

2017

# Town of Kittery, Maine Comprehensive Plan 2015-2025

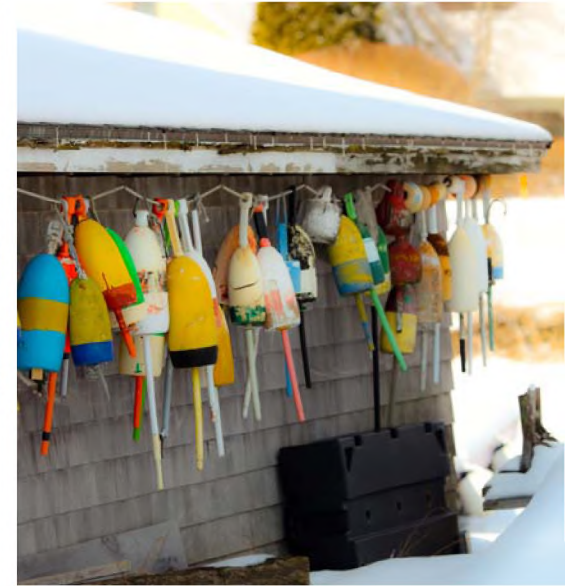
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# VOLUME I: THE COMPREHENSIVE PLAN



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March 2017

## **ACKNOWLEDGEMENTS**

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### **Friends of the CPUC**

Kittery residents who supported the planning effort with varying degrees of time commitment.

*....and the concerned residents, business owners, Town officials and staff who devoted their time, energy and imagination to the making of this plan.*

*“If there is anything lovelier than the scenery of this gentle river I do not know it; and I doubt if the sky is purer and bluer in paradise.”*

-William Dean Howells, 1902

*“Everywhere I went along the coast, and up Chauncey Creek, and through Brave Boat Harbor on a kayak was just a thrill. It was relatively undeveloped, clean, neat, old, rugged, rustic, authentic, natural, healthy, and a joy to behold. Places like this don’t happen by accident (the people here are doing things right and deserve a lot of credit and encouragement).”*

-Mark Alesse, 2014

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Additionally, two separate volumes were prepared to as **appendices** to this document, and reference has been made to them in Volume I:

**VOLUME II: INVENTORY OF EXISTING CONDITIONS**  
**VOLUME III: SUMMARY OF PUBLIC INPUT**

Both volumes may be viewed on the Town of Kittery website.



## PREAMBLE

*The Comprehensive Plan 2025 initiative which has taken place during the past 16 months has been an exciting, exhaustive and fascinating process that has gathered a great deal of information and opinion from many, many residents of Kittery, the Town Council, Town Managers, Town Departments and Employees, and Volunteer Boards and Commissions.*

*The Kittery Comprehensive Plan Committee would like to express our most sincere thanks for the participation and support of our citizens and to note with appreciation that none of this current effort would have been possible without the support (financial and otherwise) of the Town Council, the excellent guidance and input from our most recent past Manager Nancy Colbert Puff, our interim Manager Carol Granfield, and our current Manager Kendra Amaral, the tireless work of our Town Planner Chris DiMatteo, the dedication and excellent spirit and work ethic of the Committee members, and last but not least, the mighty and sustained efforts of Daphne Politis and Martha Lyon and the entire Community Circle Group, our consultant team for this project. We thank you for your professionalism, persistence, patience, adaptability, sense of humor (very important!), and for getting us to this stage of completion.*

*The Kittery Comprehensive Plan 2025 is intended to be a guidebook for the Town's direction in the next decade and beyond and a blueprint for updating our land use and development ordinance. It contains many views and opinions, and inherent in public gathering of opinion, it contains contradictions and inconsistencies. Nonetheless it has been and is our commitment to provide an effective distillation of all of the information gathered, in a readable, accessible and useful format, and one that will be an important and helpful guide to many Town decisions for the near future.*

*Kittery is a "small" town with many and varied aspects and facets, giving it the feel of a larger and more diverse place: it is the site of a great deal*

*of early history of our nation and region; it is a primary entrance ("gateway") to the State of Maine, bisected by the Maine Turnpike; it is a border town, with the prospering and attractive small city of Portsmouth just across the bridge(s); it is the home of a major shipyard in which complex technological and industrial processes are ongoing in the maintenance of nuclear submarines, for which there are major employment, traffic and economic impacts on Kittery and the region; it is the site of a very successful outlet mall zone, which benefits from tourist as well as local use throughout the year; it is home to a vibrant literary, performing and fine arts community; in addition Kittery hosts many small industries and home occupations, and is the home of many who commute to other locations for work. Kittery has both commercial fishing/lobstering and recreational waterfront activities, a vibrant local "food culture", and we are very fortunate to have a variety of scenic and recreational assets, including parks, beaches and waterfront areas, and other conserved land areas which are enjoyed by our residents and many visitors from the region and beyond.*

*Stated in one sentence, our mission is to preserve and enhance what we like and love about Kittery and to plan accordingly for the future, to allow appropriate residential, cultural, recreational, employment and business growth while preserving our natural environment and historical assets.*

*The Plan brings together many, sometimes disparate, ideas, and going forward, priorities will need to be established or confirmed from those many ideas. Please read, reflect, criticize, and most importantly, use this Comprehensive Plan, as it is a snapshot of where we are at this moment in time and sincere expression of the gathered ideas and concerns of Kittery citizens for the future direction of the town.*

*- Russell White, Chair, Kittery Comprehensive Plan Committee*

PREAMBLE

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## EXECUTIVE SUMMARY

## EXECUTIVE SUMMARY

Kittery is a special place. Its residents agree and very much enjoy living here. Visitors know one Kittery – the discount retail outlets and the beautiful seaside public parks. The Town has many more features known to residents who jealously guard some of these secret spots. Some residents fear that limited capacity to accommodate large numbers of people may result in the destruction of sensitive environmental quality and detract from their ability to enjoy them.

Kittery is a community of contrasts. On the one hand, it is a quiet, waterfront residential community. It has beautiful natural and historic features and both a working waterfront as well as a scenic seaside drive. It is also a major employment center (both the Portsmouth Naval Shipyard and the Outlet Mall area provide a large number of jobs). The goal of this plan is to find a way to balance these and other competing interests to maximize the quality of life in Kittery.

### EXECUTIVE SUMMARY: CONTENTS

Purpose: What is A Comprehensive Plan

Why Plan?

Process

    Kittery Voices: Public Process

    Inventory and Assessment of Existing Conditions

Vision, Goals and Objectives

    A Vision for Kittery's Future

    Goals and Objectives

Recommendations

    Three Best Practice Planning Principles

    Highlights of Plan Recommendations

    Top 25 Key Recommendations

    Top 24 Ripe Apples (“low hanging fruit☺”)

    Future Land Use Map

Implementation: Next Steps

## EXECUTIVE SUMMARY

### PURPOSE: WHAT IS A COMPREHENSIVE PLAN?

A Comprehensive Plan is a roadmap to help guide decision-making about the future of a municipality. It is:

- A basis for decision-making for future development
- A process leading to a plan of action based on a town's shared values and goals
- A set of priorities for addressing the full range of issues facing a town

#### How to use a Comprehensive Plan

- Guidance for future decision-making
- Menu of good ideas (from the public and best practice) are recorded as a suggested starting place for moving forward
- Understanding that not all actions are possible
- Choices will have to be made and vetted
- Priorities will have to be continually re-evaluated

A Comprehensive Plan is an important opportunity to think about:

***How can we make Kittery an even better place to live, work and play?***



*Logo developed for Comprehensive Plan, developed by local Kittery artist, Holly Elkins*

## EXECUTIVE SUMMARY

### WHY PLAN?

Updating a municipality’s Comprehensive Plan in addition to making the Town eligible for State and other grants and sending a message to prospective investors regarding what the Town would like to see in terms of development, it is an opportunity to:

- Take stock, review objectives, direction and priorities
- Examine resource allocation: existing and optimal
- Need to update (last Comprehensive Plan was updated in 1999)
- Be proactive and affect future decision making
- Support eligibility for grant programs and public funds

#### State of Maine Planning Office identifies 3 reasons to create a Comprehensive Plan consistent with Maine’s Growth Management Act

- Legal protection for the Town’s ordinances
- To qualify for state grant and loan programs
- Support for good planning and land use management (“good planning makes good communities”)
  - Sustain rural living and vibrant village centers
  - Preserve healthy landscape and walkable communities
  - Balance economic prosperity with quality of life
  - Protect working waterfronts and community farms
  - Develop discussion among neighbors
  - Develop a basis for sound decisions in town management

### PROCESS

The process is comprised of a number of steps and includes the following:

**A Public Process** that solicits public input in articulating a vision and set of goals to form the foundation of the Plan as well as feedback on the strategies with which to achieve and implement these.

- What do we have?
- What do we want?
- What is most important?
- How do we get there?

**Inventory and Assessment of Existing Conditions** to understand key issues, opportunities and challenges and how they potentially impact the future.

**Implementation Plan of Policy Directives and Action Steps** that identifies lead responsible parties and potential partners for implementation as well as existing resources and priority items.

#### The Comprehensive Plan is organized in three volumes:

Volume I is the Plan, Volumes II and III are appendices, to be used as reference documents.

#### VOLUME 1: THE COMPREHENSIVE PLAN

VOLUME II: Inventory and Assessment of Existing Conditions

VOLUME III: Documentation of Public Input

#### THE PLAN IS A COLLECTION OF GOOD IDEAS

- Can be overwhelming to navigate at first
- Is intended to be a resource and starting point for further discussion, exploration, and vetting
- Sets a direction, a roadmap that will need to be continually updated

## EXECUTIVE SUMMARY

### **What does a Comprehensive Plan look at?**

- Identifies features to preserve
- Identifies what needs to change
- Identifies resident concerns
- Identifies needed improvements
- Ensures that Kittery’s desirable features are preserved and challenges are addressed

### KITTERY VOICES: PUBLIC PROCESS

Kittery’s residents, business owners and town officials were invited to participate in a variety of forums including town-wide public workshops and on-line forum, a survey, and interviews with a range of individuals. Their input was used to develop the vision and goals. This then formed the basis for the Comprehensive Plan.

#### **PUBLIC FORUMS**

- 3 town-wide public forums
- 1 on-line survey
- continuous on-line conversation
- website
- teen visioning session
- 10 Steering Committee meetings
- 4 Joint Workshops: Planning Board/Steering Committee
- Meetings with Town Department Heads
- 32 leadership interviews

### THREE UNDERLYING THEMES

The following three themes were identified as underlying much of the community conversation:

- Preserve the town’s character
- Increase and improve connections
- Promote a multi-generational Kittery

#### **Preserve the town’s character**

One of the main underlying themes of the community conversation was that of a desire to “protect and maintain what we have rather than spend resources on acquiring more.”

- Preserve open space and other natural features, working waterfront, and historic buildings - while guiding additional development to desirable locations.
- Ensure that the diversity of people in terms of socio-economics can continue to live in Kittery (affordable housing and jobs)
- Support the diversity of land uses that make up the Town (“wild”

### Responses from March 12, 2016

#### **Visioning Forum**

##### **Favorite Things**

- Cultural and historical assets
- Foreside
- Recreational access to natural assets
- Coastline

Also:

- Public parks
- Rural character
- Demographic diversity
- Sense of community

##### **Least Favorite Things**

- Dysfunctional town government
- Not pedestrian-friendly
- Traffic

Also:

- Biking is difficult
- Lack of parking
- Town codes
- School system
- Lack of protection of historic and natural resources

## EXECUTIVE SUMMARY

landscapes, Foreside, outlets, working waterfront, quiet residential neighborhoods, etc.)

### **Increase and improve connections**

- Safer and more pleasant walking and biking physical connections
- Communication and access to information
- Provide more opportunities for social connections by providing opportunities for community gathering (through an enhanced Foreside, a 21st century library, expanded programming at the KCC, increased public space on the water, and improved walking and biking infrastructure)

### **Promote a multi-generational Kittery**

- Wholesome activities for youth (including improved and increased recreational opportunities, safe ways of getting around town and more youth involvement in planning for the future)
- Support healthy aging in place (with affordable housing appropriately sized and located for seniors, as well as activities and transportation geared to this population)
- Provide opportunities for multi-generational activities

A summary of the public's comments is provided in the Introduction to this report. More detailed documentation of the public process is compiled in **Volume III: Summary of Public Input**.

### **Responses from March 12, 2016 Visioning Forum**

***If you could do one thing to improve Kittery... what would it be?***

- Sidewalks and bike lanes
- Establish Town planning process
- Improve school system
- Increase sustainability
- Improve town government

***Also:***

- Provide affordable housing
- Resolve and complete library plan
- Support small businesses
- Parking plan
- Historic preservation
- Preserve open space
- More public spaces
- Increase recreational opportunities



## EXECUTIVE SUMMARY

## INVENTORY AND ASSESSEMENT OF EXISTING CONDITIONS

**What Kittery HAS**

An inventory of existing conditions was conducted for the following ten Topic Areas:

- History, Historic/Archaeological Resources
- Natural Resources, Water Resources, Agricultural & Forest Resources, Recreation and Open Space
- Population & Demographics
- Economy
- Housing
- Transportation & Circulation
- Public Services & Facilities
- Marine Resources
- Fiscal Capacity
- Land Use

The assessment and inventory are summarized in this report and more comprehensively documented in **Volume II of this Comprehensive Plan**.

## HIGHLIGHTS OF THE INVENTORY OF EXISTING RESOURCES

- The population of Kittery has remained relatively stable, possibly slightly declining (*this trend is expected to continue*)

- Between 2000 and 2014, residents aged 55 to 64 increased by 65% (*this trend is expected to continue*).
- The Town's waterfront (approximately 34 miles of shoreline) plays an important role in the town's development, recreation and commercial activity
- 65% of housing is owner-occupied (*this is lower than in many surrounding towns*)
- Household size is shrinking and the number of residents over 65 is growing.
- 74% of the housing stock was built after 1940
- Kittery contains 28 acres of federal and state-owned recreation facilities
- There are 6 primary economic development areas (*they differ in types of activity and intensity*)
- Portsmouth Naval Shipyard provides a range of employment opportunities.
- The Outlet area may present a redevelopment opportunity in the future (*on-line shopping, competition from regional outlet malls*).
- The recently revitalized Foreside District is very much appreciated by residents



## EXECUTIVE SUMMARY

- The underdeveloped land zoned as Business Park was recently sewered and has potential for development.
- There are reported parking shortages in various parts of Town.
- More commuters are using alternative modes of transportation (*The number of carpoolers, bicycle and walk trips has increased since 2000*), there is a need and an expressed desire to accommodate bicyclists and walkers with appropriate facilities.
- Some municipal services are provided regionally, perhaps there are additional opportunities to gain such efficiencies.
- Between 2010 and 2015, the local tax rate increased by 10 percent.
- Approximately 78% of Kittery's valuation is derived from residential properties, with only 22% coming from commercial and industrial.
- State aid to Kittery has been shrinking, increasing reliance on locally-generated taxes.
- Over 57% of land in Kittery is residential.
- 8% is commercial, industrial and institutional
- 21% is open space



The following Summary Sheets provide an overview of the inventory by Topic Area.

# Kittery's Historic, Cultural & Archaeological Resources

1



## CENTURIES-LONG HISTORY & MANY EXTANT HISTORIC RESOURCES

- Humans have inhabited the Kittery area for centuries, beginning with Native peoples, the Abenakis, who sought shellfish along the coast, and Europeans who came in the early 1600s, establishing the Town of Kittery in 1647 making it the oldest incorporated town in the State of Maine. Many of Kittery's natural features and circulation routes retain Abenaki or early European settlers' names.
- Three major activities have dominated Kittery's economy over its 300+-year history and shaped its landscape -- military fortifications, fishing, shipbuilding and tourism. Forts have stood in Kittery near the mouth of the Piscataqua River since the early 1700s, established first to protect from British invasion, and later domestic and foreign wars. Shipbuilding came to dominate the Kittery economy beginning in the mid-1600s, and continues today in the form of submarine repair and retrofitting at the Portsmouth Naval Shipyard, established in 1800. Beginning in the mid-1800s, Kittery became a tourist destination, with several large hotels built along the coast and one at Appledore Island in the Isles of Shoals. In the late-20<sup>th</sup> century Kittery became a regional shopping destination, with the addition of the Kittery Outlets along Route 1.
- Kittery retains many historic buildings and landscapes, some dating to the earliest European settlement. The town has listed three districts (First Congregational Church, Isles of Shoals and Portsmouth Naval Shipyard) on the National Register of Historic Places, as well as thirteen individual properties and one monument.
- One of the individually-listed properties -- the Lady Pepperrell House -- also has been designated a National Historic Landmark, one of 44 statewide and one of 5 in York County.
- Two local repositories contain a majority of artifacts documenting Kittery's history, the Kittery Historical and Naval Museum and the Portsmouth Naval Shipyard Museum. The former (a private organization) is open seasonally, and the latter (operated by the U. S. Government) is accessible by pre-arranged tour only. Additional historical materials (primarily documents) are held by the Town Clerk and in the Maine Room of the Rice Public Library.
- Much of Kittery's history lies within historic landscapes scattered throughout the town, including the two forts, Wood Island Life Saving Station, Celia Thaxter's Garden (Isles of Shoals), remains of train and trolley systems, and over 130 cemeteries and burying grounds.

## SUPPORT FOR LOCAL ARTS AND CULTURAL ACTIVITIES

- Kittery is home to many working artists and several public and private organizations provide venues for showcasing artists' work.
- The Kittery Community Center, a facility owned and operated by the town, contains the 171-seat STAR Theatre as well as the Morgen Gallery, an exhibit space located in the heart of the center.
- The former Wentworth Dennett Elementary School, located on Government Street, has been successfully renovated to provide artists' studio spaces.

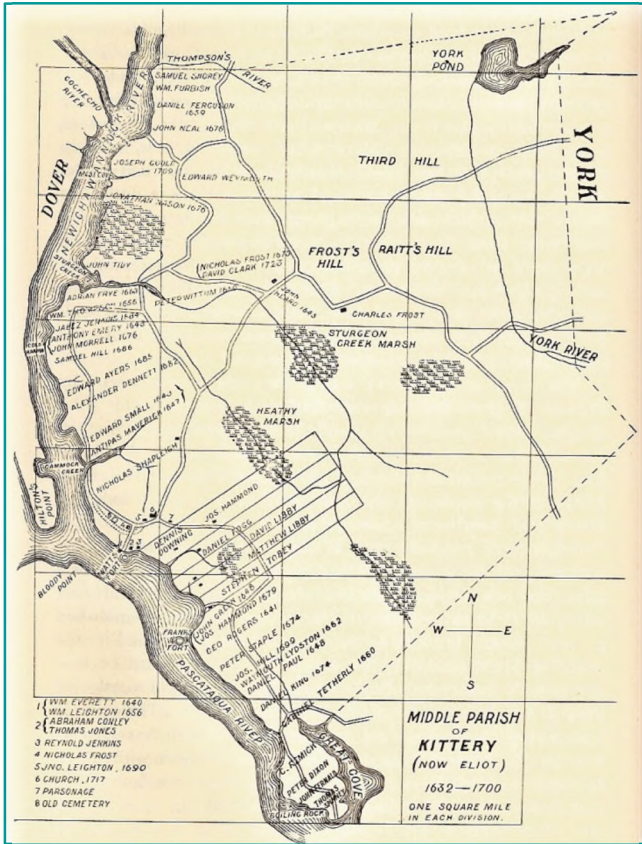


*The Lady Pepperrell House, built in 1760, is a National Historic Landmark and one of the most treasured historic properties in the Town of Kittery.*

## WHAT DOES IT MEAN?

- Kittery's historic and cultural resources possess local, regional and national significance, and therefore merit protection.
- The town lacks an historical commission or other entity to serve as a steward for historic resources and help ensure their protection.
- The town lacks a comprehensive inventory of historic resources and a strategy to preserve and protect them.
- The existing Shoreline Overlay Zone has provided a mechanism for protecting the town's coastline from the impact of new development. Similar approaches to historic resource protection are needed in other parts of town.
- The energized local arts community contributes significantly to the quality of life in Kittery.

## Kittery Comprehensive Plan: Inventory and Assessment of Existing Conditions



- Images of Kittery provide highlights of its past:
- A map depicting Kittery in the 17<sup>th</sup> century (far left) illustrates the early settlement's close association with the Piscataqua River
  - The Isles of Shoals (center top), an early fishing center, later became home to a large hotel
  - The Portsmouth Naval Shipyard (center middle), established in 1800, continues as a major industry today
  - The Champenowne Hotel (far right), built in 1890, was one of several late 19<sup>th</sup> and early 20<sup>th</sup> century resorts dotting Kittery's coastline
  - Government Street, ca. 1900 (bottom), served pedestrians, horse-drawn vehicles, and trolleys



# Kittery's Natural Resources, Open Space & Recreation Resources 2



## MANY DISTINCTIVE NATURAL RESOURCES

- Geology, topography and soils in Kittery reflect its geographic location along the Atlantic coast. Bedrock closely underlies much of the town, interspersed with pockets of marine soils and glacial outwash.
- Five watersheds cover most of Kittery, with the largest extending along the Piscataqua River and Spruce Creek. Many smaller tributaries feed these waterways.
- The town has relatively few fresh water resources, and much of the public drinking water is supplied by wells.
- Kittery contains very little farmland and supports just three active farms.
- Kittery supports three “natural areas,” as defined by the Maine Natural Areas Program, including salt-hay salt marsh, white oak-red oak forest, and dune grassland.
- Two “habitat focus areas,” defined by Beginning with Habitat, are located in Kittery. These areas, located in the Brave Boat Harbor-Gerrish Island area and York River Headwaters area, support rare plants, animals and their habitats.
- The town’s location at the confluence of the Piscataqua River with the Atlantic Ocean, combined with the many historic buildings and landscape features, give Kittery tremendous scenic quality.

## SIGNIFICANT OPEN SPACE RESOURCES

- Of Kittery’s 12,000 acres and 30 miles of coastline, approximately 14% of the acreage and 10% of the coastline have been protected through a variety of conservation methods.
- While the State of Maine and Town of Kittery own some of this protected land, the majority has been conserved through the efforts of the Kittery Land Trust (840 acres) and Maine Coast Heritage Trust (408 acres).
- Kittery is also the southern “anchor” of the Rachel Carson National Wildlife Refuge, with its Brave Boat Harbor division, located in northeast Kittery, covering 400 acres.
- Kittery’s scenic roads, including Route 103, are some of the town’s most treasured assets. Visitors come from far and wide to drive the winding routes and take in historic and sea-facing views.
- The town’s Conservation Commission is charged with reviewing protecting the natural resources located within the territorial limits of the town.
- The Kittery Open Space Advisory (KOSAC) is tasked with maintaining an inventory of public open space and making recommendations to the Town Manager about acquiring and/or selling/gifting/transferring this space.



*Seapoint Beach, located at the far eastern end of Kittery, is a popular recreation spot, but also a feeding area for several species of migratory birds.*

## WHAT DOES IT MEAN?

- Kittery’s location at the mouth of the Piscataqua and along the Atlantic coast is its most defining natural feature.
- The presence of bedrock underlying most of the town, combined with the many surface waters and associated floodplain areas, limits the extent of new development.
- The town’s small number of fresh water resources require public drinking water be supplied by wells or neighboring towns.
- While 10% of Kittery’s 30-mile coastline has been protected through efforts of several public and private entities, much of this area remains unprotected.
- The scenic quality of Route 103 is partially protected by the town’s Shoreline Overlay Zone regulation. Additional work is needed to protect scenic views and viewsheds.

## RECREATION RESOURCES IN MANY FORMS

- Kittery contains 28 acres of federal and state-owned recreation facilities, including both active and passive recreation sites. Two of these sites are open to all.
- The town maintains several historic sites (Fort Foster, Wood Island) which provide recreational opportunities, as well as many athletic fields and playgrounds.
- The Kittery Community Center, opened in 2011 at the former Frisbee Elementary School on Rogers Road, provides active recreation facilities (gymnasium, fitness center) and offers recreation-oriented programs to users of all ages.
- A master plan for Kittery’s athletic fields, completed in 2014, outlined the need for greater access to facilities, and need to eliminate overlap of facilities, and the need to rest fields on an ongoing basis.
- Access to the water (Atlantic Ocean, Piscataqua River and Spruce Creek) is limited by the small number of launches, slips, moorings and parking spaces near these sites.
- Kittery contains an extensive network of trails, both at formal recreation facilities, and on conservation lands. While used by many, the trails do not currently connect to one another, and are not widely publicized.
- Sportsmen and women hunt throughout the year, in approximately three-quarters of the town, including some residential areas. Hunting is not permitted in the area to the west of Haley Road and south of Interstate 95.



*The Piscataqua River provides access to the Atlantic and associated maritime-related recreational activities.*



*The historic Rustlewood Farm, operated by the Johnson Family, covers 300 acres straddling the Kittery-Eliot line and is protected by a conservation easement.*

## WHAT DOES IT MEAN?

- The popularity of Fort Foster and Fort McClary as active and passive recreation sites places demands on limited staffing.
- The one regulation size soccer field in Kittery is in very high demand and in general, the town’s fields are over utilized (in part because the town does not maintain separate practice fields), complicating maintenance tasks.
- Opportunity exists to better promote the town’s system of trails and to create better connections between trail segments.
- Opportunity exists to provide more access to Kittery’s waterways.



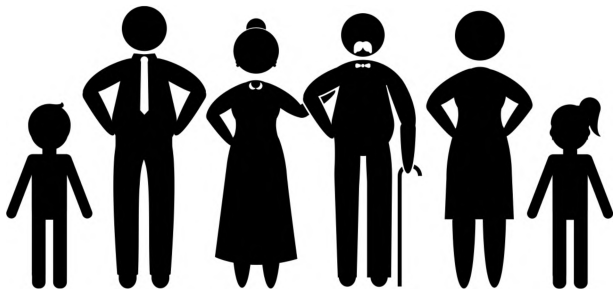
# Kittery's Demographics

## POPULATION AND DEMOGRAPHICS

- Total population for Kittery has remained relatively stable since 1970, and that trend is projected to remain stable, possibly declining slightly, through the year 2032 (US Census, State of Maine Projections)
- Kittery is an aging community; between 2000 and 2014, residents ages 55 to 64 increased by 65 percent (US Census)
- The number of family households in Kittery with children under the age of eighteen has declined since 2000 (US Census)
- School enrollment in Kittery has remained stable with the exception of fluctuations due to military families moving to Kittery for short term assignments at the Naval Shipyard. During the 2014/15 school year, approximately 18 percent of children enrolled in the Kittery school system were from military families (Kittery School District)
- The current population in Kittery is very stable, with over 86 percent of residents living in the same home they did a year ago (US Census)
- The median age of those coming from another country to live in Kittery was seventy-two (US Census)
- Since 2000, the median household income in Kittery has grown from \$45,067 to \$60,205 in 2014 (US Census)

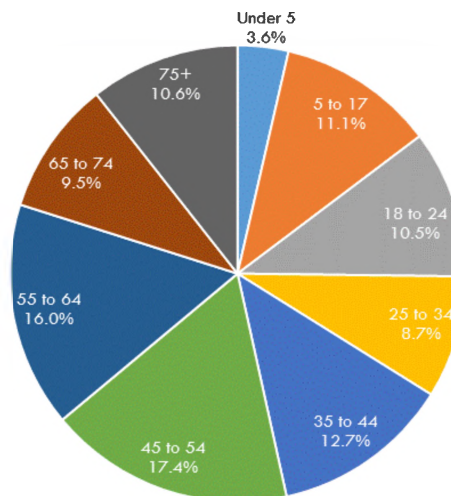


**Kittery's estimated population in 2014 was 9,649** (US Census)



**Total population is projected to decline by 6 percent through the year 2032** (State of Maine)

**Kittery's Population by Age**



## WHAT DOES IT MEAN?

- Kittery's population has not grown in over 45 years, which does not stimulate new housing demand for families
- The senior population is growing as existing residents are getting older, which may require more targeted housing for seniors
- The Town should consider ways to attract and retain a younger population to help fill jobs, support local businesses, and support the town's tax base



# Kittery's Housing Resources

## HOUSING RESOURCES

- For 2014, the American Community Survey estimates the total number of housing units in Kittery to be 5,144 (2010-2014 ACS)
- Sixty-five percent of Kittery's housing stock is owner-occupied which is lower than many surrounding towns with the exception of Portsmouth (2010-2014 ACS)
- Kittery has a relatively young housing stock, with 74 percent of residential structures built after 1940 (2010-2014 ACS)
- The American Community Survey estimates median owner-occupied housing value at \$292,200 and median monthly rent of \$1,232 (2010-2014 ACS)
- The Town does have several age-restricted housing options for residents over fifty-five



*Kittery has a diversified housing stock in a desirable location*

**Household size is shrinking, and the number of residents over 65 is growing in Kittery.**



**What implications does this have for future housing needs?**

# 4%

**Percentage Kittery's median home values have increased since 2010**

# 7%

**Percentage Kittery's median rent values have increased since 2010**

## WHAT DOES IT MEAN?

- Kittery's housing prices are increasing, making it harder for residents to afford to live in Kittery
- Housing that is affordable for younger single-person and family households is an important component of maintaining the Town's workforce and stimulating economic development
- With a growing senior population, the Town should consider ways to create housing that is affordable, accessible, and located in places with access to amenities



# Kittery's Economy

# 5

## LABOR FORCE

- Total labor force is comprised of 5,624 people, which equals a 68 percent participation rate
- The majority of Kittery residents are employed in educational services, healthcare, and social assistance
- The Naval Shipyard contributes to the professional, scientific, management and administrative services sectors
- Six primary employment sectors are: manufacturing, professional services, public administration, retail trade, food services, educational services, and healthcare
- The average weekly wage in Kittery is \$1,404 per week

## PRIMARY ECONOMIC DEVELOPMENT AREAS

- **Downtown/Foreside:**
  - One of Kittery's more unique and interesting commercial areas with a mix of retail, restaurants, and daily service needs
  - Accessible by car, walking, or biking
- **Route 1 Bypass Area:**
  - Areas is zone Commercial 3 (C-3) and allows for the provision of general retail sales, services, and business space
  - Current businesses include a hardware store, motels, a fitness center, automotive repair shop, brewery, and sewage disposal plant
- **Route 236/Dennett Road Area:**
  - Currently mostly undeveloped, the business park area does have sanitary sewer line infrastructure already installed
  - Existing uses along Route 236 are small-scale commercial developments such as machine shops, office buildings, and a seafood wholesaler
- **Route 1 Outlet Area:**
  - Aside from the Foreside, this is one of Kittery's oldest and most successful economic development areas; the outlets generate property tax revenue and draw customers locally and regionally
- **Route 1 Mixed Use Area:**
  - The area is zoned Mixed Use with the primary purpose of providing office, service, and residential uses
- **Gourmet Alley:**
  - An interesting mix of restaurants and food markets located along Route 1 in close proximity to the Foreside

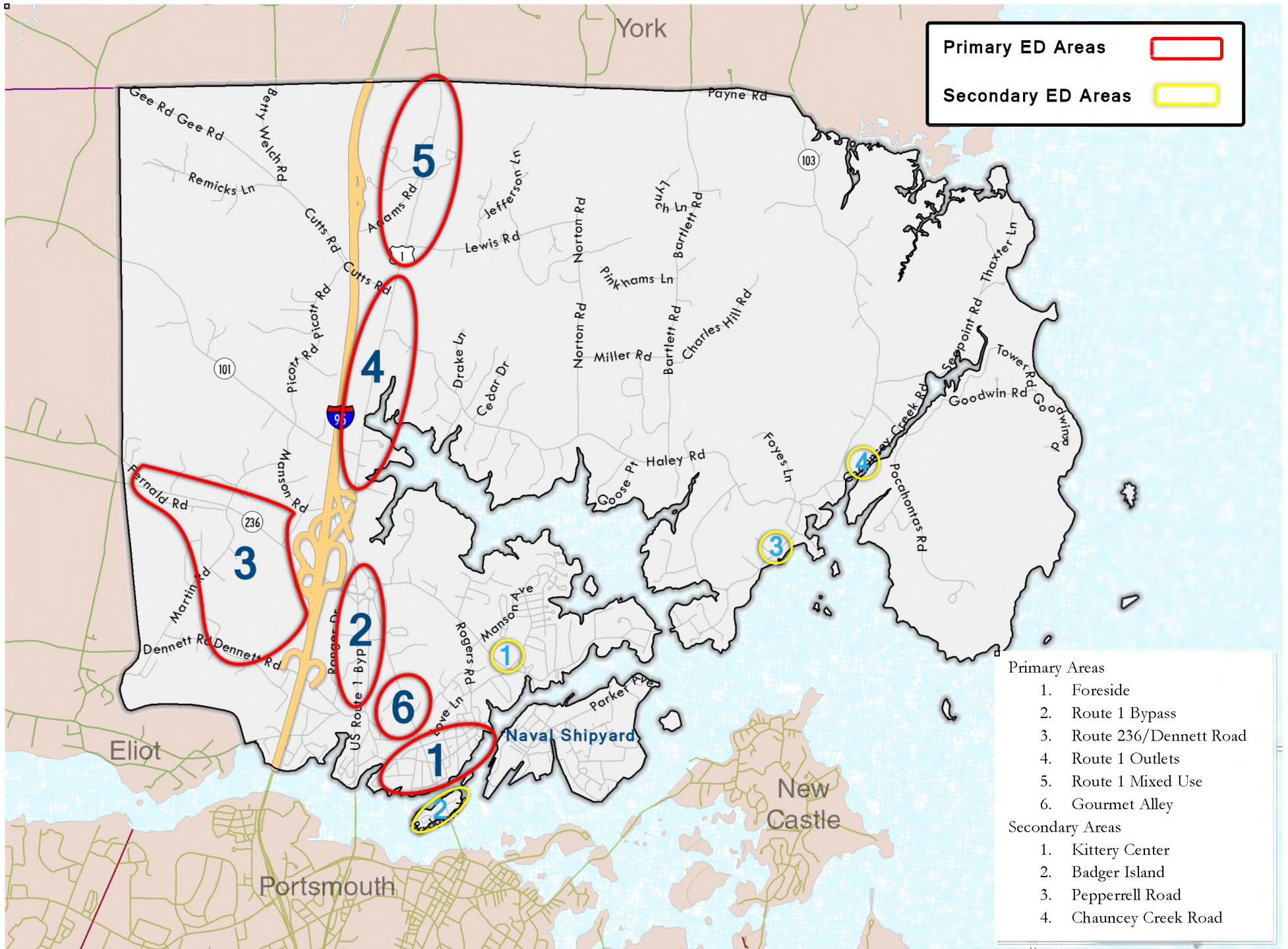


*Kittery has an eclectic mix of restaurants, retail, and housing.*

## WHAT DOES IT MEAN?

- Kittery's employment base includes a large number of lower-wage retail, restaurant, hospitality, service, and entertainment workers which are impacted by cost of living increases
- The Town should begin to think about business diversification along the Route 1 corridor as regional competition in outlets grows
- The success of the Foreside and Route 1 Outlet Corridor shows the Town should continue investing in economic development areas
- The Town has many commercial zoning districts. Is this necessary? Should some be consolidated or changed?







# Kittery's Transportation Resources

## TRAVEL CHARACTERISTICS

- Kittery is the largest work destination for Kittery and KACTS (Kittery Area Comprehensive Transportation System) community residents.
- 85% of Kittery households have 1 or 2 vehicles compared with state average of 74%. 6% of households in Kittery have no vehicle.
- 71% of Kittery commuters drive alone and 22% use other modes. The number of carpoolers, bicycle trips and walk trips has increased since 2000. Use of bicycle increased from 0.5% in 2000 to 2.4 percent in 2014, which represents 100 additional commuters who biked.
- Average commute time = 21 minutes, shorter than state average. The number of commuters traveling less than 10 minutes has decreased since 2000.



Unsignalized intersection of Shapleigh Road/Whipple Road/Woodlawn Avenue

## OPERATING CONDITIONS

- The main source of congestion on local roadway is during shift changes at the Portsmouth Naval Shipyard.
- The unsignalized intersection of Shapleigh Road/Whipple Road/Woodlawn Avenue operates with congestion and long vehicle delays during peak periods.
- I-95: 37,500 vehicles per day (vpd); US Route 1: 17,000 vpd; and SR Route 236: 18,700 vpd; US Rt. 1 Bypass: 15,700 vpd (Year 2011) have the highest daily traffic volumes.
- Most of the roadway segments experienced decrease in daily traffic volume between 2010 and 2013. Shapleigh Road increased up to 22% during this period.
- The Department of Public Works (DPW) has a policy for local roadway maintenance called the Road Surface Management System. Typically, the roadways with ratings of less than 50 would be on the priority list for maintenance in a given years.
- Kittery has approximately 73 miles of roadways including I-95. Kittery has several scenic roads classified into three categories (1: scenic roads with highest value; 2: scenic roads with very high value; 3: scenic roads with high value).
- Most of the bridges in Kittery received a Federal Sufficiency Rating (FSR) above 50. Viaduct and Sarah Mildred Long Bridge have the lowest ratings of 16.4 and 21, respectively. Memorial Bridge replacement was completed in 2013.

## WHAT DOES IT MEAN?

- Kittery is served well by I-95, Route 1 and Route 1 Bypass.
- More commuters are biking and walking to their work. New sidewalks, pedestrian safety improvements, and expanded bicycling accommodations could be beneficial.
- When I-95 experiences congestion, particularly during summer months, local roadways experience congestion and are used as cut-throughs.
- Route 103 is a narrow, winding roadway shared by vehicles, motorcycles, and bicyclists, particularly on warm weather weekends.

## SAFETY

- According to the annual Town report for 2013, Kittery experienced a reduction in accidents by 10% compared to 2012.

(continued on reverse side)

- There were six high crash locations in Kittery between 2011 and 2013, which are:
  - Intersection of Mason Road, Picott Road and Wilson Road;
  - Intersection of Haley Road/US Route 1 and Trafton Lane;
  - Intersection of New State Road & Rogers Road State Road;
  - Intersection of Ramp off to Rogers Road Extension Road South Bound;
  - End of US 1 Bypass/Intersection of US 1 Bypass & US 1 Bypass South Bound; and
  - Intersection of Entrance to Maine Outlet/Entrance to Shop Center, US SHOP CTR, US 1: Non Int US 1.

## PEDESTRIANS & BICYCLES

- Most of the sidewalks in Kittery are along US Route 1 and in the urban downtown area. The DPW maintains a Sidewalk Condition Report.
- Approximately 2.5-miles of the Eastern Trail runs through Kittery from the Maine State Line on the Memorial Bridge to Dennett Road.
- The Route 236 bike route runs through Kittery.
- The KACTS is working with the Town of Kittery on upgrading the Route 1 Bypass to make it more pedestrian friendly.
- Route 103 is included in Tour 8 of MaineDOT's "Explore Maine by Bike" book. Tour 8 provides 3 tour loops that are 12, 17 & 22 miles long.

## TRANSIT

- In Kittery, the COAST provides year round fixed-route limited transit services at Portsmouth Naval Shipyard. Out of five COAST routes, four are express commuter routes.
- Paratransit service, ridesharing program and van services are available to Kittery residents through various organizations, including YCCAC, York Hospital, GoMaine, vRide, Enterprise Rideshare, and Kittery Community Center.
  - YCCAC provides "Local Rides" service in Kittery on Fridays, with destinations in Kittery, Portsmouth and Newington.
- A shuttle bus service use to operate on Route 103 in Kittery, but it has not been provided for several years.
- Currently, there is no passenger rail service into Kittery. The nearest stations from Kittery are Dover, New Hampshire and Wells, Maine. There is a freight service to the Portsmouth Naval Shipyard.

## PARKING

- There is a shortage of parking spaces in the Foreside area during peak periods.
- Parking at access points to the water during summer months is difficult for both residents and visitors.



Intersection of State Road and Rogers Road, one of the high crash locations.

## WHAT DOES IT MEAN?

- Fixed-route bus services in Kittery are only available at Portsmouth Naval Shipyard.
- There is a desire for shuttle service but the demand is not high enough for applying for grant.
- Parking shortages at Foreside area and at access points to the water during the summer.



# Kittery's Public Facilities & Services

## WELL MAINTAINED FACILITIES

- The **Municipal Complex/Town Hall** building is in very good condition and has room for expansion if needed in the future.
- **Public meeting space** is available at the Town Hall, the schools, the Library, and Community Center and is adequate.
- Kittery has a variety of indoor and outdoor **recreational resources**
  - The **Kittery Community Center**, run by the Recreation Department provides a wide range of facilities and programs to Kittery residents of all ages (including a gymnasium, fitness room, theater, and classrooms).
  - The **Port Authority** manages 575 moorings (the majority of which are at Pepperrell Cove), four piers and additional moorings in various other locations along the Town's shoreline.
  - There are also a number of **parks, beaches and conservation lands** for Kittery residents to enjoy.
  - Additional **Athletic fields** are needed to meet the needs of the Town's youth.
- **Sustainability.** The Energy Efficiency Committee works with the Town Manager and Council to adopt energy programs, projects and policies to develop more sustainable energy practices.
- Kittery's three **public schools** are adequate in terms of size and condition to meet current needs as well as those in the foreseeable future. Approximately 90% of school-aged children in Kittery attend public schools. There are some fluctuations in enrollment due to military families with short-term assignments at the Shipyard. There is capacity at all three schools for a small increase in enrollment; no significant increase is expected.
- The **Library** is currently operating out of two facilities that do not meet overall space needs and having two buildings is inefficient and causes inconvenience to both patrons and staff.
- The **Police Department**, located next to Town Hall in the Municipal Complex, is more than adequate to meet current and future needs (the second floor shell space could be used for expansion if needed in the future).
- The **Fire Department** operates from two fire stations, both in good condition, with the exception of the fact that neither station has sleeping quarters. The Fire Department is having a harder time recruiting volunteers than in the past.
- **Emergency Medical Service** is provided by American Ambulance New England. They operate out of the former Walker Street Fire Station which is leased to AANE for free; in exchange they provide free Ambulance service to all Town employees. They also serve the Town of Eliot from this location.
- Kittery does not have a Council on Aging. The Community Center provides activities and York County Community Action Corporation partners with Southern Maine Agency on Aging to provide **services to Kittery's seniors**. Between 2000 and 2014, residents age 55 to 64 increased by 65 percent, and the number of elderly residents is expected to continue to increase.



The Municipal Complex houses the majority of the Town's administrative offices.

## WHAT DOES IT MEAN?

- The **Library** needs to decide whether to construct an addition to the existing Rice building or to create a new facility on the site of KCC.
- The **Kittery Community Center** may need to increasingly orient future programming to the growing senior population.
- More substantial measures need to be taken to **prepare for climate change** and related rise in sea level.
- Implementing the recommendations of the recently completed **Athletics Field Study** will address the needs for additional fields.
- New **school enrollment projections** are needed in order to monitor potential future changes in student enrollment.
- The **Port Authority** needs to develop a Strategic Plan to help explore ways to increase access and enjoyment of the water.

## PROVISION OF QUALITY UTILITIES AND SERVICES

- **Department of Public Works** operates out of several facilities; the garage and administrative offices are in a facility located behind the Municipal Complex which is in good condition and adequately sized, with space for expansion if needed. DPW is responsible for maintenance of the Town’s roads, stormwater infrastructure, parks, recreation fields, cemeteries and solid waste and recycling.
  - **Solid Waste and Recycling** is processed at the Town’s Resource Recovery Facility which includes a transfer station for material solid wastes, a recycling center and a licensed demolition debris disposal site. Solid waste is transported from this site to EcoMaine in Portland, ME. South Berwick currently brings their paper for recycling to Kittery’s Resource Recovery Facility, generating income for the Town. The facilities are adequate for current needs and there is room for future expansion.
  - **Stormwater Management.** DPW recently completed an inventory of the Town’s Stormwater infrastructure and determined that it is generally in “very good” condition.
  - **Monitoring of contaminated areas.** Bacterial sources of pollution have been identified in Admiralty Village and other areas in the Spruce Creek Watershed. Clam flats have been close since 2005. Some parts of the Creek have seen improvement.
  - **Parks.** DPW maintains and staffs the Town-owned parks. Fort Foster, a 94-acre town-owned park commands much of the Department’s attention, is highly used by both residents and visitors during the summer, and generates income for the Town.
  
- **Water.** Kittery’s water is supplied by the Kittery Water District (KWD), a quasi-municipal corporation. The District also supplies water to parts of York and Eliot.
  - The largest water consumer in Kittery is the Portsmouth Naval Shipyard.
  - KWD currently serves approximately 70% of the Town’s residents and 95% of the businesses who pay user fees according to their actual usage.
  - The KWD relies on surface water sources that must be protected from contamination.
  - Of the approximately 96 miles of water mains, most are adequately sized.
  - The District is planning to construct a new Treatment Facility and to continue to upgrade pipes.
  - The District has adequate treatment and pumping capacity to meet additional demand, however there are no planned extensions to the system, in fact, KWD is not able to pay for expansion of mains.
  - Additional regional cooperation with surrounding towns may result in increased cost effectiveness.
  
- **Sewer.** Wastewater is treated at the Municipal Sewage Treatment Plant.
  - Sewage treatment is provided to 30% of Kittery residents and most of the Town’s businesses.
  - The Plant and related infrastructure are all in good condition as they have been upgraded over the last few years.
  - The municipal system, which has additional capacity for expansion, is funded through an enterprise fund; user fees pay for the service.
  - The Town also has a “betterment fee” procedure to help charge property owners that benefit from a sewer extension.

## WHAT DOES IT MEAN?

- Regional joint dispatch for **Police** calls (pending grant) is expected to result in efficiencies.
- There may be a need to increase the number of sworn officers to **police** a reflect the actual daytime population taking into account tourists, shoppers and Shipyard employees.
- The **Fire Department** may need to transition to a full-time professional fire fighting staff in the near future.
- It may be more efficient to merge Kittery’s **Resource Recovery Facility** with that of Eliot’s.
- The Portsmouth Pierce Island Wastewater facility must be updated before the **clam flats** can be re-opened.
- DPW would like to explore becoming a “**Stormwater Utility**” in order to fund future improvements.” The first step is to conduct a feasibility study.
- Both the **Kittery Water District** and the **Town sewer system** derive a significant portion of their usage and revenues from the Shipyard. Changes to the status of the Shipyard could affect costs to other users.
- Lack of funding for **expansion of water service** makes it difficult to guide growth through the provision of water.
- If the **Kittery Water District administrative offices** chooses to relocate in the future, the existing site will be available for reuse.
- The recent expansion of the **sewer system** to the Business Park is expected to result in encouraging economic development.
- New technologies will make it feasible to provide **alternative methods of sewage treatment** to Kittery Point and rural areas of Town in the future.



# Kittery's Marine Resources

## KEY WATERWAYS

Kittery's harbor and waterfront areas include approximately 34 miles of shoreline, including rock outcrops, salt marshes, sandy beaches, mud flats, waterfront recreational areas, coves and mooring, commercial marina facilities, and a major federal installation at the Portsmouth Naval Shipyard. The waterfront and marine resources have played an important role in the history and development of Kittery, and the waterways are home to a wide range of commercial and recreational boat traffic. Much of the shoreline is in private ownership, with several large public parks such as Fort Foster and Fort McClary. All moorings, docks, piers, floats, and regulatory enforcement fall under the jurisdiction of the Kittery Port Authority (KPA). Key waterways include:

- **Piscataqua River:** Leading out to Portsmouth Harbor along the Kittery shoreline, the Piscataqua is an authorized federal navigation channel over 6.2 miles of its 13 length. The Piscataqua has multiple users, including freighters and tanker vessels, US military and Coast Guard, commercial fisherman, and recreational boaters.
- **Spinney Creek:** located just north of the Interstate 95 Bridge, this subtidal creek features a commercial aquaculture facility, several private float landings, and a private marina (in Eliot, ME) at the confluence of the creek with the Piscataqua River.
- **Back Channel:** This waterbody, an offshoot of the main Piscataqua River, runs from the western end of Badger's Island easterly to Spruce Creek between the mainland and Seavey Island, the location of the Portsmouth Naval Shipyard. The Back Channel is important for recreational boaters, particularly those docking on the northern side of Badger's Island. The channel is the waterbody closest to the revitalized commercial area in the Kittery Foreside.
- **Chauncey Creek:** The creek runs from the eastern end of Pepperrell Cove to Seapoint Beach, and due to its shallow depth, is used primarily by small water craft. Several private docks and a popular waterfront restaurant are located on the creek. Recent work has replaced overboard discharge (OBD) systems with septic systems, improving water quality.
- **Spruce Creek:** this three-square mile tidal saltwater estuary is fed by five freshwater streams that run roughly up the middle of Kittery. At low tide, approximately 2.5 miles of clam flats are exposed. Water quality is affected by non-point source pollution and "first flush" (initial surface runoff) during rainfall events.
- **Pepperrell Cove:** Adjacent to Kittery Point and Fort McClary State Park, this is the primary mooring area in the town.
- **Brave Boat Harbor:** Used primarily by small craft due to shallow depths, with limited private landings and no public facilities. It is located within the Brave Boat Harbor Division of the Rachel Carson National Wildlife Refuge.
- **Key waterfront natural areas** include Seapoint Beach, Rachel Carson National Wildlife Refuge, Fort Foster, Fort McClary, the nearshore islands (including the future Wood Island Life-Saving Museum), and the Isles of Shoals.



*View across Back Channel of the Piscataqua River towards Portsmouth Naval Shipyard*

## WHAT DOES IT MEAN?

- Kittery has a complex waterfront, with large-scale commercial and military craft, marina and docking facilities, commercial fishing, and recreational boating
- Limitations exist on access to the waterfront from crowded shorefront parking and launching facilities, and long waiting lists for moorings
- Contamination from wastewater treatment outfalls and other sources has affected shellfishing and overall water quality
- Opportunities exist to increase public access to waterfront, and to increase visitation to Kittery by waterborne passengers

## OPERATING CONDITIONS AND ACCESS

- Demand for access to the waterfront and for boating access is consistently high, and at key times of the season, is greater than the ability of existing landside facilities and moorings to meet.
- A significant portion of the available parking at Frisbee Pier (a primary parking area for Pepperrell Cove) is in a lot across Pepperrell Road. This lot is in private ownership.

## OPERATING CONDITIONS AND ACCESS, CONTINUED

- In summer, the parking facilities at Pepperrell Cove can be extremely busy, and can become full. There can be extensive waits for pier/launch space to put dinghies in the water to reach moored vessels.
- Parking shortages also occur at the Traip Academy launching area.
- Other locations for parking and water access along the shoreline are limited, due to extensive private ownership of the shorefront.
- Major anchorages such as Pepperrell Cove have not been dredged in decades, leading to limitations on vessels that can safely moor and transit the area. The Pepperrell Cove anchorage was last dredged in 1916, to a depth of twelve feet. The navigation chart for the area shows depth of 11 to 7 feet at Mean Low Water (MLW), with local sources stating water depths are six to ten feet in half of the anchorage area.
- Storm winds and waves limit opportunities for additional moorings in exposed areas such as Fort Foster. Locations and plans for storage of floats during coastal storms should be evaluated, such as setting moorings in Chauncey Creek for temporary storage of the Pepperrell Cove floats.
- The currents occurring in the Kittery area can pose a hazard to small craft, particularly to human-powered craft such as kayaks.



*Government Street Pier in the Kittery Foreside*

## WATER QUALITY

- Run-off and direct source pollution have led to contamination of area waters and led to shellfishing restrictions and prohibitions in certain areas.
- Major sources affecting the Piscataqua River are wastewater treatment plant (WWTP) outfalls from South Berwick and Kittery in Maine, and from Portsmouth and Newington in New Hampshire. The Portsmouth Naval Shipyard is also a major pollution source.
- Development pressure in Spruce Creek watershed further threatens water quality. The watershed is identified by Maine Department of Environmental Protection as a “nonpoint source pollution priority watershed” due to bacterial contamination, low dissolved oxygen, toxic contamination, and a compromised ability to support commercial marine fisheries”.

## MUNICIPAL MANAGEMENT OF MARINE RESOURCES

The Kittery Port Authority (KPA) manages the town’s marine facilities including piers, docks, and over 500 moorings. Funding is derived primarily from collection of mooring and docking fees, and the Kittery Town Council approves the Port Authority’s budget. The KPA employs the Kittery Harbor Master, who oversees operations at the facilities, and provides marine law enforcement, rescue and education services to boaters within the tidal waters of the community. On the 2015 mooring registry, there are a total of 513 registered moorings, with approximately 20% assigned to commercial vessels and the remainder to recreational vessels. There is a twelve to fifteen-year waiting list for mooring spaces in Kittery. Major facilities under the jurisdiction of KPA include Pepperrell Cove and Frisbee Pier, Traip Academy boat launch, Government Street Pier, and the Back Channel.

## FLOODPLAIN

- In November 2013, FEMA issued a Preliminary Digital FIRM (DFIRM) for York County, using updated flooding frequency and elevation data and modeling analysis. The mapping shows a larger floodplain area than previously mapped, with approximately 75 structures newly included in the floodplain (65 in the coastal area and the remainder in the interior).
- Due to challenges from Kittery and other coastal communities, FEMA withdrew the Preliminary DFIRM in December 2014. It is anticipated that FEMA will issue a revised Preliminary DFIRM for York County in 2016.



# Kittery's Fiscal Capacity and Capital Investment

# 9

## FISCAL POSITION

- Kittery's local valuation increased by 4 percent between 2010 and 2015, in contrast to the state as whole which saw a decrease of 21 percent over the same time period
- Between 2010 and 2015, the local tax rate increased by 10 percent
- Between 2010 and 2015, individual property tax bills increased by an average of \$495. For 2015, the average single family property tax bill was \$4,929
- Approximately 78 percent of Kittery's valuation is derived from residential properties, with 22 percent coming from commercial, industrial, and personal property
- Federal and state aid to Kittery has been shrinking which increases the reliance on locally-generated taxes



*The local government depends on the residential property base to generate revenues for services*

## BUDGET

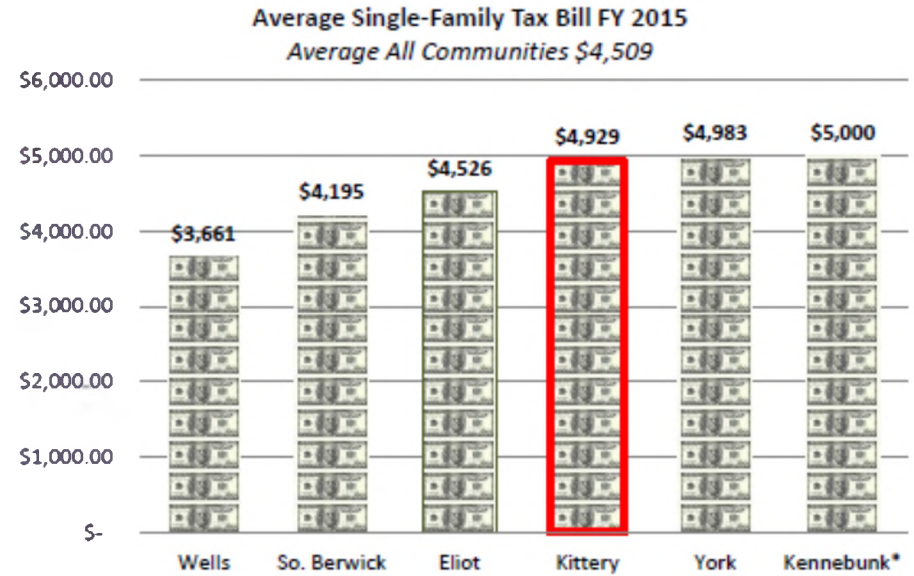
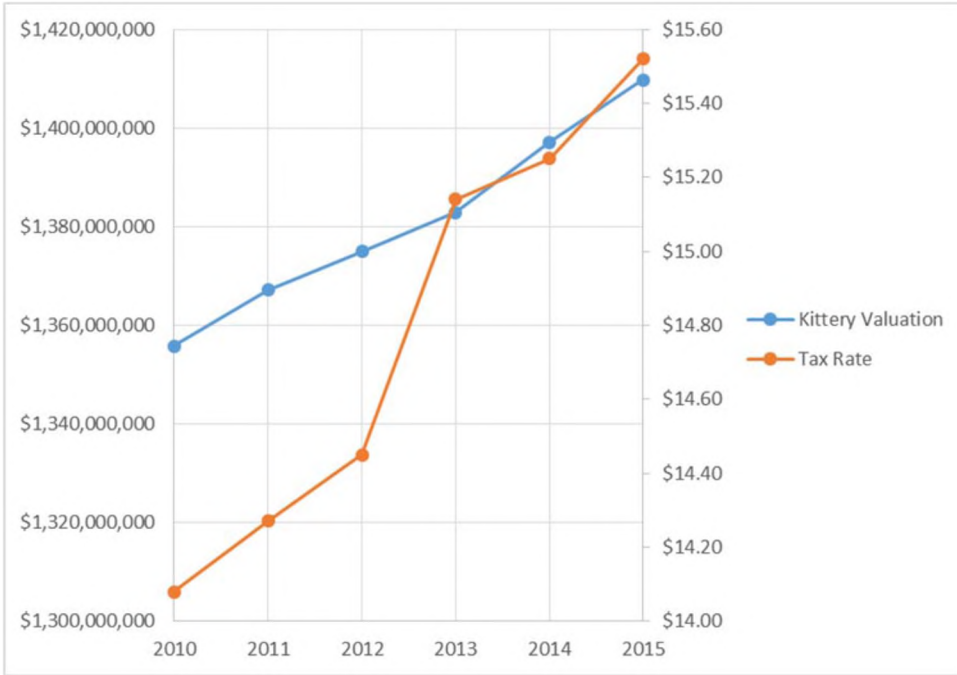
- Revenue:
  - Total revenue in Fiscal Year 2015 budget was \$27,124,366; property tax accounted for 80 percent of total
  - The State of Maine has a revenue sharing program which helps supplement the budget
- Expenses:
  - In Fiscal Year 2015, the Town spent \$27,141,118 on town functions, services and schools; school costs accounted for nearly 55 percent of the budget. Only 9 percent of the budget was spent on governmental administrative expenses
- Debt:
  - The Town has long-term debt obligations of \$32,545,880 or 2.17 percent of the State Valuation
- Investments:
  - At the end of Fiscal Year 2014, the Town had an unassigned fund budget totaling \$4,345,203, which was an increase of \$187,965 over the Fiscal Year 2013
- Capital Improvement Program:
  - A majority of capital improvement funding goes toward standard expenses such as equipment and maintenance, sidewalks, school upgrades, and parks and recreation facilities

## WHAT DOES IT MEAN?

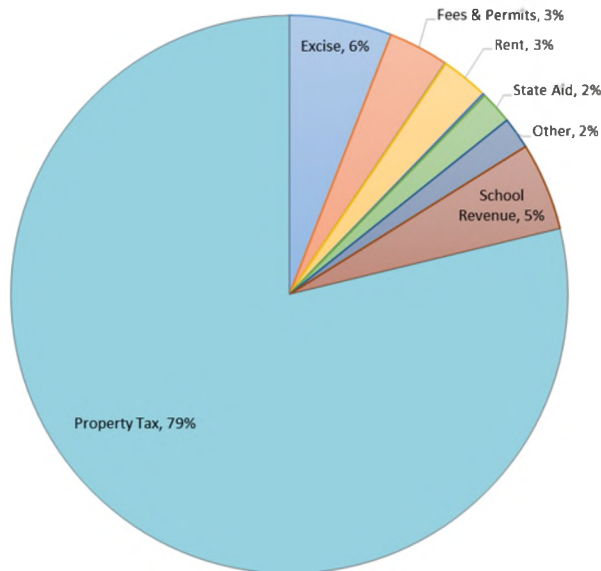
- Stewardship of Town budgetary resources is essential toward leveraging greater economic development
- The Town has undertaken debt obligations to finance development, particularly in the Tax Increment Finance Districts; it is imperative that increment on development is generated in order to pay the bonds
- Kittery is highly dependent on residential property taxes and may need to create opportunities to diversify revenues through economic development



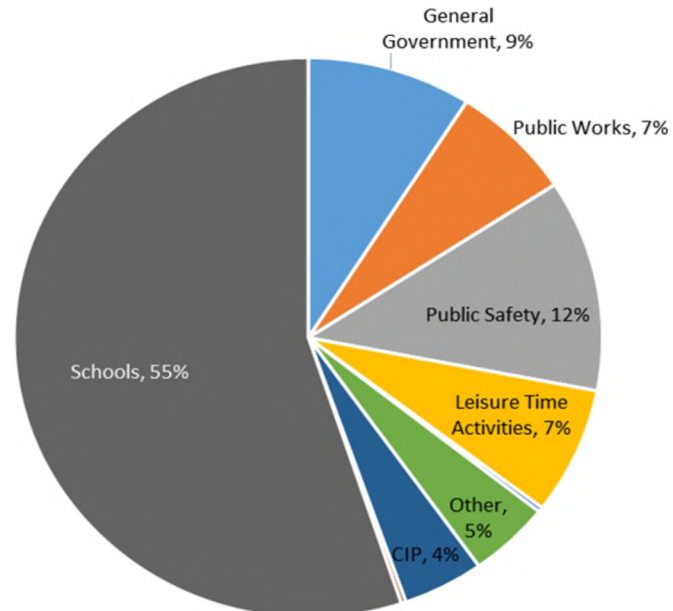
**Kittery's valuation and tax rate have been increasing since 2010**



**A comparison of revenue sources to expenditure items from the Fiscal Year 2015**



**Revenue Sources**



**Expenditures**



# Kittery's Land Use

# 10

## EXISTING LAND USE PATTERNS

- Over 57 percent of the land in Kittery is classified as a residential land use (both single-family, and multi-family); commercial, industrial, and institutional uses make up a combined 8 percent; open space makes up 21 percent; and vacant land is about 10 percent
- The current Land Use and Development code divides Kittery into eighteen base zoning districts with four overlay districts
- Approximately 78 percent of the land in Kittery falls within residential zoning districts, primarily the Residential-Rural (R-RL) district
- Kittery has three business districts, three commercial districts, and three mixed-use districts all allowing different types of commercial uses
- The overlay districts are in place to help the Town protect natural resources and water bodies from the impacts of development, and as a way to promote fishing and maritime uses



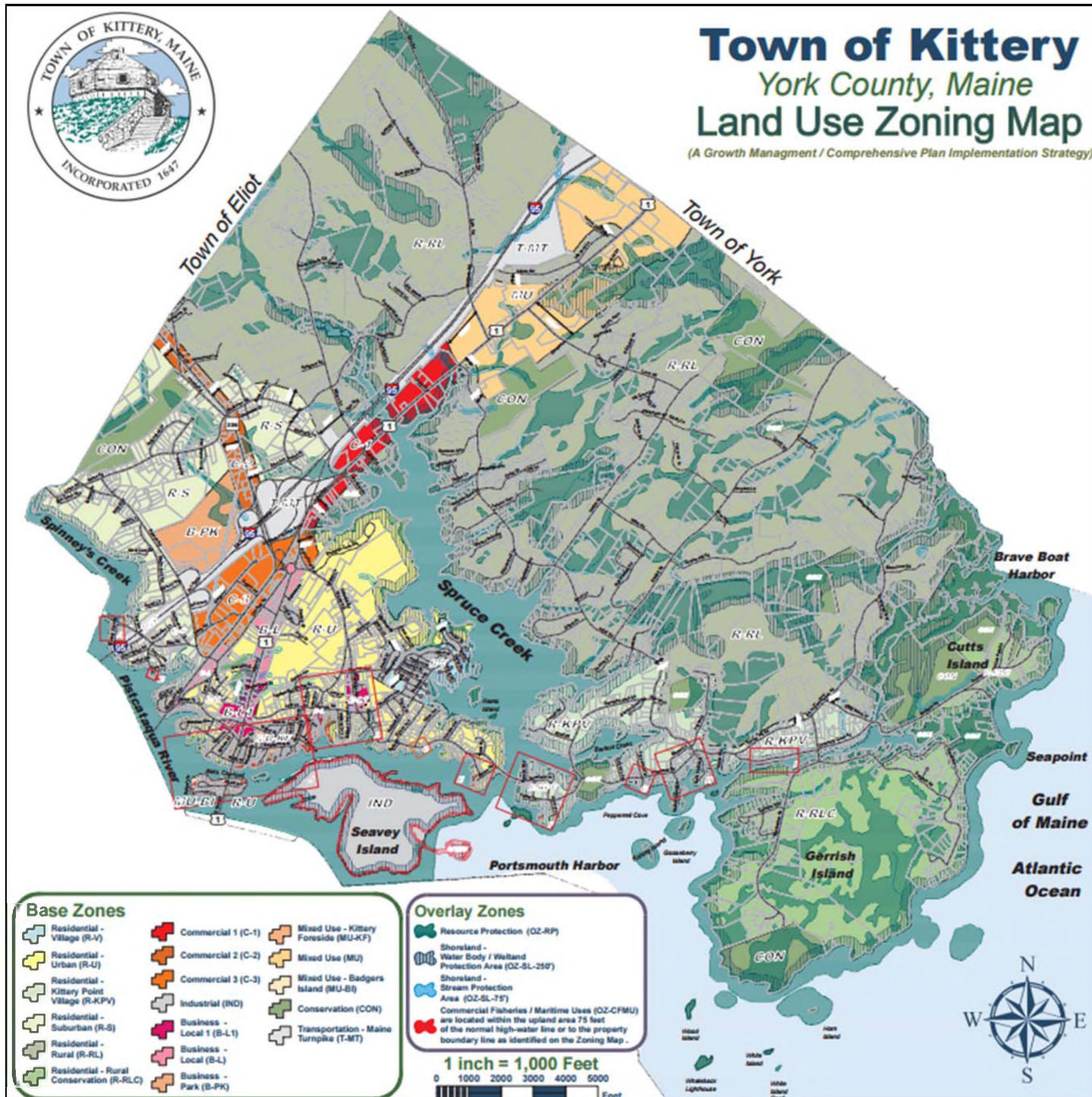
*Within the Town, there are many different zoning districts each creating opportunities and challenges for the Town.*

## ISSUES AND CHALLENGES

- Redundancy:
  - Some of the zoning districts that regulate the same type of use (residential, commercial, and mixed-use) have different purpose statements, but very similar uses and dimensional requirements
- Inconsistency:
  - Many commercial districts have same dimensional requirements but differ when it comes to design elements for each
  - Industrial zoning district does not include any dimensional standards or requirements
- Minimum Lot Size Requirements:
  - In some districts where the purpose is to achieve a compact development pattern, minimum lot sizes are very large and challenge the purpose statement for the district
  - Small, single-use structures on large lots in mixed-use zones have less of an economic return when compared to areas that incorporate a compact development design
- Land Area per Dwelling Unit
  - The minimum land area per dwelling unit regulations in some districts limit the ability to create a more compact development pattern

## WHAT DOES IT MEAN?

- The comprehensive planning process offers an excellent opportunity to hold community-wide discussions on development goals
- The purpose of the zoning district should reflect what is on the ground today, as well as what the community hopes to achieve in the future
- It is very important to match the desired development goals and aspirations with the zoning that is in place, or could be in place throughout the Town



## EXECUTIVE SUMMARY

## VISION, GOALS AND OBJECTIVES

## What Kittery WANTS

A Comprehensive Plan must recognize what features contribute to the uniqueness of a community and make recommendations to preserve and enhance these.

The **viability** of the Comprehensive Plan is contingent upon the community coming to a **consensus** about a desired future and then being **proactive** about setting **priorities** and assembling **tools** for the **implementation** of the identified action steps.

## WHAT MAKES KITTERY UNIQUE?

Kittery residents were asked what makes Kittery unique. These are a few of their responses.

*“Kittery is a community of contrasts...”*

*“working waterfront”*

*“We aren’t Portsmouth and we don’t want to be!”*

*“gorgeous shoreline”*

*“Gourmet Alley restaurants”*

*“our history”*

*“Portsmouth Naval Shipyard”*

*“Fort Foster and Fort McClary”*

*“natural lands”*

## A VISION FOR KITTERY’S FUTURE

*The following vision was developed based on input from the public.*

**IMAGINE...** a Kittery whose character is protected by the preservation and adaptive reuse of its **historic buildings**, the control of the scale of redevelopment so that it is in keeping with the historic charm of the Town and a promotion of the Town’s history.

**IMAGINE...** a **Foreside district** that is a thriving, historic neighborhood that includes one of Maine’s earliest working waterfront. A Foreside that maintains the historic, working –class character and scale and preserves its building stock by adopting a preference for creative or **adaptive reuse** of existing buildings. **Workforce housing** is integrated in the district. Walking and biking is safe and pleasant and there are more green spaces to enjoy as well as the **working waterfront**.

**IMAGINE ...** a Kittery where its beautiful and treasured **natural features** are preserved and protected and where enjoyment is enhanced through increased access to these for both passive and active **recreation**. Recreational activities are managed so as to prevent negative impacts on the environment, the season at Fort Foster is extended and programming at the Kittery Community Center is even more developed. Enjoyment of the water is enhanced by increasing **public access to the water**, cleaning up Spruce Creek, and providing shuttle service to Portsmouth from the Town Pier at Foreside.

## EXECUTIVE SUMMARY

IMAGINE... a Kittery that plans for the future of its **environment** by implementing measures that help it be more **resilient** and leading by example so that all town-owned buildings use renewable sources of energy, and the Town provides incentives for the use of renewable energy sources. A Kittery that **prepares for the potential impacts of the expected rise in sea level** due to climate change.

IMAGINE... a Kittery that preserves its **sense of community**, the sense of peace and quiet, but also the **diversity of places** that make up the Town. It feels more unified and less separated as multiple **ways of getting around Town** are more available. **Traffic** congestion is lessened and **walking** and **biking** is made safe and pleasant. A **town shuttle** helps to better connect people as do the additional places to gather and run into one another.

IMAGINE ... a Kittery that while improving and growing is able to retain a **diverse socio-economic** mix of residents by providing **affordable, workforce housing** and by creating **jobs** with adequate wages and salaries, resulting in a **sustainable** community.

IMAGINE... the **economy** of Kittery more diversified as it retains existing and supports additional local businesses, where the existing businesses are redeveloped into more pedestrian-oriented mixed-use developments that incorporate more natural features and that are able to be more economically viable, **sustainable**, and in keeping with evolving expectations of shoppers.

IMAGINE... a Kittery that has a continuing **relationship with the Portsmouth Naval Shipyard**, and traffic, noise and light impacts created by activity in the shipyard are reduced as a result of working together to mitigate these.

IMAGINE... a re-imagined, twenty-first century **library** and a **school system** where students are consistently recognized for their success in the community and nationwide because these institutions provide top quality education, opportunities for life long learning, and enrichment programs.

IMAGINE... that all these improvements are made in a systematic way with significant **community engagement** in the decision-making process led by a **town government** that is respectful, transparent and civil in its discourse. A **shared vision** and **ordinances** that support the goals embodied in the vision are clear and easy to enforce.

## GOALS AND OBJECTIVES

## 1. HISTORIC, CULTURAL, AND ARCHAEOLOGY RESOURCES GOAL

**TO PROTECT THE TOWN'S CHARACTER BY PRESERVING AND PROTECTING HISTORIC FEATURES AND ARCHAEOLOGICAL AND CULTURAL RESOURCES, AND PROMOTING AN AWARENESS OF THE TOWN'S UNIQUE HISTORY AND CULTURE**

**Objective 1.1.** Protect historic and archaeological resources

**Objective 1.2.** Promote Kittery's history

**Objective 1.3.** Support and nurture Kittery's community of working artists

## EXECUTIVE SUMMARY

### 2. NATURAL RESOURCES, OPEN SPACE AND RECREATION GOAL

TO PROTECT KITTERY'S NATURAL RESOURCES INCLUDING WATERSHED, FRESH WATER, WETLANDS AND VERNAL POOLS, AGRICULTURAL LANDS, FOREST RESOURCES, OPEN SPACE AND RECREATION

**Objective 2.1.** Protect and preserve critical open spaces for passive recreation, visual impact and preservation of wildlife habitats, coastal (saltwater) wetlands, freshwater wetlands, and vernal pools

**Objective 2.2.** Increase opportunities for recreation

### 3. ECONOMIC DEVELOPMENT GOAL:

TO SUPPORT DESIRABLE ECONOMIC DEVELOPMENT, BALANCE THE RELATIONSHIP WITH THE PORTSMOUTH NAVAL SHIPYARD, AND INCREASE THE TOWN'S TAX BASE WHILE ALSO PROVIDING LOCAL JOBS.

**Objective 3.1.** Attract and retain businesses to sustain the vibrant center at foreshore that provides residents and visitors with places to go and spaces to gather

**Objective 3.2.** Continue to promote economic development in areas already identified by the town

**Objective 3.3.** Develop guidelines for the future development of the Route 1 Corridor into a mixed-use pedestrian-oriented area

**Objective 3.4.** Support and maintenance of existing jobs and the creation of jobs for a variety of skills sets and range of salaries

**Objective 3.5.** Attract new businesses to the business park

### 4. HOUSING GOAL:

TO PROVIDE A RANGE OF HOUSING TYPES TO MEET THE NEEDS OF INDIVIDUALS THROUGHOUT THEIR LIFECYCLE AND TO SUPPORT RESIDENTS WITH A RANGE OF INCOMES

**Objective 4.1.** Attract young people and retain residents with a variety of incomes

**Objective 4.2.** Support elderly residents' ability to age in place

### 5. TRANSPORTATION GOAL:

TO IMPROVE SAFETY AND EASE OF GETTING AROUND TOWN AND BETTER CONNECT THE "PIECES" OF KITTERY. PROVIDE ALTERNATIVES TO AUTOMOBILE TRAVEL WITH SAFE AND PLEASANT BIKE ACCOMMODATIONS AND WALKING PATHS.

**Objective 5.1.** Address traffic safety and congestion

**Objective 5.2.** Make walking and biking safe and pleasant

**Objective 5.3.** Explore ways of providing non-vehicular modes of transportation

**Objective 5.4.** Explore ways of increasing parking options

### 6. MARINE RESOURCES GOAL:

TO PROTECT THE TOWN'S COASTLINE, THE WORKING WATERFRONT, AND ENSURE APPROPRIATE ACCESS TO AND ENJOYMENT OF THE WATER WHILE PROTECTING IT FROM ENVIRONMENTAL IMPACTS

## EXECUTIVE SUMMARY

**STATE OF MAINE GOAL:** To protect the State’s marine resources industry, ports and harbors from incompatible development and to promote access to the shore for commercial fishermen and the public.

**Objective 6.1.** Increase access to the waterfront

**Objective 6.2.** Promote working waterfront

**Objective 6.3.** Protect marine resources

### 7. TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES GOAL:

**TO IMPROVE TOWN GOVERNANCE AND PROVIDE ADEQUATE PUBLIC FACILITIES AND SERVICES; INCREASE FISCAL CAPACITY RESPONSIBLY**

**Objective 7.1.** Improve Town governance and its ability to adapt to change

**Objective 7.2.** Maintain and improve municipal facilities

**Objective 7.3.** Provide adequate municipal services

**Objective 7.4.** Maintain and responsibly increase fiscal capacity

### 8. LAND USE GOAL:

**ENSURE THAT THE TOWN’S REGULATIONS SUPPORT DESIRED LAND USES.**

**Objective 8.1.** Update Town Code and apply land use regulations to guide desirable development in appropriate locations

**Objective 8.2.** Protect the area north of Spruce Creek

**Objective 8.3.** Sustain and build upon the vitality of the Foreside District

**Objective 8.4.** Protect the working waterfront

**Objective 8.5.** Support creative and viable redevelopment of the Route 1 Corridor (Outlet mall area and Rt. 1 By-pass)

**Objective 8.6.** Explore feasibility of development in the business park

### 9. COASTAL COMMUNITY RESILIENCE GOAL:

**ESTABLISH SHORT, MEDIUM AND LONG TERM PLANS TO ADDRESS THE EFFECTS OF CLIMATE CHANGE, INCLUDING INCREASED STORM FREQUENCY AND STRENGTH, COASTAL EROSION AND RISING OCEAN LEVELS, AND TRANSITION OF BOTH PUBLIC AND PRIVATE ENERGY CONSUMPTION TO LOW AND ZERO IMPACT METHODS**

**Objective 9.1.** Establish plans to address the effects of climate change.

**Objective 9.2.** Reduce energy consumption and transition to low and zero impact methods.

**Objective 9.3.** Provide education and incentives to protect the environment and improve quality of life.

## RECOMMENDATIONS

The recommendations were developed based on significant public input and articulate the objectives of the shared vision expressed by the hundreds of Kittery residents, town officials, and

### Where did the recommendations come from?

- Inventory and Assessment of Existing Conditions
- Review of other relevant documents and future trends
- Interviews with Town Staff
- State Requirements
- CPU Committee Review
- Public input
- Best practice

## EXECUTIVE SUMMARY

business owners that participated in this comprehensive planning process. The recommendations also reflect best practice and address state requirements. They also incorporate relevant strategies from the previous Comprehensive Plan (1999).

