

**MINUTES**  
**ORDINANCE COMMITTEE MEETING**  
**Meeting of December 18, 2018 – 8 a.m.**  
**Conference Room A**

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

Also Present: Town Manager, Ephrem Paraschak; Zoning Administrator, David Galbraith; Town Planner, Tom Poirier; Executive Assistant, Jessica Hughes.

1. **Consideration of minutes of November 20, 2018 Committee meeting.**

A motion was MADE by Councilor Smith, SECONDED by Councilor Wilder Cross, and VOTED to accept the minutes of the November 20, 2018 Ordinance Committee as distributed. Unanimous vote.

2. **Current Business**

- A. Review home cultivation of marijuana for personal adult use and prepare an ordinance regarding the same for adoption by the Town Council (referred by Town Council on November 13, 2018).

The committee reviewed Attachment A/ draft ordinance for Adult-Use Marijuana Cultivation for Personal Use and asked staff to verify with the Town's Attorney if it is legally permissible to charge a permit fee. If allowed, the committee also discussed and agreed to add the language "Town Council shall set a reasonable fee" in addition to stating the fee under Article 4 of the ordinance. If it is not legally permissible to require a fee, the committee agreed to send the draft ordinance as written to the Town Council.

A motion was MADE by Councilor Wilder Cross, SECONDED by Councilor Smith, and VOTED to send the amended draft of the Adult-Use Marijuana Cultivation for Personal Use Ordinance with the changes discussed if legally permissible per the Town Attorney, or the draft ordinance as written to the Town Council for review and approval. Unanimous vote.

- B. General discussion regarding mixed use/density standards (Form Based Code) for the Gorham Village Center District.

The committee briefly discussed the examples of Form Based Code and Performance Standards received via email from staff. Staff will bring back additional examples for review and discussion at the next Ordinance Committee Meeting.

- C. Review new and existing Impact Fees and recommend updates, if any, to Town Council (referred by Town Council on August 7, 2018).

The committee reviewed Attachment C/ Town Planner's Memo regarding Impact Fees and staff advised that the Town Attorney informed staff that it is feasible to re-adopt the Middle School. Staff and the Town Attorney would need to verify if the calculation for the Middle School impact fee is still applicable. Staff will look at Scarborough's school impact fee and bring that to the next Ordinance Committee Meeting for review and discussion. The committee also discussed possibly implementing a turnpike spur

impact fee. Staff will also bring back a draft of the turnpike spur impact fee at the next Ordinance Committee Meeting for review and discussion.

- D. Review municipal road acceptance of private ways and recommend updates, if any, to Town Council (referred by Town Council on August 7, 2018).

The committee reviewed Attachment D/ Town Planner's Memo regarding Street Acceptance. Staff will research what public vs. private way standards the Town of Freeport has and if Freeport Town Council determined minimum lot sizes in Freeport. Additionally, staff will speak with the Gorham Public Works Director and Traffic Engineer to appropriately scale private way standards and make a recommendation. Staff will bring back the recommendation at the next Ordinance Committee Meeting.

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

- A. Consider developing an amendment to the Land Use & Development Code, to increase the minimum lot size for new lots in the rural district and bring the committee's recommendation back to the Council, at a later date, for the Town Council to consider (referred by Town Council on June 5, 2018).

At the October 16, 2018 Ordinance Committee Meeting, the committee voted to send revised language in the Land Use Objectives section of the Comprehensive Plan to the Town Council for consideration at a future Town Council meeting; however, after brief discussion, the Ordinance Committee and staff agreed that the item should be reviewed again for clarification of the intended amendment(s) and discussed at a future Ordinance Committee Meeting before referring the committee's recommendation back to the Council for consideration.

The committee discussed the item at their December 18, 2018 Ordinance Committee Meeting and staff clarified that Council initially referred the item to the Ordinance Committee to essentially slow growth in the Rural Zone and revise the current minimum lot size from 60,000 to 80,000 square feet.

A motion was MADE by Councilor Wilder Cross, SECONDED by Councilor Shepard, and VOTED to send the amendment of the current minimum lot size to 80,000 square feet within the Land Use Objectives section of the Comprehensive Plan to the Town Council for review and approval. 2-1 (Smith)

- B. Review and provide recommendations on improvements to the Cemetery Ordinance and bring recommendations back to the Town Council for consideration (referred by Town Council on November 13, 2018).
- C. Review and consider developing an amendment to the Land Use & Development Code to incorporate the requirements of the South Gorham Crossroads and recommend updates, if any, to Town Council (referred by Town Council on August 7, 2018).
- D. Review and consider developing an amendment to the Land Use & Development Code to incorporate the requirements of the South Gorham Commercial Center and recommend updates, if any, to Town Council (referred by Town Council on August 7, 2018).
- E. Create an Invasive Plants Species Ordinance and recommend to Town Council (referred by Town Council on August 7, 2018).

- F. Review adding requirements to the Land Use & Development Code for drinking water testing (referred by Town Council on April 3, 2018).

Staff will draft language that works within state law and provide at a future Ordinance Committee meeting.

- G. Review the Special Amusement Ordinance and recommend updates, if any, to Town Council (referred by Town Council on January 2, 2018).

4. **Other Business**

No additional 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, January 15, at 8 a.m. The Committee discussed and unanimously agreed to note that future Ordinance Committee Meetings will recur on the third Tuesday of each month. Additionally, the Committee requested that the following items be placed on the agenda for discussion:

- A. Review new and existing Impact Fees and recommend updates, if any, to Town Council (referred by Town Council on August 7, 2018).
- B. Review municipal road acceptance of private ways and recommend updates, if any, to Town Council (referred by Town Council on August 7, 2018).
- C. General discussion regarding mixed use/density standards (Form Based Code) for the Gorham Village Center District.
- D. Review and provide recommendations on improvements to the Cemetery Ordinance and bring recommendations back to the Town Council for consideration (referred by Town Council on November 13, 2018).

6. **Adjournment**

There being no further business, a motion was MADE by Councilor Wilder Cross, SECONDED by Councilor Smith and VOTED to adjourn. Time of adjournment: 9:42 a.m.

Respectfully submitted,

Jessica Hughes, Executive Assistant to the Town Manager & HR