buildings should be oriented with the front
 265 of the building facing the street on which the building is located. The front or street facade must
 266 be designed as the front of the building. The front elevation must contain one or more of the
 267 following elements: 1) a "front door," although other provisions for access to the building may
 268 be provided; 2) windows; or 3) display cases. (See Design Handbook for examples of acceptable
 269 materials and designs.) Strict imitation is not required. Design techniques can be used to maintain
 270 compatibility with characteristic styles and still leave enough flexibility for architectural variety.
 271 To achieve this purpose, the following design standards apply to new and modified existing
 272 building projects:

273 (a) Exterior building materials and details. Building materials and details strongly define a
 274 project's architectural style and overall character. (See Design Handbook for examples of
 275 acceptable materials, building scale and designs.) "One-sided" schemes are prohibited; similar
 276 materials and details must be used on all sides of a building to achieve continuity and
 277 completeness of design. Predominant exterior building materials must be of good quality and
 278 characteristic of Kittery, such as horizontal wood board siding, vertical wood boards, wood
 279 shakes, brick, stone or simulated stone, glass and vinyl, or metal clapboard.

280 (b) Roofs. A building's prominent roofs must be pitched a minimum of 4:12 unless demonstrated
 281 to the Planning Board's satisfaction that this is not practicable. Acceptable roof styles are
 282 gabled, gambrel, and hipped roofs. Flat roofs, shed roofs and roof facades (such as "stuck on"
 283 mansards) are not acceptable as prominent roof forms except as provided above. Roof colors
 284 must be muted. (See Design Handbook for examples.) The roof design must screen or
 285 camouflage rooftop protrusions to minimize the visual impact of air-conditioning units, air-
 286 handler units, exhaust vents, transformer boxes, and the like. (See Design Handbook for
 287 examples of appropriate treatments.)

288 (c) Loading docks and overhead doors. Loading docks and overhead doors must be located on
 289 the side or rear of the building and screened from view from adjacent properties in residential
 290 use.

291 ~~(e)~~(d) Lighting plans, including outdoor lighting fixture designs and photometric plans, must be
 292 included at the time of application submission. All lighting fixtures must be cutoff (dark sky

293 compliant).

294 (4) Landscaping and site design standards. A landscape plan prepared by a registered landscape
 295 architect is a submission requirement. However, a landscape plan done by other design
 296 professionals may be allowed at the Planning Board's discretion. To achieve attractive and
 297 environmentally sound site design ~~and appropriate screening of parking areas~~, in addition to the
 298 landscaping standards contained in ~~Chapters 16.7 and 16.8~~ 16.5, the following landscaping
 299 requirements apply to new and modified existing developments:

300 ~~B~~

301 (a) Landscape planter strip. A vegetated landscape planter strip must be provided a minimum of
 302 15 feet in depth adjacent to the right-of-way of all public roads or the sidewalk if it already
 303 exists. If a sidewalk does not yet exist on-site but sidewalks do exist on adjacent properties,
 304 the planting strip must be located so that it does not interfere with connectivity to existing
 305 sidewalks. Planting strips which demonstrate LID functionality to assist in stormwater capture
 306 are preferred. The Planning Board may reduce the required ~~depth-width~~ of the landscape
 307 planter ~~er~~ing strip ~~if a sidewalk~~ is provided in front of the parcel and the area between the front
 308 property line and the front wall of the building will be designed and used as a pedestrian space,
 309 outdoor dining as defined by this title, or a seating area. The landscape planter ~~er~~ing strip must
 310 include the following landscape elements:

311 (a)

312 [1] ~~Ground cover~~Plantings. The entire landscape planter ~~er~~ing strip must be vegetated with a
 313 combination of shrubs, perennials, and ornamental grasses except for approved
 314 driveways, walkways, bikeways and screened utility equipment. Climate-change tolerant
 315 Northeastern native plants are preferred. Planting beds may be mulched but no dyed
 316 mulching material may be used. Street trees required below may be included in this
 317 planting strip. Drip irrigation is recommended.

318 (b)

319 [2] Street-side trees. A minimum of one tree must be planted for each 25 feet of street
 320 frontage. The trees may be spaced along the frontage or grouped or clustered to enhance
 321 the visual quality of the site. (See Design Handbook for examples.) The trees must be a
 322 minimum ~~two and one-half inch~~ 2.5-inch caliper and be at least 12 feet high at the time
 323 of planting. Trees must be planted to ensure survival, using silva cells, bioretention cells
 324 or tree wells. The species must be selected from the A list of ~~approved~~ approved street-side trees
 325 can be found in the Design Handbook. Trees native to the Northeast, selected for climate
 326 change tolerance, are preferred and must be drought and salt tolerant when used along
 327 streets. A diversity of tree species (three to five species per every 12 trees) is required to
 328 provide greater resiliency to threats from introduced insect pests and diseases. Existing
 329 large healthy trees must be preserved if practical and will count toward this requirement.
 330 Trees located within the public right-of-way must not exceed 20 feet in height at maturity.

331 [3] Any required plantings that do not survive must be replaced within one year. This
 332 requirement does not expire and runs with the land.

333 (e)(b) Special situations.

334 [1]. [a]. Expansions of less than 1,000 square feet to existing uses including single-family
 335 or two-family dwellings are exempt from the landscaping standard of this
 336 subsection.

~~{2}.[b].~~ Depth Width-of landscape planter strip. In instances where the required minimum ~~depth width~~ of the landscape planter strip is legally utilized in accordance with previous permits or approvals, for parking, display, storage, building or necessary vehicle circulation, the ~~depth width~~ may be narrowed by the Planning Board to the minimum extent necessary to achieve the objective of the proposed project, provided that shrubs and perennials are planted along the street frontage to soften the appearance of the development from the public street.

~~{3}.[c].~~ Additions and changes in use. For additions to existing buildings and changes of residential structures to a nonresidential use, one street-side tree (see list of street trees in Design Handbook) is required to be planted for every 1,000 square feet of additional gross floor area added or converted to nonresidential use. In instances where parking, display area, storage, building or necessary vehicle circulation exists ~~at the time of enactment of this section~~, the required trees may be clustered and/or relocated away from the road as is necessary to be practicable. The preservation of existing large trees is encouraged; therefore, the Planning Board may permit the preservation of existing healthy, large, mature trees within the landscape planter ~~ing~~ strip or other ~~developed-landscaping~~ areas of the site to be substituted for the planting of new trees.

(c). Outdoor service and storage areas. Service and storage areas must be located to the side or rear of the building. ~~Facilities for waste storage such as dumpsters must be located within an enclosure and be visually buffered by fencing, landscaping and/or other treatments. (See Design Handbook for examples of appropriate buffering.)~~ All service areas for dumpsters, compressors, generators and similar items must be screened by a fence at least six feet tall, constructed of a material similar to surrounding buildings, and must surround the service area except for the necessary ingress/egress.

~~€(d)~~ Traffic and circulation standards. Sidewalks and roadways must be provided ~~within the site~~ to internally join abutting properties that are determined by the Planning Board using the criteria in subsection D.(2).(b). ~~to be compatible.~~ In addition, safe pedestrian route(s) must be provided to allow pedestrians to move within the site and between the principal customer entrance and the front lot line where a sidewalk exists or will be provided or where the Planning Board determines that such a route is needed for adequate pedestrian safety and movement. (See Design Handbook for appropriate examples.)

(e) Open space standards. A minimum of fifteen percent of the total area of a lot must be provided as o ~~Open space must be provided as a percentage of the total area of the lot,~~ including freshwater wetlands, water bodies, streams and setbacks. ~~Fifteen percent of each lot must be designated as open space. Required open space must be shown on the plan with a note dedicating it as "open space."~~ The open space must be located to create an attractive environment on the site, minimize environmental impacts, protect significant natural features or resources on the site and maintain wildlife habitat. Individual large, healthy trees and areas with mature tree cover should be included in the open space. Where possible, the open space must be located to allow the creation of continuous open space networks in conjunction with existing or potential open space on adjacent properties. The required amount of designated open space is reduced to 10% of each lot that is less than 40,000 square feet in size.

D—[1] In cases where creating or preserving open space to meet the 15% requirement above is not practicable, the Planning Board may allow the required landscaping in 4.(a) above

382 to count towards meeting the open space requirement provided the proposed landscaped
383 planting strip is expanded beyond the required width and the Planning Board finds that
384 all criteria for open space above has been met to the greatest extent possible.