### THREE KEY BEST PRACTICE PLANNING PRINCIPLES

New policy initiatives included in the Comprehensive Plan or in Kittery’s Town Code should strive to be grounded in principles of sustainability. Broadly, sustainability is a concept that recognizes the **interrelatedness** of the energy, environmental, economic development, and civic health of the Town, and the importance of ensuring that future generations can enjoy the resources that exist in Kittery today.



The following Comprehensive planning principles were used to evaluate recommendations throughout the Plan, whenever relevant.

#### Environmental Stewardship

Kittery needs to prepare for the potential impacts of climate change, sea level rise, and to preserve wildlife habitat.

- Do the recommendations support a long-term sustainable future and stewardship of natural resources, including land preservation?
- Do recommendations promote the use of renewable energy sources throughout Town?
- Do they promote sustainable land use patterns?
- Are there recommendations regarding how the Town can lead by example including ways in which municipal facilities and services can be more environmentally-sensitive?
- Are there recommendations regarding how the Town can encourage private property owners to adopt more sustainable measures?

#### Health and Wellness

The Plan should promote the health and wellness of Kittery’s residents and of the community as a whole.

- Do recommendations promote the health and wellness of the people who live, work and play in Kittery?
- Do they support the health of the community as a whole?
- Do they provide opportunities for fitness as a part of everyday life, healthy lifestyle choices, support the recreational needs of all ages, opportunities for life long learning and the building of social capital?
- Do they support the creation of safe and accessible public spaces for various ages and abilities?
- Are there recommendations that address the specific needs of different age groups (especially those of youth and of the elderly)?



## EXECUTIVE SUMMARY

**Economic and Social Vitality**

The Plan should support the long-term economic and social vitality of Kittery.

- Do the recommendations promote the Kittery's ability to support a diverse community?
- Do they protect and promote Kittery's unique historic resources?
- Do they foster a strong local economy, local agriculture and food production, and also protect water dependent businesses?
- Do they protect Kittery's unique culture?
- Do recommendations support municipal investment in critical infrastructure to support and encourage desired development in desirable locations?
- Are there provisions to encourage and include the continued engagement of Kittery's residents in determining the character of their community and in determining its future direction by being involved in decision-making regarding the Town's future development?

**HIGHLIGHTS OF PLAN RECOMMENDATIONS**

The Plan considers the public's vision of an historic seacoast community with small town character and unique features that the majority of Kittery residents seem to wish to preserve. The following represent some of the Plan's highlights:

**Foreside District:** The Plan recommends enhancing this district by protecting its walkability, encouraging mixed use (housing above retail) and reuse of existing buildings, the development of workforce housing, improving pedestrian and bicycle access to the area, and exploring water-taxi access from Portsmouth. It is also recommended that parking strategies are explored (including shared parking) and that innovative uses such as *makerspaces* that afford artists and small business owners with space to create, invent and learn be encouraged to compliment the other small scale uses in the district.

**Working Waterfront:** The Plan makes recommendations to preserve the working waterfront that many Kittery residents feel passionate about protecting. Recommendations include supporting the Town's maritime-based economy including the fishing and shell fishing industry including finding ways to better connect fishing to the local economy (for example, by connecting fishermen to local restaurants who tell their stories on the menu). A self-guided tour of the waterfront would help to increase appreciation. A public education effort would help to increase awareness of pollutants to the waterfront and ways of decreasing or eliminating these.

**Route 1 Corridor:** It is recommended that the Town invite property and business owners in this area to embark on developing a vision and plan for the future redevelopment of the area. Many of the buildings will be reaching the end of their life cycle and the future of brick and mortar retail includes creating more of a pedestrian-oriented mixed use environment.

**Housing:** The Plan recognizes the need to create more affordable housing -- namely workforce housing, housing for young families

## EXECUTIVE SUMMARY

and housing for seniors – and recommends a variety of ways of achieving a wider range of housing types and price points.

**Natural Features and Recreation:** The Plan recognizes the value residents place on Kittery’s parks and beaches as well as on its scenic vistas

which greatly contribute to the experience of

*“Kittery is old and must preserve old trees and old buildings and wildlife” – comment from Comment Board in Town Hall.*

living and visiting Kittery. Various mechanisms to protect open lands, farmland and wildlife corridors are proposed for consideration. Additionally, a review of existing hunting regulations is proposed as a large number of residents expressed concern regarding their safety in wooded and other areas. A number of strategies address ways to reduce dog and horse waste at area beaches and parks, another area of significant concern amongst residents.

**Historic Features:** Participants in the Comprehensive Planning process expressed a significant degree of support for protecting the Town’s historic features. Among other things, the Plan recommends creating an Historic Preservation Committee to conduct an inventory and oversee the protection and education regarding these resources. Creating historic districts around clusters of historic buildings, and establishing fence height restrictions to preserve views of historic and scenic areas are also proposed. Additionally, the Plan recommends a number of ways to help support and promote local artists.

**Transportation:** A number of recommendations respond to the public’s desire for additional alternative modes of transportation, namely safe pedestrian and bicycle infrastructure. Exploring the

feasibility of a town shuttle, including the potential for regional collaboration is also suggested.

**Future development** is guided to areas where public utilities exist, where growth has already occurred. Growth is steered away from protected lands, natural resources, and areas that are not currently serviced by water and/or sewer infrastructure.

**Regional cooperation** and collaboration is recommended wherever relevant, mutually beneficial approaches should be explored.

**Kittery’s resilience** and ability to plan and adapt to potential future change is promoted in a variety of ways, including by identifying, monitoring, planning and mitigating the potential impacts of sea level rise and climate change. Additional recommendations include updating the Town Code to encourage the use of renewable energy sources, increasing public awareness regarding the need to protect the environment for future generations.

The lenses of environmental stewardship and future resilience, the health and wellness of Kittery residents, and economic and social vitality are used to evaluate recommendations.

## TOP 25 KEY RECOMMENDATIONS

The policy recommendations were selected based on professional opinion (an assessment of existing conditions, future trends, and best practice), and what the public and the Steering Committee seemed to feel was most important.

## EXECUTIVE SUMMARY

**Numbering does not in any way indicate priority.** The numbers in parenthesis correspond to the relevant strategy(s) in the Implementation Tables.

1. Complete a **CLIMATE ADAPTATION STUDY** to plan for the potential impacts of sea level rise and prepare for extreme weather events.
2. Working with the Kittery Land Trust, develop a **STRATEGY FOR OPEN SPACE ACQUISITION**, setting priorities for parcels to be included.
3. 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.
4. Develop a long-range plan for the **LIBRARY** including where the library will be located (renovation and expansion on existing site, new building on other site) and whether the Library should become a Town Department.
5. 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.
6. Updating the Sidewalks Conditions Report and developing a Bike Plan are among the specific steps recommended.
6. Engage in targeted outreach to **BUSINESS AND INDUSTRY SECTORS** marketing Kittery's economic development areas. Marketing should include continuing to update and improve the Economic Development website.
7. Ensure historic properties, including buildings and landscapes, are preserved and explore the establishment of **HISTORIC DISTRICTS** and development design guidelines to further the properties' protection.
8. Reduce **DOG AND HORSE WASTE** at area open spaces through enhanced enforcement and public education.
9. 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.
10. **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 bylaw** and provide incentives for developers to use the bylaw.
11. 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 (e.g.

## EXECUTIVE SUMMARY

- Dock to Dish program connecting fishermen to local restaurants).
12. Review and revise **TOWN CODE** so that it supports the implementation of the Comprehensive Plan goals and objectives, is clear, promotes best practice, and is easy to use.
  13. Develop a Plan for Town facilities and property owners to transition to **LOW AND ZERO IMPACT ENERGY SOURCES**
  14. Use the **COMPREHENSIVE PLAN AND FUTURE LAND USE MAP** as a guide for encouraging desirable new development in identified appropriate locations, while protecting open spaces, agricultural land, and natural and historical resources while keeping in mind that climate change and areas at risk will change the overlay map
  15. Educate residents about town planning roles and processes and ensure that **PLANNING AND TOWN MANAGEMENT PROCESSES** are open, transparent, informative, inclusive, respectful and welcoming.
  16. 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.
  17. 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.
  18. Provide more support and visibility to the work of **LOCAL ARTISTS** by expanding exhibition venues and providing a mechanism to support arts-related businesses, including non-profits. Artists are seen to provide a uniqueness to Kittery and residents expressed a desire to provide additional support and visibility.
  19. **GUIDE DEVELOPMENT** to areas already served by public utilities (8.1.2.), resulting in a more efficient and cost-effective use of these public services.
  20. 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.).
  21. Develop a **COMPLETE STREETS POLICY** to identify needed and appropriate improvement in order to accommodate all modes of transportation to accommodate all including people with special needs. This will result in reducing pollutants to the environment and in providing safe healthy options for residents to get around, mainly by walking and biking.
  22. Increase awareness in residents and business owners with regard to the **EFFECTS OF POLLUTANTS, PESTICIDES, AND STORMWATER RUNOFF** (6.3.1.) and evaluate Town Code regarding the **use of pesticides and herbicides with chemicals, in waterfront areas and town-wide** (6.3.2.). Providing

## EXECUTIVE SUMMARY

information and incentives for greener practices will help to mitigate these environmental hazards.

23. Increase and improve **COMMUNICATION** with Town residents (7.1.3.). 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.
24. Consider an **ADAPTIVE REUSE ORDINANCE** to guide redevelopment of existing buildings (8.1.6.). 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.
25. 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.

### TOP 24 RIPE APPLES ("LOW HANGING FRUIT")<sup>1</sup>



The following are a sample of selected low or no cost, relatively easy to achieve action items that received the most support by the participants at a public forum where these were discussed. It is

<sup>1</sup> These low cost, relatively easy to achieve action items received the most support at a public forum held on Nov. 3, 2016.

recommended that the Town proceed with implementing at least some of these in order to keep momentum and support for the Plan alive.

#### Highest Priority

- Establish a new committee, revive the defunct Energy Committee, and/or team up with the York Energy Committee and **design a sustainability policy and plan for the Town.**
- Explore ways of increasing Town Department efficiencies and effectiveness by further **collaborating across departments.**
- Revisit **cluster ordinance** to ensure it is maintaining the goal of open space preservation.
- Establish a **Climate Adaptation Committee.**
- Join **regional coalition of surrounding coastal communities** to work together around issues of sea level rise.
- Consider a **ban on plastic bags and plastic water bottles**

#### ALSO:

- Consider forming a **Transportation Advisory Committee** to identify and evaluate transportation improvements.
- Develop a **Complete Streets Policy** to accommodate all modes of transportation, for all ability levels, in a safe and attractive way to encourage more walking and biking.

## EXECUTIVE SUMMARY

- Identify ways for better management of existing parking spaces, e.g. consider **off-site remote parking for employees**.
- Work with the Kittery Land Trust to create a **prioritized list of parcels for open space acquisition** should there parcels come up for sale.
- Consider endorsing York River Committee's efforts to designate the **York River Watershed** as a Federal Wild and Scenic River with the Mt. Agamenticus-to-the-Sea Initiative.
- Increase awareness regarding **dog feces ordinance** and erect more signs with regulations pertaining to the conduct of dogs and their owners on beaches and other open spaces.
- Prepare educational materials summarizing Kittery's water quality challenges and the **effects of pollutants and pesticides**.
- Create an on-line and printed **guide to the recreational resources** of Kittery and make them available to residents and visitors.
- Establish a process to monitor and report on the status of the **Comprehensive Plan Implementation**.
- Undertake a **Housing Plan** to study supply, demand and strategies to encourage a variety of housing types and price points.
- Invite the business owners of the **Rt. 1 Outlet Mall area** to explore future redevelopment options, including encouraging mixed use (e.g. housing on upper stories above retail).
- Identify additional areas of potential **collaboration with the PNS**.
- **Encourage non-motorized visitors** to environmentally-sensitive areas by installing bike racks and bike/pedestrian paths.
- Review, update and promote existing materials/information on **navigating Kittery's waterways**.
- Provide **recycling bins** in public places.
- Develop **town-wide goals regarding energy efficiency** and related benchmarks for public facilities.

## EXECUTIVE SUMMARY

- Establish a **timeline for converting all Town-owned buildings to renewable energy**. *Explore grants to install solar energy panels*
- Increase **involvement of the schools in environmental stewardship** efforts.

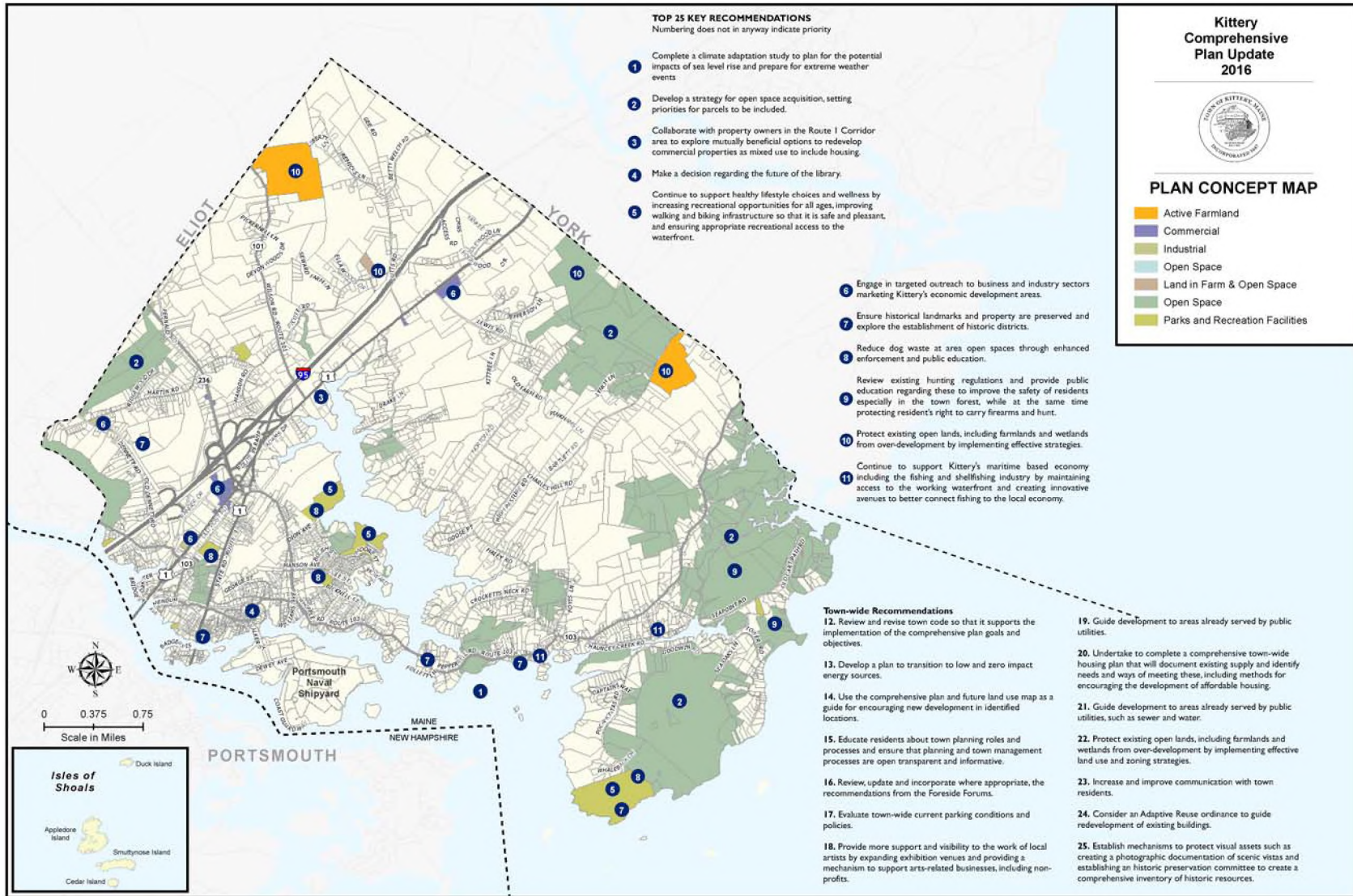
### PLAN CONCEPT MAP

The Plan Concept Map on the following page provides summarizes the key recommendations of the Comprehensive Plan.



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CONCEPT PLAN MAP: 25 TOP KEY RECOMMENDATIONS





## EXECUTIVE SUMMARY

## FUTURE LAND USE MAP

The Future Land Use Map is a summary of the Future Land Use Plan which was developed to help guide future decisions regarding the kind of growth and the location of growth that was determined to be appropriate and desirable and that is consistent with the vision, goals and objectives of the Comprehensive Plan.

- **“GROWTH”** - areas where the Town would like to encourage future development to occur
- **“LIMITED GROWTH”**- areas that could accommodate a minimal amount of growth
- **Neighborhood Conservation Areas**- areas may have infill potential, but for the most part will retain a similar character in the future.
  - Foreside
  - Kittery Point
  - Admiralty Village

*“There is still plenty of room to grow while maintaining Kittery’s character” – comment from Comment Board in Town Hall.*

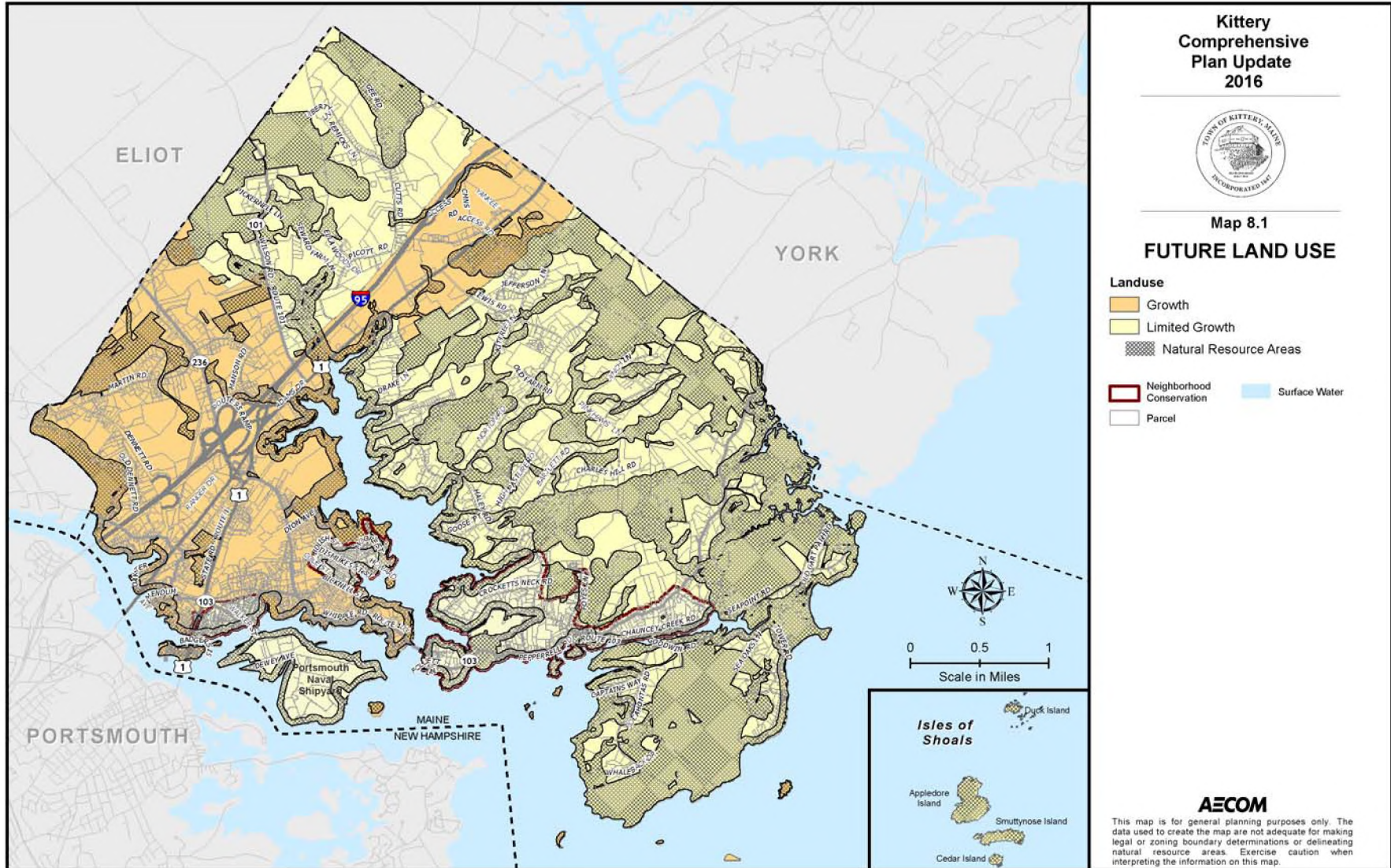
The Future Land Use Map also includes:

- **Most current inventory of protected open spaces** which will not be developed on in the future
- **Resource Protection/Rural Conservation land** areas that should not be developed due to their impact on natural features, watersheds, and surface water bodies.



EXECUTIVE SUMMARY

FUTURE LAND USE MAP



EXECUTIVE SUMMARY

IMPLEMENTATION

**NEXT STEPS:** Moving forward towards implementation, what are the first steps?

- Establish method to monitor progress on the Plan
- Continue to review and fine-tune menu of options and resources
- Use goals and objectives as a decision-making guide to evaluate opportunities and plans
- Look for opportunities (e.g. funding; partners: public and private sector; regional approaches, partners, etc.)
- Continue community conversation
- Many items will require additional vetting, including Town Council vote
- Begin by implementing “ripe apples” to keep momentum
- Vet top 25 Key Recommendations first

IMPLEMENTATION TOOLS AND CAPACITY

**Increase Capacity**

- Hire additional staff
- Recruit additional volunteers
- Consider need for additional committees, boards
- Regional approach
- Increase commercial tax base
- Explore funding opportunities (state, grants, etc.)
- Revise zoning and adopt new tools

**Prioritize**

- Funding availability
- Opportunity to partner
- Addresses health and safety
- Political will
- “Ripe apples” – low hanging fruit to keep momentum
- Phasing
- Establish a method to monitor progress and keep the Plan Up-to-Date

## EXECUTIVE SUMMARY

The Comprehensive Plan Update Committee seriously considered recommending the formation of an implementation committee, but determined that a better alternative would be to, in consultation with the Town Manager and Council, create a structured process involving the Council, Boards, and Department Heads to periodically (on an annual or biannual basis) monitor, support and report on progress of implementation.

**ESTABLISH PROCESS TO MONITOR PROGRESS:** Support implementation of the **Comprehensive Plan Goals and Objectives** by creating a process to monitor, support and report on the progress of implementation.

**ANNUAL EVALUATION OF IMPLEMENTATION:** The Town Manager should hold an **annual Summit Meeting** with representatives of existing boards, committees and the Town Council to report on the “State of the Plan” and to discuss progress, hurdles and action plans.



# SECTION 1: BACKGROUND AND CONTEXT



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PLAN INTRODUCTION AND OVERVIEW

# INTRODUCTION AND OVERVIEW

Volume I is a summary of the Comprehensive Plan, its foundations and recommendations. The Plan was developed based on the input of hundreds of residents, business owners, town officials, and Committee members who participated in the process. Recommendations were developed incorporating this input and also reflecting best practice and meeting state requirements.

The Comprehensive Plan is organized in three volumes:

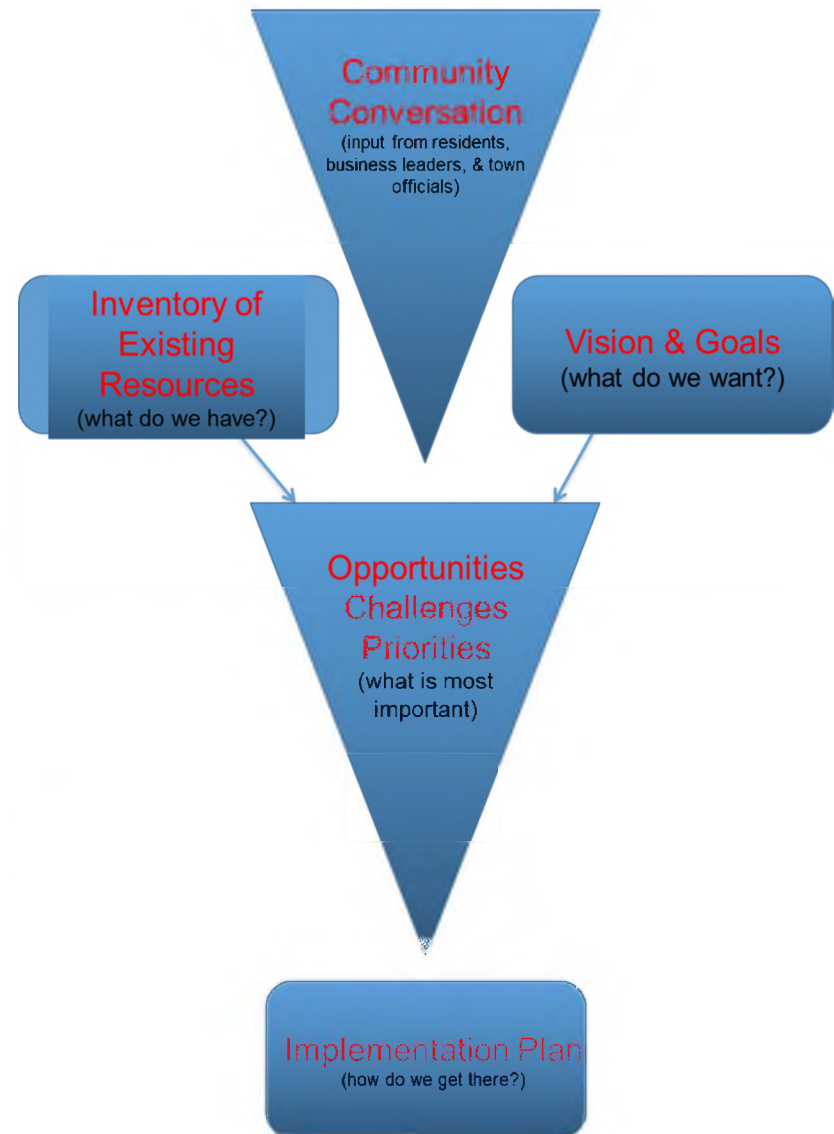
- Volume I: The Comprehensive Plan**
- Volume I: Inventory and Assessment of Existing Conditions**
- Volume II: Documentation of Public Input**

The Plan can also be viewed in its entirety on Kittery’s town website.

PROCESS

The process of updating a Comprehensive Plan is comprised of several steps including:

- Developing a Vision and set of goals with significant public input



## PLAN INTRODUCTION AND OVERVIEW

- Conducting an inventory and assessment of the Town's existing conditions
- Identifying Key Issues, Challenges and Opportunities and their implications for the future
- Developing an Implementation Plan which:
  - Lists goals and policy objectives
  - Identifies priorities
  - Identifies lead responsible parties and potential partners
  - Lists suggested action steps and existing resources

The process addresses the following questions:

- What do we have?
- What do we want?
- What is most important?
- How do we get there?

### OVERVIEW OF PREVIOUS PLANNING EFFORTS

Kittery has a number of planning documents relevant to the Comprehensive Planning process. These were reviewed and, when relevant, incorporated into the Plan. A summary of the most relevant of these follows. The most relevant of course, is the previous Comprehensive Plan (1999/2000).

Kittery's first land use regulations were adopted by Town Meeting in 1952. They established two small Local Business Districts, Commercial Districts along Route One and Interstate

(now Route One bypass), with the rest of the town as General or Single Residence Districts.

The Comprehensive Planning Act was passed by the State of Maine in 1954 and the Town of Kittery added a provision for a Planning Committee in 1956 and initiated the required Comprehensive Planning process. The first Kittery Comprehensive Plan was adopted in 1958. The first complete zoning ordinance was adopted in 1960. A complete revision of the ordinance was undertaken in 1977.

The 1958 Comprehensive Plan was partially updated in 1963 and 1966 and recommended road programs, public open space to protect Spruce Creek, Seapoint Beach and Fort Foster, as well as the protection of the town's scenic and historic character.

A further update of the Land Use section was undertaken in 1973 and in 1977 the zoning ordinance (renamed Land Use and Development Code) was extensively revised.

The Comprehensive Plan was updated again in 1989. One of the notable recommendations of this updated plan was the proposal to alter the type of commercial development along Route 1 by creating a Mixed Use District along Route One north of Haley Road.

The Land Use and Development Code was revised once again in 1991 in an effort to make administrative improvements as well as to implement some of the Comprehensive Plan's recommendations. Among other refinements the following additions were made to the code since the 1991 revision:



## PLAN INTRODUCTION AND OVERVIEW

- Provision for a Mixed Use District
- Badger’s Island District
- Foreside District
- Village Residence District (Admiralty Village)
- Revised Mixed Use District
- Shoreland Overlay Zone

### UPDATE OF THE KITTERY COMPREHENSIVE PLAN, PLANNING DECISIONS, INC. AND APPLIEDORE ENGINEERING, INC., DEC. 1999, REVISED 2000

In 1998, the Kittery Comprehensive Plan Update Committee was charged with reviewing and updating the Town’s 1989 Comprehensive Plan. The update was adopted in 2000.

The Plan stated what the citizens of Kittery want: *“They prefer encouraging growth into Quality Community Areas (existing town and village centers) that would be surrounded by Rural or Conservation Areas. This combination reflects the historic patterns of development along the New England Seacoast, mills and commerce centers surrounded by working waterfronts and forests.”*

Residents who participated in the Comprehensive Planning process for the 2025 Plan identified some of the same elements that comprised the Year 2000 Vision; these include:

*A small-town character as a historic seacoast town consisting of economically diverse neighborhoods, working waterfronts, natural habitats and resources, rural landscapes, and commercial places, that promotes economic growth and guides/controls residential*

*development by providing distinct planning requirements consistent with that character, and with responsive public services, schools which are a source of community pride, and adequate public facilities while retaining a stable property tax rate.*

*“The guiding principle of the Town’s effort to manage the use of land should be to encourage a development pattern that maintains the historical pattern of a built-up center, traditional moderate density neighborhoods, and open outlying areas. To facilitate this pattern, the Town should focus on directing development to vacant or underutilized areas within the built-up area that are served or can be served by public water and sewer service is or can be provided and on directing development away from areas with natural constraints for development, undeveloped shorefront areas, and areas in which public services are not available.”*

#### **From the 1999/2000 Comprehensive Plan**

1. *Kittery’s historic settlement pattern of compact villages and neighborhood centers separated by rural countryside and sustain a unique sense of place in every neighborhood by respecting local cultural and natural features maintained.*
2. *Economic and residential growth targeted to compact, mixed use centers in areas with existing or planned infrastructure and services at a scale appropriate for the community and region.*

## PLAN INTRODUCTION AND OVERVIEW

3. *Mixed use, pedestrian friendly neighborhoods that incorporate open areas, landscaping, and other amenities that enhance livability preserved and protected.*
4. *Choice in the mode of transportation provided and transportation options are integrated and consistent with land use objectives ensured.*
5. *Environmental quality and important natural and historic features of Kittery, the County, region and the state protected and large areas of un-fragmented wildlife habitat and undeveloped land preserved.*
6. *Agriculture, forestry, fishing, and other natural resource-based enterprises and minimize conflicts of development with these industries encouraged and strengthened.*
7. *Town center, villages and neighborhoods reinvested in and a diversity of viable business enterprises and housing opportunities in these areas supported.*
8. *Coalitions with stakeholders established and maintained and engage the public in the pursuit of better growth solutions engaged.*
9. *Public funds invested and incentives provided and disincentives consistent with the Vision for Kittery and these growth management policies.*
10. *The growth management program, comprehensive planning and implementation process for the Town all will be integrated with all the purposes of zoning embraced in*

*Maine Revised Statutes, and be created to promote the health, safety and general welfare of its residents.*

The 1999/2000 Comprehensive Plan put forth the following goals:

### LAND USE

- Encourage development in identified growth areas while assuring that new development occurs in a manner that is compatible with existing settlement patterns, respects natural resource values and enhances the desired pattern of use.
- To foster a pattern of land use that respects and builds upon the present character of the established settlement pattern of village cores surrounded by open, outlying rural areas created by undeveloped land, fields, wooded areas, farmland, wetlands, and roadways.
- To preserve and enhance the dominant natural waterfront/seacoast character and to continue to guide development away from sensitive waterfront areas.

### POPULATION AND HOUSING

- To manage population and household growth in a manner consistent with the Town's ability to absorb it.
- To encourage a diversity of housing to meet the needs of a wide range of residents, so lower, mid, and higher cost housing is available in Kittery.
- To assure that as new housing is built in Kittery, at least 10% of the new units are affordable to lower or moderate income households.

## PLAN INTRODUCTION AND OVERVIEW

### ECONOMY

- To expand the number and range of high quality jobs that are available in Kittery
- To reduce the reliance of the community on the two industry sectors as the Town's primary economic base.
- To maintain the traditional marine industries as viable economic activities
- To expand the range of goods and services that Kittery residents can obtain within the community
- To assure that all economic growth is fiscally and environmentally sound and is in keeping with the character of the community
- To strive for a balance between residential and non-residential development.

### NATURAL RESOURCES

- Surface water quality within Kittery protected and improved
- Groundwater resources quality and supply protected and preserved.
- Wetlands, vernal pools and adjacent uplands protected from encroachment and degradation
- Flood prone areas use managed to reduce the risk of property and environmental damage.
- Significant wildlife and fisheries habitat, and critical and unique natural areas protected.
- Maintain the scenic quality of the Town's visual environment while respecting private property rights.
- Preserve the scenic quality of the Town's shoreland areas.
- Maintain and enhance high value scenic views and vistas.

- Maintain and enhance the visual character of identified scenic roads in a way that balances visual considerations with traffic movement and safety.

### RECREATION AND OPEN SPACE

- To provide recreational facilities to adequately meet the needs of the Town's current population and to provide facilities for the growing population.
- To maintain the current level of public access to the Atlantic Ocean and the Piscataqua River and to expand and improve access as opportunities arise.
- To maintain the rural, open landscape in designated non-growth areas.

### HISTORIC, ARCHAEOLOGICAL AND CULTURAL RESOURCES

- To preserve the community's historic buildings, site and neighborhoods.
- To assure that the community's archaeological resources are identified and protected from inadvertent damage or destruction.
- To preserve and promote Kittery's historic and archaeological resources.
- To expand the range of cultural facilities and opportunities available in Kittery to meet the needs of Kittery's residents.

### MARINE RESOURCES

- To improve the quality of the Town's coastal waters.
- To increase the extent and vitality of the community's shell fishing industry.

## PLAN INTRODUCTION AND OVERVIEW

- To provide for the growth of aquaculture in a way that is positive for the entire community.
- To protect important wildlife and aquatic habitats.
- To assure that the quality of the Town’s drinking water is maintained.

### PUBLIC FACILITIES AND SERVICES AND FISCAL CAPACITY

- To provide high quality but cost efficient public services and facilities to meet the needs of the residents of Kittery.
- To assure that adequate public services are available in areas where growth and development are desired.
- To discourage development in those areas of Kittery where it is difficult or expensive to provide municipal services.
- To continue to increase the rate of recycling.
- To provide adequate public water and sewer service in those areas of the community where higher intensity development is desired.
- To maintain a relatively stable property tax burden while providing a high level of community services and facilities.

### TRANSPORTATION

- To improve access to the Maine Turnpike
- To improve safety of the existing road network.
- To maintain and improve the physical condition of the existing road and street system.
- To maintain and improve the capacity of the arterial and collector road network in a manner that is consistent with the neighborhoods and which maintains their scenic character.

- To ensure that new development does not overburden the road network, create safety problems, or impact existing residential neighborhoods.

Many of these objectives are carried over into the 2025 Plan as they remain relevant.

### THE FORESIDE FORUMS, LISTENING SESSIONS ON THE FUTURE OF KITTERY FORESIDE, 2014, INITIATED BY TOWN COUNCIL

In recent years, historic Kittery Foreside has experienced an influx of new businesses, non-profit arts and culture organizations, and residents who together have turned the area into a vibrant place to work, live, and visit. In January of 2014, Town Council established the “Foreside Forums” to learn how town government could best extend its assistance to the community in supporting the area’s on- going success, and to provide the community with an opportunity to share ideas. The first forum solicited public opinion on what was going well in the Foreside district. The report reports that there was there was a high degree of support for “organic” growth. Participants felt strongly about “keeping Foreside walkable, affordable, and retaining its authentic character, while enhancing the area’s gateways, connections to the waterfront connections, and park spaces.”

## PLAN INTRODUCTION AND OVERVIEW

The other forums organized participants into four groups which focused on:

- Parking, transportation, and circulation
- Housing
- Business uses
- Public land and infrastructure

Some highlights include the following comments:

- *“Long term residents want to continue living in Kittery”*
- *“Residents are more important to Kittery than the tourists”*
- *“Learn Lessons of What Not To Do From Portsmouth -- Parking, Large Buildings, etc.”*
- *Maintain Affordable/ Low Income Housing(Portsmouth Lesson)*
  - *Artist’s housing*
  - *Employees, Elderly*

As a follow up to the Foreside Forums, a group of Foreside residents and business owners met in April of 2016 and developed a vision statement for the future of the Foreside district. They presented this vision to the Comprehensive Plan Update Committee. The CPUC voted to incorporate the Foreside Vision into the Town-wide Vision as they deemed it completely consistent with discussions regarding this area during the Comprehensive planning process.

### Vision for Kittery Foreside

4/2016

The Foreside is a thriving, historic neighborhood that includes Maine’s earliest working waterfront. We envision a future for the Foreside that benefits the entire town by:

- Maintaining the historic, working-class character and scale of the Foreside;
- Preserving Foreside building stock by adopting a preference for creative or adaptive reuse of existing buildings;
- Ensuring the availability of integrated workforce housing in the Foreside;
- Encouraging walking and biking in the Foreside;
- Preserving the Foreside’s working waterfront;
- Protecting and expanding green space in the Foreside.

FOUR-YEAR GROWTH MANAGEMENT PROGRAM  
EVALUATION, MAINE STATE PLANNING OFFICE,  
MARCH 2011

The recommendations in the Comprehensive Plan take into account state and regional goals and meet the State of Maine’s Land Use requirements.

### STATE OF MAINE GOALS

The Growth Management Act includes ten state goals “to provide overall direction and consistency to the planning and regulatory actions of all state and municipal agencies affecting natural resource management, land use, and development.” (30-A MRSA §4312). Recommendations made in this Comprehensive Plan are

## PLAN INTRODUCTION AND OVERVIEW

consistent with these goals. See Appendix for a more detailed listing of State requirements.

- A. To encourage orderly growth and development in appropriate areas of each community and region while protecting the State's rural character, making efficient use of public services, and preventing development sprawl
- B. To plan for, finance, and develop an efficient system of public facilities and services to accommodate anticipated growth and economic development
- C. To promote an economic climate which increases job opportunities and overall economic well-being
- D. To encourage and promote affordable, decent housing opportunities for all Maine citizens
- E. To protect the quality and manage the quantity of the State's water resources, including lakes, aquifers, great ponds, estuaries, rivers, and coastal areas
- F. To protect the State's other critical natural resources, including without limitation, wetlands, wildlife and fisheries habitat, sand dunes, shorelands, scenic vistas, and unique natural areas
- G. To protect the State's marine resources industry, ports, and harbors from incompatible development and to promote access to the shore for commercial fishermen and the public
- H. To safeguard the State's agricultural and forest resources from development which threatens those resources
- I. To preserve the State's historic and archeological resources; and
- J. To promote and protect the availability of outdoor recreation opportunities for all Maine citizens, including access to surface waters

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### STATE COASTAL POLICIES

- To promote the maintenance, development, and revitalization of the State's ports and harbors for fishing, transportation, and recreation
- To manage the marine environment and its related resources to preserve and improve the ecological integrity and diversity of marine communities and habitats, to expand our understanding of the productivity of the Gulf of Maine and coastal waters, and to enhance the economic value of the State's renewable marine resources
- To support shoreline development that gives preference to water-dependent uses over other uses, that promotes public access to the shoreline, and that considers the cumulative effects of development on coastal resources

## PLAN INTRODUCTION AND OVERVIEW

- To discourage growth and new development in coastal areas where, because of coastal storms, flooding, landslides, or sea-level rise, it is hazardous to human health and safety
- To encourage and support cooperative state and municipal management of coastal resources
- To protect and manage critical habitats and natural areas of state and national significance, and to maintain the scenic beauty and character of the coast, even in areas where development occurs
- To expand the opportunities for outdoor recreation, and to encourage appropriate coastal tourist activities and development
- To restore and maintain the quality of our fresh, marine, and estuarine waters to allow for the broadest possible diversity of public and private uses
- To restore and maintain coastal air quality to protect the health of citizens and visitors, and to protect enjoyment of the natural beauty and maritime character of the Maine coast
- Southern Maine Regional Planning Commission, **Regional Efficiency and Economic Development Analysis for the Towns of Kittery, Eliot, York, South Berwick, Berwick, Wells and North Berwick**, February, 2010.
- Sustain Southern Maine, **Kittery Pilot Community Technical Workshop, Kittery Foreside/Kittery Crossing Pilot**, February 11, 2013 and March 2013.
- **Master Plan for Athletic Fields**, Kittery ME, Weston and Sampson, 2015.
- **Town Report (2013-2014)**:  
[http://www.kitteryme.gov/Pages/KitteryME\\_WebDocs/Town%20Reports/Town%20Report%202013-2014.pdf](http://www.kitteryme.gov/Pages/KitteryME_WebDocs/Town%20Reports/Town%20Report%202013-2014.pdf)
- **Stormwater Management Plan : 2013-2018 Plan**
- **Climate Change Adaption Report: Georgetown, Maine**, prepared by Georgetown Conservation Commission, 2015
- **Overview of Shore and Harbor Projects**-September 2013, Town of Kittery Maine, Department of Public Works
- **Quality Improvement Plan for Kittery's Shore and Harbors (2014)**, Wright-Pierce
- **Route 1 Bypass Bicycle & Pedestrian Plan (2015)**
- **Stormwater Program Management Plan for York County MS4s** (Berwick, Eliot, South Berwick, Kittery and York, ME), Permit

### ADDITIONAL PLANS INCLUDE THE FOLLOWING

The following additional relevant planning documents were also reviewed.

## PLAN INTRODUCTION AND OVERVIEW

Years 1 through 5 (July 1, 2013 to June 30, 2018) Submitted to Maine DEP December 2013 Revised February 4, 2014 (to address MEDEP Comments)

- **Kittery DPW Project Updates**  
[http://www.kitteryme.gov/Pages/KitteryME\\_DPW/DPWPROJECTUPDATES](http://www.kitteryme.gov/Pages/KitteryME_DPW/DPWPROJECTUPDATES)

### Sewer Infrastructure and Expansion Projects:

- [http://www.kitteryme.gov/Pages/KitteryME\\_Projects/sewerprojects/](http://www.kitteryme.gov/Pages/KitteryME_Projects/sewerprojects/)
- [http://kitteryme.gov/Pages/KitteryME\\_Planning/Kittery\\_Sewer\\_Line\\_Map.pdf](http://kitteryme.gov/Pages/KitteryME_Planning/Kittery_Sewer_Line_Map.pdf)
- ***Kittery Water System Master Plan***, Sept. 2010. Wright-Pierce.

### Kittery Schools, District Profiles:

- <http://www.kitteryschools.com>;  
<http://www.kitteryschools.com/district-profile>
- **Maine Department of Education:** [http://www.maine.gov/doe/PlanningDecisions, Inc., Best Fit Model \(1/26/2009\)](http://www.maine.gov/doe/PlanningDecisions,Inc.,BestFitModel(1/26/2009))
- Maine Department of Education, **“A Snapshot of Education in Maine,”** <http://maine.gov/doe/inside/snapshot.html>
- ***Town of Kittery Fort Foster Park 5-year Management Plan (2004-2008)***. Kittery Parks Commission. Town of Kittery.
- ***Fort Foster Park, 5-Year Management Plan 2004-2008***

- ***Kittery Town Code:***  
[http://www.kitteryme.gov/Pages/KitteryME\\_TownCode/index](http://www.kitteryme.gov/Pages/KitteryME_TownCode/index)
- ***Town of Kittery Budget***, Fiscal Year 2017

## INVENTORY AND ASSESSEMENT OF EXISTING RESOURCES

Information was collected for the following ten (10) Topic Areas :

- History, Historic/Archaeological Resources
- Natural Resources, Water Resources, Agricultural & Forest Resources, Recreation and Open Space
- Population & Demographics
- Economy
- Housing
- Transportation & Circulation
- Public Services & Facilities
- Marine Resources
- Fiscal Capacity
- Land Use

An inventory and assessment of existing conditions was undertaken by:

- attending guided tours of Kittery and the Portsmouth Naval Shipyard
- site visits of key locations
- research and compilation of existing data
- review of Town documents and other relevant planning documents



## PLAN INTRODUCTION AND OVERVIEW

- more than 30 leadership interviews of Town Department Heads, members of Town Committees and Boards, as well as other relevant individuals

***See Volume II: Inventory and Assessment of Existing Conditions for full documentation***

### SUMMARY OF KITTERY VOICES: PUBLIC PROCESS

Kittery’s residents, business owners and town officials were invited to participate in a variety of forums including town-wide public workshops and on-line forum, a survey, and interviews with a range of individuals. Their input was used to develop the vision and goals. This then formed the basis for the Comprehensive Plan.

The goals of the public process included:

- Identify critical issues
- Define shared goals
- Establish priorities for the future
- Build support for Plan

***See Volume III: Summary of Public Input for a full documentation of public comment in these and other forums (Including in an on-line forum and a survey).***

### UPDATING THE PLANNING PROCESS

Kittery has experienced some important changes since the last Comprehensive Plan update. Included amongst these are:

- **Kittery Community Center:** an extremely popular and successful institution offering recreation and other programming to Kittery residents.
- **Foreside and Gourmet Alley:** This area of town has been transformed into a sort of downtown for Kittery offering a variety of both culinary as well as cultural and artistic options.

These were needs identified in the previous Plan. They have now to a large degree been implemented .

However, noteworthy is the fact that many of the recommendations found in this Comprehensive Plan were also present in the 1999 (adopted in 2000) Comprehensive Plan. Some of the strategies included in that Plan have been implemented, others are underway, and still others are not.

Why do we consider it important to re-introduce some of these strategies? Many are worthy of repeating because they are still relevant or they are on-going efforts that need to be part of the Town’s Plan. Others were not implemented but sometimes factors such as the economy, regional trends, degree of political will, and changes in public attitude are enough to make the conditions “ripe” for reconsideration. These changes include:

## PLAN INTRODUCTION AND OVERVIEW

- A significant increase in the elderly population;
- An increase in the public’s interest in non-automotive forms of transportation because of an increased awareness; and
- An interest in the three best practice key planning principles (see next page)
- An increase in the awareness and desire on the part of may residents to take better care of the environment and prepare for the potential impacts of sea level rise and climate adaptation.

### THREE BEST PRACTICE PLANNING PRINCIPLES

New policy initiatives included in the Comprehensive Plan or in Kittery’s Town Code should strive to be grounded in principles of sustainability. Broadly, sustainability is a concept that recognizes the **interrelatedness** of the energy, environmental, economic development, and civic health of the Town, and the importance of ensuring that future generations can enjoy the resources that exist in Kittery today.



The following Comprehensive planning principles will be used to

evaluate recommendations throughout the Plan, whenever relevant.

### ENVIRONMENTAL STEWARDSHIP

Kittery needs to prepare for the potential impacts of climate change, sea level rise, and to preserve wildlife habitat.

- Do the recommendations support a long-term sustainable future and stewardship of natural resources, including land preservation?
- Do recommendations promote the use of renewable energy sources throughout Town?
- Do they promote sustainable land use patterns?
- Are there recommendations regarding how the Town can lead by example including ways in which municipal facilities and services can be more environmentally-sensitive?
- Are there recommendations regarding how the Town can encourage private property owners to adopt more sustainable measures?

### HEALTH AND WELLNESS

The Plan should promote the health and wellness of Kittery’s residents and of the community as a whole.

- Do recommendations promote the health and wellness of the people who live, work and play in Kittery?
- Do they support the health of the community as a whole?

## PLAN INTRODUCTION AND OVERVIEW

- Do they provide opportunities for fitness as a part of everyday life, healthy lifestyle choices, support the recreational needs of all ages, opportunities for life long learning and the building of social capital?
- Do they support the creation of safe and accessible public spaces for various ages and abilities?
- Are there recommendations that address the specific needs of different age groups (especially those of youth and of the elderly)?

### ECONOMIC AND SOCIAL VITALITY

The Plan should support the long-term economic and social vitality of Kittery.

- Do the recommendations promote the Kittery’s ability to support a diverse community?
- Do they protect and promote Kittery’s unique historic resources?
- Do they foster a strong local economy, local agriculture and food production, and also protect water dependent businesses?
- Do they protect Kittery’s unique culture?
- Do recommendations support municipal investment in critical infrastructure to support and encourage desired development in desirable locations?
- Are there provisions to encourage and include the continued engagement of Kittery’s residents in determining the character of their community and in

determining its future direction by being involved in decision-making regarding the Town’s future development?



## PLAN FOUNDATION

# PLAN FOUNDATION

The Comprehensive Plan, and in particular its Implementation Plan, has been built upon a two-part foundation. First, a set of guiding principles, developed through an extensive engagement process, resulted in a **VISION and GOALS** for realizing this vision. Second, an assessment of Kittery’s existing resources identified **KEY ISSUES, OPPORTUNITIES and CHALLENGES**. Combined, these generated a set of goals and objectives that form the core of the Implementation Plan. The following chapter summarizes the two parts of this foundation, and defines the resulting **GOALS AND OBJECTIVES**, a way of setting the stage for the Implementation Plan chapter that follows.



*Town-wide Public Forum: March 12, 2016 at STAR Theatre*

## VISION AND GOALS FOR THE FUTURE

The vision and goals for Kittery’s future were determined by a set of guiding principles, developed through a public engagement process, or “community conversation,” that spanned the length of the planning process (fifteen months), and involved hundreds of Kittery residents, elected officials and town staff members. A listing of the forums, meetings, workshops, and social media outlets appears in the box on the next page. The purpose of this engagement process included:

- Identifying critical issues

- Defining shared goals
- Establishing priorities for the future
- Building support for Plan

## PUBLIC ENGAGEMENT PROCESS

A set of the underlying themes and sub-themes emerged from this public engagement process, and these helped to define the

## PLAN FOUNDATION

## VISION FOR THE FUTURE OF KITTERY

**IMAGINE...** a Kittery whose character is protected by the preservation and adaptive reuse of its **historic buildings**, the control of the scale of redevelopment so that it is in keeping with the historic charm of the Town and a promotion of the Town's history.

**IMAGINE...** a **Foreside district** that is a thriving, historic neighborhood that includes one of Maine's earliest working waterfronts. A Foreside that maintains the historic, working-class character and scale and preserves its building stock by adopting a preference for creative or **adaptive reuse** of existing buildings. **Workforce housing** is integrated in the district. Walking and biking is safe and pleasant and there are more green spaces to enjoy as well as the **working waterfront**.

**IMAGINE ...** a Kittery where its beautiful and treasured **natural features** are preserved and protected and where enjoyment is enhanced through increased access to these for both passive and active **recreation**. Recreational activities are managed so as to prevent negative impacts on the environment, the season at Fort Foster is extended and programming at the Kittery Community Center is even more developed. Enjoyment of the water is enhanced by increasing **public access to the water**, cleaning up Spruce Creek, and providing shuttle service to Portsmouth from the Town Pier at Foreside.

**IMAGINE...** a Kittery that plans for the future of its **environment** by implementing **resilient** and leading by example so that all town-owned buildings use renewable sources of energy, and the Town provides incentives for the use of renewable energy sources. A Kittery that **prepares for the potential impacts of the expected rise in sea level** due to climate change.

**IMAGINE...** a Kittery that preserves its **sense of community**, the sense of peace and quiet, but also the **diversity of places** that make up the Town. It feels more unified and less separated as multiple **ways of getting around Town** are more available. **Traffic** congestion is lessened and **Walking** and **biking** is made safe and pleasant. A **town shuttle** helps to better connect people as do the additional places to gather and run into one another.

**IMAGINE...** a Kittery that while improving and growing is able to retain a **diverse socio-economic** mix of residents by providing **affordable, workforce housing** and by creating **jobs** with adequate wages and salaries, resulting in a **sustainable** community.

**IMAGINE...** the **economy** of Kittery more diversified as it retains existing and supports additional local businesses, where the existing businesses are redeveloped into more pedestrian-oriented mixed-use developments that incorporate more natural features and that are able to be more economically viable, **sustainable**, and in keeping with evolving expectations of shoppers.

**IMAGINE...** a Kittery that has a continuing **relationship with the Portsmouth Naval Shipyard**, and traffic, noise and light impacts created by activity in the shipyard are reduced as a result of working together to mitigate these.

**IMAGINE...** a re-imagined, twenty-first century **library** and a **school system** where students are consistently recognized for their success in the community and nationwide because these institutions provide top quality education, opportunities for life long learning, and enrichment programs.

**IMAGINE...** that all these improvements are made in a systematic way with significant **community engagement** in the decision-making process led by a **town government** that is respectful, transparent and civil in its discourse. A **shared vision** and **ordinances** that support the goals embodied in the vision are clear and easy to enforce.

## PLAN FOUNDATION

plan vision and goals. A summary of these, along with “Kittery Voices” (found in colored boxes) appears below. For more detailed documentation of participants’ comments in these and other forums, please see **Volume III** of the Comprehensive Plan.

### MAJOR UNDERLYING THEMES

Three major underlying themes arose from the public engagement process, taken as a whole:

#### PRESERVE TOWN CHARACTER

- Preserve open space and other natural features, working waterfront, and historic buildings -- while guiding additional development to desirable locations.
- Ensure that the diversity of people in terms of socio-economics can continue to live in Kittery (affordable housing and jobs)
- Support the diversity of land uses that make up the Town (“wild” landscapes, Foreside, outlets, working waterfront, quiet residential neighborhoods, etc.)

#### INCREASE AND IMPROVE CONNECTIONS

- Safer and more pleasant walking and biking physical connections
- Communication and access to information
- Provide more opportunities for social connections by providing opportunities for community gathering (through an enhanced Foreside, a 21st century library, expanded programming at the KCC, increased public space on the water, and improved walking and biking infrastructure)

### GOALS

To protect the town’s character by preserving and protecting **HISTORIC FEATURES, AND CULTURAL AND ARCHAEOLOGICAL RESOURCES** and promoting an awareness of the Town’s unique history

To protect Kittery’s **NATURAL RESOURCES** including watershed, fresh water, wetlands and vernal pools, agricultural and forest resources, open space and recreation

To support desirable **ECONOMIC DEVELOPMENT**, reduce dependence on Portsmouth Naval Shipyard, and increase the Town’s tax base while also providing local jobs

To provide a range of **HOUSING** types to meet the needs of individuals throughout the lifecycle and to support residents with a diversity of incomes

To improve safety and ease of **GETTING AROUND TOWN** and better connect the “pieces” of Kittery. Also provide safe and pleasant alternatives to automobile travel with safe and pleasant bike and walking paths

To protect the Town’s **COASTLINE**, the working waterfront, and ensure appropriate access and enjoyment of the water while protecting it from environmental impacts

To improve **TOWN GOVERNANCE**. Provide quality **MUNICIPAL FACILITIES and SERVICES**

To ensure that regulations support the desired **LAND USES**

To establish short, medium and long term plans to address the effects of climate change for **COASTAL COMMUNITY RESILIENCE**, and to transition to low and zero impact energy methods

PLAN FOUNDATION

PUBLIC FORUMS

- 3 town-wide public forums
- 1 on-line survey
- continuous on-line conversation
- website
- teen visioning session
- XXX Steering Committee meetings
- 4 Joint Workshops: Planning Board/Steering Committee
- Meetings with Town Department Heads
- 32 leadership interviews

PROMOTE A MULTI-GENERATIONAL KITTERY

- Wholesome activities for youth (including improved and increased recreational opportunities, safe ways of getting around town and more youth involvement in planning for the future)
- Support healthy aging in place (with affordable housing appropriately sized and located for seniors, as well as activities and transportation geared to this population)
- Provide opportunities for multi-generational activities

***“Keep our identity distinct from that of Portsmouth.”*** – public forum participant (March 12, 2016)

SUB-THEMES

Participants in the public engagement process identified several specific sub-themes.

- Participants expressed a strong appreciation for the **NATURAL** setting of the Town and a desire that efforts to preserve these features be made, including:
  - Open space and rural character
  - Working waterfront and waterfront views
  - Sea Point Beach
  - Brave Boat Harbor
  - Rachel Carson National Wildlife Refuge
  - Spruce Creek (clean)
  - Pepperrell Cove
- Related to the desire to protect the natural features was an appreciation of active and passive **RECREATIONAL** opportunities and a desire for more:
  - Fort Foster/Fort McClary
  - Rogers Park
  - More public access to the water
  - Kittery Community Center
- There was a strong desire to plan for climate change and become more **SUSTAINABLE** as a Town including:

***“Build a business environment and infrastructure that should support continued growth in a structured way.”*** – on-line community conversation participant

PLAN FOUNDATION

- Becoming an example of carbon neutrality
- having all town owned buildings use renewable energy sources (e.g. solar)
- provide local tax credits for use of solar energy
- A strong appreciation of the **HISTORY** and historic character of Kittery, including:
  - Preservation of historic buildings
  - The role of the Portsmouth Naval Shipyard
  - Preservation of the scale of buildings as a way of preserving the Town’s character
- Participants spoke of the **SENSE OF COMMUNITY** they experience and treasure living in Kittery and the sense of “peace and quiet” they would like to preserve. They also appreciated the **“DIVERSITY OF PLACES,”** that make up Kittery including the distinct neighborhoods, waterfront, Foreside, outlets, natural areas.
 

*“I like that there are both wild areas and refined cultural spaces.”*
- Enthusiasm was expressed for the recently revitalized **FORESIDE** district with an expressed desire to enhance the district’s character by:
  - Improving parking
  - Encouraging more small, local business and artists
  - Ensuring that any new development/redevelopment be contextual
 

*“Kittery is uniquely charming.”*

**TEEN VOICE: MAY 20, 2016 - TRAIPI ACADEMY**

**TEEN FAVORITES:**

- Historical Sites (Forts, etc.)\*\*\*\*
- Beaches\*
- Small Community\*
- Accepting Local People\*
- Clean Environment\*
- Forests and scenic beauty\*\*
- Not Too urban
- Shipyard
- Food
- Kittery Block Party
- “Wood Island”
- Outlets
- Open Space to Build on
- Small School

**TEEN LEAST FAVORITES:**

- Not “Green”/Pollution\*
- Culture of community
- Motels on by pass (Attracting drug dealers and crime)
- Poor Maintenance @ Athletic Fields (Need Improvements)
- Lack of athletic fields/space. (Need Expansion)\*\*
- Shipyard/236 Traffic\*\*\*
- Road conditions\*
- Town Council
- Tourist Attractions
- Wasting land that is for animals
- No “Teen” places



## PLAN FOUNDATION

- The **WORKING WATERFRONT** was felt to be a significant unique feature of the Town and a strong desire was expressed to preserve this. The fishing industry was mentioned as important to consider in future planning.
- The number one most frequent response to the question, “if you could do one thing to improve Kittery, what would it be?” was improve **PEDESTRIAN AND BICYCLE** infrastructure to support walking and biking. Additionally, automobile **TRAFFIC** was a concern (especially as it related to the shipyard) and a desire for a **TOWN-WIDE SHUTTLE** ranked high on the list. **PARKING**, especially in the Foreside area, was perceived as being a significant issue.
- A recognition that the Town’s population is relatively **DIVERSE**, socio-economically speaking, and that providing affordable housing and the creation of jobs with “thriving wages and salaries” will be the only way to support this economic diversity in the future.
- Some discussion regarding the negative impacts of the **PORTSMOUTH NAVAL SHIPYARD** and a desire to work on mitigating these, namely noise and light pollution and traffic.
- The most referenced **PUBLIC FACILITY/SERVICE** identified for improvement was the **LIBRARY** (and a desire that its plan

*“Kittery will increasingly be a magnet for people to live and start businesses, so how do we harness this without losing the qualities that make it a great place to live and work?” -public forum*

for the future be finalized and implemented), followed by the **SCHOOL SYSTEM** (a desire for improvement to the system and its reputation).

- There was much discussion regarding a desire to improve **TOWN GOVERNANCE** including a desire for increased respect, transparency and civility. Additionally, some felt that there is a need for a unifying vision and for the town codes to support this vision and to be better enforced.
- Much enthusiasm was expressed for the public forum itself and for what it represented, that is, an opportunity for public discourse and **COMMUNITY ENGAGEMENT IN MAKING DECISIONS** that will help to shape the Town’s future. Many called for more proactive planning, citizen-led planning efforts and improved communication. Some wished to involve more youth in town government.

*“I love where I live!! I want to own a home here... but am concerned about affordability. “*

## KEY ISSUES, OPPORTUNITIES AND CHALLENGES

In addition to the vision defined through the public engagement process, an assessment of Kittery’s existing resources helped shaped the goals and objectives for realizing this vision. A summary of this inventory can be found in the next chapter of the plan; full documentation of this inventory appears in **Volume II** of the plan.

## PLAN FOUNDATION

### HISTORIC, CULTURAL AND ARCHAEOLOGICAL RESOURCES

- While residents strongly value the town's historic resources and recognize their impact on the character of the town, many residents are unaware of the extent to which they fuel the local economy.
- Kittery retains historic buildings and landscapes from throughout the town's over-350-year history, and many of these resources have been preserved. Others, however, have been severely compromised or altogether lost.
- While Kittery has listed several properties and districts to the National Register of Historic Places, many more historic buildings and landscapes have not been recognized as such. However, the town also lacks a comprehensive inventory of historic resources, or a plan for preserving them.
- The town lacks a volunteer-based entity to serve as a watchdog for historic resources.
- The town has no official single repository for historical materials.
- The town's military history, a significant part of Kittery's past that draws tourists from across the country, is not being utilized to its full potential to attract tourists.
- The town has not taken advantage of state-sponsored programs that promote and fund preservation of historic and cultural resources.
- The town's many scenic views, incorporating both historic and natural resources, are currently unprotected by town ordinances. By protecting the town's scenic viewsheds, through proactive and creative development regulations (including regulation of fence heights), Kittery can help retain these important visual assets.
- The town's youth are largely uninvolved in efforts to preserve Kittery's historic and cultural resources. By sustaining and expanding upon existing education programs, local youth can develop a greater appreciation for local history, and go on to serve as advocates.
- By supporting the local visual and performing arts community, Kittery can fuel the growth of this important piece of the local economy.

### NATURAL RESOURCES AND RECREATION

- Kittery's topography, soils and associated wetlands, as well as shallow depths to bedrock, place limits on the extent of development possible.
- Farmland has all but disappeared in Kittery. Opportunity exists to adopt regulations limiting the amount of farming

## PLAN FOUNDATION

soils that can be removed from a property, as a means of preserving existing agricultural lands town-wide.

- Wells currently supply drinking water to many Kittery homes, making preservation of groundwater and aquifer quality critical to the health of the community.
- Opportunity exists to protect Kittery’s many unique natural areas, including natural communities, habitat focus areas, and essential habitats, while at the same time preserving individual property-owners’ rights, through negotiation of easements and restrictions on wetlands and farmlands; purchase of unprotected open spaces; and creation of buffers between developed lands and preserved open spaces.
- Opportunity exists to improve the quality of Spruce Creek through future redevelopment efforts at the Kittery Outlet area.
- The quality of Kittery’s recreation areas, including parks, playing fields, and beaches, is negatively affected by dog and horse waste left by pet owners. Several options are available for controlling and processing dog waste in public open spaces.
- The draft *Athletic Fields Master Plan* proposes a phased approach to field management and expansion, and opportunity exists to implement this plan, as needed and financially feasible.
- Opportunity exists to create a well-documented non-motorized trail system that runs continuously throughout the town, including conversion of the old trolley bed to a recreational pathway.
- Opportunity exists to re-visit the existing firearms ordinance so that residents feel safe, while at the same time hunters may continue to pursue their activity.
- Through the creation and implementation of a sustainability plan, Kittery can conserve energy, protect water quality, and ready itself for the impact of rising sea levels.
- Opportunity exists to protect Kittery’s visual and scenic qualities, including its scenic roads, while at the same time preserving individual property-owners’ rights.

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## ECONOMY

- Kittery has a unique mix of business types and economic development areas that support a relatively large labor force for the size of the town.
- As it stands today, the area around the Outlet Mall continues to be successful despite a slight uptick in vacancies.
- Residents and businesses recognize the value of the Foreside. The Town should continue to foster, encourage, and invest in the success of this area.

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- The primary employers in Kittery are manufacturing and retail businesses, but the majority of Kittery residents are employed in the healthcare, professional services, and retail sectors.
- The Town should work with local landowners, business groups, and brokers to promote the location and amenities the existing Business Park has to offer.
- Within the healthcare employment sector, the number of businesses and number of employees have been increasing in Kittery.
- The PNS employers over 5,000 workers.
- The increasing senior population in Kittery will need housing appropriately designed, sized, and located to accommodate this growing population.
- Since 2005, a majority of the new housing built has located north of Spruce Creek to the east of Route 1, and in the area north of Route 101 and west of Route 1, with the predominate development pattern being single-family subdivisions with houses on large lots.
- It will be important to determine if the current lot area minimums in the zoning districts covering the no/limited growth areas are effective.
- The dimensional requirements in Kittery's zoning are designed in such a way as to discourage larger multi-family buildings in some of the key areas residents would like to see them of a larger size and scale are not being built in Kittery.

### HOUSING

- As housing demand grows and prices increase, it will be important for the Town to consider ways of increasing access to affordable housing.
- While many new single-family homes have high price points and tax bills, the more compact development pattern found in locations such as the Foreside actually produce more property taxes per acre than homes in areas such as Gerrish Island.
- There is a need to address housing challenges for foreign students working seasonally at Kittery businesses.

### TRANSPORTATION

- Kittery is the largest work destination for Kittery residents and for residents in the KACTS communities. Traffic backing up into residential neighborhoods during the daytime shift change is a major issue.
- The number of trips for all travel modes in Kittery has increased since 2000, except for the drive alone trips, which have decreased. In Kittery, the number of workers who worked at home almost doubled since 2000.

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- Kittery has 73.42 miles of roadways, including Interstate 95. The interchanges have a significant impact on existing and future land use and development. Interchanges occupy many acres of land that are unavailable for development and/or local circulation.
- Recently built residential developments on the northern side of Kittery (for example, off of Haley Road) are characterized with long dead-end streets (cul-de-sacs), which limit access and prevent connectivity to the roadway network.
- Most of the roadway segments experienced a decrease in ADT volume between 2010 and 2013. ADT on Shapleigh Road increased up to 22% during this period.
- When I-95 experiences congestion, particularly during summer months, local roadways experience congestion and are used as cut-throughs.
- With the recent addition of new restaurants and shops, parking demand has increased in the Foreside area. A Town-wide Parking Management Plan would help evaluate parking supply, demand and utilization in Downtown Kittery and commercial areas and may improve parking efficiency.
- The *Sidewalk Condition Report*, which includes inventory of sidewalks, has not been updated since 2000.
- Developing a Complete Streets policy would accommodate all modes of transportation and make streets attractive and safe which would encourage more pedestrian and biking activities.
- Kittery does not participate in the MaineDOT Safe Routes to School (SRTS) Program.
- In Kittery, COAST provides year round limited transit services. Out of five COAST routes, four are express commuter routes.
- The existing public transit services in Kittery are mainly commuter services that serve the PNS.
- Paratransit service, ridesharing programs and van services are available to Kittery residents through various organizations.

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## MARINE RESOURCES

- Demand for access to the waterfront and for boating access is consistently high, and at peaks times, can be greater than the ability of existing landside facilities and moorings to meet.
- Storm winds and waves limit opportunities for additional moorings in exposed areas such as Fort Foster. The floats are vulnerable to damage during storms.
- As a coastal community with a densely-developed shoreline, extensive waterfront recreational areas, and a working waterfront, Kittery is going to experience direct impacts from sea level rise.

## PLAN FOUNDATION

- A significant portion of the available parking at Pepperrell Cove is in a lot across Route 103/Pepperrell Road.
- The Town-operated mooring facilities at Pepperrell Cove and Traip Academy are heavily used, there is a 12-15 year waiting list for moorings, and there is no available space at these locations for installation of additional moorings.
- Boaters, particularly visitors to Kittery, who want to kayak or sail on the Piscataqua should be made aware of tides and currents.
- Portsmouth is upgrading its Pierce Island treatment plant but the facility will bypass stormwater from secondary treatment during wet weather.
- However, Water quality in Spruce Creek and its watershed is threatened by development pressure in the watershed, and there are no restrictions on pesticide and fertilizer use.
- There are concerns about the impacts the users have on the waterfront areas and parks, with the issue of dog waste (and also horse waste at Rogers Park) a primary concern.
- Residents are divided on whether to build facilities, e.g., parking, for increased usage of certain parks.
- There is at present no fixed location public pumpout facility from Great Bay to the Portsmouth Harbor entrance, thus it can be difficult for boat owners to dispose of waste in an environmentally responsible fashion.
- Long-term siltation in Pepperrell Cove and a lack of dredging have decreased available water depths, limiting the draft and size of boats able to access the moorings and piers.
- The town's many scenic views, including views of the water, are currently unprotected by town ordinances.
- Due to underlying soil conditions, septic system failures have been reported in areas near the border with York, ME, an area considered as high-value for land conservation, and one also facing development pressure.

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### PUBLIC FACILITIES AND SERVICES (FISCAL CAPACITY)

- Kittery's population has been relatively stable over the past couple of decades, with a slight tendency towards declining, evident since 1970. An increase in the Town's population could affect the facilities and services needed.
- Kittery is an aging community. Between 2000 and 2014 residents age 55 to 64 increased by sixty-five percent (65%), and the number of elderly residents is expected to continue to increase.
- Kittery has adequate to very good public buildings, has done a fairly good job at maintaining its public buildings and with few exceptions there is adequate space to serve the existing population as well as any predictable (slight) future increase.

## PLAN FOUNDATION

- There is an adequate amount of public meeting space available at the Town Hall, the public schools, the Library and the Community Center.
- The Kittery School Department operates three school buildings, and currently the schools can comfortably accommodate enrollments with additional capacity for any future increases in the student population.
- The Rice Public Library, Kittery Community Center, Town Hall, public piers, and possible public gathering spots in the Foreside are important to maintain and enhance towards this end.
- Kittery has a variety of indoor and outdoor recreational resources including The Kittery Community Center, 4 public piers, parks, beaches, conservation lands, playgrounds and athletic fields.
- An increasing awareness regarding healthy living has resulted in more people interested in making fitness a part of everyday life. This results in a higher demand for recreation, both passive and active, for all ages.
- As the population ages, it will become important to provide more services geared to elderly residents.
- The Police Station facility is more than adequate to meet current and future needs in terms of space, but the Department may need to add staff to reflect the large day-time population which includes tourists (seasonal), shoppers (outlets), and employees (PNS).
- As it becomes increasingly difficult to recruit volunteers, the Fire Department should consider strategies such as regionalization, establishing a partial professional fire fighting staff, among other strategies.
- The Rice Library, a beautiful historic building, has experienced an increase in usage over the past years while simultaneously facing space shortages and other obstacles to efficient functioning. A decision must be made regarding how to modernize the Rice Library either by constructing an addition to the existing building or by creating a new facility on another site.
- The demise of printed media combined with the lack of a local newspaper has resulted in the reliance and high usage of cable TV, social media and community bulletin boards for communication.
- Kittery's economy has a strong relationship with the Portsmouth Naval Shipyard.
- It will be important to guide development, both residential and commercial, to desired locations through the provision of utilities and services.
- While Kittery has taken steps to be mindful of the environment, it is important to be more proactive regarding

## PLAN FOUNDATION

the implementation of sustainability measures, especially with regard to sea level rise and climate adaptation.

- Kittery is currently in sound fiscal health.
- The Town needs to consider ways to increase its local valuation so that it can maintain its public facilities and continue to provide services at the current level.

### LAND USE

- Since the completion of the 1999 Comprehensive Plan, 74 percent of residential development occurred in the Rural and Rural Conservation zoning districts.
- Kittery's current zoning code does not lead to the desired development and preservation outcomes as stated in the 1999 Comprehensive Plan, and are in some cases the code does not support the goals of this Comprehensive Plan process.
- The Business Park zoning district is envisioned to create a "high quality park-like setting for both businesses and residents," but the zoning performance standards make that vision very challenging to accomplish.
- The Mixed Use district along the northern segment of Route 1 has similar challenges to the Business Park District with respect to creating a true mix of uses.
- Current use restrictions, performance standards, and dimensional requirements in certain zoning districts do not match with the purpose statement of the district.
- While the Outlet Malls are currently a viable tax generating commercial use in Kittery, questions have been asked throughout the Comprehensive Plan process about their long-term viability and potential need for future adaptation if the retail market changes.
- The Foreside is arguable one of Kittery's most successful development areas, and one of its most beloved. The mix of walkable retail, restaurants, small businesses, and residences provides the quintessential New England character to this part of Kittery. However, there are challenges with balancing economic development, housing demand, and building design that is attractive and similar in character with existing buildings.
- Contrary to what the 1999 Comprehensive Plan called for, the majority of residential development constructed after 1999 is located north of Spruce Creek on the east and west sides of Route 1. Residents still share the same vision of maintaining as much open space as possible north of the Creek, while minimizing the impact of new development.

### COASTAL RESILIANCE

- Average annual temperature across Maine warmed by about 3 degrees F (1.7 degrees C) between 1895 and 2014.



## PLAN FOUNDATION

- Models predicting future climate change developed by the Intergovernmental Panel on Climate Change (IPCC) predict that annual temperature will increase another 3 – 5 degrees F (1.7-2.8 degrees C) across Maine between 2015 and 2050.
- Changes in temperature affect our experience, changing the length and character of each season.
- Climate change models predict that the warm season (defined as when average daily temperature is above freezing) will increase by an additional 2 weeks over the next 50 years.
- As Maine's summers become warmer and longer, the number of excessively hot and humid days when heat indices rise above 95 degrees F (35 degrees C) are likely to increase.
- The incidence of Lyme disease and other insect-borne diseases is on the rise.
- Changing climate is putting wildlife at risk. Vulnerable species include moose.
- A significant increase in extreme precipitation events (more frequent and intense storms) has been observed across Maine, especially in coastal communities.
- The total amount of accumulated snow is predicted to decline, however, extreme snowfall events with significant accumulations (strong nor'easters) are likely to increase in frequency.
- The impact from intense storms may result in costly repairs to roads and infrastructure.
- Intense rain storms can sometimes lead to storm water run-off which may carry pollutants that could affect pollution levels of lakes and streams
- Longer growing seasons, extreme precipitation events and greater variability in the weather offer both opportunities and challenges to Maine's farmers.
- The longer summers may represent an opportunity for residents to enjoy warm weather activities for longer, but simultaneously the excessively hot days pose a public health hazard especially to the young and elderly.
- The unreliability of winter weather means that seasonal events and activities, many linked to local economies, are often negatively affected.
- Changes in the temperature and acidification of the ocean's water is affecting marine species habitat. These changes are expected to continue to affect the fishing industry.
- Flood zones have moved inland as a result of larger and more frequent storms. Increased frequency of flooding poses a threat to property and potential harm to humans.

PLAN FOUNDATION

COMPREHENSIVE PLAN GOALS AND OBJECTIVES

The foregoing vision and assessment of existing conditions resulted in following nine goals and accompanying objectives that form the core of the Implementation Plan that follows.

