

Kennebunk Beach Improvement Association (KBIA)

August 10th, 2026 Ordinance Amendment Request Public Hearing



WALSH

ENGINEERING ASSOCIATES, INC.

Project Introduction

Project Goals

- Replace structure to be above Base Flood Elevations for improved resilience to flooding, storm surge, and sea level rise.
- Meet necessary building elevation dimensions per Maine DEP (Sand Dune) and Town of Kennebunk (Floodplain Management)
- Replace in a greatest practical extent location as allowed under SLZ Standards.
- Replace the existing “Dipsy Bath House” / Smith Cottage
 - Existing structure does not have a floor to be raised.
 - Replacement necessary

Ordinance Constraints

- **Article 5 Section 7 Nonconformities in the Shoreland Zone C. Non-Conforming Structures (3) Reconstruction or Replacement.** This section generally allows for the replacement of non-conforming buildings that do not meet the waterbody setbacks to be replaced provided the town has reviewed the replacement location for meeting setbacks to the greatest practical extent.
- Town staff determined that due to the setback nonconformity arising from general zoning rather than shoreland zoning that the general non-conforming provisions do not allow for a less non-conforming building reconstruction unless the building has been destroyed by natural, or accidental causes.

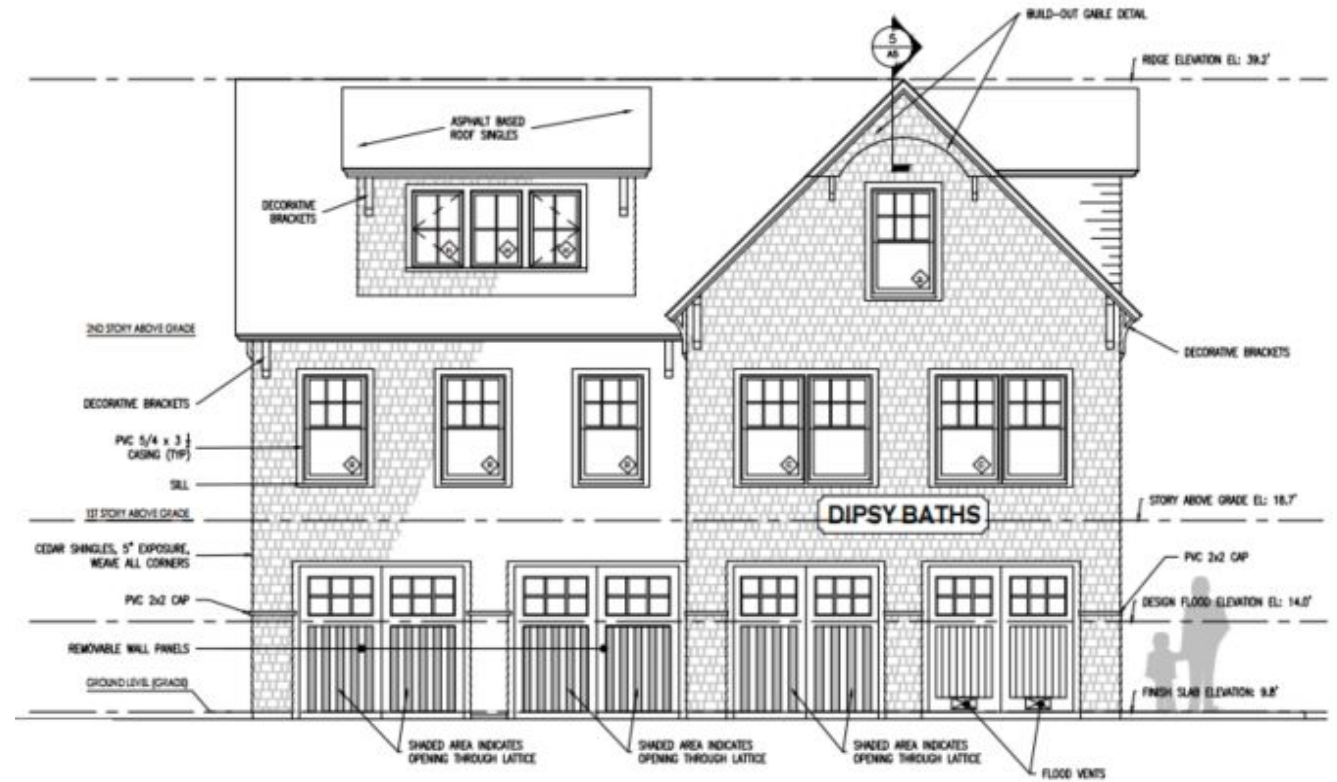
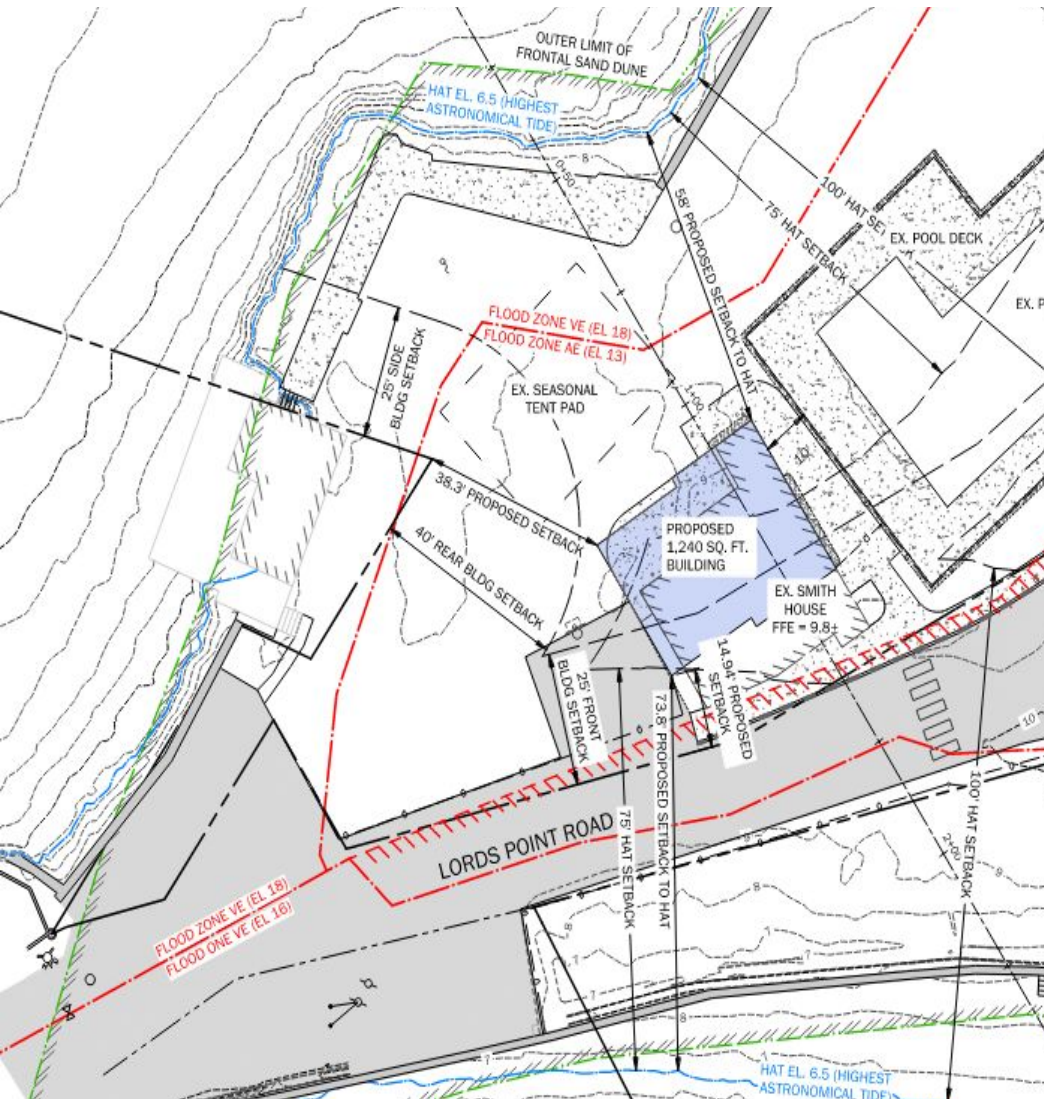
Ordinance Constraints