385 ~~E—The following space standards apply:~~

386 ~~(a)—Minimum land area per dwelling unit when all floors are residential: 20,000 square feet if~~
387 ~~served by on-site sewage disposal; 8,000 square feet if served by the public sewerage system.~~

388 ~~(NOTE: Except as otherwise required by the buffer provisions of this title, and except where the~~
389 ~~side and/or rear yards abut a residential district or use; in which case a minimum of 15 feet or~~
390 ~~50% of the building height is required.)~~

391 ~~(b).—Minimum land area per dwelling unit when the entire first floor is used for nonresidential~~
392 ~~uses: 20,000 square feet if served by on-site sewage disposal; 4,000 square feet if served by the~~
393 ~~public sewerage system.~~

394 ~~(c).—Minimum lot size: none.~~

395 ~~(NOTE: Except as otherwise required by the buffer provisions of this title, and except where the~~
396 ~~side and/or rear yards abut a residential district or use; in which case a minimum of 15 feet or~~
397 ~~50% of the building height is required.)~~

398 ~~(d).—Minimum street frontage: none.~~

399 ~~(NOTE: Except as otherwise required by the buffer provisions of this title, and except where the~~
400 ~~side and/or rear yards abut a residential district or use; in which case a minimum of 15 feet or~~
401 ~~50% of the building height is required.)~~

402 ~~(e).—Minimum front yard: 15 feet.~~

403 ~~(NOTE: Except as otherwise required by the buffer provisions of this title, and except where the~~
404 ~~side and/or rear yards abut a residential district or use; in which case a minimum of 15 feet or~~
405 ~~50% of the building height is required.)~~

406 ~~(f).—Maximum front setback of the principal building: 60 feet.~~

407 ~~(g).—Minimum rear and side yards: 10 feet.~~

408 ~~(NOTE: Except as otherwise required by the buffer provisions of this title, and except where the~~
409 ~~side and/or rear yards abut a residential district or use; in which case a minimum of 15 feet or~~
410 ~~50% of the building height is required.)~~

411 ~~(h).—Maximum building height: 40 feet.~~

412 ~~(NOTE: Except that space standards for single and two-family residential uses are the same as~~
413 ~~for those of the Urban Residential District.)~~

414 ~~(i).—Maximum building and outdoor stored material coverage: none, except that side, rear and~~
415 ~~front yards must be maintained~~

416 ~~(j).—Minimum water body setback for functionally water-dependent uses: zero feet.~~

417 ~~(k).—Minimum setback from streams, water bodies and wetlands: in accordance with Table~~
418 ~~16.5.30, § 16.4.28 and Appendix A, Fee Schedules.~~

419 (5) Cottage cluster requirements:

420 (a) Cottage cluster dwelling units must either face the required common open space or the street.

421 The required open space must be held in common for use by all the cottage cluster residents
422 and must be immediately accessible to each dwelling unit, via either the front or the back of
423 each unit.

424 (b) Each cottage cluster dwelling unit must be no greater than 1,200 square feet. Spacing between
425 units must comply with the requirements of the Fire Department and/or the State Fire
426 Marshall's office.

427 (c) Shared parking areas must be connected to each dwelling unit via a sidewalk.

428 (6) Affordable housing requirements:

429 (a) All requirements in § 16.5.4 Affordable Housing must be met.

430
431 (b) Density incentives outlined above in subsection D.(1).(a).[2].[d] may be applied to projects that
432 create affordable housing units, as defined by this code. No proportional payment-in-lieu is
433 required if the affordable dwelling unit requirements for the density incentives are met.

434 ~~(4)~~(7) Gasoline Sales

435 (a). Gasoline Sales must not be located within 1,000 feet of an existing station;

436 (b). not be located within 1,000 feet of any private residence; and

437 ~~(a)~~(c). not be located within 150 feet of any existing structure.

438 E. Shoreland Overlay Zone OZ-SL – Business – Local Zone (B-L)

439 (1) Permitted uses.

440 (a) Accessory Buildings, Structures, and Uses

441 (b) Dwellings if located farther than 100 feet from the normal high-water line of any water
442 bodies, or the upland edge of a wetland

443 [1] Dwelling, Attached Single-family

444 [2] Dwelling, Manufactured housing

445 [3] Dwelling, Multi-family

446 [4] Dwelling, Single-family

447 [5] Dwelling, Two-Family

448 ~~(b)~~(c) Recreation, Public Open Space

449 (2) Special exception uses.

450 (a). Art Studio or Gallery

451 (b). Retail Sales, Building Materials & Garden Supply (excluding those of which the principal
452 activity entails outdoor sales and/or storage)

453 (c). Business Services

454 (d). Business & Professional Offices

455 (e). Commercial Fisheries/Maritime Activities (provided only incidental cleaning and cooking of
456 seafood occur at the site)

457 (f). Parking Area

458 (g). Conference Center

459 (h). Retail Sales, Convenience

460 (i). Home Occupation, Major

461 (j). Home Occupation, Minor

462 (k). Mass Transit Station

- 463 (l). Motel
- 464 (m). Hotel
- 465 (n). Inn
- 466 (o). Rooming House
- 467 (p). Personal Services
- 468 (q). Public Assembly Area
- 469 (r). Theater
- 470 (s). Public Utility Facility
- 471 (t). Restaurant
- 472 (u). Retail Sales, but (excluding those of which the principal activity entails outdoor sales and/or
- 473 storage)
- 474 (v). Commercial School
- 475 (w). Public or Private School
- 476 (x). Nursery School
- 477 (y). Day Care Facility
- 478 (z). Elder Care Facility
- 479 (aa). Hospital
- 480 (bb). Nursing Care Facility, Long-term
- 481 (cc). Convalescent Care Facility
- 482 (dd). Public Facility
- 483 (ee). Religious Use
- 484 (ff). Private Assembly
- 485 (gg). Specialty Food and/or Beverage Facility

486 (3) See § 16.4.28 for purpose and standards in the Shoreland Overlay Zone OZ-SL

487 E. Resource Protection Overlay Zone OZ-RP – Business – Local (B-L).

488 (1) Permitted Uses.

489 (a) Recreation, Public Open Space

490 (2) Special Exception Uses.

491 (a) Accessory Uses & Buildings

492 (b) Aquaculture

493 (c) Home Occupations, Major

494 (d) Home Occupations, Minor

495 (e) Public Utility Facilities,

496 (f) Dwelling, Single-Family

497 (3) See § 16.4.29 for purpose and standards in the Resource Protection Overlay Zone RP-SL

**TITLE 16
AFFORDABLE HOUSING
BUSINESS – LOCAL 1 ZONE**

1. AMEND §16.4.18 Business – Local 1 (B-L1) to) to include affordable housing provisions as follows:

1 16.4.18 Business – Local 1 (B-L1)

2 A. Purpose

3 The purpose of the Business – Local 1 B-L1 Zone is to encourage a compact village ~~smart growth/urban~~
4 design pattern that will serve as a focal point for the provision of local sales, urban residences, services
5 and business space. The goal of this section is to create an attractive, functional and vibrant pedestrian-
6 scaled neighborhood supporting a mix of commercial and residential uses. ~~This type of development~~
7 ~~reflects a traditional New England pattern of building, where commercial uses are located on the first~~
8 ~~floor and housing on the upper floors.~~

9 B. Permitted uses

10 The following uses are permitted in the B-L1 Zone:

11 (1) Accessory Dwelling Unit

12 (2) Dwelling, Attached Single-Family

13 (3) Dwelling, Manufactured Housing

14 (4) Dwelling, Multi-Family

15 (a) Development proposing three or four dwelling units are permitted through minor site plan
16 review;

17 (b) Development proposing five or more dwelling units are permitted through major site plan
18 review;