1. HISTORIC, CULTURAL, AND ARCHAEOLOGY RESOURCES GOAL

**TO PROTECT THE TOWN’S CHARACTER BY PRESERVING AND PROTECTING HISTORIC FEATURES AND ARCHAEOLOGICAL AND CULTURAL RESOURCES, AND PROMOTING AN AWARENESS OF THE TOWN’S UNIQUE HISTORY AND CULTURE**

- Objective 1.1.** Protect historic and archaeological resources
- Objective 1.2.** Promote Kittery’s history
- Objective 1.3.** Support and nurture Kittery’s community of working artists

2. NATURAL RESOURCES, OPEN SPACE AND RECREATION GOAL

**TO PROTECT KITTERY’S NATURAL RESOURCES INCLUDING WATERSHED, FRESH WATER, WETLANDS AND VERNAL POOLS, AGRICULTURAL LANDS, FOREST RESOURCES, OPEN SPACE AND RECREATION**

- Objective 2.1.** Protect and preserve critical open spaces for passive recreation, visual impact and preservation of wildlife

habitats, coastal (saltwater) wetlands, freshwater wetlands, and vernal pools

- Objective 2.2.** Increase opportunities for recreation

3. ECONOMIC DEVELOPMENT GOAL:

**TO SUPPORT DESIRABLE ECONOMIC DEVELOPMENT, BALANCE THE RELATIONSHIP WITH THE PORTSMOUTH NAVAL SHIPYARD, AND INCREASE THE TOWN’S TAX BASE WHILE ALSO PROVIDING LOCAL JOBS.**

- Objective 3.1.** Attract and retain businesses to sustain the vibrant center at foreside that provides residents and visitors with places to go and spaces to gather
- Objective 3.2.** Continue to promote economic development in areas already identified by the town
- Objective 3.3.** Develop guidelines for the future development of the Route 1 Corridor into a mixed-use pedestrian-oriented area
- Objective 3.4.** Support and maintenance of existing jobs and the creation of jobs for a variety of skills sets and range of salaries
- Objective 3.5.** Attract new businesses to the business park

4. HOUSING GOAL:

**TO PROVIDE A RANGE OF HOUSING TYPES TO MEET THE NEEDS OF INDIVIDUALS THROUGHOUT THEIR LIFECYCLE AND TO SUPPORT RESIDENTS WITH A RANGE OF INCOMES**

- Objective 4.1.** Attract young people and retain residents with a variety of incomes

## PLAN FOUNDATION

**Objective 4.2.** Support elderly residents’ ability to age in place

### 5. TRANSPORTATION GOAL:

**TO IMPROVE SAFETY AND EASE OF GETTING AROUND TOWN AND BETTER CONNECT THE “PIECES” OF KITTERY. PROVIDE ALTERNATIVES TO AUTOMOBILE TRAVEL WITH SAFE AND PLEASANT BIKE ACCOMMODATIONS AND WALKING PATHS.**

**Objective 5.1.** Address traffic safety and congestion

**Objective 5.2.** Make walking and biking safe and pleasant

**Objective 5.3.** Explore ways of providing non-vehicular modes of transportation

**Objective 5.4.** Explore ways of increasing parking options

### 6. MARINE RESOURCES GOAL:

**To protect the town’s coastline, the working waterfront, and ENSURE APPROPRIATE access to and enjoyment of the water while protecting it from environmental impacts**

STATE OF MAINE GOAL: To protect the State’s marine resources industry, ports and harbors from incompatible development and to promote access to the shore for commercial fishermen and the public.

**Objective 6.1.** Increase access to the waterfront

**Objective 6.2.** Promote working waterfront

**Objective 6.3.** Protect marine resources

### 7. TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES GOAL:

**TO IMPROVE TOWN GOVERNANCE AND PROVIDE ADEQUATE PUBLIC FACILITIES AND SERVICES; INCREASE FISCAL CAPACITY RESPONSIBLY**

**Objective 7.1.** Improve Town governance and its ability to adapt to change

**Objective 7.2.** Maintain and improve municipal facilities

**Objective 7.3.** Provide adequate municipal services

**Objective 7.4.** Maintain and responsibly increase fiscal capacity

### 8. LAND USE GOAL:

**ENSURE THAT THE TOWN’S REGULATIONS SUPPORT DESIRED LAND USES.**

**Objective 8.1.** Update Town Code and apply land use regulations to guide desirable development in appropriate locations

**Objective 8.2.** Protect the area north of Spruce Creek

**Objective 8.3.** Sustain and build upon the vitality of the Foreside District

**Objective 8.4.** Protect the working waterfront

**Objective 8.5.** Support creative and viable redevelopment of the Route 1 Corridor (Outlet mall area and Rt. 1 By-pass)

**Objective 8.6.** Explore feasibility of development in the business park

PLAN FOUNDATION

9. COASTAL COMMUNITY RESILIENCE GOAL:

Establish short, medium and long term plans to address the effects of climate change, including increased storm frequency and strength, coastal erosion and rising ocean levels, and transition of both public and private energy consumption to low and zero impact methods

**Objective 9.1.** Establish plans to address the effects of climate change.

**Objective 9.2.** Reduce energy consumption and transition to low and zero impact methods.

**Objective 9.3.** Provide education and incentives to protect the environment and improve quality of life.



*View from Fort McClary State Park*

## SECTION 2: RECOMMENDATIONS



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## INTRODUCTION TO PLAN RECOMMENDATIONS

# INTRODUCTION TO PLAN RECOMMENDATIONS

## OVERVIEW

At the first meeting with the Comprehensive Plan Update Committee, we asked the members what they would consider to be a successful outcome of the planning process. In different words, all those seated around the table said the same thing – that they would consider the Plan a success if it was able to engage residents to identify their shared values and then to forge enough consensus so that the Plan could be carried forward to implementation.

In the end, the success of any plan will depend on its feasibility, the capacity for the Town to implement and the support town officials and others have moving forward. The implementation plan collates the recommendations and presents them in a format that is useful and useable by those charged with taking action. An attempt is made to assign priorities to strategies with the recognition that these may change due to unforeseen challenges, opportunities or other factors. Therefore, these priorities should be revisited and adjusted as the Town moves forward.

Due to the fact that there may be some disagreement among residents regarding the degree to which government should

manage and be involved in what some see as the jurisdiction of private decision-making, it may take time to gain consensus on some of the recommendations that require local government

This chapter is comprised of the following sections:

### INTRODUCTION AND OVERVIEW

- Overview
- Goals
- State of Maine: Growth Management
- Implementation Tools and Capacity
- Regional Cooperation
- Three Best Practice Planning Principles
- Top 25 Key Recommendations
- Concept Map
- List of Ripe Apples (Low Hanging Fruit)

action. This, in combination with the fact that Kittery is a small town with limited resources may mean that some of the recommendations may take more time to implement than may be desired. In this case, we recommend patient, perseverance and above all a continuation of the community conversation. This Plan continues to promote the main theme of the 1999/2000 Comprehensive Plan, that is that *“The guiding principle of the Town’s effort to manage land should be to encourage a development pattern that maintains the historical pattern of a built-up center, traditional moderate density neighborhoods, and open outlying areas. To facilitate this pattern, the Town should focus on directing development to vacant or underutilized areas within the built-up area*

## INTRODUCTION TO PLAN RECOMMENDATIONS

*that are served or can be served by public water and sewer service or to designated areas on the fringe of the built-up area where public water and sewer service is or can be provided and on directing development away from areas with natural constraints for development, undeveloped shorefront areas, and areas in which public services are not available.”*

**Coming to consensus about a desired future and then being proactive and assembling useful tools for the implementation of the identified action steps are critical for the viability of a Comprehensive Plan.**

### GOALS

The following is the Implementation Plan for the Comprehensive Plan. It represents the core of the Plan and is organized around the TOPIC AREAS and GOALS listed in the text box on the next page.

The recommendations were developed based on significant public input and articulate the objectives of the shared vision expressed by the hundreds of Kittery residents, town officials, and business owners that participated in this comprehensive planning process. The recommendations also reflect best practice and address state requirements. They also incorporate relevant strategies from the previous Comprehensive Plan (1999).

This implementation plan is a road map for the future. This section is a comprehensive long-range set of guidelines that sets the direction for development and future growth of the Town of Kittery. The information contained in this chapter is intended to

### GOALS

To protect the town’s character by preserving and protecting **HISTORIC FEATURES, AND CULTURAL AND ARCHAEOLOGICAL RESOURCES** and promoting an awareness of the Town’s unique history.

To protect Kittery’s **NATURAL RESOURCES** including watershed, fresh water, wetlands and vernal pools, agricultural and forest resources, open space and recreation.

To support desirable **ECONOMIC DEVELOPMENT**, reduce dependence on Portsmouth Naval Shipyard, and increase the Town’s tax base while also providing local jobs.

To provide a range of **HOUSING** types to meet the needs of individuals throughout the lifecycle and to support residents with a diversity of incomes.

To improve safety and ease of **GETTING AROUND TOWN** and better connect the “pieces” of Kittery. Also provide safe and pleasant alternatives to automobile travel with safe and pleasant bike and walking paths.

To protect the Town’s **COASTLINE**, the working waterfront, and ensure appropriate access and enjoyment of the water while protecting it from environmental impacts.

To improve **TOWN GOVERNANCE**. Provide quality **MUNICIPAL FACILITIES and SERVICES**

To ensure that regulations support the desired **LAND USES**.

To establish short, medium and long term plans to address the effects of climate change for **COASTAL COMMUNITY RESILIENCE**, and to transition to low and zero impact energy methods



## INTRODUCTION TO PLAN RECOMMENDATIONS

guide decisions with regard to land use and other related issues in a manner compatible with the Town's character.

Under each goal, a series of objectives provides more detail regarding aspects of these. For each policy directive, a number of strategies are listed outlining the HOW to achieve each of these. At the end of the section, **Implementation Tables** provide additional guidance, including ideas regarding action steps and existing resources.

The Tables present strategies and action steps phased to help achieve the goals and objectives. For each of these, a LEAD is identified whose responsibility includes inviting PARTNERS (both those listed as well as others that may become relevant) to initiate action.

The direction set by the vision and goals developed with input from the public and the Comprehensive Plan Update Committee are also intended to inform the Town's zoning which must be reviewed with a critical eye as to whether or not it aligns with these objectives. Each regulatory change as well as expenditures identified in the recommendations will require further discussion and review by the public and a vote by Town Council. Therefore, the recommendations are only intended to provide the starting point for these discussions and in some cases will require further study, public input, and additional exploration of potential action steps.

Critical to the implementation of the Plan is the establishment of a **COMPREHENSIVE PLAN MONITORING PROCESS** led by the Town Manager with the purpose of keeping the Plan up to date and providing a "status update" in an annual basis, reporting on

progress and on potential obstacles, providing an opportunity to discuss possible ways of overcoming these.

## STATE OF MAINE: GROWTH MANAGEMENT

Article 1 of the State's Title 30-A Planning and Land Use Regulations Growth Management Program<sup>1</sup> lists the purpose and goals of the Comprehensive Plan's implementation program. See the Appendix for the State of Maine's Growth Management Act Comprehensive Review Criteria for each topic area. The implementation section addresses these in full.



<sup>1</sup> <http://legislature.maine.gov/statutes/30-a/title30-Asec4312.html>

## INTRODUCTION TO PLAN RECOMMENDATIONS

The State Planning Office identifies three reasons to create a Comprehensive Plan consistent with Maine's Growth Management Act; these are<sup>2</sup>:

1. Legal Protection for the Town's ordinances.
2. To qualify for certain state grant and loan programs; examples include:
  - Community Development Block Grants
  - Land for Maine's Future
  - Municipal Investment Trust Fund
  - DEP 319(h) Non-Point Source Protection Grants
  - DEP State Revolving Loan Fund
  - SPO Plan Implementation Grants
  - Land and Water Conservation Fund
3. "Good planning makes good communities"
  - a. Sustain rural living and vibrant village centers
  - b. preserve healthy landscape and walkable communities
  - c. balance economic prosperity with quality of life
  - d. protect working waterfronts and community farms
  - e. develop discussion among neighbors
  - f. develop a basis for sound decisions in town management

<sup>2</sup> <http://maine.gov/dacf/municipalplanning/docs/reasonsforcompplan.pdf>

### Title 30-A State of Maine: Growth Management Program

- Establish, in each municipality of the State, local comprehensive planning and land use management
- Encourage municipalities to identify the tools and resources to effectively plan for and manage future development within their jurisdictions with a maximum of local initiative and flexibility
- Encourage local land use ordinances, tools and policies based on local comprehensive plans
- Incorporate regional considerations into local planning and decision making so as to ensure consideration of regional needs and the regional impact of development;
- Provide for continued direct state regulation of development proposals that occur in areas of statewide concern, that directly impact natural resources of statewide significance or that by their scale or nature otherwise affect vital state interests
- Encourage the widest possible involvement by the citizens of each municipality in all aspects of the planning and implementation process, in order to ensure that the plans developed by municipalities have had the benefit of citizen input; and
- Encourage the development and implementation of multi-municipal growth management programs.

## INTRODUCTION TO PLAN RECOMMENDATIONS

### IMPLEMENTATION: TOOLS AND CAPACITY

The following is a list and discussion of the Implementation Tools recommended for the Town of Kittery to achieve its vision and set of goals developed to form the basis of the Comprehensive Plan.

- Hire Additional Staff
- Additional Committees, Boards & Committees
- Recruit Volunteers
- Obtain Funding
- Revise Zoning and Adopt New Tools
- Keeping the Plan Up-to-Date
- Regional Cooperation

### HIRE ADDITIONAL STAFF

The Plan recommends hiring of additional staff to help with implementation and meeting the Plan objectives; these include the following:

**Police** – There may be a need to hire additional officers to reflect the daytime census of people in Kittery to include employees at the PNS, shoppers at the Outlets, and visitors especially in the summer months.

**Fire** – Consider transitioning to a fulltime career Fire Department.

Additionally, according to the State of Maine’s Growth Management Act **only communities that adopt a consistent comprehensive plan can...**

- Enact legitimate zoning\*, impact fee, and rate of growth ordinances
- Require state agencies to comply with local zoning standards
- Qualify for preferred status with many state competitive grant programs
- Guide state growth-related capital investment towards locally-chosen growth areas
- Qualify for Site Location of Development Act exemptions for certain growth-area developments;
- Qualify for relaxed MaineDOT traffic permit standards for certain growth-area developments;
- Qualify for authority to issue Natural Resources Protection Act (NRPA) permits; and
- Qualify for authority to issue Site Location of Development Act permits.

*\* Exceptions apply for certain shoreland zoning, adult entertainment, and floodplain management ordinances.*

Consider hiring a full or part-time **Economic Development Officer** or **Planner** to work with the Planning Department and can serve as a liaison to the business community.

## INTRODUCTION TO PLAN RECOMMENDATIONS

Consider hiring a **Grant Writer** can help to stay abreast of available funding.

### ADDITIONAL COMMITTEES, BOARDS, AND COMMISSIONS

One way to increase capacity is to form Committees, Boards and/or Commissions charged with implementing specific aspects of the Comprehensive Plan. The purpose of these Committees is made clear in the Implementation Plan. Additional Committees, Boards, and other organizations recommended to help implement the strategies in the Plan include the following:

- Historic Preservation Commission
- Transportation Advisory Committee
- Housing Committee
- Climate Adaptation Committee
- Energy Advisory Committee (revive)
- Chauncy Creek Watershed Association

### RECRUIT VOLUNTEERS

A concerted effort needs to be made to attract more and new individuals to volunteer on various committees and in other ways to work towards making some of the desired improvements. Additionally, it is important that volunteers be recruited from all segments of the town's population.

Develop clear messaging regarding what the Boards and Committees do, including roles and expectations and information regarding opportunities and benefits of participation in Town governance.

### OBTAIN FUNDING

Many of the Plan's recommendations will require funding. It is also recommended that funds be raised for desired improvements by increasing the commercial tax base. This may be accomplished by providing incentives for additional commercial development and/or expanding the existing commercial districts. Additional sources of funding must be explored in order to fund desired improvements. There may be State funding available for some of the action items. Some of these potential funding sources are identified in the Implementation Table.

### REVISE ZONING AND ADOPT NEW TOOLS

The Town Code should be reviewed and revised to reflect the Future Land Use Plan (as presented in this Comprehensive Plan). The review is also an opportunity to ensure clarity, ease of use, consistency with state regulations. Additionally, it is recommended that the following be considered:

- Consider reducing the number of sub-zoning categories to reflect existing and desired uses
- Review and revise Town Code to address potential impacts of sea level rise and climate adaptation

## INTRODUCTION TO PLAN RECOMMENDATIONS

- Review and revise the Cluster Development requirements to encourage use of this provision of the Code
- Consider adopting an Adaptive Reuse Ordinance to encourage reuse of existing buildings
- Consider adoption of an Inclusionary Housing Ordinance, adjustments to the Accessory Dwelling Unit ordinance, and the adoption of regulations related to alternative housing types- all in order to encourage the creation of affordable housing units
- Explore feasibility of a Transfer of Development Rights ordinance
- Consider adopting contract zoning to encourage specific type of development on particular parcels.
- Review and revise the dimensional standards in the mixed-use cluster provision so as to encourage developers to use it.
- Consider Town policy changes that encourage the use of renewable energy sources.

### Preserving Kittery's town character

Preserving the unique historical, cultural, and natural resources in Kittery is a critical component to maintaining the Town's character. Currently, the Town has very few options for identifying and preserving the historical, archeological, and cultural assets that

exist. Many of these features are discussed in the Historical and Cultural Resources chapter of the Comprehensive Plan, but many of the actions relate back to land use and zoning regulations.

- Use the Comprehensive Plan and Future Land Use Map as a guide for encouraging new development in identified locations, while protecting open spaces, agricultural land, and natural and historical resources.
- Identify regulations that can be amended or added to the Town's land use code that will further the preservation and protection of historic resources, with input from the Planning Board and other stakeholders. If an Historic Commission is established and the town becomes a *certified local government*, amend the zoning to include an historic preservation ordinance.

## FUTURE LAND USE: TWO LAND USE DESIGNATIONS

The Future Land Use Map designates two land use categories.

### GROWTH AREAS

- 75% or more of future non-residential growth is expected
- areas that are or can relatively easily be served by public facilities and services
- are accessible by a variety of modes of transportation
- promote more compact and denser pattern of development
- where there is existing development

## INTRODUCTION TO PLAN RECOMMENDATIONS

### LIMITED GROWTH AREAS

- include land with significant resource constraints to development or use
- areas with important agriculture or commercial forestry use
- areas that lack public utilities and/or are distant from public service
- land that is unsuitable for intense development
- intensive development is discouraged
- protection of rural characteristics priority

### Neighborhood Conservation Overlay Areas

- infill projects that fill out existing neighborhood
- smaller scale development that is in keeping with character of specific context

The three Neighborhood Conservation Areas are:

- Foreside
- Kittery Point
- Admiralty Village

Refer to Topic Area #8 for a more complete discussion of future land use, and to the map on the following page.

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### KEEPING THE PLAN UP-TO-DATE

Generally speaking, municipalities complete a new Comprehensive Plan every 20 years or so. The Comprehensive Plan should be updated or new plan developed, approximately every 10 years.

**ESTABLISH PROCESS TO MONITOR PROGRESS.** The Committee seriously considered recommending the formation of an implementation committee, or in the alternative, in consultation with the Town Manager and Council, creation of a structured process involving the Council, Boards, and Department Heads to periodically (on an annual or biannual basis) monitor, support and report on progress of implementation.

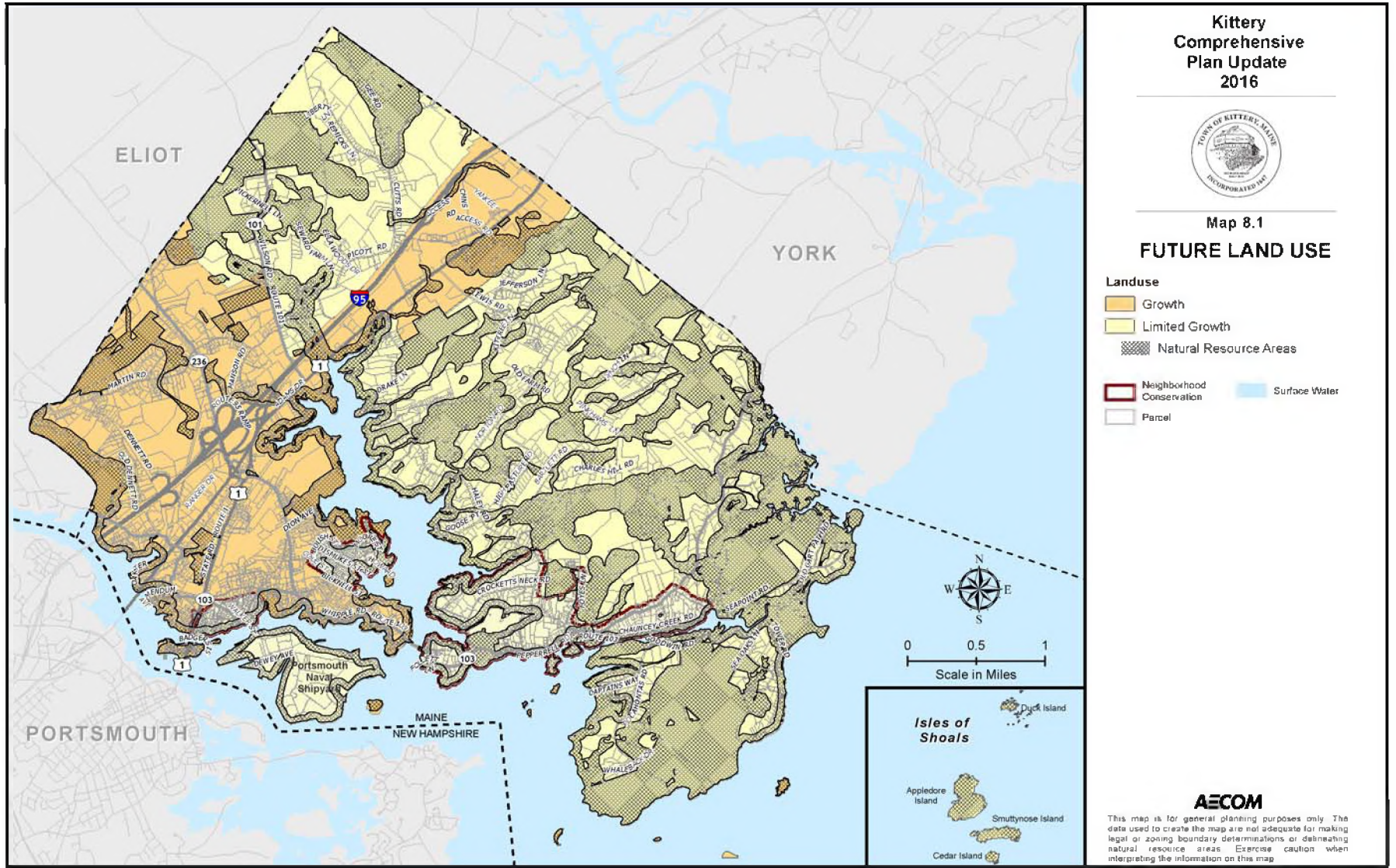
**ANNUAL EVALUATION OF IMPLEMENTATION:** The Town Manager should hold an **annual Summit Meeting** with representatives of existing boards, committees and the Town Council to report on the “State of the Plan” and to discuss progress, hurdles and action plans. The Town Manager should invite all Town Departments, Boards and Committees to an annual Summit Meeting where a “State of the Plan” address would be made to the Planning Board and Town Council and all participants could report on progress and any obstacles to progress they may encounter.

The Evaluation should include a review of the following:

- The degree to which future land use plan strategies have been implemented
- Percent of municipal growth-related capital investments in growth areas
- Location and amount of new development in relation to community’s designated growth areas, rural areas, and transition areas (if applicable)
- Amount of critical natural resource, critical rural, and critical waterfront areas protected through acquisition, easements, or other measures.

INTRODUCTION TO PLAN RECOMMENDATIONS

FUTURE LAND USE IN KITTERY



## INTRODUCTION TO PLAN RECOMMENDATIONS

## REGIONAL COOPERATION

Another way of increasing the capacity to implement a municipality's goals and objectives is through the collaboration with surrounding communities. Regional cooperation is desirable for a number of ways including sharing resources, increasing efficiency and improving the ability to tackle issues that are regional in nature. This section summarizes on-going efforts at regional cooperation and identifies future opportunities to do so.

As the southernmost coastal municipality in Maine, Kittery functions as the link between New Hampshire as the southern gateway to the entire State. Kittery is a home rule municipality governed by a Town Charter. Its local government, businesses, and residents, regularly work with neighboring communities to deliver services, manage natural resources and address economic needs.

The town's location on the Piscataqua River across from Portsmouth has meant that early in its history Kittery has had strong ties to the sea, to fishing, and to shipbuilding. This relationship remains today. Portsmouth Naval Shipyard, a major submarine repair and refueling facility on Seavey Island in Kittery is a continuation of this heritage.

Geographically and economically, Kittery is strongly tied to the Greater Portsmouth economy. The U.S. Census Bureau as the Portsmouth Metropolitan Statistical Area (MSA) identifies this area. More than 3,000 residents routinely commute outside the town for employment. In addition, its proximity to "tax-free" New Hampshire helps shape much of its local economy as retailers of items such as electronics, appliances and furniture reportedly rarely



locate in town. Many residents travel across the river for shopping, services, and entertainment.

At the same time, Kittery has served as a major employment center largely at the Shipyard. More than 6,000 workers commute in Kittery daily from a broad region extending into Massachusetts, New Hampshire and north and west into Maine.

Kittery also functions as the tourist and principle economic gateway to Maine. With both I-95 (the Maine Turnpike) and U.S. Route One entering Maine in Kittery, the town has long played a role in



## INTRODUCTION TO PLAN RECOMMENDATIONS

welcoming and servicing both the commercial traveler and the tourist. Over the past couple of decades, this role has been greatly changed and expanded with the development of the factory outlet centers along Route One. The Maine Turnpike Authority projects more than 1.1 billion travelers will cross the I-95 in the next decade<sup>3</sup>.

### REGIONAL SHARED RESOURCES AND FACILITIES

When working on the previous Comprehensive Plan, the Committee was able to review several documents including those prepared by the Southern Maine Regional Planning Commission (SMRPC) to understand what the regional goals were and how Kittery could play a role. The SMRPC was contacted and unfortunately these documents have not been updated, therefore, such a review is not possible.

The Committee working on this Comprehensive Plan determined that Kittery should continue to work with neighboring communities to address both common service needs and issues that transcend individual boundaries. Many of the actions listed below are on-going efforts also identified in the 1999/2000 Comprehensive Plan.

#### Climate Adaptation and Preparedness

It is strongly recommended that Kittery join the regional coalition of surrounding coastal communities (New England Climate Adaptation Project) to work together around issues of sea level rise. Also Kittery should access State resources to help with this effort. For example, the State of Maine has developed a Debris Management

<sup>3</sup> from Town of Kittery, Comprehensive Plan 2015-2025 Draft

Plan that establishes the necessary framework to prepare for and respond to State and local disaster events that generate disaster debris<sup>4</sup>.

It is also recommended that Kittery develop a regional approach to addressing the potential impacts of climate change by collaborating with neighboring communities to among other things:

- Monitor wildlife in specific locations
- Collaborate on control of invasive plant and animal species
- Standardize review and controls for shorelands and structures and activities affected by sea level rise

#### Energy Consumption

It is recommended that Kittery collaborate with area towns to develop renewable and sustainable energy sources, technologies, etc. with the goal of transitioning to low and zero impact energy sources.

#### Transportation Planning

Transportation networks are by definition regional and so making improvements should be approached on a regional basis when possible and appropriate or relevant, including:

<sup>4</sup> Maine Emergency Management Agency, The Comprehensive Debris Management Plan, Feb. 21, 2014, <https://app.box.com/s/owxgplpwj6q8c8jx1x5zhcnsdicmkawq/1/7950557617/66189138813/1>

## INTRODUCTION TO PLAN RECOMMENDATIONS

- **Mass Transit Service.** There currently is no scheduled bus service in Kittery. Past efforts to establish service have not been supported. However, changing employment patterns with the privatization of shipyard facilities, trolley service at the malls, and changing patterns of transportation may result in growing interest in trying to establish local bus service on a limited basis. The Town should support regional efforts to explore the need for bus service and possible regional approaches to meeting this need.
- **Coordinate Community and Regional Needs.** Coordinate efforts to improve safety, efficiency and optimal use of the regional transportation system. Actively participate in the regional and state transportation and land use planning efforts including KACTS, KEYS Coalition, and other regional transportation-oriented groups.
- **Regional Bicycle Routes.** The Town of Kittery has actively supported the development of the Eastern Trail as a regional bike path. The Town should continue to work with other municipalities, KACTS, and RTAC to develop a coordinated system of bicycle routes within the Portsmouth and southern Maine area.
- **Boat Taxis.** Explore opportunities for water-based visitation to Kittery, such as a water-taxi from Portsmouth, and to provide a docking location for existing boat trips (such as the various harbor tours) to drop off visitors in Kittery. This would need to be coordinated with the City of Portsmouth.

### Open Space Planning

The Town should work cooperatively with adjacent communities, private conservation organizations, and the Southern Maine Regional Planning Commission to develop a regional open space plan that links open spaces in the individual communities into a regional system with connections as appropriate.

### Affordable Housing Initiatives

Because of the diversity of the community's housing stock, there is concern that Kittery could become the only community with a reasonable supply of affordable housing in the region. Kittery should take the initiative to promote a regional approach to assuring that there is an adequate supply of affordable housing in southern Maine and that each community does its fair share in meeting this need.

Seek ways to work with surrounding communities (including South Berwick, York and Eliot) and relevant non-profit groups to address regional affordable housing needs. This could include applying for grant funding for the study of regional affordable housing issues and/or for specific affordable housing initiatives. Examine the potential benefits of establishing a regional housing authority to serve the mutual needs of the neighboring communities (York, Eliot and South Berwick). This might be especially helpful in efforts aimed at addressing housing needs for seniors.

### Intra-local Agreement

Kittery and area legislators were instrumental in the 2011 passage of LD433, an act to permit New Hampshire employees to exempt

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income derived for services to Maine municipalities under a formal intra-local agreement, as long as Maine towns do not use such agreement to replace Maine jobs. The act enables cross border access to an occasional temporary need for specialized services, as well as other opportunities otherwise unavailable.

### Natural Resources

It is recommended that the following regional efforts are continued and/or initiated with regard to the preservation of the area's natural resources:

- The watersheds of a number of Kittery water bodies extend into Eliot and York. Sound watershed management requires that the entire geographic area of the watershed be addressed. The Town should continue to work with the Town of Eliot to manage development in the Spruce Creek watershed to allow improvement in the estuary's water quality and initiate efforts to work with the adjacent community on joint watershed management for the other water bodies.
- Continue to explore ways to work with its neighboring communities on improvements necessary to comply with emerging stormwater standards
- Continue and seek to increase involvement in conservation initiatives, including, but not limited to, the efforts of the Rachel Carson preserve, Maine Heritage Trust, and the Mt. Agamenticus- to-the- Sea conservation initiative

- Work with the Public Works and Sewer Departments, the Kittery Water District, Conservation Commission, Shellfish Commission, and the NGO Spruce Creek Association to improve the Spruce Creek Watershed and regional efforts to protect the quality of and access to the Piscataqua River.
- Coordinate efforts with Kittery Water District and surrounding towns, monitor land use issues and impacts concerning the regional water supply.
- Cooperate with neighboring communities and regional/local advocacy groups to protect water resources.

### Agricultural and Forest Resources

- Encourage opportunities for farms and community-supported agriculture in Kittery and participation in a regional farmers market in collaboration with surrounding towns.
- Support the efforts of the numerous conservation organizations working in southern Maine of the St. Agamenticus to the Sea Conservation Initiative to protect and promote greater understanding of the geographical and biological interconnections within the Mt. A region.

### Recreation

Many of Kittery's recreational resources are enjoyed by a large number of non-residents, people from surrounding towns and from farther afield. These include the following: Kittery Community

## INTRODUCTION TO PLAN RECOMMENDATIONS

Center offers programming to non-Kittery residents, Fort McClary, Fort Foster, Isles of Shoals Moorings<sup>5</sup>, Town Forest, Rachel Carson National Wildlife Refuge, beaches and walking trails.

An opportunity exists to connect Kittery's walking trails to adjacent trails to form a more complete network of trails. The Southern Maine Regional Planning Commission recently completed a study for Developing An Integrated Trail System in York County.<sup>6</sup>

### Economic Development

Kittery should continue to explore ways of working regionally to attract businesses, create jobs, and increase economic vitality in Town. It is proposed that the Town of Kittery:

- Continue to examine opportunities to work with surrounding towns on regional economic development strategies which result in the sharing of both costs and benefits in potential projects and services.
- Continue to participate, via the Economic Development Committee, in regional development organizations such as, but not limited to SMEDD and the Greater York and Portsmouth Chambers of Commerce

<sup>5</sup> Gosport Harbor at the Isles of Shoals is bisected by the Maine - New Hampshire state line. Moorings are located on both sides of the boundary and the number has been increasing in recent years. To avoid conflicts, the Kittery Port Authority works with the New Hampshire Port Authority to coordinate the number and placement of moorings in Gosport Harbor.  
<sup>6</sup>[http://www.smrpc.org/images/Projects/Trails/Developing\\_an\\_Integrated\\_Trail\\_System\\_in\\_York\\_County.pdf](http://www.smrpc.org/images/Projects/Trails/Developing_an_Integrated_Trail_System_in_York_County.pdf)

- Be an active member in the Southern Maine Economic Development District (SMEDD) that includes towns in both York and Cumberland Counties. SMEDD offers local businesses access to revolving loan funds and technical assistance that are not available through other sources. It also has the potential to spearhead regional solutions to economic issues
- Engage in the effort (with Eliot, York, South Berwick, North Berwick and Wells and funded through a community development block grant) to examine possible areas of municipal cooperation in economic development, public facilities and services and, possibly, other ventures as well
- Together with area towns, explore the possibility of state legislation that would allow municipalities to retain a portion of the State sales tax collected by businesses in the community or impose a local sales tax option to be retained by the municipality to help mitigate impacts

### Public Facilities and Services

It is recommended that the following regional efforts are continued and/or initiated with regard to Public Facilities and Services:

- Joint dispatch for fire and police will continue and will be expanded to include Eliot, Berwick, and South Berwick.
- The Kittery Fire Department has signed mutual aid agreements with surrounding cities and towns and is very active in the Seacoast Chief Fire Officers Association – A

## INTRODUCTION TO PLAN RECOMMENDATIONS

Mutual Aid District. Agreements also exist with the Portsmouth Naval Shipyard for automatic mutual aid and discussion in on-going with the towns of York and Eliot to establish automatic mutual aid between the three towns.

- Expand regional cooperation in waste reduction and recycling (e.g. consider regionalizing recycling with the Town of Eliot)
- Consider consolidating water supplies with York Water District
- Consider connection to South Berwick Water District
- Continue to upgrade town GIS mapping capabilities and maintain the latest environmental and natural resource information supplied to the town by state, federal and regional agencies
- Continue to work with surrounding communities, and to the extent that is feasible, develop a mutually beneficial regional approach to the provision of services.
- Southern Maine Planning and Development Commission's Cooperative Purchasing Program provides the region's municipalities, non-profit agencies, and school districts a way to save money and time for municipal services and products. As a group; working in conjunction with Greater Portland Council of Governments (GPCOG), municipalities, non-profit agencies, and school districts use collective buying power to reduce prices on everyday supplies and

seasonal services, and at the same time, reduce administrative costs<sup>7</sup>.

### CONSISTENCY WITH REGIONAL GOALS

Kittery's goals and objectives or policies set forth in this plan compare favorably to the regional policies, especially those in neighboring communities due to information exchange and collaboration with those municipalities. No conflicts are apparent with any neighboring community policy. Should any surface during implementation of this program, Kittery will coordinate a resolution with such community.

Representatives from the Town should regularly participate in multi-town, regional and state-wide organizations and events that address issues that affect the local government and the community. Kittery should be a member of such organizations, communicate with them on a regular basis and attend any relevant events.

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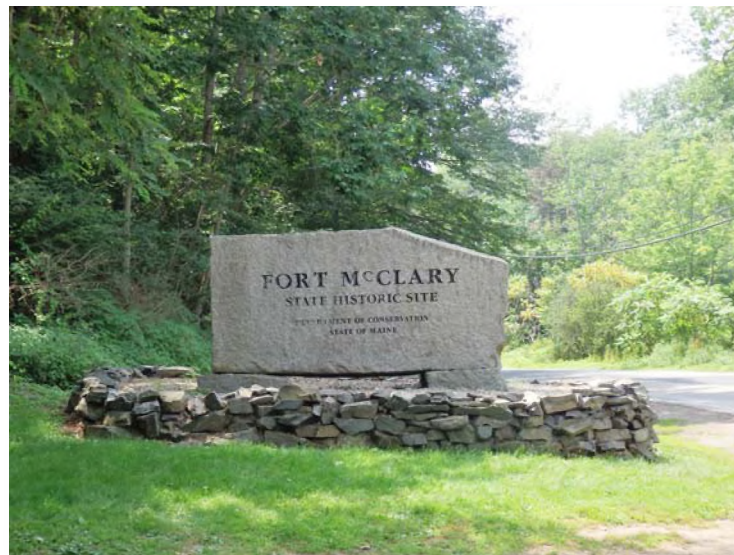
<sup>7</sup> SMRPC Cooperative Purchasing Program, see: <http://www.smrpc.org/index.php/cooperative-purchasing>

## INTRODUCTION TO PLAN RECOMMENDATIONS

Coordinate land use strategies with other local and regional land use planning efforts where appropriate. Meet with neighboring communities to coordinate land use designations and regulatory and non-regulatory land use strategies. Be aware of regional planning efforts.



*Representing the future we are planning for, one of the youngest participants at the public forum on May 12, 2016 says he likes “looking at the lights at night on the bridge.”*



## INTRODUCTION TO PLAN RECOMMENDATIONS

### THREE BEST PRACTICE PLANNING PRINCIPLES

New policy initiatives included in the Comprehensive Plan or in Kittery's Town Code strive to be grounded in principles of sustainability. Broadly, sustainability is a concept that recognizes the **interrelatedness** of the energy, environmental, economic development, and civic health of the Town, and the importance of ensuring that future generations can enjoy the resources that exist in Kittery today. These are understood further by thinking about the following three main principles:

- Environmental Stewardship
- Economic & Social Vitality
- Health & Wellness

**Environmental Stewardship:** Recommendations help Kittery to prepare for climate change, sea level rise, and preserve wildlife habitat, thus supporting a long-term sustainable future and stewardship of natural resources, including land preservation.

- Do recommendations promote the use of renewable energy sources throughout Town?
- Do they promote sustainable land use patterns?
- Are there recommendations regarding how the Town can lead by example including ways in which municipal facilities and services can be more environmentally-sensitive?
- Are there recommendations regarding how the Town can encourage private property owners to adopt more sustainable measures?

**Health and Wellness:** The Plan should promote the health and wellness of Kittery's residents and of the community as a whole.

- Do recommendations promote the health and wellness of the people who live, work and play in Kittery?
- Do they support the health of the community as a whole?
- Do they provide opportunities for fitness as a part of everyday life, healthy lifestyle choices, support the recreational needs of all ages, opportunities for life-long learning and the building of social capital?
- Do they support the creation of safe and accessible public spaces for various ages and abilities?
- Are there recommendations that address the specific needs of different age groups (especially those of youth and of the elderly)?

**Economic and Social Vitality:** The Plan should support the long-term economic and social vitality of Kittery.

- Do the recommendations promote the Kittery's ability to support a diverse community?
- Do they protect and promote Kittery's unique historic resources?
- Do they foster a strong local economy, local agriculture and food production, and also protect water dependent businesses?
- Do they protect Kittery's unique culture?
- Do recommendations support municipal investment in critical infrastructure to support and encourage desired development in desirable locations?
- Are there provisions to encourage and include the continued engagement of Kittery's residents in determining the character of their community and in determining its future direction by being involved in decision-making regarding the Town's future development?

## INTRODUCTION TO PLAN RECOMMENDATIONS

A list of the Plan’s Top 25 Key Recommendations is presented next, followed by a listing of “Ripe Apples,” that is, low cost, relatively easy to implement actions to keep momentum going as well as inspire faith in the Comprehensive Plan.

### LIST OF 25 KEY POLICY RECOMMENDATIONS

The following is a list of the 25 Key Recommendations of the Plan. They represent the town’s policies that help achieve the goals as articulated in the Comprehensive Plan. The policy recommendations were selected based on professional opinion (an assessment of existing conditions, future trends, and best practice), and what the public and the Steering Committee seemed to feel was most important.

**Numbering does not in anyway indicate priority.** The numbers in parenthesis correspond to the relevant strategy(s) in the Implementation Tables.

1. Complete a **CLIMATE ADAPTATION STUDY** to plan for the potential impacts of sea level rise and prepare for extreme weather events (9.1.1. and 9.1.2. and 8.1.4.)
2. Working with the Kittery Land Trust, develop a **STRATEGY FOR OPEN SPACE ACQUISITION**, setting priorities for parcels to be included. (8.2.1)
3. 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. (3.4.1. and 8.5.1.)
4. Develop a long-range plan for the **LIBRARY** (7.2.1.) including where the library will be located (renovation and expansion on existing site, new building on other site) and whether the Library should become a Town Department.
5. 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, ensure appropriate recreational **access to the waterfront**, and increasing awareness of existing resources. Updating the Sidewalks Conditions Report and developing a Bike Plan are among the specific steps recommended. (7.2.5. and 5.2.1. and 2.2.1. and 2.2.5. and 2.2.8. and 6.1.5)
6. Engage in targeted outreach to **BUSINESS AND INDUSTRY SECTORS** marketing Kittery’s economic development areas. Marketing should include continuing to update and improve the Economic Development website (3.2.2. and 3.3.3.)
7. Ensure historic properties, including buildings and landscapes, are preserved and explore the establishment of **HISTORIC DISTRICTS** and development design guidelines to further the properties’ protection (1.1.5.)
8. Reduce **DOG WASTE** at area open spaces through enhanced enforcement and public education (6.3.6. and 2.2.3.)



## INTRODUCTION TO PLAN RECOMMENDATIONS

9. 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 (2.1.5, 2.2.9 and 2.1.10)
10. **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 (2.1.1.) As one way of preserving Kittery's rural character, review and revise the **cluster zoning bylaw** and provide incentives for developers to use the bylaw (2.1.4. and 4.2.3. and 8.2.2.)
11. 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 (e.g. Dock to Dish program connecting fishermen to local restaurants). (3.5.3. and 6.2.1.)
12. Review and revise **TOWN CODE** so that it supports the implementation of the Comprehensive Plan goals and objectives, is clear, promotes best practice, and is easy to use (7.1.2. and 8.1.1.)
13. Develop a Plan for Town facilities and property owners to transition to **LOW AND ZERO IMPACT ENERGY SOURCES** (9.2.1. and 9.2.2.)
14. Use the **COMPREHENSIVE PLAN AND FUTURE LAND USE MAP** as a guide for encouraging desirable new development in identified appropriate locations, while protecting open spaces, agricultural land, and natural and historical resources while keeping in mind that climate change and areas at risk will change the overlay map (8.1 and 8.2. and 8.4.)
15. Educate residents about town planning roles and processes and ensure that **PLANNING AND TOWN MANAGEMENT PROCESSES** are open, transparent, informative, inclusive, respectful and welcoming (7.1.1. and 7.1.2.)
16. Review, update and incorporate where appropriate, the recommendations from the **FORESIDE** Forums. (3.1. and 8.3. ). Residents have expressed much enthusiasm for recent improvements in the Foreside and support for future infill development that is appropriate in scale and activity.
17. 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 (5.4.1. and 5.4.2)
18. Provide more support and visibility to the work of **LOCAL ARTISTS** by expanding exhibition venues and providing a mechanism to support arts-related businesses, including non-profits. (1.3.1.). Artists are seen to provide a uniqueness to Kittery and residents expressed a desire to provide additional support and visibility.

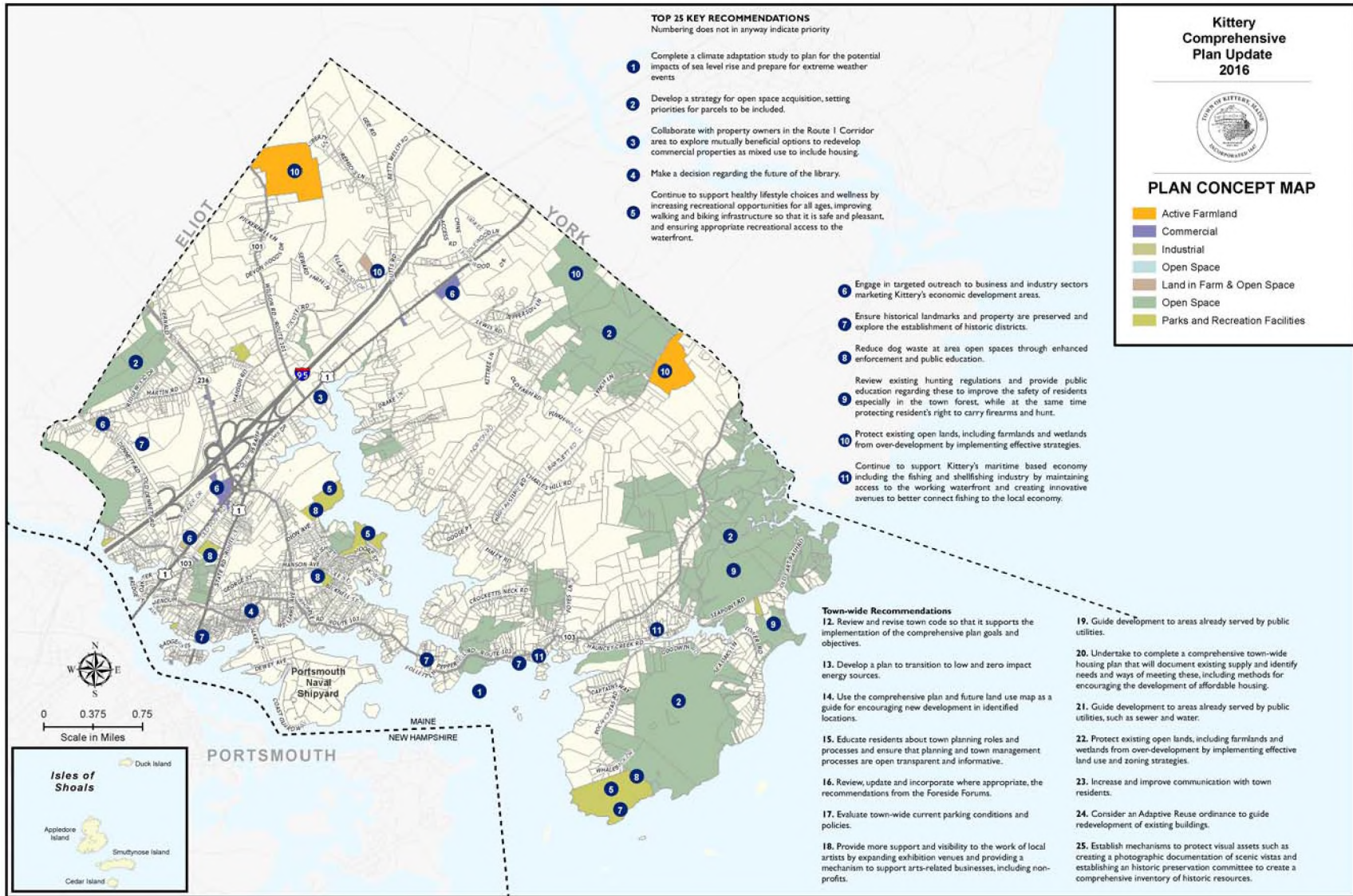
## INTRODUCTION TO PLAN RECOMMENDATIONS

19. **GUIDE DEVELOPMENT** to areas already served by public utilities (8.1.2.), resulting in a more efficient and cost-effective use of these public services.
20. 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.). (4.1.1. and 4.1.3. and 4.2.2.)
21. Develop a **COMPLETE STREETS POLICY** to identify needed and appropriate improvement in order to accommodate all modes of transportation to accommodate all including people with special needs (5.2.3.). This will result in reducing pollutants to the environment and in providing safe healthy options for residents to get around, mainly by walking and biking.
22. Increase awareness in residents and business owners with regard to the **EFFECTS OF POLLUTANTS, PESTICIDES, AND STORMWATER RUNOFF** (6.3.1.) and evaluate Town Code regarding the **use of pesticides and herbicides with chemicals, in waterfront areas and town-wide** (6.3.2.). Providing information and incentives for greener practices will help to mitigate these environmental hazards.
23. Increase and improve **COMMUNICATION** with Town residents (7.1.3.). 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.
24. Consider an **ADAPTIVE REUSE ORDINANCE** to guide redevelopment of existing buildings (8.1.6.). 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.
25. 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** 1.1.1 and 1.1.6). These are the first steps in helping to protect and promote the visual assets that contribute to Kittery's uniqueness (1.3.3 and 1.3.4).

NOTE: Not all number one priority recommendations make the list of "Top 25 Recommendations."

INTRODUCTION TO PLAN RECOMMENDATIONS

CONCEPT PLAN MAP: 25 TOP KEY RECOMMENDATIONS



## INTRODUCTION TO PLAN RECOMMENDATIONS

## LIST OF RIPE APPLES (LOW HANGING FRUIT)

**HISTORIC AND CULTURAL RESOURCES**

- Launch an education and advocacy effort to **inform residents about options for preserving and protecting historic resources.**

**NATURAL RESOURCES AND RECREATION**

- Complete an **inventory of open spaces** in Kittery.
- Add **hunting regulations** to the Town website and the Town kiosk so that residents are more informed of policies.
- Consider endorsing York River Committee's efforts to designate the **York River Watershed** as a Federal Wild and Scenic River with the Mt. Agamenticus-to-the-Sea Initiative.
- Update the inventory and photographic record of **scenic vistas and views.**
- Increase awareness regarding **dog feces ordinance** and erect more signs with regulations pertaining to the conduct of dogs and their owners on beaches and other open spaces.
- Create an on-line and printed **guide to the recreational resources** of Kittery and make them available to residents and visitors.
- Establish a new committee, revive the defunct **Energy Committee**, and/or team up with the York Energy Committee and design a sustainability policy and plan for the Town.

**HOUSING**

- Undertake a **Housing Plan** to study supply, demand and strategies to encourage a variety of housing types and price points.
- Create a **Housing Committee** or Housing Trust to oversee implementation of the Housing Plan.
- Provide incentives for developers to take advantage of Kittery's **cluster zoning ordinance**, particularly if affordable housing is provided.
- Ensure site plan review includes a focus on **new development restricted to seniors**, and includes consideration of safe walking distance to nearby amenities and a local public transit option.

**ECONOMIC DEVELOPMENT**

- Initiate contact with local businesses to gauge interest in the formation of a **local business association.**
- Together with businesses and residents, **identify priorities from Foreside Forum** for implementation.
- Continue to regularly update the **Economic Development Committee website** with information and promotional materials.
- Create a paper and on-line **permitting guide** that is easy for small businesses to use.
- Invite the business owners of the **Rt. 1 Corridor, Bypass, and Outlet Mall area** to explore future redevelopment options, including encouraging mixed use (e.g. housing on upper stories above retail).

## INTRODUCTION TO PLAN RECOMMENDATIONS

**TRANSPORTATION**

- Consider forming a **Transportation Advisory Committee** to identify and evaluate transportation improvements.
- Develop a **Complete Streets Policy** to accommodate all modes of transportation, for all ability levels, in a safe and attractive way to encourage more walking and biking.
- **Stripe on-street parking spaces** on public roadways.
- Identify ways for better management of existing parking spaces, e.g. consider **off-site remote parking for employees**.

**MARINE RESOURCES**

- Review, update and promote existing materials/information on **navigating Kittery's waterways**.
- Compile **list of waterfront locations** (e.g. launching sites, etc.) suitable to include on a map (considering that this may result in increased usage).
- **Encourage non-motorized visitors** to environmentally-sensitive areas by installing bike racks and bike/pedestrian paths.
- Conduct **outreach to commercial fishermen and boat operators** to determine their needs, desires, and concerns.
- Prepare educational materials summarizing Kittery's water quality challenges and the **effects of pollutants and pesticides**.
  - *Reduce lawn chemicals throughout education and incentives*

**GOVERNANCE, PUBLIC FACILITIES AND SERVICES**

- Actively **recruit volunteers** from demographics that are missing or underrepresented on current committees.
- Identify areas of potential collaboration and potential **regional partners**.
- Identify additional areas of potential **collaboration with the PNS**.
  - *Enforce PNS speeding violators in Kittery. Increase police presence in coordination with PNS*
- Explore ways of increasing Town Department efficiencies and effectiveness by further **collaborating across departments**.
  - *Post all town documents on-line*
- Support the School Department's efforts to participate in **Service Learning** in the community.
- Support the **Kittery Community Center's efforts to expand programming** by increasing elder-oriented programs, teen programs, and services for pre-schools including infants and toddlers.
- Conduct **outreach to include youth** in the planning processes.
- **Increase use of cable TV** for the dissemination of information.

**LAND USE**

- Work with the Kittery Land Trust to create a **prioritized list of parcels for open space acquisition** should there parcels come up for sale.
  - *Land prioritization... including areas for marsh migration and with "Blue Carbon" (marine soil sequestration) in mind.*

## INTRODUCTION TO PLAN RECOMMENDATIONS

- Revisit **cluster ordinance** to ensure it is maintaining the goal of open space preservation.
- Consider increasing the minimum lot size in the **Rural Residential zoning district** to help protect additional open space.
- Determine what uses would be desirable and marketable in the **Business Park** and make updates to the base zone that reflect those uses.
- Include parking reduction and shared parking strategies in the Kittery **Foreside Mixed-use zoning district**.

friendly choices in the goods and services bought and sold.

- Increase **involvement of the schools in environmental stewardship** efforts.
- Explore ways of increasing the amount and range of **materials recycled**.
- Provide **recycling bins** in public places.
- Consider a **ban on plastic bags and plastic water bottles**.

### COASTAL COMMUNITY RESILIENCE

- Establish a **Climate Adaptation Committee**.
- Join **regional coalition of surrounding coastal communities** to work together around issues of sea level rise.
- Review **area community Climate Adaptation Plans** for ideas and models for developing such a plan for Kittery.
- Collaborate with neighboring communities to **monitor wildlife** in specific locations.
- Develop **town-wide goals regarding energy efficiency** and related benchmarks for public facilities.
- Conduct an **inventory of municipal and school energy use/costs**.
  - Give priority to *Maine grown fuel such as wood pellets (modern wood boilers)*
- Establish a **timeline for converting all Town-owned buildings to renewable energy**.
  - Explore grants to install solar panels
- Develop **educational materials to focus attention on renewable energy** sources, and on making more eco-



IMPLEMENTATION PLAN: TOPIC AREAS OVERVIEW

# IMPLEMENTATION PLAN TOPIC AREAS OVERVIEW

*An implementation Plan sets the direction and charts the course to help a municipality make decisions that are aligned with a community's shared values. It identifies the strategies that help to navigate future challenges and opportunities.*

## CRITERIA FOR SELECTING RECOMMENDATIONS (OBJECTIVES/POLICIES AND STRATEGIES)

Recommendations were developed with input from the following:

- Assessment of existing conditions, opportunities, challenges and predictable trends
- Public input from:
  - public meetings
  - co-urbanize (on-line public forum)
  - youth forum (visioning session at the high school)
  - on-line survey
- Review of relevant recommendations from previous Comprehensive Plan (2000)
- Committee review and input



## IMPLEMENTATION PLAN: TOPIC AREAS OVERVIEW

- Town Department Heads, relevant Committees and Boards review
- State requirements
- Evaluated against three best practice principles
  - Environmental Stewardship
  - Economic & Social Vitality
  - Health & Wellness

The number one criterion was giving highest priority to actions that reflect the public input from the various forums and to those actions that were deemed to best fulfill the vision and goals.

Criteria include:

- Actions that enjoy public support
- Actions that are the first step (e.g. develop a plan) for longer processes
- In some cases higher priority was given to actions that are “low hanging fruit” and could be easily accomplished even though the action may not be on par in importance with the highest priority steps.

### TOPIC AREAS

THE FOLLOWING PAGES PRESENT THE RECOMMENDATIONS OF THE PLAN BY TOPIC AREA:

- HISTORIC, CULTURAL AND ARCHAEOLOGICAL FEATURES
- NATURAL RESOURCES AND RECREATION

### ORGANIZATION OF THE IMPLEMENTATION PLAN

As previously mentioned, this Implementation Plan is intended to serve as a “roadmap” that outlines the strategies and action steps recommended to achieve the **Vision and Goals and Objectives** as developed based on public input.

**Each section** begins with an introduction to the **Topic Area**, accompanied by a **Goal Statement** developed with input from the public process. The relevant **State of Maine goals** are also listed.

**Kittery Voices** is a reminder of the public process and the significant importance given to the public’s input in the formulation of the recommendations.

A list of key **Issues and Implications** provides a summary of the assessment of the existing conditions (based on the Inventory conducted for the Comprehensive Plan. For complete documentation see Volume II of the Plan).

**Key Recommendations** list the Goals, Objectives and Strategies to achieve these.

Finally, there is a brief discussion regarding how the recommendations meet the **three best practice planning principles**.

More detailed **IMPLEMENTATION TABLES** are located at the back of this document. These tables are intended to provide additional guidance for implementing each of the goals and objectives by providing :

- Ideas regarding potential action steps
- Some existing resources
- Information regarding funding when available
- Lead party responsible and potential partners
- Priority/phasing



## IMPLEMENTATION PLAN: TOPIC AREAS OVERVIEW

- POPULATION AND HOUSING
- ECONOMIC DEVELOPMENT
- TRANSPORTATION
- MARINE RESOURCES
- GOVERNANCE, PUBLIC FACILITIES AND SERVICES AND FISCAL CAPACITY
- LAND USE
- COASTAL COMMUNITY RESILIENCE

These sections are followed by **Implementation Tables**, a resource of options, that provide additional guidance for implementing the policy directives.



TOPIC AREA 1: HISTORIC, ARCHAEOLOGICAL AND CULTURAL RESOURCES

# HISTORIC, ARCHAEOLOGICAL AND CULTURAL RESOURCES



*The Lady Pepperrell House, built in 1760 and located on Route 103 in Kittery Point, is a National Historic Landmark and one of the town's most treasured historic resources.*

**STATE OF MAINE Goal:**

to preserve the state's historic and archaeological resources

(Growth Management Act 30-A M. R. S. A. 4312-4350)

**GOAL STATEMENT 1:** TO PROTECT THE TOWN'S CHARACTER BY PRESERVING AND PROTECTING HISTORIC FEATURES AND ARCHAEOLOGICAL AND CULTURAL RESOURCES, AND PROMOTING AN AWARENESS OF THE TOWN'S UNIQUE HISTORY AND CULTURE

**Objective 1.1.** Protect historic and archaeological resources

**Objective 1.2.** Promote Kittery's history

**Objective 1.3.** Support and nurture Kittery's community of working artists

## TOPIC AREA 1: HISTORIC, ARCHAEOLOGICAL AND CULTURAL RESOURCES

### OVERVIEW

Throughout the comprehensive planning process, citizens of Kittery identified the town's rich history and historic character as two of its most important assets. While many outsiders think of Kittery as the flat, paved and unshaded 20<sup>th</sup> century retail area along Route 1, much of the town stands in visual contrast. Kittery Point, the town's earliest settlement, overlooks Portsmouth Harbor, its many 18<sup>th</sup> and 19<sup>th</sup> century homes clustered along the Piscataqua Riverfront. Nineteenth century Kittery Foreside, located along the Back Channel, contains many of the town's historic civic and commercial structures, including the Kittery Fraternal Hall and Rice Public Library. Winding, narrow historic Route 103 connects Kittery Foreside and Kittery Point, and provides visitors with glimpses of historic homes, the working waterfront, and the unspoiled Atlantic coastline. Off the coast, in the Piscataqua and out in the sea, lie several other historic sites, including the Portsmouth Naval Shipyard, the Wood Island Life Saving Station, and Appledore Island. Finally, to the west of Route 1, near the Eliot line, stands the 300-acre Rustlewood Farm, one of Kittery's last working agricultural operations, raising dairy cows. And throughout all of Kittery are many historic homes and landscapes, representing the full spectrum of the town's over 350-year history.

To preserve and protect these historic features, residents of Kittery will need to concentrate on several issues. While the most residents appreciate the appeal of historic buildings and landscapes, not all may understand the extent of the resources' visual impact, contribution to quality of life, or role in fueling the local economy. Some property owners, while committed to



*The Rice Public Library, located on Route 103 in Kittery Foreside, is one of the town's most prominent historic structures and a centerpiece of the historic Foreside area.*

preserving historic buildings, lack the means to do so. The Kittery Naval and Historical Museum/Society, the town's main repository of historical information, is not well-known, and thus an

## TOPIC AREA 1: HISTORIC, ARCHAEOLOGICAL AND CULTURAL RESOURCES

underappreciated resource. Growth of Kittery's community of visual and performing artists, significant players in the local economy and residents' quality of life, will be dependent on the artists' success in securing studio, exhibition and performance spaces.

Topic area #1 of the comprehensive plan focuses on protecting the town's character and promoting its history by encouraging historic homeowners to preserve their properties; to support the work of the Kittery's Naval and Historical Museum/Society; and foster growth of the town's arts community.

*Recommendations for Historic, Cultural and Archaeological Resources were developed based on an assessment of existing conditions, public input, best practice, input from town department heads and relevant boards and committees, as well as a review by the Kittery Comprehensive Plan Update Committee and Kittery Planning Board.*

### KITTERY VOICES: PUBLIC INPUT

Kittery residents participated in the comprehensive planning process through several live and on-line forums, where they freely expressed concerns about the wishes for the future of Kittery. Forums included the following:

- three town-wide public forums
- one on-line survey
- committee presence at several town events
- a continuous conversation on an on-line forum

- comment boards at Town Hall and the Kittery Community Center
- a poll on election day regarding top recommendations

Detailed documentation of the public's input is summarized in the introduction to this report and more fully documented in Volume III of the plan.

### ASSESSMENT OF EXISTING CONDITIONS: ISSUES AND IMPLICATIONS

Topic Area #1 of the comprehensive plan focuses on protecting the town's character by preserving and protecting historic features and cultural resources and promoting an awareness of the town's history and culture, and is consistent with the plan's vision and goals for the future. See Volume II of this plan for full documentation of existing conditions.

- While residents strongly value the town's historic resources and recognize their impact on the character of the town, many residents are unaware of the extent to which they fuel the local economy. An education and advocacy effort can help to better inform residents about the visual and economic value of preserving their historic properties.
- Kittery retains historic buildings and landscapes from throughout the town's over-350-year history, and many of these resources have been preserved. Others, however, have been severely compromised or altogether lost. The town's ordinances do not include provisions for preventing loss of historic buildings (such as demolition delay). By saving and

## TOPIC AREA 1: HISTORIC, ARCHAEOLOGICAL AND CULTURAL RESOURCES

preserving historic structures and sites while, at the same time, repurposing them to meet contemporary needs for commercial, housing and/or other town needs, the town's character will be further preserved

- While Kittery has listed several properties and districts to the National Register of Historic Places, many more historic buildings and landscapes have not been recognized as such. However, the town also lacks a comprehensive inventory of historic resources, or a plan for preserving them.
- The town lacks a volunteer-based entity to serve as a watchdog for historic resources. Creation of an entity, such as an historic preservation commission, can help foster efforts to develop an inventory of historic resources and set priorities for resource protection. Such a group could also advocate for the use of preservation tools such as preservation overlay district(s) and/or Local Historic Districts.
- Two historical institutions -- the Portsmouth Naval Shipyard Museum and the Kittery Historical and Naval Museum/Society -- serve as the main repository for artifacts pertaining to the history of the town. The Maine Room at the Rice Public Library holds additional historic books, maps, and genealogical information, and town documents are held by the Kittery Town Clerk. The town has no official single repository for historical materials.
- The town's military history, a significant part of Kittery's past that draws tourists from across the country, is not being utilized to its full potential to attract tourists. The



*The Kittery Dance Hall, located in Kittery Foreside is one of the town's popular performing arts venues.*

Portsmouth Naval Shipyard holds a significant number of military-related artifacts, but access is required to view this material.

- The town has not taken advantage of state-sponsored programs (such as the Certified Local Government Program) that promote and fund preservation of historic and cultural resources.
- The town's many scenic views, incorporating both historic and natural resources, are currently unprotected by town ordinances. Additionally, ordinances do not regulate fence

**TOPIC AREA 1: HISTORIC, ARCHAEOLOGICAL AND CULTURAL RESOURCES**

height and placement which have potential to obstruct many waterfront views. By protecting the town’s scenic viewsheds, through proactive and creative development regulations (including regulation of fence heights), Kittery can help retain these important visual assets.

- The town’s youth are largely uninvolved in efforts to preserve Kittery’s historic and cultural resources. By sustaining and expanding upon existing education programs, local youth can develop a greater appreciation for local history, and go on to serve as advocates.
- Many visual and performing artists live and work in Kittery and contribute to the economic vitality and quality of life in the town. However, studio, exhibit and performance spaces are limited and the town lacks a mechanism for supporting arts-related start-up businesses. By supporting the local visual and performing arts community, Kittery can fuel the growth of this important piece of the local economy.

**KEY RECOMMENDATIONS**

The following are recommended policy directions for the Topic Area of Historic, Archaeological and Cultural Resources. While not specifically listed, the formation of a Historic Preservation Commission in Kittery was strongly supported by the public, confirming an identical recommendation included in the 2000 Comprehensive Plan and designated as a high priority action step. See the **table** at the end of the implementation chapter for specific action steps for achieving these. The table includes a

partial listing of existing resources, lead and partners to carry out the actions, suggested phasing, etc.

**GOAL STATEMENT 1: TO PROTECT THE TOWN’S CHARACTER BY PRESERVING AND PROTECTING HISTORIC FEATURES AND ARCHAEOLOGICAL AND CULTURAL RESOURCES, AND PROMOTING AN AWARENESS OF THE TOWN’S UNIQUE HISTORY AND CULTURE**

**1.1 PROTECT HISTORIC AND ARCHAEOLOGICAL RESOURCES**

- 1.1.1 Establish a Kittery Historic Preservation Committee;
- 1.1.2 Ensure that new development is in keeping with the context of the neighborhood;
- 1.1.3 Identify and protect the diversity in building and landscape styles that currently make up Kittery’s historic fabric;
- 1.1.4 Establish historic districts to protect significant clusters of buildings;
- 1.1.5 Preserve threatened historic properties from demolition or radical alteration; and
- 1.1.6 Identify and preserve scenic views.

## TOPIC AREA 1: HISTORIC, ARCHAEOLOGICAL AND CULTURAL RESOURCES

### 1.2 PROMOTE KITTERY'S HISTORY

- 1.2.1 Support efforts of the Kittery Naval and Historical Museum/Society to expand operations, programming and facilities; and
- 1.2.2 Educate and raise awareness about the relationship between Kittery's cultural and natural history.

### 1.3 SUPPORT AND NURTURE KITTERY'S COMMUNITY OF WORKING ARTISTS

- 1.3.1 Provide a mechanism to support arts-related business start-ups;
- 1.3.2 Provide an increased number of artists' studio spaces;
- 1.3.3 Provide more visibility to the work of local artists; and
- 1.3.4 Institute a "Percent for Art" program in the construction of public buildings.

### RELATED STRATEGIES FROM OTHER TOPIC AREAS

- 2.1.7 Preserve scenic vistas and views, including scenic roadway corridors.
- 2.2.5 Increase awareness of existing resources and how to enjoy them.
- 8.1.6. Consider adding provisions to support the adaptive reuse of existing historic structures.

8.3.6. Encourage innovative makerspace, (do-it-yourself) DIY spaces that afford artists and small business owners with space to create, invent, and learn in the Foreside, alongside modest retail opportunities for galleries and sales.

**TOPIC AREA 1: HISTORIC, ARCHAEOLOGICAL AND CULTURAL RESOURCES**

**HISTORIC, ARCHAEOLOGICAL AND CULTURAL RESOURCES:  
THREE KEY PLANNING PRINCIPLES**

<p><b>Environmental Stewardship</b></p>	<ul style="list-style-type: none"> <li>• By preserving historic buildings, rather than demolishing them and discarding of the materials used in their construction, Kittery will minimize waste disposal</li> </ul>
<p><b>Health &amp; Wellness</b></p>	<ul style="list-style-type: none"> <li>• By expanding residents’ knowledge of local history and historic resources, Kittery can expand residents’ appreciation for the town, and foster a sense of community pride.</li> </ul>
<p><b>Economic &amp; Social Vitality</b></p>	<ul style="list-style-type: none"> <li>• By creating a supportive environment for visual and performing artists, Kittery can broaden its economic base and at the same time provide opportunities for socializing for Kittery residents, thus building community and social capital, resulting in a more social, vital Town</li> </ul>



TOPIC AREA 2: NATURAL RESOURCES AND RECREATION

# NATURAL RESOURCES AND RECREATION



*Spruce Creek cuts across Kittery from northwest to south, providing a popular recreation spot, as well as a spectacular scenic resource. Protection of its water quality is a high priority for Kittery residents.*

## STATE OF MAINE Goals:

To protect the State's other critical natural resources, including without limitation, wetlands, wildlife and fisheries habitat, sand dunes, shorelands, scenic vistas, and unique natural areas

To protect the quality and manage the quantity of the State's water resources, including aquifers, great ponds, estuaries, rivers, and coastal areas

To safeguard the State's agricultural and forest resources from development which threatens those resources

To promote and protect the availability of outdoor recreation opportunities for all of Maine citizens, including access to surface waters

To encourage orderly growth and development in appropriate areas of each community, while protecting the State's rural character, making efficient use of public services, and preventing development sprawl

(Growth Management Act 30-A M. R. S. A. 4312-4350)

**GOAL STATEMENT 2:** TO PROTECT KITTERY'S NATURAL RESOURCES INCLUDING WATERSHED, FRESH WATER, WETLANDS AND VERNAL POOLS, AGRICULTURAL LANDS, FOREST RESOURCES, OPEN SPACE AND RECREATION

**Objective 2.1.** Protect and preserve critical open spaces for passive recreation, visual impact and preservation of wildlife habitats, coastal (saltwater) wetlands, freshwater wetlands, and vernal pools

**Objective 2.2.** Increase opportunities for recreation

## TOPIC AREA 2: NATURAL RESOURCES AND RECREATION

### OVERVIEW

Throughout the comprehensive planning process, Kittery residents pointed to its natural and scenic qualities as some of the town's most valuable resources. Situated on the Atlantic coast and at the mouth of the Piscataqua River, Kittery possesses outstanding natural resources, including seaside dunes, forested wetlands, evergreen-covered uplands, and rolling farmlands, many of which frame treasured scenic views. These resources provide myriad recreational opportunities, from kayaking along the creeks, to building sandcastles on the beaches, to trekking along forested trails. By making a long term commitment to



The historic 300-acre Johnson Farm, also known as Rustlewood Farm, has been protected through a conservation easement, arranged by the Kittery Land Trust.

protecting these resources, Kittery residents will help ensure a healthier, more environmentally sustainable future for the town, and in so doing, foster a higher quality of life.

To protect the town's natural and recreation resources, residents of Kittery will need to continue to undertake several tasks. First, residents will need to identify critical open spaces, including farmlands, forests and scenic vistas, and enact legal and/or regulatory measures to conserve them. Second, residents will need to commit to maintaining existing recreation sites and establish priorities for creating new ones, including evaluating the recommendations of the recently completed draft Athletic Fields Master Plan (not adopted). Third, the town will need to implement a "sustainability plan," one that aims to conserve energy, clean up waterways, and adhere to environmentally-friendly building and construction practices. Each of these efforts must take into account the town's limited financial resources.

Topic Area #2 of the comprehensive plan focuses on protecting the town's natural resources, open space, and recreation resources by encouraging preservation of critical open spaces, increasing opportunities for recreation, and implementing sustainability measures to protect the environment.

*Recommendations for Natural Resources and Recreation were developed based on an assessment of existing conditions, public input, best practice, input from town department heads and relevant boards and committees, as well as a review by the Kittery Comprehensive Plan Update Committee and Kittery Planning Board.*

## TOPIC AREA 2: NATURAL RESOURCES AND RECREATION

### KITTERY VOICES: PUBLIC INPUT

Kittery residents participated in the comprehensive planning process through several live and on-line forums, where they freely expressed concerns about the wishes for the future of Kittery. Forums included the following:

- three town-wide public forums
- one on-line survey
- committee presence at several town events
- a continuous conversation on an on-line forum
- comment boards at Town Hall and the Kittery Community Center
- a poll on election day regarding top recommendations

Detailed documentation of the public's input is summarized in the introduction to this report and more fully documented in Volume III of the plan.

### ASSESSMENT OF EXISTING CONDITIONS: ISSUES AND IMPLICATIONS

Topic Area #2 of the comprehensive plan focuses on protecting Kittery's natural resources and scenic views, and maintaining the many recreation opportunities within the town, and is consistent with the plan's vision and goals for the future. See Volume II of this plan for full documentation of existing conditions.



*Protection of the Brave Boat Harbor headwaters is a current joint effort of the Kittery Land Trust and Mount Agamenticus to the Sea Conservation Project.*

- Kittery's topography, soils and associated wetlands, as well as shallow depths to bedrock, place limits on the extent of development possible.
- Farmland has all but disappeared in Kittery. Opportunity exists to adopt regulations limiting the amount of farming soils that can be removed from a property, as a means of preserving existing agricultural lands town-wide.

## TOPIC AREA 2: NATURAL RESOURCES AND RECREATION

- Wells currently supply drinking water to many Kittery homes, making preservation of groundwater and aquifer quality critical to the health of the community.
- The town's current cluster development ordinance, as written, may result in unforeseen and unintended loss of valued natural areas, as well as costs to the community. Opportunity exists to protect Kittery's many unique natural areas, including natural communities, habitat focus areas, and essential habitats, while at the same time preserving individual property-owners' rights, through negotiation of easements and restrictions on wetlands and farmlands; purchase of unprotected open spaces; and creation of buffers between developed lands and preserved open spaces.
- The Kittery Outlets, nearly 30 years old, have had a significant impact on the town's environment, and especially the quality of Spruce Creek. Opportunity exists to improve the quality of Spruce Creek through future redevelopment efforts at the Kittery Outlet area.
- The quality of Kittery's recreation areas, including parks, playing fields, and beaches, is negatively affected by dog and horse waste left by pet owners. Several options are available for controlling and processing dog waste in public open spaces.
- Kittery's athletic fields are in high demand, and since 9/11, the general public has not been permitted to utilize the facilities at the Portsmouth Naval Shipyard. The draft *Athletic Fields Master Plan* proposes a phased approach to field management and expansion, and opportunity exists to implement this plan, as needed and financially feasible.
- The existing trail network in Kittery is not well-publicized and many of the trails do not connect. Opportunity exists to create a well-documented non-motorized trail system that runs continuously throughout the town, including conversion of the old trolley bed to a recreational pathway.
- Kittery's existing firearms ordinance permits hunting in some of the town's residential neighborhoods, and some residents have expressed concern about their safety. Opportunity exists to re-visit the existing firearms ordinance so that residents feel safe, while at the same time hunters may continue to pursue their activity.
- Rising sea levels pose a long term threat to development near flood hazard areas, including edges of the town's major surface waters and portions of the watersheds. Currently, Kittery has not adopted a sustainability plan to protect its environmental future, including its surface waters and watersheds. Through the creation and implementation of a sustainability plan, Kittery can conserve energy, protect water quality, and ready itself for the impact of rising sea levels.
- Scenic views, vistas and roads are some of Kittery's most treasured assets, and many stand unprotected from obstruction. Opportunity exists to protect Kittery's visual and scenic qualities, including its scenic roads, while at the same time preserving individual property-owners' rights.

**TOPIC AREA 2: NATURAL RESOURCES AND RECREATION**

**KEY RECOMMENDATIONS**

The following are recommended policy directions for the Topic Area of Natural Resources and Recreation. See the **table** at the end of the implementation chapter for specific action steps for achieving these. The table includes a partial listing of existing resources, lead and partners to carry out the actions, suggested phasing, etc.

