

MINUTES

TOWN OF GORHAM ORDINANCE COMMITTEE MEETING Meeting of February 21, 2023 – 11:00 a.m. Gorham Municipal Center, Conference Room A

Present: Councilor Virginia Wilder Cross - Committee Chair, and Councilors Ronald Shepard and Seven Siegel.

Also present: Town Manager, Ephrem Paraschak; Director of Community Development, Tom Poirier; Town Planner, Carol Eyerman; Assistant Town Planner, Damon Yakovleff; Town Engineer Charles Norton, and Executive Assistant, Jessica Hughes.

1. **Consideration of the minutes of the January 17, 2023 meeting.**

A motion was MADE by Councilor Siegel, SECONDED by Councilor Shepard, and VOTED to accept the minutes of the January 17, 2023 meeting. Unanimous vote.

2. **Current Business**

- A. Develop a long-term plan for pedestrian improvements consistent with the Town's Comprehensive Plan (referred by the Town Council on August 2, 2022).

Town Planner Carol Eyerman referred to the memo listing all places and roads that are sidewalk-worthy. Mrs. Eyerman noted that page three references areas to talk about today.

Mrs. Eyerman said that a trimmed back map is reflected.

A brief discussion ensued regarding Day Road.

Director of Community Development Tom Poirier said that the red line is the transfer development area. He asked if the committee feasibly wants sidewalks in that area.

A discussion regarding the intent of the council action took place in which Councilor Shepard said that he didn't want to add too many sidewalks.

Mr. Poirier said that the discussion at this committee is planning out fifty years; a consideration should be the additional cost for developers and the Town.

Councilor Wilder Cross said sidewalks should be included within a development.

Councilor Shepard said the Town won't be in a position to fund all new sidewalks.

Councilor Wilder Cross said she was in support of sidewalks in the new subdivision near Weeks Road.

Mr. Poirier said as development happens, the Town can incur fees to help with costs to extend sidewalks, but not pay for all.

Mrs. Eyerman said that during development, an ordinance will say that a developer needs to have sidewalks within and leading to the development. She added that the committee can tweak an ordinance to give people an actual process and fees.

Mr. Poirier said that staff can bring back language for the committee's review referencing a fee in lieu.

A discussion ensued regarding sidewalks on Libby Avenue that go to the daycare.

Mr. Poirier said that staff will work on ordinance language and a revised map.

A motion was MADE by Councilor Shepard, SECONDED by Councilor Siegel, and VOTED to accept the map as drawn. Unanimous vote.

Mr. Poirier said that staff will include an overlay district map, and will work on where they can tweak the overlay district language.

- B. Review revising standards for curb cuts on arterials and designated collectors consistent with the Town's Comprehensive Plan (referred by the Town Council on August 2, 2022).

Mr. Poirier said that the committee at their last meeting reviewed a draft of the ordinance amendment from the traffic engineer, and the committee had asked staff to reduce it to the minimum language/condense to just access management language.

A discussion ensued regarding residential versus commercial access management needs in which the Town Engineer Charles Norton said that the proposed ordinance amendment is a good first concerted effort to improve access management.

Mrs. Eyerman asked if the language matches up with the lot frontage in zoning districts to which Mr. Poirier said – no, because a developer can break up a lot to avoid road frontage requirements.

Mr. Poirier said that the next step is for the committee to figure out what roads this ordinance will pertain to. He said staff can ask Public Works Director Terry Deering and Mr. Norton to come back with a recommended list.

Councilor Siegel asked why the committee doesn't consider the whole Town to which Mr. Poirier said that Bramble Wood is a dead-end road with 20 mph speed limit; he said that a higher speed corridor is typically where a town would do access management.

Mr. Norton said the best and wisest use of access management is not speed-based, but traffic-based.

An expanded discussion regarding traffic-based examples took place.

Mr. Poirier said that if someone has a double-lot entrance, the driveway will be on the less condensed area unless they can prove an alternative is better. He said this is tied to identifying when a developer comes so that they have parameters for access management.

Mr. Poirier said that the Planning Board is trying to work with developers, but the process and language is not clear; he is hopeful that amendments will remove arguments and expedite processes.

A motion was MADE by Councilor Shepard, SECONDED by Councilor Siegel, and VOTED to ask staff to come back with a recommended road list. Unanimous vote.