19 (5) Dwelling, Single-Family

20 ~~(6)~~ Dwelling, Two-Family

21 ~~(6)~~~~(7)~~ Dwelling Units as part of a Mixed-Use Building

22 ~~(7)~~~~(8)~~ Convalescent Care Facility

23 ~~(8)~~~~(9)~~ Nursing Care Facility, Long-term

24 ~~(9)~~~~(10)~~ Residential Care Facility

25 ~~(10)~~~~(11)~~ Accessory Buildings, Structures, and Uses

26 ~~(11)~~~~(12)~~ Home Occupation, Major

27 ~~(12)~~~~(13)~~ Home Occupation, Minor

28 ~~(13)~~~~(14)~~ Inn

29 ~~(14)~~~~(15)~~ Day Care Facility

30 ~~(15)~~~~(16)~~ Hospital

31 ~~(16)~~~~(17)~~ Nursery School

32 ~~(17)~~~~(18)~~ Private Assembly

- 33 ~~(18)~~(19) Public Facility
- 34 ~~(19)~~(20) Public or Private School
- 35 ~~(20)~~(21) Religious Use
- 36 ~~(21)~~(22) Recreation, Public Open Space
- 37 ~~(22)~~(23) Commercial School
- 38 ~~(23)~~(24) Art Studio or Gallery
- 39 ~~(24)~~(25) Business & Professional Offices
- 40 ~~(25)~~(26) Business Services
- 41 ~~(26)~~(27) Conference Center
- 42 ~~(27)~~(28) Personal Services
- 43 ~~(28)~~(29) Restaurant
- 44 ~~(29)~~(30) Retail Sales (excluding those of which the principal activity entails outdoor sales and/or storage and excluding those specifically mentioned under Subsection C of this section)
- 45
- 46 ~~(30)~~(31) Retail Sales, Building Materials & Garden Supply (excluding those of which the principal activity entails outdoor sales and/or storage)
- 47
- 48 ~~(31)~~(32) Retail Sales, Convenience
- 49 ~~(32)~~(33) Specialty Food and/or Beverage Facility
- 50 ~~(33)~~(34) Mass Transit Station
- 51 ~~(34)~~(35) Parking Area

52 C. Special exception uses

53 The following uses are permitted as special exception uses in the B-L1 Zone:

- 54 (1) Motel
- 55 (2) Hotel
- 56 (3) Rooming House
- 57 (4) Funeral Home
- 58 (5) Gasoline Service Station
- 59 (6) Public Assembly Area
- 60 (7) Theater
- 61 (8) Public Utility Facility
- 62 (9) Farmers Market
- 63 (10) Mechanical service
- 64 (11) Dwellings, cottage cluster; and
- 65 ~~(10)~~(12) Buildings and structures over 40 feet that conform to the provisions of Title 16.

66 D. Standards

67 All development and the use of land in the B-L1 Zone must meet the following standards. Kittery's
68 Design Handbook illustrates how these standards can be met. In addition, the design and performance
69 standards of Chapter § 16.5, 16.7 and 16.8 must be met.

70

71 (1) The following space and dimensional standards apply:

72 (a) Minimum land area per dwelling unit:

73 [1] When all floors are residential: ~~8,000~~2,500 square feet

74 [2] When less than five dwelling units are proposed with, at minimum, one nonresidential
75 use to be located on the first floor facing State Road or Shapleigh Road such that the use
76 will be visible from the street: 2,500 square feet. Such a nonresidential use or uses need
77 not occupy the entire first floor but must be an independent nonresidential use, e.g., not a
78 home office marketed with a dwelling unit as a work/live unit. ~~When the entire first floor~~
79 ~~is in nonresidential use: 3,500 square feet.~~

80 [3] When five or more dwelling units are proposed with, at minimum, one nonresidential use
81 to be located on the first floor facing State Road or Shapleigh Road such that the use will
82 be visible from the street: 2,000 square feet. Such a nonresidential use or uses need not
83 occupy the entire first floor but must be an independent nonresidential use, e.g., not a
84 home office marketed with a dwelling unit as a work/live unit.

85 ~~[2]~~[4] When 25% or more of the dwelling units will be affordable housing units as
86 defined by this code, the minimum land area per dwelling unit is: 1,500 square feet.

87 (b) Parking:

88 Parking requirements are to be met on-site. If meeting the parking requirements is not
89 possible, the parking demand may be satisfied off-site or through joint-use agreements as
90 specified in 16.4.17.D.(1).(c) - 16.4.17.D.(1).(e) under the B-L Zone. Notwithstanding the
91 off-street parking requirements in 16.7.11.F.(4), minimum parking requirements for the uses
92 below are modified as specified:

93 [1] Dwelling units: 1.5 parking spaces per dwelling unit; unless:

94 [i] Affordable housing as defined by this code is proposed in which case the parking
95 requirements may be reduced to a minimum of 1/2 spaces per dwelling unit at the
96 Planning Board's discretion; and/or

97 [ii] Housing is proposed within ¼ mile of a public transit stop, in which case the parking
98 requirements may be reduced to a minimum of 1/2 spaces per dwelling unit at the
99 Planning Board's discretion; and/or

100 [iii] Some or all of the proposed dwelling units are one-bedroom or studio type units in
101 which case parking requirements for these types of units are reduced to one parking space
102 for each unit so described.

103 [2] For multifamily dwellings, if more than ten parking spaces are required, up to 20% of
104 the parking may be designated for compact cars. See 16.7.11.F.(4) Off-Street Parking
105 Standards.

106 ~~(b)~~ [3] Electric car charging stations are allowed and encouraged in parking lots but must not
107 interfere with pedestrian movement on sidewalks. ~~Minimum parking spaces per dwelling~~
108 ~~unit: 1.5.~~

109 (c) Minimum lot size: ~~20,000 square feet~~None. (NOTE: Except that all screening, open space,
110 buffering and landscaping requirements must be met or in instances where the Planning
111 Board may approve modifications to such requirements, such modifications must be found
112 satisfactory by the Board.

113 (d) Minimum street frontage per ~~building~~lot: 50 feet.

- 114 (e) Maximum front ~~yard~~setback: ~~30-20~~ feet.

115 (NOTE: This area must be designed to promote a pedestrian public space, which includes,
116 but is not limited to, landscaping, sidewalks and sitting areas. The Planning Board may, at its
117 discretion, allow a greater setback when public amenities such as pocket parks, outdoor
118 dining or seating areas are proposed within the front setback. Pocket parks must be at least
119 200 square feet with a minimum of three trees and a bench for sitting required. Park must be
120 vegetated with ground cover except for walkways. Outdoor dining areas must meet any
121 additional requirements specific to that use. ~~Parking and outdoor~~ Outdoor storage ~~are is~~
122 prohibited anywhere in the front yard of the structure, except for seasonal sales items.
123 Parking is also prohibited in the front setback except as allowed in subsection (2).(e)
124 below).)

- 125 (f) Minimum rear and side ~~yards~~setbacks: 10 feet.

126 (NOTE: Except as otherwise required by the buffer provisions of this title, and except where
127 the side and/or rear ~~yards~~setbacks abut a residential zone or single-family use; in which case
128 a minimum of 15 feet or 50% of the building height, whichever is greater, is required.)

- 129 (g) Maximum building height: 40 feet. Solar apparatus is excluded from height determinations.
130 Buildings and structures higher than 40 actual feet from the lowest point of grade to the
131 highest point of the building or structure (see Height of Building in 16.3), permitted as a
132 special exception, must have side, rear and front setbacks of sufficient depth to adequately
133 protect the health, safety and welfare of abutting properties, which may not be less than 50%
134 of the actual height of the proposed building.

- 135 (h) ~~Maximum building and outdoor stored material coverage: 50%~~ The maximum impervious
136 surface is:-

137 [1] 70%; or

138 [2] The Planning Board may, at its discretion, allow greater than 70% if:

139 (i) Additional landscaped or natural areas are proposed or preserved and such areas are
140 integrated into the site design in an environmentally conscious way utilizing LID to
141 provide stormwater filtration and/or water quality improvements. Such areas must exceed
142 the requirement that 15% of the lot be landscaped or natural. See (4) Landscaping/Site
143 Improvements. When granting such a concession, the Board must find that the proposed
144 additional landscaping and/or natural areas and the site design provide enough benefit to
145 outweigh the impact of greater impervious surface; or

146 (ii) Affordable housing to be built, rather than a payment-in-lieu, is proposed.

147 ~~(h)~~ Note: If using either option above, the stormwater requirements in (i) below may not
148 be modified.

- 149 (i) Stormwater: All new development must use LID (Low Impact Development) and BMP (Best
150 Management Practices), based on Maine DEP's Maine Stormwater Best Management
151 Practices Manual Volumes I-III as amended from time to time, to manage 100% of the total
152 stormwater generated on-site. The stormwater report and plan demonstrating that this
153 requirement is met must be included with the application at the time of submission. A request
154 for a modification may be submitted to the Planning Board but it is incumbent on the
155 applicant to prove to the Planning Board's satisfaction that such a modification is necessary.
156 The Town reserves the right to submit such modification requests for independent
157 engineering review at the applicant's expense. The Board may also require additional

158 landscaping/plantings and/or LID features when granting such concessions.

159 (j) Minimum area dedicated to landscaped or natural areas: 15%.

160 [1] For the purposes of this zone, a natural area is an area that is not regularly mowed, and
161 contains trees and/or shrubs which may not have been deliberately planted. Invasive plants,
162 as defined by the State of Maine, must be removed.