**GOAL STATEMENT 2: TO PROTECT KITTERY’S NATURAL RESOURCES INCLUDING WATERSHED, FRESH WATER, WETLANDS AND VERNAL POOLS, AGRICULTURAL LANDS, FOREST RESOURCES, OPEN SPACE AND RECREATION**

**2.1 PROTECT AND PRESERVE CRITICAL OPEN SPACES FOR PASSIVE RECREATION, VISUAL IMPACT AND PRESERVATION OF WILDLIFE HABITATS, COASTAL (SALTWATER) WETLANDS, FRESHWATER WETLANDS, AND VERNAL POOLS**

- 2.1.1 Protect existing open lands, including farmlands and wetlands, from over-development by having larger minimum lot sizes in the rural residential zone
- 2.1.2 Protect Kittery’s remaining farmland (including forests)
- 2.1.3 Protect wildlife corridors
- 2.1.4 Strengthen zoning regulations so that they better preserve critical open spaces and key natural features

- 2.1.5 Review existing hunting regulations to improve safety of residents while, at the same time protecting residents’ right to hunt
- 2.1.6 Consider endorsing the York River Committee’s efforts to designate the York River Watershed as a Federal Wild and Scenic River with the Mount Agamenticus-to-the-Sea Initiative and Brave Boat Harbor Initiative
- 2.1.7 Preserve scenic vistas and views, including scenic roadway corridors

**2.2 INCREASE OPPORTUNITIES FOR RECREATION**

- 2.2.1 Implement a master plan for athletic fields
- 2.2.2 Consider expansion of the season at Fort Foster
- 2.2.3 Reduce dog and horse waste at area beaches and parks (particularly Rogers Park and Seapoint Beach) through enhanced enforcement and public education
- 2.2.4 Support the Kittery Community Center’s strategic plan for program expansion
- 2.2.5 Increase awareness of existing recreation resources and how to enjoy them
- 2.2.6 Establish new and beautifying existing small passive recreation spaces in the commercial areas

## TOPIC AREA 2: NATURAL RESOURCES AND RECREATION

- 2.2.7 Give priority/preference to Kittery residents for use of boating, recreational fields and recreational facilities
- 2.2.8 Create new kayak-launching sites to provide greater access
- 2.2.9 Revisit existing hunting regulations so that all Kittery residents feel safe but, at the same time reserve residents' right to hunt
- 2.2.10. Work with public and private partners to extend and maintain the existing network of non-motorized trails, and connecting these trails to regional systems.

### RELATED STRATEGIES FROM OTHER TOPIC AREAS

- 1.1.6 Preserve threatened historic properties and scenic roads from demolition or radical alteration.
- 1.2. 2. Develop education and raise awareness regarding history and nature.
- 6.1.6 For environmentally sensitive and secluded locations like Seapoint Beach, encourage additional non-motorized visitors through installation of bike racks and bike/pedestrian paths.
- 6.3.2 Education and advocacy effort to increase awareness in residents and business owners on effects of pollutants, pesticides, and stormwater runoff.

6.3.4 Work with Portsmouth Naval Shipyard (PNS) to identify and reduce effects of flooding on facility, and to reduce pollutant outflows.

6.3.5. Identify a suitable site for storage of floats during storms and update Storm Preparedness Plan accordingly.

7.2.3. Support plans for the expansion of programming at the Kittery Community Center.

7.2.4. Support healthy lifestyle choices and wellness (increase recreational opportunities to residents of all ages).

7.3.2. Continue to provide engaging activities for residents of all ages.

8.1.5. Encourage the protection of open space and landscape features within developments and/or in the no growth/limited growth areas.

8.2.1. Work with the Kittery Land Trust to create a prioritized list of parcels for open space acquisition.

8.2.2. Revisit the Cluster Ordinance to ensure it is effective in meeting its objectives.

8.2.3. Consider increasing the minimum lot size in the Rural Residential zoning district to help protect additional open space and encourage the clustering of homes.

8.2.4. Explore the feasibility and usefulness of a transfer of development rights bylaw.

**TOPIC AREA 2: NATURAL RESOURCES AND RECREATION**

9.1.4. Monitor, plan for, and mitigate the potential effects of climate change on Kittery's natural resources.

9.2.1. Develop a plan to transition to low and zero impact energy sources.

9.2.3. Develop a public awareness campaign to focus attention on the need to transition to renewable energy sources.

9.3.1. Develop policies that lessen the effects of the built environment on natural resources.

9.3.5. Increase public awareness regarding need to protect the environment for future generations.

**NATURAL RESOURCES AND RECREATION:  
THREE KEY PLANNING PRINCIPLES**

<b>Environmental Stewardship</b>	<ul style="list-style-type: none"> <li>By protecting and preserving critical open spaces, residents will safeguard plants and animals, as well as the town's tremendous scenic qualities</li> </ul>
<b>Health &amp; Wellness</b>	<ul style="list-style-type: none"> <li>By protecting and preserving recreation resources, including athletic facilities, trails and waterways, Kittery will promote recreation, thereby ensuring improved health for residents</li> </ul>
<b>Economic &amp; Social Vitality</b>	<ul style="list-style-type: none"> <li>By protecting and preserving natural, scenic and recreation resources, Kittery will help sustain two important sectors of its economy.</li> </ul>

TOPIC AREA 3: ECONOMIC DEVELOPMENT

# ECONOMIC DEVELOPMENT



Robert's Grill, along Route 1 near the Outlet Malls.

**State Goal:**

Promote an economic climate that increases job opportunities and overall economic wellbeing.

(Growth Management Act 30-A M.R.S.A. 4312)

**GOAL STATEMENT 3:** TO SUPPORT DESIRABLE ECONOMIC DEVELOPMENT, BALANCE THE RELATIONSHIP WITH THE PORTSMOUTH NAVAL SHIPYARD, AND INCREASE THE TOWN'S TAX BASE WHILE ALSO PROVIDING LOCAL JOBS.

**Objective 3.1.** Attract and retain businesses to sustain the vibrant center at foreshore that provides residents and visitors with places to go and spaces to gather

**Objective 3.2.** Continue to promote economic development in areas already identified by the town

**Objective 3.3.** Develop guidelines for the future redevelopment of the Route 1 Corridor into a mixed-use pedestrian-oriented area

**Objective 3.4.** Support and maintenance of existing jobs and the creation of jobs for a variety of skills sets and range of salaries

**Objective 3.5.** Attract new businesses to the business park



## TOPIC AREA 3: ECONOMIC DEVELOPMENT

### OVERVIEW

Kittery is fortunate to have mix of mature and burgeoning commercial/industrial areas across town. For decades, the presence of the Portsmouth Naval Shipyard (PNS) has supported and anchored a consistent job base in Kittery. In addition, the Route 1 Outlet Malls also contribute a substantial amount to the commercial tax base in Kittery and draw visitors from all over Northern New England. The town has relied on these two economic development nodes, but questions were raised during this Comprehensive Planning process about their long-term viability and how much should residents rely on them in the future.

The success of economic development areas like the Foreside and Gourmet Alley<sup>1</sup> speak to a new economy in Kittery, and Maine as a whole. A new economy that can be described as a marketplace filled with entrepreneurs who believe in crafting and selling locally-made products supported first by residents and employees in town, and secondarily by visitors. These businesses include restaurants, bakeries, grocers and butchers, art studios, breweries, and many more. The local small business culture in Kittery is providing a counterpart to the larger-scale retailers at the Outlet Mall, or larger office/industrial users that may be attracted to locations like the Kittery Business Park.

While Kittery has been successful in attracting and retaining businesses over time, there are concerns about the future of

commercial/industrial areas in town. With the rise in online retailers, brick and mortar stores like the Outlets may have to become nimbler over time which could result in long-term vacancies and lost revenue. While the PNS is currently very active and has reached its highest employment numbers in recent years, base closures and realignments do happen with military installations and could impact the future of the Shipyard. Finally, the Town has invested substantial funding in the extension of sewer service to the Business Park. While there are still additional utility improvements required, the Town should begin looking at creative ways to market this property to take advantage of its location, access to regional transportation networks, and recuperate the investments already made.

Topic area #3 of the comprehensive plan focuses on retaining existing businesses in Kittery, as well as encouraging additional economic development in key locations throughout the town. This will help increase the commercial tax base, and reduce the reliance on the outlets and the Naval Shipyard as primary job and economic drivers.

*Recommendations regarding Economic Development were developed based on an assessment of existing conditions, public input, best practice, input from Town Department Heads and relevant Boards and Committees, as well as a review by the Comprehensive Plan Update Committee and Planning Board.*

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<sup>1</sup> Gourmet Alley is located along State Road between Walker Street and Red Mill Lane.

## TOPIC AREA 3: ECONOMIC DEVELOPMENT

### KITTERY VOICES: PUBLIC INPUT

Kittery residents participated in the Comprehensive Planning process through several live and on-line forums, where they freely expressed concerns about and wishes for the future of Kittery; forums included the following:

- 3 town-wide public forums
- one on-line survey
- Committee presence at several Town events
- A continuous conversation on an on-line forum
- Comment Boards at Town Hall and the Kittery Community Center.
- A poll on election day regarding top recommendations

A detailed documentation of the public's input is summarized in the introduction to this report and more fully documented in Volume III of the Plan.

### ASSESSMENT OF EXISTING CONDITIONS: ISSUES AND IMPLICATIONS

Topic area #3 of the comprehensive plan focuses on economic development, retaining existing businesses and recruiting new desirable ones in appropriate locations in ways that meet the needs of Kittery residents, and are consistent with the Comprehensive Plan's vision and goals for the future. See Volume II of this Plan for a full documentation of Existing Conditions.

Kittery has several commercial and industrial areas across town at varying levels of maturity and build-out. Each area has its own

unique opportunities and challenges, but all offer viable options to continue to build the Town's commercial tax base, employment base, and range of goods and services.

- Kittery has a **unique mix of business types and economic development areas** that support a relatively large labor force for the size of the town. This provides job opportunities for residents, brings in a daytime population that may spend money in Kittery businesses, and stimulates a healthy commercial tax base. For examples, the area around the Route 1 Outlet Mall and the Foreside are the two highest tax producing location in Kittery on a per acre basis.
- As it stands today, the area around the **Outlet Mall** continues to be successful despite a slight uptick in vacancies. Residents recognize this may not always be the case, and have encouraged the Town to look for ways to provide property owners with the tools appropriate for redevelopment options for when the outlets change over time. Many would like to see this area become a mixed-use center that includes jobs, housing, open space, and recreation opportunities connected by a multi-modal transportation network.
- Residents and businesses recognize the value of the **Foreside**. It is an economic center in the form of a quant livable historic New England town center with the ability to attract residents and visitors alike. The continued success of the Foreside is vital to Kittery's future, and provides a unique space to work, shop, eat, and gather with friends and neighbors. The Town should continue to foster, encourage, and invest in the success of this area.

### TOPIC AREA 3: ECONOMIC DEVELOPMENT

- The primary employers in Kittery are **manufacturing and retail businesses**, but the majority of Kittery residents are employed in the healthcare, professional services, and retail sectors. Kittery’s unemployment rate has been steadily **decreasing over the last five years**, to a low of 3 percent. The Town should consider completing an economic development plan to look specifically at future opportunities to support the current businesses and look for opportunities to expand the commercial base and employment opportunities.
  - Evaluate through planning and market analyses, the range of options for the area around the Route 1 Outlet Mall would help set the stage for future regulatory change and possible infrastructure investments.
  - Engage the local business community and large commercial land holders in regular and sustained dialogue about what changes would further economic development opportunities in Kittery.
  - Remain flexible and nimble in unique economic development areas like the Foreside or Gourmet Alley to ensure these locations remain eclectic and interesting.
  - While Kittery does have a highly educated workforce, not all residents and employees in town have access to high-skilled high-wage jobs. It is also important that the Town encourages the development of a variety of housing types at a variety of price points to ensure residents of all incomes can find housing they can afford.
- The Town has already invested substantial public funds into the extension of sewer service to the **Business Park**. The Town should work with local landowners, business groups,



and brokers to promote the location and amenities the Park has to offer.

- Within the healthcare employment sector, the **number of businesses and number of employees have been increasing** in Kittery. This may be a growing employment sector the Town should consider when marketing vacant space or land in Kittery. Other ways Kittery may consider marketing to the business community include:

### TOPIC AREA 3: ECONOMIC DEVELOPMENT

- Engage in targeted outreach to business and industry sectors marketing Kittery's economic development areas (like the Business Park). The marketing effort could include attending industry conferences, talking with larger-scale developers, or using local and regional brokerage services.
  - Consider hiring a full or part-time economic development staff person who works with the Planning Department and can serve as a liaison to the business community.
  - Continue to update the Kittery Economic Development Opportunities website with fresh content and up to date contact information for Town staff. This website should also include a marketing page for specific properties in Town that are available for lease, sale, or new development.
  - Encourage the formation of a business association or local chamber of commerce to complement the services offered by the York County Chamber of Commerce. This group could serve as a local advocate for the business community, weigh in on local decisions impacting the business community, and help market space and areas for future economic development.
- The PNS employers over 5,000 workers. This has helped increase jobs in high-skilled manufacturing by 34 percent since 2001. It has been noted throughout the planning process that many Kittery residents are not employed at the Shipyard, and there does not seem to be any direct synergies between the Shipyard and businesses in the Foreside. To help stimulate infill development in the Foreside that is consistent with the character of the area, the Town should:
    - Reconsider how the Foreside boundaries are defined and allow for transition areas between the Foreside and adjoining districts. Also, consider expanding the Foreside if the demand is there.
    - If and when town-owned property is available for development/redevelopment, consider offering the land at a reduced price in return for development options that reinforce the goals of the Comprehensive Plan in terms of housing and economic development.
    - Create a streamlined permitting process for small businesses that is easy to read and follow. Consider designating a Town staff person in the planning department as a small business liaison to help with permitting and to be a resource for questions.
    - Evaluate parking requirements in all business districts to ensure redevelopment, or new development, is not hampered by onerous or outdated regulations. This may be particularly useful in areas like Foreside where historically small parcels may be hard to redevelop with new parking regulations.
  - The Town has established **Tax Increment Financing** in economic development areas in the hope of to stimulating new investment and drive the commercial tax base. TIF District 2 which supports that area around the Outlet Mall has been successful, while the Business Park TIF has been **less successful** than the town would have liked. The Town should evaluate the use of TIF to determine if this economic development incentive is producing the benefits intended. If it is, the Town may want to consider other locations where a TIF may be effective.

**TOPIC AREA 3: ECONOMIC DEVELOPMENT**

**KEY RECOMMENDATIONS**

The following are the recommended policy directions for the Topic Area of Economic Development. See the Table at the end of the Implementation Chapter for specific Action Steps for achieving these. The Table includes a partial list of existing resources, Lead and Partners to carry out the actions, suggested phasing, etc.

**GOAL STATEMENT 3.0:** TO SUPPORT DESIRABLE ECONOMIC DEVELOPMENT, BALANCE THE RELATIONSHIP WITH THE PORTSMOUTH NAVAL SHIPYARD, AND INCREASE THE TOWN’S TAX BASE WHILE ALSO PROVIDING LOCAL JOBS.

**3.1. ATTRACT AND RETAIN BUSINESSES TO SUSTAIN THE VIBRANT CENTER AT FORESIDE THAT PROVIDES RESIDENTS AND VISITORS WITH PLACES TO GO AND SPACES TO GATHER.**

3.1.1. Encourage the collaboration of existing parties concerned with Kittery’s economic development.

3.1.2. Evaluate recommendations from the Foreside Forums

**3.2. CONTINUE TO PROMOTE ECONOMIC DEVELOPMENT IN AREAS ALREADY IDENTIFIED BY THE TOWN.**

3.2.1.Undertake a town-wide Economic Development Study.

3.2.2. Establish resources to continually update the Kittery Economic Development Opportunities website with fresh content and up to date contact information for Town staff.

3.2.3. Consider the benefits of hiring an economic development staff person or other strategy to accomplish objective.

3.2.4. Continue to explore possibility of state legislation that would allow municipalities additional taxing options.

3.2.5. Consider and explore redevelopment options for the Water District parcel.

**3.3. DEVELOP GUIDELINES FOR THE FUTURE REDEVELOPMENT OF THE RT. 1 CORRIDOR<sup>2</sup> INTO A MIXED-USE, PEDESTRIAN-ORIENTED AREA.**

3.3.1.Engage property owners and businesses in a process to explore mutually beneficial options for the potential future redevelopment of the area

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<sup>2</sup> Rt. 1 Corridor includes Outlet Malls and the Route 1 Bypass.

**TOPIC AREA 3: ECONOMIC DEVELOPMENT**

3.3.2. Evaluate through planning and market analyses, the range of options for the area that includes the Route 1 Outlet Mall that would help set the stage for future regulatory change and possible infrastructure investments.

**3.4. SUPPORT THE MAINTENANCE OF EXISTING JOBS AND THE CREATION OF JOBS FOR A VARIETY OF SKILL SETS AND RANGE OF SALARIES.**

3.4.1. Create a streamlined permitting process for small businesses that is easy to read and follow.

3.4.2. Remain flexible and nimble in unique economic development areas like the Foreside or Gourmet Alley to ensure these locations remain eclectic and interesting.

3.4.3. Continue to support Kittery’s maritime-based economy including the fishing and lobster industry by maintaining access to the working waterfront and creating innovative avenues to connect fishing to the local economy.

3.4.4. Work cooperatively with other York County municipalities to explore regional approaches to economic development.

**3.5. ATTRACT NEW BUSINESSES TO THE BUSINESS PARK.**

3.5.1. Consider engaging the services of a consultant to complete an economic/feasibility study for the Business Park area.

3.5.2. Continue to engage in targeted outreach to identified business and industry sectors marketing Kittery’s economic development areas.

**RELATED STRATEGIES IN OTHER TOPIC AREAS**

Encourage a mix of housing types and price point in Kittery. This will help ensure employees have a place to live, and Kittery residents can afford to remain in their homes and contribute to the local economy. (See Housing Section for specific strategies)

8.3.5. Look for opportunities to leverage town-owned land or buildings to support town-wide goals for housing and job creation.

8.3.6. Encourage innovative makerspaces (do-it-yourself) DIY spaces that afford artists and small business owners with space to create, invent, and learn in the Foreside, alongside modest retail opportunities for galleries and sales.

8.4.1. Increase the long-term viability of the working waterfront through coordination with fishermen and protection of piers and dockside facilities.

**TOPIC AREA 3: ECONOMIC DEVELOPMENT**

8.4.2. Look for ways to allow and/or support unique business ideas along the waterfront that integrate traditional marine-related businesses with new and innovative business ventures. Ensure that use definitions and permitting processes do not restrict innovative ideas for keeping marine-related jobs and industries financially-viable in Kittery.

8.6. Explore feasibility of development in the business park



**ECONOMIC DEVELOPMENT:  
THREE KEY PLANNING PRINCIPLES**

<p><b>Environmental Stewardship</b></p>	<ul style="list-style-type: none"> <li>• By focusing economic development in locations that are already served by transportation and public utility infrastructure, the Town will reduce the amount of impervious surface and impact to local water resources.</li> </ul>
<p><b>Health &amp; Wellness</b></p>	<ul style="list-style-type: none"> <li>• A strong economy provides jobs to many Kittery residents, which in turn provides a steady stream of income that can be spent on healthcare, healthy foods, and recreation opportunities.</li> </ul>
<p><b>Economic &amp; Social Vitality</b></p>	<ul style="list-style-type: none"> <li>• Preserving existing amenities, historic buildings, and landscapes, Kittery will further promote tourism as a major sector of the local economy.</li> <li>• A high labor force participation rate means more Kittery residents are working, have a reliable source of income, and are therefore more likely to spend money locally to support Kittery’s network of businesses.</li> </ul>

TOPIC AREA 4: HOUSING

# HOUSING



*A typical older single-family home in Kittery.*

**STATE OF MAINE Goal:**

To encourage and promote affordable, decent housing opportunities for all Maine citizens.

Growth Management Act 30-A M.R.S.A. 4312-4350

**GOAL STATEMENT 4: TO PROVIDE A RANGE OF HOUSING TYPES TO MEET THE NEEDS OF INDIVIDUALS THROUGHOUT THEIR LIFECYCLE AND TO SUPPORT RESIDENTS WITH A RANGE OF INCOMES**

**Objective 4.1.** Attract young people and retain residents with a variety of incomes

**Objective 4.2.** Support elderly residents' ability to age in place



## TOPIC AREA 4: HOUSING

### OVERVIEW

Housing is an essential component of day-to-day life for every man, woman, and child. It can be a source of pride and happiness, but can also be a source of concern, particularly for those residents who are living in housing that is may be unaffordable to them based on their household income. As the cost of living in Maine escalates, many struggle to cut costs without detrimentally impacting their quality of life. In many cases, it is challenging for residents to make changes when it comes to housing.

Throughout the comprehensive planning process, residents of Kittery showed interest in looking for ways to expand housing choices in town. Many residents expressed their desires for supporting additional affordable housing development, ensuring employees who are in Kittery for short-term employment have an affordable place to live, and looking for ways to support seniors who want to downsize but still remain in the community.

Topic area #4 of the comprehensive plan focuses on creating housing at different price points, in a variety of locations, and of different styles and sizes to support the needs of Kittery residents.

### KITTERY VOICES: PUBLIC INPUT

Kittery residents participated in the comprehensive planning process through several live and on-line forums, where they freely expressed concerns about the wishes for the future of Kittery. Forums included the following:

- three town-wide public forums
- one on-line survey
- committee presence at several town events
- a continuous conversation on an on-line forum
- comment boards at Town Hall and the Kittery Community Center
- a poll on election day regarding top recommendations

Detailed documentation of the public's input is summarized in the introduction to this report and more fully documented in Volume III of the plan.

### ASSESSMENT OF EXISTING CONDITIONS: ISSUES AND IMPLICATIONS

Topic Area #4 of the comprehensive plan focuses on providing a range of housing types to serve the needs of all residents of all income levels, and is consistent with the plan's vision and goals for the future. See Volume II of this plan for full documentation of existing conditions.

- Kittery's median home value for owner-occupied housing is lower than surrounding communities<sup>1</sup>, but the median month rent for renter-occupied units is higher. As housing demand grows and prices increase, it will be important for the Town to consider ways of increasing access to affordable housing.

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<sup>1</sup> Surrounding communities used for comparison include York, Eliot, Newington, and Portsmouth.

## TOPIC AREA 4: HOUSING

- While many new single-family homes have high price points and tax bills, the more compact development pattern found in locations like the Foreside actually produce more property taxes per acre than homes in places like Gerrish Island.
- There is a need to address housing challenges for foreign students working seasonally at Kittery businesses.
- The increasing senior population in Kittery will need housing appropriately designed, sized, and located to accommodate this growing population.
- Since 2005, a majority of the new housing built has located north of Spruce Creek to the east of Route 1, and in the area north of Route 101 and west of Route 1. These were areas the previous comprehensive plan designated as limited to no growth. The predominate development pattern in these areas has been single-family subdivisions with houses on large lots.
- It will be important to determine if the current lot area minimums in the zoning districts covering the no/limited growth areas are effective.
- The dimensional requirements in Kittery’s zoning are designed in such a way as to discourage larger multi-family buildings in some of the key areas residents would like to see them. This is true of the Mixed-Use Zoning along Route 1 which has very high lot size and square foot per dwelling unit requirements. Multi-family developments are dominated by buildings that have fewer than nine units, highlighting the fact

that multi-family developments of a larger size and scale are not being built in Kittery.

### KEY RECOMMENDATIONS

The following are recommended policy directions for the Topic Area of Housing. See the table at the end of the implementation chapter for specific action steps for achieving these. The table includes a partial listing of existing resources, lead and partners to carry out the actions, suggested phasing, etc.

**GOAL STATEMENT 4: TO PROVIDE A RANGE OF HOUSING TYPES TO MEET THE NEEDS OF INDIVIDUALS THROUGHOUT THEIR LIFECYCLE AND TO SUPPORT RESIDENTS WITH A RANGE OF INCOMES**

#### 4.1 ATTRACT YOUNG PEOPLE, RETAIN RESIDENTS, AND SUPPORT EMPLOYEES WITH A VARIETY OF INCOMES

- 4.1.1 Undertake a housing plan with strategies to better understand the housing supply and demand, and achieve affordable housing goals;
- 4.1.2 Create a housing committee or housing trust;
- 4.1.3 Adopt inclusionary zoning as a way to create more affordable housing in Kittery;

**TOPIC AREA 4: HOUSING**

- 4.1.4. Update zoning regulations to encourage multi-family housing where appropriate;
- 4.1.5. Provide tax incentives or modified dimensional and parking standards for developers who create housing in desirable locations at a variety of price points; and
- 4.1.6. Work with area employers to set up a volunteer or paid housing program where employees on a J-1 visa can stay with Kittery residents.

**4.2. SUPPORT ELDERLY RESIDENTS’ ABILITY TO AGE IN PLACE**

- 4.2.1. Create a tax incentive program to lower property taxes for senior residents;
- 4.2.2. Update zoning regulations to allow for different housing types that meet the needs of today’s senior residents;
- 4.2.3. Provide incentives for developers to take advantage of Kittery’s cluster zoning ordinance, particularly if affordable housing is provided. This may include expedited permitting, reduced application fees, relaxed dimensional standards, relaxed parking standards where applicable; and
- 4.2.4. Encourage any new developments restricted to seniors is within a safe walking distance to nearby amenities and/or supported by a local public transit option.

**RELATED STRATEGIES FROM OTHER TOPIC AREAS**

3.3.1. Engage property owners and businesses in a process to explore mutually beneficial options for potential redevelopment of the area (could include mixed use, housing above retail).

8.1.3. Continue efforts to encourage development to locate in areas where public utilities are already provided.

8.1.4. Continue efforts to direct new commercial and multi-family residential development to existing commercial, industrial, and urban/suburban residential districts.

8.1.5. Encourage the protection of open space and landscape features within development and/or in the limited growth areas (review and revise the Cluster Development requirements to encourage its use).

8.1.6. Consider adding provisions to support the adaptive reuse of existing historic structures (Consider adopting an Adaptive Reuse Ordinance).

8.1.7. Consider amending zoning to provide for more affordable housing (consider adoption of inclusionary housing ordinance and other regulations to encourage and support the provision of a range of affordable housing types).

8.2.2. Revisit the Cluster Ordinance to ensure it is effective in meeting its objectives.

**TOPIC AREA 4: HOUSING**

8.3.3. Reduce land area per dwelling unit requirements for multi-family housing.

8.3.5. Look for opportunities to leverage town-owned land or buildings to support town-wide goals for housing and job creation.

9.1.5. Monitor, plan for, and mitigate the potential impacts on climate change on Kittery’s built environment (Consider developing regulations that add submission requirements to projects within 250 feet of a coastal wetland such that the design takes into account sea level rise).

**HOUSING AND THREE KEY PLANNING PRINCIPLES**

<b>Environmental Stewardship</b>	<ul style="list-style-type: none"> <li>Developing housing in locations that are already served by public utilities and an existing transportation network will help cut down on greenfield development in Kittery.</li> </ul>
<b>Health &amp; Wellness</b>	<ul style="list-style-type: none"> <li>Co-locating housing and employment opportunities and connecting them with a sidewalk and bike network will provide healthy transportation choices that make it easier to get around without a car.</li> </ul>
<b>Economic &amp; Social Vitality</b>	<ul style="list-style-type: none"> <li>Encouraging a mix of housing types and price points will provide options to Kittery residents who want to stay in town, and age in place. This will help preserve the social fabric of the town.</li> <li>A mix of housing types and price points will encourage businesses to locate and stay in Kittery because their employees can find housing that meets their needs at a price point that matches with their household income.</li> </ul>

## TOPIC AREA 4: HOUSING

### ENDNOTES

Portsmouth, NH. Article highlighting a discussion regarding inclusionary zoning and affordable housing.  
<http://www.seacoastonline.com/news/20160511/portsmouth-panel-seeks-affordable-housing-solutions>

Portland, ME. Link to their housing committee as an example.  
<http://www.portlandmaine.gov/582/Housing-Committee>

Tiny Houses  
<http://thetinylife.com/what-is-the-tiny-house-movement/>

Co-Housing  
[http://www.cohousing.org/what\\_is\\_cohousing](http://www.cohousing.org/what_is_cohousing)

TOPIC AREA 5: TRANSPORTATION

# TRANSPORTATION



*Bicycling is a popular means of transportation throughout Kittery.*

**STATE OF MAINE Goal:**

To plan for, finance and develop an efficient system of public facilities to accommodate anticipated growth and economic development.

(Growth Management Act 30-A M.R.S.A. 4312-4350)

**GOAL STATEMENT 5:** TO IMPROVE SAFETY AND EASE OF GETTING AROUND TOWN AND BETTER CONNECT THE “PIECES” OF KITTERY. PROVIDE ALTERNATIVES TO AUTOMOBILE TRAVEL WITH SAFE AND PLEASANT BIKE ACCOMMODATIONS AND WALKING PATHS.

**Objective 5.1.** Address traffic safety and congestion

**Objective 5.2.** Make walking and biking safe and pleasant

**Objective 5.3.** Explore ways of providing non-vehicular modes of transportation

**Objective 5.4.** Explore ways of increasing parking options

## TOPIC AREA 5: TRANSPORTATION

### OVERVIEW

An efficient transportation system is one that provides safe and well maintained facilities for all of its users. While most towns have relied on an auto-centric transportation system beginning in the early 20<sup>th</sup> century, there has been a recent shift to provide a better balance between automobile travel and non-auto travel alternatives including walking, bicycling, transit and ridesharing. Walking and biking facilities promote more social interaction in the community, provide opportunities for exercise for the entire population, and have less of a negative impact on the environment. An efficient transportation system will serve the following users:

- Commuters who must drive to their drive jobs
- Residents to travel to town to shop, get services and eat
- Parents with young children
- Students
- Teenagers
- The elderly
- Persons with mobility challenges
- Residents without vehicles
- Businesses
- Tourists and visitors
- Through-traffic including trucks
- Emergency services
- Travel for recreation

Throughout the comprehensive planning process, citizens of Kittery showed interest in making walking and biking more

possible and improving pedestrian and bicycle infrastructures, traffic operations and safety. They also had a desire for a town-wide shuttle and they supported specific parking strategies, such as developing a town-wide parking plan and considering establishing a centrally located parking area with trolleys/shuttle buses. They were concerned about traffic especially related to the Portsmouth Naval Shipyard (PNS).

### KITTERY VOICES: PUBLIC INPUT

Kittery residents participated in the comprehensive planning process through several live and on-line forums, where they freely expressed concerns about the wishes for the future of Kittery. Forums included the following:

- three town-wide public forums
- one on-line survey
- committee presence at several town events
- a continuous conversation on an on-line forum
- comment boards at Town Hall and the Kittery Community Center
- a poll on election day regarding top recommendations

Detailed documentation of the public's input is summarized in the introduction to this report and more fully documented in Volume III of the plan.

## TOPIC AREA 5: TRANSPORTATION

### ASSESSMENT OF EXISTING CONDITIONS: ISSUES AND IMPLICATIONS

Topic Area #5 of the comprehensive plan focuses on addressing traffic safety and congestion; making walking and biking safe and pleasant; providing alternative modes of transportation; and increasing parking options, and is consistent with the plan's vision and goals for the future. See Volume II of this plan for full documentation of existing conditions.

#### AUTOMOBILE TRAFFIC

- **Kittery is the largest work destination for Kittery residents and for residents in the KACTS communities.** This is mainly because of the Portsmouth Naval Shipyard (PNSY) in Kittery, which is also the major traffic generator on local streets in Kittery. **Traffic backing up into residential neighborhoods during the daytime shift change is a major issue.** Coordinating with PNSY about expanding the existing shuttle bus service and providing central and satellite parking facilities for PNSY workers may help alleviate this situation.
- **The number of trips for all travel modes in Kittery has increased since 2000, except for the drive alone trips, which have decreased.** The percent of workers who biked or worked at home increased significantly in 2010-2014 compared to 2000. **In Kittery, the number of workers who worked at home almost doubled since 2000.** This helps to reduce traffic at peak hours, but may account for some of the

increase in a desire to make Kittery more walkable and bike friendly.

- **Kittery has 73.42 miles of roadways**, including Interstate 95. The highway interchanges in Kittery comprise of approximately 1.5% of the total town land area. **The interchanges have a significant impact on existing and future land use and development. Interchanges occupy many acres of land that are unavailable for development and/or local circulation.**
- Recently built residential developments on the northern side of Kittery (for example, off of Haley Road) are characterized with **long dead-end streets (cul-de-sacs), which limit access and prevent connectivity to the roadway network.**
- **Most of the roadway segments experienced a decrease in ADT volume between 2010 and 2013.** ADT on Shapleigh Road increased up to 22% during this period.
- **When I-95 experiences congestion, particularly during summer months,** local roadways experience congestion and are used as cut-throughs.
- There were **nine high crash locations** (six of them are intersections and three are segments of roadway) in Kittery between 2013 and 2015. Identifying improvements needed at critical intersections (including signal optimization and coordination) and roadways would optimize capacity and improve operations, mobility and safety.



## TOPIC AREA 5: TRANSPORTATION

### PARKING

- With the recent addition of new restaurants and shops, **parking demand has increased in the Foreside area.** Some residents have indicated that it is difficult to park in this area during peak periods, particularly during the summer. Management of spaces may improve parking efficiency, which may make it easier to walk or bike. A Town-wide Parking Management Plan would help evaluate parking supply, demand and utilization in Downtown Kittery and commercial areas and may improve parking efficiency.

### WALKING AND BIKING

- **Route 103 is a narrow, winding roadway shared by vehicles, motorcycles, and bicyclists,** particularly on warm weather weekends, often making it unsafe for bicycle travel. Bicycle-pedestrian projects on Route 103 are listed in the *MaineDOT Work Plan for Calendar Years 2015-2016-2017*. The design and construction standards for streets and pedestrian ways provided in the *Land Use and Development Code* of Kittery include design standards for sidewalks but do not provide standards for bicycle accommodations.<sup>1</sup>
- Most of the sidewalks in Kittery are along US Route 1 and in the Foreside area. The *Sidewalk Condition Report*, which

<sup>1</sup> Town of Kittery. *Title 16 Land Use and Development Code*. Recodified on July 26, 2010 and latest amendment made on October 26, 2015. Page 178.



While many workers at the Portsmouth Naval Shipyard commute by bicycle, the bulk of employees arrive by vehicle, either individually or in carpools.

- includes inventory of sidewalks, **has not been updated since 2000.** Updating the *Sidewalk Condition Report* would help identify gaps and improvements needed in sidewalks and developing a Bike Plan would help in identifying specific bicycle improvements, schedule and funding. The Kittery Area Comprehensive Transportation System (KACTS) has completed a study with Kittery to identify opportunities to make Route 1 Bypass more bike and pedestrian friendly.
- Developing a **Complete Streets policy** would accommodate all modes of transportation and make streets attractive and

## TOPIC AREA 5: TRANSPORTATION

safe which would encourage more pedestrian and biking activities.

- Kittery does not participate in the MaineDOT **Safe Routes to School (SRTS) Program**. However, due to the location of the elementary school, this program may have limited benefit.

### PUBLIC TRANSIT

- In Kittery, COAST provides year round limited transit services. **Out of five COAST routes, four are express commuter routes.**
- The existing public transit services in Kittery are mainly commuter services that serve the PNSY. Evaluating the potential for a town-wide shuttle service on main routes in Kittery, evaluating potential for car-sharing opportunities such as Zipcar and developing regulations for ride-sourcing services such as Uber and Lyft would promote alternative modes of transportation as well as connect Kittery to other towns. **There used to be shuttle bus service** that operated on Route 103 in Kittery, but it has not been provided for several years. It may be desirable to revisit this concept.
- **Paratransit service, ridesharing programs and van services are available** to Kittery residents through various organizations. These can help to reduce traffic congestion.

The following is a preliminary list of issues, challenges and opportunities posed by the findings of the inventory of existing conditions of Kittery's transportation system:

- Traffic issues around Portsmouth Naval Shipyard, Route 1, Memorial Bridge, Haley Road;
- No public transit service;
- Perceived lack of parking issues in Foreside and shoreline areas;
- Limited bicycle facilities;
- Limited existing pedestrian facilities;
- Opportunities to develop Complete Streets policy and evaluate roadway standards for complete streets; and
- The ongoing Sarah Mildred Long Bridge replacement project, which is scheduled to open to traffic in September 2017. The project is scheduled to be completed by June 1<sup>st</sup>, 2018.<sup>2</sup>

### KEY RECOMMENDATIONS

The following are the recommended policy directions for the Topic Area of Transportation. See the **table** at the end of the implementation chapter for specific action steps for achieving these. The table includes a partial listing of existing resources, lead and partners to carry out the actions, suggested phasing, etc.

<sup>2</sup> MaineDOT. The Sarah Mildred Long Bridge Replacement - The Regional River Crossing. <http://maine.gov/mdot/sml/>

## TOPIC AREA 5: TRANSPORTATION

**GOAL STATEMENT 5: TO IMPROVE SAFETY AND EASE OF GETTING AROUND TOWN AND BETTER CONNECT THE “PIECES” OF KITTERY. PROVIDE ALTERNATIVES TO AUTOMOBILE TRAVEL WITH SAFE AND PLEASANT BIKE ACCOMMODATIONS AND WALKING PATHS.**

### 5.1 ADDRESS TRAFFIC SAFETY AND CONGESTION

- 5.1.1 Create a Transportation Advisory Committee
- 5.1.2 Identify measures to improve operations, mobility and safety
- 5.1.3 Maintain public roadways, sideways, bike paths and trails

### 5.2 MAKE WALKING AND BIKING SAFE AND PLEASANT

- 5.2.1 Improve pedestrian and bicycle facilities by providing and developing sidewalks, walking trails and bike paths
- 5.2.2 Update *Land Use and Development Code* of Town of Kittery to include standards for bicycle accommodations
- 5.2.3 Develop Complete Streets Policy
- 5.2.4 Promote pedestrian and bicycle education

### 5.3 EXPLORE WAYS OF PROVIDING NON-VEHICULAR MODES OF TRANSPORTATION

- 5.3.1 Improve transit service and connections
- 5.3.2 Promote alternative modes of transportation
- 5.3.3 Consider bike sharing alternatives
- 5.3.4 Consider boat taxis
- 5.3.5 Promote sustainable green transportation practices.

### 5.4 EXPLORE WAYS OF INCREASING PARKING OPTIONS

- 5.4.1 Evaluate town-wide current parking conditions and parking policies
- 5.4.2 Maximize parking efficiency and explore shared parking opportunities

TOPIC AREA 5: TRANSPORTATION

RELATED STRATEGIES FROM OTHER TOPIC AREAS

3.3.2. Evaluate the range of options for the Route 1 Corridor that would help set the stage for future regulatory change and possible infrastructure investments (including for transportation systems).

6.1.1. Develop a public education campaign to inform boaters of navigational challenges.

6.1.2. Explore the possibilities of providing shared parking working with owners of Frisbee Store property.

6.1.6. For environmentally-sensitive and secluded locations like Seapoint Beach, encourage additional non-motorized visitors through the installation of bike racks and bike/pedestrian paths.

6.1.8. Install signage to parking lot at Mitchell School, which is available to public in summer and on non-school days, and offers overflow parking to Pepperrell Cove.

7.2.4. Support healthy lifestyle choices and wellness (improve and increase walking and biking infrastructure so that it is safe and pleasant.

7.3.2. Continue to provide engaging activities for residents of all ages (provide transportation options for young people and seniors).

9.3.1. Develop policies that lessen the efforts of the built environment on natural resources.

TRANSPORTATION:  
THREE KEY PLANNING PRINCIPLES

<p><b>Environmental Stewardship</b></p>	<ul style="list-style-type: none"> <li>• The transportation recommendations promote use of alternative modes of transportation such as taking public transit, carpooling, walking, and biking, which can help decrease greenhouse gas emissions and reduce traffic congestion. Additionally, alternative modes of transportation can also help reduce carbon monoxide, sulfur dioxide, particulate matter and other pollutants emitted by motor vehicles.</li> <li>• The recommendations also promote sustainable green transportation practices by incorporating measures such as evaluating the potential for providing electric car charging stations and evaluating feasibility of electric buses or trolleys, which help in reducing greenhouse gas emissions.</li> </ul>
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TOPIC AREA 5: TRANSPORTATION

<p><b>Health &amp; Wellness</b></p>	<ul style="list-style-type: none"> <li>• The Transportation Implementation Plan promotes the health and wellness of Kittery’s residents, workers and of the community as a whole by including measures that would make walking and biking safe and pleasant, and would promote alternative modes of transportation such as taking public transit and carpooling.</li> <li>• These measures would provide opportunities for healthy lifestyle choices as well as support the recreational needs of all ages. Walking and biking provide health benefits and can be one part of an overall exercise program. Using public transportation versus driving alone can be less stressful since people do not have to worry about traffic congestion, tiredness, finding parking spaces, and traffic-related injuries and fatalities.</li> </ul>
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<p><b>Economic &amp; Social Vitality</b></p>	<ul style="list-style-type: none"> <li>• Kittery can promote all modes of transportation by applying a Complete Street policy to roadways. A Complete Street policy would help in creating safe streets and would encourage more pedestrian and biking activities which in turn promote vitality and energy in an area.</li> <li>• Additionally, developing a Parking Management Plan; providing safe pedestrian connectivity between the parking areas and key destinations via sidewalks and bike paths; identifying gaps and improving sidewalks and bike paths; providing bicycle accommodations on roads can encourage more people to be physically as well as socially active, which would provide economic support to the local businesses.</li> <li>• Carpooling and ride-sharing programs promote high occupancy vehicle travel and can lead to community building and social networking.</li> <li>• All of these measures help to develop a place where people want to be and congregate, which generates opportunities for businesses to serve the population.</li> </ul>
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TOPIC AREA 6: MARINE RESOURCES

# MARINE RESOURCES



*The Kittery waterfront along the Back Channel, a hub for commercial fishing and recreational boating, with the Portsmouth Naval Shipyard, a key local employer, located across the channel.*

**State of Maine Goal:**

To protect the State’s marine resources industry, ports and harbors from incompatible development and to promote access to the shore for commercial fishermen and the public.

(Growth Management Act 30-A M.R.S.A. 4312-4350)

**GOAL STATEMENT 6:** TO PROTECT THE TOWN’S COASTLINE, THE WORKING WATERFRONT, AND ENSURE APPROPRIATE ACCESS TO AND ENJOYMENT OF THE WATER WHILE PROTECTING IT FROM ENVIRONMENTAL IMPACTS

**Objective 6.1.** Increase access to the waterfront

**Objective 6.2.** Promote working waterfront

**Objective 6.3.** Protect marine resources

## TOPIC AREA 6: MARINE RESOURCES

### OVERVIEW

Throughout the comprehensive planning process, citizens of Kittery identified the town's marine resources as central to the identity and economy of the community. With its mix of ocean shorelines, bays, estuaries, public parks, and working waterfront, it is one of Kittery's prized assets, and a core component of the community's character. The resources are also widely appreciated by residents, and there is widespread agreement on the importance of their preservation, and where possible, enhancement. While the busy boating piers, major public parks, and the Portsmouth Naval Shipyard may be the best known aspects of the Kittery waterfront, the estuaries, creeks, and backbays provide extensive opportunities for public access and are valuable natural resource areas. Marine resources in Kittery include 34 miles of shoreline, with rock outcrops, salt marshes, sandy beaches, waterfront recreational areas, coves and moorings, commercial marinas, and the major federal shipbuilding and repair facility at the Naval Shipyard.

In the adjacent offshore areas are Badger's Island, Seavey (site of the Naval Shipyard) and Wood Island, site of the Wood Island Life Saving Station, which is now under renovation. The Isles of Shoals archipelago are a unique historic site and active harbor and destination for visitors. Important waterfront natural areas include Seapoint Beach, Rachel Carson National Wildlife Refuge, Fort Foster, and Fort McClary. The primary Town-operated mooring is Pepperrell Cove, which has a large wharf, two piers, slips, the main mooring field, dinghy tie-up, boat launch, Harbor Master's office, trash disposal facilities, and bathroom. Government Street Wharf, in the Foreside, is a key facility for



*Dinghies tied up at Fishing Pier at Pepperrell Cove, the primary Town-operated mooring facility*

commercial fishermen to load and unload their vessels and has a marine hoist. At the Traip Academy, there is a boat launch, floats, and a small dinghy area, which some boaters use to access their

## TOPIC AREA 6: MARINE RESOURCES

moorings in the Back Channel, the second largest mooring field in Kittery.

To preserve, protect, and best utilize these resources, residents of Kittery will need to concentrate on a number of issues. While residents appreciate the beauty of the local waterways, not all may understand the extent of the resources' role in the local economy, contribution to property values, and as core components of what makes Kittery a unique place. The environmental impacts of activities such as lawn fertilization, dog walking, and property development are also not fully understood or accounted for. The Town-operated marinas are well-managed, but 12-15 year waiting lists for moorings limits the ability of new users to utilize them. There are concerns about the availability of parking in numerous locations, accompanied by concerns that increasing access will strain environmentally sensitive areas. Underlying all of these discussions are rising sea levels, water temperatures, and increased risks from flooding. The management of Kittery's marine resources will need to take the both the day-to-day concerns and the longer-term changing circumstances into account.

Topic area #6 of the comprehensive plan focuses on protecting the town's marine resources by encouraging residents, business owners, and visitors to identify opportunities to increase access to the waterfront where needed and without causing undue impact on adjacent properties, support the economic viability of marine-based industries (including fishing and lobstering) through protection of landside facilities such as docks, and continue to monitor and improve water quality and overall health of the waterways through reduction in pollutants.

*Recommendations regarding Marine Resources were developed based on an assessment of existing conditions, public input, best practice, input from Town Department Heads and relevant Boards and Committees, as well as a review by the Comprehensive Plan Update Committee and Planning Board.*

### KITTERY VOICES: PUBLIC INPUT

Kittery residents participated in the Comprehensive Planning process through several live and on-line forums, where they freely expressed concerns about and wishes for the future of Kittery; forums included the following:

- 3 town-wide public forums
- one on-line survey
- Committee presence at several Town events
- A continuous conversation on an on-line forum
- Comment Boards at Town Hall and the Kittery Community Center.
- A poll on election day regarding top recommendations

A detailed documentation of the public's input is summarized in the introduction to this report and more fully documented in Volume III of the Plan.

### ASSESSMENT OF EXISTING CONDITIONS: ISSUES AND IMPLICATIONS

Topic area #6 of the comprehensive plan focuses on maintaining and improving the waterfront areas of Town in a way that meets the needs of Kittery residents, and is consistent with the



## TOPIC AREA 6: MARINE RESOURCES

Comprehensive Plan’s vision and goals for the future. See Volume II of this Plan for a full documentation of Existing Conditions.

- Demand for access to the waterfront and for boating access is consistently high, and at peaks times, can be greater than the ability of existing landside facilities and moorings to meet. Much of the shoreline is privately owned or in dedicated public parks or conservation land, and sites suitable for development of marina/launch facilities are limited. **Challenges include exposure to rapid currents in the Piscataqua River, exposure to ocean winds and waves, and limited land area suitable for parking and marina construction.**
- Storm winds and waves limit opportunities for additional moorings in exposed areas such as Fort Foster. **The floats are vulnerable to damage during storms.**
- As a coastal community with a densely-developed shoreline, extensive waterfront recreational areas, and a working waterfront, Kittery is going to experience direct impacts from sea level rise. Gulf of Maine waters are warming faster than 99.8% of the world’s oceans, with 5.5 degrees Fahrenheit of increase in the last decade. **Kittery has not developed a sea level rise or climate adaptation plan, unlike the nearby communities of Exeter and Wells, and Portsmouth, NH.**
- A significant portion of the available parking at Pepperrell Cove is in a lot across Route 103/Pepperrell Road. While the lot is deed-restricted as parking, **the property is in private ownership and the deed restriction does not require the parking lot to be available to the general public.**
- The Town-operated mooring facilities at Pepperrell Cove and Traip Academy are heavily used, **there is a 12-15 year waiting list for moorings, and there is no available space at these locations for installation of additional moorings.** Traip Academy is well-suited for launching trailerable boats and kayaks.
- Swift currents in the Piscataqua can pose a hazard to small vessels, particularly to human-powered craft such as kayaks. **Boaters, particularly visitors to Kittery, who want to kayak or sail on the Piscataqua should be made aware of tides and currents.**

## TOPIC AREA 6: MARINE RESOURCES



*Commercial fishing boats docked adjacent to the Government Street Wharf in the Kittery Foreside*

- Run-off and direct source pollution have led to the contamination of area waters and to shellfishing restrictions, with prohibitions in certain areas. Major sources affecting the Piscataqua River are wastewater treatment plants (WWTP) outfalls from South Berwick and Kittery, and from Portsmouth and Newington in New Hampshire. The Portsmouth Naval Shipyard is also a major pollution and effluent source. **Portsmouth is upgrading its Pierce Island treatment plant but the facility will bypass stormwater from secondary treatment during wet weather.**
- The Spruce Creek watershed is identified by Maine Department of Environmental Protection as a “nonpoint source pollution priority watershed”, and water quality is actively monitored by the Town of Kittery. **Water quality is further threatened by development pressure in the watershed, and there are no restrictions on pesticide and fertilizer use.**
- The numerous waterfront public areas, such as Fort Foster and Seapoint Beach, are widely used and regarded as major assets by the community. There are concerns about the impacts the users have on the parks, **with the issue of dog waste (and also horse waste at Rogers Park) a primary concern.**
- **Residents are divided on whether to build facilities, e.g., parking, for increased usage of certain parks.** Some residents have called for expanded access, while others feel increased usage will be damaging to environmentally sensitive

## TOPIC AREA 6: MARINE RESOURCES

locations. There is also a difference of opinion on whether any increased access should be open to all or limited to Kittery residents.

- There is at present no fixed location public pumpout facility from Great Bay to the Portsmouth Harbor entrance. While there is a State-operated pumpout boat, it has limited hours and capacity. **Thus, it can be difficult for boat owners to dispose of waste in an environmentally responsible fashion.**
- **Long-term siltation in Pepperrell Cove and a lack of dredging have decreased available water depths.** The sedimentation, and moreover, the limited space for maneuvering within the mooring field prohibits the passage of larger vessels. **These factors limit the draft and size of boats able to access the moorings and piers.**
  - The town's many **scenic views, including views of the water, are currently unprotected by town ordinances.** Additionally, ordinances do not regulate fence height and placement which have potential to obstruct many waterfront views.
  - Due to underlying soil conditions, **septic system failures have been reported in areas near the border with York, ME.** This is long-term problem first evaluated in the late 1990s. The area is considered as high-value for land conservation, and is also facing development pressure.



*The Kittery Harbor Master's office at Pepperrell Cove*

## KEY RECOMMENDATIONS

The following are the recommended policy directions for the Topic Area of Marine Resources. See the Table at the end of the Implementation Chapter for specific Action Steps for achieving these. The Table includes a partial list of existing resources, Lead and Partners to carry out the actions, suggested phasing, etc.

**TOPIC AREA 6: MARINE RESOURCES**

**GOAL STATEMENT 6.o:** TO PROTECT THE TOWN'S COASTLINE, THE WORKING WATERFRONT, AND ENSURE APPROPRIATE ACCESS TO AND ENJOYMENT OF THE WATER WHILE PROTECTING IT FROM ENVIRONMENTAL IMPACTS

**OBJECTIVE 6.1 ENSURE APPROPRIATE ACCESS TO THE WATERFRONT**

- 6.1.1. Develop a public education campaign to inform boaters about safe boating practices and the navigational challenges and hazards in area waterways.
- 6.1.2. Explore the possibilities of providing shared parking working with owners of Frisbee Store property.
- 6.1.3. Explore opportunities for water-based visitation to Kittery, such as a water-taxi from Portsmouth, and to provide a docking location for existing boat trips (such as the various harbor tours) to drop off visitors in Kittery.
- 6.1.4. Publish a map to existing points of access for boaters, particularly kayaks and small craft that can be launched from trailers or hand-carried. The sites shown should be appropriate in size, location, adjacent land uses, and access (e.g.; availability of parking).
- 6.1.5. Determine whether appropriate locations exist for additional public access to the water and waterfront.
- 6.1.6. For environmentally sensitive and secluded locations like Seapoint Beach, encourage additional non-motorized

visitors through installation of bike racks and bike/pedestrian paths.

- 6.1.7. Continue collaboration with Wood Island Life Saving Station Association (WILSSA), including support for construction of a pier and restoration of the marine railway.
- 6.1.8. Install signs to parking lot at Mitchell School, which can serve as overflow parking for Pepperrell Cove in summer and on non-school days.
- 6.1.9. Install No Wake Zone signs and buoys where needed, including at Hicks Rocks, south of Route 103 Bridge.

**OBJECTIVE 6.2 PROTECT WORKING WATERFRONT**

- 6.2.1. Continue to support Kittery's maritime-based economy including the fishing and shellfishing industry by maintaining access to the working waterfront and creating innovative avenues to better connect fishing to the local economy.
- 6.2.2. Identify any needed improvements or operational changes to the Government Street Wharf.
- 6.2.3. Identify whether additional shoreside facilities for commercial access would benefit marine-based industries.
- 6.2.4. Evaluate whether any additional areas should be categorized as Commercial Fisheries/Maritime Uses (OZ-CFMU) zoning; this classification is located within the

## TOPIC AREA 6: MARINE RESOURCES

upland area 75 feet of the normal high-water line or to the property boundary line as identified on the Zoning Map.

- 6.2.5. Consider conducting a dredging study to assess the costs, benefits, and options taking into consideration the potential environmental impacts.
- 6.2.6. Develop a self-guided tour of the working waterfront.
- 6.2.7. Provide information about the Working Waterfront Access Pilot Program and current use taxation program to owners of waterfront land uses to provide access to or support the conduct of commercial fishing activities

### OBJECTIVE 6.3 PROTECT MARINE RESOURCES

- 6.3.1. Update the Harbor Management Plan
- 6.3.2. Undertake an education and advocacy effort to increase awareness in residents and business owners on effects of pollutants, pesticides, and stormwater runoff.
- 6.3.3. Evaluate the Town Code regarding use of pesticides and herbicides with chemicals, in waterfront areas or town-wide.
- 6.3.4. Work with Portsmouth Naval Shipyard to identify and reduce impacts of flooding on the facility, and to lessen or eliminate outflows of pollutants and hazardous materials during floods and storms.

- 6.3.5. Identify a suitable site for storage of the town's floats during coastal storms, and prepare specific operational plans to move floats there in advance of storms.
- 6.3.6. Evaluate the feasibility/location of a boat waste pumpout facility.
- 6.3.7. Encourage owners of marine businesses and industries to participate in clean marina/boatyard programs
- 6.3.8. Work with local property owners, land trusts, and others to protect major points of physical and visual access to coastal waters especially along public ways in in public parks

### RELATED STRATEGIES IN OTHER TOPIC AREAS

- 8.4.3. Ensure creative and innovative uses in the Shoreland Overlay Zone do not have to go through an onerous approval process if and when they trigger a Special Exception permit.
- 9.1.1. Identify, monitor, plan, and mitigate the potential impacts of sea level rise.
- 9.1.2. Review and update the Town's Emergency Plan in case of extreme weather conditions
- 9.1.4. Monitor, plan for, and mitigate the potential effects of climate change on Kittery's natural resources
- 9.1.6. Identify, mitigate and take advantage of opportunities created by the potential impacts of climate change on Kittery's economy.

**TOPIC AREA 6: MARINE RESOURCES**

9.3.5. Increase public awareness regarding the need to protect the environment for future generations.



<p><b>Environmental Stewardship</b></p>	<ul style="list-style-type: none"> <li>• By maintaining and maximizing water quality and the health of its marine resources, Kittery will be safeguarding irreplaceable environmental assets for its future as a coastal community.</li> </ul>
<p><b>Health &amp; Wellness</b></p>	<ul style="list-style-type: none"> <li>• By improving water quality and facilitating access to the water and waterfront areas, Kittery will be promoting the health of its residents and their access to recreational and exercise opportunities.</li> </ul>
<p><b>Economic &amp; Social Vitality</b></p>	<ul style="list-style-type: none"> <li>• By protecting its working waterfront, Kittery will support a major sector of the local economy, and preserve a central aspect of its community character.</li> <li>• By promoting a broad user base for its marine resources, Kittery will interest and involve many people from the community in its stewardship, and further increase its social capital as a community</li> </ul>

**MARINE RESOURCES:  
THREE KEY PLANNING PRINCIPLES**

TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES, AND FISCAL CAPACITY

# PUBLIC FACILITIES AND SERVICES AND FISCAL CAPACITY



*Kittery Municipal Complex/Town Hall*

### State of Maine Goal:

To plan for, finance and develop an efficient system of public facilities and services to accommodate anticipated growth and economic development.

(Maine Growth Management Act ((30-A M.R.S.A. §§ 4312 - 4350)

**GOAL STATEMENT 7:** TO IMPROVE TOWN GOVERNANCE AND PROVIDE ADEQUATE PUBLIC FACILITIES AND SERVICES; INCREASE FISCAL CAPACITY RESPONSIBLY

**Objective 7.1.** Improve Town governance and its ability to adapt to change

**Objective 7.2.** Maintain and improve municipal facilities

**Objective 7.3.** Provide adequate municipal services

**Objective 7.4.** Maintain and responsibly increase fiscal capacity

## TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES, AND FISCAL CAPACITY

### OVERVIEW

A town is in many ways characterized by its public facilities and the way in which it provides services. In a relatively small town such as Kittery, many of its public buildings, such as Town Hall, the Community Center and the schools, also serve as gathering places where residents meet one another. The condition of a municipality's public facilities send a message to newcomers by how much townspeople take care of their public buildings. The types or public services a municipality provides and the locations to which it provides these also send a message regarding what a municipality prioritizes (e.g. families with children, taking care of elderly, etc.) and where it would like development to occur (e.g. by providing water and sewage).

Maintaining acceptable levels of municipal services at a reasonable cost is an important planning and fiscal objective. Facilities planning and management can help meet this objective. To a large degree, the need for public facilities is directly related to the size of a community, that is, in general, the larger the population, the more children there will be in the school system and the more demand there will be for libraries, recreation, and public safety services. The availability and capacity limits of some services, such as water and sewer can affect the degree and even the actual location of growth. Shifts in demographics may also indicate a need to shift resources. For example, an increase in the number of seniors may mean a need for additional services for the elderly.

- Ultimately the facilities owned and maintained by a municipality reflect the types and levels of service that local residents are willing to fund, given available resources, and the type of Town that residents want to be
- Facilities management is a way to proactively identify facility needs and to balance the demands of growth and use with the financial resources of the community
- All municipalities must invest in preventive maintenance, repair and updating of their facilities
- As municipalities experience changes, for example, in population, investment in public facilities and services must be balanced with changing needs and financial resources

Climate adaptation and emergency preparedness have become increasingly important for a municipality to plan for. Coastal management is especially important for waterfront communities that have to plan for the expected rise in sea level.

### Fiscal Capacity

The town's ability to maintain its facilities and to provide the type of services at the level desired by its residents is dependent upon maintaining and if possible, increasing its fiscal capacity. Fiscal capacity can be increased through increasing residential property taxes, increasing commercial tax rate, and/or by increasing the number of commercial establishments. Additionally, the State of Maine provides some revenue sharing funding back to each municipality based on a formula that accounts for State Valuation, population and tax assessment. Between the years of 2010 and 2015, Kittery's revenue sharing reimbursements declined by 23.5 %



## TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES, AND FISCAL CAPACITY

In order to Kittery to continue to provide effective and efficient public facilities and services it will have to maintain and increase its fiscal capacity including by exploring new funding sources and entering into regional agreements for the provision of services when feasible.

*Recommendations regarding Governance, Public Services and Facilities and Fiscal Capacity were developed based on an assessment of existing conditions, public input, best practice, input from Town Department Heads and relevant Boards and Committees, as well as a review by the Comprehensive Plan Update Committee and Planning Board.*

### KITTERY VOICES: PUBLIC INPUT

Kittery residents participated in the Comprehensive Planning process through several live and on-line forums, where they freely expressed concerns about and wishes for the future of Kittery; forums included the following:

- 3 town-wide public forums
- one on-line survey
- Committee presence at several Town events
- A continuous conversation on an on-line forum
- Comment Boards at Town Hall and the Kittery Community Center.
- A poll on election day regarding top recommendations

A detailed documentation of the public's input is summarized in the introduction to this report and more fully documented in Volume III of the Plan.

### ASSESSMENT OF EXISTING CONDITIONS: ISSUES AND IMPLICATIONS

Topic area #7 of the comprehensive plan focuses on improving governance, maintaining the Town's public facilities and provision of services in a way that meets the needs of Kittery residents, is fiscally responsible, and is consistent with the Comprehensive Plan's vision and goals for the future. See Volume II of this Plan for a full documentation of Existing Conditions.

### POPULATION CHARACTERISTICS

- Kittery's **population** has been relatively stable over the past couple of decades, with a slight tendency towards declining, evident since 1970. While current population projections generally assume that the population will remain stable, it is possible that increasing development pressure in Portsmouth may result in more people moving to Kittery for the affordability of housing, good schools, and other amenities. An increase in the Town's population could affect the facilities and services needed.
- Kittery is an **aging** community. Between 2000 and 2014 residents age 55 to 64 increased by sixty-five percent (65%), and the number of elderly residents is expected to continue to increase. This is important in terms of the number and type of services that may be needed in the future.

## TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES, AND FISCAL CAPACITY

### PUBLIC FACILITIES AND SERVICES

- Kittery has adequate to very good **public buildings**, has done a fairly good job at maintaining its public buildings and with few exceptions there is adequate space to serve the existing population as well as any predictable (slight) future increase.
- There is an adequate amount of **public meeting space** available at the Town Hall, the public schools, the Library and the Community Center.
- The Kittery School Department operates **three school buildings**. The Traip Academy (high school) was renovated between 1989-1993 while the Mitchell and Shapleigh Schools upgraded their facilities in 2011. Currently the schools can comfortably accommodate enrollments with additional capacity for any future increases in the student population. Minor upgrades are needed at Traip Academy.
  - While the **school** population is not expected to increase significantly, enrollments have not been completely static. Up-to-date enrollment projections would help the school system to plan for any future changes in the numbers of students to be served.
- Additionally, the more our lives connect us in virtual ways, the more it becomes evident that we need real, actual, live connections. Providing places and opportunities for **community interaction and gathering** is becoming increasingly important. The Rice Public Library, Kittery Community Center, Town Hall, public piers, and possible public gathering spots in the Foreside are important to maintain and enhance.
- Kittery has a variety of **indoor and outdoor recreational resources** including The Kittery Community Center, 4 public piers, parks, beaches, conservation lands, playgrounds and athletic fields.
  - An Athletic Fields Study has identified the need for additional playing fields. Financing these will be a challenge.
  - The Community Center is continuing its efforts to expand revenue-generating activities so as to increase its financial independence. An expected increase in demand for pre-school, elder, and other services makes this feasible.
  - While some residents have expressed a desire for **increased access (including boat ramps and parking) to the water**, others have voiced a concern about becoming too accessible that may lead to crowding, but also a lack of an ability to absorb an increase (especially of visitors) because of a lack of parking. It would be beneficial for the Port Authority to develop a Strategic Plan to explore ways of balancing these and other potential conflicts.

## TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES, AND FISCAL CAPACITY



*The Frisbee Wharf is enjoyed by many Kittery residents.*

- An increasing awareness regarding healthy living has resulted in more people interested in making **fitness** a part of everyday life. This results in a higher demand for **recreation**, both passive and active, for all ages, and therefore, there will be an increased need to fund such facilities as well as programs. Related to this trend is an increase in the number of people that would like to **walk and bike** both for recreation as well as a means of transportation. The Town will need to find ways of improving these connections, especially between public buildings, schools, recreational areas and other sites of interest.
- As the population ages, it will become important to provide more services geared to **elderly residents**. Kittery does not have a Council on Aging or a Senior Center. This is actually

aligned with current trends as the baby boomer demographic is less interested in participating in traditional senior-oriented activities in an age-segregated building. The Kittery Community Center concept with programming for all ages and opportunities for inter-generational activities is more in-line with current and future concepts regarding caring for our elders. The KCC is also considering providing daycare for seniors in the future, also a trend.

- The **Police Station**, will being more than adequate to meet current and future needs in terms of space, may need to add staff to reflect the large day-time population which includes tourists (seasonal), shoppers (outlets), and employees (PNS). Additionally, regional dispatch for Police calls is expected to result in efficiencies.
  - The Police Department's participation in a new regional **opiate addiction** program to decriminalize addicts and connect them to treatment should result in a decrease in crime as reportedly, much of the criminal activity is related to drug activity.
- As it becomes increasingly difficult to recruit volunteers, the **Fire Department** should consider strategies such as regionalization, establishing a partial professional fire fighting staff, among other strategies.
- The **Rice Library**, a beautiful historic building, has experienced an increase in usage over the past years while simultaneously facing space shortages and other obstacles to efficient functioning. Libraries are changing their role and becoming more of a community center providing programming of all sorts to residents. A decision must be made regarding how to

## TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES, AND FISCAL CAPACITY

modernize the Rice Library either by constructing an addition to the existing building or by creating a new facility on another site.

- The demise of printed media combined with the lack of a local newspaper has resulted in the reliance and high usage of cable TV, social media and community bulletin boards for communication. As information is increasingly consumed in different ways, there may be a need to diversify the means of **communication**.
- Kittery’s economy has a strong relationship with the **Portsmouth Naval Shipyard**. For example, both the Kittery Water District and the Town sewer system derive a significant portion of their usage and revenues from the Shipyard. If the status of the Shipyard were to change in the future resulting in a drop in usage, this could result in a significant shift in costs for available capacity to the other users of these systems. This does seem to be an issue in the near future, however, It is important to consider the impacts that any future changes in uses at the Shipyard could have on Kittery facilities and services.
- It will be important to **guide development**, both residential and commercial, to desired locations through the provision of utilities and services. It is important to work cooperatively with the Wastewater Treatment Department and the Kittery Water District to ensure that the provision of water and sewer services do not create undesirable development in the rural areas.
- While Kittery has taken steps to be mindful of the environment, it is important to be more proactive regarding the implementation of **sustainability measures**, especially with regard to **sea level rise and climate adaptation**. Raising awareness and encouraging the use of **renewable energy** sources is also critical to ensuring the future of the planet. (See Topic Area 9: Coastal Community Resilience).

### FISCAL CAPACITY

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- Kittery is currently in sound **fiscal health**. Current debt obligations are low as a percentage of total valuation, expenses are relatively stable, and revenues are rising.
- The Town needs to consider ways to **increase its local valuation** so that it can maintain its public facilities and continue to provide services at the current level. This can be done by encouraging development or improvement of property in town as a way to increased assessed value.
  - The Town’s average tax bill for homeowners is high when compared to those of nearby towns. This could have the effect of pricing lower- and middle-income households out of Kittery. A loss in population will negatively impact future tax receipts.
  - The Town’s commercial tax base is high relative to surrounding communities. There is an opportunity to attract additional businesses in the Business Park along Route 236. Sewer service has been extended to the area, and it is expected that water service will be provided by the developer in the near future.

**TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES, AND FISCAL CAPACITY**

**KEY RECOMMENDATIONS**

The following are the recommended policy directions for the Topic Area of Governance, Public Facilities and Services and Fiscal Capacity. See the Table at the end of the Implementation Chapter for specific Action Steps for achieving these. The Table includes a partial list of existing resources, Lead and Partners to carry out the actions, suggested phasing, etc.

**GOAL STATEMENT 7.0:** TO IMPROVE TOWN GOVERNANCE AND PROVIDE ADEQUATE PUBLIC FACILITIES AND SERVICES; INCREASE FISCAL CAPACITY RESPONSIBLY

**OBJECTIVE 7.1. IMPROVE TOWN GOVERNANCE AND ITS ABILITY TO ADAPT TO CHANGE**

- 7.1.1. Ensure that planning and management processes are open, informative, inclusive, respectful and welcoming
- 7.1.2. Increase citizen engagement and access to government
- 7.1.3. Improve and increase communication
- 7.1.4. Support the implementation of the Comprehensive Plan goals

- 7.1.5. Look for additional funding sources to support implementation
- 7.1.6. Refine existing and develop new tools to help with planning and implementation
- 7.1.7. Consider new methods to recruit volunteers to serve on boards and committees
- 7.1.8. Continue to work with surrounding communities, and to the extent that is feasible, develop a mutually beneficial regional approach.
- 7.1.9. Continue to work with PNS to continue mutually beneficial relationship and to identify potential for additional areas of collaboration
- 7.1.10. Continue communication and collaboration across Town Departments

**OBJECTIVE 7.2. MAINTAIN AND IMPROVE MUNICIPAL FACILITIES**

- 7.2.1. Develop a long-range plan for the library
- 7.2.2. Continue to provide high quality education to residents of all ages
- 7.2.3. Support renovation and plans for the expansion of programming at the Kittery Community Center
- 7.2.4. Support healthy lifestyle choices and wellness

## TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES, AND FISCAL CAPACITY

7.2.5. Maintain and upgrade existing facilities

### OBJECTIVE 7.3. PROVIDE ADEQUATE MUNICIPAL SERVICES

- 7.3.1. Continue to ensure public safety is adequate for the community's needs
- 7.3.2. Continue to provide engaging activities for residents of all ages
- 7.3.3. Ensure our wastewater plans and services are consistent with our land use plans
- 7.3.4. Ensure our plans for the provision of water are consistent with our land use plans
- 7.3.5. Continue to reduce or eliminate polluted Stormwater runoff to the extent practicable
- 7.3.6. Provide services in a manner that results in attracting desired economic development in appropriate locations

### OBJECTIVE 7.4. MAINTAIN AND RESPONSIBLY INCREASE FISCAL CAPACITY

- 7.4.1. Continue to align fiscal capacity and capital investment plans
- 7.4.2. Continue to explore ways to increase fiscal capacity
- 7.4.3. Align the Capital Investment Plan with the municipal growth-related capital investments identified in the Comprehensive Plan.

### RELATED STRATEGIES IN OTHER TOPIC AREAS

- 8.1.1. Support the implementation of the Future Land Use Plan.
- 8.1.4. Continue efforts to encourage development to locate in areas where public utilities are already provided
- 8.1.8. Direct a minimum of 75% of new municipal growth-related investments into designated growth areas identified in the Future Land Use Plan.
- 9.1.1. Identify potential impacts, plan for, and mitigate sea level rise
- 9.1.2. Review and update Emergency Plan in case of emergency storm conditions

**TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES, AND FISCAL CAPACITY**

9.2.1. Develop a plan to transition to low and zero impact energy sources

9.2.2. Consider Town policy changes that encourage the use of renewable energy sources

9.3.2. Explore alternative and additional recycling options

9.3.4. Increase public awareness regarding the need to protect the environment for future generations

**CAPITAL IMPROVEMENTS**

The following Capital improvements are recommended in the Plan:

- Rice Library: The cost will vary depending on the decision regarding the location, renovation versus new construction, etc.
- Solid Waste Facility: minor repairs are needed to the facility. No cost estimate is available
- Sewer and Water Systems: No expansion is planned for the foreseeable future.

**PUBLIC FACILITIES, SERVICES AND FISCAL CAPACITY  
THREE KEY PLANNING PRINCIPLES**

<b>Environmental Stewardship</b>	<ul style="list-style-type: none"> <li>• Reducing or eliminating polluted Stormwater will help to protect the quality of the water.</li> </ul>
<b>Health &amp; Wellness</b>	<ul style="list-style-type: none"> <li>• Recommendations regarding increasing opportunities for recreation for all ages as well as providing biking and walking infrastructure that is safe and pleasant are aimed at promoting the health and wellness of Kittery residents.</li> </ul>
<b>Economic &amp; Social Vitality</b>	<ul style="list-style-type: none"> <li>• Facilities such as schools, the Community Center, the Rice Public Library, and the Municipal Complex act as gathering places for Kittery residents thus helping to build a sense of community.</li> <li>• Directing utilities, namely wastewater and water to areas where commercial development is desired, helps to promote economic development.</li> </ul>

TOPIC AREA 8: LAND USE

# LAND USE



Historic, walkable development pattern in the Foreside in Kittery.

### State of Maine Goal:

To encourage orderly growth and development in appropriate areas of each community, while protecting the state's rural character, making efficient use of public services, and preventing development sprawl.

(Growth Management Act 30-A M.R.S.A. 4312)

### GOAL STATEMENT 8: ENSURE THAT THE TOWN'S REGULATIONS SUPPORT DESIRED LAND USES.

**Objective 8.1.** Update Town Code and apply land use regulations to guide desirable development in appropriate locations

**Objective 8.2.** Protect the area north of Spruce Creek

**Objective 8.3.** Sustain and build upon the vitality of the Foreside District

**Objective 8.4.** Protect the working waterfront

**Objective 8.5.** Support creative and viable redevelopment of the Route 1 Corridor (Outlet mall area and Rt. 1 By-pass)

**Objective 8.6.** Explore feasibility of development in the business park



## TOPIC AREA 8: LAND USE

## EXISTING LAND USE

## OVERVIEW

Kittery is primarily a residential community with housing located in nearly every corner of the town, with the exception of the Outlet Malls along Route 1. Commercial areas, both large and small, are located along Route 1 and the Route 1 Bypass, Dennett Road, in the Foreside, and in pockets along Route 103. The Town has benefitted from a diverse mix of commercial growth over time, providing commercial tax revenues and jobs for residents. Kittery is also blessed with a wide range of open spaces which include everything from Federal lands in Rachel Carson, to farm preservation at Rustlewood. There is a feeling in town that new development, particularly residential subdivisions, are fragmenting open spaces and taking away some of the characteristics that make Kittery a scenic and special place.

The future land use map from the Comprehensive Plan completed in 1999 recommended that the Town concentrate growth along Route 1, in and around the Foreside, along Route 236 and the new Business Park, and in Kittery Point. Land north of Spruce Creek was largely set aside as Rural Conservation because of the natural resource areas, open spaces, agricultural land, and lack of public infrastructure. Unfortunately, most of the new residential development that occurred between 1999 and 2015 took place in the areas labeled Rural Conservation. These primarily took the

form of large lot single-family subdivisions on previously undeveloped land.

Historically, development that took place prior to 1970 in Kittery had a tendency to locate south of Spruce Creek and was much smaller in size creating the concentrated development pattern exemplified by the Foreside and Kittery Point. Throughout this Comprehensive Plan process, many residents have expressed a desire to have more compact, walkable development nodes in strategic locations across town that support a mix of residential and commercial uses. In addition to expanding the number of development nodes, there is also a desire to continue to support the revitalization of the Foreside and possibly expand its boundaries should the economics support such a decision.

In order to achieve the goals and desires of residents in Kittery, but still recognize the rights of property owners to develop their land; the Town will need to revisit zoning regulations. Incentivizing the change that is desired is one way to encourage land use outcomes. The Town should consider revisiting the mixed use districts along Route 1, the zoning for the Business Park, and the cluster development provision in the Town's land use and development code to determine if they are producing the desired outcomes and how changes could be administered to align more with the vision, goals, and strategies of this Comprehensive Plan.



*Kittery Trading Post*

## TOPIC AREA 8: LAND USE

Topic area #8 of the comprehensive plan focuses on encouraging an orderly and well-thought out growth pattern for the future. Kittery should invest in areas where development has already occurred or is planned to take place before considering further expansion into rural areas of town. This will help keep infrastructure and service costs down, and increase tax revenues by concentrating new development in higher density clusters.

*Recommendations regarding Land Use were developed based on an assessment of existing conditions, public input, best practice, input from Town Department Heads and relevant Boards and Committees, as well as a review by the Comprehensive Plan Update Committee and Planning Board.*

### KITTERY VOICES: PUBLIC INPUT

Kittery residents participated in the Comprehensive Planning process through several live and on-line forums, where they freely expressed concerns about and wishes for the future of Kittery; forums included the following:

- 3 town-wide public forums
- one on-line survey
- Committee presence at several Town events
- A continuous conversation on an on-line forum
- Comment Boards at Town Hall and the Kittery Community Center.
- A poll on election day regarding top recommendations

A detailed documentation of the public's input is summarized in the introduction to this report and more fully documented in Volume III of the Plan.

### ASSESSMENT OF EXISTING CONDITIONS: ISSUES AND IMPLICATIONS

Topic area #8 of the comprehensive plan focuses on guiding desired land uses in a way that meets the needs of Kittery residents, and is consistent with the Comprehensive Plan's vision and goals for the future. See Volume II of this Plan for a full documentation of Existing Conditions.

