

AGENDA AND PROPOSED ORDERS  
GORHAM TOWN COUNCIL  
REGULAR MEETING  
March 7, 2017  
6:30pm  
Burleigh H Loveitt Council Chambers

Pledge of Allegiance to the Flag

Roll Call

Acceptance of the minutes of the February 7, 2017 Regular Town Council Meeting.

Open Public Communications

Councilor Communications

Town Manager Report

School Committee Report

Old Business

Item # 9183	Action to consider a request from Paul Smith, a member of the Town Council, to use his driveway located near the end of Phinney Street, as a turn-around for the Town's snow plow truck. (Councilor Phinney Spon.)
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Proposed Order # 9183	Ordered, that the Town Council approve a request form Paul Smith, a member of the Town Council, to use his driveway located near the end of Phinney Street, as a turn-around for the Town's snow plow truck.
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New Business

Public Hearing #1 On Item # 9191	Public Hearing on a proposal to issue a renewal liquor license to School Street Pub & Grill. (Admin. Spon.)
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Proposed Order # 9191	Ordered, that the Town Council approve a renewal liquor license for School Street Pub & Grill, 29B School Street.
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Public  
Hearing # 2  
On Item # 9192

Public Hearing on a proposal to issue a renewal liquor license to MK Kitchen.  
(Admin. Spon.)

Proposed  
Order # 9192

Ordered, that the Town Council approve a renewal liquor license for MK Kitchen, 2 School Street.

Public  
Hearing #3  
On Item # 9193

Public Hearing on a proposal to amend Chapter 2, Section 3, Signs, of the Land Use and Development Code by allowing rotating barber poles. (Admin. Spon.)

Proposed  
Order # 9193

Whereas, the Town's Land Use and Development Code regulates signs and currently does not allow rotating barber poles, and  
Whereas, the Planning Board held a Public Hearing on a proposal to allow them, and did not receive any comment, and  
Whereas, the Town Council finds that a rotating barber sign is a traditionally recognized form of advertising for a Barber Shop Business, and  
Whereas the Town Council finds that allowing a rotating barber poles will not adversely impact the Public welfare,  
Now Therefore Be It Ordered, that the Town Council approves the following amendment to the Land Use and Development Code, as recommended by the Planning Board;

## Chapter 2: General Standards of Performance

### Section 3: Signs

#### D. PROHIBITED SIGNS, DISPLAYS, AND RELATED MATERIALS

1. The following are prohibited anywhere in the Town unless specifically allowed under Sub-Sections E or F:
  - a) Signs with Moving or Rotating Pieces or Parts: Any sign that has any moving or rotating pieces or parts that creates the appearance of motion. If there is uncertainty as to whether this restriction applies to a specific sign, the Planning Board shall make the determination. Reader board signs including electronic message boards with interchangeable or moveable lettering that comply with the performance standards of section E. are excepted from this limitation. This restriction also does not apply to clocks, thermometers, **barber poles**, and similar displays that change in response to the information being monitored provided that the display does not flash.

Item # 9194

Action to consider a resolution regarding a Transportation and Land Use Action Plan for the Gorham East-West Corridor. (Admin. Spon.)

Proposed  
Order # 9194

Whereas, vital to the economy of our region are the principal East-West routes between the urban core of Portland and South Portland and the suburbs in Scarborough, Gorham, Westbrook and other areas to the west, connected by Routes 22, 25, and 114, and the intersecting North-South Routes 1 and 202, and the Maine Turnpike (I-95) and I-295, and

- A. At the request of the Towns of Gorham and Scarborough and the Cities of South Portland and Westbrook, the 123<sup>rd</sup> Maine State Legislature in Resolve 2007, c. 95, commissioned the Maine Turnpike Authority (MTA) and the Maine Department of Transportation (MaineDOT) to review existing and potential new routes from the Maine Turnpike to municipal centers in western Cumberland County, to determine how to reduce congestion on state and local roads and to improve access between the Turnpike and outlying communities.
- B. As directed by the Legislative Resolve, the parties have completed the Gorham East-West Corridor Feasibility Study led by a Steering Committee of officials from Gorham, Westbrook, South Portland, Scarborough, MTA, MaineDOT, and the Portland Area Comprehensive Transportation System (PACTS).
- C. The Feasibility Study published in September 2012 responded to the Resolve with findings that the study area is highly congested with 64 high crash locations and seven intersections operating at unacceptable levels of service.
- D. Current morning and evening rush hour congestion on key arterials such as Route 114, Route 22, Running Hill Road, and Spring Street is probably the worst in Maine. Traffic backups of more than a mile long are not uncommon. This congestion causes an unacceptable loss of productivity, wasted fuel, degraded air quality, safety hazards, ever-worsening environmental impacts, and mobility constraints for those who depend on these over-burdened roads for daily passage.
- E. The Feasibility Study projected that over the next 25 years this area of Maine will receive a significant share of statewide growth, leading to worsening traffic, a tripling in the number of congested intersections, a shift of traffic to residential and secondary roads, and an increase in safety "hotspots."
- F. It is currently projected that population growth if left unchecked will build out rural areas rather than congregate in existing suburban and urban centers and that this will impose unsustainable demands on the existing transportation network.