163 (+) [2] For multifamily dwellings, mixed-use buildings with dwelling units and attached
164 single-family dwellings, in cases where the property cannot meet the 15% requirement due to
165 existing development (including parking areas), and where redevelopment will remain at the
166 same or a lower percentage of the lot, the Planning Board may, at its discretion, allow a
167 smaller percentage of landscaped and/or natural area. In granting this concession, the Board
168 may require more intensive landscape plantings and/or LID-designed features.

169 (+) (k) Hours of operation must be noted on the final site plan and are determined by the
170 Planning Board on a case-by-case basis. All lighting other than designated security lighting
171 must be extinguished outside of noted hours of operation.

172 (+) (l) Minimum ~~water body~~ setback for functionally water-dependent uses: zero feet.

173 (+) (m) Minimum setback from streams, water bodies and wetlands: in accordance with Table
174 16.5.30, § 16.4.28 and Appendix A, Fee Schedules.

175 ~~(m) Gasoline Sales must a) not be located within 1,000 feet of an existing station; (b) not be~~
176 ~~located within 1,000 feet of any private residence; and (c) not be located within 150 feet of~~
177 ~~any existing structure.~~

178 (2) Parking design.

179 (a) Parking must be located ~~on~~ to the side or ~~back~~ rear of the building yard; If all parking cannot
180 be located to the rear or side, the Planning Board may allow limited parking in front of the
181 building but it is incumbent upon the applicant to demonstrate why such a modification
182 request should be granted. In granting this concession, the Board may require more intensive
183 landscape plantings and/or LID-designed features.

184 (b) Shared access between buildings and/or lots must be provided where feasible; ~~and~~
185 Feasibility criteria include:

186 [1] Fewer curb cuts required;

187 [2] Improved or new pedestrian access between buildings or lots;

188 [3] Improved internal circulation between buildings or lots; and

189 ~~(b)~~ [4] Improved overall site design with shared access.

190 (c) Screening through the use of plantings and/or fencing is required for all new or revised
191 parking abutting public streets and/or single-family uses or residential zones. Such screening
192 does not require that the parking lot and vehicles within it be completely obscured from view,
193 rather the screening must provide visual interest and distraction from the parking area
194 beyond, as well as buffer vehicle headlight trespass. ~~New or revised parking must be~~
195 ~~visually screened through the use of landscaping, earthen berms and/or fencing from adjacent~~
196 ~~public streets or residential properties. (See the Design Handbook for appropriate examples.)~~

197 [1] A landscape plan showing screening and other landscaping requirements prepared by a
198 registered landscape architect is a submission requirement. However, a landscape plan done
199 by other design professionals may be allowed at the Planning Board's discretion.

200 [2] Any required plantings that do not survive must be replaced within one year. This

201 requirement does not expire and runs with the land.

202 [3] Surface parking areas designed for less than five cars must use solid fencing, berms
203 and/or stone walls along the parking lot where it abuts any single-family use or residential
204 zone must be used to prevent vehicle headlights trespass. from shining on any abutting
205 residential property. Incorporating flowering vines and other plantings such as trees and
206 shrubs on next to fences and blank exterior walls is encouraged.

207 [4] Surface parking lots designed for five or more cars that will service multi-family or
208 mixed-use buildings with dwelling units and which abut a street, single-family use or
209 residential zone must provide screening in one of the following ways:

210 i. Any combination of trees, shrubs, tall ornamental grasses or perennial plants in a
211 planting bed at least eight (8) feet wide. Plantings must be sufficient, as determined by
212 the Planning Board, to screen the parking area from the street except for necessary
213 vehicular and pedestrian access. Climate-change tolerant Northeastern native plants are
214 preferred. Planting beds may be mulched but no dyed mulching material may be used.
215 Drip irrigation is recommended.

216 ii. One tree per 25 feet of street frontage within a planting bed at least eight (8) feet
217 wide which will include other plantings such as perennials. Plantings must be sufficient,
218 as determined by the Planning Board, to screen the parking area from the street except
219 for necessary vehicular and pedestrian access. To ensure survival, trees must be planted
220 using silva cells, bioretention cells or tree wells. Trees must be at least 2.5-inch caliper
221 and 12 feet high at the time of planting. Existing large healthy trees must be preserved if
222 practical and will count towards this requirement. Trees proposed within the public
223 right-of-way must remain under 20 feet tall at maturity. Trees native to the Northeast,
224 selected for climate change tolerance, are preferred and must be drought and salt tolerant
225 when used along streets. A diversity of tree species (three to five species per every 12
226 trees) is required to provide greater resiliency to threats from introduced insect pests and
227 diseases. Planting beds may be mulched but no dyed mulching material may be used.
228 Drip irrigation is recommended for plantings proposed to accompany the trees.

229 iii. Fencing, no taller than six (6) feet, of a type that screens rather than blocks a view
230 and made of a material compatible with surrounding buildings. Chain link fences are not
231 allowed unless they have a PVC color coating to blend in with surroundings. Stockade
232 fences may only be allowed to buffer a parking lot along the lot line that abuts a single-
233 family use or residential zone. A planting bed at least six (6) feet wide, including the
234 fence, is required, with a combination of trees, shrubs and perennials located on the
235 proposed development's side of the fence. Climate-change tolerant Northeastern native
236 plants are preferred. Planting beds may be mulched but no dyed mulching material may
237 be used. Drip irrigation is recommended.

238 (d) A minimum of 10% of any surface parking area consisting of 10 or more spaces must be
239 landscaped with trees and vegetated islands. This requirement is in addition to other required
240 landscaping and street tree requirements.

241 (e) In instances where one row of parking spaces and/or a related access drive is located
242 between the front property line and the front wall of the building extending the full width of the
243 lot and was utilized in accordance with previous permits or approvals, for parking, display,
244 storage, building or necessary vehicle circulation, the Planning Board may allow such
245 improvements to remain provided all other parking meets the location requirements and

246 provided that a landscaping plan for the property frontage is reviewed and approved by the
 247 Planning Board.

248 (f) If 20% or more of the proposed development will be affordable dwelling units built rather
 249 than using payment-in-lieu for required units, the Planning Board may, at its discretion, modify
 250 surface parking lot screening and landscaping requirements under subsections (c) and (d).

251 (3) Building design standards

252 Kittery's characteristic buildings reflect its historic seacoast past. The primary architectural styles
 253 are New England Colonial (such as Cape Cod and saltbox), Georgian, Federal and Classical
 254 Revival. New buildings must be compatible with Kittery's characteristic styles in form, scale,
 255 material and color. In general, buildings should be oriented to the street with the front of the
 256 building facing the street from which the building derives its street frontage. Architectural design
 257 and structure location must reinforce the human scale and pedestrian nature of the neighborhood
 258 by using orientation and building massing, exterior building materials, and roofing as set forth
 259 below. The front or street facade must be designed as the front of the building. The front
 260 elevation must contain one or more of the following elements: 1) a "front door," although other
 261 provisions for access to the building may be provided; 2) windows; or 3) display cases. (See
 262 Design Handbook for examples of acceptable materials and designs.) Main entries should be
 263 clearly visible from the street and provide adequate cover from the weather. Strict imitation is
 264 not required. Design techniques can be used to maintain compatibility with characteristic styles
 265 and still leave enough flexibility for architectural variety. To achieve this purpose, the following
 266 design standards apply to new and modified existing building projects:

- 267 (a) Exterior building materials and details. Building materials and details strongly define a
 268 project's architectural style and overall character. (See Design Handbook for examples of
 269 acceptable materials, building scale, and designs.) "One-sided" schemes are prohibited;
 270 similar materials and details must be used on all sides of a building to achieve continuity and
 271 completeness of design. Predominant exterior building materials must be of good quality and
 272 characteristic of Kittery, such as horizontal wood board siding, vertical wood boards, wood
 273 shakes, brick, stone or simulated stone, glass and vinyl, or metal clapboard.
- 274 (b) Roofs. ~~A building's prominent roofs must be pitched a minimum of 4:12 unless demonstrated~~
 275 ~~to the Planning Board's satisfaction that this is not practicable. Acceptable roof~~ Roof styles
 276 ~~are such as~~ gabled, gambrel and hipped roofs are preferred. ~~Flat roofs, shed~~ Shed roofs and
 277 roof facades (such as "stuck on" mansards) are not acceptable as prominent roof forms unless
 278 demonstrated to the Planning Board' satisfaction that another design is not practicable, except
 279 ~~as provided above~~. Roof colors must be muted. (See Design Handbook for examples.) Flat
 280 roofs proposed to locate heating, cooling, or other such mechanical or electrical apparatus off
 281 the ground, are acceptable provided that such apparatus are screened from view and the
 282 screening is designed as an integral part of the building to aid both aesthetics and noise
 283 attenuation. Flat roofs proposed for the purpose of solar array installations are also
 284 acceptable. The roof design must screen or camouflage rooftop protrusions to minimize the
 285 visual impact of air conditioning units, air handler units, exhaust vents, transformer boxes
 286 and the like. (See Design Handbook for examples of appropriate treatments.)
- 287 (c) Loading docks and overhead doors. Loading docks and overhead doors must be located on
 288 the side or rear of the building and must be screened from view from adjacent properties in
 289 residential use.