- Since the completion of the 1999 Comprehensive Plan, 74 percent of residential development occurred in the Rural and Rural Conservation zoning districts. This equated to 758 acres of land that is now classified by the Town's Assessing Department as a residential land use. The overall intensity of development drops considerable as one travels from the south side of Kittery to the north side.
  - 52 percent of the land in Kittery falls within the Residential – Rural and Residential - Rural Conservation zoning districts. This comprises a majority of the land area in Kittery and an important resource for maintaining what is left of the Town's rural characteristics.
  - The 1999 Comprehensive Plan recommended that growth focused in areas that are currently sewered, and areas not located in the no growth/limited growth areas.
  - This trend of development taking place in areas not recommended by the current Comprehensive Plan has been occurring since at least the 1988.

## TOPIC AREA 8: LAND USE

- The minimum lot size for residential development in the Rural residential zoning districts is seen by some residents as too restrictive, and by some residents as too loose. A minimum lot size of 40,000 square feet may be considered by some as more in line with suburban residential subdivision standards.
  - The cluster development provision in the Town's land use and development code does not seem to be encouraging large land owners to conserve open space while still providing for development opportunities on their land.
  - The Town continues to see large tract residential subdivisions in the no growth/limited growth areas. The policies and regulations in the current zoning code are not accomplishing the goals of open space preservation and clustering of development in these areas.
  - The current zoning code does not fully address issues of sustainability such as the integration of energy conservation, water quality protections, and impacts of sea level rise into new development and conservation efforts.
- Kittery's current zoning code is not leading to development and preservation outcomes that were stated in the 1999 Comprehensive Plan, and are not consistent with the feedback received during this Comprehensive Plan process.
    - The Town currently has eighteen zoning districts, with many have overlapping use allowances and dimensional standards. This makes for an onerous and complicated code that is difficult to interpret.



*Frisbee's Market in Kittery Point.*

- The Business Park zoning district is envisioned to create a “high quality park-like setting for both businesses and residents”, but the zoning performance standards make that vision very challenging to accomplish.
  - The large lot size requirement of 120,000 square may result in a series of large single-story buildings surrounded by surface parking. Smaller lot size minimums may help to encourage the clustering of buildings, shared parking, shared landscape/park features, etc.
  - The Town has recently invested substantial public funds to extend infrastructure to the Business Park in hopes it would incentivize commercial and residential development. To date, no new development has taken

## TOPIC AREA 8: LAND USE

- place although additional utilities are required in order to fully serve development in the Business Park. The Town would like to see development occur in this location, given the outlay of public funds and the recognition that this is an acceptable location for growth. The Town should consider possible zoning changes to help incentivize future private investment in this location.
- The Mixed Use district along the northern segment of Route 1 has similar challenges to the Business Park District with respect to creating a true mix of uses.
    - The minimum lot area per dwelling unit requirements create challenges for the incorporation of residential development. Large parcels of land are needed in order to accommodate a small number of multifamily dwelling units. This requirement minimizes the amount of mixed use development that could take place on a large parcel of land, which is likely resulting in little to no interest in this type of development in this zoning district.
  - Current use restrictions, performance standards, and dimensional requirements in certain zoning districts do not match with the purpose statement of the district.
    - For example, the Mixed Use district along Route 1 north of the Outlet Mall calls for a mix of commercial and residential development with orderly traffic flow and a high level of pedestrian safety. This may be challenging to accommodate with large parcel development with sixty-foot setbacks and a forty-foot height restriction.
  - While the Outlet Malls are currently a viable tax generating commercial use in Kittery, questions have been asked throughout the Comprehensive Plan process about their long-term viability and potential need for future adaptation if the retail market changes.
    - The Town has not yet completed a plan for the Route 1 area in partnership with property and business owners.
    - Plans for this area, including zoning, should be informed by a planning process and a look at what would entice development investment from a market economics perspective.
  - The Foreside is arguable one of Kittery's most successful development areas, and one its most beloved. The mix of walkable retail, restaurants, small businesses, and residences provides the quintessential New England character to this part of Kittery. However, there are challenges with balancing



*Seapoint Beach*

## TOPIC AREA 8: LAND USE

economic development, housing demand, and building design that is attractive and similar in character with existing buildings.

- The Town should continue to work with businesses and residents in the Foreside to implement recommendations from the Foreside Forums, particularly those related to land use and zoning. These items are low-hanging fruit and those the Town has complete control over.
- Contrary to what the 1999 Comprehensive Plan called for, the majority of residential development constructed after 1999 is located north of Spruce Creek on the east and west sides of Route 1. Residents still share the same vision of maintaining as much open space as possible north of the Creek, while minimizing the impact of new development.

### KEY RECOMMENDATIONS

The following are the recommended policy directions for the Topic Area of Public Facilities and Services and Fiscal Capacity. See the Table at the end of the Implementation Chapter for specific Action Steps for achieving these. The Table includes a partial list of existing resources, Lead and Partners to carry out the actions, suggested phasing, etc.

The Key Recommendations section of the Land Use Implementation Chapter is broken up into two distinct sections. First are the overarching recommendations specific to directing the general pattern of future development in Kittery. These are meant to act as guiding principles, and overarching strategies and

recommendations. The second are more specific recommendations that address smaller geographic areas in town, zoning districts, or specific issues. The more specific recommendations follow the same format as all the other Comprehensive Plan chapters and are listed in table toward the end of this chapter.

**GOAL STATEMENT 8.0:** ENSURE THAT THE TOWN'S REGULATIONS SUPPORT DESIRED LAND USES.

### 8.1. UPDATE TOWN CODE AND APPLY LAND USE REGULATIONS TO GUIDE DESIRABLE DEVELOPMENT IN APPROPRIATE LOCATIONS

8.1.1. Support the implementation of the Future Land Use Plan.

8.1.2. Review and revise Town Code

8.1.3. Continue efforts to encourage development to locate in areas where public utilities are already provided

8.1.4. Continue efforts to direct new commercial and multi-family residential development to existing commercial, industrial, and urban/suburban residential districts

8.1.5. Encourage the protection of open space and landscape features within developments and/or in the no growth/limited growth areas

## TOPIC AREA 8: LAND USE

8.1.6. Consider adding provisions to support the adaptive reuse of existing historic structures

8.1.7. Consider amending zoning to provide for more affordable housing

8.1.8. Direct a minimum of 75% of new municipal growth-related capital investments into designated growth areas identified in the Future Land Use Plan.

8.1.9. Coordinate land use strategies with other local and regional land use planning efforts where appropriate.

### 8.2 PROTECT AREA NORTH OF SPRUCE CREEK

8.2.1. Work with the Kittery Land Trust to create a prioritized list of parcels for open space acquisition

8.2.2. Revisit the Cluster Ordinance to ensure it is effective in meeting its objectives

8.2.3. Consider increasing the minimum lot size in the Rural Residential zoning district to help protect additional open space and encourage the clustering of homes.

8.2.4. Explore the feasibility and usefulness of a transfer of development rights ordinance.

### 8.3 SUSTAIN AND BUILD UPON THE VITALITY OF THE FORESIDE DISTRICT

8.3.1. Undertake a study to determine what is needed to support an expansion of the Foreside district.

8.3.2. Include parking reduction and shared parking strategies in the Kittery Foreside Mixed-Use zone.

8.3.3. Reduce land area per dwelling unit requirements for multifamily housing.

8.3.4. Explore ways of supporting the financial feasibility of the redevelopment of smaller parcels.

8.3.5. Look for opportunities to leverage town-owned land or buildings to support town-wide goals for housing and job creation.

8.3.6. Encourage innovative *makerspace*, (do-it-yourself) DIY spaces that afford artists and small business owners with space to create, invent, and learn in the Foreside, alongside modest retail opportunities for galleries and sales.

## TOPIC AREA 8: LAND USE

### 8.4 PROTECT THE WORKING WATERFRONT

8.4.1. Increase the long-term viability of the working waterfront through coordination with fishermen and protection of piers and dockside facilities.

8.4.2. Look for ways to allow and/or support unique business ideas along the waterfront that integrate traditional marine-related businesses with new and innovative business ventures. Ensure that use definitions and permitting processes do not restrict innovative ideas for keeping marine-related jobs and industries financially-viable in Kittery.

8.4.3. Ensure creative and innovative uses in the Shoreland Overlay Zone do not have to go through an onerous approval process if and when they trigger a Special Exception permit.

### 8.5 SUPPORT CREATIVE AND VIABLE REDEVELOPMENT OF THE RT. 1 CORRIDOR (OUTLET AREA AND RT. 1 BY-PASS)

8.5.1. Engage in a planning process for the Outlet Mall and the Rt. 1 By-pass areas

### 8.6. EXPLORE FEASIBILITY OF DEVELOPMENT IN THE BUSINESS PARK

8.6.1. Determine what uses would be desirable and marketable in the Business Park and make updates to the base zone that reflect those uses.

8.6.2. Review and revise the Business Park zoning district's dimensional standards in relation to land area per dwelling unit and minimum lot size.

8.6.3. Provide clear direction in the Zoning Ordinance with regard to the minimum dimensional standards for development under the Mixed Use Cluster provisions that are applicable to development in the Business Park zoning district.

### RELATED STRATEGIES IN OTHER TOPIC AREAS

3.3. Develop guidelines for the future redevelopment of the Route 1 Corridor

3.5. Attract new businesses to the Business Park

6.3.3 Evaluate the Town Code regarding the use of pesticides and herbicides with chemicals in waterfront and other areas.

**TOPIC AREA 8: LAND USE**

7.1.6. Refine existing and develop new tools to help with planning and implementation

7.4.3. Align the Capital Investment Plan with the municipal growth-related capital investments identified in the Comprehensive Plan.

9.1.5. Monitor, plan for, and mitigate the potential impacts of climate change on Kittery's BUILT ENVIRONMENT

9.2.2. Consider Town policy changes that encourage the use of renewable energy sources.

<p><b>Economic &amp; Social Vitality</b></p>	<ul style="list-style-type: none"> <li>• A mix of residential and commercial development in Kittery can provide jobs and housing to residents and create a stable and sustainable economy.</li> <li>• Supporting existing businesses and growing the tax base through additional commercial development will help the Town maintain a strong fiscal position to invest in the future.</li> </ul>
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**LAND USE:  
THREE KEY PLANNING PRINCIPLES**

<p><b>Environmental Stewardship</b></p>	<ul style="list-style-type: none"> <li>• By concentrating new development and redevelopment in areas that are already developed and served by existing infrastructure, environmentally sensitive resources can be preserved for the use and enjoyment of future generations.</li> </ul>
<p><b>Health &amp; Wellness</b></p>	<ul style="list-style-type: none"> <li>• Developing in a compact and connected way can reduce dependency on personal automobiles and provide residents with alternatives like walking and biking to get from place to place. A sprawling development pattern separates land uses and reinforces detrimental health outcomes.</li> </ul>

## FUTURE LAND USE PLAN

The Future Land Use Plan (**Map 8.1**) provides a graphic depiction and roadmap for how land use policies apply to land in Kittery. The primary purpose of the map is to support the community’s vision for the future development of Kittery. It is intended to help guide future development to locations that the Town feels are appropriate for different types of uses, as well as steering growth away from protected lands, natural resources, and areas that are not currently serviced by water and/or sewer infrastructure. It is important to note that the Future Land Use Plan is not meant to serve as a zoning map. It can, and should, be used to guide future zoning decisions when the Town undertakes to adjust its zoning regulations to better reflect the vision, goals, and strategies described in this Comprehensive Plan. The boundary delineations shown on the Plan are intended to be general and flexible, with



## TOPIC AREA 8: LAND USE

**State of Maine Goal**

To encourage orderly growth and development in appropriate areas of each community, while protecting the state's rural character, making efficient use of public services, and preventing development sprawl.

(Maine Growth Management Act  
(30-A M.R.S.A. §§ 4312 - 4350)

the intention of guiding future zoning ordinance changes and zoning map amendments consistent with this Comprehensive Plan.

The Future Land Use Plan is consistent with Kittery's vision of an historic seacoast community with small-town character. It is important to note that the Town developed differently over the past sixteen years as compared to the growth and no-growth designations identified in the 1999/2000 Future Land Use plan. This Plan recognizes the changes that have occurred since the last Comprehensive Plan and incorporates these. Conservation and rural areas are protected from development in order to maintain the natural features and scenic quality of these areas. Traditional neighborhoods are identified and any redevelopment that occurs will be guided in such a way so that it is in keeping with the context of these neighborhoods, that is the historic, natural, and other features that define each neighborhood's character. The Plan also identifies areas for mixed use in order to add to the Town's vitality and provide for a range of housing types and retail uses.

The Future Land Use Plan contains two overarching designations that should be used to guide future land use, zoning, and development decisions in Kittery over the next ten years. The

As in the 1999/2000 Comprehensive Plan, "the guiding principle of the Town's efforts to manage the use of the land should be to encourage a development pattern that maintains the historic pattern of a built-up center, traditional moderate density neighborhoods, and open outlying areas."

three land use designations, "**Growth Areas**," and "**Limited Growth Areas**" are intended to guide Kittery's growth to appropriate and desirable locations. In addition to this, three "**Neighborhood Conservation Areas**" are identified as an overlay to these growth designations in recognition that these three areas require specific attention. The main themes of the Future Land Use Plan embody the following concepts:

- The Town should continue its efforts to encourage development to locate in areas where public utilities are already provided for, namely sewers, and where transportation infrastructure facilitates the safe and efficient movement of people and goods. The Town should also look to direct new development, where feasible, to vacant or underutilized sites and buildings within developed areas where public utilities are already in place or could be provided in a simple and cost-efficient manner. Development should be directed 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.

## TOPIC AREA 8: LAND USE

- The Town should continue its efforts to direct new commercial and multifamily residential development to existing commercial, industrial, and urban/suburban residential districts as appropriate and allowed through the zoning ordinance. To help facilitate successful redevelopment in line with the vision set for in this Comprehensive Plan, the Town should consider undertaking a Comprehensive Zoning Revision to align zoning with the Comprehensive Plan. As noted in the Land Use Existing Conditions Chapter, there are too many similar zoning districts and allowable uses and performance standards do not match with the purpose statements in some districts.
- A revision of the ordinance would help align Comprehensive Plan goals with actual land use regulations that would help shape the outcome of many growth areas in town, and help protect no growth/limited growth areas. This should include establishing efficient permitting procedures, especially in growth areas.
- The Town Code should be reviewed, revised and updated to address and account for potential impacts of sea level rise and climate adaptation.
- The Town should consider amending zoning to provide for more affordable housing options. This could be accomplished through the adoption of an Inclusionary Zoning ordinance, adjustments to the

### From **Section 4 of the State of Maine Chapter 208.**

The Future Land Use Plan divides the community into geographical areas identified as either most suitable for growth or most suitable for rural uses unless exempted under 30-A M.R.S.A. §4326(3-A), more fully described below. The Future Land Use Plan also incorporates a map of critical natural resources and any designated critical rural and critical waterfront areas within the community.

**Growth Areas.** A community's Future Land Use Plan must identify a growth area or areas. The designation of growth areas is intended to ensure that planned growth and development and related infrastructure are directed to areas most suitable for such growth and development. Land areas designated as growth area must be consistent with the following provisions.

- (1) The Future Land Use Plan must designate as growth area those lands into which the community intends to direct a minimum of 75% of dollars for municipal growth-related capital investments made during the planning period.
- (2) Built-out or developed areas that may not have capacity for further growth but require maintenance, replacement, or additional capital investment to support existing or infill development must also be designated as growth areas.
- (3) Growth areas must generally be limited to land areas that are physically suitable for development or redevelopment. Growth areas may include incidental land areas that are physically unsuitable for development or redevelopment, including critical natural resource, however, the plan must address how these areas will be protected from negative impacts of incompatible development to the greatest extent practicable or, at a minimum, as prescribed by law.
- (4) To the greatest extent practicable growth areas should be located adjacent to existing densely-populated area.
- (5) Growth areas, to the greatest extent practicable, should be limited to an amount of land area and a configuration to encourage compact, efficient development patterns (including mixed uses) and discourage development sprawl and strip development.
- (6) Growth areas along roads should be configured to avoid strip development and promote nodes or clusters of development.

*See Appendix for full description of State requirements and definitions.*

## TOPIC AREA 8: LAND USE

### Preserving Kittery's town character

Preserving the unique historical, cultural, and natural resources in Kittery is a critical component to maintaining the Town's character. Currently, the Town has very few options for identifying and preserving the historical, archeological, and cultural assets that exist. Many of these features are discussed in the Historical and Cultural Resources chapter of the Comprehensive Plan, but many of the actions relate back to land use and zoning regulations.

- Use the Comprehensive Plan and Future Land Use Map as a guide for encouraging new development in identified locations, while protecting open spaces, agricultural land, and natural and historical resources.
- Identify regulations that can be amended or added to the Town's land use code that will further the preservation and protection of historic resources, with input from the Planning Board and other stakeholders. If an Historic Commission is established and the town becomes a *certified local government*, amend the zoning to include an historic preservation ordinance.

Accessory Dwelling Unit ordinance, or the adoption of regulations related to co-housing and tiny houses. In order to accommodate affordable units within a new multifamily development, the Town should consider lessening the square foot per dwelling unit requirements in some zoning districts where mixed use and multifamily would be accepted and encouraged.

- In general, the Town should encourage the protection of open space and natural landscape features within developments or in the no growth/limited growth areas. This could be accomplished by looking at the Cluster Development requirements to find out why it is not producing the results intended, or looking into a transfer of development rights (TDR) program to permanently protect open spaces. The Town should continue to work closely with groups like the Kittery Land Trust to acquire key pieces of open space, particularly where parcels are contiguous to existing protected open spaces.

For the purposes of satisfying the requirements in the State Growth Management Law and access to related State funding, both growth areas and neighborhood conservation areas should be considered as growth areas but only to the extent that is consistent with the policies set forth in the Future Land Use Plan designations. The use of State technical assistance and/or funding shall accommodate growth and development only to the extent envisioned in this plan. For example, state funding for utility upgrades to correct deficiencies in a "neighborhood conservation areas" would be appropriate whereas improvements that would expand the capacity to allow more intensive use of the land may not be, particularly in cases where that new intensive development is out of scale and character with the existing neighborhood.

For the purposes of assigning more manageable areas for future land use designations in Kittery, the Future Land Use map provides boundary lines depicting where each of the three designations begin and end. A more specific description of the land uses

## TOPIC AREA 8: LAND USE

envisioned within each of the three designations is provided below. For example, within the Growth designation the Town would like to see a mix of land uses which includes mixed use, higher density residential, and commercial. In some locations, it may be appropriate to mix these different uses where in other locations it may be more appropriate to separate them across multiple parcels of land. Future zoning changes should not only consider the three designations for guidance, but also the land use categorizations that attempt to provide another layer of detail to help guide future development in Kittery.

### LAND USE DESIGNATIONS

Today, the areas depicted on the Future Land Use Map as “growth areas” contain a mix of many different higher intensity uses which include commercial and retail development along the Route 1 and Route 1 Bypass corridors, smaller-scale compact mixed-use development in the Foreside, suburban-style single family housing north and south of Route 236, and tracts of largely vacant land where future development could be accommodated.

Future Land Use Map identifies a hierarchy of land use intensity through the designation of two growth designations, namely Growth and Limited Growth.

**GROWTH AREAS** are those areas where it is anticipated that nonresidential and residential growth will most likely occur and can be accommodated (i.e. because it can be conveniently served by public facilities and services) and are geographically suited for development (e.g. do not negatively impact protected natural features).

The idea behind the growth areas is to attract new residential and commercial development to these locations in order to relieve pressure from other parts of Kittery where growth is not desired. In order to accomplish this, the Town should take a closer look at

### TWO LAND USE DESIGNATIONS

#### GROWTH AREAS

- 75% or more of future non-residential growth is expected
- areas that are or can relatively easily be served by public facilities and services
- are accessible by a variety of modes of transportation
- promote more compact and denser pattern of development
- where there is existing development

#### LIMITED GROWTH AREAS

- include land with significant resource constraints to development or use
- areas with important agriculture or commercial forestry use
- areas that lack public utilities and/or are distant from public service
- land that is unsuitable for intense development
- intensive development is discouraged
- protection of rural characteristics priority

#### Neighborhood Conservation Areas

- infill projects that fill out existing neighborhood
- smaller scale development that is in keeping with character of specific context

The three Neighborhood Conservation Areas are:

- Foreside
- Kittery Point
- Admiralty Village

## TOPIC AREA 8: LAND USE

the Zoning Ordinance and ensure performance standards and dimensional requirements are promoting and allowing the types of development envisioned for the different locations within the larger growth area. The Town should also review the boundary lines of zoning districts to see if changes should be made to encourage certain land uses in locations where they may not be allowed today.

### NEIGHBORHOOD CONSERVATION AREAS

The intention of the neighborhood conservation designation is to identify areas in Kittery that are made up of relatively fully developed neighborhoods that in some cases contain all residential uses, or a mix of residential and commercial uses.

The objective of these areas is to allow a limited amount of infill development that maintains a similar development pattern to what exists today, and ensure new development matches the character and scale of the neighborhood.

Three specific locations, or neighborhoods, are depicted on the Future Land Use Map

- **Kittery Foreside**
- **Kittery Point**
- **Admiralty Village**

These are very unique areas in Kittery, each with their own development pattern and character that was seen as desirable to maintain by the public when discussed throughout the Comprehensive Plan process.

Recognizing that these areas are likely to see at least some level of development activity over time, it is important that zoning allows and encourages redevelopment that balances financial viability with consistency of character to what exists today.

**LIMITED GROWTH AREAS** include rural areas where intensive development will be discouraged. These areas also include areas with significant natural resource constraints to development or use (e.g. areas of agriculture or commercial forestry, areas that lack public utilities and areas that are distant from public services).

There are three “neighborhood conservation areas” located within these growth areas. Additionally, other areas of the Town are described below, recognizing that decisions regarding implementation of the zoning should incorporate the particular features of these areas.

A description of each desired land use type, approximate locations within the growth area, and some considerations for future zoning discussions are offered below to help guide decisions in Kittery moving forward. It may be desirable to consider developing a set of **Design Guidelines** for some of these areas in order to ensure that development and/or redevelopment is in keeping with the character of each area.

### GROWTH AREAS

The growth areas include designations for:

- Mixed Use
- Commercial and Business
- Urban Residential
- Suburban Residential
- Low Density Residential
- Compact Residential

## TOPIC AREA 8: LAND USE

## MIXED USE

The Town continues to envision a mixed-use area along Route 1 north of the Kittery Outlets that includes a mix of residential and commercial uses. This area could help support the provision of both multi-family housing opportunities, as well as strengthening the Town's commercial base while providing internal and external connections for pedestrians, cyclists, and motorists. This area could serve as a location for supporting additional multi-family housing units that include a percentage of affordable units. The close proximity to the outlets may also provide an opportunity to address the housing issues that J-1 workers face during their seasonal employment. The Town should also look at the performance standards for both mixed use and multi-family residential development in this area to determine if current lot area per dwelling unit requirements and density restrictions are creating barriers to future development in this corridor. Over time, the mixed use area could extend further south to incorporate the Kittery Outlets if property owners saw an opportunity to begin integrating additional uses into the retail-dominated portion of the Route 1 corridor.

- **NEIGHBORHOOD CONSERVATION AREA: FORESIDE:** The Foreside area in addition to being in the Growth Area is identified as being a "Neighborhood Conservation Area" in recognition of its special features. The compact nature of the existing development pattern and relatively small lot sizes can make it challenging to redevelop parcels. There is also a desire by some in the community to review the boundaries of the Kittery Foreside Mixed Use zoning district to potentially look at expanding that district to

increase the footprint of the Foreside. The existing land use mix of residential, commercial, and mixed use buildings in the Foreside provide precedence for modest density in a walkable, more urbanized environment.

The mixed-use designation is intended to allow for the reuse and redevelopment in the downtown area of Kittery Foreside. Zoning should be flexible and encourage a more urbanized pattern of development than what may be appropriate in other neighborhood conservation locations. The Town should encourage buildings to be located closer to the street, continuous street frontage, parking to the rear and sides of buildings, mixed use where appropriate, and multi-story buildings to help frame the street. Due to the smaller lot sizes in the Foreside, the Town should look for ways in the zoning to provide flexibility to encourage reuse and redevelopment. This could include flexible parking regulations, reductions in required on-site open space, and increased allowable building coverage. Allowable uses should include a wide range of residential uses, live-work space, maker space, retail, service-oriented businesses, and community and public uses.

- **KITTERY BUSINESS PARK** located off Route 236 and I-95 is a well-located property that is envisioned to support a high quality park-like setting for both businesses and residents where a mix of uses could be accommodated. The Town has already worked to bring sewer service to the property, but additional investments in utilities are needed to support future development. This property continues to be a priority for the Town, and represents a

## TOPIC AREA 8: LAND USE

location where additional development could be accommodated. Looking forward, the Town should consider reviewing the allowable uses, dimensional requirements, and standards in the mixed use cluster section of the Ordinance to ensure regulatory barriers are minimized and the language used is clear, concise, and easy for a potential developer to follow.

redevelopment should be in keeping with their specific context in terms of scale and character. These areas are:

- *Wallingford square*
- *Walker Street*
- *Shapleigh Rd (Between Manson Av. and Whipple Road)*
- *Pepperrell Road (in Kittery Point area)*
- *Lewis Square*

### COMMERCIAL AND BUSINESS

Within the growth area designation there are several different commercial development areas and nodes that tend to have their own identity characterized by uses, scale, and overall aesthetics. For example, the commercial development along Route 1 where the Kittery Outlets are located is very different from the commercial node along Shapleigh Road just north of Whipple Road. Fortunately, the Town has established several commercial zoning districts to help regulate appropriate uses and development size and scale. The Future Land Use Plan envisions a continuation of both regionally-serving and locally-serving commercial areas in Kittery, with the only potential change being the possible incorporation of additional uses within the Kittery Outlets over time. It may be desirable to consider establishing Design Guidelines for the potential redevelopment of these areas.

**LOCAL BUSINESS.** The following are additional existing commercial areas serve Kittery's residents . Any future

### URBAN RESIDENTIAL

This land use category (similar to the Urban Residence zone) is intended to complement the existing older sections of Kittery southeast of Route 1 out to Spruce Creek, with the exception of the Foreside and Admiralty Village (both described in the neighborhood conservation section). The majority of properties in this area are served by both public water and sewer, and are able to accommodate a limited amount of medium density residential development. These neighborhoods and areas tend to be within a reasonable walking distance to commercial nodes and are serviced by a wide range of existing infrastructure. Future uses in the urban residential area should include a range of residential uses (both single family and small multi-family structures), low-intensity commercial uses such as artist galleries, home offices and businesses, studios, and bed and breakfasts. Given the tighter development pattern and smaller lots sizes found in this area, the Town should consider lowering minimum lot size requirements from 20,000 square feet to 10,000 or 15,000 square feet to accommodate the redevelopment of

## TOPIC AREA 8: LAND USE

smaller lots. Where lots are within the Spruce Creek Watershed, the Town may want to consider keeping the 20,000 square foot limit or implement stormwater management requirements to minimize run-off and encourage on-site storage and recharge.

### SUBURBAN RESIDENTIAL

This land use category is intended to accommodate residential development at a slightly lower density than that of the urban residential category. This land use would be primarily focused on the area west of I-95 and south of Route 236, and would not include the office park area. Since the year 2000, this area has experienced the construction of several new suburban-style residential dwellings. Most of this area is currently served by public water, but not public sewers thereby limiting the development potential on many of the parcels. Basic minimum lot sizes in this area should continue to stay at 40,000 square feet, but the Planning Board could consider reducing minimum lot sizes to 20,000 square feet in the future if public water and sewer are both made available. This could provide opportunities for clustering, smaller and more affordable homes, and slightly higher densities than are currently allowed. Appropriate uses in this area should include single family, two-family, and small-scale multi-family dwellings, community and public uses, and similar low-intensity uses.

A description of each desired land use type, approximate locations within the neighborhood conservation areas, and some

considerations for future zoning discussions are offered below to help guide decisions in Kittery moving forward.

### LOW DENSITY RESIDENTIAL

**NEIGHBORHOOD CONSERVATION AREA: Kittery Point:** This land use category is intended to preserve the established character of the existing Kittery Point neighborhood while still allowing for some new development that is consistent with this current patterns. Kittery Point has the majority of Kittery's older buildings, which tend to be scattered rather than in a compact village center like the Foreside. Kittery Point is bounded on the south and east sides by both Piscataqua and Barter's Creeks, creating the need to manage stormwater runoff from new development. It is important to the people of Kittery that the history and character of Kittery Point be preserved, as well as reflected in any new development that may come in the future.

Where public water and sewer is not available, lot sizes should remain at the 40,000 square foot minimum. The Town may wish to consider some limited objective criteria for new development that needs dimensional relief from current zoning requirements in order to better match the historical character and development patterns of surrounding structures. If the Town (in this case it may be the Planning Board or Zoning Board of Appeals) feels the aesthetic character of the proposed development would be improved by granting relief that may be something to consider. Allowable uses should include single family, two-family, and low-density multi-family housing options, community facilities, public uses, and marine-related uses.



## TOPIC AREA 8: LAND USE

### COMPACT RESIDENTIAL

**NEIGHBORHOOD CONSERVATION AREA: Admiralty Village:** This land use category is intended to apply to the older, higher density residential area where public water and sewers are available or can be provided. Admiralty Village is predominantly residential in nature and the neighborhood where some of the Town's more affordable units can be found.

Within the Admiralty Village area, the density and character of new residential development should be similar to what exists today which is upwards of ten units per acre. Where new construction and development impacts Spruce Creek, mitigation should be put in place to minimize stormwater runoff. Allowable uses should include single family, two-family, and low-density multi-family housing options, community facilities, and public uses.

### LIMITED GROWTH DESIGNATIONS

Areas designated on the Future Land Use Map as "limited growth" represent land where the town would like to discourage growth and development in order to protect natural resources and limit the expansion of public utilities, services, and infrastructure. Much, if not all of the land in this designation relies on private water and septic for servicing existing and future development. The Town does not wish to promote additional development in the limited growth areas, nor promote the extension of public infrastructure needed to support it. Since

2000, 74 percent of new residential development occurred in the Rural Residential zoning districts. This Comprehensive Plan seeks to direct new development to areas in the growth designation to help preserve what remains of Kittery's open land and natural landscapes. If new residential development is to take place in the limited growth areas, that development should be designed as a cluster subdivision with the goal of preserving more open space on site while clustering new residential structures in a more compact manner.

A description of each desired land use type, approximate locations within the limited growth areas, and some considerations for future zoning discussions are offered below to help guide decisions in Kittery moving forward.

Limited Growth Designations include:

- Rural Residential
- Natural Resource Areas

### RURAL RESIDENTIAL

This land use category is intended to describe areas in Kittery where the Town desires to maintain what remains of its rural characteristics and undeveloped landscapes. Allowed uses within these areas should include agriculture and forestry, limited community and public uses, small-scale businesses related to agriculture, marine-related uses along coastal areas, and very low density residential uses. The Town should continue to push for cluster developments in the rural residential areas to help preserve as much open space and natural area as possible. As

## TOPIC AREA 8: LAND USE

recommended in the land use implementation section, the Town should evaluate the current Cluster regulations to ensure they are providing enough density to make development financially viable and attractive to current landowners. This will help in avoiding the fragmentation of land and creation of more suburban-style residential development patterns. The Town may also wish to consider revising the required lot sizes in the zoning districts that fall within the limited growth designation. Currently, there is a mixture of 40,000 and 80,000 square foot lot area minimums. The Town should evaluate whether those lot area minimums are appropriate for encouraging the type of development desired and whether the lot minimums are providing enough disincentive to steer developers toward a cluster approach for residential development.

- Currently, **Gerrish Island** and **Cutts Island** have the higher 80,000 square foot lot minimums because of the special nature of those areas. The Town should consider continuing to distinguish these unique environments from the other rural residential locations in Kittery.

### NATURAL RESOURCE AREAS

Natural Resource Areas lie within both current growth and limited growth areas and reflect Resource Protection and Shoreland Overlay Zones. The intent of this designation is to protect the value of important natural resources. Where development is allowed, care must be taken to preserve environmental features.



*Marsh, Kittery*

These areas that represent locations in Kittery that are either protected open spaces or critical natural resource areas where development should be restricted and managed to protect the natural environment. That is, these areas should be retained as natural areas and only natural resource related activities and low intensity recreational uses should be allowed. Land designated as open space and under permanent protection cannot and should not be developed on.

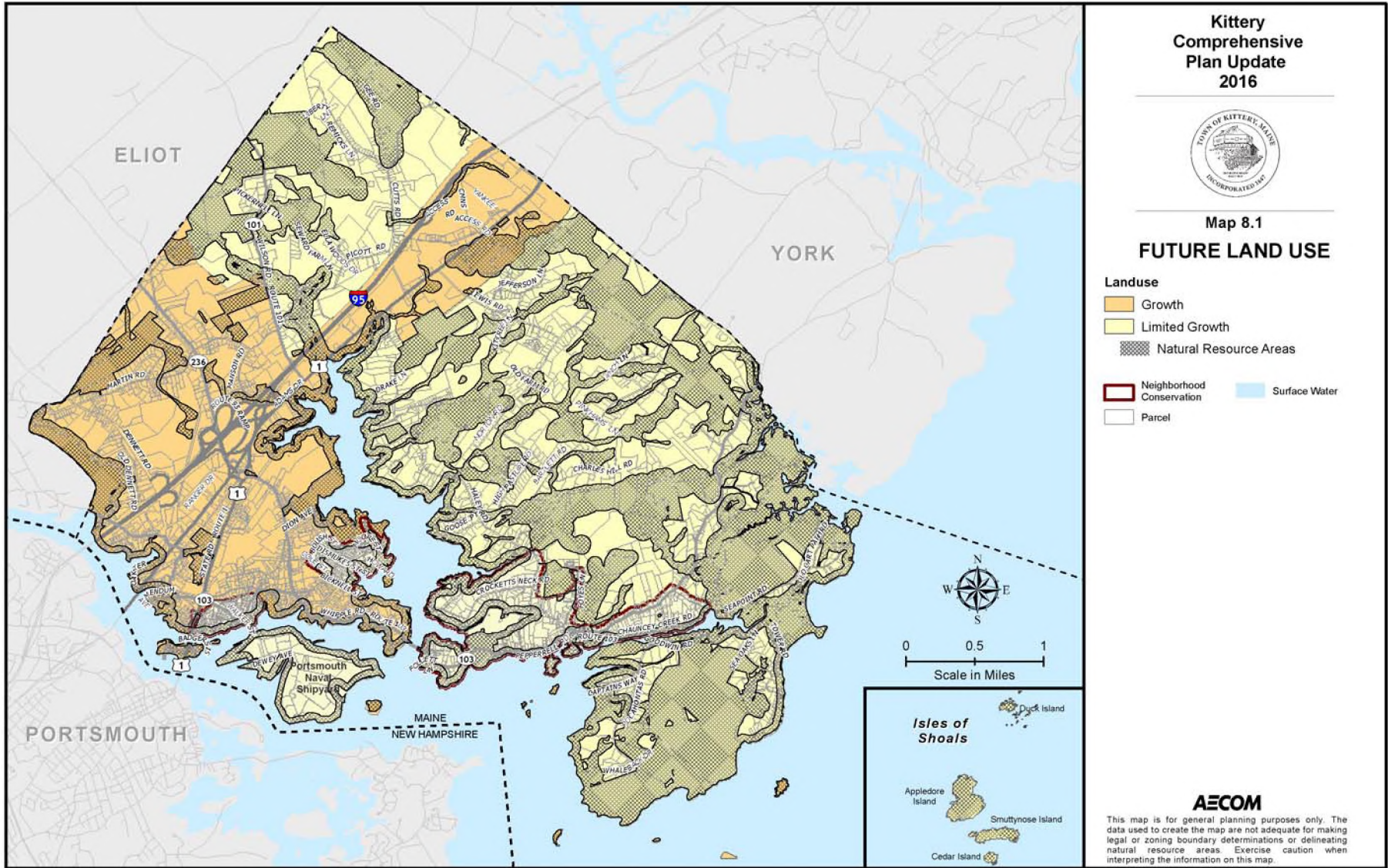
As mentioned, this designation is similar to the Resource and Shoreland Overlay zone provisions in the current zoning ordinance. Areas under this category include:

- the entire shoreline,
- streams tributary to Spruce Creek

## TOPIC AREA 8: LAND USE

- high value wetlands
- buffers around high value wetlands
- critical wildlife habitat
- undeveloped 100-year floodplains

TOPIC AREA 8: LAND USE



TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE

# COASTAL COMMUNITY RESILIENCE



Seapoint Beach

**State of Maine Goals:**

- To protect the quality and manage the quantity of the State's water resources, including lakes, aquifers, great ponds, estuaries, rivers, and coastal areas.
- To protect the State's other critical natural resources, including without limitation, wetlands, wildlife and fisheries habitat, sand dunes, shorelands, scenic vistas, and unique natural areas.
- To safeguard the State's agricultural and forest resources from development which threatens those resources.
- To protect the State's marine resources industry, ports and harbors from incompatible development and to promote access to the shore for commercial fishermen and the public.
- To encourage municipalities to develop policies that assess community needs and environmental effects of municipal regulations, lessen the effect of excessive parking requirements for buildings in downtowns and on main streets and provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets.

(Maine Growth Management Act ((30-A M.R.S.A. §§ 4312 - 4350)

**GOAL STATEMENT:** ESTABLISH SHORT, MEDIUM AND LONG TERM PLANS TO ADDRESS THE EFFECTS OF CLIMATE CHANGE, INCLUDING INCREASED STORM FREQUENCY AND STRENGTH, COASTAL EROSION AND RISING OCEAN LEVELS, AND TRANSITION OF BOTH PUBLIC AND PRIVATE ENERGY CONSUMPTION TO LOW AND ZERO IMPACT METHODS

**Objective 9.1.** Establish plans to address the effects of climate change.

**Objective 9.2.** Reduce energy consumption and transition to low and zero impact methods.

**Objective 9.3.** Provide education and incentives to protect the environment and improve quality of life.

## TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE

### OVERVIEW

**Climate change** is a change in the statistical distribution of weather patterns when that change lasts for an extended period of time (i.e., decades to millions of years). Climate change may refer to a change in average weather conditions, or in the time variation of weather around longer-term average conditions (i.e., more or fewer extreme weather events).<sup>1</sup> Coastal communities are especially vulnerable to climate change for a number of reasons. For example, projected effects such as impact estuarine systems<sup>2</sup>:

- Sea level rise
- Increased temperatures
- Changes in precipitation and storm intensity
- Ocean acidification

Examples of specific impacts that may occur in estuaries and other coastal areas include:

- salt-water intrusion into aquifers as the sea rises
- flooding of coastal wetlands and marshes
- changes to water availability and quality
- changes in habitat and species distributions
- lower oxygen levels in wetlands
- ocean acidification (due to higher concentrations of carbon dioxide in the atmosphere)
- a range of impacts from more severe coastal storms.

<sup>1</sup> [https://en.wikipedia.org/wiki/Climate\\_change](https://en.wikipedia.org/wiki/Climate_change)

<sup>2</sup> US EPA, Climate Change in Coastal Communities  
<https://www.epa.gov/cre/climate-change-coastal-communities>

These impacts may occur in conjunction with other pressures to the natural and built environment, such as coastal population growth, presenting additional challenges to coastal communities.

In order for communities to become “climate ready,” they need to reduce risks and improve resiliency by:

- proactively identifying areas that are particularly vulnerable
- monitoring for changes, and developing and implementing adaptation plans.

These adaptation plans may contain a wide range of adaptation actions that are designed to reduce impacts and/or take advantage of potentially beneficial opportunities resulting from climate change.

Adaptation plans should be linked to management goals, such as maintaining water quality of marshes and wetlands, protecting coastal development, preserving habitat, or controlling invasive species.

The first step in responding to climate change is to understand current conditions as completely as possible<sup>3</sup>. There are a number of State Departments in Maine (including Inland Fisheries and Wildlife, Marine Resources, Agriculture, Conservation and Forestry, and Environmental Protection, among others) that have on-going programs that monitor various natural and built environments and track changes over time. Recognizing that

<sup>3</sup> Maine Department of Environmental Protection, Monitoring, Mapping, Modeling, Mitigation and Messaging: Maine Prepares for Climate Change, September 2014.

## TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE

changes in the climate can result in vulnerabilities to both our natural resources and our built environment, it will be important to establish a baseline and then use this to monitor local changes to Kittery's environment.

The ultimate goal of climate adaptation strategy is to effectively mitigate the potential detrimental effects of a changing climate. Mitigation projects are generally physical constructions that preserve or protect existing infrastructure or natural features. Town policy can encourage and support mitigation measures.

In order for Kittery's climate adaptation plan to be most effective, its recommendations should be widely publicized and the public should be educated on what role they can play in preparing for climate change, but also in helping to be a steward of the environment. Education and outreach will be an important part of mitigation.

A new Climate Adaptation Committee will need to be formed to help develop the Climate Adaptation Plan. The Energy Advisory Committee should also be re-energized.

*Recommendations Coastal Community Resilience were developed based on an assessment of existing conditions, public input, best practice, input from Town Department Heads and relevant Boards and Committees, as well as a review by the Comprehensive Plan Update Committee and Planning Board.*

### KITTERY VOICES: PUBLIC INPUT

Kittery residents participated in the Comprehensive Planning process through several live and on-line forums, where they freely expressed concerns about and wishes for the future of Kittery; forums included the following:

- 3 town-wide public forums
- one on-line survey
- Committee presence at several Town events
- A continuous conversation on an on-line forum
- Comment Boards at Town Hall and the Kittery Community Center.
- A poll on election day regarding top recommendations

A detailed documentation of the public's input is summarized in the introduction to this report and more fully documented in Volume III of the Plan.

### ASSESSMENT OF EXISTING CONDITIONS: ISSUES AND IMPLICATIONS

Topic area #9 of the comprehensive plan focuses on positioning Kittery to be resilient and to take measures to protect the environment in a way that meets the needs of Kittery residents, and is consistent with the Comprehensive Plan's vision and goals for the future. See Volume II of this Plan for a full documentation of Existing Conditions.

## TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE

According to what are considered to be “middle of the road” predictions for global sea level rise changes, Maine is expected to experience two (2) feet of sea level rise over the next 100 years<sup>4</sup>. This one effect of climate change can significantly impact Kittery’s natural resources, the built environment, the economy, as well as recreation, housing, retail located near the water’s edge, among other uses and activities.

The following information specific to climate change in the State of Maine is from a document produced by the University of Maine entitled “Maine’s Climate Future,” 2015 Update and are just some examples of the potential impacts of climate change that Kittery could experience.

- Average annual temperature across Maine warmed by about 3 degrees F (1.7 degrees C) between 1895 and 2014.
- Models predicting future climate change developed by the Intergovernmental Panel on Climate Change (IPCC) predict that annual temperature will increase another 3 – 5 degrees F (1.7-2.8 degrees C) across Maine between 2015 and 2050.
- Changes in temperature affect our experience, changing the length and character of each season.
- Maine’s warm season (defined as when average daily temperature is above freezing increased by two weeks

from the early 1900s to the 2000s. Climate change models predict that the warm season will increase by an additional 2 weeks over the next 50 years.

- As Maine’s summers become warmer and longer, the number of excessively hot and humid days when heat indices rise above 95 degrees F (35 degrees C) are likely to increase. Especially at risk are the elderly and young children.
- The incidence of Lyme disease and other insect-borne diseases is on the rise. This has been linked to temperatures that make habitat more suitable for deer



*The view from Fort McClary includes marine wildlife.*

<sup>4</sup> Maine Geological Survey, Department of Conservation, “Pursuing Coastal Community Resiliency in Southern Maine.”



## TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE

ticks and their hosts.

- Changing climate is putting wildlife at risk. Vulnerable species include Maine moose. Simultaneously changes in temperature patterns create opportunities for the introduction and expansion of potentially invasive species.
- A significant increase in extreme precipitation events (more frequent and intense storms) has been observed across Maine, especially in coastal communities. This trend is expected to continue.
- The total amount of accumulated snow is predicted to decline, however, extreme snowfall events with significant accumulations (strong nor'easters) are likely to increase in frequency.

These changes in the climate impact coastal communities in a number of ways including the following:

- Storms force towns to make costly repairs to roads and infrastructure.
- Intense rain events pollute lakes and streams
- Longer growing seasons, extreme precipitation events and greater variability in the weather offer both opportunities and challenges to Maine's farmers.

- The longer summers may represent an opportunity to expand the tourist season, but simultaneously the excessively hot days pose a public health hazard especially to the young and elderly.
- The unreliability of winter weather means that seasonal events and activities, many linked to local economies, are often negatively affected.
- Changes in the temperature and acidification of the ocean's water is affecting where marine species are found. These changes are expected to continue to affect the fishing industry.
- Flood zones have moved inland as a result of larger and more frequent storms. Increased frequency of flooding poses a threat to property and potential harm to humans.

### KEY RECOMMENDATIONS

The following are the recommended policy directions for the Topic Area of Coastal Community Resilience. See the Table at the end of the Implementation Chapter for specific Action Steps for achieving these. The Table includes a partial list of existing resources, Lead and Partners to carry out the actions, suggested phasing, etc.

**TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE**

**GOAL STATEMENT 9.0:** ESTABLISH SHORT, MEDIUM AND LONG TERM PLANS TO ADDRESS THE EFFECTS OF CLIMATE CHANGE, INCLUDING INCREASED STORM FREQUENCY AND STRENGTH, COASTAL EROSION AND RISING OCEAN LEVELS, AND TRANSITION OF BOTH PUBLIC AND PRIVATE ENERGY CONSUMPTION TO LOW AND ZERO IMPACT METHODS

**9.1 ESTABLISH PLANS TO ADDRESS THE EFFECTS OF CLIMATE CHANGE**

- 9.1.1. Identify, monitor, plan, and mitigate the potential impacts of sea level rise
- 9.1.2. Review and update the Town’s Emergency Plan in case of extreme weather conditions
- 9.1.3. Develop a regional approach to addressing the potential impacts of climate change.
- 9.1.4. Monitor, plan for, and mitigate the potential effects of climate change on Kittery’s natural resources
- 9.1.5. Monitor, plan for, and mitigate the potential effects of climate change on Kittery’s built environment

9.1.6. Identify, mitigate and take advantage of opportunities created by the potential impacts of climate change on Kittery’s economy.

9.1.7. Monitor, plan for, and mitigate the potential effects of climate change on Kittery’s public health

9.1.8. Increase public awareness regarding the potential impacts of climate change.

**9.2 REDUCE ENERGY CONSUMPTION AND TRANSITION TO LOW AND ZERO IMPACT METHODS**

9.2.1. Develop a plan to transition to low and zero impact energy sources

9.2.2. Consider Town policy changes that encourage the use of renewable energy sources

9.2.3. Develop a public awareness campaign to focus attention on the need to transition to renewable energy sources

**TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE**

**9.3 PROVIDE EDUCATION AND INCENTIVES TO PROTECT THE ENVIRONMENT AND IMPROVE QUALITY OF LIFE**

9.3.1. Develop policies that lessen the effects of the built environment on natural resources

9.3.2. Explore alternative and additional recycling options

9.3.3. Promote ecological practices

9.3.4. Continue to encourage businesses to consider more eco-friendly choices in their procedures and the goods and services they use and sell

9.3.5. Increase public awareness regarding the need to protect the environment for future generations and to prepare for climate adaptation

**RELATED STRATEGIES IN OTHER TOPIC AREAS**

6.1.6. For environmentally sensitive and secluded locations, encourage additional non-motorized visitors through installation of bike racks and bike/pedestrian paths.

6.3.3 Evaluate the Town Code regarding the use of pesticides and herbicides with chemicals in waterfront and other areas.

6.3.5. Identify a suitable site for storage of the town’s floating docks during coastal storms, and prepare specific operational plans to move floats there in advance of storms.

6.3.7. Encourage owners of marine businesses and industries to participate in clean marina/boatyard programs

8.1.3. Review and revise Town codes to account for the impacts of sea level rise and climate adaptation.

**COASTAL COMMUNITY RESILIENCE: THREE KEY PLANNING PRINCIPLES**

<p><b>Environmental Stewardship</b></p>	<ul style="list-style-type: none"> <li>• Many of the recommendations suggest strategies for protecting the environment for the enjoyment of future generations.</li> <li>• Recommendations regarding increasing awareness regarding how individuals can make “greener” choices, integrating sustainability education into the school curriculum and adopting ordinances that promote the use of renewable energy resources are oriented at protecting the environment for future generations.</li> </ul>
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**TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE**

	<ul style="list-style-type: none"> <li>• The preparation of a Climate Adaptation Plan will help to protect human settlements but also the environment.</li> </ul>
<b>Health &amp; Wellness</b>	<ul style="list-style-type: none"> <li>• Protecting the environment and planning for future climate change promotes the health and wellness of Kittery’s residents in a number of ways including ensuring that they are protected from extreme weather conditions.</li> </ul>
<b>Economic &amp; Social Vitality</b>	<ul style="list-style-type: none"> <li>• Climate change can result in negatively impacting certain sectors of the economy including fishing, agriculture and outdoor recreation. By planning for adaptation, these impacts can be mitigated.</li> <li>• Increasing awareness regarding the potential negative effects of climate change and sea level rise as well as ways of protecting the natural environment, can result in community building as people work together to protect their community.</li> </ul>



*Portsmouth Naval Shipyard*

## IMPLEMENTATION PLAN: TABLES BY TOPIC AREA

# IMPLEMENTATION TABLES BY TOPIC AREA

## INTRODUCTION

At the first meeting with the Comprehensive Plan Update Committee, we asked the members what they would consider to be a successful outcome of the planning process. In different words, all those seated around the table said the same thing – that they would consider the Plan a success if it was able to engage residents to identify their shared values and then to forge enough consensus so that the Plan could be carried forward to implementation.

Under each goal, a series of objectives provides more detail regarding aspects of these. For each policy directive, a number of strategies are listed outlining the HOW to achieve each of these. At the end of the section, **IMPLEMENTATION TABLES** provide a resource of options and additional guidance, including ideas regarding action steps and existing resources.

The Tables present strategies and action steps phased to help achieve the goals and objectives. For each of these, a LEAD is identified whose responsibility includes inviting PARTNERS (both those listed as well as others that may become relevant) to initiate action.

## GOALS

To protect the town’s character by preserving and protecting **HISTORIC FEATURES, AND CULTURAL AND ARCHAEOLOGICAL RESOURCES** and promoting an awareness of the Town’s unique history.

To protect Kittery’s **NATURAL RESOURCES** including watershed, fresh water, wetlands and vernal pools, agricultural and forest resources, open space and recreation.

To support desirable **ECONOMIC DEVELOPMENT**, reduce dependence on Portsmouth Naval Shipyard, and increase the Town’s tax base while also providing local jobs.

To provide a range of **HOUSING** types to meet the needs of individuals throughout the lifecycle and to support residents with a diversity of incomes.

To improve safety and ease of **GETTING AROUND TOWN** and better connect the “pieces” of Kittery. Also provide safe and pleasant alternatives to automobile travel with safe and pleasant bike and walking paths.

To protect the Town’s **COASTLINE**, the working waterfront, and ensure appropriate access and enjoyment of the water while protecting it from environmental impacts.

To improve **TOWN GOVERNANCE**. Provide quality **MUNICIPAL FACILITIES and SERVICES**

To ensure that regulations support the desired **LAND USES**.

To establish short, medium and long term plans to address the effects of climate change for **COASTAL COMMUNITY RESILIENCE**, and to transition to low and zero impact energy methods

## IMPLEMENTATION PLAN: TABLES BY TOPIC AREA

## IMPLEMENTATION TABLES

The Implementation Tables follow. They are the policy recommendations, that is, the HOW, strategies to employ to get from the existing conditions to the vision, that is, how to achieve the goals and meet the objectives. The recommendations were informed by the following:

- Inventory and Assessment of Existing Conditions
- Review of other relevant documents and future trends
- Interviews with Town Staff
- Public input
- CPU Committee Review
- Best practice
- State Requirements

Recommendations are presented for each Topic Area; they are intended to be updated periodically. Each section begins with the Goal Statement and is further articulated by listing objectives that fall under each goal. Strategies and related Actions are listed below these. Some Existing Resources are listed and the Lead party responsible for carrying out the action is identified along with potential partners. An indication of the level of Priority is in the last column. The following page is a KEY to the terms used in the Matrices.

## KEY TO IMPLEMENTATION TABLES: DEFINITION OF TERMS

The following is a key to the notation used in the implementation plan tables. The Implementation Plan is organized under **nine goals and related objectives**, and a list of strategies recommended to achieve these. These are presented in table format with separate columns for:

- Strategies
- Existing Resources
- Actions
- Funding Need
- Notes
- Lead and Partners
- Priority

**Existing Resources:** identifies some of the known relevant organizations or other resource(s). Intended as a starting point, it is not a comprehensive listing of these. Existing studies are also referenced here. It should be noted that not all have been adopted, they may be useful as references nevertheless.

***Italics:*** use to indicate reference to an existing document or study

**Funding Category:** capital and/or operating and maintenance cost

**Endnotes:** provided for relevant details and/or additional information or reference(s).

## IMPLEMENTATION PLAN: TABLES BY TOPIC AREA

**Lead:** The Town department, board, committee or other entity that is considered the most appropriate as the party responsible to lead the effort. Others listed are considered relevant **Partners**.  
**(new):** indicates a board or committee that is being recommended and that doesn't currently exist.

**Priority/Timing**

**#1: Immediate:** 1-5 years

**#2: Intermediate:** 5-10 years


**#3: Future (re-evaluate in 10 years):** 10 – 20 years

On-going (continue & support action already in progress)

**NOTES:** indicates if the strategy requires that a new staff position/committee be created, and provides cross-reference information to other related strategies indicated by SEE ALSO.

**SEE ALSO:** used to indicate the instances where the strategy relates to more than one goal.



**Ripe Apple (**  **):** when an action step is considered to be a “low-hanging fruit”, that is, relatively low cost, low level of effort, with desirable impacts.


IMPLEMENTATION PLAN: TABLES BY TOPIC AREA

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**TOPIC AREA 1: HISTORIC, CULTURAL, AND ARCHAEOLOGICAL RESOURCES**

**GOAL STATEMENT: protect the town's character by preserving and protecting historic features and archaeological and cultural resources and promoting an awareness of the town's unique history**

OBJECTIVE 1.1: PROTECT HISTORIC AND ARCHAEOLOGICAL RESOURCES						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>1.1.1 Create a Kittery Historic Preservation Committee</b>	Kittery's historic buildings and landscapes; Owners of historic buildings; Maine Historic Preservation Commission	Conduct an inventory of historic resources, including landscapes, archaeological resources and buildings	None	See <b>ENDNOTE 1.1.1A</b> for information about the Maine Antiquities Statute, which oversees protection of the state's archaeological resources 	LEAD: Interested Kittery residents PARTNER: Maine Historic Preservation Commission	1
		Research and document the history of inventoried properties	None	See <b>ENDNOTE 1.1.1B</b>	LEAD: Kittery Historic Preservation Committee	
		Develop an education and advocacy process for informing residents about options for preserving and protecting historic resources				LEAD: Kittery Historic Preservation Committee

**TOPIC AREA 1: HISTORIC, CULTURAL, AND ARCHAEOLOGICAL RESOURCES**

OBJECTIVE 1.1: PROTECT HISTORIC AND ARCHAEOLOGICAL RESOURCES						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Create a Kittery Historic Preservation Committee, continued</b>		Coordinate efforts with regard to education and advocacy by reaching out to historic property owners				
		Consider merits and benefits of pursuing Certified Local Government status, and forming a Kittery Historic Preservation Commission		See <b>ENDNOTE 1.1.1C</b> for information about the Certified Local Government (CLG) program		
<b>1.1.2 Ensure that new development is in keeping with the context of the neighborhood</b>	Historic buildings constructed in the Colonial, Federal, Greek Revival, Victorian, and 20th century architectural styles	Retain historic exteriors when feasible and interiors when appropriate and desired, historic interiors as well	Operating Cost		LEAD: Newly-formed Kittery Historic Preservation Committee PARTNERS: Planning Board Town Council	2
		Review existing zoning and consider revisions that result in compatible dimensions (heights, setbacks, etc.) with historic areas				

**TOPIC AREA 1: HISTORIC, CULTURAL, AND ARCHAEOLOGICAL RESOURCES**

OBJECTIVE 1.1: PROTECT HISTORIC AND ARCHAEOLOGICAL RESOURCES						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Ensure that new development is in keeping with the context of the neighborhood, continued</b>		Update the Planning Board's existing Design Handbook (for the Route 1 commercial area)				
		Develop design standards for new development that is located in historic areas				
<b>1.1.3 Identify and protect the diversity in building and landscape styles which currently make up Kittery's fabric</b>	Kittery's diverse collection of historic buildings representing an array of architectural styles	Conduct a town-wide survey of historic buildings of 100 or more years in age and add restrictions for their protection	Operating Cost	CLG Grant Program(s) can provide financial support for this strategy	LEAD: Newly-formed Kittery Historic Preservation Committee PARTNERS: Town Council individual owners of historic properties Kittery Historical and Naval Museum Planning Board	2
		Write ordinance(s) in the Town Code to protect known prehistoric and historic archaeological sites, through Planning Board review of development around these resources				

**TOPIC AREA 1: HISTORIC, CULTURAL, AND ARCHAEOLOGICAL RESOURCES**

OBJECTIVE 1.1: PROTECT HISTORIC AND ARCHAEOLOGICAL RESOURCES						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Identify and protect the diversity in building and landscape styles which currently make up Kittery's fabric, continued</b>		Write ordinance(s) in the Town Code to protect significant public buildings and landscapes, including those identified by the Maine Historic Preservation Commission, through Planning Board review of development of and around these resources				
		Provide real estate tax abatements to home and business owners who undertake efforts to preserve their historic properties				
		Explore the possibility of forming public/private partnerships to foster the re-purposing of historic buildings, such as the Rice Public Library building.				

**TOPIC AREA 1: HISTORIC, CULTURAL, AND ARCHAEOLOGICAL RESOURCES**

OBJECTIVE 1.1: PROTECT HISTORIC AND ARCHAEOLOGICAL RESOURCES						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>1.1.4 Establish historic districts to protect significant clusters of buildings as a means of protecting the town's historic charm</b>	Intact clusters of buildings in historic settings: Foreside, Kittery Point	Once historic resource inventory/survey is completed, establish historic districts (such as the Foreside) to help guide planning decisions	Operating Cost	CLG Grant Program(s) can help fund this strategy	LEAD: Newly-formed Kittery Historic Preservation Committee PARTNERS: individual owners of historic properties Kittery Historical and Naval Museum	3
		Create districts that preserve the ambiance of Kittery's heritage as a shipbuilding community				
<b>1.1.5 Preserve threatened historic properties and scenic roads from demolition or radical alteration</b>	School House at Cutts Island Lane Rice Public Library Wood Island Life Saving Station Scenic Route 103 (Pepperrell Road) Maine State Scenic Byways Program	Place preservation restrictions on properties deemed critical components of Kittery's historic landscape	Operating Cost/Capital Cost (restoration of the bus relief)		LEAD: Newly-formed Kittery Historic Preservation Committee PARTNERS: individual owners of historic properties Kittery Historical and Naval Museum/Society Planning Board WILSA KOSAC Kittery Park and Recreation Commission MHPC	2

**TOPIC AREA 1: HISTORIC, CULTURAL, AND ARCHAEOLOGICAL RESOURCES**

OBJECTIVE 1.1: PROTECT HISTORIC AND ARCHAEOLOGICAL RESOURCES						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Preserve threatened historic properties and scenic roads from demolition or radical alteration, continued</b>		Provide incentives for adaptive re-use of historic buildings		An example of adaptive re-use is conversion of the Rice Public Library building into a welcome center, history center, children's museum, or town offices		
		Consider creating a review process requiring a waiting period before an identified historic structure can be demolished or relocated				
		Develop alternative means of interpreting difficult-to-access historic sites (such as Wood Island) by placing exhibits at accessible locations in Kittery (e.g. Fort Foster; Kittery Historical and Naval Museum/Society)		National Endowment for the Humanities; Maine Commission on the Humanities can provide support for this action step		
		Enact a fence height restriction to preserve views in scenic and historic areas				

**TOPIC AREA 1: HISTORIC, CULTURAL, AND ARCHAEOLOGICAL RESOURCES**

OBJECTIVE 1.1: PROTECT HISTORIC AND ARCHAEOLOGICAL RESOURCES						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Preserve threatened historic properties and scenic roads from demolition or radical alteration, continued</b>		Enact a dark sky-related ordinance that limits lumen output, requires low-temperature for LED lighting and prohibits animated signs				
		Evaluate the feasibility of adding "scenic road" designations to protect views		<i>See also Strategy 5.1.3</i>		
		Address condition of bronze sculpture at John Paul Jones Park		Funding required to restore bronze bas relief sculpture and its setting		

**TOPIC AREA 1: HISTORIC, CULTURAL, AND ARCHAEOLOGICAL RESOURCES**

OBJECTIVE 1.2: PROMOTE KITTERY'S HISTORY						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>1.2.1 Support efforts of the existing Kittery Naval and History Museum/Society to expand programming, operations, and facilities</b>	Existing museum collection of documents and artifacts pertaining to Kittery's social, cultural, and military history existing museum building and addition other historic buildings in Kittery (Taylor Building at Rice Public Library)	Contribute financially to the museum so that expanded low cost or free access to the museum for Kittery residents is possible	Operating Costs to Museum/Society		LEAD: Kittery Naval and History Museum/ Society staff, board PARTNERS: museum volunteers	2
		Support museum efforts to increase public outreach and broaden programming to include educational events				
		Support the museum's efforts to relocated some or all of the museum collection to a larger facility, possibly in an historic building/buildings				
		Support the expansion of the museum so that it may house and display Wood Island history				



**TOPIC AREA 1: HISTORIC, CULTURAL, AND ARCHAEOLOGICAL RESOURCES**

<b>OBJECTIVE 1.2: PROMOTE KITTERY'S HISTORY</b>						
<b>Strategy</b>	<b>Existing Resources</b>	<b>Potential Actions Not Limited to the Following</b>	<b>Funding</b>	<b>Notes</b>	<b>Lead &amp; Partners</b>	<b>Priority</b>
<b>1.2.2 Develop education and raise awareness regarding history and nature (e.g. Portsmouth Naval Shipyard Museum, Kittery Historical and Naval Museum, Kittery Land Trust, Mt. Agamenticus to the Sea initiative)</b>	Kittery Land Trust, Portsmouth Naval Shipyard Museum Kittery Historical and Naval Museum/Society Kittery Maine Historic Improvement Committee Mount Agamenticus to the Sea Initiative (York and Kittery)	Continue the interpretive sign program that educates residents and visitors about Kittery's history and how life has changed	Operating Cost	Maine Humanities Council	LEAD: Newly created Kittery Historic Preservation Commission PARTNERS: Kittery Historical and Naval Museum/Society Kittery Land Trust Portsmouth Naval Shipyard Mount Agamenticus to the Sea Initiative (partner)	2
		Create markers for historic properties (i.e. plaque program)				
		Support the public school third grade curriculum to learn about local history and historic sites				

**TOPIC AREA 1: HISTORIC, CULTURAL, AND ARCHAEOLOGICAL RESOURCES**

OBJECTIVE 1.3: SUPPORT AND NUTURE KITTERY'S COMMUNITY OF WORKING ARTISTS						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>1.3.1 Provide a mechanism to support arts-related business start-ups</b>	Kittery Art Association, Morgan Gallery at the Kittery Community Center, privately-owned local galleries and performance spaces		Operating Costs			2
<b>1.3.2 Provide an increased number of artists studio spaces</b>	Existing properties well-positioned for adaptive-reuse		Capital Costs			2
<b>1.3.3 Provide more support and visibility to the work of local artists</b>	Local artists and craftspersons Kittery Art Association Local galleries and performance spaces	Develop a public art program that places the work of Kittery's visual artists within the Kittery landscape on a rotating basis	Operating Costs	Maine Arts Commission; New England Foundation for the Arts Expeditions (touring grants)	LEADS:Local artists and craftspersons PARTNERS: Maine Arts Commission; New England Foundation for the Arts	2
<b>1.3.4 Institute a Percent for Art Program in the construction of public buildings</b>	Maine Arts Commission Percent for Art Program; Kittery's public schools and administrative buildings	As public building construction projects come on line, enlist the expertise of the Maine Arts Commission staff to guide the process	Operating/Capital Costs	1% of public building construction costs	LEADS: Town Manager town department involved in construction project PARTNERS: artists	3

## TOPIC AREA 1: HISTORIC, ARCHAEOLOGICAL AND CULTURAL RESOURCES

## ENDNOTES


**1.1.1.A.** Maine Revised Statute Title 27, Chapter 13 (informally known as the Maine Antiquities Law) pertains to the identification and protection of Maine's prehistoric and historic archaeological resources. Private properties that are subjects of a preservation agreement between the owner(s) and the Maine Historic Preservation Commission and are either listed on the National Register of Historic Places or are posted are classified as protected sites. Excavation of such sites requires a state-issued permit. For more information, refer to *Chapter 27 of the Maine Revised Statutes Annotated, sections 371-378 (27MRSA § 371-378)*.

**1.1.1.B.** The **Kittery Historic Preservation Committee** will be formed by the Comprehensive Plan Implementation Committee.

**1.1.1.C. Certified Local Government Program.** The Certified Local Government Program (CLG) was created in the early 1980s by an amendment to the National Historic Preservation Act. The program is designed to promote preservation planning and cultural resource protection efforts at the local level that are consistent with state and Federal standards and guidelines. A fundamental requirement for participation is the adoption of a historic preservation ordinance that, in accordance with the program's guidelines, creates a local historic preservation commission and implements a formal review process. A local government becomes certified when it meets state and Federal program requirements, formally applies to the Maine Historic Preservation Commission for participation, signs a Certification Agreement, and is approved by the Commission and the National Park Service. CLGs are eligible to apply to the Commission for annual grant funds that are specifically dedicated to the program, including architectural and archaeological surveys, preparation of National Register nominations, public education programs, preservation, rehabilitation and restoration projects, activities related to comprehensive planning, and the development of community specific design manuals. There are currently ten Certified Local Governments in Maine: Bangor, York, Topsham, Kennebunk, Hampden, Lewiston, Saco, Castine, Portland, and Gardiner. For additional information, see the Maine Historic Preservation Commission's website: [http://maine.gov/mhpc/certified\\_local\\_government/index.html](http://maine.gov/mhpc/certified_local_government/index.html)

**TOPIC AREA 2: NATURAL RESOURCES AND RECREATION**

**GOAL STATEMENT: protect Kittery's natural resources including watershed, fresh water, wetlands and vernal pools, agricultural and forest resources, open space and recreation**

OBJECTIVE 2.1: PROTECT AND PRESERVE CRITICAL OPEN SPACES FOR PASSIVE RECREATION, VISUAL IMPACT AND PRESERVATION OF WILDLIFE HABITATS, COASTAL (SALTWATER) WETLANDS, FRESHWATER WETLANDS AND VERNAL POOLS						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>2.1.1 Protect existing open lands, including farmlands and wetlands, from over-development</b>	Existing unprotected open spaces (particularly in the area north of Spruce Creek) Federal Wetlands Protection Act Maine Natural Resources Protection Act American Farmland Trust Maine Farmland Protection Program Maine Farmland Trust Kittery Land Trust; Kittery Open Space Advisory Committee (KOSAC) Kittery Conservation Commission Kittery Planning Board	Complete inventory of open spaces in Kittery	Operating Cost/Capital Cost	Task is already underway by KOSAC 	LEAD: Kittery Open Space Advisory Committee (KOSAC) Kittery Land Trust PARTNERS: Kittery Conservation Commission Maine Farmland Protection program/American Farmland Trust	Ongoing

**TOPIC AREA 2: NATURAL RESOURCES AND RECREATION**

OBJECTIVE 2.1: PROTECT AND PRESERVE CRITICAL OPEN SPACES FOR PASSIVE RECREATION, VISUAL IMPACT AND PRESERVATION OF WILDLIFE HABITATS, COASTAL (SALTWATER) WETLANDS, FRESHWATER WETLANDS AND VERNAL POOLS						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Protect existing open lands, continued</b>		Consider negotiating conservation easements/restrictions and/or agricultural easements/restrictions, or other actions, such as Transfer of Development Rights (TDR) on unprotected open spaces -- particularly wetlands and farmlands				
		Consider purchase of unprotected open spaces				
		Prohibit destruction of manmade wetlands which are functioning wetlands and have hydric soils, vegetation, and creatures, characterizing the areas as wetlands and vernal pools) by reviewing the existing ordinance, and increasing restrictions, as required			LEAD: Kittery Conservation Commission PARTNERS: Federal and State Wetlands Protection Acts	



**TOPIC AREA 2: NATURAL RESOURCES AND RECREATION**

OBJECTIVE 2.1: PROTECT AND PRESERVE CRITICAL OPEN SPACES FOR PASSIVE RECREATION, VISUAL IMPACT AND PRESERVATION OF WILDLIFE HABITATS, COASTAL (SALTWATER) WETLANDS, FRESHWATER WETLANDS AND VERNAL POOLS						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>2.1.2 Protect Kittery's remaining farmland (including forests)</b>	Unprotected farms and forested lands Maine Farmland Trust Kittery Land Trust	Evaluate the existing land use ordinance and institute changes that support farm operations and direct development of designated growth areas	Operating Cost		LEADS: Kittery Planning Board Kittery Economic Development Committee PARTNERS: Maine Farmland Trust Kittery Land Trust )	Ongoing
		Integrate farming and forestry into town-wide strategy for economic development including promotion of farms and locally raised farm products				
		Promote the use of Maine's current use property tax programs and Voluntary Municipal Farm Support Program				

**TOPIC AREA 2: NATURAL RESOURCES AND RECREATION**


OBJECTIVE 2.1: PROTECT AND PRESERVE CRITICAL OPEN SPACES FOR PASSIVE RECREATION, VISUAL IMPACT AND PRESERVATION OF WILDLIFE HABITATS, COASTAL (SALTWATER) WETLANDS, FRESHWATER WETLANDS AND VERNAL POOLS						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>2.1.3 Protect wildlife corridors</b>	Existing zoning ordinance; existing preserved open spaces adjacent unprotected open spaces Kittery Land Trust	Allow the Planning Board to amend zoning ordinance so that through the development process, portions of undeveloped land that buffer preserved open spaces, may also be preserved (helping to foster corridors)	Operating Cost		LEAD: Kittery Planning Board PARTNERS: Kittery Conservation Commission Kittery Land Trust	1
<b>2.1.4 Strengthen zoning regulations to better preserve critical open spaces and key natural features</b>	Existing zoning ordinance Existing undeveloped lands	Amend zoning ordinance to allow for varied densities and open space requirements by zone in order to the purpose of a specific zone, and to protect the most important resources and features	Operating Cost		LEAD: Kittery Planning Board PARTNER: Kittery Conservation Commission	2
		Further increase and target open space requirement				
<b>2.1.5 Review existing hunting regulations to improve safety of residents while, at the same time protecting residents' right hunt</b>	Existing regulations allowing hunting throughout the year (except Sundays)	Consider revisions to existing hunting policies	Operating Cost		LEAD: Town Council	1

**TOPIC AREA 2: NATURAL RESOURCES AND RECREATION**

OBJECTIVE 2.1: PROTECT AND PRESERVE CRITICAL OPEN SPACES FOR PASSIVE RECREATION, VISUAL IMPACT AND PRESERVATION OF WILDLIFE HABITATS, COASTAL (SALTWATER) WETLANDS, FRESHWATER WETLANDS AND VERNAL POOLS						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
Review existing hunting regulations to improve safety of residents while, at the same time protecting residents' right hunt, continued		Add hunting regulations to the Town website and the Town kiosk so that residents are more informed of policies				
2.1.6 Consider endorsing the York River Committee's efforts to designate the York River Watershed as a Federal Wild and Scenic River with the Mount Agamenticus-to-the-Sea Initiative and Brave Boat Harbor Initiative	Kittery Land Trust/Brave Boat Harbor Initiative; KOSAC	Review York River Committee's effort	None Required	SEE ENDNOTE 2.1.6.A 	LEAD: KOSAC	1



**TOPIC AREA 2: NATURAL RESOURCES AND RECREATION**

OBJECTIVE 2.1: PROTECT AND PRESERVE CRITICAL OPEN SPACES FOR PASSIVE RECREATION, VISUAL IMPACT AND PRESERVATION OF WILDLIFE HABITATS, COASTAL (SALTWATER) WETLANDS, FRESHWATER WETLANDS AND VERNAL POOLS						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>2.1.7 Preserve scenic vistas and views, including scenic roadway corridors</b>	Multiple scenic views and roadway corridors located throughout Kittery, identified in the 1999 Comprehensive Plan Update Existing zoning (especially waterfront commercial fisheries/maritime uses zoning) Extensive public parklands on the	Revisit the inventory of scenic views defined in the 1999 Comprehensive Plan Update, making a photographic record (survey) and updating the inventory, as needed	None Required	SEE ENDNOTE 2.1.7.A for a listing of Kittery's scenic views 	LEAD: KOSAC PARTNERS: Newly-Formed Historic Preservation Advisory Committee Planning Board	1
		Work with property owners on voluntary measures, such as limiting fence heights				
		Revisit town ordinances and revise to provide critical viewshed protection measures, including a view protection				
		Evaluate the feasibility of adding "scenic road" designations to protect views				
		Explore the possibility of creating a scenic overlay district or districts				


**TOPIC AREA 2: NATURAL RESOURCES AND RECREATION**

OBJECTIVE 2.2: INCREASE OPPORTUNITIES FOR RECREATION						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>2.2.1 Implement a master plan for athletic fields</b>	Existing fields and facilities; draft <b>Athletic Fields Master Plan</b> with specific implementation recommendations	Evaluate the recommendations of the draft <b>Athletic Fields Master Plan</b> and establish priorities for implementing the plan (these priorities should take into account the projected cost) (Note: the draft <b>Athletic Fields Master Plan</b> had not been adopted by Kittery Town Council at the time of the writing of this plan and was still under review	Operating Costs/Capital and Maintenance Costs spelled out in the recommendations section of the plan; alternative funding mechanisms suggested in the <b>Athletic Fields Master Plan</b>	Obtain funding from an array of sources, including user fees; grants (to minimize the fiscal impact of implementation on tax payers; Maine Bureau of Parks and Lands "Land and Water Conservation Fund;" in addition to property tax revenues	LEAD: Kittery Department of Public Works PARTNERS: Kittery Parks Commission Kittery Recreation Department	1
		Update existing playgrounds and develop new playgrounds near athletic fields, and include bike racks at the fields for children to store their bikes while at play				
		Consider tennis courts, volleyball and badminton facilities to existing playgrounds				

**TOPIC AREA 2: NATURAL RESOURCES AND RECREATION**

OBJECTIVE 2.2: INCREASE OPPORTUNITIES FOR RECREATION						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Implement a master plan for athletic fields, continued</b>		Upgrade facilities to include more offerings for seniors, such as "senior" softball				
		Include more agricultural/vocational activities at the schools, including greenhouses and gardens				
		Increase access to existing recreation facilities by installing sidewalks (leading to the facilities) and bike racks		<b>See Strategy 5.2.1</b>		
		Re-evaluate the plan every 10 or so years to reflect changes in Kittery's demographics				


**TOPIC AREA 2: NATURAL RESOURCES AND RECREATION**

OBJECTIVE 2.2: INCREASE OPPORTUNITIES FOR RECREATION						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>2.2.2 Consider expanding the season at Fort Foster</b>	Fort Foster	Add a line-up of live concerts and events, including music and plays	Operating Cost/Capital Cost (additional toilet facilities)		LEAD: Kittery Parks and Recreation Department PARTNERS: Kittery Department of Public Works park volunteers	2
<b>2.2.3 Reduce dog and horse waste at area beaches and parks (particularly Seapoint Beach and Rogers Park) through enhance enforcement and public education</b>	Existing dog ordinance; many open spaces that appeal to dog owners and dogs; regulations enforced by other towns including York, New Castle, Rye, Ogunquit, Wells and Hampton Beach	Increase awareness regarding enforcement of waste ordinance, supporting the efforts of the Police Chief Enforce leash law; Establish volunteer dog patrol	Operating Costs (enforcement)/Capital Costs (dog waste stations/bags; methane convertor; signs)		LEAD: Kittery Department of Public Works PARTNERS: citizen volunteers, Kittery Police Department	1/Ongoing
		Develop more effective means of controlling dogs at Fort Foster, such as issuing dog walking "permits" in the form of tags			LEAD: Kittery Park Commission	


**TOPIC AREA 2: NATURAL RESOURCES AND RECREATION**

OBJECTIVE 2.2: INCREASE OPPORTUNITIES FOR RECREATION						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Reduce dog and horse waste at area beaches and parks, continued</b>		Hire a student intern/interns with money from the Fort Foster gate receipts to be a resource officer during the summer months and in September (a beach "steward")				
		Limit the times of year dogs are permitted on the beach, including during bird migration and during summer months; limit hours dogs can be on the beaches				
		Consider developing a designated dog park or fenced off area of the beach(es) where dogs can run off leash				
		Increase restrictions on dog behavior and increase enforcement				


**TOPIC AREA 2: NATURAL RESOURCES AND RECREATION**

OBJECTIVE 2.2: INCREASE OPPORTUNITIES FOR RECREATION						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Reduce dog and horse waste at area beaches and parks, continued</b>		Raise the fine for uncollected dog waste to \$100 per incident; retain revenue for programming and improvements at Fort Foster and Seapoint Beach				
		Use fees collected from enforcement fines to maintain public spaces and recreation sites; support the schools' efforts with this approach				
		Install more waste receptacles at the beaches for dog owners to dispose of the dog feces; institute an "adopt a waste receptacle" program to foster community involvement in the effort to clean up				

**TOPIC AREA 2: NATURAL RESOURCES AND RECREATION**

OBJECTIVE 2.2: INCREASE OPPORTUNITIES FOR RECREATION						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Reduce dog and horse waste at area beaches and parks, continued</b>		Explore placing methane conversion apparatus in public spaces and recreation sites to convert dog waste to energy		"Park Spark" was an experiment that placed a methane digester in a Cambridge, MA park that converted dog waste in to methane gas, used to power a park light. <b>(SEE ENDNOTE #2.2.3.A)</b>		
		Place kiosks or bulletin boards explaining need to collect and dispose of waste properly, and the negative effects of uncollected waste				
		Erect more signs with regulations pertaining to the conduct of dogs and their owners on the beaches				
		Consider/evaluate restriction of hours/times of year for dog access to beaches				

**TOPIC AREA 2: NATURAL RESOURCES AND RECREATION**

OBJECTIVE 2.2: INCREASE OPPORTUNITIES FOR RECREATION						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Reduce dog and horse waste at area beaches and parks, continued</b>		Issue day passes to out-of-town visitors, to be purchased on line, permitting their dog(s) to visit Kittery				
		Continue tradition, established by the Conservation Commission in the 1990s, of organizing community clean up days to remove trash and waste from the beaches				
<b>2.2.4 Support the Kittery Community Center's strategic plan for program expansion</b>	Existing Kittery Community's building and outdoor facilities Kittery Park and Recreation Commission	Involve the community, through a comprehensive public engagement process, in deciding when and how to implement the strategic plan	Operating Cost (engagement process)/Capital Cost (expanded facilities)		LEAD: Kittery Community Center (staff and board) PARTNER: Kittery Park and Recreation Commission	2
<b>2.2.5 Increase awareness of existing resources and how to enjoy them</b>	Existing park and recreation facilities Park and Recreation Commission Conservation Commission KOSAC	Create on-line and printed guides to the recreation resources of Kittery and make them available to residents and visitors	Operating Cost		LEAD: Park and Recreation Commission PARTNERS: Conservation Commission KOSAC	1



**TOPIC AREA 2: NATURAL RESOURCES AND RECREATION**

OBJECTIVE 2.2: INCREASE OPPORTUNITIES FOR RECREATION						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>2.2.6 Establish new and beautify existing small passive recreation spaces in the commercial areas</b>	Existing "pocket parks"; small underutilized spaces in commercial areas	Identify/locate possible locations for new pocket parks	Capital Cost	Potential public-private partnerships	LEAD: Economic Development Committee PARTNERS: Garden Club volunteers	2
<b>2.2.7 Continue to give preference to Kittery residents for use of launching facilities, recreational fields and facilities</b>	Existing recreation fields, mooring, boat launching and docking facilities		Operating Cost	In areas operated by the Army Corps of Engineers, lower mooring fees for residents are prohibited by law	LEADS: Kittery Harbor Master Kittery Recreation Department	2
<b>2.2.8 Create new kayak-launching sites to provide greater access</b>	Existing underutilized sites	Identify new kayak launch sites in existing town-owned locations, such as Rogers Park	Capital Cost	Also see Strategy 6.1.5	LEADS: Kittery Harbor Master Kittery Recreation Department	2

**TOPIC AREA 2: NATURAL RESOURCES AND RECREATION**

OBJECTIVE 2.2: INCREASE OPPORTUNITIES FOR RECREATION						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>2.2.9 Revisit existing hunting regulations so that all Kittery residents feel safe but, at the same time, may reserve the right to own a firearm and hunt</b>	Existing regulations that allow hunting throughout the year, except on Sundays overpopulation of deer many publicly-accessible hunting areas throughout the town	Undertake a comprehensive public engagement process that involves all citizens of Kittery in determining the future of hunting within the town. In the process, take into account the fact that many Kittery residents are enthusiastic and responsible hunters, and others see hunting as means of controlling the overpopulation of deer; and still others would like to limit the types of hunting/prey/weapons allowed (including traps), or ban the activity altogether	Operating Cost (funds to hire a public engagement specialist and revise the existing hunting ordinance)	Also See Strategy 2.1.4	LEAD: Town Council PARTNERS: residents of Kittery	1
		Place signage in the Town Farm Forest and Rogers Park to alert residents that hunting is occurring during specified times and signs that warn hunders of homes nearby and the limit on types of weapons that can be used				

**TOPIC AREA 2: NATURAL RESOURCES AND RECREATION**

OBJECTIVE 2.2: INCREASE OPPORTUNITIES FOR RECREATION						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>2.2.10 Work with public and private partners to extend and maintain the existing network of trails for non-motorized uses, and connect these trails to regional systems</b>	Existing trail network including routes on the Town Farm, Rogers Park, Fort Foster, Brave Boat Headwaters, Gerrish Island, the abandoned trolley tracks, Fort McClary and the Rachel Carson National Wildlife Refuge	Collaborate with marketing efforts of the Maine Island Trail Association	Operating Cost (marketing and materials distribution)/Capital and Maintenance Cost (trail expansion and management)		LEAD: Kittery Open Space Advisory Committee PARTNERS: Kittery Conservation Commission Maine Island Trail Association	Ongoing
	Maine Island Trail Association					
	Maine's Landowner Liability Law (Title 14, M.R.S.A. 159-A)	Construct connections between existing trails				
		Provide educational materials regarding the benefits and protections for landowners allowing public recreational access on their property				

**TOPIC AREA 2: NATURAL RESOURCES AND RECREATION**

**ENDNOTES**

2.1.6.A. **York River Study Committee and Partnership Wild & Scenic Rivers.** The York River Study Committee was formed to work with community members to develop a York River Watershed Management Plan and evaluate the suitability of a Partnership Wild and Scenic River designation for the river and its tributaries. The Study Committee includes members from Eliot, Kittery, South Berwick, and York. The York River Committee is in the process of obtaining designation for the York River Watershed as a Partnership Wild and Scenic River from the federal government. In 1968, the U.S. Congress passed the “National Wild and Scenic Rivers Act” which made it the policy of the United States that certain selected rivers of the Nation, and their immediate environments, that possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural or other similar values, should be protected in free-flowing condition for the benefit and enjoyment of present and future generations. As of December 2014, 160 rivers have been designated in 36 states.