- C. Explore a vernal pool transfer program consistent with the Town's Comprehensive Plan (referred by the Town Council on August 2, 2022).

Mr. Poirier said that he received a cost estimate from a consultant to help with aeriels to identify wetlands. He added that staff still need to have discussions with Director Rachelle Curan Apse at the Presumpscot Regional Land Trust (PRLT); he hopes to have this done for the next meeting. He noted that if it is not structured to be viable, he would not recommend moving forward.

Mrs. Eyerman said she would recommend talking to the towns of Topsham and Orono.

Councilor Shepard asked how many people in Gorham would want to tie land up in this to which Mr. Poirier said he didn't know.

Mr. Poirier said that if the process could not be structured like a banking system, he wasn't sure how many developers would take the step unless there were a significant amount of vernal pools on land.

Mr. Poirier said the goal is to allow areas within growth areas to get more development by allowing development in specific vernal pools.

Councilor Wilder Cross asked who identifies which vernal pools are significant to which Mr. Poirier said a consultant would.

Mrs. Eyerman said that a consideration is that if you map a vernal pool, it has a big effect on a development process, because it can only be mapped April 1 through May 15 of each year.

Councilor Shepard asked how this process would impact vernal pools near the Industrial Park to which Mr. Poirier said there are two known vernal pools in the Industrial Park that could be impacted, but wetland rules still apply. He noted that it could be helpful to develop within a 250' setback around another vernal pool.

A discussion ensued regarding the cost of \$60k for the consultant to take aerial photos.

Mr. Poirier said that staff can send notice to property owners with vernal pools to ask if they want to conserve; staff could then find out if there are significant vernal pools.

A discussion regarding charging for vernal pool information ensued in which Mr. Poirier said that once we have the information, it is public information.

The committee briefly discussed what landowners can do regarding significant vernal pools.

Mr. Poirier said he would do more fact-finding and talk to the PRLT.

A motion was MADE by Councilor Siegel, SECONDED by Councilor Shepard, and VOTED to table the item for further review at the next meeting. Unanimous vote.

3. **Items Referred for Future Meetings/Action**

- A. Review revising parking ordinances and forward any recommendations to the Town Council for consideration (referred by Ordinance Committee on January 17, 2023).

Mr. Poirier said that staff can provide places where on-street parking is allowed.

A discussion ensued regarding double-yellow lines and reducing shoulders.

Mrs. Eyerman asked if the committee wanted to include a discussion regarding design speed at the next meeting to which Mr. Poirier said that the committee could start with land use and ordinance language, then dial in on-street parking, then the committee can look at streets and ways.

- B. Review ways to spur economic development in Gorham villages and forward any recommendations to the Town Council for consideration (referred by the Ordinance Committee on January 17, 2023).

No discussion took place regarding this item.

4. **Other Business**

- A. January Town Council workshop item regarding stream protection.

Councilor Siegel commented that MDEP Coordinator Steve Walker recommended having a stream setback, and that the committee could look at how this was handled in Brunswick.

Mr. Poirier said that Gorham has a current stream setback.

- C. Hannaford shopping center entrance.

Councilor Siegel asked how the town could look at closing off the entrance to the Hannaford shopping center where vehicles are making an illegal left turn.

Mr. Poirier suggested discussing the on-street parking item first.

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

The next meeting of the committee is scheduled for Monday, March 20, 2023 at 8:30 a.m. in Conference Room A. The following items will be discussed at the next meeting:

- A. Develop a long-term plan for pedestrian improvements consistent with the Town's Comprehensive Plan (referred by the Town Council on August 2, 2022).
- B. Review revising standards for curb cuts on arterials and designated collectors consistent with the Town's Comprehensive Plan (referred by the Town Council on August 2, 2022).
- C. Explore a vernal pool transfer program consistent with the Town's Comprehensive Plan (referred by the Town Council on August 2, 2022).
- D. Review revising parking ordinances and forward any recommendations to the Town Council for consideration (referred by Ordinance Committee on January 17, 2023).

5. **Adjournment**

There being no further business, a motion was MADE by Councilor Shepard and SECONDED by Councilor Siegel and VOTED to adjourn. Time of adjournment: 12:00pm.

Respectfully submitted,
Jessica Hughes, Executive Assistant