290 (d) Lighting plans, including outdoor lighting fixture designs and photometric plans, must be

291 included at the time of application submission. All lighting fixtures must be cutoff (dark sky
 292 compliant).

293 (4) Landscaping/site improvements.

294 A landscape plan prepared by a registered landscape architect is a submission requirement.

295 However, a landscape plan done by other design professionals may be allowed at the Planning
 296 Board's discretion. Climate change-tolerant Northeastern native plants are preferred. To achieve
 297 attractive and environmentally sound site design ~~and appropriate screening of parking areas~~, in
 298 addition to the landscaping standards contained in § 16.7-5 ~~and § 16.8~~, the following landscaping
 299 requirements apply to new and modified existing developments:

- 300 (a) Fifteen percent of site area must be landscaped and/or in a natural state as described in
 301 D.(1).(j).[1], unless otherwise provided above;
- 302 (b) Outdoor spaces must be created to reinforce commercial and community activities and
 303 pedestrian-friendly access. Outdoor spaces are encouraged throughout the site ~~with special~~
 304 ~~attention along~~ especially in those areas to the front and sides of buildings when viewed from
 305 the sidewalk and street. Architectural features such as decorative pavers, planters and
 306 ~~benches~~ seating areas, as well as outdoor dining where applicable, are encouraged in the
 307 creation of these spaces;
- 308 (c) The ~~space~~ setback between the ~~roadway~~ street and any buildings must be attractively
 309 landscaped using trees, ~~flowers~~, shrubs, perennials, ornamental grasses, fencing or stone
 310 walls to reinforce the site's unique character and building design and complement the public
 311 use of the space;
- 312 (d) ~~A-Required~~ buffer setbacks that function as buffers between commercial and residential
 313 zones/single-family uses must be ~~established and be~~ landscaped at minimum with a
 314 combination of trees and shrubs in a planting bed at least six (6) feet wide. Planting beds may
 315 be mulched but no dyed mulching material may be used; ~~visually pleasing mixed planting~~
 316 ~~type;~~
- 317 (e) ~~Solid fencing, berms and/or stone walls must be used to prevent headlights from shining on~~
 318 ~~abutting residential property. Incorporating flowering vines and other plantings on fences and~~
 319 ~~blank exterior walls is encouraged;~~
- 320 (f)(e) Provide street trees in a pattern reflecting the existing streetscape. For new buildings, a
 321 minimum of one street tree must be planted for each 25 feet of street frontage. The trees may
 322 be spaced along the frontage or grouped or clustered to enhance the visual quality of the site.
 323 (See Design Handbook for examples.) The trees must be a minimum two-and-one-half-inch
 324 caliper and be at least 12 feet high at the time of planting. ~~The species must be selected from~~
 325 the A list of approved street trees may be found in the Design Handbook. Trees native to the
 326 Northeast, selected for climate change tolerance, are preferred and must be drought and salt
 327 tolerant when used along streets. A diversity of tree species (three to five species per every
 328 12 trees) is required to provide greater resiliency to threats from introduced insect pests and
 329 diseases. Trees located within the public right-of-way must not exceed 20 feet at maturity.
 330 Existing large healthy trees must be preserved if practical and will count toward this
 331 requirement.
- 332 (g)(f) For additions to existing buildings and changes of residential structures to a
 333 nonresidential use, one street-side tree (see list of street trees in Design Handbook) is
 334 required to be planted for every 1,000 square feet of additional gross floor area added or
 335 converted to nonresidential use. In instances where parking, display area, storage, building or

necessary vehicle circulation exists at the time of enactment of this section, the required trees may be clustered and/or relocated away from the road as is necessary to be practicable. The preservation of existing large trees is encouraged; therefore, the Planning Board may permit the preservation of existing healthy, large, mature trees within developed areas of the site to be substituted for the planting of new trees;

~~(h)~~(g) Service and storage areas must be located to the rear of the building ~~and be shielded using plantings and/or fencing. Facilities for waste storage such as dumpsters must be located within an enclosure and be visually buffered by fencing, landscaping and/or other treatments (see Design Handbook for examples of appropriate buffering);~~. All service areas for dumpsters, compressors, generators and similar items must be screened by a fence at least six feet tall, constructed of a material similar to surrounding buildings, and must surround the service area except for the necessary ingress/egress.

~~(i)~~(h) No storage may be in front of buildings except seasonal sales items;

~~(j)~~(i) Lighting, including lighting fixture designs and photometric plans, and landscape plans must be provided and approved as a part of final plan; and

(j) Lighting along the street must be of a pedestrian scale using a full cutoff fixture in an architectural style ~~fixture~~ appropriate to the neighborhood.

(k) Any required plantings that do not survive must be replaced within one year. This requirement does not expire and runs with the land.

~~(k)~~ (l) If 15% or more of the proposed development will be affordable dwelling units, the Planning Board may, at its discretion, modify landscaping requirements under [c], [d] and [e] above.

(5) Traffic and circulation standards.

Sidewalks and roadways must be provided ~~within the site~~ to internally join abutting properties ~~that are~~ determined by the Planning Board using the criteria in subsection D.(2).(b).to be compatible. In addition, safe pedestrian route(s) must be provided to allow pedestrians to move within the site and between the principal customer entrance and the front lot line where a sidewalk exists or will be provided or where the Planning Board determines that such a route is needed for adequate pedestrian safety and movement. (See Design Handbook for appropriate examples.)

(6) Cottage cluster requirements:

(a) Cottage cluster dwelling units must either face the required common open space or the street. The required open space must be held in common for use by all the cottage cluster residents and must be immediately accessible to each dwelling unit, via either the front or the back of each unit.

(b) Each cottage cluster dwelling unit must be no greater than 1,200 square feet. Spacing between units must comply with the requirements of the Fire Department and/or the State Fire Marshall's office.

(c) Shared parking areas must be connected to each dwelling unit via a sidewalk.

(7) Affordable housing requirements:

(a) All requirements in 16.5.4 Affordable Housing must be met.

(b) Density incentives outlined above in subsection D.(1).(a).[4] may be applied to projects that create affordable housing units, as defined by this code. No proportional payment-in-lieu is

379 required if the affordable dwelling unit requirements for the density incentives are met.

380 (8) Gasoline Sales must a) not be located within 1,000 feet of an existing station; (b) not be located
381 within 1,000 feet of any private residence; and (c) not be located within 150 feet of any existing
382 structure.

383 E. Shoreland Overlay Zone OZ-SL – Business Local Zone (B-L1)

384 (1) Permitted uses

385 (a) Accessory Uses & Building

386 (b) Aquaculture

387 (c) Recreation, Public Open Space

388 (2) Special exception uses

389 (a) Art Studio or Gallery

390 (b) Business & Professional Offices

391 (c) Business Services

392 (d) Retail Sales, Building Materials & Garden Supply (excluding those of which the principal
393 activity entails outdoor sales and/or storage)

394 (e) Conference Center

395 (f) Retail Sales, Convenience

396 (g) Commercial Fisheries/Maritime Activities (provided only incidental cleaning and cooking of
397 seafood occur at the site)

398 (h) Parking Area

399 (i) Dwelling, Manufactured Housing

400 (j) Dwelling, Single-Family

401 (k) Dwelling, Two-Family

402 (l) Farmers market

403 (m) Funeral Home

404 (n) Home Occupation, Major

405 (o) Home Occupation, Minor

406 (p) Inn

407 (q) Mass Transit Station

408 (r) Motel

409 (s) Hotel

410 (t) Inn

411 (u) Rooming House

412 (v) Personal Service

413 (w) Public Assembly Area

414 (x) Theater

415 (y) Public Utility Facility

416 (z) Restaurant

417 (aa) Retail Sales (excluding those of which the principal activity entails outdoor sales and/or
418 storage)

419 (bb) Specialty Food and/or Beverage Facility

420 (3) See § 16.4.28 for purpose and standards in the Shoreland Overlay Zone OZ-SL

421 F. Resource Protection Overlay Zone OZ-RP – Business – Local Zone (B-L1)

- 422 (1) Permitted Uses
- 423 (a) Recreation, Public Open Space
- 424 (2) Special Exception Uses
- 425 (a) Accessory Uses & Buildings
- 426 (b) Home Occupations, Major
- 427 (c) Home Occupations, Minor
- 428 (d) Public Utility Facility
- 429 (e) Dwelling, Single-Family, including modular homes
- 430 (3) See § 16.4.29 for purpose and standards in the Resource Protection Overlay Zone OZ-RP

**KITTERY TOWN CODE –
TITLE 16
AFFORDABLE HOUSING**

1 **AN ORDINANCE** relating to the municipality’s authority for Town governance to give due and
2 proper attention to its many demands pursuant to the Town Charter, Federal law, and Maine
3 Revised Statutes, and more particularly where set forth in Maine Revised Statutes Title 30-A,
4 Municipalities and Counties.