For more information:

York River Study Committee website: <http://www.yorkrivermaine.org/>

NPS Partnership Wild and Scenic Rivers website: <https://www.nps.gov/orgs/1912/Partnership-Wild-and-Scenic-Rivers.htm>

2.1.7.A. The 1999 Update of the Kittery Comprehensive Plan listed the following **scenic views, vistas and roads** as meriting protection:

**Category One (Highest Value) Scenic Views And Vistas**

View 1-1. The view over Seapoint Beach (180 degree view)

View 1-2. The view of the marsh from Seapoint Road past and across from the former boat building barn

View 1-3. The view from Chauncey Creek Road toward Gerrish Island

View 1-4. The view from Chauncey Creek Road toward the Rachel Carson Wildlife Refuge

View 1-5. The view from the Gerrish Island Bridge looking to the east

View 1-6. The view from the Route 103 bridge over Spruce Creek (360 degree view)

View 1-7. The view from Old Ferry Lane toward the Back Channel and Harbor

View 1-8. The view of Spruce Creek from the Route One/Quarterdeck area

View 1-9. The view of the Back Channel from Badger’s Island and the Foreside (180 degree view)

View 1-10. The view on the approach to the Eliot Bridge (180 degree view)

**Category Two (Very High Value) Scenic Views And Vistas**

View 2-1. The view from Chauncey Creek Road toward Pepperrell Cove

View 2-2. The view of the harbor from the turn in Pepperrell Road at the Congregational Church

## TOPIC AREA 2: NATURAL RESOURCES AND RECREATION

- View 2-3. Pocket views of the river from Whipple Road near Tilton Avenue
- View 2-4. The view of agricultural land (Johnson Farm Area) from the Wilson Road
- View 2-5. The view of Spruce Creek between Route One and I-95
- View 2-6. The view of Legion Pond from the Old Post Road
- View 2-7. The view of Pepperrell Cove from the Kittery Point town wharf area (180 degree view)
- View 2-8. The view from the Crockett Neck Road causeway easterly toward Barter's Creek
- View 2-9. The view from the Crockett Neck Road causeway westerly toward Spruce Creek
- View 2-10. The view of agricultural land from Picott Road
- View 2-11. The two views of Spruce Creek from Picott Road
- View 2-12. Pocket views of Pepperrell Cove and Wood Island from Pepperrell Road
- View 2-13. Fort Foster views (200 degree view from central area and views all around)

### **Category Three (High Value) Scenic Views And Vistas**

- View 3-1. The view from Route 103 toward Brave Boat Harbor going west at the Town line
- View 3-2. The view from Route 103 toward Brave Boat Harbor going east near the Town line
- View 3-3. The view from the Gerrish Island bridge looking west along Chauncey Creek
- View 3-4. The view of Pepperrell Cove from the Fort McClary area (200 degree view)
- View 3-5. The view from Whipple Road northerly toward Spruce Creek
- View 3-6. The view from Seapoint Road northeast of Log Cottage
- View 3-7. The view from Seapoint Road over the stonewall toward the marsh and Gerrish Island
- View 3-8. The view from Tower Road toward Seapoint Beach/salt marsh (180 degree view)

### **Category One (Highest Value) Scenic Roads**

- Road 1-1. Route 103 including Whipple Road, Pepperrell Road, Tenney Hill Road, and Brave Boat Harbor Road
- Road 1-2. Seapoint Road
- Road 1-3. Chauncey Creek Road
- Road 1-4. Hunter and Newmarch Streets Road 1-5. Government Street
- Road 1-6. Crockett Neck Road from Route 103 to Bond Road
- Road 1-7. Old Ferry Lane
- Road 1-8. Picott Road
- Road 1-9. Wilson Road from Picott Road to the Eliot line
- Road 1-10. Haley Road from Route One to Hartley Farm Road

## TOPIC AREA 2: NATURAL RESOURCES AND RECREATION

### Category Two (Very High Value) Scenic Roads

Road 2-1. Tower Road

Road 2-2. Love Lane

Road 2-3. Cutts Road from Picott Road to Betty Welch Road

Road 2-4. Goodwin Road

Road 2-5. Old Dennett Road west of I-95

Road 2-6. The half mile of Bartlett Road near the York line

Road 2-7. Lawrence Lane Road 2-8. Adams Road

### Category Three (High Value) Scenic Roads

Road 3-1. Miller Road

Road 3-2. The upper end of Norton Road

Road 3-3. Pocahontas Road Extension

Road 3-4. Litchfield Road

Road 3-5. Betty Welch Road

2.2.3.A. **Park Spark Project.** The Park Spark project transformed dog waste into energy (methane) through a publicly fed methane digester as an interactive urban intervention that questions our current waste system, and at the same time creates an opportunity for others to participate in the (re)imaging of the byproduct energy (methane).


For more information:

<http://parksparkproject.com/artwork/1116247.html>


**TOPIC AREA 3: ECONOMIC DEVELOPMENT**

**GOAL STATEMENT: to support desirable economic development, balance the relationship with the Portsmouth Naval Shipyard, and increase the town's tax base while also providing local jobs.**

**OBJECTIVE 3.1: ATTRACT AND RETAIN BUSINESSES TO SUSTAIN THE VIBRANT CENTER AT FORESIDE THAT PROVIDES RESIDENTS AND VISITORS WITH PLACES TO GO AND SPACES TO GATHER.**

Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>3.1.1. Encourage the collaboration of existing parties concerned with Kittery's economic development</b>	Greater York County Chamber of Commerce, Outlet Merchants Association, Economic Development Committee	Town should initiate contact with local businesses and help facilitate first meeting to gauge interest.	Businesses and Town could form a funding partnership		LEAD: Local business community PARTNERS Greater York Chamber of Commerce, Outlet Merchants Assoc.,	1
		Businesses in Foreside organize and form their own organization, could be a 501 c3 or other non-profit.				
		Group sets priorities and begin advocating for improvements. Group could also begin writing grants if non-profit status is achieved.				

**TOPIC AREA 3: ECONOMIC DEVELOPMENT**

OBJECTIVE 3.1: ATTRACT AND RETAIN BUSINESSES TO SUSTAIN THE VIBRANT CENTER AT FORESIDE THAT PROVIDES RESIDENTS AND VISITORS WITH PLACES TO GO AND SPACES TO GATHER.						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>3.1.2. Evaluate recommendations from the Foreside Forums report to determine if and when they should be implemented.</b>	Greater York County Chamber of Commerce	Town, in partnership with businesses and residents, identifies priorities for implementation.	Businesses and Town could form a funding partnership	Encourage participation of those on Foreside email list  	LEAD: Town Staff, Town Council, Economic Development Committee  PARTNERS: Foreside Business Community	1
		Responsibilities and funding are identified, Town moves forward with implementation.				



**TOPIC AREA 3: ECONOMIC DEVELOPMENT**

<b>OBJECTIVE 3.2: CONTINUE TO PROMOTE ECONOMIC DEVELOPMENT IN AREAS ALREADY IDENTIFIED BY THE TOWN.</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>3.2.1. Undertake a town-wide Economic Development Study</b>	Title 16 Land Use and Development Code for Kittery.	Consider hiring a consultant to develop a town-wide Economic Development Study to help identify what types of commercial development is most feasible in Kittery and where to target this development. Conduct in partnership with Town staff, the Economic Development Committee, local businesses, and commercial property owners.	TIF grants CIP operating funds Other grants		LEAD: Planning Department, Economic Development Committee  PARTNERS: Businesses, Land Owners, Local Realtors and Brokers	1
		Consider small area plans as a follow-on activity that could help inform regulatory changes and future infrastructure needs/investments			LEAD: Economic Development Committee	
		Make changes to local zoning to adapt economic target areas and attract new private investment			LEAD: Planning Department  PARTNERS: Economic Development Committee; Local Businesses	1

**TOPIC AREA 3: ECONOMIC DEVELOPMENT**

<b>OBJECTIVE 3.2: CONTINUE TO PROMOTE ECONOMIC DEVELOPMENT IN AREAS ALREADY IDENTIFIED BY THE TOWN.</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>3.2.2. Establish resources to continually update the Kittery Economic Development Opportunities website with fresh content and up to date contact information for Town staff.</b>	Existing Economic Development Opportunities website	Continue to regularly update the website with new listings, town events, and promotional material. This website should also include a marketing page for specific properties in Town that are available for lease, sale, or new development.	Town funded Merchant supported (e.g. Business of the month highlighted on page)		LEAD: Town Manager, Planning Department, Economic Development Committee	1
		Add a page that highlights commercial space for lease, for sale, or properties available for new development				


**TOPIC AREA 3: ECONOMIC DEVELOPMENT**

<b>OBJECTIVE 3.2: CONTINUE TO PROMOTE ECONOMIC DEVELOPMENT IN AREAS ALREADY IDENTIFIED BY THE TOWN.</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Establish resources to continually update the Kittery Economic Development Opportunities website with fresh content and up to date contact information for Town staff, continued</b>	York County Chamber of Commerce. Kittery Economic Development Committee and Website.	Evaluate the need for a full-time or part-time position and identify funding for someone to work with the Planning Department to serve as a liaison to the business community	Town Funding		LEAD: Town Council, Town Manager	2
<b>3.2.3. Consider the benefits of hiring an economic development staff person or other strategy to accomplish objective</b>	Greater York Chamber of Commerce Kittery Economic Development Committee and website	Evaluate the need for a full-time or part-time position and identify funding for a staff member to work with the Planning Department and serve as a liaison to the business community	Town Funding		LEAD: Town Council, Town Manager  PARTNERS: Businesses, Economic Development Committee	2

**TOPIC AREA 3: ECONOMIC DEVELOPMENT**

<b>OBJECTIVE 3.2: CONTINUE TO PROMOTE ECONOMIC DEVELOPMENT IN AREAS ALREADY IDENTIFIED BY THE TOWN.</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>3.2.4. Continue to explore possibility of state legislation that would allow municipalities additional taxing options</b>		Discuss options including the municipality's ability to retain a portion of the State sales tax collected by businesses in the community or to impose a local sales tax option to be retained by the municipality to help mitigate impacts.			LEAD: Town Council, Town Manager, Legislative Delegation  PARTNERS: Businesses, Economic Development Committee	2
<b>3.2.5. Consider and explore redevelopment options for the Water District parcel.</b>	Water District parcel	Continue to discuss redevelopment options with the Water District and interested developers			LEAD: Town Manager  PARTNERS: Water District	2

**TOPIC AREA 3: ECONOMIC DEVELOPMENT**

OBJECTIVE 3.3: DEVELOP GUIDELINES FOR THE FUTURE REDEVELOPMENT OF THE ROUTE 1 CORRIDOR* INTO A MIXED-USE, PEDESTRIAN-ORIENTED AREA.						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>3.3.1. Engage property owners and businesses in a process to explore mutually beneficial options for the potential future redevelopment of the area</b>					LEAD: Planning Board, Planning Staff  PARTNERS: Property Owners, Businesses, Regional Planning Commission, Consultants, Economic Development Committee	1
<b>3.3.2. Evaluate through planning and market analyses, the range of options for the area that includes the Route 1 Outlet Mall that would help set the stage for future regulatory change and possible infrastructure investments.</b>		Draft a scope of work for planning, market analysis, and transportation engineering services to reenvision the Route 1 area	Town Funding, Regional Planning Commission Grants/ Assistance		LEAD: Planning Board, Planning Staff  PARTNERS: Property Owners, Businesses, Regional Planning Commission, Consultants, Economic Development Committee	1
		Allow recommendations to drive any zoning changes and infrastructure investments				

\*Route 1 corridor includes the outlet malls and the Route 1 Bypass


**TOPIC AREA 3: ECONOMIC DEVELOPMENT**

OBJECTIVE 3.3: DEVELOP GUIDELINES FOR THE FUTURE REDEVELOPMENT OF THE ROUTE 1 CORRIDOR* INTO A MIXED-USE, PEDESTRIAN-ORIENTED AREA.						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
Evaluate through planning and market analyses, the range of options for the area that includes the Route 1 Outlet Mall that would help set the stage for future regulatory change and possible infrastructure investments, continued		Consider the formation of an overlay district or zoning changes to allow for additional land use options in the area around the Route 1 Mall.				

\*Route 1 corridor includes the outlet malls and the Route 1 Bypass


**TOPIC AREA 3: ECONOMIC DEVELOPMENT**

**OBJECTIVE 3.4: SUPPORT THE MAINTENANCE OF EXISTING JOBS AND THE CREATION OF JOBS FOR A VARIETY OF SKILL SETS AND RANGE OF SALARIES**

Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<p><b>3.4.1. Create a streamlined permitting process for small businesses that is easy to read and follow.</b></p>	<p>Title 16 Land Use and Development Code for Kittery.</p>	<p>Create a paper and online permitting guide that explains how the process works, staff/boards/committees that need to weigh in along the way, costs, timelines, and required forms and filings.</p>	<p>None Required if Completed by Staff</p>		<p>LEAD: Planning Board, Planning Staff</p> <p>PARTNERS: Property Owners, Businesses, Regional Planning Commission, Consultants, Economic Development Committee</p>	<p>1</p>
		<p>Look for ways to speed up the permitting process, particularly for small businesses.</p>				
		<p>Consider designating a staff member as a liaison to the business community. This person can be a resource for permitting, licensing, zoning, and general questions about businesses in town.</p>				

**TOPIC AREA 3: ECONOMIC DEVELOPMENT**

**OBJECTIVE 3.4: SUPPORT THE MAINTENANCE OF EXISTING JOBS AND THE CREATION OF JOBS FOR A VARIETY OF SKILL SETS AND RANGE OF SALARIES**

Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
Create a streamlined permitting process for small businesses that is easy to read and follow, continued		Consider designating a Town staff person in the planning department as a small business liaison to help with permitting and to be a resource for questions.				
3.4.2. Remain flexible and nimble in unique economic development areas like the Foreside or Gourmet Alley to ensure these locations remain eclectic and interesting.	Title 16 Land Use and Development Code for Kittery.		None Required if Completed by Staff		LEAD: Planning Board, Planning Staff  PARTNERS: Property Owners, Businesses	2
3.4.3. Continue to support Kittery's maritime-based industries - including fishing and lobster- by maintaining access to the working waterfront and creating innovative avenues to connect fishing to the local economy.		Engage members of the fishing industries in Kittery in a conversation about their sales program, and look for ways to connect them with local restaurants and seafood vendors.  Consider encouraging connections through a Dock-to-Dish Program <a href="https://docktodish.com">https://docktodish.com</a> .			LEAD: Planning Board, Planning Staff  PARTNERS: Property Owners, Businesses	2




**TOPIC AREA 3: ECONOMIC DEVELOPMENT**

**OBJECTIVE 3.4: SUPPORT THE MAINTENANCE OF EXISTING JOBS AND THE CREATION OF JOBS FOR A VARIETY OF SKILL SETS AND RANGE OF SALARIES**

Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<p><b>Continue to support Kittery’s maritime-based industries - including fishing and lobster- by maintaining access to the working waterfront and creating innovative avenues to connect fishing to the local economy, continued</b></p>		<p>Support boat building program at Traip Academy</p>			<p>LEAD: School Department</p>	
<p><b>3.4.4. Work cooperatively with other York County municipalities to explore regional approaches to economic development.</b></p>		<p>Engage in a regional discussion with York County Chamber, SMRPC, and surrounding municipalities about the cross-promotion of sites that would support a regional approach to economic development.</p>			<p>LEAD: York Chamber, Regional Planning Commission, local municipalities</p> <p>PARTNERS: Property Owners, Businesses, Economic Development Committee</p>	<p>2</p>

**TOPIC AREA 3: ECONOMIC DEVELOPMENT**

<b>OBJECTIVE 3.5: ATTRACT NEW BUSINESSES TO THE BUSINESS INDUSTRIAL PARK.</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>3.5.1. Consider engaging the services of a consultant to complete an economic/feasibility study for the Business Park area.</b>	Kittery Comprehensive Plan could be a UNH Business school class project	Hire consultant to complete study and help inform future zoning and infrastructure decisions by helping to identify potential zoning changes and infrastructure needs as a way to maximize future tax revenue potential while minimizing impacts on adjacent neighborhoods.	Town Funding		LEAD: Planning Department, Economic Development Committee  PARTNERS: Property Owners/Developers in the IBP	1
		Discuss with University of Maine				
<b>3.5.2. Continue to engage in targeted outreach to identified business and industry sectors marketing Kittery's economic development areas.</b>	Greater York County Chamber of Commerce. Kittery Economic Development Committee and Website.	Routine maintenance and upkeep of the EDC website	Town Funding, Volunteer Time, Resources from the York Chamber.		LEAD: Planning Department, Economic Development Committee  PARTNERS: Property Owners/Developers in the IBP	1



**TOPIC AREA 3: ECONOMIC DEVELOPMENT**

<b>OBJECTIVE 3.5: ATTRACT NEW BUSINESSES TO THE BUSINESS INDUSTRIAL PARK.</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
Continue to engage in targeted outreach to identified business and industry sectors marketing Kittery's economic development areas, continued		Identify conferences or showcases to attend to promote land and spaces available in Kittery				
		Identify similar businesses 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				

**TOPIC AREA 4: HOUSING**

**GOAL STATEMENT: to provide a range of housing types to meet the needs of individuals throughout their lifecycles and to support residents with a range of incomes.**

**OBJECTIVE 4.1: ATTRACT YOUNG PEOPLE AND RETAIN RESIDENTS WITH A VARIETY OF INCOMES**

Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>4.1.1. Undertake a housing plan</b>		Create a scope and request for proposals to undertake a comprehensive town-wide housing plan. Plan should include an indepth analysis of housing supply, demand, and strategies to encourage a variety of housing types and price points	Municipal Funds, or Request to Regional Planning Commission		LEAD: Planning Board, Planning Department  PARTNERS: Town Manager	1
		Explore possibility of local regional planning commission undertaking the study on behalf of the town				
		Create and implement prioritized list of strategies for housing				
<b>4.1.2. Create a housing committee or housing trust</b>	Look to other towns in the area that have housing committees or housing trusts.	Create a Housing Committee or Housing Trust to oversee the implementation of the housing plan	None Required		LEADS: Town Council, Town Manager, Planning Department	1

**TOPIC AREA 4: HOUSING**

<b>OBJECTIVE 4.1: ATTRACT YOUNG PEOPLE AND RETAIN RESIDENTS WITH A VARIETY OF INCOMES</b>							
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority	
<b>4.1.3. Adopt inclusionary zoning as a way to create more affordable housing in Kittery</b>	Title 16 Land Use and Development Code for Kittery.	Research existing successful inclusionary zoning policies in Maine	None Required if Completed by Staff	See Strategy 4.1.2 on the creation of a housing committee.	Town Council, Planning Board, Planning Department	1	
		Create a working group to help shape Kittery's inclusionary zoning policy. Group should include local housing developers					
		Create a working group to help shape policy. Group should include input from local housing developers					
		Adopt an inclusionary zoning policy					
<b>4.1.4. Update zoning regulations to encourage multi-family housing where appropriate</b>	Title 16 Land Use and Development Code for Kittery	Determine zones in which residents would support development of additional multi-family housing	None Required if Completed by Staff	See strategy 4.1.5. for financial/regulatory incentives  See end notes for links to descriptions	Planning Board, Planning Department	2	
		Encourage development where public utilities and existing transportation infrastructure already exist					

**TOPIC AREA 4: HOUSING**

<b>OBJECTIVE 4.1: ATTRACT YOUNG PEOPLE AND RETAIN RESIDENTS WITH A VARIETY OF INCOMES</b>						
<b>Strategy</b>	<b>Existing Resources</b>	<b>Potential Actions Not Limited to the Following</b>	<b>Funding</b>	<b>Notes</b>	<b>Lead &amp; Partners</b>	<b>Priority</b>
<b>Update zoning regulations to encourage multi-family housing where appropriate, continued</b>		Provide property owners in the area around the Route 1 Outlet Mall with options to redevelop commercial properties with housing and/or mixed-use via an overlay district				
		Draft use and dimensional requirements that encourage multi-family and mixed-use development where appropriate				
		Change allowable uses to provide for new housing types such as tiny houses or co-housing				
<b>4.1.5. Provide tax incentives or modified dimensional and parking standards for developers who create housing in desirable locations at a variety of price points.</b>		Build in incentives to encourage the use of the cluster bylaw	None Required if Completed by Staff		Town Council, Planning Board, Town Manager, Assessor, Tax Collector, Planning Department	3
		Consider using the Water District site to catalyze a public/private partnership that achieves the Town's housing goals				

**TOPIC AREA 4: HOUSING**



<b>OBJECTIVE 4.1: ATTRACT YOUNG PEOPLE AND RETAIN RESIDENTS WITH A VARIETY OF INCOMES</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
Provide tax incentives or modified dimensional and parking standards for developers who create housing in desirable locations at a variety of price points, continued		Ease permitting fees or time lines for developers who provide housing that meets the Town's goals				
		Consider a tax incentive for developments that meet the Town's housing goals				
		Use inclusionary zoning fees (if any are generated) to help subsidize affordable units in existing or new development				
4.1.6. Work with area employers to set up a volunteer or paid housing program where employees on a J-1 visa can stay with Kittery residents		Develop an online program that can match housing opportunities with existing Kittery residents to the needs of short-term employees. The Town should work with employers to determine level of need and timeframe	Volunteer or Paid by the Employer.		LEAD: Area Employers, Town Manager  PARTNERS: Planning Staff, Kittery Residents	2

**TOPIC AREA 4: HOUSING**

<b>OBJECTIVE 4.2: SUPPORT ELDERLY RESIDENTS' ABILITY TO AGE IN PLACE</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>4.2.1. Create a tax incentive program to lower property taxes for senior residents.</b>		Create a program similar to a circuit breaker, senior work-off program, or Property Tax Fairness Credit	None Required if Completed by Staff	Program is envisioned to help lower property taxes for seniors through an abatement or a volunteer work-off program	LEAD: Town Council	2
<b>4.2.2. Update zoning regulations to allow for different housing types that meet the needs of today's senior residents</b>	Title 16 Land Use and Development Code for Kittery.	Update zoning to allow for new housing types such as co-housing or tiny houses	None Required if Completed by Staff		LEAD: Planning Board, Planning Department	1
		Explicitly note under allowable uses by zoning districts where assisted living is allowed and encouraged				
		Relax the regulatory standards for accessory dwelling units such that a new accessory structure could be constructed to provide alternative housing types in Kittery				



**TOPIC AREA 4: HOUSING**


<b>OBJECTIVE 4.2: SUPPORT ELDERLY RESIDENTS' ABILITY TO AGE IN PLACE</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>4.2.3. Provide incentives for developers to take advantage of Kittery's cluster zoning ordinance, particularly if affordable housing is provided. This may include expedited permitting, reduced application fees, relaxed dimensional standards, relaxed parking standards where applicable</b>	Title 16 Land Use and Development Code for Kittery	Design density bonuses for developers who utilize the cluster bylaw, particularly in locations that are served by sewers or have on-site wastewater treatment	None Required if Completed by Staff		LEAD: Planning Board, Planning Department	1
<b>4.2.4. Ensure any new development restricted to seniors is within a safe walking distance to nearby amenities and a local public transit option</b>	Title 16 Land Use and Development Code for Kittery	Ensure site plan review process includes a review of transportation connectivity	None Required if Completed by Staff	See Goals and Strategies from the Transportation Section of the Comprehensive Plan. 	LEAD: Planning Board, Planning Department	1
		Encourage larger-scale senior housing development to include transportation demand management solutions to increase travel options for seniors				

**TOPIC AREA 4: HOUSING**

<b>OBJECTIVE 4.2: SUPPORT ELDERLY RESIDENTS' ABILITY TO AGE IN PLACE</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Ensure any new development restricted to seniors is within a safe walking distance to nearby amenities and a local public transit option, continued</b>		Encourage the integration of new senior housing options into mixed-use or housing developments in close proximity to daily needs amenities like retail, restaurants, town services, grocery stores, etc.				

**TOPIC AREA 5: TRANSPORTATION**

**GOAL STATEMENT: To improve safety and ease of getting around town and better connect the “pieces” of Kittery. Provide alternatives to automobile travel with safe and pleasant bike accommodations and walking paths.**

OBJECTIVE 5.1: ADDRESS TRAFFIC SAFETY AND CONGESTION						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>5.1.1 Create a Transportation Advisory Committee</b>	Bicycle Coalition of Maine  Eastern Trail Alliance	Consider forming a Transportation Advisory Committee to identify and evaluate transportation improvements	None required initially	Transportation Advisory Committee would include a group of volunteer representatives from town departments and residents who would be appointed by the Town Council.  	<b>LEAD(S):</b> Town Council; and Planning Department	1
<b>5.1.2 Identify measures to improve operations, mobility and safety</b>	Traffic data available from MaineDOT and Kittery Area Comprehensive Transportation System (KACTS)	Continue to work with the Portsmouth Naval Shipyard to reduce traffic impacts of shipyard employees at shift changes	Town operating budget		<b>LEAD(S):</b> Kittery Department of Public Works; Planning Department; and Transportation Advisory Committee;  <b>PARTNER(S):</b> Portsmouth Naval Shipyard Authority	2

**TOPIC AREA 5: TRANSPORTATION**

OBJECTIVE 5.1: ADDRESS TRAFFIC SAFETY AND CONGESTION						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Identify measures to improve operations, mobility and safety, continued</b>		Identify improvements to reduce congestion and improve safety at critical roadways and intersections <b>SEE END NOTE #1</b>			<b>LEAD(S):</b> Kittery Department of Public Works; Planning Department; and Transportation Advisory Committee	1
		Identify streets that need signage, such as advance warning; e.g., Route 103, wayfinding	Town operating budget		Same as above	2
		Enforce speed limits and temporary and/or permanent speed reader signs	Apply for grant funding		<b>LEAD(S):</b> Kittery Department of Public Works; Planning Department; and Police Department	1
		Evaluate circulation patterns and access, including one-way streets; e.g., making Walker Street a one-way pair			<b>LEAD(S):</b> Kittery Department of Public Works; Planning Department; and Transportation Advisory Committee	3

**TOPIC AREA 5: TRANSPORTATION**

OBJECTIVE 5.1: ADDRESS TRAFFIC SAFETY AND CONGESTION						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Identify measures to improve operations, mobility and safety, continued</b>		Explore coordinated improvement plan for Route 236 west of the Turnpike			Same as above	3
		Review street design standards for residential subdivision and dead-end streets standards to discourage dead-end streets and cul-de-sacs which reduce connectivity and mobility in neighborhoods			Same as above	2
		Consider a program to construct turnarounds on dead end streets			Same as above	2
		Evaluate intersections for potential operations optimization, including left-turn signals and signal timing and phasing improvements			Same as above	1



**TOPIC AREA 5: TRANSPORTATION**

OBJECTIVE 5.1: ADDRESS TRAFFIC SAFETY AND CONGESTION						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Identify measures to improve operations, mobility and safety, continued</b>		Improve roadway destination signage to I-95 on Route 236 Traffic Circle	MaineDOT		<b>LEAD(S):</b> MaineDOT	1
		Adopt an ordinance or regulation for reviewing traffic movement permits that is consistent with the policy and purpose of <b>Title 23 M.R.S.A. §704-A. Traffic Movement Permit</b>			<b>LEAD(S):</b> Planning Department; and Transportation Advisory Committee  <b>PARTNER(S):</b> MaineDOT	2
	Kittery Area Comprehensive Transportation System (KACTS)	Continue to support the regional transportation planning process			<b>LEAD(S):</b> Planning Department  <b>PARTNER(S):</b> MaineDOT; and KACTS	1
<b>5.1.3 Maintain public roadways, sidewalks, bike paths and trails</b>	<b>Kittery Road Surface Management System</b>	Continue to operate and fund the <b>Road Surface Management System</b> and expand the program to include sidewalks, bike paths and trails	Department of Public Works operating budget		<b>LEAD(S):</b> Department of Public Works	1

**TOPIC AREA 5: TRANSPORTATION**

OBJECTIVE 5.1: ADDRESS TRAFFIC SAFETY AND CONGESTION						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
Maintain public roadways, sidewalks, bike paths and trails, continued		Consider feasibility of adding more roads to "scenic road" designations to protect views		Also see Strategy 1.1.6 of Topic Area 1: Historic & Cultural Resources	<p><b>LEAD(S):</b> Newly-formed Kittery Historic Preservation Commission</p> <p><b>PARTNER(S):</b> Individual owners of historic properties; Kittery Historical and Naval Museum/Society; Planning Board; Kittery Park and Recreation Commission; and Maine Historic Preservation Commission</p>	2
		Investigate designation of Route 103 as scenic byway			Same as above	3
		Develop an annual plan to repaint and/or restripe pavement markings for traffic, pedestrians and bicycles	Department of Public Works operating budget		<p><b>LEAD(S):</b> Department of Public Works</p>	2

**TOPIC AREA 5: TRANSPORTATION**

OBJECTIVE 5.1: ADDRESS TRAFFIC SAFETY AND CONGESTION						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
Maintain public roadways, sidewalks, bike paths and trails, continued		Continue and expand Kittery Adopt-A-Road Program to promote cleanliness of roads or sections in the Town and traffic islands.			<b>LEAD(S):</b> Department of Public Works; and Planning Department	2
		Develop a Complete Streets Policy ( <b>SEE END NOTE #2</b> ) to accommodate all modes of transportation and make streets attractive and safe which would encourage more pedestrian and biking activities.			<b>LEAD(S):</b> Transportation Advisory Committee; and Kittery Department of Public Works  <b>PARTNER(S):</b> Planning Department	1
		Maintain and routinely service street lights to create a safe environment at night; e.g. on the Badgers Island Bridge and Badgers Island ( <b>SEE END NOTE #9</b> )			<b>LEAD(S):</b> Kittery Department of Public Works	1



**TOPIC AREA 5: TRANSPORTATION**

OBJECTIVE 5.2: MAKE WALKING AND BIKING SAFE AND PLEASANT						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>5.2.1 Improve pedestrian and bicycle facilities by providing sidewalks, walking trails and bike paths</b>	DPW existing Kittery <b>Sidewalks Condition Report</b> prepared in 1999 for previous Comprehensive Plan  <b>Title 16 Land Use and Development Code</b> of Town of Kittery	Identify roads and key destinations where sidewalks and bike paths are needed or are incomplete; e.g., complete sidewalk on Walker Street; evaluate feasibility of sidewalk on Love Lane to provide safe pedestrian access <b>SEE END NOTE #3</b>	America Walks and the Every Body Walk! Collaborative's micro grant program <b>SEE END NOTE #4</b>	See Strategy 5.1.1 for Transportation Advisory Committee	<b>LEAD(S):</b> Kittery Department of Public Works and Planning Department  <b>PARTNER(S):</b> Transportation Advisory Committee and Public Schools	1
		Consider providing sidewalk between Kittery and Kittery Point and providing bicycle accommodations in Kittery, Kittery Point and Gerrish Island	Department of Public Works operating budget and grant funding  Maine Downtown program provides grants for "downtown" areas (like Foreside)	Not feasible to install sidewalk on Route 103 for its entirety	<b>LEAD(S):</b> Kittery Department of Public Works and Planning Department  <b>PARTNER(S):</b> Transportation Advisory Committee	1

**TOPIC AREA 5: TRANSPORTATION**

OBJECTIVE 5.2: MAKE WALKING AND BIKING SAFE AND PLEASANT						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<p><b>Improve pedestrian and bicycle facilities by providing and developing sidewalks, walking trails and bike paths, continued</b></p>		<p>Consider providing safe pedestrian walkways or bike paths/lanes between Kittery destinations and potential future parking areas</p>	<p>Department of Public Works operating budget and grant funding</p>	<p>Also see Strategy 2.2.1 of Topic Area 2: Natural Resources and Recreation</p>	<p><b>LEAD(S):</b> Kittery Department of Public Works and Planning Department</p> <p><b>PARTNER(S):</b> Transportation Advisory Committee; Public Schools; Kittery Park and Recreation Commission; and Local business owners</p>	<p>1</p>
		<p>Consider improving and providing increased opportunities for bicycling in Kittery Point and on streets such as Route 103, Rogers Road, Haley Road, and Route 236</p>			<p>Same as above</p>	<p>1</p>

**TOPIC AREA 5: TRANSPORTATION**

OBJECTIVE 5.2: MAKE WALKING AND BIKING SAFE AND PLEASANT						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Improve pedestrian and bicycle facilities by providing and developing sidewalks, walking trails and bike paths, continued</b>		Evaluate opportunities for providing bike accommodations on roads including bike lanes, wide shoulders and "Share the Road" signs. Some potential streets include Route 103, Route 236 and Haley Road	Department of Public Works operating budget and grant funding		Same as above	1
		Develop a sidewalk and pedestrian plan, including updating the existing <b>Sidewalk Condition Report</b> ; conducting an inventory to identify existing conditions and gaps in the pedestrian network; and identifying opportunities for new trails			<b>LEAD(S):</b> Kittery Department of Public Works and Planning Department	1


**TOPIC AREA 5: TRANSPORTATION**

OBJECTIVE 5.2: MAKE WALKING AND BIKING SAFE AND PLEASANT						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
Improve pedestrian and bicycle facilities by providing and developing sidewalks, walking trails and bike paths, continued		Work with schools, Community Center and Town departments to prioritize sidewalk projects on town-owned facilities and recreational areas			<p><b>LEAD(S):</b> Kittery Department of Public Works and Planning Department</p> <p><b>PARTNER(S):</b> Transportation Advisory Committee; Public Schools; Town departments</p>	1
		Consider implementing a pilot program to close Foreside roadways to vehicle traffic for a Sunday once a month during summer	Town operating budget		<p><b>LEAD(S):</b> Kittery Department of Public Works and Planning Department</p> <p><b>PARTNER(S):</b> Transportation Advisory Committee; and Local business owners</p>	3

**TOPIC AREA 5: TRANSPORTATION**

OBJECTIVE 5.2: MAKE WALKING AND BIKING SAFE AND PLEASANT						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Improve pedestrian and bicycle facilities by providing and developing sidewalks, walking trails and bike paths, continued</b>		Identify intersections that need pedestrian facilities, including pedestrian signals, crosswalks and handicap ramps; for e.g., provide crosswalk/s along with pedestrian activated flashing lights at the intersection of Government Street and Prince Avenue	Department of Public Works operating budget and MaineDOT		<b>LEAD(S):</b> Kittery Department of Public Works and Planning Department	1
		Consider providing pedestrian amenities; e.g., benches, shade trees and lighting	Grant funding		Same as above	2
<b>5.2.2 Update Land Use and Development Code of Town of Kittery to include standards for bicycle accommodations</b>	<b>Title 16 Land Use and Development Code</b> of Town of Kittery	Review the "Design and Construction Standards for Streets and Pedestrian Ways" in the <b>Land Use and Development Code</b> of Kittery to include standards for bicycle accommodations			<b>LEAD(S):</b> Town Council and Planning Department	2

**TOPIC AREA 5: TRANSPORTATION**

OBJECTIVE 5.2: MAKE WALKING AND BIKING SAFE AND PLEASANT						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>5.2.3 Develop Complete Streets Policy</b>		Develop Complete Streets Policy ( <b>SEE END NOTE #2</b> ) to accommodate all modes of transportation and make streets attractive and safe which would encourage more pedestrian and biking activities.			<b>LEAD(S):</b> Transportation Advisory Committee; and Kittery Department of Public Works  <b>PARTNER(S):</b> Planning Department	1
		Complete planned sidewalk projects such as the Whipple Road Sidewalk project	Department of Public Works		<b>LEAD(S):</b> Kittery Department of Public Works	1
<b>5.2.4 Promote pedestrian and bicycle education</b>	Healthy Places for Healthy People (Environmental Protection Agency's (EPA) Smart Growth Technical Assistance Program) <b>SEE END NOTE #5</b>	Town (to be formed Transportation Advisory Committee) to promote Walker's Education, e.g. walk facing the traffic, walk on left side of the road etc.			<b>LEAD(S):</b> Kittery Department of Public Works and Planning Department  <b>PARTNER(S):</b> Transportation Advisory Committee and Public Schools	1

**TOPIC AREA 5: TRANSPORTATION**

OBJECTIVE 5.2: MAKE WALKING AND BIKING SAFE AND PLEASANT						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Promote pedestrian and bicycle education, continued</b>		Consider providing bicycle education program for public, including both children and adults, e.g. ride on right side of the road etc.	Bicycle Coalition of Maine	Bicycle Coalition of Maine is a resource that will be providing education regarding bicycle safety and etiquette in all schools in the state and in driver's education classes	<b>LEAD(S):</b> Bicycle Coalition of Maine; and Public Schools	1
		Require event organizers during bicycle events in Kittery to 1) distribute "Be Courteous" handouts with rules for acceptable bicyclist behavior and 2) place people at narrower portions of the road <b>SEE END NOTE #6</b>	Bicycle Coalition of Maine		<b>LEAD(S):</b> Planning Department  <b>PARTNER(S):</b> Bicycle Coalition of Maine; and Event organizers	2

**TOPIC AREA 5: TRANSPORTATION**

OBJECTIVE 5.3: EXPLORE WAYS OF PROVIDING NON-VEHICULAR MODES OF TRANSPORTATION						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>5.3.1 Improve transit service and connections</b>	COAST bus service  York County Community Action Corporation (YCCAC) "Local Rides" transit service	Conduct a cost-benefit analysis to evaluate the potential for a town-wide shuttle service . <ul style="list-style-type: none"> <li>Identify purpose and need for a shuttle bus to provide town-wide service and include stops to connect to other towns.</li> <li>Consider providing shuttle service on main routes, such as Rt. 1, Rt. 103 and Rt. 236.</li> <li>Consider providing shuttle bus service to mall outlets</li> <li>Evaluate feasibility of electric buses or trolleys</li> </ul>	Town, COAST, YCCAC and State	See Strategy 5.1.1 for Transportation Advisory Committee	<b>LEAD(S):</b> Planning Department  <b>PARTNER(S):</b> Transportation Advisory Committee; and Portsmouth Naval Shipyard	1
		Consider partnering with COAST to extend routes in Kittery and provide weekend service	COAST		<b>LEAD(S):</b> Planning Department  <b>PARTNER(S):</b> Transportation Advisory Committee; and COAST	1



**TOPIC AREA 5: TRANSPORTATION**

OBJECTIVE 5.3: EXPLORE WAYS OF PROVIDING NON-VEHICULAR MODES OF TRANSPORTATION						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Improve transit service and connections, continued</b>		Coordinate with Portsmouth Naval Shipyard about expanding shuttle buses for Navy Shipyard workers	PNSY		<b>LEAD(S):</b> Planning Department  <b>PARTNER(S):</b> Transportation Advisory Committee; and Portsmouth Naval Shipyard	1
		Review current paratransit service for adequacy of providing service for the elderly, disabled, and low income populations	KACTS		<b>LEAD(S):</b> Planning Department  <b>PARTNER(S):</b> York County Community Action Corporation (YCCAC)	3
<b>5.3.2 Promote alternative modes of transportation</b>	Go Maine (Maine's statewide commuter service)	Evaluate potential for car-sharing opportunities such as Zipcar			<b>LEAD(S):</b> Planning Department  <b>PARTNER(S):</b> MaineDOT and KACTS	1

**TOPIC AREA 5: TRANSPORTATION**

OBJECTIVE 5.3: EXPLORE WAYS OF PROVIDING NON-VEHICULAR MODES OF TRANSPORTATION						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Promote alternative modes of transportation, continued</b>	State of Maine's van service to York County,  Kittery Community Center's van service	Explore opportunities for expanding existing van services	MaineDOT		<b>LEAD(S):</b> Planning Department  <b>PARTNER(S):</b> MaineDOT and Kittery Community Center	3
<b>5.3.3 Consider bike sharing alternatives</b>		Consider designating areas for "bike sharing" service such as Hubway		Also see Strategy 5.2.1	<b>LEAD(S):</b> Planning Department  <b>PARTNER(S):</b> Transportation Advisory Committee	1
<b>5.3.4 Consider boat taxis</b>	Town of Kittery Port Authority Rules and Regulations	Consider providing boat taxis to Portsmouth and recreational areas	Private		<b>LEAD(S):</b> Private company	3

**TOPIC AREA 5: TRANSPORTATION**

OBJECTIVE 5.3: EXPLORE WAYS OF PROVIDING NON-VEHICULAR MODES OF TRANSPORTATION						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
5.3.5 Promote sustainable green transportation practices		Evaluate potential for providing electric car charging stations, including public-private partnerships			<p><b>LEAD(S):</b> Planning Department</p> <p><b>PARTNER(S):</b> Department of Public Works; Chamber of Commerce; and Private businesses</p>	1

**TOPIC AREA 5: TRANSPORTATION**

OBJECTIVE 5.4: EXPLORE WAYS OF INCREASING PARKING OPTIONS						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
5.4.1 Evaluate town-wide current parking conditions and parking policies	<p><b>Title 16 Land Use and Development Code</b> of Town of Kittery. Recodified on July 26, 2010 and latest amendment made on October 26, 2015</p> <p><b>The Foreside Forums</b> (Listening Sessions on the Future of Kittery Foreside, 2014)</p>	<p>Develop a town-wide Parking Management Plan to evaluate parking supply, demand and utilization in Downtown Kittery and commercial areas; e.g., Foreside, Kittery Point, and develop strategies to improve operations and reduce impacts on local residential streets.</p> <p><b>SEE END NOTE #7</b></p>	Town and State	The Town is conducting a new parking study in November 2016.	<p><b>LEAD(S):</b> Town Council; and Planning Department</p> <p><b>PARTNER(S):</b> Local business owners; Portsmouth Naval Shipyard; and Local residents</p>	1
		Review current on-street and off-street parking regulations and policies and revise to meet development strategies			<p><b>LEAD(S):</b> Town Council; and Planning Department</p>	1
		Evaluate parking supply and demand and increase enforcement of parking regulations in Seapoint Beach area and Fort Foster			<p><b>LEAD(S):</b> Planning Department; and Police Department</p>	2

**TOPIC AREA 5: TRANSPORTATION**

OBJECTIVE 5.4: EXPLORE WAYS OF INCREASING PARKING OPTIONS						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
Evaluate town-wide current parking conditions and parking policies, continued		Identify ways for better management of existing parking spaces; e.g., consider off-site remote parking for employees			<b>LEAD(S):</b> Planning Department  <b>PARTNER(S):</b> Local business owners; and Portsmouth Naval Shipyard	1
		Consider locations for central and satellite parking facilities to serve the Portsmouth Naval Shipyard and Foreside			<b>LEAD(S):</b> Planning Department  <b>PARTNER(S):</b> Portsmouth Naval Shipyard	1
5.4.2 Maximize parking efficiency and explore shared parking opportunities		Consider designating some off-street spaces for shared-use (Rice Building parking) and shared vehicle (Zip Car) use <b>SEE END NOTE #8</b>	Department of Public Works		<b>LEAD(S):</b> Planning Department  <b>PARTNER(S):</b> Transportation Advisory Committee; and Local business owners	1

**TOPIC AREA 5: TRANSPORTATION**

OBJECTIVE 5.4: EXPLORE WAYS OF INCREASING PARKING OPTIONS						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Maximize parking efficiency and explore shared parking opportunities, continued</b>		Stripe on-street parking spaces on public roadways	Department of Public Works		<b>LEAD(S):</b> Kittery Department of Public Works; and Planning Department	1
		Consider reverse angle parking in some areas such as Foreside			Same as above	2
		Include bike-racks in parking areas	Town operating budget or grants		Same as above	1

## TOPIC AREA 5: TRANSPORTATION

### END NOTES

**1. Evaluate roadways and intersections** including:

- End of US 1 Bypass to Intersection of US 1 Bypass & US 1 Bypass Southbound;
- End of I-95 Southbound to Intersection of Exit 1 On-Ramp from I-95 North to Dennett Road I-95 SB;
- Intersection of Entrance to Maine Outlet/Shop Center/US 1 to Entrance to Mall/ US 1/Wilson Road;
- Intersection of New State Road, Rogers Road and State Road;
- Intersection of Manson Road, Picott Road, and Wilson Road;
- Intersection of Shapleigh Road, Whipple Road, and Woodlawn Avenue;
- Intersection of Ramp off to Rogers Road southbound;
- Intersection of Manson Avenue and Shapleigh Road; and
- Intersection of State Road and Walker Street.

All recommendations with regard to specific streets should be reviewed by the Transportation Advisory Committee before being implemented.

- Intersection improvements may include optimizing and coordinating signalized intersections.
- Care should be taken especially where students are crossing to go to the schools.

**2. MaineDOT Complete Streets Policy (adopted June 8, 2014)** states that "The intent of this formalized policy is to help ensure that all users of Maine's transportation system - our- customers - including bicyclists, pedestrians, people of all ages and abilities, transit users, and motor vehicle users, have safe and efficient access to the transportation system".

**3. Sidewalks** - New sidewalks should be added in context and compatible to the surroundings and adjacent land use. Items such as material type, curb type, dimensions, and alignment should be reviewed for each specific location.

**4. America Walks** - It is a 501(c)(3) nonprofit national organization devoted exclusively to making America a great place to walk. Together, America Walks and the Every Body Walk! Collaborative award micro grant funding up to \$1500 for projects related to increasing walking and walkability.

**5. Healthy Places for Healthy People (Environmental Protection Agency's (EPA) Smart Growth Technical Assistance Program)** - It is a new program to help communities partner with community health centers (including Federally Qualified Health Centers), nonprofit hospitals, and other health care facilities to create walkable, healthy, economically vibrant places. Under this program, communities will receive planning assistance to develop action plans focusing on health as an economic driver and catalyst for downtown and neighborhood revitalization.

## TOPIC AREA 5: TRANSPORTATION

### 6. Ride Safety Reminders from the Bicycle Coalition of Maine:

- Helmet Use is required.
- This event is taking place on open roads. Other traffic will be present.
- Ride single file a safe distance from the road's edge when cars are present.
- Only pass on the left.
- Communicate with other riders. Call out "on your left" when passing and point out hazards.
- Use hand signals and verbal announcements when you are changing position or turning.
- Obey all traffic signs and signals. Stop at stop signs and lights.
- If you stop along the route, get completely off the road to make room for other riders and cars.
- Be courteous and friendly to all other road users.

7. **Parking Management** - Paid parking is one component of managing parking operations that also includes policies and restrictions; supply, demand, and utilization; short-term and long-term parking; signage; and enforcement.

8. **Shared Parking** - is a land use strategy for optimizing parking capacity by sharing parking spaces by two or more land uses based on peak parking demands. Under this strategy, separate parking spaces are not provided for individual land use thus reducing land dedicated for parking.


### 9. Some of the public's specific input:

- Several lights have been out for a while on the bridge to Badger's Island.
- At Government/Route 1, pedestrians get the signal to cross while the right turning lane from Government can turn on red. This results in cars that don't stop or slow down, even honking at pedestrians who have a walk signal. This intersection (and Walker/Route 1) remains dangerous for pedestrians even though there's a signal and crosswalk. There needs to be a change for car traffic so that a right turn is not permitted while the pedestrians are crossing.
- The crosswalk buttons on Walker St/Route 1 rarely function. This means that pedestrians often use the crosswalk without a signal to cross.



There is a need to provide some sort of method for the Town's residents to inform the Town of these issues/needs and that exploring an app for this purpose might be useful.




**GOAL STATEMENT: To protect the town's coastline and working waterfront, and to ensure appropriate access to and enjoyment of the water, while protecting it from environmental impacts**

OBJECTIVE 6.1: ENSURE APPROPRIATE ACCESS TO THE WATERFRONT						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>6.1.1 Develop a public education campaign to inform boaters on navigational challenges,</b>	NOAA Navigation Charts; Kittery Port Authority's (KPA) website info on launching sites; Local expert boaters/kayakers; Maine Department of Inland Fisheries & Wildlife Boating Education Courses	Review existing documents on navigation in Kittery area Increase safety for kayakers by having a Sign-In Book and providing a safety warning (similar to that given by the Main Island Trail Assoc.)		Use existing information to greatest extent possible; added value is in making information easily accessible and tailored to Kittery waterways 	<b>LEAD</b> Kittery Recreation Department  <b>PARTNERS</b> Local boaters/Kayaking and boating clubs/Marinas and boatyards	1
		Provide information regarding safety matters such as strong currents in Piscataqua River and avoiding commercial vessels				
		Meet with local boaters to compile check information			<b>LEAD</b> Kittery Port Authority  <b>PARTNERS</b> Kayaking and boating clubs and guides	1

Kittery Comprehensive Plan 2015-2025  
**TOPIC AREA 6: MARINE RESOURCES**

<b>OBJECTIVE 6.1: ENSURE APPROPRIATE ACCESS TO THE WATERFRONT</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Develop a public education campaign to inform boaters on navigational challenges, continued</b>		Design easy-to-understand pamphlets and posters for public education			Same as above	1
		Encourage local boaters and visitors to take boating education courses			<b>LEAD</b> Kittery Port Authority  <b>PARTNERS</b> Maine Dept. of Inland Fisheries/Commercial fisherman/marina	1
<b>6.1.2 Explore the possibilities of providing shared parking working with owners of Frisbee Store property</b>	Deed restrictions on property that require it to be available as parking. Note: restrictions do not require it to be available as parking to the general public	Evaluate options to allow use of parking area for providing public parking		The Pepperrell Tomb is located at the rear of the lot and must be protected. Parking requirements for adjacent businesses may have to be reduced.	<b>LEAD</b> Kittery Town Council  <b>PARTNERS</b> Kittery Planning Dept., Kittery Port Authority, EDC	1
		Evaluate fee purchase of property			Same as above	1


Kittery Comprehensive Plan 2015-2025  
**TOPIC AREA 6: MARINE RESOURCES**

<b>OBJECTIVE 6.1: ENSURE APPROPRIATE ACCESS TO THE WATERFRONT</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>6.1.3 Explore opportunities for water-based tourism to Kittery</b>	Commercial boat operators in greater Kittery/Portsmouth area	Evaluate demand, identify potential docking locations, and determine level of interest from local businesses Promote Appledore Island as part of Kittery		Government Street Wharf is publicly-owned but is predominantly used by commercial fishermen and is built to the lot line, thus there is no room for installation of ramps or floats.	<b>LEAD</b> Commercial boat operators and local businesses  <b>PARTNERS</b> Economic Development Committee, Port Authority	2
<b>6.1.4 Publish a map showing existing access points for boaters</b>	KPA website with information on launching locations; 2014 Quality Improvement Plan for Kittery's Shore and Harbors; Maine Coastal Public Access Guide- Southern Region: South Berwick to Freeport	Compile list of locations suitable for publication, based on site access, size, adjacent land use, and water access Identify safety issues on maps		Information is readily available on sites, but a review of sites suitable for inclusion (and likely increased usage) must be performed. 	<b>LEAD</b> Kittery Port Authority  <b>PARTNERS</b> Local boaters, Coast Guard, and commercial fishermen	1
		Prepare one-page document for distribution and posting on KPA and Town of Kittery websites			<b>LEAD</b> Kittery Port Authority <b>PARTNER</b> Public information staff	1


Kittery Comprehensive Plan 2015-2025  
**TOPIC AREA 6: MARINE RESOURCES**

OBJECTIVE 6.1: ENSURE APPROPRIATE ACCESS TO THE WATERFRONT							
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority	
6.1.5 Determine whether appropriate locations exist for additional public access to water/waterfront	Town land use and zoning maps	Determine level of demand and site usage constraints.	Town budget	New sites for public access will need some level of parking, compatible adjacent land uses, and direct access to water	<b>LEAD</b> Kittery Planning Department <b>PARTNER</b> Kittery Port Authority	1	
	Open space inventories	Review town land use and zoning maps for potential parcels/sites	User fees from site users		Same as above	2	
		Consider giving residents lower cost to stay on the mooring list					
		Better manage existing parking					
		Explore possibility of using railroad line as a trail to connect Traip to Foreside					
		Inform and involve public		Possible grants		Same as above	2


Kittery Comprehensive Plan 2015-2025  
**TOPIC AREA 6: MARINE RESOURCES**

<b>OBJECTIVE 6.1: ENSURE APPROPRIATE ACCESS TO THE WATERFRONT</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>6.1.6 For environmentally sensitive and secluded locations like Seapoint Beach, encourage additional non-motorized visitors through installation of bike racks and bike/pedestrian paths.</b>	Locations identified for improved bicycle/pedestrian access, as identified in Comprehensive Plan update process	Engineering/planning study of site access requirements, such as dedicated paths or “Share the Road” signage; bicycle racks for storage.	Town DPW maintenance budget for signage, “Complete Streets” programs and other transportation improvement grants.	Any site improvements should be done in context of larger bike/pedestrian access improvements throughout Kittery. For example, linking waterfront parks to commercial areas like Kittery Foreside 	<b>LEAD</b> Kittery Planning Department  <b>PARTNER</b> Kittery Public Works, York County DOT, Maine DOT, Kittery Transportation Advisory Council	1
		Consider encouraging the establishment of a Chauncy Creek Watershed Assoc.				
<b>6.1.7 Continue collaboration with Wood Island Life Saving Station (WILSSA)</b>	Existing tenure and concession agreements with WILSA	Support WILSSA permit application for new pier and marine railway restoration at Wood Island Station	No direct cost to Kittery		<b>LEAD</b> Kittery Town Council  <b>PARTNER</b> Kittery Port Authority, Wood Island Life Saving Association (WILSSA)	On-going

Kittery Comprehensive Plan 2015-2025  
**TOPIC AREA 6: MARINE RESOURCES**

<b>OBJECTIVE 6.1: ENSURE APPROPRIATE ACCESS TO THE WATERFRONT</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Continue collaboration with Wood Island Life Saving Station (WILSSA), continued</b>	In-progress restoration and remediation efforts at Wood Island	Existing funds obtained by WILSSA is paying for restoration and remediation			<b>LEAD</b> WILSSA	
<b>6.1.8 Install signage to parking lot at Mitchell School, which is available to public in summer and on non-school days, and offers overflow parking to Pepperrell Cove</b>		Install signage and maps for public information.	Town DPW maintenance budget for signage, “Complete Streets” programs and other transportation improvement grants.		<b>LEAD</b> Kittery Public Works  <b>PARTNER</b> Kittery Planning Department, Kittery Transportation Advisory Council	1
<b>6.1.9 Install No Wake Zones signed where needed</b>		Evaluate locations (e.g., Hicks Rocks south of Route 103 Bridge) and determine best method of installation	Kittery Port Authority operating funds		<b>LEAD</b> Kittery Port Authority  <b>PARTNERS</b> Fisheries Advisory Committee	1

Kittery Comprehensive Plan 2015-2025  
**TOPIC AREA 6: MARINE RESOURCES**

OBJECTIVE 6.2: PROTECT WORKING WATERFRONT						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
6.2.1. Continue to support Kittery's maritime-based economy including the fishing and shellfishing industry by maintaining access to the working waterfront and creating innovative avenues to better connect fishing to the local economy	List of commercial mooring holders; The Contribution of Working Waterfront to the Maine Economy (2004), Charles S. Colgan; Kittery Fisheries Advisory Committee	Conduct poll/outreach/meetings with commercial fishermen and boat operators to determine needs and challenges they face Explore innovative ways to better connect fishing to the local economy (e.g. Dock to Dish programs)			<b>LEAD</b> Kittery Port Authority <b>PARTNERS</b> Kittery Economic Development committee, Fisheries Advisory Committee, commercial boaters and fishermen, shore facility operators (marinas, etc.)	1
6.2.2 Identify any needed improvements or operational changes to Government Street Wharf	2014 <i>Quality Improvement Plan for Kittery's Shore and Harbors</i> contains a physical condition assessment of the pier	Discuss with commercial users of the pier to identify operating constraints and identify any engineering requirements for expansion (if needed)		Any modifications would need to be done so as to avoid disruptions to commercial users. The wharf is built to the limits of the lot line.	<b>LEAD</b> Kittery Port Authority <b>PARTNERS</b> Pier users, Kittery Public Works	1

Kittery Comprehensive Plan 2015-2025  
**TOPIC AREA 6: MARINE RESOURCES**

<b>OBJECTIVE 6.2: PROTECT WORKING WATERFRONT</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>6.2.3 Identify whether additional shoreside facilities would benefit marine-based industries</b>	<i>2014 Quality Improvement Plan for Kittery's Shore and Harbors</i>	Conduct poll/outreach/meetings with commercial fishermen and boat operators to determine need			<b>LEAD</b> Kittery Port Authority <b>PARTNERS</b> Fisheries Advisory Committee, other commercial boat operators and shore facility operators	2
<b>6.2.4 Evaluate whether any additional land areas should be categorized as Commercial Fisheries/Maritime Uses (OZ-CFMU) zoning.</b>	Kittery Zoning Map Kittery Town Land Use and Development Code	Conduct poll/outreach/meetings with commercial fishermen and boat operators to determine need, and review zoning of candidate locations and suitability		Add clarifying language to this zoning description to state that on-site boat storage is explicitly allowed in this zone.	<b>LEAD</b> Kittery Planning Department <b>PARTNERS</b> Fisheries Advisory Committee, other commercial boat operators and shore facility operators	2




Kittery Comprehensive Plan 2015-2025  
**TOPIC AREA 6: MARINE RESOURCES**

<b>OBJECTIVE 6.2: PROTECT WORKING WATERFRONT</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>6.2.5. Consider conducting a dredging study to assess the costs, benefits, and options taking into consideration the potential environmental impacts.</b>	NOAA navigational chart for Kittery area; Authorized depths for specific locations, such as Pepperrell Cove University of NH has surveyed the environment FNP: Federal Navigation Project of Pepperill Cove	Conduct poll/outreach/meetings with commercial fishermen and boat operators to identify areas where navigation is difficult or impossible due to shallow depths <b>SEE END NOTES</b>	Dredging is typically cost-shared between Federal and non-Federal (State and local) parties		<b>LEAD</b> Kittery Port Authority, University of New Hampshire Amry Corps of Engineers <b>PARTNERS</b> Fisheries Advisory Committee, other commercial boat operators and shore facility operators	3
		Coordinate with USACE dredging program			<b>LEAD</b> Kittery Port Authority <b>PARTNERS</b> Town Council, USACE New England District	3
<b>6.2.6 Develop a self-guided tour of the working waterfront</b>		Identify and map points of interest; prepare descriptive text for a brochure and/or signage. The goal of the tour would be for visitors and residents to learn more of its history and present-day role in Kittery.			<b>LEAD</b> Kittery Planning Department <b>PARTNERS</b> Kittery Port Authority, Fisheries Advisory Committee	1



Kittery Comprehensive Plan 2015-2025  
**TOPIC AREA 6: MARINE RESOURCES**

<b>OBJECTIVE 6.2: PROTECT WORKING WATERFRONT</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>6.2.7 Provide information about the State of Maine's Working Waterfront Access Pilot Program and current use taxation program to owners of waterfront land uses to provide access to or support the conduct of commercial fishing activities</b>	State of Maine Working Waterfront Access Pilot Program		Financial grants up to 50% of the acquisition costs for the property are available to private businesses, cooperatives, municipalities, organizations qualified to hold conservation easements under Maine law, or other qualified organizations for projects that will provide permanent access use by commercial fisheries businesses.	<b>SEE END NOTES</b>		1

Kittery Comprehensive Plan 2015-2025  
**TOPIC AREA 6: MARINE RESOURCES**

OBJECTIVE 6.3: PROTECT MARINE RESOURCES						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>6.3.1. Update the Harbor Management Plan</b>		Develop Strategic Plan and support its implementation			LEAD: Port Authority, Harbormaster	1
<b>6.3.2 Education and advocacy effort to increase awareness in residents and business owners on effects of pollutants, pesticides, and stormwater runoff</b>	Town of Kittery annual water quality monitoring programs; State of Maine water quality monitoring programs	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.	Town budget	Effort should include focus groups of residents and property owners  	<b>LEAD</b> Kittery Shoreland Resource Officer <b>PARTNERS</b> Kittery Planning Department, Building Department, Dept. of Public Works, Southern Maine Planning and Development Commission (SMPDC)	1
<b>6.3.3 Evaluation of a Town Code regarding use of pesticides and herbicides with chemicals, in waterfront areas</b>	Town of Kittery annual water quality monitoring programs; State of Maine water quality monitoring programs See area towns for models	Evaluate future impacts of “build-out” development using existing zoning and chemical use		Evaluate whether ordinance should apply Town-wide to achieve greatest reduction in pollutant inflows (both residential and commercial)	<b>LEAD</b> Kittery Town Council <b>PARTNERS</b> Code Enforcement/Kittery Shoreland Resource Officer, Planning Department	1

Kittery Comprehensive Plan 2015-2025  
**TOPIC AREA 6: MARINE RESOURCES**

<b>OBJECTIVE 6.3: PROTECT MARINE RESOURCES</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Evaluation of a Town Code regarding use of pesticides and herbicides with chemicals, in waterfront areas, continued</b>		Literature review of existing ordinances in other communities			<b>LEAD</b> Kittery Shoreland Resource Officer <b>PARTNER</b> Planning Department	1
<b>6.3.4 Work with Portsmouth Naval Shipyard (PNS) to identify and reduce effects of flooding on facility, and to reduce pollutant outflows</b>	FEMA Flood Insurance Rate Maps (in preparation); EPA remediation studies and mitigation plans; Union of Concerned Scientists (UCS) report (“The U.S. Military on the Front Lines of Rising Seas”)	Establish a working partnership with Shipyard and conduct site-specific identification of areas that would be flooded more frequently under future scenarios		UCS report notes that under highest sea level rise projections, more than a quarter of PNS would become part of tidal zones, effectively experiencing daily flooding	<b>LEAD</b> Town Council <b>PARTNERS</b> Kittery Shoreland Resource Officer, Planning Department, Portsmouth Naval Shipyard	2
<b>6.3.5. Identify a suitable site for storage of floats during storms and update Storm Preparedness Plan accordingly</b>	Existing Town Storm Preparedness Plan; Local knowledge of area waterways and shore locations	Determine needed storage capacity, whether on shore or in a protected waterbody	Kittery Port Authority budget and Department of Public Works budget	Removal of floats will require a phased plan (similar to Town’s Storm Preparedness Plan)  	<b>LEAD</b> Kittery Port Authority and Harbor Master <b>PARTNER</b> Dept. of Public Works	1

Kittery Comprehensive Plan 2015-2025  
**TOPIC AREA 6: MARINE RESOURCES**

OBJECTIVE 6.3: PROTECT MARINE RESOURCES						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>6.3.6 Evaluate feasibility/location for a boat waste pumpout facility</b>	State of Maine Pumpout Boat, which requires an appointment and has to cover a large service area	Forecast demand (number of users and volume of waste) Explore options (note: a facility is under construction at Kittery Point Yacht Yard, expected to open spring 2017)	Kittery Port Authority	Existing pumpout boat service does not operate 24 hours a day, and was out of service for much of summer 2015.	<b>LEAD</b> Kittery Port Authority <b>PARTNER</b> Department of Public Works, Solid Waste Facility staff	<b>1</b>
		Identify locations and evaluate for engineering feasibility and necessary utility connections or disposal methods.	User fees	Priority is for locations with connection to municipal sewer system (such as Government Street Wharf). Pepperell Cove does not have a connection to municipal system.	Same as above	<b>1</b>
		Establish operating rules and fee schedule	Pumpout Grants (administered by Maine DEP and funded by US Fish and Wildlife Service with additional funding from Clean Vessel Act Grant Program (CVA).		Same as above	<b>1</b>

Kittery Comprehensive Plan 2015-2025  
**TOPIC AREA 6: MARINE RESOURCES**

<b>OBJECTIVE 6.3: PROTECT MARINE RESOURCES</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>6.3.7. Encourage owners of marine businesses and industries to participate in clean marina/boatyard programs</b>		Assist participants in implementing best management practices through on-site and distance technical assistance		A voluntary designation program with a proactive approach to environmental stewardship	LEAD: Port Authority, Harbormaster	2
<b>6.3.8. Work with local property owners, land trusts and others to protect major points of physical and visual access to coastal waters</b>		Identify high value scenic views of the water and designate them for protection through proactive development regulations. Consider regulating fence heights		especially along public ways and in public parks	LEAD: Port Authority, Harbormaster	2

## End Notes

1. Potential funding sources for improvements to marine resources were identified in the 2014 Quality Improvement Plan for Kittery's Shore and Harbors. Potential sources include:
  - Shore and Harbor Grants
  - Community Development Block Grants
  - User Fees
  - Tax Increment Financing
  - Maine Department of Environmental Protection (DEP) Pump Out Grant Program
  - Maine Department of Marine Resources (DMR) Waterfront Access Protection Program
  - Public/Private Collaboration
  - Other Miscellaneous State Funding Programs
  
2. Strategies 6.1.4 and 6.1.5.: The Town of Kittery will use discretion in deciding which specific public access locations are to be included in lists and maps for public usage. Criteria for inclusion include availability of automobile parking, level of environmental sensitivity of the site, and adjacent land uses. Some sites may be accessible by pedestrians or bicyclists only, which will be noted.

The *Maine Coastal Public Access Guide, Southern Region: South Berwick to Freeport* (Noordyk, Julia, ed. Maine: Maine Coastal Program, Maine Department of Agriculture, Conservation and Forestry, 2013) includes useful disclaimer language that may be applicable to Kittery's list and maps, such as:

"The *Guide* is not inclusive of all public access on the Maine Coast:

- Island sites reachable only by private boat were not included.
- Areas not yet ready for visitation, such as those without trails, were excluded.
- Based on recommendations from land managers, some sites containing very sensitive ecological features, prone to damage by heavy visitation, were not included."

The *Guide* also includes useful instructions to visitors to public areas to help ensure maintenance of environmental quality (see the "Good Visitor" Guidelines, *Respect Private Property*, *Abide by Rules and Guidelines*, and *Protect Ecologically Sensitive Areas*, which may be useful for Kittery's documents.

3. Strategy 6.2.5. Consider dredging study: Foremost would be an evaluation of Pepperrell Cove, which has significant sedimentation. However, careful assessment must be made for any dredging activity is done. In many areas of the Piscataqua River, silt covers sediments containing heavy metals such as mercury and arsenic that were used in the tanning industry on upstream tributaries. Exposing these pollutants
4. Strategy 6.3.3: In addition to the climate adaptation plans for Wells and Eliot, ME, and Portsmouth, NH, the plan “Preparing New Hampshire for Projected Storm Surge, Sea-Level Rise, and Extreme Precipitation”, prepared by the New Hampshire Coastal Risks and Hazard Commission (2016), is a useful reference and example.

#### **State of Maine's Working Waterfront Access Pilot Program**


The Maine Working Waterfront Access Pilot Program is aimed at protecting waterfront land with the facilities, capacity, and services needed to support commercial fisheries businesses. Commercial fisheries businesses are defined as enterprises directly or indirectly concerned with the commercial harvest of wild or aquacultured fish or shellfish, including commercial fishermen, aquaculturist, fishermen’s cooperatives, municipalities, owners of private piers, and businesses providing direct services to commercial fishermen and aquaculturists.

