

## MINUTES

### TOWN OF GORHAM ORDINANCE COMMITTEE MEETING Meeting of May 15, 2023 – 8:30 a.m. Gorham Municipal Center, Conference Room A

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

Also present: Town Manager Ephrem Paraschak; Town Planner Carol Eyerman; Town Engineer Charles Norton, Fire Chief Ken Fickett, Director of Community Development Tom Poirier, Chief Christopher Sanborn and Assistant Town Clerk Kimberly Getchell.

**1. Consideration of the minutes of the April 18, 2023 meeting.**

A motion was MADE by Councilor Wilder Cross, SECONDED by Councilor Shepard, and VOTED to accept the minutes of the April 18, 2023 meeting. Unanimous vote.

**2. Current Business**

Director of Community Development Tom Poirier asked that the Committee begin with Item D until Town Engineer Charles Norton arrived.

**D. Review adding accessory use outdoor storage to the Roadside Commercial District and forward any recommendations to the Town Council (referred by the Town Council on March 7, 2023)**

Mr. Poirier stated that this pertains to outdoor storage at facilities in the Roadside Commercial District that must be buffered with screening (landscaped) and be located behind the facility. The location must have a permitted use. The Planning Board may require generators, outdoor storage areas and dumpster pads to be located elsewhere near the building if it is found the proposed locations are required to provide for a better overall design. These would need to be buffered from public roads and residential properties. The only areas to allow outdoor storage are the Industrial, Old Canal and Agriculture Districts. In the case of areas that are storage only the Committee should also look to include smaller contractors in the Commercial District.

Town Manager Ephrem Paraschak interjected that this would also include the Lower Main Street area. Councilor Shepard asked if this was in the roadside commercial district only? Mr. Paraschak responded yes. Mr. Poirier pointed out that this allows for some flexibility. Councilor Shepard stated that the Planning Board may make some considerations, so that the areas would not become an eyesore. Mr. Paraschak posed the question, “should the ordinance be stricter?” Should it be worded that the contractor “shall” have a buffer or the area “shall be 100% screened”? Councilor Shepard and Councilor Siegel both responded yes, that there should be more screening and buffering. Town Planner Eyerman stated that currently only generators, dumpster pads and outdoor storage be located in the back or screened, this should not be a surprise to the Planning Board.

The group discussed HVAC and particularly heat pumps in the front of buildings, and whether they should be screened or placed in the back of the building or both. Mr. Paraschak cautioned that there would be push-back from contractors because of cost.

A motion was made by Councilor Shepard to add HVAC units to Item 2 and send to Council, to send to the Planning Board, SECONDED by Councilor Wilder Cross, and VOTED to approve. Unanimous Vote.

**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).**

Mr. Poirier stated there may be increased cost if sidewalks are required. He thinks there needs to be an upper threshold. He would need to review this separately with Town Planner Eyerman and Town Engineer Norton. He would like the ordinance to read not to exceed \$70,000. Subdivisions would be a separate discussion (they need interior sidewalk connections) and they will have to come back to it at a later date. Councilor Siegel and Mr. Poirier discussed the difference between requirements for subdivisions and commercial properties (which need exterior sidewalk connections).

Councilor Siegel asked if there was any way to tie the ordinance to inflation, so it wouldn't come up again in few years or less. Mr. Norton thought this wouldn't work and that the cost of construction materials had gone up significantly prior to inflation increases, so it would be hard to tie the two together. This will be taken into consideration.

Councilor Wilder Cross asked if this item should be tabled for now and the committee agreed.

A motion was MADE by Councilor Siegel to table the discussion until next month, SECONDED by Councilor Shepard, and VOTED to approve. Unanimous vote.

**B. Review revising standards for curb cuts on arterials and designated collectors consistent with the Town's Comprehensive Plan (referred by Ordinance Committee on January 17, 2023)**

Mr. Poirier began by asking how to address this issue without triggering Urban Compact (which would put the maintenance of roads on the town. Mr. Norton stated that implementing curb cuts 200ft apart in ¼ mile increments would not solve the problem in the long run. This in itself would trigger the Urban Compact as development or growth can occur behind these projects even with fewer curb cuts. It's the density of housing not the number of curb cuts that is the trigger. As Gorham grows, density will increase. Councilor Shepard commented that growth can't be prevented.

The group discussed what should be the focus. Should it be all roads, rural roads, people turning onto high speed roads, etc. It was decided that an email would go out from Mr. Norton with a list of roads. This could then be disseminated by the members to be discussed at the next meeting.