- **Article 5 Section 5 B.Reconstruction (1)** Any nonconforming building, or a building containing a nonconforming use, which is hereafter damaged or destroyed by fire, flood, lightning, wind, structural failure or other accidental cause, may be restored or reconstructed in conformity with its original dimensions, and used as before, within three (3) years of the date of such damage or destruction; provided, however, that such reconstruction and use shall not be more nonconforming than the prior nonconforming building or use.

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Proposed Building Replacement



Proposed Building Replacement



Street View



Cove / Pool View



Smith House Reconstruction

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Ordinance Amendment

- **B. Reconstruction (1)** Any nonconforming building, or a building containing a nonconforming use, which is hereafter damaged or destroyed by fire, flood, lightning, wind, structural failure or other accidental cause, may be restored or reconstructed in conformity with its original dimensions, and used as before, within three (3) years of the date of such damage or destruction; provided, however, that such reconstruction and use shall not be more nonconforming than the prior nonconforming building or use. Nothing in this section Article 5, Page 4 Sections 5 & 6 shall prevent the demolition of the remains of any building so damaged or destroyed. This Section B does not apply to reconstruction of nonconforming buildings located partially or wholly within the Shoreland Overlay District or Resource Protection District, which shall be reviewed in accordance with the standards set forth in Section 7 of this Article 5 even if one or more nonconformities arise from base district standards.

Questions?

Thank You!



Cove / Pool View

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