G. The 2012 Feasibility Study identified and evaluated a range of potential solutions to the area's transportation and land use needs, resulting in recommendations to implement roadway improvements; transit service expansion; and land use, zoning and growth management measures in a regionally planned and coordinated manner. The Study highlighted that all three of these strategies are necessary to address the existing transportation congestion and capacity issues. A regional approach is necessary to provide more efficient land use choices, expand transit services, and maximize the efficiency and safety of the roadway system to avoid an over-reliance on adding highway capacity.

H. The 2012 Feasibility Study identified two alternative highway improvement scenarios to address congestion and safety within the study area:

- (1) further develop, widen and expand the capacity of existing roads and intersections along the congested routes; or
- (2) build a limited access by-pass corridor to provide unimpeded mobility, remove traffic from existing roads, and preserve local roads for local destinations including residential, village, and small businesses areas.

I. Maine DOT has limited resources with which to build either scenario recommended by the 2012 Feasibility Study. If granted Legislative authority, MTA does have the fiscal capacity to plan for and build a limited access by-pass through the region as a connector to the Turnpike provided that a toll is imposed to build and maintain the connector and amortize necessary bonding.

J. Until a new strategy for regional traffic management is defined for the study area, it is not possible for municipalities to complete long range plans for future land use, to zone affected regions appropriately, to consider how and where to extend public utilities, or to determine how best to develop or preserve existing villages in North Scarborough, South Gorham and other areas under pressure from growing congestion.

K. All area communities have benefited from extensive reviews and studies conducted by ( PACTS) which is the region's federally-mandated metropolitan planning organization.

NOW, THEREFORE,

1. Given the public consensus among municipal and regional interests, the shortage of resources from the Maine Department of Transportation, the compelling long term and sustainable safety, environmental and livability advantages of a new limited access highway, and the fiscal capacity of the Maine Turnpike to address such needs, we urge the Maine Legislature to find it in the public interest for the Turnpike to pursue planning and development of a limited access connector between South Gorham and an appropriate juncture to the Maine Turnpike at or near Exits 44 or 45.

2. The undersigned communities find that building a new limited access highway corridor is appropriate from an economic, environmental, and land planning perspective if done in conjunction with coordinated plans supported by each of the engaged municipalities under guidance and coordination from PACTS.

3. Each of the undersigned municipalities pledges to make sensible and appropriate land planning decisions to adjust to improved patterns of travel through and within the affected area in coordination with each other.

Item # 9195      Action to consider endorsing an application by the Gorham Economic Development Corporation, to the Maine Development Foundation to have the Town of Gorham join their “Maine Downtown Network Program”.(Admin. Spon.)

Proposed  
Order # 9195      Ordered, that the Town Council endorse the work of the Gorham Economic Development Corporation to prepare and submit an application to the Maine Development Foundation, for the purpose of having the Town of Gorham join the “Maine Downtown Network Program” with approximately 19 other Maine Communities as members of the Program.

Item # 9196      Action to consider a request from Roger Gagnon to amend the Land Use & Development Code to allow varied density in large houses in the Gorham Village area, as recommended in the recently updated Comprehensive Plan. (Admin. Spon.)

Proposed  
Order #9196      Ordered, that the Town Council refer a request to amend the Land Use & Development Code, to allow varied density in large houses in the Gorham Village area, as recommended in the Comprehensive Plan, to the Ordinance Committee, for their review and recommendations, and  
Be It Further Ordered, that a temporary waiver be granted to the property at 198 Main Street, to allow the continued renting/or owner occupancy of the studio, until May 31, 2018, to allow sufficient time for the Town Council to review and decide this zoning issue.

Item # 9197      Action to consider a drainage easement in the Bartlett Subdivision, located on Longmeadow Drive. (Admin. Spon.)

Proposed

Order # 9197      Ordered, that the Town Council approve a drainage easement in the Bartlett Subdivision, located on Longmeadow Drive.

Item # 9198      Action to consider an over limit permit for a MDOT paving project on Route 114. (Admin. Spon.)

Proposed

Order # 9198      Ordered, that the Town Council approve an over limit permit for an approximate 4.7 miles MDOT paving project for Route 114.

Item # 9199      Action to consider making appointment to various Town Boards and Committees. (Admin. Spon.)

Proposed

Order # 9199      Ordered, that the Town Council appoint the following people to serve on;

Planning Board;  
Board of Appeals;  
Economic Development Corporation;  
Fair Hearing Board;  
Conservation Commission;  
Board of Voter Registration Appeals;  
Baxter Library Board of Trustees;  
Board of Assessment;  
Historic Preservation Committee;

Item # 9200      Action to go into Executive Session pursuant to Title 1 MRSA Section 405 (6) (A) to discuss a personnel matter. (Admin. Spon.)

Proposed

Order # 9200      Ordered, that the Town Council go into Executive Session pursuant to Title 1 MRSA Section 405 (6) (A) to discuss a personnel matter.

Adjourn