5 **WHEREAS**, the Kittery Town Council is authorized to enact this Ordinance, as specified in
6 Sections 1.01 and 2.07(3) of the Town Charter; and 30-A MRS §3001, pursuant to its powers
7 that authorize the town, under certain circumstances, to provide for the public health, welfare,
8 morals, and safety, and does not intend for this Ordinance to conflict with any existing state or
9 federal laws; and

10 **WHEREAS**, the Town of Kittery desires to promote and retain a diverse community of residents
11 who provide essential services to the Town, cultural enrichment, a variety of ages and
12 backgrounds, or who currently live in Kittery on modest means; and

13 **WHEREAS**, the Town of Kittery recognizes that municipal support provided through a
14 combination of policy, ordinances, and funds is needed for the creation, rehabilitation, and
15 retention of affordable housing units in Kittery; and

16 **WHEREAS**, the Town of Kittery seeks to remove barriers and incentivize the creation,
17 rehabilitation, and retention of affordable housing units through its zoning code;

18 **NOW THEREFORE**, IN ACCORDANCE WITH TITLE 30-A MRS §3001, AND TOWN
19 CHARTER §2.14, THE TOWN OF KITTERY HEREBY ORDAINS AMENDMENTS TO TOWN
20 CODE, TITLE 16, LAND USE and DEVELOPMENT CODE, BUSINESS LOCAL AND
21 BUSINESS LOCAL-1 ZONES, AS PRESENTED.

22 **INTRODUCED** and read in a public session of the Town Council on the ____ day of _____,
23 20____, by:_____ {NAME} Motion to approve by Councilor
24 _____ {NAME}, as seconded by Councilor _____ {NAME} and
25 passed by a vote of _____.

26 **THIS ORDINANCE IS DULY AND PROPERLY ORDAINED** by the Town Council of Kittery,
27 Maine on the ____ day of _____, 20____, {NAME}, _____, Chairperson

28 **Attest:** {NAME}, _____ Town Clerk

TITLE 16
AFFORDABLE HOUSING
HOUSING COMMITTEE PROPOSED EDITS

1. Business Local (B-L) replace lines 67 through 90:

A. Standards.

All development and the use of land in the B-L Zone must meet the following standards. Kittery's Design Handbook illustrates how these standards can be met. In addition, the design and performance standards of Chapters §16.5, §16.7 and §16.8 must be met.

(1) The following space and dimensional standards apply:

(a) Minimum land area per dwelling unit:

[1] If served by on-site sewage disposal: 20,000 square feet;

[2] If served by the public sewerage system and:

[a] When no frontage on State Road or Route 1 Bypass exists: All floors are residential: 3,000 square feet; ~~or~~

[b] When less than five dwelling units are proposed ~~with~~, at minimum, one nonresidential use ~~to~~ must be located on the first floor facing State Road or Route 1 Bypass such that the use will be visible from the street: 3,000 square feet. Such a nonresidential use or uses need not occupy the entire first floor but must be an independent nonresidential use, e.g., not a home office marketed with a dwelling unit as a work/live unit.

[c] When five or more dwelling units are proposed ~~with~~, at minimum, one nonresidential use ~~to~~ must be located on the first floor facing State Road or Route 1 Bypass such that the use will be visible from the street: 2,500 square feet. Such a nonresidential use or uses need not occupy the entire first floor but must be an independent nonresidential use, e.g. not a home office marketed with a dwelling unit as a work/live unit; or

[d] 25% or more of the dwelling units will be affordable housing units as defined by this code: 2,000 square feet.

Note: Except as otherwise required by the buffer provisions of this title.

2. Business Local 1 (B-L1) replace lines 71 through 86:

B. Standards

All development and the use of land in the B-L1 Zone must meet the following standards. Kittery's Design Handbook illustrates how these standards can be met. In addition, the design and performance standards of § 16.5, 16.7 and 16.8 must be met.

(1) The following space and dimensional standards apply:

(a) Minimum land area per dwelling unit:

- [1] When no frontage on State Road or Shapleigh Road: ~~When all floors are residential:~~ 2,500 square feet
- [2] When less than five dwelling units are proposed ~~with~~, at minimum, one nonresidential use ~~to~~ must be located on the first floor facing State Road or Shapleigh Road such that the use will be visible from the street: 2,500 square feet. Such a nonresidential use or uses need not occupy the entire first floor but must be an independent nonresidential use, e.g., not a home office marketed with a dwelling unit as a work/live unit.
- [3] When five or more dwelling units are proposed ~~with~~, at minimum, one nonresidential use ~~to~~ must be located on the first floor facing State Road or Shapleigh Road such that the use will be visible from the street: 2,000 square feet. Such a nonresidential use or uses need not occupy the entire first floor but must be an independent nonresidential use, e.g., not a home office marketed with a dwelling unit as a work/live unit.
- [4] When 25% or more of the dwelling units will be affordable housing units as defined by this code, the minimum land area per dwelling unit is: 1,500 square feet.

3a. Business Local 1 (B-L1) delete line 65:

~~(12) — Buildings and structures over 40 feet that conform to the provisions of Title 16.~~

3b. Business Local 1 (B-L1) amend lines 129 through 134:

~~(g) Maximum building height: 40 feet. Solar apparatus is excluded from height determinations. Buildings and structures higher than 40 actual feet from the lowest point of grade to the highest point of the building or structure (see Height of Building in 16.3), permitted as a special exception, must have side, rear and front setbacks of sufficient depth to adequately protect the health, safety and welfare of abutting properties, which may not be less than 50% of the actual height of the proposed building.~~

(g) Maximum building height: 40 feet.

[1] the Planning Board may approve buildings above 40 feet but no higher than 50 feet if all side, rear and front setbacks have sufficient depth to adequately protect the health, safety and welfare of abutting properties, and which may not be less than 50% of the actual height of the proposed building.

[2] Solar apparatus is excluded from height determinations.

4. Amend Appendix A Payment in Lieu Fee:

Fee in lieu, per affordable housing unit required

~~\$35,000~~ \$100,000

5. Amend Affordable Housing Standards, 16.5.4.C (3):

- (3) As an alternative to providing affordable housing units, projects may pay a fee in lieu of some or all of the units. In-lieu fees shall be paid into the Kittery Housing Reserve Fund, as ordained by the Kittery Town Council. The fee for affordable units not provided must be established by the Kittery Town Council in the schedule of fees. The in-lieu payment alternative may be utilized for no more than 50% of the number of whole units required for affordable housing for the project.

B. R. FEIN
4 TREFETHEN AVE
KITTERY ME 03904

8682

52-7445/2112
06

20 July 20 12
Date

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Order of

Rice Library

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Two Thousand Dollars and 00/100

Dollars



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For

Dave Fein - DYD's

B.R. Fein

MP



TOWN OF KITTERY
200 Rogers Road, Kittery, ME 03904
Telephone: 207-475-1329

REPORT TO TOWN COUNCIL

Date: September 12, 2022
From: Kendra Amaral, Town Manager
CC: Todd Rollins, Chair Shellfish Conservation Commission, Chuck Moran, Shellfish Warden
Subject: Shellfish Licenses for 2022-2023 Season
Councilor Sponsor: Chairperson Judy Spiller

EXECUTIVE SUMMARY

The Department of Marine Resources has notified the Town that the Braveboat Harbor clam flats are safe to open for shellfish harvesting beginning this year. The Shellfish Conservation Commission has been working with the DMR and the Shellfish Warden, Chuck Moran, to prepare for the reopening, including achieving successful adoption of amendments to Title 12 -Shellfish Conservation ordinance, and receiving approval from DMR on the proposed number of licenses to be available by category.