A motion was MADE by Councilor Shepard to table the discussion, SECONDED by Councilor Siegel, and VOTED to approve. Unanimous Vote.

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

What are some ideas that could benefit the Village area? Mr. Paraschak began the conversation by talking about Town owned property. There have been issues with overnight parking, should there be restrictions on lots? Right now there are few if any. Maybe some generalized rules regarding parking at schools, being sensitive to the fact that the schools have their own rules about parking. Chief Sanborn commented that there could be a limit on the number of hours for parking and no overnight parking

Councilor Shepard commented that people who park overnight should gain prior permission.

Mr. Paraschak asked if this should be brought back to a later meeting.

Councilor Siegel stated he was not comfortable with restricting overnight parking if it meant someone who is homeless or in need has to keep moving around.

The committee discussed whether the municipality had any authority over school parking lots. The answer from Mr. Paraschak was yes and no. He does think the school would want the ordinance to be stricter because of safety concerns of the students and staff.

Councilor Shepard asked if there were places in town where people could park for a couple of nights. The committee then discussed different lots which might be possibilities, such as the park and ride, the West Gorham lot or lots in the Village area. Fire Chief Ken Fickett brought up the need of porta-potties, which is what makes the school lots attractive to overnight parking/living. Mr. Paraschak stated that there could be ways to help those that are down and out, and would like to bring this topic back.

Mr. Paraschak then went on to discuss areas in town that are being looked at for parking and pedestrian improvements. In front of Robie Gym, a crosswalk, island and angle parking are being considered. Crosswalks and Islands on South St. and Main St. are being discussed. Morrill Ave. in front of the High School is very wide and could provide more parking spaces. The Town is working with the school on angle parking on Access Road. All that would be needed is new striping and could add about ten (10) spaces. There is money in the budget for sidewalks on Ball Park Road. A lot of people walk this road and there aren't any sidewalks, Morrill Ave. is the same way and parking is permitted on one side.

Councilor Siegel brought up that existing parking spaces on Preble Street are not being utilized. He is concerned that new parking spaces may not be used as well. Mr. Paraschak said that better solutions were being looked at, maybe striping the road would help slow traffic as a visual aide. He would also like to push the issue regarding public parking vs. school parking and start a dialog with the school.

A discussion ensued regarding parking at the High School during multiple events. There isn't enough parking for students and even less when families and other teams park for events.

Mr. Poirier pointed out that he thought this situation was getting better, that people were parking in the High School lot first, then going to surrounding lots.

It was brought up that ME-25 has a very long turning lane. If made smaller or eliminated could provide more parking. Mr. Paraschak mentioned it could be used for parking or a bike lane. Councilor Wilder Cross asked how it would affect plowing in the winter. Town Manger

Paraschak said they already have parking bans (Nov. to May) and while Public Works ideally likes wide empty roads this isn't always the situation they will encounter.

Councilor Shepard brought up the scenario of turning into Ace Hardware or Key Bank without a turning lane. This would stop all traffic.

Town Manager Paraschak went on to discuss traffic calming measures, such as adding trees along Main Street to create more of a Village feel. Such as in front of ACE Hardware area and Walgreens. Town Planner Eyerman asked Mr. Poirier if there were grants for tree wells? Councilor Siegel suggested it would be nice to have bike lanes with access to trails and other off road areas such as the Pump Track. Councilor Wilder Cross mentioned that some parking spaces are too close to turning lanes (at intersections) and could be hit by a turning vehicle. Mr. Paraschak said there are actually very few accidents because of this and that he thought it actually made motorists more cautious.

Mr. Poirier stated that the Gray Road intersection needed fixing. The Committee agreed with this. Mr. Paraschak said he would bring back specifics for the next meeting, and Mr. Norton agreed.

Mr. Poirier commented on South Street, saying that bumping out crosswalks and medians would slow traffic in that area. Mr. Paraschak stated there is a lighting project in place for South Street. This would make it brighter and more inviting.

Councilor Wilder Cross proposed that this be tabled to bring more specific ideas to the next meeting.

Mr. Poirier and Mrs. Eyerman said there are about 20-25 parking standards, which they would like to see reduced to approximately 4 main standards, Residential, Commercial Industrial and the Planning Board could consider amendments. Mr. Paraschak asked for a Commercial Village Standard to be included.

A motion was MADE by Councilor Shepard to table this item, SECONDED by Councilor Siegel, and VOTED to approve. Unanimous Vote.

