

**PLANNING BOARD MEETING MINUTES  
OCTOBER 3, 2022**

**MEMBERS PRESENT**

VINCENT GRASSI, VICE CHAIRMAN  
DAVID BURROWS  
SUSAN DURST  
RUSSELL FRANK  
SCOTT HERRICK  
SEVEN SIEGEL

**STAFF PRESENT**

CAROL EYERMAN, TOWN PLANNER

**MEMBERS ABSENT**

JAMES ANDERSON, CHAIRMAN

Vice Chairman Vincent Grassi called the meeting to order at 7:00 p.m. The roll was called, noting that Chairman James Anderson was absent.

**APPROVAL OF THE SEPTEMBER 12, 2022 AND SEPTEMBER 19, 2022 PLANNING BOARD MINUTES**

Discussion: Mr. Burrows corrected the spelling of his name from “BURROUGHS” to “BURROWS.”

Russell Frank **MOVED** and Susan Durst **SECONDED** to approve the minutes with the spelling of Mr. Burrows’ name corrected. **MOTION CARRIED, 6 ayes (James Anderson absent).**

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**COMMITTEE REPORTS**

**A. Ordinance Review Committee**

Ms. Durst reported that this Committee had not met.

**B. Comprehensive Plan Implementation Committee**

Mr. Frank reported that the Committee met before tonight’s meeting and continued its discussion on the South Gorham Commercial Corridor, the area around County Road, Route 22, which is also in conjunction with Scarborough. Discussed were the existing contract zones, lot sizes, frontages, permitted uses, parking, and the distinction between a “road” and a “street.”

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**CHAIRMAN’S S REPORT**

Mr. Grassi announced that a plaque will be presented this evening to former Board member Molly Butler-Bailey in recognition for her services to the Board.

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**ADMINISTRATIVE REVIEW REPORT**

Ms. Eyerman reported that there are no new Administrative Review applications.

**ITEM 1 Discussion – Land Use and Development Code and Zoning Map Amendment – South Gorham Crossroads** – a proposed amendment to the Land Use and Development Code and Zoning Map to adopt the South Gorham Crossroads District.

Russell Frank advised the Board that he and his wife own a home on Mahlon Avenue in this district and asked if the Board wished him to recuse himself from participation in the discussion of the item. Mr. Siegel asked if Mr. Frank might financially benefit or lose on the adoption of the proposed amendment. Mr. Frank said their property is a single family and there would be no financial impact. Mr. Grassi said he does not believe there is a conflict of interest involved. Mr. Burrows said he does not consider it a conflict of interest as Mr. Frank would not gain financially. A poll of the Board, with Mr. Frank abstaining, indicated that there is no perceived conflict of interest and Mr. Frank may participate in the discussion on the proposed amendment.

Ms. Eyerman advised the Board why there is no public hearing on this item this evening. There is a property owner in the general area of the Crossroads who would like to be included in the Crossroads zoning district rather than the Village Expansion Zone. This would require an amendment of the zoning map to include his property in the Crossroads zone. Ms. Eyerman noted that Ben Smith of Northstar Planning, the Town's consultant on this proposed amendment, is available to answer questions.

Mr. Siegel said it would be useful to know when a public hearing is held what percentage of the Game Sanctuary this zone encompass.

Mr. Siegel asked Mr. Smith why under Non-Residential Uses only golf course and country club are included. Mr. Smith said those are stand-alone, non-residential uses and reflect that there is an existing golf course which would be in conformance with the zone amendment if it passes. The remainder of Non-Residential Uses are noted specifically being permitted in the district as part of a mixed-use building or a mixed-use development. Mr. Smith further said that single family residences would become a legally non-conforming use and would be allowed as a single family home for as long as that use continues. He said a house could be sold to another family to live there, but if the house is no longer being used as a single family house, that grandfathered status would cease.