In accordance with Title 12 – Shellfish Conservation the Town Council is responsible for declaring shellfish harvesting locations open and to establish the shellfish harvest season for the coming year.

SHELLFISH COMMISSION RECOMMENDATIONS

The Shellfish Conservation Commission is recommending Braveboat Harbor be open for shellfish harvesting in accordance with Title 12 as follows:

Season – December 4, 2022 through April 30, 2023

Please see attached report for the number of licenses, by category, that will be available in the coming season with one correction. DMR requires 10% of the “over 70” licenses to be available to non-residents. This will result in 9 “over 70” resident-only licenses and 1 “over 70” non-resident license. Any licenses not purchased within the 90-day issuance period become available to any person regardless of residency status.

Ari Leach at the Department of Marine Resources has been advising the Shellfish Conservation Commission throughout the process, and has reviewed and approved the opening, the Title 12 revisions, and the number and categories of licenses.

PROPOSED SOLUTION/RECOMMENDATION

Approve as recommended by the Shellfish Conservation Commission and approved by DMR.

ATTACHMENTS

- Notes from July Shellfish Conservation Commission meeting detailing season and licenses
- Annual report to Department of Marine Resources

Town of Kittery-Shellfish Conservation Committee
Notes from 7/6/2022 Meeting

Present: Todd Rollins (Zoom), Daniel Clapp, Daniel O'Reilly, Tim Carven
Absent: Peter Thomas, Erin Kempster
Staff: Chuck Moran
Guests: none
Public: none

- Called to order at 4:18pm
- Meeting notes of 5/11/2022 accepted
- Committee discussed and approved by vote of 4-0 the following to be submitted to Maine Department of Marine Resources for approval:

Harvest season established as: commencing December 4, 2022, ending April 30, 2023.
Shellfish harvesting may only occur on Sundays and on nationally recognized holidays, between sunrise and sunset, during the harvest season.

Each license issued, per Kittery ordinance, commences on December 1 and expires at midnight on November 30 following the date of issuance.

Licenses will be sold on a first come, first serve basis at a time and location recommended by the Shellfish Warden. Licenses will be issued no later than October 15, 2022

Fees:

Resident recreational	\$15
Residents 70 and over	Free
Residents under 14 years of Age	Free
Nonresident recreational	\$30

Number of Licenses: December 1, 2022-Novemeber 30, 2023

Resident recreational	30
Resident 70 and over	10
Resident under 14 years of Age	5
Nonresident recreational	5

C. Moran will prepare the appropriate documents to be submitted to Maine Department of Marine Resources for approval.

- Meeting adjourned at 4:37P

ANNUAL SHELLFISH MANAGEMENT REVIEW

Municipality: Town of Kittery Date of Submission: April 1, 2022

For the period: January 1 to December 31, 2021

The Shellfish Conservation Committee needs to submit the following information in partial fulfillment of the town's responsibilities as outlined in Chapter 7 of the DMR Regulations and the Town's shellfish ordinance. A complete Budget Worksheet must accompany this report.

SHELLFISH COMMITTEE / STAFF

CHAIR NAME: Todd Rollins ADDRESS: 47 Tilton Avenue, Kittery, ME 03904
PHONE: 207-475-8801 EMAIL: tprollins@gmail.com

VICE CHAIR: none ADDRESS: none
PHONE: _____ EMAIL: _____

SECRETARY: none ADDRESS: none
PHONE: _____ EMAIL: _____

MEMBER: Daniel Clapp ADDRESS: 1 MacDougal Street, Kittery, ME 03904
PHONE: 207-439-0528 EMAIL: dlcaloo66@yahoo.com

MEMBER: Daniel O'Reilly ADDRESS: 1 O'Reilly Lane, Kittery, ME 03094
PHONE: 207-439-0236 EMAIL: none

MEMBER: Peter Thomas ADDRESS: 2 Frog Hollow Lane, Kittery PT, ME 03905
PHONE: 207-439-5191 EMAIL: pet2thm@aol.com

MEMBER: Erin Kempster ADDRESS: 32 Ridgewood Drive, Kittery, ME 03904
PHONE: 562-708-3188 EMAIL: ekempster@gamil.com

MEMBER: Tim Carven ADDRESS: 93 Brave Boat Harbor Rd, Kittery PT, ME 03905
PHONE: 207-439-5918 EMAIL: t.carven@comcast.net

MEMBER: _____ ADDRESS: _____
PHONE: _____ EMAIL: _____

WARDEN: Chuck Moran ADDRESS: 22 Whippoorwill ALane, Kittery, ME 03904
PHONE: 207-703-4415 EMAIL: cmoran@kittery.me.org

WARDEN: _____ ADDRESS: _____
PHONE: _____ EMAIL: _____

SELECTMAN/ COUNCIL REP.: Judy Spiller, Chair ADDRESS: Town of Kittery, 200 Rogers Rd, Kittery, ME 03904
PHONE: 207-439-0637 EMAIL: judyspiller43@gmail.com

Municipality: Town of Kittery

COMMITTEE MEETINGS

The Committee holds regularly scheduled meetings (once a month etc.): YES _____ NO X

Number of meeting held during the reporting period: one (10/6/2021)

The minutes of meetings are recorded and available on request: YES X NO _____

STATEMENT OF MANAGEMENT GOALS AND IMPLEMENTATION ACTIONS

The goals of the shellfish management for this municipality during the reporting period were (pick one in each category that best describes the municipal program):

- 1. Provide open licenses to maximize opportunity
 Limit licenses to maximize individual harvest
- 2. Conduct enhancement activities to increase resources
 Use closures and harvest limits to maintain resource levels
- 3. Emphasize recreational harvest
 Emphasize commercial harvest

The following management controls were utilized (check all that apply):

- 1. Limited the number of commercial harvesters
- 2. Limited the number of recreational harvesters
- 3. Restricted the times of harvest (seasons, days off etc.)
- 4. Restricted the areas of harvest (conservation closures etc.)
- 5. Limited the amount of commercial harvest (daily harvest limit)
- 6. Limited the amount of the recreational harvest (daily harvest limit)

The following management activities were undertaken (check all that apply):

- 1. Predator protection using fencing, netting, trapping etc.
- 2. Reseeding from wild or hatchery stock
- 3. Surveys of flats to determine resource abundance
- 4. Collection of catch data from harvesters
- 5. Enhancing natural seeding using brushing, roughing etc.
- 6. Utilizing flat rotation through conservation closures

Municipality Town of Kittery

CONSERVATION CREDITS

Conservation credits are required: YES _____ NO X

If NO are volunteer hours logged: YES _____ NO X

Conservation credits are required for: RENEWAL No NEW LICENSE No

Number of conservation credits required annually: N/A

The total number of conservation/volunteer hours during the reporting period:
(Please include total number of Participants) HOURS 0 PARTICIPANTS 0

A reduced license fee is offered with earned conservation time: YES _____ NO X

Opportunities are provided for earning required conservation credits
(surveys, meeting attendance etc.): YES _____ NO X

Conservation credits earned for this year were (Check all that apply):

- Reseeding
- Surveys
- Brushing
- Predator Control
- Education activities
- Coastal Cleanup
- Other _____

WARDEN ACTIVITY REPORT (from Warden Enforcement Worksheet)

The Municipal Shellfish Warden is provided a written job description: YES X NO _____

Hours patrolled during report period: 0

Number of harvesters checked during report period: no licenses issued

Number of warnings issued during report period: 0

Number of summons issued during report period: 0

Number of court appearances during report period: 0

Number of convictions during report period: 0

Enforcement can be improved by (check all that apply):

- More Hours
- Additional Staff
- More Training
- Greater State Support
- Better Equipment
- Other _____

Municipality Town of Kittery

WARDEN ANNUAL APPOINTMENT

WARDEN: Chuck Moran

REAPPOINTMENT: _____ NEW HIRE*: TOWN CLERK SIGNATURE: Karen Ester
Town Clerk

WARDEN: _____

REAPPOINTMENT: _____ NEW HIRE*: _____ TOWN CLERK SIGNATURE: _____

*** - If the warden is a new hire the candidate must fill out a NEW WARDEN FORM found at:**

<http://www.maine.gov/dmr/msf/forms/index.htm>

SUMMARY OF CONSERVATION ACTIVITIES

CONSERVATION CLOSURES

none No Closure Conservation Closures were requested this year.

The following conservation closures were implemented during the review year:

CLOSURE DESCRIPTION/LOCATION	DATE CLOSURE	DATE OPEN
N/A	N/A	N/A

Summary of Transplant Activities

Municipality:

The following seeding / reseeding activities were conducted during the past year.