<http://www.seagrant.umaine.edu/files/pdf-global/o6MWRcd/o6MWR25.pdf>






**TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES, AND FISCAL CAPACITY**


**GOAL STATEMENT: To improve town governance and provide adequate public facilities and services; increase fiscal capacity responsibly**

OBJECTIVE 7.1: IMPROVE TOWN GOVERNANCE AND ITS ABILITY TO ADAPT TO CHANGE						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
7.1.1 Ensure that planning and management processes are open, informative, inclusive, respectful and welcoming	Town Website Cable TV	Increase transparency of decision-making by ensuring that information dissemination is clear, timely, and in layman's language	no cost		LEAD: Town Manager Town Council	1
		Establish twice yearly training workshops for all Town staff				ON-GOING
		Promote Code of Ethics				ON-GOING
7.1.2. Increase engagement and access to government		Establish and sustain community engagement channels and regularly solicit citizen opinion; include youth	no cost		LEAD: Town Manager Town Council	ON-GOING
7.1.3. Improve and increase communication		Increase and improve communication with Town residents (e.g. use a variety of ways, including social media, local cable, revamping the Town's website, etc.). <b>SEE END NOTE 7.1.3. A</b>	no cost		LEAD: Town Manager Town Council	ON-GOING



**TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES, AND FISCAL CAPACITY**

OBJECTIVE 7.1: IMPROVE TOWN GOVERNANCE AND ITS ABILITY TO ADAPT TO CHANGE						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Improve and increase communication, continued</b>		Explore the use of communication technologies to increase the communication between residents and Town government. <b>SEE END NOTE 7.1.3.B.</b>			LEAD: Town Manager PARTNERS: All Department Heads	2
		Consider developing a Communications Plan <b>SEE END NOTE 7.1.3.C.</b>	no cost		LEAD: Town Manager	2
		Improve internet access (encourage the provision of additional options for higher speed connection)	no cost		LEAD:	
		Consolidate existing information into a Town Calendar of Events			LEAD:	2
		Increase use of cable TV for dissemination of information	no cost		PARTNER: Cable TV	ON-GOING



**TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES, AND FISCAL CAPACITY**

OBJECTIVE 7.1: IMPROVE TOWN GOVERNANCE AND ITS ABILITY TO ADAPT TO CHANGE						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>7.1.4. Support the Implementation of the Comprehensive Plan goals</b>	Comprehensive Planning process	Establish a process for monitoring progress, reporting out to the community and establishing milestones.	no cost		LEAD: Town Manager Town Council PARTNERS: All Town Departments, Boards and Committees	1
		Revise Town Code so that it aligns with the Comprehensive Plan and is clear and easy to use.		See Also: Topic Area 8: Land Use	LEAD: Town Council, Planning Board PARTNERS: Town Planner	1
<b>7.1.5. Look for additional funding sources to support implementation</b>		Consider hiring a full-time professional grant writer to capture available funds		Also SEE 7.4 Maintain and Increase Fiscal Capacity	LEAD: Town Manager, Town Council Grantwriter	ON-GOING
<b>7.1.6. Refine existing and develop new tools to help with planning and implementation</b>	Existing <i>Kittery Town Code</i>	Revise Town Code so that regulations are clear and easy to use and are aligned with Comprehensive Plan goals		Also SEE Topic Area 8.0 Land Use	LEAD: Planning Board	2
	(old) <i>Sidewalk Conditions Report</i>	Update Sidewalk Conditions report and identify where sidewalks are needed, repairs needed, etc.			LEAD: DPW	1



**TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES, AND FISCAL CAPACITY**

OBJECTIVE 7.1: IMPROVE TOWN GOVERNANCE AND ITS ABILITY TO ADAPT TO CHANGE						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
Refine existing and develop new tools to help with planning and implementation, continued		Become more business friendly by streamlining permitting process		Also SEE: Topic Area 3: Economic Development	LEAD: Town Council PARTNER: Economic Dev. Commission	1
	Existing GIS maps	Update town's GIS maps and establish a system for continuous update			LEAD: Planning Department	1
7.1.7. Consider new methods to recruit volunteers to serve on boards and committees		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			LEAD: Human Resources?	1
		Develop clear messaging regarding what the Boards and Committees do, roles and expectations and information regarding opportunities and benefits of participation			LEAD: Town Council	1

**TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES, AND FISCAL CAPACITY**

OBJECTIVE 7.1: IMPROVE TOWN GOVERNANCE AND ITS ABILITY TO ADAPT TO CHANGE						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
Consider new methods to recruit volunteers to serve on boards and committees, continued		Make the process of being appointed easier, more standardized and respectful			LEAD: Town Council	1
7.1.8. Work with surrounding communities, and to the extent that is feasible, develop a mutually beneficial regional approach	York Eliot South Berwick Berwick	Identify areas of potential collaboration and potential regional partners			LEAD: Town Manager PARTNERS: area communiites	ON-GOING
		Identify opportunities for improving connections to adjacent communities (e.g. bike paths, etc.)			LEAD: Conservation Commission	2




**TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES, AND FISCAL CAPACITY**

OBJECTIVE 7.1: IMPROVE TOWN GOVERNANCE AND ITS ABILITY TO ADAPT TO CHANGE						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
7.1.9. <b>Work with Portsmouth Naval Shipyard to continue mutually beneficial relationship and to identify potential for additional areas of collaboration</b>	Portsmouth Naval Shipyard (PNS)	Identify additional areas of potential collaboration			Town Council Town Manager PNS	ON-GOING
7.1.10. <b>Encourage communication and collaboration across Town Departments</b>		Continue to hold regular meetings with Town Department Heads and explore ways of increasing efficiencies and effectiveness by collaborating			Town Manager Town Department Heads	ON-GOING

**TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES AND FISCAL CAPACITY**


OBJECTIVE 7.2: MAINTAIN AND IMPROVE MUNICIPAL FACILITIES						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>7.2.1 Develop a long-range facility plan for the library</b>	Town Library Committee <b>Report</b> existing building other sites	Explore possibilities and compare and contrast advantages and disadvantages	??		LEAD: Town Manager, Town Council PARTNERS: Trustees of the Library, Library Committee	1
		Consider converting Library to a Town Department			LEAD: Town Council PARTNERS: Trustees of the Library	1
		Support Library Director's efforts to support early literacy, digitize the library's collection of photographs and to provide support and programming for the increasing elderly population			Library Director, staff and volunteers	ON-GOING
<b>7.2.2. Continue to provide high quality education to residents of all ages</b>		Address issue of reputation by making a point of promoting positive aspects and celebrate progress			LEAD: School Department PARTNERS: Kittery Adult Ed, Rice Library	1
		Develop more recent enrollment projections for planning purposes.			LEAD: School Department	1
		Continue to make upgrades to Traip Academy	Capital cost		LEAD: School Department	2

**TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES AND FISCAL CAPACITY**

OBJECTIVE 7.2: MAINTAIN AND IMPROVE MUNICIPAL FACILITIES						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
Continue to provide high quality education to residents of all ages, continued		Continue to look for ways of addressing the lack of athletic fields at the high school		The <i>Athletics Fields Study</i> has some recommendations regarding how to achieve this (transportation may be needed)	LEAD: School Department, DPW	2
	Sanford Vocational High School	Support students wishing to attend the Sanford Vocational High School			PARTNER: Sanford Vocational High School	1
	area businesses	Support the School Department's efforts to participate in Service Learning in the community		(transportation may be needed) 	LEAD: School Department PARTNER: area businesses	1
	Kittery Adult Ed (SAD 35)	Continue and expand Adult Educational opportunities			LEAD: School Department PARTNER: SAD 35	2
<b>7.2.3 Support plans for the expansion of programming at the Kittery Community Center</b>	York District Public Health Council York Hospital Department of Recreation York County Community Action Corporation, Southern Maine Agency on Aging	Support an increase in senior-oriented programming (including socializing, transportation, medical, health and wellness); possibly Adult Day Care	Capital cost; may also require additional staff; majority of cost will be covered by KCC revenue		LEAD: Department of Recreation PARTNERS: York County Community Action Corporation, Southern Maine Agency on Aging	1



**TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES AND FISCAL CAPACITY**




OBJECTIVE 7.2: MAINTAIN AND IMPROVE MUNICIPAL FACILITIES						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
Support plans for the expansion of programming at the Kittery Community Center, continued		Support KCC's plans to increase pre-school services for infants and toddlers			LEAD: Department of Recreation	1
	KCC Fair Tide	Support KCC efforts to collaborate with Fair Tide Homeless shelter to determine the feasibility of establishing a town shuttle		Currently the KCC has 2 vans and a small bus used for field trips	LEAD: KCC PARTNERS: Fair Tide Homeless Shelter	1
<b>7.2.4. Support healthy lifestyle choices and wellness</b> SEE END NOTE 7.2.4.	Fort Foster Fort McClary Sea Point Beach Rogers Park Kittery Community Center Town Farm/Forest	Increase recreational opportunities to residents of all ages		Also SEE: Topic Area 2: Natural Resources and Recreation 7.2.2. and 7.2.3. Also:	LEAD: Department of Recreation PARTNERS: DPW, School Department, KCC	2
		Evaluate the recommendations of the <b>Athletic Fields Master Plan*</b> and implement as needed and feasible	Financing may be a challenge	Also SEE Topic Area 2: Natural Resources and Recreation		2
	<b>Sidewalk Conditions Report</b>	Improve and increase walking and biking infrastructure so that it is safe and pleasant		Also SEE Topic Area 5: Transportation		1

**TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES AND FISCAL CAPACITY**




OBJECTIVE 7.2: MAINTAIN AND IMPROVE MUNICIPAL FACILITIES						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Support healthy lifestyle choices and wellness, continued SEE END NOTE 7.2.4.</b>		Explore ways of increasing residents' access and enjoyment of the water		Also SEE Topic Area 6: Marine Resources		1
	Choose to Be Healthy Coalition	Encourage cooperation with Choose to Be Healthy Coalition				
	York County Community Action social worker	Explore ways of providing support and facilities for homeless in Kittery	explore possibility of regional cooperation		LEAD:	ON-GOING
<b>7.2.5. Maintain and upgrade existing facilities</b>		The Solid Waste Facility is in need of some minor repairs	capital cost		LEAD: DPW	2

\* not yet adopted



**TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES AND FISCAL CAPACITY**

OBJECTIVE 7.3: PROVIDE ADEQUATE MUNICIPAL SERVICES IN AN EFFICIENT MANNER						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
7.3.1 Continue to ensure public safety is adequate for the community's needs	Kittery Police Department	Consider expanding number of police officers <b>SEE END NOTE 7.3.1. A</b>	capital and operating cost	there is room for expansion in the existing space	LEAD: Town Manager, Town Council	2
	Regional Police and Fire Departments	Support efforts to provide regional joint police and fire dispatch, to be located in Kittery's Police Department. <b>SEE END NOTE 7.3.1.B</b>	pending grant		LEAD: Kittery Police Department	1
	Kittery Police Department	Support the Police Department's efforts to establish a regional opiate addiction program.			PARTNERS: York, ME; Portsmouth, Summersworth and Rochester, NH to establish organization HOPE (Heroin-Opiate Prevention Effort) for the Seacoast	1
	Kittery Police Department	Continue to support Resource Officer position at the schools			LEAD: Kittery Police Department PARTNER: School Department	ON-GOING
	Kittery Police Department	Consider using shell space on upper floor for police dispatch expansion and for potential additional police officers			LEAD: Town Council PARTNERS: Police Department	2


**TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES AND FISCAL CAPACITY**

OBJECTIVE 7.3: PROVIDE ADEQUATE MUNICIPAL SERVICES IN AN EFFICIENT MANNER						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Continue to ensure public safety is adequate for the community's needs, continued</b>	Kittery Fire Department	Evaluate the need to transition to a full-time career fire fighting department. <b>SEE END NOTE 7.3.1. C</b>		there is room for expansion in the existing Gorges Road facility	LEAD: Town Council PARTNERS: Town Manager Fire Department	1
<b>7.3.2. Continue to provide engaging activities for residents of all ages SEE END NOTE 7.3.2.</b>		Consider recommendations of <i>Athletic Fields Master Plan</i>	Capital costs May be a challenge to fund		LEAD: Town Manager, Town Council PARTNERS: Parks, DPW	2
		Provide transportation options for young people (e.g. safe walking, biking, town shuttle)			LEAD: Town Council, DPW	1
	Kittery Community Center	Support the KCC in its efforts to expand its programming to residents of all ages, especially youth and the elderly			LEAD: Kittery Community Center PARTNERS: South Maine Area Agency on Aging, Parks	ON-GOING
	Schools Library KCC	Explore ways of collaborating in order to expand services; avoid duplication of programming			PARTNERS: Schools Library KCC	2

**TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES AND FISCAL CAPACITY**

OBJECTIVE 7.3: PROVIDE ADEQUATE MUNICIPAL SERVICES IN AN EFFICIENT MANNER						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Continue to provide engaging activities for residents of all ages, continued</b> <b>SEE END NOTE 7.3.2.</b>	York Durkin Pines Kittery Estates	Provide transportation options for elderly residents (e.g. safe walking, town shuttle). Explore York County options: <a href="https://www.yccac.org/documents/Transportation%20Overview.pdf">https://www.yccac.org/documents/Transportation%20Overview.pdf</a>			LEAD: Kittery Community Center PARTNERS: South Maine Area Agency on Aging, York County (YCCAC)	1
	Rice Public Library	Support the library in its efforts to expand programming			LEAD: Rice Public Library	1
<b>7.3.3. Ensure our wastewater treatment plans and services are consistent with our land use plans</b>	<b>30- Year Wastewater Treatment Implementation Plan</b>	Provide sewer extensions in established growth areas.	Betterment fees	ALSO SEE Topic Area 8.0 Land Use	LEAD: Wastewater Treatment Department PARTNER: Planning Department	2
		Provide sewer extensions in areas contaminated by failing septic systems.				1
		Develop a pilot project to demonstrate ways of reusing grey water for household use. <b>SEE ENDNOTE 7.3.3.</b>			LEAD: Wastewater Treatment Department	3


**TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES AND FISCAL CAPACITY**

OBJECTIVE 7.3: PROVIDE ADEQUATE MUNICIPAL SERVICES IN AN EFFICIENT MANNER						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
Ensure our wastewater treatment plans and services are consistent with our land use plan, continued		Explore the possibility of providing a pump station on the water for processing wastewater from ships in the harbor.			PARTNERS: Portsmouth Wastewater Treatment Plant, ship owners	2
		Continue to stay up-to-date with new technologies which may in the future facilitate connecting areas of Town that are currently too expensive to connect to the Town's system.				ON-GOING
		Continue to monitor water usage at the PNS (the largest user)			LEAD: Water District PARTNER: PNS	ON-GOING
		Explore elimination of betterment fees for future sewer expansion projects, leaving in place the connection fee and quarterly fee. If pursued, this strategy should have maximum citizen participation			LEAD: Town Council, Wastewater Treatment Department	2
		Add ADU (accessory dwelling units) as "dwelling unit" for purposes of sewer connection			LEAD: Planning Board, Wastewater Treatment Department	2

**TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES AND FISCAL CAPACITY**

OBJECTIVE 7.3: PROVIDE ADEQUATE MUNICIPAL SERVICES IN AN EFFICIENT MANNER						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
Ensure our wastewater treatment plans and services are consistent with our land use plan, continued		Monitor septic systems and enforce 3 year pump out requirements (consider an ordinance to require this)			LEAD: Wastewater Treatment Department PARTNER: septic companies	ON-GOING
<b>7.3.4. Ensure our plans for the provision of water are consistent with our land use plans</b>	<b>Water System Master Plan</b> York Watershed Protection District	Support the Water District in its efforts to implement the <b>Water Supply Master Plan</b> . <b>SEE END NOTE 7.3.4.A.</b>		ALSO SEE Topic Area 8.0 Land Use	LEAD: Kittery Water District PARTNER: York Water District	ON-GOING
		Consider consolidating water supplies with York Water District. <b>SEE END NOTE 7.3.4.B</b>				1
		Consider connection to the South Berwick Water District			PARTNER: South Berwick Water District	1
		Continue to explore the possibility of relocating the Water District's Administrative offices				ON-GOING
		Continue to support water quality monitoring			LEAD: Town Council, Conservation Commission	ON-GOING

**TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES AND FISCAL CAPACITY**

OBJECTIVE 7.3: PROVIDE ADEQUATE MUNICIPAL SERVICES IN AN EFFICIENT MANNER						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
Ensure our plans for the provision of water are consistent with our land use plans, continued		Provide information regarding options to residents, especially those living on waterfront with failing septic systems <b>SEE END NOTE 7.3.4. C.</b>	State loans available			ON-GOING
		Continue to monitor water usage at the PNS (the largest user)			PARTNER: PNS (Shoreland Resource Officer)	ON-GOING
<b>7.3.5. Continue to reduce or eliminate polluted Stormwater runoff to the extent practicable</b>	<b>5-year Stormwater Program Management Plan York County Stormwater System Plan</b>	Continue to enforce the six goals for the York County Stormwater System <b>SEE ENDNOTE 7.3.5.</b>		ALSO SEE 8. Land Use	LEAD: Stormwater Coordinator, DPW	ON-GOING
		Consider completing a Stormwater Utility Feasibility Study to determine if appropriate as a mechanism to finance Stormwater improvements			LEAD: Stormwater Coordinator, DPW	2
		Consider connection to the South Berwick Water District				1



**TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES AND FISCAL CAPACITY**

OBJECTIVE 7.3: PROVIDE ADEQUATE MUNICIPAL SERVICES IN AN EFFICIENT MANNER						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>7.3.6. Provide services in a manner that results in attracting desired economic development in appropriate locations</b>		Explore the creation of a municipal Tri-generation Plant to provide power (heat, steam, electricity, and hot water) to connect to micro-grid.		This may be attractive to potential users of the Business Park ALSO SEE Topic Area 4.0 Economy	LEAD: Wastewater Treatment Department	3
		Support extending utilities and services in areas deemed desirable for additional economic activities and uses				ON-GOING
		Conduct a thorough assessment of needs and impacts of development.			LEAD: Planning Board	ON-GOING

**TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES AND FISCAL CAPACITY**

OBJECTIVE 7.4: MAINTAIN AND RESPONSIBLY INCREASE FISCAL CAPACITY						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>7.4.1 Continue to align fiscal capacity and capital investment plans</b>		Take into account need assessment, anticipated growth, and economic development			LEAD: Town Manager, Town Council, Department Heads	1
<b>7.4.2. Continue to explore ways to increase fiscal capacity</b>	Title 16 Land Use and Development Code for Kittery.  Economic Development Website.	Increase commercial tax base with desirable uses in key locations	Operating Costs (staff time)	Also SEE Topic Area 4.0 Economy	LEAD: Town Manager, Economic Development Committee, Planning Board, Planning Department	1
		Consider zoning changes that could help attract new commercial development to strategic locations				
		Market existing properties and development opportunities more broadly				

**TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES AND FISCAL CAPACITY**

OBJECTIVE 7.4: MAINTAIN AND RESPONSIBLY INCREASE FISCAL CAPACITY						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Continue to explore ways to increase fiscal capacity, continued</b>		Look for additional state and federal funding sources			LEAD: Grantswriter, Planning Department	
<b>7.4.3. Align the Capital Investment Plan with the municipal growth-related capital investments identified in the Comprehensive Plan.</b>		Establish funding priorities			LEAD: Town Manager Planning Department	1
		identify funding sources and mechanisms				
		anticipate municipal capital investments needed to support proposed land uses				

## TOPIC AREA 7: TOWN GOVERNANCE, PUBLIC FACILITIES AND SERVICES AND FISCAL CAPACITY

### END NOTES

**END NOTE 7.1.3.A. Improve Communication with residents.** Ideas from the public:

- *Improve internet access*
- *Use Channel 22 to provide “newscast” type of updates: upcoming meetings, results of past meetings*
- *Notification by mail with tax bill*
- *Better website (fewer pdfs, more process description)*
- *Need newspaper*
- *Create an on-line presence similar to “Our Kittery”, factual narrative and informative*
- *Answer the telephones*
- *Employ respectful tone in public discourse*

**END NOTE 7.1.3. B. Communication Technology:** There are a number of ways in which technology can improve connections and communication between Town government and Kittery residents.

Some examples include:

- York has a computerized communication system that connects residents, commissioners and other town officials that makes enforcement easier. It has in place a computer/web-based interface that allows residents to connect to town officials (to their computer or devise) with a logged inquiry regarding specific issues. The system provides for easier and quicker responses and better opportunities for follow up.

- Portsmouth has a “click and fix” application that allows residents to report needs from the app on their cell phone.

**END NOTE 7.1.3.C. Communications Plan.** A Communications Plan outlines the ways in which a municipality intends to communicate with its residents and business community, including the frequency, modes of communication, protocols, messages, etc. A municipality can use another plan as a reference to make sure it has addressed all the elements or to find creative communications tools that worked in other situations. To be successful, a plan must contain the answers to several key questions<sup>1</sup>:

- What is the organizational outcome or problem to be solved?
  - Who do we want to reach?
  - What do we want each audience member to know?
  - How do our different audiences get their information?
  - What are the best tools to reach our audiences with our messages?
  - How much time do we need to plan, prepare tools and implement?
  - How much money or other resources are needed?
- How do we know if we’re solving the problem?

For an example of a Communications Plan, see Springwater, Ontario, CA:

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<sup>1</sup> Summerfield and Benninghoven, “Managing More Effectively With a Strategic Communications Plan, Western City Magazine: <http://www.westerncity.com/Western-City/September-2009/Managing-More-Effectively-With-a-Strategic-Communications-Plan/>

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[http://www.springwater.ca/UserFiles/Servers/Server\\_229/File/Municipal%20Services/Planning%20and%20Development/Draft%20Communications%20%20Plan%20for%20Development.pdf](http://www.springwater.ca/UserFiles/Servers/Server_229/File/Municipal%20Services/Planning%20and%20Development/Draft%20Communications%20%20Plan%20for%20Development.pdf)

### END NOTE 7.2.4. Support healthy lifestyle choices and wellness.

The Environmental Protection Agency has programs to support communities by inviting them to apply for technical assistance through programs that support healthy communities and wellness. Three such programs, described below, have the goal to create economic opportunities, make neighborhoods more walkable, help people live healthier lives, and revitalize downtowns and neighborhoods.

[Local Foods. Local Places](#) helps communities create walkable, healthy, economically vibrant neighborhoods through the development of local food systems. This initiative is supported by EPA, the U.S. Department of Agriculture, the Centers for Disease Control and Prevention, the U.S. Department of Transportation, the U.S. Department of Housing and Urban Development, the Appalachian Regional Commission, and the Delta Regional Authority. Learn how to apply for the Local Foods, Local Places Program: <https://www.epa.gov/smartgrowth/local-foods-local-places-2016-2017-application>

[Cool & Connected](#) helps small towns use broadband service to revitalize small-town main streets and promote economic development. The initiative is supported by EPA, the U.S. Department of Agriculture Rural Utilities Service, and the Appalachian Regional Commission. Learn how to apply for the Cool & Connected Program: <https://www.epa.gov/smartgrowth/cool-connected-fall-2016->

[application](#)

[Healthy Places for Healthy People](#) is a new program to help communities partner with community health centers (including Federally Qualified Health Centers), nonprofit hospitals, and other health care facilities to create walkable, healthy, economically vibrant places. The program is supported by EPA and the Appalachian Regional Commission. Under this program, communities will receive planning assistance to develop action plans focusing on health as an economic driver and catalyst for downtown and neighborhood revitalization. Healthy Places for Healthy People will focus on communities that are economically challenged, including those in rural Appalachia. Learn how to apply for the Healthy Places for Healthy People Program: <https://www.epa.gov/smartgrowth/healthy-places-healthy-people>

**END NOTE 7.3.1. A.** The national average is 2 officers/ 1,000 residents). Currently Kittery has 20 sworn officers; this is approximately in line with the national average. In Kittery's case however, in addition to the Town's residents, public safety is an issue for employees of the Shipyard, the shoppers patronizing the outlets, and the tourists visiting the beaches and parks increasing the daily population of the Town, especially in the summer months. This daytime population should be considered when determining the need for police officers.

**END NOTE 7.3.1. B** While the Town of Kittery will no longer be sharing a Police Chief with the Town of Eliot, there is a grant pending to support expanding regional dispatch currently run out of the Kittery Police Department to serve the Towns of Kittery, Eliot, Berwick and South Berwick.

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**END NOTE 7.3.1.C.** Reportedly, it is becoming increasingly difficult to recruit volunteer fire fighters. Also, if there is any further growth in residential development and/or commercial (in the Foreside, in the Business Park, etc.) in addition to the increase in the elderly population will result in an increase in the number of alarms and calls for service which will become increasingly difficult to respond to with a volunteer force. Apparently, newly trained fire fighters often become successful candidates for paid professional fire fighting positions in other cities and towns and leave Kittery's Department.

As the number of call fire fighters decreases and the number of calls for service increase, the need to transition to a form of paid staff will become necessary. This could be accomplished by hiring per diem fire fighters or by adopting a more complex full-time employee structure. The Gorges Road station was designed with the ability to accommodate a future addition to house sleeping quarters, a requirement of a fulltime fire fighting department. Adding the sleeping facilities could help to recruit volunteers during the transition.

**END NOTE 7.3.2. Increase activities for youth.** Ideas from the public:

- *Teen hangout spot, Ping Pong, video games, food and drinks, movie night*
- *Develop a Teen Advisory Board to develop programs, promote and recruit users*
- *Add a Teen Center to the KCC*
- *Volley ball*
- *Tennis courts*

- *Swimming pool*

Ideas from Youth Forum (at Traip Academy):

- *Bike racks and bike friendly roads*
- *Strike a better balance between pedestrians and cars in the Outlets area*
- *Clean up abandoned building on Route 1 and turn it into a place for teens*
- *Music venues*
- *Nature trails connecting parts of Kittery*
- *Better connect school to community*
- *Encourage employers to hire teens*

**END NOTE 7.3.3. Grey water** is the water that comes out of the drains of showers, baths, sinks, and washing machines. It is distinctly different from black water, which is what gets flushed down the toilet. Grey water can be used for watering houseplants, landscaping, or even flushing the toilet, so it's a resource that can be used twice. The problem is that our modern plumbing doesn't distinguish between the two, but instead combines them and sends onward as sewage, so unless we manually divert or capture it, grey water essentially becomes black water, rendering it useless until it goes through the municipal water treatment process. Not all grey water is the same, as the water coming from the kitchen sink or dishwasher can contain a lot of organic matter and has the potential for harboring pathogens (and kitchen sink water, under some codes, is actually considered black water and is not to be used), but a bathroom sink or tub often has minimal amounts of organic matter and soap residue. However, with the proper system, such as a biofilter or mulched basin, using grey

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water from the kitchen sink is an accepted practice.<sup>2</sup> For more see: <https://en.wikipedia.org/wiki/Greywater>

More Examples: <http://greywateraction.org/commercial-scale-greywater-systems/>

Case Studies (ideas for pilot demonstration project):

<http://oasisdesign.net/greywater/indoors/>

**END NOTE 7.3.4 A.** The *Kittery Water System Master Plan* lists three main goals for the future:

- To construct a new Water Treatment Facility and to upgrade and repair the system's pipes
- Water Withdrawal Management - Regulation of water withdrawals from surface water supplies will be implemented in the State of Maine over the next 10-year planning period. Determination of the withdrawal capacity of the District's reservoir system during this period will define the size of the treatment facility upgrade needed to meet the needs of the system.
- Portsmouth Naval Shipyard - The long-term viability of this important customer remains a question in the local economy. The District intends to monitor

and observe water-use at the facility over the next 10-years.

**END NOTE 7.3.4.B.** According to the *Water System Master Plan*, York Water District and the Kittery Water District have held informal discussions regarding the consolidation of their water supplies. Each District retains a separate and distinct reservoir system located in the Town of York. The close proximity of these sources of supply to each other, the contiguous watershed protection and public ownership of land surrounding the reservoir system, make the potential for local cooperation between the two utilities possible.

**END NOTE 7.3.4.C.** **State Loans for installing replacement septic systems.**

The Maine Department of Environmental Protection (1-800-452-1942) offers several community-based loans and grants. The Maine State Housing Authority offers assistance for low income homeowners ((207) 626-4600 or 1-800-452-4668). Many banks and credit unions offer home improvement loans. Finally, by statute (30-A MRSA, ss 3428(3)(B)), a municipality may install a system on a lot, and recover the costs through a special tax assessment.

For more information go to the Division of Environmental Health website: <http://www.maine.gov/dhhs/mecdc/environmental-health/plumb/faq.htm>

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<sup>2</sup> How to reuse grey water in the home and yard, Treehugger Sustainability Made Stylish, June 2, 2014 <http://www.treehugger.com/green-home/how-reuse-grey-water-home-and-yard.html>

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### END NOTE 7.3.5. York County Stormwater Improvement Goals:

The following describes the York County Stormwater System (MS4) six major goals or minimum control measures<sup>3</sup>:

**1. Public education and outreach on stormwater impacts :** among other efforts, the Towns are cooperating on the preparation of a Statewide Public Awareness Plan to raise awareness of stormwater issues such as the path stormwater runoff takes, sources of stormwater pollution and the impact of that polluted stormwater runoff on the community.

**2. Public involvement and participation:** The York County MS4s will annually host/conduct or participate in at least one public event (either jointly or individually) such as storm drain stenciling, stream clean-up, household hazardous waste collection day, volunteer monitoring, neighborhood educational events with a pollution prevention, water quality or environmental theme, conservation commission outreach program, Urban Impaired Stream outreach program, or adopt a storm drain or local stream program. The target audience will be adults living in the Urbanized Area of the Towns.

**3. Illicit discharge detection and elimination:** Each of the towns created a watershed-based maps of their MS4 infrastructure. Annually by June 30 each year, the towns will update either the GIS systems or the paper copies of the maps to reflect new infrastructure and changes to the infrastructure.

**4. Construction site stormwater runoff control:** Implement and enforce a program to reduce pollutants in any stormwater runoff to the regulated small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre.

**5. Post-construction stormwater management in new development and redevelopment:** During the previous permit cycle, the town of Kittery passed a Post Construction Discharge Ordinance. The town will continue to implement these ordinances.

**6. Pollution prevention/good housekeeping for municipal operations:** During the previous permit cycle, Kittery developed an inventory of all municipal operations conducted in, on, or associated with facilities, buildings, golf courses, cemeteries, parks and open space that have the potential to cause or contribute to stormwater or surface water pollution. The town will review the inventories and update them if necessary to include any new properties that have the potential to cause or contribute to stormwater or surface water pollution.

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<sup>3</sup> *Stormwater Program Management Plan for York County MS4s*, Submitted to Maine DEP: December 2013.




**GOAL STATEMENT: To ensure that the town's regulations support desired land uses.**

**OBJECTIVE 8.1: UPDATE TOWN CODE AND APPLY LAND USE REGULATIONS TO GUIDE DESIRABLE DEVELOPMENT IN APPROPRIATE LOCATIONS**

Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>8.1.1 Support the implementation of the Future Land Use Plan</b>		Review and revise Town regulations to align with goals of Future Land Use Plan			LEAD: Town Manager	ON-GOING
		Encourage the protection of open space and landscape features within developments and/or in the no growth/limited growth areas.				
		Periodically (on an annual or bi-annual basis) evaluate implementation plan in accordance with Section 2.7 of Maine's Growth Management Plan.				
		Provide the code enforcement officer with the tools, training and support necessary to enforce land use designations and regulatory and non-regulatory strategies		Ensure that the Code Enforcement Officer is certified in accordance with 30-A M.R.S.A. 4451.		

<b>OBJECTIVE 8.1: UPDATE TOWN CODE AND APPLY LAND USE REGULATIONS TO GUIDE DESIRABLE DEVELOPMENT IN APPROPRIATE LOCATIONS</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Support the implementation of the Future Land Use Plan, continued</b>		Where possible, support the level of financial commitment necessary to provide needed infrastructure in growth areas.		growth areas are indicated on Future Land Use Map		
<b>8.1.2. Review and revise the Town Code</b>		Consider reducing the number of subzoning categories to reflect existing and desired uses		There are too many similar zoning districts an allowable uses and performance standards do no match with the purpose statements in some districts	LEAD: Planning Board, Planning Department	1
		Review and revise Land Use codes to account for the potential impacts of sea level rise and climate adaptation				
		Consider adopting <b>contract zoning</b> to support desirable development in specific locations				

<b>OBJECTIVE 8.1: UPDATE TOWN CODE AND APPLY LAND USE REGULATIONS TO GUIDE DESIRABLE DEVELOPMENT IN APPROPRIATE LOCATIONS</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>8.1.3. Continue efforts to encourage development to locate in areas where public utilities are already provided</b>	existing water and sewer systems existing transportation infrastructure	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			LEAD: Planning Board, Planning Department	ON-GOING
		Encourage sewer and water districts to coordinate any planned service extensions with the Future Land Use Plan				
		Establish efficient permitting procedures, especially in areas designated as "growth areas" in Future Land Use Plan				



<b>OBJECTIVE 8.1: UPDATE TOWN CODE AND APPLY LAND USE REGULATIONS TO GUIDE DESIRABLE DEVELOPMENT IN APPROPRIATE LOCATIONS</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>8.1.4. Continue efforts to direct new commercial and multi-family residential development to existing commercial, industrial, and urban/suburban residential districts</b>					LEAD: Planning Board	ON-GOING
<b>8.1.5. Encourage the protection of open space and landscape features within developments and/or in the no growth/limited growth areas</b>		Review and revise the Cluster Development requirements to encourage its use Explore Transfer of Development Rights (TDR)				ON-GOING
<b>8.1.6. Consider adding provisions to support the adaptive reuse of existing historic structures</b>		Consider adopting a demolition delay ordinance Consider adopting <b>Adaptive Reuse Ordinance</b>				1

<b>OBJECTIVE 8.1: UPDATE TOWN CODE AND APPLY LAND USE REGULATIONS TO GUIDE DESIRABLE DEVELOPMENT IN APPROPRIATE LOCATIONS</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>8.1.7. Consider amending zoning to provide for more affordable housing</b>		Consider adoption of an inclusionary housing ordinance, adjustments to the Accessory Dwelling Unit ordinance, and the adoption of regulations related to co-housing and tiny houses; also, consider lessening square foot per dwelling requirements in some zoning districts where mixed use and multi-family units are desired and encouraged			LEAD: Planning Board Planning Department	1
<b>8.1.8. Direct a minimum of 75% of new municipal growth-related capital investments into designated growth areas identified in the Future Land Use Plan</b>		Align Capital Improvements Plan with Future Land Use Plan	town budget		LEAD: Town Manager Town Council Planning Board Planning Department	ON-GOING


**TOPIC AREA 8: LAND USE**

<b>OBJECTIVE 8.1: UPDATE TOWN CODE AND APPLY LAND USE REGULATIONS TO GUIDE DESIRABLE DEVELOPMENT IN APPROPRIATE LOCATIONS</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>8.1.9. Coordinate land use strategies with other local and regional land use planning efforts where appropriate</b>	Area communities Greater York County SMRPC	Meet with neighboring communities to coordinate land use designations and regulatory and non-regulatory land use strategies. Beaware of regional planning efforts			LEAD: Town Manager Planning Department	ON-GOING

**TOPIC AREA 8: LAND USE**

<b>OBJECTIVE 8.2: PROTECT THE AREA NORTH OF SPRUCE CREEK</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>8.2.1. Work with the Kittery Land Trust to create a prioritized list of parcels for open space acquisition</b>	Existing unprotected open spaces and agricultural lands	Engage in a transparent process with the public to prioritize open space and farmland that could be acquired should it come up for sale in the future.	Operating Costs (staff time)	See Natural Resources and Recreation Section for additional land conservation recommendations. 	LEAD: Kittery Open Space Advisory Committee, Kittery Land Trust	1
<b>8.2.2. Revisit the Cluster Ordinance to ensure it is effective in meeting its objectives</b>	Title 16 Land Use and Development Code for Kittery.	Revisit the current Cluster Bylaw and evaluate its effectiveness in maintaining the goals of open space preservation while providing for financially-viable development scenarios.	Operating Costs (staff time)		LEAD: Planning Board, Planning Staff  PARTNERS: Property Owners, KOSAC, Kittery Land Trust	1
		Talk with property owners who have recently developed on open space to see what could have been done differently, or why the Cluster Bylaw was not utilized.				

**TOPIC AREA 8: LAND USE**


<b>OBJECTIVE 8.2: PROTECT THE AREA NORTH OF SPRUCE CREEK</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Revisit the Cluster Ordinance to ensure it is effective in meeting its objectives, continued</b>		Vary open space and lot size requirements by land use zone in order to support the zone's purpose, obtain its desired density and protect its resources				
		Review the permitting process to ensure it is not a deterrant by creating barriers to entry and a long time frame to permit the project.				
<b>8.2.3. Consider increasing the minimum lot size in the Rural Residential zoning district to help protect additional open space and encourage the clustering of homes.</b>	Title 16 Land Use and Development Code for Kittery.	Determine what impact increasing the minimum lot size would have on developable parcels in the rural zoning districts and if the change would push more property owners to take advantage of a revamped Cluster Ordinance.	Operating Costs (staff time)		LEAD: Planning Board, Planning Staff	1





**TOPIC AREA 8: LAND USE**

<b>OBJECTIVE 8.2: PROTECT THE AREA NORTH OF SPRUCE CREEK</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>8.2.4. Explore the feasibility and usefulness of a transfer of development rights bylaw.</b>	Title 16 Land Use and Development Code for Kittery.	Consider the benefits of a TDR program and its financial and political feasible in Kittery.	Operating Costs (staff time)		LEAD: Planning Board, Planning Staff	2
		Identify receiving zones for additional density.				
		Adjust zoning regulations in receiving districts and develop TDR Ordinance.				

**TOPIC AREA 8: LAND USE**

OBJECTIVE 8.3: SUSTAIN AND BUILD UPON THE VITALITY OF THE FORESIDE DISTRICT						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>8.3.1. Undertake a study to identify what is needed to support an expansion of the Foreside district.</b>	Title 16 Land Use and Development Code for Kittery.	Study the opportunities and challenges associated with expanding 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 an expansion of the area	Operating Costs (staff time)		LEAD: Planning Department, Planning Staff	2
<b>8.3.2. Include parking reduction and shared parking strategies in the Kittery Foreside Mixed-Use zoning district.</b>	Title 16 Land Use and Development Code for Kittery.	Look for opportunities to allow for parking reductions or shared parking in the Foreside.	Operating Costs (staff time)	See Transportation Section 	LEAD: Planning Department, Planning Staff  PARTNERS: Businesses, Land Owners	1
		Consider parking management strategies before constructing new public parking facilities.				

**TOPIC AREA 8: LAND USE**

OBJECTIVE 8.3: SUSTAIN AND BUILD UPON THE VITALITY OF THE FORESIDE DISTRICT						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>8.3.3. Reduce land area per dwelling unit requirements for multifamily housing</b>	Title 16 Land Use and Development Code for Kittery.	To help with the redevelopment or infill development on smaller parcels in the Foreside, consider reducing the current land area per dwelling unit requirements for multi-family housing.	Operating Costs (staff time)		LEAD: Planning Department, Planning Staff  PARTNERS: Businesses, Land Owners	1
<b>8.3.4. Explore ways of supporting the financial feasibility of the redevelopment of smaller parcels.</b>	Title 16 Land Use and Development Code for Kittery.	Consider increasing building coverage requirements for small parcels in the Foreside Mixed-Use district where limited space is available to accommodate buildings, parking, and open space on the same lot.	Operating Costs (staff time)		LEAD: Planning Department, Planning Staff  PARTNERS: Businesses, Land Owners	1
		Consider shared open space opportunities among a number of smaller parcels/developments.				

**TOPIC AREA 8: LAND USE**


<b>OBJECTIVE 8.3: SUSTAIN AND BUILD UPON THE VITALITY OF THE FORESIDE DISTRICT</b>						
<b>Strategy</b>	<b>Existing Resources</b>	<b>Potential Actions Not Limited to the Following</b>	<b>Funding</b>	<b>Notes</b>	<b>Lead &amp; Partners</b>	<b>Priority</b>
<b>8.3.5. Look for opportunities to leverage town-owned land or buildings to support town-wide goals for housing and job creation.</b>	Title 16 Land Use and Development Code for Kittery	Continue to evaluate use, age, and quality of town-owned land and buildings to look for opportunities in the future.	N/A		LEAD: Town Council, Planning Department  PARTNERS: Planning Board, Economic Development Committee, Other Town Departments	3
<b>8.3.6. Encourage innovative makerspace, (do-it-yourself) DIY spaces that afford artists and small business owners with space to create, invent, and learn in the Foreside, alongside modest retail opportunities for galleries and sales.</b>		Consider adjusting allowable uses in the Foreside mixed-use district to not dissuade maker-space, light manufacturing, and retail sale space for artists or other business owners who need a mix of space in the same building.	N/A		LEAD: Economic Development Committee  PARTNERS: Planning Board, Planning Staff, Property and Business Owners	2

<b>OBJECTIVE 8.4: PROTECT THE WORKING WATERFRONT</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>8.4.1. Increase the long-term viability of the working waterfront through coordination with fishermen and protection of piers and dockside facilities.</b>	See Marine Resources	See Marine Resources	See Marine Resources	See Marine Resources	See Marine Resources	2
<b>8.4.2. Look for ways to allow and/or support unique business ideas along the waterfront that integrate traditional marine-related businesses with new and innovative business ventures.</b>	Title 16 Land Use and Development Code for Kittery.	Ensure that use definitions and permitting processes do not restrict innovative ideas for keeping marine-related jobs and industries financially-viable in Kittery.	Operating Costs (staff time)		LEAD: Planning Board, Planning Staff  PARTNERS: Property Owners, Businesses	2

OBJECTIVE 8.4: PROTECT THE WORKING WATERFRONT						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<p><b>8.4.3. Ensure creative and innovative uses in the Shoreland Overlay Zone do not have to go through an onerous approval process if and when they trigger a Special Exception permit.</b></p>	<p>Title 16 Land Use and Development Code for Kittery.</p>	<p>Review permitting process for recently approved permits/developments in the overlay district.</p> <p>Adjust permitting process as necessary to reduce time in permitting process.</p>	<p>Operating Costs (staff time)</p>	<p>See Marine Resources</p>	<p>LEAD: Planning Board, Planning Staff</p> <p>PARTNERS: Property Owners, Marine Business Community</p>	<p>1</p>



<b>OBJECTIVE 8.5: SUPPORT CREATIVE AND VIABLE REDEVELOPMENT OF THE ROUTE 1 CORRIDOR (OUTLET AREA AND RT. 1 BY-PASS)</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>8.5.1. Engage in a planning process for the Outlet Mall and the Rt. 1 By-pass areas</b>	See Economic Development	Bring together interested parties to discuss and identify future development opportunities			LEAD: Planning Board, Planning staff PARTNERS: Property owners, businesses, Regional Planning Commission, Economic Development	2
		Consider zoning amendments such as an overlay zone that provides for more flexibility concerning permitted uses.				
		Treat each area (Outlet Mall and By-Pass) differently.				

**TOPIC AREA 8: LAND USE**

<b>OBJECTIVE 8.6: EXPLORE FEASIBILITY OF DEVELOPMENT IN THE BUSINESS PARK</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
8.6.1. Determine what uses would be desirable and marketable in the Business Park and make updates to the base zone that reflect those uses.	Title 16 Land Use and Development Code for Kittery.	Undertake a study to determine what uses would be desirable and marketable in the Business Park. Update zoning accordingly.	Operating Costs (staff time)		LEAD: Planning Board, Planning Staff	1
		Discussion should include consideration of the inclusion of housing among uses in the Business Park. If this is determined to be appropriate for this location, consider changing the name of the district to reflect mix of uses.				







**TOPIC AREA 8: LAND USE**


<b>OBJECTIVE 8.6: EXPLORE FEASIBILITY OF DEVELOPMENT IN THE BUSINESS PARK</b>						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>8.6.2. Review and revise the Business Park zoning district's dimensional standards in relation to land area per dwelling unit and minimum lot size.</b>	Title 16 Land Use and Development Code for Kittery.	Review and revise as needed the current 120,000 square foot minimum lot size. Determine if it is a deterrent if developers are not choosing to use the mixed use cluster provision.	Operating Costs (staff time)		LEAD: Planning Department, Planning Staff  PARTNERS: Economic Development Committee, Town Council, Property Owners/Developers in Kittery	1
<b>8.6.3. Provide clear direction in the Zoning Ordinance with regard to the minimum dimensional standards for development under the Mixed Use Cluster provisions that are applicable to development in the Business Park zoning district.</b>	Title 16 Land Use and Development Code for Kittery.	Provide specific dimensional standards for the mixed use cluster provision in the zoning ordinance. This section of the ordinance requires clarity and certainty to ensure developers know the regulations guiding development in the Business Park.	Operating Costs (staff time)	  Currently, the Planning Board has the discretion to allow or not allow changes in density, dimensional standards, site plans, and design elements. Clarity around this issue will help set expectations for both the Planning Board and any future developer looking to invest in the Business Park.	LEAD: Planning Department, Planning Staff	1

**TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE**

**GOAL STATEMENT: To establish short, medium and long term plans to address the effects of climate change, including increased storm frequency and strength, coastal erosion and rising ocean levels, and transition of both public and private energy consumption to low and zero impact methods**

OBJECTIVE 9.1: ESTABLISH PLANS TO ADDRESS THE EFFECTS OF CLIMATE CHANGE						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
9.1.1. Identify, monitor, plan, and mitigate the potential impacts of SEA LEVEL RISE		Establish a new Climate Adaptation Committee			LEAD: Town Council	1
	New England Climate Adaptation Project MIT Science Impact Collaborative UNH faculty and students <b>SEE END NOTE 9.1.1.A.</b>	Complete a Climate Adaptation Study <b>SEE END NOTE 9.1.1.B.</b>		Also See Topic Area 6: Marine Resources 	LEAD: Town Council PARTNERS: Planning Department, Port Authority, PNS	1
	Maine Coastal Management Initiative Maine Department of Environmental Protection Northeast Regional Ocean Council	Join regional coalition of surrounding coastal communities to work together around issues of sea level rise			PARTNERS: New England Climate Adaptation Project partners	1
	Georgetown Wells	Review climate adaptation plans of area coastal towns				1

**TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE**

OBJECTIVE 9.1: ESTABLISH PLANS TO ADDRESS THE EFFECTS OF CLIMATE CHANGE						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Identify, monitor, plan, and mitigate the potential impacts of SEA LEVEL RISE, continued</b>	Maine Emergency Management Agency	Develop strategies to protect Town's marine facilities during coastal storms			LEAD: DPW PARTNERS: Port Authority Planning Department and Fire	1
	Portsmouth Naval Shipyard staff currently working on these issues	Work with PNS to ensure preparedness for sea level rise and to identify ways of reducing or eliminating outflows of pollutants and hazardous or toxic materials during floods or storms			LEAD: Town Manager, DPW PARTNERS:PNS	ON-GOING
	Maine Coastal Mapping Initiative Maine Department of Transportation <b>SEE END NOTES</b>	Identify at risk areas (e.g. infrastructure, marshes, etc.) and identify appropriate adaptation strategies				1
<b>9.1.2. Review and Update the Town's EMERGENCY PLAN in case of extreme storm conditions</b>	Maine Emergency Management Agency	Identify potential future at risk for flooding areas and appropriate emergency management strategies		Updated Flood Plain maps should be used in preparing the Emergency Plan.	LEAD: DPW PARTNERS: Port Authority Planning Department and Fire	1
		Update rainfall tables to account for more frequent and more severe storms			LEAD: DPW	1

**TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE**

OBJECTIVE 9.1: ESTABLISH PLANS TO ADDRESS THE EFFECTS OF CLIMATE CHANGE						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Review and Update the Town's EMERGENCY PLAN in case of extreme storm conditions, continued</b>		Update strategies to protect Town's marine facilities during coastal storms			LEAD: DPW, Port Authority	
		Create a micro-grid connecting the public schools and area hospitals in an energy grid to increase resilience			LEAD: Town Manager	
		Develop a Debris Management Plan including identifying whether existing rules and statutes impede emergency clean up after damaging storm events.		see whether surrounding towns have developed one and whether there can be some sharing of responsibilities and resources	LEAD: DPW PARTNERS:PNS	2
<b>9.1.3. Develop a REGIONAL APPROACH to addressing the potential impacts of climate change</b>	Maine Coastal Management Initiative Maine Department of Environmental Protection SMPDC	Collaborate with neighboring communities to: monitor wildlife in specific locations Consider Kittery initiating the formation of a regional Climate Adaptation Committee			LEAD: Town Council	2

**TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE**

OBJECTIVE 9.1: ESTABLISH PLANS TO ADDRESS THE EFFECTS OF CLIMATE CHANGE						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Develop a REGIONAL APPROACH to addressing the potential impacts of climate change, continued</b>	Maine Sea Grant and University <b>SEE END NOTES</b>	Consider developing a regional standard regarding the review and controls for shorelands, as well as structures and activities affected by sea level rise			LEAD: Town Manager	2
<b>9.1.4. Monitor, plan for, and mitigate the potential effects of climate change on Kittery's NATURAL RESOURCES</b>		Incorporate data analysis in planning for wildlife, fisheries, and agricultural management. Monitor wildlife in specific locations to identify changes in species presence. Monitor stream flow or lake levels to identify effects of increased Stormwater runoff from rain event. Monitor industrial activity to measure any changes over time in pollutants			LEAD: DPW, Conservation Commission	ON-GOING
<b>9.1.5. Identify potential impacts, monitor, plan for, and mitigate the potential effects of climate change on Kittery's BUILT ENVIRONMENT</b>	Maine Department of Transportation Climate Change Institute at the University of Maine <b>SEE END NOTES</b>	Conduct risk assessment studies for infrastructure (culverts, storm drains, bridges, tide gates, etc.) in all Town facilities, schools, emergency shelters, etc.			LEAD: DPW	1

**TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE**

OBJECTIVE 9.1: ESTABLISH PLANS TO ADDRESS THE EFFECTS OF CLIMATE CHANGE						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Identify potential impacts, monitor, plan for, and mitigate the potential effects of climate change on Kittery's BUILT ENVIRONMENT, continued</b>		Consider completing a Stormwater Utility Feasibility Study to determine if appropriate as a mechanism to finance Stormwater improvements		SEE ALSO: 7.3.6. Discuss with other towns that have established such a mechanism to understand costs and benefits	LEAD: Stormwater Coordinator DPW	2
		Continue to monitor and enforce stormwater runoff from new and expanded residential subdivisions and commercial developments. At a minimum, standards must be consistent with state standards.			LEAD: Stormwater Coordinator DPW	ON-GOING
	See state guidelines and area coastal towns for possible models	Adapt and modify regulations as they relate to shoreline development. Align regulations with state guidelines. Explore precedents from are coastal towns. Consider developing regulations that add submission requirements to projects within 250 feet of a coastal wetland such that the design takes into account sea level rise.			LEAD: Town Manager PARTNER: Planning Department, Planning Board	2

**TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE**




OBJECTIVE 9.1: ESTABLISH PLANS TO ADDRESS THE EFFECTS OF CLIMATE CHANGE						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
Identify potential impacts, monitor, plan for, and mitigate the potential effects of climate change on Kittery's BUILT ENVIRONMENT, continued		Continue to educate and work with owners of existing commercial and residential projects on a voluntary and cooperative basis to retrofit existing stormwater systems, where necessary, to improve the quality of the stormwater discharge.			LEAD: Stormwater Coordinator, DPW PARTNERS: owners of residential and commercial properties	ON-GOING
9.1.6. Identify, mitigate and take advantage of opportunities created by the potential impacts of climate change on Kittery's ECONOMY	Maine Sea Grant and University of Maine <b>SEE END NOTES</b>	Consider developing a program to support fishermen in their need to adapt to changes in species distribution and abundance as a result of climate induced environmental variations.			LEAD: Fishermen's Advisory Committee Port Authority	2
	local fishermen local restaurants	Promote Dock to Dish programs connecting local fishermen to local restaurants, strengthening the economy and making the fishing industry more resilient to the impacts to climate change <b>SEE END NOTE 9.1.6.</b>			LEAD: Fishermen's Advisory Committee Port Authority	

**TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE**


OBJECTIVE 9.1: ESTABLISH PLANS TO ADDRESS THE EFFECTS OF CLIMATE CHANGE						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
<b>Identify, mitigate and take advantage of opportunities created by the potential impacts of climate change on Kittery's ECONOMY, continued</b>	Maine Coastal Mapping Initiative <b>SEE END NOTES</b>	Consider ways of taking advantage of the longer summer season.			LEAD: Port Authority PARTNERS: Planning Dept. Economic Development Committee PARTNERS: Outlets Association	2
<b>9.1.7. Monitor, plan for and mitigate potential impacts of climate change on PUBLIC HEALTH</b>		Monitor effects of extreme weather conditions/events and insect-borne diseases on the health of residents.			LEAD: Town Manager	2
<b>9.1.8. Increase PUBLIC AWARENESS regarding potential impacts of climate change</b>	see area town's websites	Create educational materials (both hard copy and on Town web-site) to inform residents of potential impacts and of Town efforts to monitor and plan. Involve the schools.			LEAD: Planning Department PARTNERS: School Department	2





**TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE**

OBJECTIVE 9.2: REDUCE ENERGY CONSUMPTION AND TRANSITION TO LOW AND ZERO IMPACT METHODS							
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority	
9.2.1. Develop a plan to transition to low and zero impact energy sources	solar wind water	Identify potential renewable energy sources and outline steps for transitioning to using them. Incentives should be given to both public and private users.				LEAD: Town Council PARTNERS: DPW, Planning Department, Energy Advisory Committee	1
	See Energy Advisory Committees preliminary goals	Develop town-wide goals regarding energy efficiency and related benchmarks for public facilities.			LEAD: Energy Advisory Committee	1	
		Conduct an inventory of municipal and school energy use/costs and			LEAD: All town-owned buildings, DPW	1	
		Establish a timeline for converting all Town-owned buildings to renewable energy.			LEAD: Energy Advisory Committee	1	
	area towns	Collaborate with area towns to develop renewable and sustainable energy sources, technologies, etc.			LEAD: Town Council, Energy Advisory Committee PARTNERS: surrounding towns	2	



**TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE**

OBJECTIVE 9.2: REDUCE ENERGY CONSUMPTION AND TRANSITION TO LOW AND ZERO IMPACT METHODS						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
9.2.2 Consider Town policy changes that encourage the use of renewable energy sources	See area towns for similar ordinance	Consider an ordinance to allow for residential, commercial, and municipal wind and solar energy sources, hydrokinetics, geothermal, etc.	Maine Renewable Energy Resource Fund		LEAD: Town Council PARTNERS: DPW, Planning Department, Energy Advisory Committee Schools	1
		Support alternative modes of transportation such as walking and bicycling		Also See Topic Area 5: Transportation	LEAD: DPW, Planning Board	1
9.2.3. Develop a public awareness campaign to focus attention on the need to transition to renewable energy sources	Public Schools	Develop educational materials (hard copy, on-line); involve the schools			LEAD: Town Council PARTNERS: DPW, Planning Department, Energy Advisory Committee	1



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**TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE**

OBJECTIVE 9.3: PROVIDE EDUCATION AND INCENTIVES TO PROTECT THE ENVIRONMENT AND IMPROVE QUALITY OF LIFE						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
9.3.1. Develop policies that lessen the effects of the built environment on natural resources	Northeast Climate Hub <b>SEE END NOTES</b>	Assess the environmental effects of the built environment on natural resources		See Also Topic Area 2: Natural Resources	LEAD: Town Council PARTNERS: Planning Department, Port Authority	ON-GOING
		Protect the Town's critical open spaces, agricultural lands, forests and wildlife corridors from development		See Also Topic Area 2: Natural Resources	LEAD: Conservation Commission, Planning Department	ON-GOING
		Maximize parking efficiency and explore shared parking opportunities, especially in the Foreside		See Also Topic Area 5: Transportation 	LEAD: Planning Board	1
		Consider offering incentives (e.g. tax incentives) for decreased impervious paving			LEAD: Town Council, Planning Board	2
		Encourage use of shared car service (e.g. Zip Car) and carpooling to reduce emissions		See Also Topic Area 5: Transportation 	LEAD: Planning Department	1

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**TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE**

OBJECTIVE 9.3: PROVIDE EDUCATION AND INCENTIVES TO PROTECT THE ENVIRONMENT AND IMPROVE QUALITY OF LIFE						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
Develop policies that lessen the effects of the built environment on natural resources, continued	<i>Sidewalk Conditions Report</i>	Support and promote alternatives means of transportation, especially biking and walking		See Also Topic Area 5: Transportation	LEAD: DPW	1
		Encourage the reuse of upper floors of buildings as housing, especially in the Foreside district		See Topic Area: 4: Housing and 8: Land Use 	LEAD: Planning Board	1
		Transition to LED lighting (street lights, public buildings)			LEAD: DPW	2
		Promote the adaptive reuse of existing buildings, including historic ones		See Also Topic Area 1: Historic Resources	LEAD: Planning Board	
9.3.2. Explore alternative and additional recycling options	Resource Recovery Facility	Explore ways of increasing amount and range of materials recycled.			LEAD: DPW	1




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**TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE**

OBJECTIVE 9.3: PROVIDE EDUCATION AND INCENTIVES TO PROTECT THE ENVIRONMENT AND IMPROVE QUALITY OF LIFE						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
Explore alternative and additional recycling options, continued		Provide recycling bins in public places			LEAD: DPW	1
	existing composting section at Recycling area Schools composting area	Expand the composting section and locate it prominently next to the recycle/trash windows.			LEAD: DPW	2
	Town of Eliot	Consider regionalizing recycling with the Town of Eliot <b>SEE END NOTE 9.3.2.A.</b>			LEAD: DPW, Town Council PARTNER: Town of Eliot	1
		Consider a ban on plastic bags and plastic water bottles			LEAD: Town Council	2
		Consider adopting a Pay-As-You-Throw program to encourage recycling			LEAD: DPW	2



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OBJECTIVE 9.3: PROVIDE EDUCATION AND INCENTIVES TO PROTECT THE ENVIRONMENT AND IMPROVE QUALITY OF LIFE						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
Explore alternative and additional recycling options, continued		Consider establishing a community workshop and tool lending library to reduce waste, duplication and to promote community connections. <b>SEE END NOTE 9.3.2.B.</b>				
		Develop a pilot program to demonstrate ways of reusing greywater for household use <b>SEE END NOTE 9.3.2. C.</b>		Also see 7.3.4.	LEAD: Kittery Wastewater Treatment Department	3
9.3.3. Promote ecological practices		Explore the benefits of establishing an electric vehicle charging station			LEAD: Town Manager	

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**TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE**


OBJECTIVE 9.3: PROVIDE EDUCATION AND INCENTIVES TO PROTECT THE ENVIRONMENT AND IMPROVE QUALITY OF LIFE						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
9.3.4. Continue to encourage businesses to consider more eco-friendly choices in their procedures and the goods and services they use and sell	Naked Bullfrog Program SEE END NOTE 9.3.3.	"Business-to-Business" mentoring and partnering.			LEAD: Naked Bullfrog, Conservation Commission, Town Council PARTNER: local Chambers of commerce	1
		Educate the public to consider the goods and services they use and encourage more sustainable choices.			LEAD: Energy Advisory Committee	1
9.3.5. Increase public awareness regarding need to protect the environment for future generations	Energy Advisory Committee UNH students	Increase involvement of schools in environmental stewardship			LEAD: Energy Advisory Committee PARTNERS: Schools	1

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**TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE**

OBJECTIVE 9.3: PROVIDE EDUCATION AND INCENTIVES TO PROTECT THE ENVIRONMENT AND IMPROVE QUALITY OF LIFE						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
Increase public awareness regarding need to protect the environment for future generations, continued		Develop materials regarding ways of reducing energy usage, impacts of fertilizers and lawn care on runoff water, etc.		See whether area towns have developed such materials (or whether some exist at State DEP)	LEAD: Energy Advisory Committee	1
		Provide information on options that would reduce pollutants entering area waters, and other ways of being more mindful of the environment			LEAD: Energy Advisory Committee PARTNERS: Conservation Committee	1
		Consider banning bottled water at all municipal and school meetings			LEAD: Town Council, School Department	1



Kittery Comprehensive Plan 2015-2025  
**TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE**

OBJECTIVE 9.3: PROVIDE EDUCATION AND INCENTIVES TO PROTECT THE ENVIRONMENT AND IMPROVE QUALITY OF LIFE						
Strategy	Existing Resources	Potential Actions Not Limited to the Following	Funding	Notes	Lead & Partners	Priority
Increase public awareness regarding need to protect the environment for future generations, continued		Continue to educate and work with owners of existing commercial and residential projects on a voluntary and cooperative basis to retrofit existing stormwater systems, where necessary, to improve the quality of the stormwater discharge.			LEAD: Stormwater Coordinator, DPW PARTNERS: owners of residential and commercial properties	ON-GOING

## TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE

### END NOTES

**END NOTE 9.1.1.A.** The MIT Science Impact Collaborative completed a Stakeholder Assessment Report for Climate Adaptation for the Town of Wells, Maine. See: [https://necap.mit.edu/sites/default/files/documents/Wells%20Stakeholder%20Assessment\\_Finalized\\_March%202014.pdf](https://necap.mit.edu/sites/default/files/documents/Wells%20Stakeholder%20Assessment_Finalized_March%202014.pdf)

The MIT SIC engages in community-based action research projects, MIT SIC researchers—including doctoral students, masters students, and faculty from the MIT Department of Urban Studies and Planning—train emerging environmental professionals while simultaneously testing the latest environmental planning methods and providing assistance to communities and policy-makers who seek their help. See their website for more information: <http://scienceimpact.mit.edu>

**END NOTE 9.1.1.B. Complete a Climate Adaptation Study. The study should explore such techniques<sup>1</sup> as:**

- Wetland restoration
- Open space designation/acquisition
- Designation of “future” flood or wetland areas
- Tidal flow control management
- Emergency access rerouting
- Stormwater improvements
- Adaptation to sea level rise as a design requirement for the elevation and siting of homes
- Dune restoration

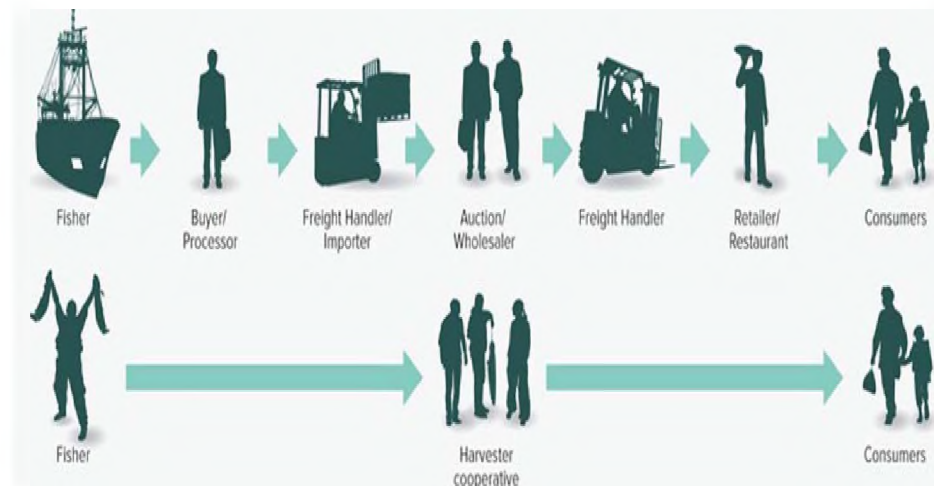
<sup>1</sup> From Maine Geological Survey, Department of Conservation, “Pursuing Coastal Community Resiliency in Southern Maine.”

- Beach nourishment
- Selective structure improvement
- Utility relocation

See: **Projected Storm Surge, Sea-Level Rise, and Extreme Precipitation Study**, New Hampshire Coastal Risks and Hazards Commission Report, March 18, 2016. See: <http://nhcrhc.stormsmart.org/draft-for-comment/>

Also see: **Climate Change Adaptation Report**, Georgetown, Maine, Georgetown Conservation Commission, 2015. See: <http://gtownconservation.com/wp-content/uploads/2015/08/Georgetown-Adaptation-Report-ALL-chapters-FINAL-8.75x11.25-v10forPDFonlineV2.pdf>

**END NOTE 9.1.6. Dock to Dish Programs.** “Dock to Dish Programs connect small-scale fishermen to regional communities in sustainable seafood sourcing cooperatives that build resilience to climate change.”



## TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE

More more info, see: <https://docktodish.com>

**END NOTE 9.3.2.A.** The Transfer Stations of Kittery and Eliot, respectively, are four miles apart. It may be desirable to specialize in the type(s) of processing or consider merging into one regional facility. In the case of a merger, this may require additional staff due to the fact that there would be an increase in the amount of materials being recycled (staff could be from Kittery and/or Eliot).

**END NOTE 9.3.2.B.** Tool Lending Library. Many communities are supporting the “sharing economy” to help reduce waste as well to help build community among residents. One example is the Berkeley Tool Lending Library which offers thousands of tools for free to city residents and property owners. Borrowers must be over the age of 18, and no more than 10 items may be borrowed at any one time. First-time borrowers must present photo ID, a Berkeley Public Library card, and a recent utility bill in their name.

For more examples see:

<https://www.newdream.org/resources/2011-05-start-a-tool-library-in-your-community>

**END NOTE 9.3.2.C..** **Grey water** is the water that comes out of the drains of showers, baths, sinks, and washing machines. It is distinctly different from black water, which is what gets flushed down the toilet. Grey water can be used for watering houseplants, landscaping, or even flushing the toilet, so it's a resource that can be used twice. The problem is that our modern plumbing doesn't distinguish between the two, but instead combines them and sends onward as sewage, so unless we manually divert or capture it, grey water essentially becomes

black water, rendering it useless until it goes through the municipal water treatment process. Not all grey water is the same, as the water coming from the kitchen sink or dishwasher can contain a lot of organic matter and has the potential for harboring pathogens (and kitchen sink water, under some codes, is actually considered black water and is not to be used), but a bathroom sink or tub often has minimal amounts of organic matter and soap residue. However, with the proper system, such as a bio filter or mulched basin, using grey water from the kitchen sink is an accepted practice.<sup>2</sup> For more see:

<https://en.wikipedia.org/wiki/Greywater>

**END NOTE 9.3.3. Green Alliance Program.** An organization working in Kittery and Portsmouth to encourage and promote sustainable business practices and to increase awareness in consumers regarding “green” choices. See: <http://www.greenalliance.biz/about-us>

## REFERENCES

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<sup>2</sup> How to reuse grey water in the home and yard, Treehugger Sustainability Made Stylish, June 2, 2014  
<http://www.treehugger.com/green-home/how-reuse-grey-water-home-and-yard.html>

## TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE

The University of Maine, *Maine's Climate Future: 2015 Update*.  
Orno, ME.

Maine Geological Survey, *"Pursuing Coastal Community Resiliency in Southern Maine."*

Maine Department of Environmental Protection, Summary and Recommendations from the Environmental and Energy Resources Working Group. *"Monitoring, Mapping, Modeling, Mitigation and Messaging: Maine Prepares for Climate Change."* September 2014.

FEMA Flood Insurance Rate Maps (in preparation)

National Climate Assessment sea level rise projections

NOAA/USACE sea level rise projections

### PARTIAL LIST OF ADDITIONAL RESOURCES

**Northeast Climate Hub:** a regional climate resource established by the US Department of Agriculture for adaptation and mitigation coordination in the agriculture and forestry sectors.

**Maine Department of Transportation:** the Department is evaluating the vulnerability of state-owned roads, bridges, and culverts to rising sea levels.

**Maine Sea Grant and University of Maine Cooperative Extension** have developed a portfolio of adaptation initiatives for coastal communities in Maine to build resilience to storms, sea level rise, and changing fisheries.

The **Climate Change Institute at the University of Maine** offers a number of tools for collecting information and predicting the effects of climate change on a community.

**Maine Coastal Mapping Initiative (MCMI)** is a coalition created by the Maine Coastal Program in 2012 that collects and serves critical hydrographic data to assist coastal managers and planners in maintaining vibrant marine ecosystems, expanding offshore economic opportunities, and preparing for environmental changes. [www.main.gov/dacf/mcp/planning/mcmi](http://www.main.gov/dacf/mcp/planning/mcmi)

#### **Sea Level Adaptation Working Group - Road Infrastructure Assessment Report (June 2015)**

This report was generated by the Saco Bay Sea Level Adaptation Working Group (SLAWG) for the purpose of identifying and assessing the potential impacts of several different scenarios of sea level rise or storm surge on both public and private roads within the Saco Bay region.

#### **Evacuation Route Signs & Emergency Shelters - Considerations For York County Coastal Communities (June 2016)**

This report and accompanying map are intended to be an overview of York County's current evacuation sign system and how it relates to the State-designated evacuation routes and emergency shelter locations. Specific suggestions and observations from SMPDC and the Committee are also included in the report as well as a list of helpful materials.

[Click Here To View The Accompanying Map](#)

## TOPIC AREA 9: COASTAL COMMUNITY RESILIENCE

### **Natural Disaster Debris Management Site Planning - Considerations For York County Coastal Communities (May 2016)**

This report and accompanying map are intended to be an overview on identifying potential debris management sites and understanding the logistics that surround choosing these sites. Specific suggestions and observations from SMPDC and the Committee are also included in the report as well as a more extensive list of helpful materials.

[Click Here To View The Accompanying Map](#)

### **Sea Level Rise Municipal Comprehensive Plan Chapters**

SMPDC offers support and technical assistance for communities who wish to include Sea Level Rise chapters in their Comprehensive Plan updates.

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## APPENDIX

## DEFINITIONS, ABBREVIATIONS AND ACRONYMS

**BIG:** Boating Infrastructure Grants, a funding opportunity from the U.S. Fish and Wildlife Service for projects that may benefit recreational transient boats 26 feet length (or longer).

**Contract zoning** is a land use regulation where a local zoning authority accommodates a private interest by rezoning a district or a parcel of land within that district, on the condition that the limitations or restrictions set by the town for those parcels are accepted by the owner. The conditions are not necessarily applied to other similarly zoned parcels<sup>1</sup>. An example of contract zoning would be<sup>2</sup>: If an area is zoned for residential use, but a business wants its land use to be commercially zoned, it would be considered contract zoning if the town government rezoned that particular area as commercial, based on an agreement by the business to restrict their use to avoid some type of operation that the Town deemed to be objectionable to the public, such as emissions from a factory. Another instance of contract zoning is the restrictive agreement that in exchange for the land being given a commercially zoned classification, the business agrees not to build a large parking lot.

**CLG:** Certified Local Government Program

<sup>1</sup> from [https://en.wikipedia.org/wiki/Contract\\_zoning](https://en.wikipedia.org/wiki/Contract_zoning)

<sup>2</sup> Read more: [http://real-estate-law.freeadvice.com/real-estate-law/zoning/contract\\_zoning.htm#ixzz4Uv7YaBYe](http://real-estate-law.freeadvice.com/real-estate-law/zoning/contract_zoning.htm#ixzz4Uv7YaBYe)

**Demolition Delay Ordinance:** If the building is listed or eligible for listing on the National Register, a six or twelve or eighteen-month delay is imposed; all other preferably preserved buildings receive a demolition delay of less time. The delay is the central component of the ordinance, and its purpose is to add options to save the building before obtaining of a demolition permit from the city's Inspectional Services Department.

**FEMA:** Federal Emergency Management Agency, agency responsible for disaster response and floodplain mapping

**FIRM:** Flood Insurance Rate Maps, produced by FEMA in support of the National Flood Insurance Program (NFIP)

**Inclusionary Zoning:** refers to municipal ordinances that require a given share of new construction to be affordable by people with low to moderate incomes.

**KACTS:** Kittery Area Comprehensive Transportation System

**KKC:** Kittery Community Center

**KLT:** Kittery Land Trust

**KOSAC:** Kittery Open Space Advisory Committee

**KPA:** Kittery Port Authority, municipal body in charge of moorings, floats, docks, other landside facilities, and oversight of the Kittery Harbor Master

**MHPC/SHPO:** MHPC is the Maine Historic Preservation Commission. The agency also serves as the State Historic Preservation Office (SHPO)

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**NFIP:** National Flood Insurance Program, which provides flood insurance for flood risk

**OBD:** Overboard discharge (for solid waste)

**NOAA:** National Oceanic and Atmospheric Administration; an agency of the U.S. Department of Commerce. NOAA is responsible for creation of maritime navigational charts

**No Wake Zone:** a section of a waterbody where boat speeds are limited so to avoid creation of a wake behind the vessel.

**PNS: Portsmouth Naval Shipyard.** A facility of the US Navy, the Shipyard is responsible for the overhaul, repair, and modernization of naval submarines. The Shipyard also serves as the home port for three “medium endurance” US Coast Guard cutters. Shipbuilding in the region began in the late 1600s, with numerous ships built at the Naval Shipyard in the 1800s, and is a major local employer.

**SMPC:** Southern Maine Planning Commission (regional planning agency)

**Transfer of Development Rights (TDR):** is a voluntary, incentive-based program that allows landowners to sell development rights from their land to a developer or other interested party who then can use these rights to increase the density of development at another designated location.

**WWTP:** Wastewater treatment plant

**WILSSA:** Wood Island Life Saving Station Association



## APPENDIX

## STATE REQUIREMENTS

**07-105 STATE PLANNING OFFICE** (*obsolete; the rule chapter has been reassigned to 01 - Department of Agriculture, Conservation and Forestry*)

**Chapter 208: COMPREHENSIVE PLAN REVIEW CRITERIA RULE**

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**SUMMARY:** This chapter establishes the criteria the State Planning Office uses to review community comprehensive plans for consistency with the goals and guidelines of the *Growth Management Act* (30-A M.R.S.A. §§ 4312 - 4350). The Office uses this Chapter to review and comment on proposed comprehensive plans under §4347-A(1) of the Act, and to review the plan component of local growth management programs for which certification has been requested under §4347-A(2).

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**SECTION 1. GENERAL PROVISIONS AND PROCEDURES**

**1. Purpose**

The primary purpose of this Chapter is to establish the process and criteria the State Planning Office uses to review community comprehensive plans for consistency with the goals and guidelines of the *Growth Management Act* (30-A M.R.S.A. §§ 4312 - 4350). If a community requests certification of its growth management program under 30-A M.R.S.A. §4347-A(2), the Office also uses this Chapter to review the comprehensive plan component of that program. This Chapter sets forth a two-part process for the Office's consistency review: 1) a completeness determination for all required elements of a comprehensive plan; and 2) a more in-depth review of the Future Land Use Plan.

The criteria of this Chapter are based on the Act's goals, substantive guidelines, and procedures. They are not intended to prohibit or discourage a community from developing a plan, ordinance, or program that is more specific or detailed, or that covers more subject areas than called for by required elements.

**2. Definitions**

The following acronyms are used in this and other sections of the Rule:

MDEP = Maine Department of Environmental Protection

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MIFW= Maine Department of Inland Fisheries and Wildlife

MDMR= Maine Department of Marine Resources

MDOC= Maine Department of Conservation

MNAP= Maine Natural Areas Program MDOC

BwH= Beginning with Habitat Program (MIFW)

SPO= Maine State Planning Office

M.R.S.A.= Maine Revised Statutes Annotated

LURC= Land Use Regulation Commission

The following terms, as used in the Act and this Chapter, have the following meanings unless the context indicates otherwise:

- A. **Act:** "Act" means the *Growth Management Act* (30-A M.R.S.A. §§ 4312-4350.).
- B. **Adopted regional plan:** "Adopted regional plan" means a land use planning document that was drafted no longer than 10 years prior to the applicable comprehensive plan submission and endorsed by the Executive Board of the applicable regional planning organization or adopted by at least 51% of the communities covered by the regional plan.
- C. **Amendment:** "Amendment" means a change to a comprehensive plan that is adopted subsequent to an Office finding that the plan is consistent with the *Growth Management Act*.
- D. **Applicable regional council:** "Applicable regional council" means the council of governments, established under 30-A M.R.S.A. §§ 2311-2316, or regional planning commission, established under 30-A M.R.S.A. §§ 2321-2326, that is the authorized review agency for the regional planning and development district or subdistrict, designated under 30-A M.R.S.A. §§ 2341-2342, within which the community submitting a comprehensive plan or zoning ordinance is located.
- E. **Arterial:** "Arterial" means a highway providing long-distance connections as approved by the Federal Highway Administration pursuant to 23 Code of Federal Regulation, Section 470.105(b)(1999) and as so designated by MaineDOT pursuant to the Maine Highway Driveway and Entrance regulations, 17-229 CMR 299.

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- F. **Business day:** “Business Day” means any day that the Office is open for business.
- G. **Capital Investment:** “Capital Investment” means expending municipal funds of \$20,000 or more to purchase assets of land, machinery, equipment, or buildings.
- H. **Capital Investment Plan:** “Capital Investment Plan” (CInP) means a summary list of municipal capital investments anticipated during the planning period in order to implement the strategies in the comprehensive plan.
- I. **Commercial development:** “Commercial development” means for-profit business operations that provide goods, services, or commodities. For the purposes of this Chapter, home occupations are not considered commercial development.
- J. **Community:** “Community” means any municipality or multi-municipal region.
- K. **Comprehensive plan:** “Comprehensive plan” or “plan” means a document or interrelated documents developed by a community in accordance with the procedural provisions of 30-A M.R.S.A. §4324, the substantive requirements of 30-A M.R.S.A. §4326, and contain the required elements identified in section 2 of this chapter.
- L. **Comprehensive Planning Data Set:** “Comprehensive Planning Data Set” means data provided upon request by the Office or its designee for the preparation of a comprehensive plan. Though additional data may be provided, only the minimum data components needed to meet the minimum requirements of this Chapter are considered the “Comprehensive Planning Data Set”.
- M. **Critical natural resource:** “Critical natural resources” means the following natural resources which under federal and/or state law warrant protection from the negative impacts of development:
- (1) Resource Protection District areas as set forth in MDEP Guidelines for Municipal Shoreland Zoning Ordinances (Chapter 1000 § 13.A) pursuant to the *Mandatory Shoreland Zoning Act* (38 M.R.S.A. §438-A, subsection 1);
  - (2) Wetlands of special significance as defined in MDEP Wetlands and Waterbodies Protection Rules (Chapter 310 § 4);
  - (3) Significant wildlife habitat as defined in the *Natural Resources Protection Act* (38 M.R.S.A. §480-B(10))
  - (4) Threatened, endangered and special concern animal species habitat as identified and mapped by MIFW pursuant to the *Maine Endangered Species Act* (12 M.R.S.A., Chapter 925);

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- (5) Significant freshwater fisheries spawning habitat as identified and mapped by MIFW or MDMR;
- (6) Natural communities that are critically imperiled (S1), imperiled (S2) or rare (S3) as defined and mapped by MNAP;
- (7) Areas containing plant species declared to be threatened or endangered by the MDOC.
- (8) Coastal sand dune systems as defined in the *Natural Resources Protection Act* (38 M.R.S.A. §480-B(1));
- (9) Fragile mountain areas as defined in the *Natural Resources Protection Act* (38 M.R.S.A. §480-B(3)); or
- (10) National Natural Landmarks designated by the National Park Service pursuant to its National Natural Landmark Program (36 Code of Federal Regulation, Section 62).

