

MINUTES
ORDINANCE COMMITTEE MEETING
Meeting of May 21, 2019 – 8 a.m.
Conference Room A

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

Also Present: Town Manager, Ephrem Paraschak; Town Planner, Tom Poirier; North Star Consulting Group - Community Planner, Ben Smith; One (1) member of the public, John Cross; Executive Assistant, Jessica Hughes.

1. **Consideration of minutes of April 23, 2019 Committee meeting.**

Councilor Wilder Cross asked that an amendment be made to the minutes, specifically with regard to the first item A, to either organize the content in a bulleted list or into separate paragraphs. Tom Poirier also advised that the reference of the "South Gorham professional park" in the first paragraph should be replaced with the "South Gorham Professional Zoning District."

A motion was MADE by Councilor Wilder Cross, SECONDED by Councilor Smith, and VOTED to accept the amended minutes of the April 23, 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).

Councilor Shepard commented that it makes sense in Mr. Cross's circumstance for the Town to refund the impact fee to Mr. Cross.

Tom Poirier read an email from Town Attorney Mark Bower with suggested language for an update to the impact fee ordinance that read if a developer paid an impact fee, they may apply for a refund for approval by the Town Council within five years. Staff will bring back the actual language for the Committee's review at the next Ordinance Meeting.

Councilor Smith questioned if a developer/property owner has to pay an impact fee if adding an additional bedroom. Tom and Ephrem confirmed that they would.

Ephrem asked the Committee if they would like to look at updating or creating other impact fees. Councilors Shepard and Wilder Cross commented that the Committee should look at an impact fee that would benefit road improvements.

Councilor Smith suggested implementing a utility impact fee when sewer/water is brought down to South Gorham.

Ephrem cautioned that the capacity of homes and businesses in the South Gorham area may not provide funding for an entire sewer line under the current density.

The Committee asked that staff draft a utility impact fee for South Gorham.

Tom suggested running a gravity sewer line in the old rail bed and discontinue several pump stations, which would reduce the Town's costs to maintain the stations. Costs to maintain the pump stations are paid by water usage rates.

Ephrem and Tom commented that the Town may be able to apply for Village Tax Increment Financing (TIF) for two locations; Little Falls and the Village area. Ephrem further commented that a TIF could help offset the cost for a trash receptacle at the TD Bank METRO bus stop. Public Works will incur costs to employ staff to collect trash daily from the receptacle and incur additional costs to perform other added services.

Ephrem suggested that the Committee consider a new sewer impact fee for Narragansett Street.

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

Tom Poirier read the provided attachment B, which was his memo with the subject "Water Test for Private Water Supply (wells)." As referenced in the memo, the amendment to the Land Use & Development Code would require that property owners must provide the results of a water test to be kept in the Code Enforcement property file prior to a Certificate of Occupancy being issued.

Tom referred to additional email correspondence from Haig Brochu, DHHS Private Well Technical Assistance Coordinator that was distributed to the Committee at the meeting.

Tom explained that under this amendment, if a Certificate of Occupancy (C.O.) applicant's water test does not pass, the applicant will need to provide a remediation plan for filtration. Any building defined as having public water supply must have a passing test or put in a filtration system.

A motion was MADE by Councilor Wilder Cross, SECONDED by Councilor Smith, and VOTED to send the amendment to the Land Use & Development Code to add requirements for drinking water testing to the Town Council for review and approval at their July Town Council meeting. Unanimous vote.

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

- A. Review the Senior Property Tax Assistance Ordinance and recommend updates, if any, to the Town Council (referred by Town Council on May 7, 2019).

Ephrem referred to the highlighted changes in the Senior Property Tax Assistance Ordinance packet that was distributed to the Committee during the meeting. The Town Council asked that staff review and make changes to the definition of income under section C in the ordinance.

Councilor Shepard commented that there should be a cap on income.

Ephrem advised the Committee that they could refer the ordinance back to the Town Council and recommend a cap on the total household income.

Councilor Shepard agrees with the highlighted changes which included omitting the following from Section C of the ordinance:

- “total gross income” from first sentence;
- “(line 22 of Form 1040; line 15 of Form 1040A; line four of Form 1040EZ)” from the first sentence;
- The reference of “Gross” under item i.

A motion was MADE by Councilor Smith, SECONDED by Councilor Wilder Cross, and VOTED to send the amended Senior Property Tax Assistance Ordinance with highlighted recommendations to the Town Council for review and approval at their June Town Council meeting. Unanimous vote.

- B. Review and consider developing an amendment to the Land Use & Development Code to allow for mobile vending units at farmer’s markets and recommend updates, if any, to the Town Council (referred by Town Council on May 7, 2019).
- C. Review adding requirements to the Land Use & Development Code requiring that property taxes be paid before the issuance of permits and bring back recommendations to the Town Council (referred by the Town Council on February 5, 2019).

Staff will ask the Town Attorney if the amendment would involve a single line revision or if it will be more involved and advise the Committee at a future meeting.

- D. Review the Cemetery Ordinance and bring back recommendations to the Town (referred by Town Council on November 13, 2018).
- E. 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 the Town Council (referred by Town Council on August 7, 2018).
- F. 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 the Town Council (referred by Town Council on August 7, 2018).
- G. Review and consider developing an amendment to the Land Use & Development Code to allow varied density in the Village Centers and Urban Commercial District and recommend updates to the Town Council (referred by Town Council on February 6, 2018).
- H. Review the Special Amusement Ordinance and recommend updates, if any, to the Town Council (referred by Town Council on January 2, 2018).

Staff will follow up with Town Clerk Laurie Nordfors for what/if any updates she recommends and bring them back to the Committee at a future meeting.

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 Monday, June 17th at 8am as Councilor Shepard will be unable to attend on the regularly scheduled recurring date of the third Tuesday in June. The following agenda items will be discussed at the next meeting:

- 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 the Town Council (referred by Town Council on August 7, 2018).
- B. Review new and existing Impact Fees 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 allow for mobile vending units at farmer's markets and recommend updates, if any, to the Town Council (referred by Town Council on May 7, 2019).

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: 9:35 a.m.

Respectfully submitted,

Jessica Hughes, Executive Assistant to the Town Manager & HR