No seeding / reseeding activities were conducted.

	Event 1	Event 2	Event 3	Event 4
Date (m/d)	None			
Supervisor				
Crew #				
Amount				
Mean Size (mm)				
Size Range (mm)				
Source Hatchery				
Source Flat				
Receiving. Flat				
Flat Prep (y/n)				
Netted (y/n)				
Closed until				
	Event 5	Event 6	Event 7	Event 8
Date				
Supervisor				
Crew #				
Amount				
Mean Size (mm)				
Size Range (mm)				
Source Hatchery				
Source Flat				
Receiving. Flat				
Flat Prep (y/n)				
Netted (y/n)				
Closed until				

Municipality: Town of Kittery

SPATFALL ENHANCEMENT

X No spatfall enhancement activities were conducted during the review year.

Please list activities undertaken to promote settlement such as brushing, flat roughening, tenting or shell on flats.

LOCATION	DATE	DESCRIPTION
n/a		

Municipality _____

PREDATOR REDUCTION

X No predator protection activities were conducted during the review year.

Please list activities undertaken to protect clams from predators such as trapping, netting and hand collection.

LOCATION	DATE	DESCRIPTION (Species targeted and method)
n/a		

CLAM FLAT SURVEYS

X No population surveys were conducted during the review year.

All survey data should be forwarded to the proper DMR Area Biologist. Please list the surveys conducted during the review year. DMR will not accept surveys without data.

CLAM FLAT	SURVEY DATE	DATA PROVIDED TO DMR	MAP PROVIDED TO DMR
n/a		Yes _____ No _____	Yes _____ ⁰ No _____ ⁰
		Yes _____ No _____	Yes _____ ⁰ No _____ ⁰
		Yes _____ No _____ ⁰	Yes _____ ⁰ No _____
		Yes _____ No _____ ⁰	Yes _____ ⁰ No _____
		Yes _____ No _____ ⁰	Yes _____ ⁰ No _____

The flats surveyed during the review year represent approximately n/a % of the total productive flats.

Municipality Town of Kittery

ADDITIONAL ACTIVITIES

 X No other activities were conducted during the review year.

Please list other activities undertaken to benefit the shellfish conservation program such as education, participation in regional councils and shoreline clean-up.

LOCATION	DATE	DESCRIPTION
n/a		

PROPOSED MANAGEMENT ACTIVITIES

The following management activities will be undertaken during the coming year (check all that apply):

- Predator protection through netting, trapping and etc.
- Reseeding from high density areas or with hatchery stock
- Flat surveys to determine size distribution and density
- Enhance natural seeding through brushing, roughing and etc.
- Establishing conservation areas for flat rotation
- Other _____

In order to implement these management activities the committee will utilize (check all that apply):

- Harvesters vested with conservation credit
- Harvester volunteers
- Paid harvesters
- Municipal employees
- Paid consultants
- Other _____

Town Of Kittery

ANNUAL SHELLFISH MANAGEMENT REVIEW

for the period January 1st to December 31st, 2021

Shellfish Conservation Budget Worksheet

SHELLFISH CONSERVATION BUDGET

License numbers are determined by: 0 using survey data; 0 harvester input; 0 demand

License Receipts	Allocation	Sold	Funds Received
Commercial			
Resident	<u>0</u>	<u>0</u>	<u>0</u>
Nonresident	<u>0</u>	<u>0</u>	<u>0</u>
Senior Resident	<u>0</u>	<u>0</u>	<u>0</u>
Senior Nonresident	<u>0</u>	<u>0</u>	<u>0</u>
Junior/Student Resident	<u>0</u>	<u>0</u>	<u>0</u>
Junior/Student Nonresident	<u>0</u>	<u>0</u>	<u>0</u>
Other	<u>0</u>	<u>0</u>	<u>0</u>
Recreational			
Resident	<u>0</u>	<u>0</u>	<u>0</u>
Nonresident	<u>0</u>	<u>0</u>	<u>0</u>
Daily/Weekly/Monthly Resident	<u>0</u>	<u>0</u>	<u>0</u>
Daily/Weekly/Monthly Nonresident	<u>0</u>	<u>0</u>	<u>0</u>
Senior Resident	<u>0</u>	<u>0</u>	<u>0</u>
Senior Nonresident	<u>0</u>	<u>0</u>	<u>0</u>
Junior/Student Resident	<u>0</u>	<u>0</u>	<u>0</u>
Junior/Student Nonresident	<u>0</u>	<u>0</u>	<u>0</u>
Other	<u>0</u>	<u>0</u>	<u>0</u>
SUBTOTAL (1)			<u>0</u>
Receipts Independent of License Fees			
Shellfish Conservation Account Carried Forward			<u>0</u>
Funds Raised for Warden			<u>0</u>
Funds Raised for Management Activities			<u>0</u>
Fines			<u>0</u>
Other			<u>0</u>
SUBTOTAL (2)			<u>0</u>
Disbursements			
Warden Salary			<u>0</u>
Mileage			<u>0</u>
Clothing			<u>0</u>
Equipment			<u>0</u>
Training			<u>0</u>
Advertising/Notification			<u>0</u>
Supplies			<u>0</u>
Surveys			<u>0</u>
Seeding			<u>0</u>
Miscellaneous			<u>0</u>
SUBTOTAL (3)			<u>0</u>



Published on *Kittery ME* (<https://www.kitteryme.gov>)

[Home](#) > [Town of Kittery Board & Committee Application](#) > [Webform results](#) > Submission #5

Submission information

Form: [Town of Kittery Board & Committee Application](#) (1)
Submitted by Anonymous (not verified)
February 9, 2022 - 9:52am
71.233.80.217

Name:

H Scott Mason

Residence:

Kittery

Mailing (if different):

E-Mail Address:

hscottmason@gmail.com

Cell Phone Number:

6035570801

Home Phone Number:

Work Phone Number:

Board, Committee & Commission Choices

- Economic Development Committee
- Housing Committee
- Planning Board
- Port Authority

Rank Choices By Priority

No preference.

Education/Training:

BA in Agricultural Business from ASU.

Related Experience (Including other Boards and Commissions):

No board or commission experience. I was in the restaurant business for 24 years, 14 as an owner. I currently work as a residential real estate agent in ME and NH.

Present Employment:

Real Estate agent at Keller Williams

Are You a Registered Voter in the Town of Kittery?

Yes

Do You Have Any Conflicts of Interest?

Not that I am aware of.

Reason for Application to this Board:

I want to be more involved in Kittery town government and I think I have something to offer. I have a lot of restaurant/ retail experience. I also have 7 years of real estate experience with all of the licensing requirements, and all of the research skills required on the state and local levels, including rules, regulations, law, market research and data etc. I also have pretty top level people skills. Perhaps most importantly, I care about Kittery: I live here and my daughter goes to school here but all I have done so far is volunteer at the schools. I want to do more.

I have attended at least two meetings of the board for which application is being made:

Have not

I agree to attend all meetings, except for illness/emergency & will advise the Chair when unable to attend:

Agree

Signature

H Scott Mason

Source URL: <https://www.kitteryme.gov/node/71141/submission/13021>

Links

[1] <https://www.kitteryme.gov/home/webforms/town-kittery-board-committee-application>

TO: Board or Committee Chair

FROM: George Daw and Steve Workman

APPOINTMENT TO KINDERGARTEN COMMUNITY CENTER BOARD

DATE OF INTERVIEW 8/29/22 Time 1:30 PM

We have interviewed KEENA PAHL, on the date and time noted above. We approve recommendation of the applicant and whole heartedly endorse his/her appointment for a term to expire on

12/31/2025

ATTENDANCE RECORD:

Excellent _____
Good _____
Poor _____

George Daw
Steve Workman (Verified Appointment)
Signatures

COMMENTS:

I SPOKE WITH STEVE W. AND HE OFFERED HIS FULL RECOMMENDATION FOR HAVING KEENA LAW TO THE KCC BOARD

TOWN COUNCIL BOARDS AND COMMITTEES
INTERVIEW FORM

TO: KITTERY TOWN COUNCIL

FROM: COUNCILOR JEFF PERCECATOR and STEVE WORKMAN

RE: APPOINTMENT TO KCC BOARD OF DIRECTORS

DATE OF INTERVIEW: JUNE 1 2022 at 6 a.m./(p.m.)

We have interviewed KATHLEEN STANLEY, on the date and time above. We approve recommendation of the applicant and whole heartedly endorse his/her appointment for a term to expire on _____



Signatures

ATTENDANCE RECORD (for reappointments only)

Excellent _____

Good _____

Poor _____