N. **Critical rural area:** "Critical rural area" means a rural area that is specifically identified and designated by a community's comprehensive plan as deserving maximum protection from development to preserve natural resources and related economic activities that may include, but are not limited to, significant farmland, forest land or mineral resources; high-value wildlife or fisheries habitat; scenic areas; public water supplies; scarce or especially vulnerable natural resources; and open lands functionally necessary to support a vibrant rural economy.

O. **Critical waterfront area:** "Critical waterfront area" means a shorefront area characterized by functionally water-dependent uses, as defined in M.R.S.A. 38 §436-A(6), and specifically identified and designated by a community's comprehensive plan as deserving maximum protection from incompatible development.

P. **Floor area:** "Floor area" means the total area covered by all floors in a building, typically measured in square feet or acres.

Q. **Growth area:** "Growth area" means an area that is designated in a community's comprehensive plan as suitable for orderly residential, commercial, or industrial development, or any combinations of those types of development and related infrastructure, and into which most development projected over 10 years is directed.

R. **Growth management program:** "Growth management program" means a set of interrelated documents that comprise a comprehensive plan and implementation program, including zoning ordinances, as described in 30-A M.R.S.A. §4326.

S. **Habitat connections:** "Habitat connections" means those areas that link large habitat blocks based on a prioritized habitat analysis prepared by Beginning with Habitat.

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- T. **Important Natural Resources:** “Important Natural Resources” means those areas in the community important for strategic conservation planning purposes, and not classified as Critical Natural Resources, comprised of one or more of the following:
- (1) Large habitat blocks as identified by the BwH;
  - (2) Habitat connections as identified by the BwH;
  - (3) Focus Areas of Statewide Ecological Significance as identified in Maine’s Wildlife Action Plan, prepared by the MIFW;
  - (4) Exemplary Natural Community locations as defined by the MNAP.
- U. **Industrial development:** “Industrial development” means business operations that manufacture, process, or store goods or commodities. For the purposes of this Chapter, home occupations are not considered industrial development.
- V. **Institutional development:** “Institutional development” means establishments such as governmental facilities, colleges, vocational schools, hospitals, or health care facilities.
- W. **Large habitat blocks:** “Large habitat blocks” means contiguous, undeveloped areas of 500 acres or more as identified and mapped by BwH.
- X. **Low impact development:** “Low impact development” means a process of developing land that combines site design strategies and best management practices to limit the volume and flows of runoff from a developed site and treat and infiltrate precipitation on the site in a way that mimics its natural hydrology.
- Y. **Managed forest lands:** “managed forest lands” means lands managed for any of the following purposes: timber stand improvement, timber or other forest products harvesting, regeneration of forest stands, habitat management, aesthetics, recreation, or water quality protection.
- Z. **Marine transportation facilities:** “Marine transportation facilities” means public and private facilities used for cargo and/or passenger transport that rely on water access, including infrastructure and support facilities such as buildings, piers, docks, parking, and storage.
- AA. **Minimal commercial/institutional development:** “Minimal commercial development” means that there has been less than a ten (10) percent increase in the floor area devoted to commercial and institutional development in the community over the previous ten (10) years.
- BB. **Minimal industrial development:** “Minimal industrial development” means that there has been less than a ten (10) percent increase in the floor area devoted to industrial development in the community over previous ten (10) years.

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CC. **Minimal residential development:** “Minimal residential development” means that residential development in the community is characterized by:

- (1) Less than five (5) percent population growth over the previous ten (10) years; and
- (2) Less than fifty (50) units of residential housing, including apartment, condominium, and seasonal units, constructed over previous ten (10) years.

DD. **Mobility corridor:** “Mobility corridor” means an arterial that is a designated “mobility corridor” pursuant to the Maine Highway Driveway and Entrance regulations, 17-229 CMR 299.

EE. **Multi-function wetlands:** “Multi-function wetlands” means those wetlands found to provide three or more wetland functions as depicted on the Wetlands Characterization Maps developed by the Office.

FF. **Municipal growth-related capital investment:** “Municipal growth-related capital investment” means investment by the municipality in the following projects, even if privately-owned, using municipal, county, state, federal, or other public funds, in the form of a purchase, lease, grant, loan, loan guarantee, credit, tax credit, or other financial assistance:

- (1) Construction of new transportation infrastructure or capacity;
- (2) Construction or acquisition of newly constructed multifamily rental or affordable housing;
- (3) Development of industrial or business parks;
- (4) Construction or extension of sewer, water, or other utility lines;
- (5) Construction of public, quasi-public, or private service infrastructure, facilities, and community buildings; or
- (6) Construction or expansion of municipal office buildings, municipal educational facilities, and other quasi-public facilities and other civic buildings that serve public clients and customers.

Municipal growth-related capital investment does not include investment in the following: mobile equipment, the operation or maintenance of a municipal facility or program; maintenance of existing transportation infrastructure without significantly expanding capacity; or municipal revenue sharing.

GG. **Municipal officers.** "Municipal officers" means the selectmen or councilors of a town, or the mayor and aldermen or councilors of a city.

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- HH. **Non-point sources of pollution.** “Nonpoint sources of pollution” means facilities, activities, or any circumstance that cause rainfall, snowmelt, or irrigation water, running over land or through the ground, to pick up pollutants and to deposit them into rivers, lakes, coastal waters, or ground water.
- II. **Office:** "Office" means the State Planning Office.
- JJ. **Planning committee:** "Planning committee" means the committee established by the municipal officers of a municipality, or combination of municipalities, in accord with 30-A M.R.S.A. §4324(2), which has general responsibility for the comprehensive plan.
- KK. **Planning period:** “Planning period” means a minimum of ten (10) years.
- LL. **Regional council:** "Regional council" means the council of governments, established under 30-A M.R.S.A. §§ 2311-2316, or regional planning commission, established under 30-A M.R.S.A. §§ 2321-2326, that is the authorized review agency for the regional planning and development district or subdistrict, designated under 30-A M.R.S.A. §§ 2341-2342.
- MM. **Rural area.** "Rural area" means a geographic area that is identified and designated in a community's comprehensive plan as an area that is deserving of some level of regulatory protection from unrestricted development for purposes that may include, but are not limited to, supporting agriculture, forestry, mining, open space, wildlife habitat, fisheries habitat, and scenic lands, and away from which most development projected over 10 years is diverted.
- NN. **Shoreland zone:** “Shoreland zone” means the same as “Shoreland Area” in the *Mandatory Shoreland Zoning Act* (38 M.R.S.A. §§ 435 - 449 .).
- OO. **Significant freshwater fisheries habitat:** “Significant freshwater fisheries habitat” means any freshwater river, stream, brook, lake, or pond that is identified as:
- (1) a brook trout habitat as depicted on maps developed by the Maine Department of Inland Fisheries and Wildlife; or
  - (2) rare, native fish habitat as depicted on maps developed by the MIFW; or
  - (3) diadromous fisheries habitat as depicted on maps developed by the Maine Department of Marine Resources.
- PP. **State Transportation System:** “State transportation system” means:
- (1) Maine Department of Transportation and Maine Turnpike Authority administered or supervised state or state aid highways along with associated sidewalks, paths, trails, and/or bridges;

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- (2) Maine Department of Transportation administered or supervised marine highways, airports, and rail lines along with associated sidewalks, paths, trails, and/or bridges; and
- (3) Any associated facilities essential to the safe and efficient operation of those state transportation systems, including but not limited to highway maintenance facilities, transit/rail stations, toll plazas, ferry terminals, cargo ports, intermodal transportation centers, weigh stations, rest areas, visitor information centers, service plazas, and park-and-ride lots, as well as parking lots and other infrastructure serving those facilities.
- QQ. **Stream:** "Stream" means the same as "Stream" in the *Mandatory Shoreland Zoning Act* (38 M.R.S.A. §436-A (12))
- RR. **Strip development:** "Strip development" means a pattern of development, usually commercial in nature, in which individual establishments have direct access to a single arterial or main thoroughfare. Strip developments are generally not in downtown areas and often lack pedestrian facilities, but are characterized by automobile-focused access with multiple curb cuts in relatively short distances.
- SS. **Transit services:** "Transit services" means public or private operations that provide transportation to the public, such as rail and bus operations.
- TT. **Transitional area:** "Transitional area" means an area that is designated in a community's comprehensive plan as suitable for a share of projected residential, commercial, or industrial development but that is neither intended to accept the amount or density of development appropriate for a growth area nor intended to provide the level of protection for rural resources afforded in a rural area or critical rural area.
- UU. **Wetlands:** "Wetlands" means any coastal wetlands or freshwater wetlands as defined below:
- (1) Coastal wetlands means all tidal and subtidal lands; all lands with vegetation present that is tolerant of salt water and occurs primarily in a salt water or estuarine habitat; and any swamp, marsh, bog, beach, flat or other contiguous low land that is subject to tidal action during the highest tide level for the year in which an activity is proposed as identified in tide tables published by the National Ocean Service. Coastal wetlands may include portions of coastal sand dunes.
- (2) Freshwater wetlands include freshwater swamps, marshes, bogs, and similar areas (other than areas considered part of a great pond, coastal wetland, river, stream, or brook) that are inundated or saturated by surface or ground water at a frequency and for a duration sufficient to support, and which under normal circumstances do support, a prevalence of wetland vegetation typically adapted for life in saturated soils. Freshwater wetlands may contain small stream channels or inclusions of land that do not conform to the above defining criteria.
- VV. **Zoning ordinance:** "Zoning ordinance" means a municipal land use ordinance that:
- (1) Divides a community into zoning districts and prescribes the reasonable application of different regulations in each district to encourage orderly growth and development and implement a community's designation of growth and rural areas in its comprehensive plan; and



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(2) Has been developed by the community in accordance with the procedural provisions and the substantive requirements of 30-A M.R.S.A. §§ 4324, 4326, and 4352.

### **3. Transition Clause**

A. Communities that have submitted plans or amendments to plans to the Office for review prior to July 1, 2011 but have not yet received a Finding of Consistency have two options:

(1) Resubmit the plan for review under the provisions set forth in this Chapter. Resubmission resets the comment and findings deadlines set forth in 30-A M.R.S.A. §4347-A(3-A); or

(2) Continue to be reviewed under the review standards of the earlier version of Chapter 208 ( as originally adopted September 20, 2007) until found consistent, provided consistency is determined within 24 months after the initial finding letter is issued pursuant to 30-A M.R.S.A. §4347-A(3-A).

B. Plans or amendments to plans submitted to the Office for review after July 1, 2011 must comply with the requirements of this Chapter, except that if a community submits a plan or amendments to a plan developed by a planning committee that was formed and held its first meeting prior to the effective date of this Chapter, the community has the option of having the Office review the plan or amendments under the review standards of the earlier version of Chapter 208 (as originally adopted September 20, 2007) or this amended Chapter, provided that the plan is submitted for review prior to December 30, 2011.

### **4. Submission Requirements**

Plans submitted to the Office for review under this Chapter must be submitted in a manner and on forms prescribed by the Office. The submission must include all of the applicable required elements in Section 2.

### **5. Review Process**

#### **A. Comment Solicitation**

Pursuant to 30-A M.R.S.A. §4347-A(3-A), upon receipt of a comprehensive plan for review, the Office shall request written comments from applicable regional councils, state agencies, all municipalities contiguous to the community submitting a comprehensive plan, and any interested residents of the community or of contiguous municipalities. Comments must be received within twenty-five (25) business days of the Office receiving the plan submittal. The Office shall consolidate all written comments from all sources and forward them to the community and any applicable regional council.

#### **(1) State Agency Comments**

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State agencies may comment on a submitted comprehensive plan. If they do so, comments must:

- a. Identify the comprehensive plan being commented on.
- b. Identify the state agency and the name and contact information of its designated review coordinator.
- c. List any missing elements identified during the agency's review.
- d. Conclude whether the comprehensive plan demonstrates the appropriate use of data provided by the agency, how the plan's policies, implementation strategies, and other provisions relate to the agency's objectives and directives, whether the plan supports the agency's programs and policies in carrying out the goals of the Act, and, if necessary, what goal of the Act is not adequately addressed.
- e. Suggest what additional measures, if any, the community might take to improve the quality or effectiveness of its comprehensive plan.

(2) **Regional Council Comments**

Regional councils may comment on a submitted comprehensive plan. If they do so, comments must:

- a. Identify the proposed comprehensive plan being commented on.
- b. Identify the regional council and the name and contact information of its principal reviewer.
- c. List any missing elements identified during the council's review.
- d. Evaluate whether the comprehensive plan addresses identified regional needs and policies, supports existing, adopted regional plans, and whether the plan supports the adopted or proposed comprehensive plans of contiguous municipalities.
- e. Solicit and provide comments to the Office from contiguous municipalities.
- f. Suggest what additional measures, if any, the community might take to improve the quality or effectiveness of its comprehensive plan.

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**B. Notification of Completeness**

Upon receipt of a comprehensive plan for review for consistency with the Act, the Office will review the plan for completeness; consider any comments received pursuant to Section 1.5(A); and, within thirty-five (35) business days of receiving the plan submittal, either issue a Notification of Completeness or notify the community in writing if there are any missing elements. The Office will issue a Notification of Completeness and begin its focused review of the Future Land Use Plan if the comprehensive plan:

- (1) Is submitted in a manner and on forms as prescribed by the Office;
- (2) Includes a vision statement that summarizes the community's desired future community character;
- (3) Includes a summary of the public participation process undertaken in accordance with the 30-A M.R.S.A. §4324;
- (4) Includes a regional coordination program is included in accordance with Section 2.3;
- (5) Includes the minimum required analyses, condition and trend data, policies, and strategies from Section 3;
- (6) Includes a Future Land Use Plan with associated maps and narrative;
- (7) Includes an implementation section; and,
- (8) Provides for future periodic evaluation of the plan and its implementation.

A Notification of Completeness means that portions of the plan other than the Future Land Use Plan have been accepted by the Office as consistent with the Act.

If missing elements are identified during the completeness review, the Office will notify the community in writing of the missing elements. If a community submits additional information to the Office in response to a notification of missing elements within ninety (90) business days, the Office will review the additional information and, within ten (10) business days of receipt, notify the community in writing if the missing elements have been adequately addressed. If the missing elements have been adequately addressed, the Office will issue a Notification of Completeness.

A new completeness review process begins if a community submits additional information to the Office in response to a notification of missing elements more than ninety (90) business days from that notification.

The deadline for issuing a Notification of Completeness may be extended upon mutual written agreement between the Office and the community.

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**C. Notification of Consistency**

Following the issuance of a Notification of Completeness, the Office will review a community's Future Land Use Plan under Section 4 of this Chapter, taking into account any comments received pursuant to Section 1.5(A). Within ten (10) business days of issuing a Notification of Completeness, the Office will notify the community by certified mail, return receipt requested, whether its plan has been found consistent with the *Growth Management Act*. This deadline may be extended upon mutual written agreement between the Office and the community.

The Office shall issue a Finding of Consistency for the comprehensive plan if:

- (1) A Notification of Completeness has been issued; and
- (2) The Office finds that the Future Land Use Plan conforms to Section 4.

The Office shall issue a Finding of Inconsistency if it finds that the comprehensive plan is not consistent with the *Growth Management Act*. A Finding of Inconsistency must identify:

- (1) The goal(s) of the *Growth Management Act* that is (are) not adequately addressed;
- (2) The specific section(s) of this Chapter that is not adequately addressed; and
- (3) Recommended measure(s) needed for a Finding of Consistency.

If the Office issues a Finding of Inconsistency, a community may submit revisions to address the inconsistencies in the findings within 24-months of the date of the Finding of Inconsistency. These revisions need not address new review standards that are established during that 24-month review time interval.

Within ten (10) business days of receipt of revisions, the Office will notify the community whether or not the revisions have addressed the inconsistencies. If the inconsistencies have been addressed, the Office will issue a Finding of Consistency. If not, the Office will issue a new Finding of Inconsistency.

If revisions are not submitted within twenty-four (24) months of the original Finding of Inconsistency, the community will need to resubmit its plan in accordance with section 1.4, if it wishes to pursue a finding of consistency.

A community may appeal the Office's Finding of Inconsistency to the Director of the Office pursuant to Section 1.6.

**6. Appeal of a Finding of Inconsistency**

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**A. Making an Appeal**

A community whose comprehensive plan is found inconsistent with the *Growth Management Act* may appeal that finding to the Director of the Office, hereinafter referred to as the Director, as follows:

- (1) Any appeal of a Finding of Inconsistency must be made by the municipal officers of the community and must be received no later than twenty (20) business days after such a finding is received.
- (2) Such appeal must be made by filing with the Director a written notice of appeal specifying which portion or portions of the finding is being appealed, and on what grounds, in accordance with Section 1.6(B).

**B. Grounds for Appeal**

The grounds for an appeal are limited to and must specifically address one or more of the following:

- (1) errors of fact made during the review;
- (2) failure to apply and follow the process and criteria of this Chapter or the Act; or
- (3) arbitrary or capricious decision.

**C. Procedure on Appeal**

The Director may delegate the appeal to another senior staff person outside of the Office's Land Use Team who was not involved in the consistency review; hereinafter referred to as the Designee.

Upon being notified of an appeal, the Land Use Team Director shall transmit to the Director or Designee all of the papers constituting the record of the decision being appealed.

In considering an appeal, the Director or Designee shall:

- (1) examine relevant portions of the comprehensive plan submission, the relevant requirements of the Act and this Chapter, and the Finding of Inconsistency by the Land Use Team;

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- (2) determine, on the basis of the entire record presented, whether the Land Use Team followed the required process and reasonably interpreted the facts to reach the conclusion(s) upon which the Finding of Inconsistency under appeal was based; and
- (3) determine whether there are grounds for the appeal of the Finding of Inconsistency pursuant to Section 1.6(B).

### D. **Decisions of the Director and Appeals to Superior Court**

#### (1) **Remand**

If the Director or Designee finds, based on the record presented, that there are ground(s) for appeal under Section 1.6(B), the Director or Designee shall remand with recommendation(s) all or a portion of the finding to Land Use Team Director for reconsideration. The decision of the Director or Designee to remand is not final agency action by the Office and is not appealable to Superior Court.

In the case of such a remand, the Land Use Team Director shall reconsider the original finding and issue a new finding based on the recommendation(s) of the Director or Designee within ten (10) business days. The Office will notify the community of the new consistency finding by certified mail, return receipt requested. The new consistency finding constitutes final agency action.

#### (2) **Decision finding no grounds for appeal**

If the Director or Designee finds no grounds for appeal, he/she will issue a notice of decision so stating. The Office will notify the community of the new consistency finding by certified mail, return receipt requested. The notice of decision finding no grounds for appeal constitutes final agency action.

#### (3) **Notice of right to appeal to Superior Court**

The Office's new finding or the Director's notice of decision finding no grounds for appeal must include an explanation of the community's right to judicial review of final agency action under 5 M.R.S.A. §§ 11001 -11008.

### 7. **Duration of Consistency Findings**

A Finding of Consistency under this Chapter is deemed valid for twelve (12) years from the date of issue. A Finding of Consistency issued under Chapter 202 is deemed valid until December 31, 2012 or twelve (12) years from the date of issue, whichever is later. An expired Finding of Consistency does not automatically make a plan inconsistent with the Act and this Chapter.

### 8. **Review of Amendments to Approved Comprehensive Plans**

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If a community proposes or adopts amendments to a comprehensive plan that previously has been found consistent with the Act, the community may submit the amendment(s) for review to determine if the changes affect the consistency finding. The Office will review the submitted amendments in the same manner as provided in this Chapter commensurate with the scope of the amendments. A state agency may be asked to comment if amendments are relevant to its topic area. Once the review process is complete, the Office will issue a finding in accordance with Section 1.5(C).

Communities need not submit amendments that do not affect the substance of the plan, such as typographical or grammar corrections. Such non-substantive corrections do not affect the consistency status of a community's comprehensive plan. Communities need not submit amendments that implement specific plan improvements suggested by the Office in a Finding of Consistency. Changes that implement such suggestions do not affect the consistency status of a community's comprehensive plan.

A Finding of Consistency for amendments does not reset the duration of the original plan consistency finding for the purposes of Section 1.6.

### SECTION 2. REQUIRED ELEMENTS

#### 1. Vision Statement

The plan must include a vision statement that summarizes the community's desired future community character in terms of economic development, natural and cultural resource conservation, transportation systems, land use patterns and its role in the region.

#### 2. Public Participation Summary

The plan must include a summary of the public participation process used by the planning committee in developing the plan pursuant to 30-A M.R.S.A. §4324. The summary must indicate how information gathered during the public process was used to guide the plan's vision statement, analyses, policies and strategies.

#### 3. Regional Coordination Program

Pursuant to 30-A M.R.S.A. §4326(4), a regional coordination program must be pursued with other communities (or LURC if the community abuts land under its jurisdiction) to manage shared resources and facilities, including but not limited to lakes, rivers, aquifers, and transportation facilities. The plan must identify any shared resources and facilities, describe any conflicts with neighboring communities' policies and strategies pertaining to shared resources and facilities and describe what approaches the community will take to coordinate management of shared resources and facilities. In addition, the plan must include a summary of regional coordination efforts from all applicable topic areas.

#### 4. Future Land Use Plan

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The plan must include a Future Land Use Plan that meets the requirements set forth in Section 4. The Future Land Use Plan will be the focus of the Office's in-depth review for consistency with the Act.

### 5. Topic Area Components

In order to be found consistent with the *Growth Management Act*, the plan must contain the state goal, analyses, condition and trend data, policies, and strategies for each of the required topic areas in Section 3. These minimum requirements in no way limit a community from expanding its plan to include additional information, analyses, policies, and strategies. A comprehensive plan submission may replace a Topic Area Component as described in Section 3 with an adopted regional (multi-municipal) plan (e.g. regional housing plan, regional transportation plan, etc.) so long as the regional plan meets the minimum required analyses, conditions and trend data, policies, and strategies from Section 3, the regional plan is included as an appendix in your comprehensive plan, and the regional plan was drafted within 10 years of the comprehensive plan submission.

#### A. State Goals

The plan must indicate the state goal or goals relevant to each topic area as identified in Section 3. Local goals may be added but are not required.

#### B. Analyses

The plan must identify the issues facing the community using the series of questions for each of the topic areas in Section 3. These questions get to the heart of the issues a community must plan for to address the state goals. A community must address each of these questions in its plan's narrative, unless determined not to be applicable per Section 2.6.

#### C. Conditions and Trends

To provide a basis for the analyses, the plan must include sufficient data necessary to identify current conditions and future trends for each of the topic areas in Section 3. Some of the data requirements will not be applicable in a given community and therefore will not be required in accordance with Section 2.6. Much of the data will be provided by state agencies. Some data are only available from local sources. All data should be verified locally, if possible.

Data provided by state agencies for each of the topic areas are compiled into comprehensive planning data sets. The comprehensive planning data sets are provided by the Office upon request from a community, regional council, or consultant on behalf of a community. If a community or regional council has requested a comprehensive planning data set and not received it within eight months of the request, then those state data components and associated analyses are not required for a Notification of Completeness or a Finding of Consistency.



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Data included in the comprehensive planning data sets are considered the most current data available and will be considered current for comprehensive plan reviews for three (3) years. Communities taking longer than three years to prepare a plan should request a new state data set from the Office and update the plan accordingly prior to submitting it to the Office for a consistency review.

If a community obtains data directly from a state agency by any means other than the request of a comprehensive planning data set from the Office then that data will also be considered current for comprehensive plan reviews for three (3) years from the date the data was received from its source.

If a community chooses to replace a topic area component with an adopted regional plan as defined and described in Section 2.5 then the topic area data components are exempted from the three (3) year age limit.

### D. Policies

The minimum required policies for each topic area in Section 3 must be incorporated into a plan for it to be found consistent with the *Growth Management Act*. The language may be altered to better suit a community, but the specific intent of the minimum policy must remain. Altered policies must reflect the desired future direction of the community as stated in the community's vision statement.

### E. Implementation Strategies

The strategies describe what actions the community will take to carry out its policies. Minimum required strategies identified in Section 3 for each topic area must be included unless sufficient alternative strategies are included. Alternative strategies will be considered by the Office to determine if they, in combination with the other strategies in the plan, address the goals of the Act. Strategies must identify the responsible party, anticipated timeline, and be developed pursuant to 30-A M.R.S.A. §4326(3).

## 6. Applicability

If a required element is determined by the community to not be applicable, an explanation for that determination must be provided in the comprehensive plan submission. Some items, such as the applicability of marine resources in inland communities, will require only a simple explanation or notation. Other items will require more detailed explanation. This provision is not intended to allow communities to circumvent the requirements for consistency with the Act. During its review of a comprehensive plan, the Office will make a final decision on the applicability of a required element by considering the following criteria:

- A. Does the information provided in the plan support the community's explanation of non-applicability?
- B. Does the exclusion of the required element create a gap in the information needed to support the Future Land Use Plan?

## 7. Evaluation

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The plan must include an outline describing how the community will periodically (at least every five years) evaluate the following:

- A. The degree to which future land use plan strategies have been implemented;
- B. Percent of municipal growth-related capital investments in growth areas;
- C. Location and amount of new development in relation to community's designated growth areas, rural areas, and transition areas (if applicable)
- D. Amount of critical natural resource, critical rural, and critical waterfront areas protected through acquisition, easements, or other measures.

If the community's evaluation concludes that portions of the current plan and/or its implementation are not effective, the community is encouraged to propose changes as needed.

### 8. Certification

A plan submitted for review under this Chapter must include the original signature(s) of the municipal officer(s) of the community under the following certification:

I (we) certify that this comprehensive plan was prepared with the intent of complying with the *Growth Management Act* (30 M.R.S.A. §§ 4312 - 4350.), that it includes all of the applicable required elements of the Maine Comprehensive Plan Review Criteria Rule (07-105 CMR 208), and that it is true and accurate.

### SECTION 3. REQUIRED TOPIC AREAS

#### 1. Historic and Archaeological Resources

##### A. State Goal

To preserve the State's historic and archaeological resources.

##### B. Analyses

To generate minimum analyses to address state goals, use Conditions and Trends data in Section 3.1(C) to answer the following questions.

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- (1) Are historic patterns of settlement still evident in the community?
- (2) What protective measures currently exist for historic and archaeological resources and are they effective?
- (3) Do local site plan and/or subdivision regulations require applicants proposing development in areas that may contain historic or archaeological resources to conduct a survey for such resources?
- (4) Have significant historic resources fallen into disrepair, and are there ways the community can provide incentives to preserve their value as an historical resource?

### C. **Condition and Trends**

Minimum data required to address Analyses:

- (1) The community's Comprehensive Planning Historic Preservation Data Set prepared and provided to the community by the Historic Preservation Commission, and the Office, or their designees.
- (2) An outline of the community's history, including a brief description of historic settlement patterns and events contributing to the development and character of the community and its surroundings.
- (3) An inventory of the location, condition, and use of any historical or archaeological resource that is of local importance.
- (4) A brief description of threats to local historic resource and to those of state and national significance as identified by the Maine Historic Preservation Commission.

### D. **Policies**

Minimum policy required to address state goals:

Protect to the greatest extent practicable the significant historic and archaeological resources in the community.

### E. **Strategies**

Minimum strategies required to address state goals:

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- (1) For known historic archeological sites and areas sensitive to prehistoric archeology, through local land use ordinances require subdivision or non-residential developers to take appropriate measures to protect those resources, including but not limited to, modification of the proposed site design, construction timing, and/or extent of excavation.
- (2) Adopt or amend land use ordinances to require the planning board (or other designated review authority) to incorporate maps and information provided by the Maine Historic Preservation Commission into their review process.
- (3) Work with the local or county historical society and/or the Maine Historic Preservation Commission to assess the need for, and if necessary plan for, a comprehensive community survey of the community's historic and archaeological resources.

### 2. **Water Resources**

#### A. **State Goal**

To protect the quality and manage the quantity of the State's water resources, including lakes, aquifers, great ponds, estuaries, rivers, and coastal areas.

#### B. **Analyses**

To generate minimum analyses to address state goals, use Conditions and Trends data in Section 3.2(C) to answer the following questions.

- (1) Are there point sources (direct discharges) of pollution in the community? If so, is the community taking steps to eliminate them?
- (2) Are there non-point sources of pollution? If so, is the community taking steps to eliminate them?
- (3) How are groundwater and surface water supplies and their recharge areas protected?
- (4) Do public works crews and contractors use best management practices to protect water resources in their daily operations (e.g. salt/sand pile maintenance, culvert replacement street sweeping, public works garage operations)?
- (5) Are there opportunities to partner with local or regional advocacy groups that promote water resource protection?

**APPENDIX****C. Conditions and Trends**

Minimum data required to address Analyses:

- (1) The community's Comprehensive Planning Water Resources Data Set prepared and provided to the community by the Department of Inland Fisheries and Wildlife, the Department of Environmental Protection and the Office, or their designees.
- (2) A description of each great pond, river, surface drinking water supply, and other water bodies of local interest including:
  - a. ecological value;
  - b. threats to water quality or quantity;
  - c. documented water quality and/or invasive species problems.
- (3) A summary of past and present activities to monitor, assess, and/or improve water quality, mitigate sources of pollution, and control or prevent the spread of invasive species.
- (4) A description of the location and nature of significant threats to aquifer drinking water supplies.
- (5) A summary of existing lake, pond, river, stream, and drinking water protection and preservation measures, including local ordinances.

**D. Policies**

Minimum policies required to address state goals:

- (1) To protect current and potential drinking water sources.
- (2) To protect significant surface water resources from pollution and improve water quality where needed.
- (3) To protect water resources in growth areas while promoting more intensive development in those areas.
- (4) To minimize pollution discharges through the upgrade of existing public sewer systems and wastewater treatment facilities.
- (5) To cooperate with neighboring communities and regional/local advocacy groups to protect water resources.

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### E. Strategies

Minimum strategies to meet state goals:

- (1) Adopt or amend local land use ordinances as applicable to incorporate stormwater runoff performance standards consistent with:
  - a. Maine Stormwater Management Law and Maine Stormwater regulations (Title 38 M.R.S.A. §420-D and 06-096 CMR 500 and 502).
  - b. Maine Department of Environmental Protection's allocations for allowable levels of phosphorus in lake/pond watersheds.
  - c. Maine Pollution Discharge Elimination System Stormwater Program
- (2) Consider amending local land use ordinances, as applicable, to incorporate low impact development standards.
- (3) Where applicable, develop an urban impaired stream watershed management or mitigation plan that will promote continued development or redevelopment without further stream degradation.
- (4) Maintain, enact or amend public wellhead and aquifer recharge area protection mechanisms, as necessary.
- (5) Encourage landowners to protect water quality. Provide local contact information at the municipal office for water quality best management practices from resources such as the Natural Resource Conservation Service, University of Maine Cooperative Extension, Soil and Water Conservation District, Maine Forest Service, and/or Small Woodlot Association of Maine.
- (6) Adopt water quality protection practices and standards for construction and maintenance of public and private roads and public properties and require their implementation by contractors, owners, and community officials and employees.
- (7) Participate in local and regional efforts to monitor, protect and, where warranted, improve water quality.
- (8) Provide educational materials at appropriate locations regarding aquatic invasive species.

### 3. Natural Resources

#### A. State Goal

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To protect the State's other critical natural resources, including without limitation, wetlands, wildlife and fisheries habitat, sand dunes, shorelands, scenic vistas, and unique natural areas.

### B. Analyses

To generate minimum analyses to address state goals, use Conditions and Trends data in Section 3.3(C) to answer the following questions.

- (1) Are any of the community's critical natural resources threatened by development, overuse, or other activities?
- (2) Are local shoreland zone standards consistent with state guidelines and with the standards placed on adjacent shorelands in neighboring communities?
- (3) What regulatory and non-regulatory measures has the community taken or can the community take to protect critical natural resources and important natural resources?
- (4) Is there current regional cooperation or planning underway to protect shared critical natural resources? Are there opportunities to partner with local or regional groups?

### C. Conditions and Trends

Minimum data required to address Analyses:

- (1) The community's Comprehensive Planning Natural Resources Data Set prepared and provided to the community by the Department of Inland Fisheries and Wildlife, Department of Environmental Protection and the Office, or their designees.
- (2) A map or description of scenic areas and scenic views of local importance, and regional or statewide importance, if available.

### D. Policies

Minimum policies required to address state goals:

- (1) To conserve critical natural resources in the community.
- (2) To coordinate with neighboring communities and regional and state resource agencies to protect shared critical natural resources.

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### E. **Strategies**

Minimum strategies required to address state goals:

- (1) Ensure that land use ordinances are consistent with applicable state law regarding critical natural resources.
- (2) Designate critical natural resources as Critical Resource Areas in the Future Land Use Plan.
- (3) Through local land use ordinances, require subdivision or non-residential property developers to look for and identify critical natural resources that may be on site and to take appropriate measures to protect those resources, including but not limited to, modification of the proposed site design, construction timing, and/or extent of excavation.
- (4) Through local land use ordinances, require the planning board (or other designated review authority) to include as part of the review process, consideration of pertinent BwH maps and information regarding critical natural resources.
- (5) Initiate and/or participate in interlocal and/or regional planning, management, and/or regulatory efforts around shared critical and important natural resources.
- (6) Pursue public/private partnerships to protect critical and important natural resources such as through purchase of land or easements from willing sellers.
- (7) Distribute or make available information to those living in or near critical or important natural resources about current use tax programs and applicable local, state, or federal regulations.

### 4. **Agricultural and Forest Resources**

#### A. **State Goal**

To safeguard the State's agricultural and forest resources from development which threatens those resources.

#### B. **Analyses**

To generate minimum analyses to address state goals, use Conditions and Trends data in Section 3.4(C) to answer the following questions.

- (1) How important is agriculture and/or forestry and are these activities growing, stable, or declining?



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- (2) Is the community currently taking regulatory and/or non-regulatory steps to protect productive farming and forestry lands? Are there local or regional land trusts actively working to protect farms or forest lands in the community?
- (3) Are farm and forest land owners taking advantage of the state's current use tax laws?
- (4) Has proximity of new homes or other incompatible uses affected the normal farming and logging operations?
- (5) Are there large tracts of agricultural or industrial forest land that have been or may be sold for development in the foreseeable future? If so, what impact would this have on the community?
- (6) Does the community support community forestry or agriculture (i.e. small woodlots, community forests, tree farms, community gardens, farmers' markets, or community-supported agriculture)? If so, how?
- (7) Does the community have town or public woodlands under management, or that would benefit from forest management?

### C. **Conditions and Trends**

Minimum data required to address Analyses:

- (1) The community's Comprehensive Planning Agriculture and Forestry Data Set prepared and provided to the community by the Department of Agriculture, the Maine Forest Service, and the Office, or their designees.
- (2) A map and/or description of the community's farms, farmland, and managed forest lands and a brief description of any that are under threat.
- (3) Information on the number of parcels and acres of farmland, tree growth, and open space enrolled in the state's farm, tree growth, and open space law taxation programs, including changes in enrollment over the past 10 years.
- (4) A description of any community farming and forestry activities (e.g. community garden, farmer's market, or community forest).

### D. **Policies**

Minimum policies required to address state goals:

- (1) To safeguard lands identified as prime farmland or capable of supporting commercial forestry.

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- (2) To support farming and forestry and encourage their economic viability.

#### E. **Strategies**

- (1) Minimum strategies required to address state goals: Consult with the Maine Forest Service district forester when developing any land use regulations pertaining to forest management practices as required by 12 M.R.S.A. §8869.
- (2) Consult with Soil and Water Conservation District staff when developing any land use regulations pertaining to agricultural management practices.
- (3) Amend land use ordinances to require commercial or subdivision developments in critical rural areas, if applicable, maintain areas with prime farmland soils as open space to the greatest extent practicable.
- (4) Limit non-residential development in critical rural areas (if the town designates critical rural areas) to natural resource-based businesses and services, nature tourism/outdoor recreation businesses, farmers' markets, and home occupations.
- (5) Encourage owners of productive farm and forest land to enroll in the current use taxation programs.
- (6) Permit land use activities that support productive agriculture and forestry operations, such as roadside stands, greenhouses, firewood operations, sawmills, log buying yards, and pick-your-own operations.
- (7) Include agriculture, commercial forestry operations, and land conservation that supports them in local or regional economic development plans.

#### 5. **Marine Resources (if applicable)**

##### A. **State Goal and State Coastal Policies**

- (1) To protect the State's marine resources industry, ports and harbors from incompatible development and to promote access to the shore for commercial fishermen and the public.
- (2) For coastal communities, the *Growth Management Act* requires that a local comprehensive plan address the state coastal management policies (38 M.R.S.A. §1801). These are:
  - a. To promote the maintenance, development, and revitalization of the State's ports and harbors for fishing, transportation and recreation;

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- b. To manage the marine environment and its related resources to preserve and improve the ecological integrity and diversity of marine communities and habitats, to expand our understanding of the productivity of the Gulf of Maine and coastal waters and to enhance the economic value of the State's renewable marine resources;
- c. To support shoreline management that gives preference to water-dependent uses over other uses, that promotes public access to the shoreline and that considers the cumulative effects of development on coastal resources;
- d. To discourage growth and new development in coastal areas where, because of coastal storms, flooding, landslides or sea-level rise, it is hazardous to human health and safety;
- e. To encourage and support cooperative state and municipal management of coastal resources;
- f. To protect and manage critical habitat and natural areas of state and national significance and maintain the scenic beauty and character of the coast even in areas where development occurs;
- g. To expand the opportunities for outdoor recreation and to encourage appropriate coastal tourist activities and development;
- h. To restore and maintain the quality of our fresh, marine and estuarine waters to allow for the broadest possible diversity of public and private uses; and,
- i. To restore and maintain coastal air quality to protect the health of citizens and visitors and to protect enjoyment of the natural beauty and maritime characteristics of the Maine coast.

**B. Analyses**

To generate minimum analyses to address state goals, use Conditions and Trends data in Section 3.5(C) to answer the following questions.

- (1) Is coastal water quality being monitored on a regular basis?
- (2) Is there a local or regional plan in place to identify and eliminate pollution sources?
- (3) Has closing of clam or worm flats threatened the shellfishing industry, and are sources of contamination known? If so, are sources point (direct discharge) or nonpoint sources?

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- (4) Are traditional water-dependent uses thriving or in decline? What are the factors affecting these uses? If current trends continue, what will the waterfront look like in 10 years?
- (5) Is there reasonable balance between water-dependent and other uses, and between commercial and recreational uses? If there have been recent conversions of uses, have they improved or worsened the balance?
- (6) How does local zoning treat land around working harbors?
- (7) Is there a local or regional harbor or bay management plan? If not, is one needed?
- (8) Are there local dredging needs? If so, how will they be addressed?
- (9) Is there adequate access, including parking, for commercial fishermen and members of the public? Are there opportunities for improved access?
- (10) Are important points of visual access identified and protected?

### C. **Conditions and Trends**

Minimum data required to address Analyses:

- (1) The community's Comprehensive Planning Marine Resources Data Set prepared and provided to the community by the Department of Marine Resources, and the Office, or their designees.
- (2) A map and / or description of water-dependent uses.
- (3) A brief summary of current regulations influencing land use patterns on or near the shoreline.
- (4) A description of any local or regional harbor or bay management plans or planning efforts.
- (5) The location of facilities (wharves, boat ramps, pump-out stations, etc.), with a brief description of any regional or local plans to improve facilities.
- (6) A description or map showing public access points to the shore. Include a brief description of their use, capacity, physical condition, and plans to improve, expand, or acquire facilities such as parking or toilets.
- (7) A list of scenic resources along the shoreline, including current ownership (public or private) and any protections.

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**D. Policies**

Minimum policies required to address state goals:

- (1) To protect, maintain and, where warranted, improve marine habitat and water quality.
- (2) To foster water-dependent land uses and balance them with other complementary land uses.
- (3) To maintain and, where warranted, improve harbor management and facilities.
- (4) To protect, maintain and, where warranted, improve physical and visual public access to the community's marine resources for all appropriate uses including fishing, recreation, and tourism.

**E. Strategies**

Minimum strategies required to address state goals:

- (1) Identify needs for additional recreational and commercial access (which includes parking, boat launches, docking space, fish piers, and swimming access).
- (2) Encourage owners of marine businesses and industries to participate in clean marina/boatyard programs.
- (3) Provide information about the Working Waterfront Access Pilot Program and current use taxation program to owners of waterfront land used to provide access to or support the conduct of commercial fishing activities.
- (4) Support implement of local and regional harbor and bay management plans.
- (5) If applicable, provide sufficient funding for and staffing of the harbormaster and/or harbor commission.
- (6) Work with local property owners, land trusts, and others to protect major points of physical and visual access to coastal waters, especially along public ways and in public parks.

**6. Population and Demographics**

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A. **State Goal**

None required.

B. **Analyses**

To generate minimum analyses to address state goals, use Conditions and Trends data in Section 3.6(C) to answer the following questions.

- (1) Is the rate of population change expected to continue as in the past, or to slow down or speed up? What are the implications of this change?
- (2) What will be the likely demand for housing and municipal and school services to accommodate the change in population and demographics, both as a result of overall change and as a result of change among different age groups?
- (3) Does your community have a significant seasonal population, is the nature of that population changing? What is the community's dependence on seasonal visitors?
- (4) If your community is a service center or has a major employer, are additional efforts required to serve a daytime population that is larger than its resident population?

C. **Conditions and Trends**

Minimum data required to address Analyses:

- (1) The community's Comprehensive Planning Population and Demographic Data Set (including relevant local, regional, and statewide data) prepared and provided to the community by the Office or its designee.

D. **Policies**

None required.

E. **Strategies**

None required.

7. **Economy**

## APPENDIX

### A. State Goal

Promote an economic climate that increases job opportunities and overall economic well-being.

### B. Analyses

To generate minimum analyses to address state goals, use Conditions and Trends data in Section 3.7(C) to answer the following questions.

- (1) Is the economy experiencing significant change, and how does this, or might this, affect the local population, employment, and municipal tax base?
- (2) Does the community have defined priorities for economic development? Are these priorities reflected in regional economic development plans?
- (3) If there is a traditional downtown or village center(s) in the community? If so, are they deteriorating or thriving?
- (4) Is tourism an important part of the local economy? If so, what steps has the community taken to support this industry?
- (5) Do/should home occupations play a role in the community?
- (6) Are there appropriate areas within the community for industrial or commercial development? If so, are performance standards necessary to assure that industrial and commercial development is compatible with the surrounding land uses and landscape?
- (7) Are public facilities, including sewer, water, broadband access or three-phase power, needed to support the projected location, type, and amount of economic activity, and what are the issues involved in providing them?
- (8) If there are local or regional economic development incentives such as TIF districting, do they encourage development in growth areas?
- (9) How can/does the community use its unique assets such as recreational opportunities, historic architecture, civic events, etc. for economic growth?

### C. Conditions and Trends

Minimum data required to address Analysis:

- (1) The community's Comprehensive Planning Economic Data Set prepared and provided to the community by the Office or its designee.

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- (2) A brief historical perspective on how and why the current economy of the community and region developed.
- (3) A list of local and regional economic development plans developed over the past five years, which include the community.
- (4) Where does the community’s population work and where do employees in your community reside? A description of the major employers in the community and labor market area and their outlook for the future.
- (5) A description of any economic development incentive districts, such as tax increment financing districts, in the community.

**D. Policies**

Minimum policies required to address state goals:

- (1) To support the type of economic development activity the community desires, reflecting the community’s role in the region.
- (2) To make a financial commitment, if necessary, to support desired economic development, including needed public improvements.
- (3) To coordinate with regional development corporations and surrounding towns as necessary to support desired economic development.

**E. Strategies**

Minimum strategies required to address state goals:

- (1) If appropriate, assign responsibility and provide financial support for economic development activities to the proper entity (e.g., a local economic development committee, a local representative to a regional economic development organization, the community’s economic development director, a regional economic development initiative, or other).
- (2) Enact or amend local ordinances to reflect the desired scale, design, intensity, and location of future economic development.
- (3) If public investments are foreseen to support economic development, identify the mechanisms to be considered to finance them (local tax dollars, creating a tax increment financing district, a Community Development Block Grant or other grants, bonding, impact fees, etc.)
- (4) Participate in any regional economic development planning efforts.

**8. Housing**



## APPENDIX

### A. State Goal / Minimum Policy

To encourage and promote affordable, decent housing opportunities for all Maine citizens.

### B. Analyses

To generate minimum analyses to address state goals, use Conditions and Trends data in Section 3.8(C) to answer the following questions.

- (1) How many additional housing units (if any), including rental units, will be necessary to accommodate projected population and demographic changes during the planning period?
- (2) Is housing, including rental housing, affordable to those earning the median income in the region? Is housing affordable to those earning 80% of the median income? If not, review local and regional efforts to address issue.
- (3) Are seasonal homes being converted to year-round use or vice-versa? What impact does this have on the community?
- (4) Will additional low and moderate income family, senior, or assisted living housing be necessary to meet projected needs for the community? Will these needs be met locally or regionally?
- (5) Are there other major housing issues in the community, such as substandard housing?
- (6) How do existing local regulations encourage or discourage the development of affordable/workforce housing?

### C. Conditions and Trends

Minimum data required to address Analyses:

- (1) The community's Comprehensive Planning Housing Data Set prepared and provided to the community by the Maine State Housing Authority, and the Office, or their designees.
- (2) Information on existing local and regional affordable/workforce housing coalitions or similar efforts.
- (3) A summary of local regulations that affect the development of affordable/workforce housing.

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### D. Policies

Minimum policies required to address state goals:

- (1) To encourage and promote adequate workforce housing to support the community's and region's economic development.
- (2) To ensure that land use controls encourage the development of quality affordable housing, including rental housing.
- (3) To encourage and support the efforts of the regional housing coalitions in addressing affordable and workforce housing needs.

### E. Strategies

Minimum strategies required to address state goals:

- (1) Maintain, enact or amend growth area land use regulations to increase density, decrease lot size, setbacks and road widths, or provide incentives such as density bonuses, to encourage the development of affordable/workforce housing.
- (2) Maintain, enact or amend ordinances to allow the addition of at least one accessory apartment per dwelling unit in growth areas, subject to site suitability.
- (3) Create or continue to support a community affordable/workforce housing committee and/or regional affordable housing coalition.
- (4) Designate a location(s) in growth areas where mobile home parks are allowed pursuant to 30-A M.R.S.A. §4358(3)(M) and where manufactured housing is allowed pursuant to 30-A M.R.S.A. §4358(2).
- (5) Support the efforts of local and regional housing coalitions in addressing affordable and workforce housing needs.
- (6) Seek to achieve a level of at least 10% of new residential development built or placed during the next decade be affordable.

### 9. Recreation

#### A. State Goal

To promote and protect the availability of outdoor recreation opportunities for all Maine citizens, including access to surface waters.

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**B. Analyses**

To generate minimum analyses to address state goals, use Conditions and Trends data in Section 3.9(C) to answer the following questions.

- (1) Will existing recreational facilities and programs in the community and region accommodate projected growth or changes in age groups in your community?
- (2) Is there a need for certain types of services or facilities or to upgrade or enlarge present facilities to either add capacity or make them more usable?
- (3) Are important tracts of open space commonly used for recreation publicly-owned or otherwise permanently conserved?
- (4) Does the community have a mechanism, such as an open space fund or partnership with a land trust, to acquire important open spaces and access sites, either outright or through conservation easements?
- (5) Does the public have access to each of the community's significant water bodies?
- (6) Are recreational trails in the community adequately maintained? Are there use conflicts on these trails?
- (7) Is traditional access to private lands being restricted?

**C. Condition and Trends**

Minimum data required to address Analyses:

- (1) The community's Comprehensive Planning Recreation Data Set prepared and provided to the community by the Department of Conservation, and the Office, or their designees.
- (2) A description of important public and private active recreation programs, land and water recreation areas (including hunting and fishing areas), and facilities in the community and region, including regional recreational opportunities as appropriate, and identification of unmet needs.
- (3) An inventory of any fresh or salt water bodies in the community determined locally to have inadequate public access.
- (4) A description of local and regional trail systems, trail management organizations, and conservation organizations that provide trails for all-terrain vehicles, snowmobiling, skiing, mountain biking, or hiking.

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- (5) A map or list of important publicly-used open spaces and their associated facilities, such as parking and toilet facilities.

**D. Policies**

Minimum policies required to address state goals:

- (1) To maintain/upgrade existing recreational facilities as necessary to meet current and future needs.
- (2) To preserve open space for recreational use as appropriate.
- (3) To seek to achieve or continue to maintain at least one major point of public access to major water bodies for boating, fishing, and swimming, and work with nearby property owners to address concerns.

**E. Strategies**

Minimum strategies required to address state goals:

- (1) Create a list of recreation needs or develop a recreation plan to meet current and future needs. Assign a committee or community official to explore ways of addressing the identified needs and/or implementing the policies and strategies outlined in the plan.
- (2) Work with public and private partners to extend and maintain a network of trails for motorized and non-motorized uses. Connect with regional trail systems where possible.
- (3) Work with an existing local land trust or other conservation organizations to pursue opportunities to protect important open space or recreational land.
- (4) Provide educational materials regarding the benefits and protections for landowners allowing public recreational access on their property. At a minimum this will include information on Maine's landowner liability law regarding recreational or harvesting use, Title 14, M.R.S.A. §159-A.

**10. Transportation**

***Sensible Transportation Policy Act***

If a community has adopted a local or applicable regional long-range transportation plan that has been approved by the Maine Department of Transportation as consistent with the *Sensible Transportation Policy Act* (23 M.R.S.A. §73), then the transportation section is deemed complete for the purposes of review

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under this Chapter. The transportation section of the comprehensive plan need only include a letter from the Maine Department of Transportation stating that the community's long-range transportation plan is consistent with 17-229 CMR Chapter 103 subchapter 3 and is current in accordance with 17-229 CMR Chapter 103 subchapter 3.2(F).

Absent such approval, the following information, analyses, policies and strategies are required. Regional transportation plans must be consulted in preparing this section.

**A. State Goal**

To plan for, finance and develop an efficient system of public facilities and services to accommodate anticipated growth and economic development.

**B. Analyses**

To generate minimum analyses to address state goals, use Conditions and Trends data in Section 3.10(C) to answer the following questions.

- (1) What are the transportation system concerns in the community and region? What, if any, plans exist to address these concerns?
- (2) Are conflicts caused by multiple road uses, such as a major state or U.S. route that passes through the community or its downtown and serves as a local service road as well?
- (3) To what extent do sidewalks connect residential areas with schools, neighborhood shopping areas, and other daily destinations?
- (4) How are walking and bicycling integrated into the community's transportation network (including access to schools, parks, and other community destinations)?
- (5) How do state and regional transportation plans relate to your community?
- (6) What is the community's current and approximate future budget for road maintenance and improvement?
- (7) Are there parking issues in the community? If so what are they?
- (8) If there are parking standards, do they discourage development in village or downtown areas?
- (9) Do available transit services meet the current and foreseeable needs of community residents? If transit services are not adequate, how will the community address the needs?

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- (10) If the community hosts a transportation terminal, such as an airport, passenger rail station, or ferry terminal, how does it connect to other transportation modes (e.g. automobile, pedestrian, bicycle, transit)?
- (11) If the community hosts or abuts any public airports, what coordination has been undertaken to ensure that required airspace is protected now and in the future? How does the community coordinate with the owner(s) of private airports?
- (12) If you are a coastal community are land-side or water-side transportation facilities needed? How will the community address these needs?
- (13) Does the community have local access management or traffic permitting measures in place?
- (14) Do the local road design standards support the community's desired land use pattern?
- (15) Do the local road design standards support bicycle and pedestrian transportation?
- (16) Do planned or recently built subdivision roads (residential or commercial) simply dead-end or do they allow for expansion to adjacent land and encourage the creation of a network of local streets? Where dead-ends are unavoidable, are mechanisms in place to encourage shorter dead-ends resulting in compact and efficient subdivision designs?

### C. Conditions and Trends

Minimum data required to address Analyses:

- (1) The community's Comprehensive Planning Transportation Data Set prepared and provided to the community by the Department of Transportation, and the Office, or their designees.
- (2) Location and overall condition of roads, bridges, sidewalks, and bicycle facilities, including any identified deficiencies or concerns.
- (3) Identify potential on and off-road connections that would provide bicycle and pedestrian connections to neighborhoods, schools, waterfronts and other activity centers.
- (4) Identify major traffic (including pedestrian) generators, such as schools, large businesses, public gathering areas/activities, etc. and related hours of their operations.
- (5) Identify policies and standards for the design, construction and maintenance of public and private roads.

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- (6) List and locate municipal parking areas including capacity, and usage.
- (7) Identify airports within or adjacent to the community and describe applicable airport zoning and airspace protection ordinances your community has in place.
- (8) Identify bus or van services.
- (9) Identify existing and proposed marine and rail terminals within your community including potential expansions.
- (10) If coastal communities identify public ferry service and private boat transportation support facilities (may be covered under Marine Resources with cross reference) including related water-side (docks/piers/wharves) and land-side (parking) facilities.

**D. Policies**

Minimum policies required to address state goals:

- (1) To prioritize community and regional needs associated with safe, efficient, and optimal use of transportation systems.
- (2) To safely and efficiently preserve or improve the transportation system.
- (3) To promote public health, protect natural and cultural resources, and enhance livability by managing land use in ways that maximize the efficiency of the transportation system and minimize increases in vehicle miles traveled.
- (4) To meet the diverse transportation needs of residents (including children, the elderly and disabled) and through travelers by providing a safe, efficient, and adequate transportation network for all types of users (motor vehicles, pedestrians, bicyclists).
- (5) To promote fiscal prudence by maximizing the efficiency of the state or state-aid highway network.

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**E. Strategies**

Minimum strategies required to address state goals:

- (1) Develop or continue to update a prioritized improvement, maintenance, and repair plan for the community's transportation network.
- (2) Initiate or actively participate in regional and state transportation efforts.
- (3) Maintain, enact or amend local ordinances as appropriate to address or avoid conflicts with:
  - a. Policy objectives of the *Sensible Transportation Policy Act* (23 M.R.S.A. §73);
  - b. State access management regulations pursuant to 23 M.R.S.A. §704; and
  - c. State traffic permitting regulations for large developments pursuant to 23 M.R.S.A. §704-A.
- (4) Maintain, enact or amend ordinance standards for subdivisions and for public and private roads as appropriate to foster transportation-efficient growth patterns and provide for future street and transit connections.

**11. Public Facilities and Services****A. State Goal**

To plan for, finance and develop an efficient system of public facilities and services to accommodate anticipated growth and economic development.

**B. Analyses**

To generate minimum analyses to address state goals, use Conditions and Trends data in Section 3.11(C) to answer the following questions.

- (1) Are municipal services adequate to meeting changes in population and demographics?
- (2) Has the community partnered with neighboring communities to share services, reduce costs and/or improve services? In what ways?
- (3) If the community has a public sewer system, what issues or concerns are there currently and/or anticipated in the future? Is the sanitary district extension policy consistent with the Future Land Use Plan as required by (38 M.R.S.A. §1163), or will it be?



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- (4) If the community has a public water system are any public water supply expansions anticipated? If so, have suitable sources been identified and protected? Is the water district extension policy consistent with the Future Land Use Plan?
- (5) If the town does not have a public sewer or water system, is this preventing the community from accommodating current and projected growth?
- (6) Are existing stormwater management facilities adequately maintained? What improvements are needed? How might future development affect the existing system?
- (7) How do residents dispose of septic tank waste? Are there issues or concerns regarding septic tank waste?
- (8) Is school construction or expansion anticipated during the planning period? Are there opportunities to promote new residential development around existing and proposed schools?
- (9) Is the community's emergency response system adequate? Are improvements needed?
- (10) Is the solid waste management system meeting current needs? Is the community reducing the reliance on waste disposal and increasing recycling opportunities? Are improvements needed to meet future demand?
- (11) Are improvements needed in the telecommunications and energy infrastructure?
- (12) Are local and regional health care facilities and public health and social service programs adequate to meet the needs of the community?
- (13) Will other public facilities, such as town offices, libraries, and cemeteries accommodate projected growth?
- (14) To what extent are investments in facility improvements directed to growth areas?
- (15) Does the community have a street tree program?

**C. Conditions and Trends**

Minimum data required to address Analyses includes the identification of the following as applicable for the public facilities and services in 3.11 C (5) (a through i):

- (1) location of facilities and service areas (mapped as appropriate);

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- (2) general physical condition of facilities and equipment;
- (3) capacity and anticipated demand during the planning period;
- (4) identification of who owns/manages the systems;
- (5) estimated costs of needed capital improvements to public facilities; and
- (6) the following information related to each of these public facilities and services:
  - a. **Sewerage and/or Water Supply** – Identify number and types of users, and percent of households served
  - b. **Septage** – Identify any community policies or regulations regarding septage collection and disposal.
  - c. **Solid Waste** – Describe the community’s solid waste management system. Identify types and amounts of municipal solid waste and recycled materials for the past five (5) years.
  - d. **Stormwater Management** – Identify combined sewer overflows. For Municipal Separate Stormwater System (MS4) communities, describe plan and status of the major goals of the MS4 requirements.
  - e. **Power and Communications** – Availability of 3-phase power, Internet (including broadband), and cable within the community.
  - f. **Emergency Response System** –Average call response times for fire, police, and emergency/rescue.
  - g. **Education** – Identify school administrative unit. Include primary/secondary school system enrollment for the most recent year information is available and for the ten (10) years after the anticipated adoption of plan.
  - h. **Health Care** - Describe major health care facilities (hospitals, clinics) and other providers serving the community. Identify public health and social services supported by the community through municipal subsidy.
  - i. **Municipal Government Facilities and Services** – Describe facilities and staffing for municipal administrative, enforcement, and public works operations.
  - j. **Street Tree Program** - Describe the community's street tree program.

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### D. **Policies**

Minimum policies required to address state goals:

- (1) To efficiently meet identified public facility and service needs.
- (2) To provide public facilities and services in a manner that promotes and supports growth and development in identified growth areas.

### E. **Strategies**

Minimum strategies to meet state goals:

- (1) Identify any capital improvements needed to maintain or upgrade public services to accommodate the community's anticipated growth and changing demographics.
- (2) Locate new public facilities comprising at least 75% of new municipal growth-related capital investments in designated growth areas.
- (3) Encourage local sewer and water districts to coordinate planned service extensions with the Future Land Use Plan.
- (4) If public water supply expansion is anticipated, identify and protect suitable sources?
- (5) Explore options for regional delivery of local services.

## 12. **Fiscal Capacity and Capital Investment Plan**

### A. **State Goal**

To plan for, finance and develop an efficient system of public facilities and services to accommodate anticipated growth and economic development.

### B. **Analyses**

To generate minimum analyses to address state goals, use Conditions and Trends data in Section 3.12(C) to answer the following questions.

- (1) How will future capital investments identified in the plan be funded?

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(2) If the community plans to borrow to pay for capital investments, does the community have sufficient borrowing capacity to obtain the necessary funds?

(3) Have efforts been made by the community to participate in or explore sharing capital investments with neighboring communities? If so, what efforts have been made?

### C. **Conditions and Trends**

Minimum data required to address Analyses:

(1) Identify community revenues and expenditures by category for the last five (5) years and explain trends.

(2) Describe means of funding capital items (reserve funds, bonding, etc.) and identify any outside funding sources.

(3) Identify local and state valuations and local mil rates for the last five (5) years.

(4) How does total municipal debt (including shares of county, school and utility) compare with the statutory and Maine Bond Bank recommended limits on such debt?

### D. **Policies**

Minimum policies required to address state goals:

(1) To finance existing and future facilities and services in a cost effective manner.

(2) To explore grants available to assist in the funding of capital investments within the community.

(3) To reduce Maine's tax burden by staying within LD 1 spending limitations.

### E. **Strategies**

Minimum strategies required to address state goals:

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- (1) Explore opportunities to work with neighboring communities to plan for and finance shared or adjacent capital investments to increase cost savings and efficiencies.

**F. Capital Investment Plan**

The comprehensive plan must include a capital investment plan that:

- (1) Identifies and summarizes anticipated capital investment needs within the planning period in order to implement the comprehensive plan, including estimated costs and timing, and identifies which are municipal growth-related capital investments;
- (2) Establishes general funding priorities among the community capital investments; and
- (3) Identifies potential funding sources and funding mechanisms.

**13. Existing Land Use**

**A. State Goal**

None required.

**B. Analyses**

To generate minimum analyses to address state goals, use Conditions and Trends data in Section 3.13(C) and the community's vision statement to answer the following questions.

- (1) Is most of the recent development occurring: lot by lot; in subdivisions; or in planned developments? Is recent development consistent with the community's vision?
- (2) What regulatory and non-regulatory measures would help promote development of a character, and in locations that are consistent with the community's vision?
- (3) Is the community's administrative capacity adequate to manage its land use regulation program, including planning board and code enforcement officer?

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(4) Are floodplains adequately identified and protected? Does the community participate in the National Flood Insurance Program? If not, should it? If so, is the floodplain management ordinance up to date and consistently enforced? Is the floodplain management ordinance consistent with state and federal standards?

**C. Conditions and Trends**

Minimum data required to address Analyses:

- (1) An existing land use map, by land use classification (such as mixed-use, residential, commercial, institutional, industrial, agricultural, commercial forests, marine, park/recreational, conserved, and undeveloped land).
- (2) A summary of current lot dimensional standards.
- (3) A description or map identifying the location of lots and primary structures created within the last ten years. Include residential, institutional, commercial, and industrial development.
- (4) Provide a brief description of existing land use regulations and other tools utilized to manage land use, including shoreland zoning, floodplain management, subdivision, site plan review, and zoning ordinances.
- (5) Estimate the minimum amount of land needed to accommodate projected residential, institutional, commercial, or industrial development at least ten (10) years into the future.

**D. Policies**

None Required

**E. Strategies**

None required

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**SECTION 4. FUTURE LAND USE PLAN****1. State Goal**

To encourage orderly growth and development in appropriate areas of each community, while protecting the state's rural character, making efficient use of public services, and preventing development sprawl.

**2. Future Land Use Plan Overview**

The plan must include a Future Land Use Plan that is consistent with the community's vision and other policies in the plan. The Future Land Use Plan brings together plan elements that affect land use. It is intended to synthesize these elements into a cohesive guide to realizing the community's vision, including the development of land use regulations/ordinances. Use the analysis of conditions and trends data in Section 4, in conjunction with the vision statement, to develop the community's Future Land Use Plan.

The Future Land Use Plan divides the community into geographical areas identified as either most suitable for growth or most suitable for rural uses unless exempted under 30-A M.R.S.A. §4326(3-A), more fully described below. The Future Land Use Plan also incorporates a map of critical natural resources and any designated critical rural and critical waterfront areas within the community. The Future Land Use Plan will be the focus of the Office review for consistency with the Act.

**3. Review Criteria for Future Land Use Plan Designations****A. Growth Areas**

A community's Future Land Use Plan must identify a growth area or areas. The designation of growth areas is intended to ensure that planned growth and development and related infrastructure are directed to areas most suitable for such growth and development. Land areas designated as growth area must be consistent with the following provisions.

- (1) The Future Land Use Plan must designate as growth area those lands into which the community intends to direct a minimum of 75% of dollars for municipal growth-related capital investments made during the planning period.
- (2) Built-out or developed areas that may not have capacity for further growth but require maintenance, replacement, or additional capital investment to support existing or infill development must also be designated as growth areas.
- (3) Growth areas must generally be limited to land areas that are physically suitable for development or redevelopment. Growth areas may include incidental land areas that are physically unsuitable for development or redevelopment, including critical natural resource, however, the plan must address

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how these areas will be protected from negative impacts of incompatible development to the greatest extent practicable or, at a minimum, as prescribed by law.

- (4) To the greatest extent practicable growth areas should be located adjacent to existing densely-populated area.
- (5) Growth areas, to the greatest extent practicable, should be limited to an amount of land area and a configuration to encourage compact, efficient development patterns (including mixed uses) and discourage development sprawl and strip development.
- (6) Growth areas along roads should be configured to avoid strip development and promote nodes or clusters of development.

### **B. Growth Area Exemptions**

In some communities, conditions may make the identification of specific areas for residential, institutional, commercial, and/or industrial growth inappropriate. These conditions, as described in 30-A M.R.S.A. §4326(3-A) and Section 4.5 of this Chapter, include:

- (1) Severe physical limitations;
- (2) Minimal or no growth; or
- (3) The lack of a village or densely populated area.

Communities with one or more of these conditions may develop a Future Land Use Plan that does not identify growth areas for residential, institutional, commercial, or industrial growth pursuant to the criteria identified in Section 4.5. If a growth area exemption is proposed, the plan's description of existing trends and conditions must support the exemption request. Communities with growth caps or rate-of-growth ordinances are not eligible for a growth area exemption.

### **C. Shared Growth Areas**

Pursuant to and in accordance with 30-A M.R.S.A. §4325, communities may enter into an interlocal agreement with one or more neighboring communities to designate regional growth areas for anticipated residential, institutional, commercial, or industrial growth and/or related services or infrastructure.

### **D. Transitional Areas**

The Future Land Use Plan may designate as transitional area those land areas which the community identifies as suitable for a share of projected residential, institutional, commercial or industrial development but that is neither intended to accept the amount or density of development appropriate for a growth



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area nor intended to provide the level of protection for rural resources afforded in a rural area or critical rural area. Designated transitional areas are intended to provide for limited suburban or rural residential development opportunities. Land areas designated as transitional area must be consistent with the following provisions:

- (1) Transitional areas cannot be defined as growth areas for the purposes of state growth related capital investment pursuant to 30-A M.R.S.A. §4301(5-B).
- (2) Development standards in transitional areas must limit strip development along roads through access management, minimum frontage requirements, and other techniques.
- (3) Transitional areas cannot include significant contiguous areas of working farms, wood lots, properties in state tree growth and farm and open space tax programs, prime agricultural and forestry soils, unfragmented habitat, or marine resources identified in the conditions and trends in Sections 3.3, 3.4, and 3.5.
- (4) Transitional areas must be compatible with designations in adjacent communities or provide buffers or transitions to avoid land use conflicts with neighboring communities.

#### E. Rural Areas

The community's Future Land Use Plan must identify a rural area or areas. The designation of rural areas is intended to identify areas deserving of some level of regulatory protection from unrestricted development for purposes that may include, but are not limited to, supporting agriculture, forestry, mining, open space, wildlife habitat, fisheries habitat and scenic lands, and away from which most development projected over ten (10) years is diverted.

A community's Future Land Use Plan must designate as rural area or areas any portion of the community consistent with the following provisions:

- (1) To the greatest extent practicable, rural areas must include working farms, wood lots, properties enrolled in current-use tax programs related to forestry, farming or open space, areas of prime agricultural soils, critical natural resources, and important natural resources.
- (2) The Future Land Use Plan must identify proposed mechanisms, both regulatory and non-regulatory, to ensure that the level and type of development in rural areas is compatible with the defined rural character and does not encourage strip development along roads.
- (3) Rural areas shall not include land areas where the community actively encourages new residential, institutional, or commercial development.
- (4) Rural areas must be compatible with designations in adjacent communities or provide buffers or transitions to avoid land use conflicts with neighboring communities.

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### F. Critical Natural Resources

For the purpose of protecting Critical Natural Resources from the impacts of incompatible development, the Future Land Use Plan must distinguish between areas where those resources are present and where they are absent.

The Future Land Use Plan must include a map or maps depicting Critical Natural Resources and a description of proposed regulations (including ongoing local, state and federal regulations) and non-regulatory measures designed to ensure that these resources are, to the greatest practicable extent, protected from the impacts of incompatible development. (Typically, some of the information contained in a plan's Natural Resources section will be repeated or summarized in the Future Land Use section.)

### G. Critical Rural Areas and Critical Waterfront Areas

As an option, the community may identify and designate one or more critical rural areas or critical waterfront areas as defined in this Chapter on the Future Land Use Plan. If the community chooses to make such designations, land areas so designated must be consistent with the following provisions:

- (1) Critical rural areas and critical waterfront areas are those rural and waterfront areas in a community most vulnerable to impacts from incompatible development.
- (2) The Future Land Use Plan must identify current and proposed mechanisms, both regulatory and non-regulatory, to ensure that critical rural areas and critical waterfront areas are, to the greatest extent practicable, protected from the impacts of incompatible development.
- (3) Critical rural areas and critical waterfront areas must be compatible with designations in adjacent communities or provide buffers or transitions to avoid land use conflicts with neighboring communities.

## 4. Required Elements for the Future Land Use Plan

### A. Analyses

- (1) Does the Future Land Use Plan align and/or conflict with the community's vision statement?
- (2) Is the configuration of the growth area(s) shaped by natural opportunities and/or constraints (i.e. the physical suitability or unsuitability of land for development)? The location of public facilities? The transportation network?
- (3) How does the Future Land Use Plan relate to recent development trends?

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(4) Given current regulations, development trends, and population projections, estimate how many new residential units and how much commercial, institutional, and/or industrial development will likely occur in the planning period? Where is this development likely to go?

(5) How can critical natural resources and important natural resources be effectively protected from future development impacts?

### B. Components

The Future Land Use Plan must include:

(1) A map or maps showing:

- a. Growth area(s) (unless exempted) and Rural area(s) and any land use districts within each;
- b. Critical Natural Resources in accordance with 4.3.F, above
- c. Any of the following optional land use areas, if proposed, along with any land use districts within each: Transitional, Critical Rural, Critical Waterfront.

(2) A map depicting the constraints to development identified in the plan (may be a combination of maps from other sections).

(3) A narrative description of each land use district including:

- a. The district's relationship to the community's vision;
- b. The district's natural opportunities and/or constraints;
- c. The types and intensity of proposed land uses, including residential density;
- d. The compatibility or incompatibility of proposed uses to current uses, critical natural resources and important natural resources within and around the district along with any special development considerations (e.g. need for additional buffers, conservation subdivision provisions, architectural design standards, etc.); and
- e. Any anticipated major municipal capital investments needed to support the proposed land uses.

### C. Policies

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Minimum policies to address state goals:

- (1) To coordinate the community's land use strategies with other local and regional land use planning efforts.
- (2) To support the locations, types, scales, and intensities of land uses the community desires as stated in its vision.
- (3) To support the level of financial commitment necessary to provide needed infrastructure in growth areas.
- (4) To establish efficient permitting procedures, especially in growth areas.
- (5) To protect critical rural and critical waterfront areas from the impacts of development.

**D. Strategies**

In addition to the strategies required below, include any strategies as necessary to support the establishment of any rate of growth or impact fee ordinances proposed. These may include strategies found in other sections of the plan.

Minimum strategies required to address state goals:

- (1) Assign responsibility for implementing the Future Land Use Plan to the appropriate committee, board or municipal official.
- (2) Using the descriptions provided in the Future Land Use Plan narrative, maintain, enact or amend local ordinances as appropriate to:
  - a. Clearly define the desired scale, intensity, and location of future development;
  - b. Establish or maintain fair and efficient permitting procedures, and explore streamlining permitting procedures in growth areas; and
  - c. Clearly define protective measures for critical natural resources and, where applicable, important natural resources.
  - d. Clearly define protective measures for any proposed critical rural areas and/or critical waterfront areas, if proposed.
- (3) Include in the Capital Investment Plan anticipated municipal capital investments needed to support proposed land uses.
- (4) Meet with neighboring communities to coordinate land use designations and regulatory and non-regulatory strategies.

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- (5) Provide the code enforcement officer with the tools, training, and support necessary to enforce land use regulations, and ensure that the Code Enforcement Officer is certified in accordance with 30-A M.R.S.A. §4451.
- (6) Track new development in the community by type and location.
- (7) Direct a minimum of 75% of new municipal growth-related capital investments into designated growth areas identified in the Future Land Use Plan.
- (8) Periodically (at least every five years) evaluate implementation of the plan in accordance with Section 2.7.

## 5. Criteria for Growth Area Exemptions

### A. Severe Physical Limitations

The Future Land Use Plan need not identify growth areas if the plan demonstrates that it is not possible to accommodate future residential, institutional, commercial, or industrial growth because of severe physical limitations, including, without limitation, the lack of adequate water supply and sewage disposal services, very shallow soils, or limitations imposed by critical natural resources.

To be considered for a growth area exemption because of severe physical limitations, the Future Land Use Plan must clearly indicate the physical limitation and the rationale for the exemption, based on one or more of the following three criteria:

- (1) **Water delivery and sewage disposal limitations.** To qualify under this criterion, the Future Land Use Plan shall include descriptions of existing water delivery system(s) and sewage disposal system(s), including an analysis of the current capacity of the system(s) and potential for service expansion or introduction of such services. This discussion must also include descriptions and maps of aquifers in the planning area, and a description of how these aquifers relate to future capacity to serve as water supply.
- (2) **Soils.** Description of soils types and conditions (available from the Natural Resources Conservation Service and the Maine Geological Survey), including the presence of ledge or steep slopes. This discussion must also describe the limitations of these soils related to wastewater disposal [pursuant to Maine Subsurface Wastewater Disposal regulations (10-144 CMR 241)], and describe how these soil limitations make designation of any growth areas in the community with densities in the range of 20,000 to 80,000 square feet impractical.
- (3) **Critical natural resources.** Description of critical natural resources, with accompanying map(s) detailing the location of those resources. Based on this information, this discussion must also include a description of the constraints placed on future development by critical natural resources, alone or in conjunction with other physical limitations.

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**B. Minimal or No Growth**

The Future Land Use Plan is not required to identify growth areas for residential, institutional, commercial or industrial growth if it demonstrates that the community or region has experienced minimal or no residential, institutional, commercial, or industrial development over the past decade and this condition is expected to continue over the planning period. Communities that have adopted growth caps or rate-of-growth ordinances are not eligible for a growth area exemption.

For consideration of a growth area exemption because of minimal residential, institutional, commercial, or industrial development, the Future Land Use Plan must clearly indicate the rationale for the exemption according to the type of exemption, as described below:

- (1) **Residential growth area exemption.** For both the preceding 10-year period and the projected planning period, the Future Land Use Plan must include: the community's population; the number of households; and the average household size. Based on this information, the Future Land Use Plan must demonstrate that the community has experienced minimal or no residential development as defined in Section 1.2(CC) and expects such a trend to continue.
- (2) **Commercial/Institutional growth area exemption.** The Future Land Use Plan must include: information on the type and amount (square footage) of institutional or commercial development that occurred in the community during the preceding 10-year period, and a discussion of the type and amount of institutional or commercial development that is likely during the projected planning period. Based on this information, the Future Land Use Plan must demonstrate that the community has experienced minimal or no commercial/ institutional growth, as defined in Section 1.2(AA), and expects such trends to continue.
- (3) **Industrial growth area exemption.** The Future Land Use Plan must include: information on the type and amount (square footage) of industrial development that occurred in the community during the preceding 10-year period, and a discussion of what type and amount of industrial development is likely during the projected planning period. Based on this information, the Future Land Use Plan must demonstrate that the community has experienced minimal or no industrial development, as defined in Section 1.2(BB), and expects such a trend to continue.

**C. Lack of a Village or Densely Populated Area**

The Future Land Use Plan is not required to identify growth areas for residential, institutional, commercial, or industrial growth anywhere in the community if it demonstrates that the community or region growth patterns do not include a village center or other densely populated area, and that no such areas are expected over the planning period.

For consideration of a growth area exemption because of the absence of a village or densely populated area, the Future Land Use Plan must discuss the manner in which the community intends to remain a rural community. As part of this discussion, the Future Land Use Plan must describe the rationale for the exemption, and must meet the following three criteria:

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- (1) Except for shoreland zones, the community has no land areas with residential dwelling densities greater than one unit per two acres within an area encompassed by any 500-foot radius; and
  - (2) The community has no land areas with village characteristics, such as a compact mix of commercial, civic, and residential development or a mix of housing types; and
  - (3) The community has no municipal or quasi-public water or wastewater systems.
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STATUTORY AUTHORITY: 30-A M.R.S.A. §§ 4312(4) and 4347-A (3-A)

EFFECTIVE DATE:

September 20, 2007 – filing 2007-403

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August 6, 2011 – filing 2011-256

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