

MINUTES

ORDINANCE COMMITTEE MEETING

Meeting of May 19, 2020 – 8:00 a.m.

Zoom Webinar

Present: Committee Chair, Councilor Shepard; Councilors Hartwell and Wilder Cross.

Also present: Director of Community Development, Thomas Poirier; Town Planner, Public Works Director, Robert Burns; Town Planner, Carol Eyerman; Executive Assistant, Jessica Hughes.

1. **Consideration of the minutes of the April 21, 2020 meeting.**

A motion was MADE by Councilor Wilder Cross, SECONDED by Councilor Hartwell and VOTED to accept the minutes of the April 21, 2020 meeting as distributed. Unanimous vote.

2. **Current Business**

- A. Review and propose amendments to the Streets and Sidewalks Ordinance to allow for more on street parking in the Gorham Village for Town Council review (referred by the Town Council on February 4, 2020).

The committee reviewed attachment A/College Avenue plans with Public Works Director Bob Burns' highlighted proposed changes. Town Manager Ephrem Paraschak noted that State Street would need to be changed to align with the ordinance, to which Mr. Burns commented that State Street and Mechanic Street were included in the ordinance's text.

Councilor Shepard commented that there is no parking for a distance on both sides at the end of College Avenue – leaving a crest on the knoll wide open, which is ideal.

Mr. Burns added that his highlighted areas on the attached plans reflect where parking will be on the South street side, if dimensions work.

Councilor Shepard commented that he wanted to make McClellan Road a “no-through” road, to which Councilor Hartwell shared his concern that by closing off McClellan Road, it will cause traffic to reroute onto Day Road. He further said that one approach could be to look at what roads are built to handle. Mr. Burns said that McClellan Road was rebuilt a little better than Day Road. Of the six roads rebuilt in 2007, Day Road is showing wear more than others; McClellan Road was not meant for truck traffic – it was built for heavy traffic.

A motion was MADE by Councilor Wilder Cross, SECONDED by Councilor Hartwell and VOTED to send the proposed amendments to the Streets and Sidewalks Ordinance to allow for more on street parking in the Gorham Village to the Town Council for review at their next meeting. Unanimous vote.

- B. Review and propose amendments to Chapter 2, Section 2-4 of the Land Use & Development Code, Clustered Residential Development, and bring back recommendations for updates to the Town Council (referred by the Town Council on February 4, 2020).

Director of Community Development Tom Poirier advised that he added provisions to attachment B that were discussed at the previous meeting, which included making pre-applications up front to save time, and a requirement to have a landscape architect. The amendments would be limited to

rural (R) and suburban residential (SR) zones. Additional changes included two different lot sizes being identified – up to 20,000 square feet and up to 30,000 square feet; reduced frontages - 75 feet in SR and 100 feet in R, which can go below, but only 10 percent. The reduced frontages will give developers more variety and flexibility. Setbacks were identified – 25 feet on local roads and 50 feet on collector/DOT roads. With regard to residential layout, 40 percent needs to be open space. The proposed amendments now include an identified high-value conservation area in open space.

Councilor Hartwell commented that regarding high value conservation areas, he also had recreational uses in mind for open space. Mr. Poirier advised that if the committee wants items like tennis courts and ballfields, staff could add provisions for recreational uses. Councilor Hartwell asked the committee if recreation impact fees should be waived if the Town requires recreational uses in conservation areas. Mr. Paraschak commented that eventually a subdivision could argue about open space requirements/easements. He further asked how the Clustered Residential Development standards could be written in a way to prevent misinterpretation or too much flexibility. Mr. Poirier advised that he would refer to the Conservation Commission, and that the City of Saco has a provision about active open space – staff could reach out to understand how they manage it and advise the committee at the next meeting.

Councilor Hartwell asked what the downside would be with taking authority away from the Planning Board, to which Mr. Poirier replied that there would be no downside – the proposed amendments take away the ambiguity. The Planning Board would prefer to have standards as they strengthen the Planning Board's position.

Mr. Poirier explained that once/if the committee were to vote to send the proposed amendments, they will go to the Town Council for review/approval, then to the Planning Board and ultimately back to the Town Council.

Councilor Shepard asked if the Presumpscot Regional Land Trust and Maine Conservation Commission were on board with the proposed amendments, to which Mr. Poirier said he will need to check with these groups and will have their input at the next meeting.

Town Planner Carol Eyerman commented that it is very helpful for the Planning Board and Town to have some provisions for developers. Ms. Eyerman further said that she would be interested to speak with the City of Saco to see how they use open space standards. Regarding the management of open space, Ms. Eyerman has seen three different ways, which include via a land trust, conservation commission and the respective town. Councilor Shepard commented that the Town would need to look out for issues to mitigate with homeowner associations.

Staff will provide updates on the various items discussed at the next meeting.

3. **Items Referred by Town Council to Committee for Future Meetings/Action**

- A. Review general updates provided by Town staff to the Employee Personnel Policy and make a recommendation (referred by the Town Council on January 7, 2020).

This item was not discussed.

4. **Other Business**

No items were discussed under 'Other Business.'

5. **Schedule next meeting and discuss agenda items for next meeting.**

The next meeting of the Committee is scheduled for Tuesday, June 16, 2020 at 8:00 a.m. The following items will be discussed at the next meeting:

- A. Review and propose amendments to Chapter 2, Section 2-4 of the Land Use & Development Code, Clustered Residential Development, and bring back recommendations for updates to the Town Council (referred by the Town Council on February 4, 2020).

6. **Recent Items Sent to Town Council with Committee Recommendations**

No items recently sent.

7. **Adjournment**

There being no further business, a motion was MADE by Councilor Hartwell and SECONDED by Councilor Wilder Cross and VOTED to adjourn. Time of adjournment: 8:37 a.m.

Respectfully submitted,

Jessica R. Hughes, Executive Assistant