

**MINUTES**  
**ORDINANCE COMMITTEE MEETING**  
**Meeting of March 5, 2019 – 8 a.m.**  
**Conference Room A**

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

Also Present: Town Manager, Ephrem Paraschak; Public Works Director/Town Engineer, Bob Burns; Town Planner, Tom Poirier; one member of the public – Susan Duchaine; Executive Assistant, Jessica Hughes.

1. **Consideration of minutes of January 15, 2019 Committee meeting.**

A motion was MADE by Councilor Wilder Cross, SECONDED by Councilor Smith, and VOTED to accept the minutes of the January 15, 2019 Ordinance Committee as distributed. Unanimous vote.

2. **Current Business**

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

Town Planner Tom Poirier reviewed the attachments, which included an email from the Town Attorney, a draft Middle School impact fee ordinance and related methodology. Councilor Shepard commented that the total costs and percentages did not balance under the Financing costs section on the supporting methodology and Councilor Wilder Cross concurred. Councilor Smith questioned if impact fee funds could offset the cost of replacing heat pumps and Town Manager Ephrem Paraschak advised that they could not. Tom Poirier added that he has not had any success in obtaining a copy of Scarborough's impact fee plan and would need to work with the Scarborough School Superintendent as the next step if the committee wanted him to proceed. Tom Poirier further added that he will ask the Town Attorney to add three sections/provisions required by statute, clarify councilors Shepard and Wilder Cross's comments and bring back the revised ordinance at the next meeting.

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

Town Planner Tom Poirier reviewed the attachments, which included the memo dated February 15, 2019 referencing private road maintenance standards and a memo from Public Works Director/Town Engineer Bob Burns. Councilor Wilder Cross wanted to be sure that the Town Engineer approved of the gravel thickness. Councilor Smith asked if private roads and Town roads should have the same gravel thickness, to which Bob Burns commented that it should be a question addressed by the Town Council. Town Manager Ephrem Paraschak suggested that standards should be focused on long term planning. Councilor Smith recommended keeping private road gravel thickness the same as Town road standards. Bob Burns is concerned that if a Homeowners Association (HOA) approaches the Town after 15 years to accept their road as a private way, the Town would then absorb the cost to bring it up to minimum standards. Susan Duchaine suggested reducing the 25-minimum lot requirement. Susan Duchaine shared another consideration that lenders that offer FHA loans do not lend on homes accessed by private ways. Councilor Smith feels that if roads are all built to the same base standards, it will save money

in the long run. Bob Burns recommends a 4" base on private ways to prolong the road. Tom Poirier suggested a tiered requirement for gravel thickness, such as: 2-6 homes in a development/HOA would require a 4" base; 7-10 lots would require a 2.5" pavement and 25 lots would require a 4" pavement. Councilor Wilder Cross agrees with the increased base on private roads, but not an increased overlay. Bob Burns said that ditches would have to be moved out and utilities may need to be moved. Councilor Shepard is in favor of an increased base. Susan Duchaine suggested that the Town should accept all private roads to bring the value of homes up and to plow all private roads. Tom Poirier suggested making the suggested changes and referring the amended standards to the Town Council at their next meeting.

A motion was MADE by Councilor Wilder Cross, SECONDED by Councilor Smith, and VOTED to approve and send the amended draft of the private road maintenance standards with the changes discussed to the Town Council for review and approval. Unanimous vote.

- C. Create an Invasive Plants Species Ordinance and recommend to Town Council (referred by Town Council on August 7, 2018).

The committee reviewed the attachment/ Town of Falmouth's Invasive Species Ordinance and asked that staff prepare a memo and draft ordinance with a list of plants for review at the next meeting.

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

- A. 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).
- B. 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).
- C. General discussion regarding mixed use/density standards (Form Based Code) for the Gorham Village Center District.
- D. 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.
- E. Review the Special Amusement Ordinance and recommend updates, if any, to Town Council (referred by Town Council on January 2, 2018).

4. **Other Business**

The committee discussed items A. and B. from the list of items referred by Town Council for future meetings/action relating to the South Gorham Crossroads and Commercial Center. Town Planner Tom Poirier reviewed a memo, explained the three proposals received and recommended the consultant, North Star, to assist with developing the amendments. Town Manager Ephrem Paraschak will need to confirm if the Ordinance Committee can vote to approve of the recommended consultant. Susan Duchaine asked the committee what the timeline is for the ordinance for the South Gorham Crossroads mixed-use district. Tom Poirier advised that it could be one year conservatively. Susan Duchaine commented that the minimum 60,000 square foot lot standard was not practical in the village.

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

The next meeting of the Committee is scheduled for Tuesday, March 19, at 8 a.m.

- 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 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).
- C. 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).
- D. Create an Invasive Plants Species Ordinance and recommend to Town Council (referred by Town Council on August 7, 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: 9:20 a.m.

Respectfully submitted,

Jessica Hughes, Executive Assistant to the Town Manager & HR