In reply to Mr. Grassi, Mr. Smith replied that this is a process that began with the adoption of the Comprehensive Plan in 2016 and was updated in a focus effort specifically to look at this part of Gorham. The Board's Comprehensive Plan Implementation Committee has reviewed the proposed amendment since April of 2022 and has made some changes. Mr. Smith said he anticipates more changes will probably be made as the proposed amendment continues through the process at the Board level or at the Town Council level.

In reply to Mr. Burrows, Mr. Smith said he does not know that the proposed zoning or even the existing zonings match up very well with patches of the Game Sanctuary. Mr. Smith said that the zoning changes would be independent of the Game Sanctuary itself and the boundaries could change, referring to the property owner mentioned by Ms. Eyerman who wants his property included in this district. Replying to Mr. Burrows' question about the possibility of another zone within this one, Mr. Smith said generally the best practice is to consider contiguous areas with like

properties all included in the same district. Mr. Burrows asked if there is a minimum acreage for this district to succeed. Mr. Smith replied that he does not believe there is a minimum number, that the rationale in the Comprehensive Plan was to incorporate the areas that have frontage on Brackett Road as well as South Street, the areas around the rotary where a future turnpike spur is planned, and in general these properties share characteristics about the level and type of development so there is room around the edges to make adjustments.

Mr. Herrick spoke about an accessory apartment being a permitted use, which he believes is typically considered as an addition to a single family home, asking if that is considered multi-family and an expansion of a single family residence. Mr. Smith said this was included in the list because single family homes exist in the area today, but going forward if this is approved, new single family homes would not be built. Owners of existing single family homes would be allowed to have an accessory apartment. Mr. Herrick, Ms. Eyerman and Mr. Smith discussed the possibility of a single family home no longer being grandfathered, but its accessory apartment possibly still being a permitted use, perhaps as part of a mixed-use building.

Mr. Siegel and Mr. Smith discussed a property's street frontage in the proposed amendment, 80 feet or more as proposed to create a new lot. Mr. Smith said that the frontage requirements have to do with relationship of the structure to the street itself, setting the "rhythm" of the street, how close or how far apart structures are to each other. Mr. Smith said this will be a growth area with higher density development, characterized primarily with residential and mixed-use projects.

David Burrows asked there are any visuals to help understand what this proposed zoning development would look like, such as examples of other towns. Mr. Smith said that early in the process specific examples were looked at, such the Falmouth Tidewater Park area, the Blue Spruce Farm development in Westbrook, and Dunstan Corner in Scarborough. Mr. Smith said those might be useful for the next packet.

Mr. Siegel and Mr. Smith discussed the proposed 4-story limit, meant to provide some options for the buildings and their uses in the proposed zone, as envisioned in the Comprehensive Plan.

Mr. Smith confirmed with Mr. Grassi that there would be future follow up meetings. Ms. Eyerman confirmed that included for review should be some of the maps and pictures of existing sample projects.

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**OTHER BUSINESS:** Ms. Eyerman said she has provided the Board with a memo describing low impact development and development transfer and overlay district. Low impact development is a stormwater technique to preserve natural resources on a site and encourages natural infiltration potential. Regarding development transfer, Ms. Eyerman said there is a zone which includes most, if not all, of the growth area, that allows for purchasing of density, the money for which is used to purchase land in the rural district. The Town has reached out to certain large property owners to determine any interest in using this program, either through easements or outright purchase. Mr. Siegel asked for photos of low impact developments. Mr. Burrows asked for examples of overlay zones; Ms. Eyerman referred to a project in Freeport.

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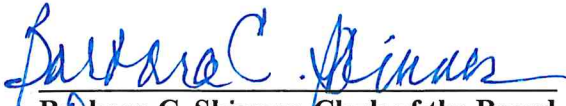
**ANNOUNCEMENTS:**      **None**

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**ADJOURNMENT:**

**Seven Siegel MOVED and Susan Durst SECONDED a motion to adjourn. Motion CARRIED, 6 ayes. (7:48 p.m.)**

**Respectfully submitted,**

  
Barbara C. Skinner, Clerk of the Board  
October 3, 2022