**F. Review increasing the minimum square footage exemption for a fire suppression system from 400 to 800 square feet and report back to the Town Council with a recommendation (referred by the Town Council on March 7, 2023).**

Chief Fickett began by saying there have been more Accessory Dwelling Units (ADU's) and the cost of sprinklers is high for the consumer. To clarify what needs to have a sprinkler, Chief Fickett gave some guidelines. If the main dwelling is sprinkled, then the ADU must be also. If the dwelling is not sprinkled, then the ADU does have to be sprinkled. If the ADU is separate from the main house and 800sqft, then it must have sprinklers. When asked about cost, Mr. Paraschak replied that it was approximately \$12,000.00 for do a 3 story condo and garage (this includes the basement). Chief Fickett answered that it is cheaper to build an ADU when public water is available than in rural areas where that infrastructure must be put in place.

Councilor Wilder Cross wanted to know what the cost of an 800sqft ADU would be with or without public water and the percent (%) of cost added to the overall unit. Also, how many homes have been sprinkled since the Council made it mandatory.

Mr. Poirier pointed out that there aren't as many ADU's being built as one would think. Most are being built for aging parents or other family members and college students who have not left home. ADU's aren't necessarily being built for income.

Mr. Paraschak asked Chief Fickett what the minimum distance was between structures as far as fire suppression was concerned. Also, how many fires are caused from building materials, and if he could run some numbers. Fire Chief Fickett said his concerns were also with tiny homes. Being that there aren't enough escape routes.

Councilor Siegel stated that there needed to be a balance between regulation and safety and people actually being able to build the ADU's.

A motion was MADE by Councilor Siegel to table the item, SECONDED by Councilor Shepard, and VOTED to approve. Unanimous vote.

**E. Review increasing the Stream Protection Sub District from 75' to 100', better define stream, as well as add aquifers, and send recommendations back to the Town Council (referred by Town Council on March 7, 2023).**

Mr. Poirier noted that 100' stream protection is already in place by the DEP - this would be an added layer. He could talk to a fisheries biologist from the state to see if it would be necessary or make sense to have 100' protection. He wasn't even sure that all of the areas being discussed were Brook Trout habitat.

Councilor Wilder Cross wanted clarification about aquifers and why they need protecting. Mr. Poirier stated that the protection is mostly concerning above-ground storage and a major spill, not a sub-division going in that needs water and sewer. A sub-division will not deplete an aquifer.

Councilor Siegel MADE a motion to change the stream protection from 75' to 100' on streams currently protected, not all streams and send this to the Council, Councilor Shepard SECONDED, and VOTED to approve. Unanimous vote.

Mr. Poirier asked if the Committee wanted to table all streams and aquifers until the next meeting.

Councilor Siegel MADE a motion to table, Councilor Shepard SECONDED, and VOTED to approve. Unanimous vote.

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

- A. Explore a vernal pool transfer program consistent with the Town's Comprehensive Plan (referred by the Town Council on August 2, 2022).
- B. Review zoning in the Gorham Village Districts to increase economic development (referred by the Town Council on February 7, 2023).
- C. Review proposed contract zone for single and multi – family housing off of Robie Street, and send recommendations back to the Town Council (referred by Town Council on April 4, 2023)
- D. Review amending the town's Storm Water Ordinance as outlined in memos from staff, to bring the Town into better compliance with Clean Water Act and municipal Separate

Storm Sewer System (MS4) permit, and send recommendations back to the Town Council (referred by Town Council on May 2, 2023)

**4. Other Business**

Mr. Poirier stated that people working on contract negotiations wanted to be on the next agenda. Mr. Paraschak questioned whether that should be held in executive session. To be determined.

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

The next meeting of the committee is scheduled for Tuesday, June 20, 2023 at 11:00 a.m. in Conference Room A. The following items will be discussed:

- 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. Review revising parking ordinances with more specific information and forward any recommendations to the Town Council for consideration (referred by Ordinance Committee on January 17, 2023).
- D. Review adding accessory use outdoor storage to the Roadside Commercial District to include HVAC and forward recommendations to the Town Council (referred by the Town Council March 7, 2023).
- E. Review and better define stream, as well as add aquifers, and send recommendations back to the Town Council (referred by the Town Council on March 7, 2023).
- F. Review increasing the minimum square footage exemption for a fire suppression system from 400 to 800 square feet and report back to the Town Council with a recommendation (referred by the Town Council on February 7, 2023).

**6. Adjournment**

Councilor Shepard MADE a motion to end the meeting, Councilor Siegel SECONDED, and VOTED to approve. Unanimous vote.