

REPORT OF THE  
GORHAM TOWN COUNCIL  
REGULAR MEETING  
March 7, 2017

Chairman Phinney opened the meeting with the Pledge of Allegiance to the Flag. There were 6 members of the Public in attendance at the start of the meeting.

Roll Call: Chairman Phinney, Councilors Benner, Shepard, Smith, Hartwell, Hager and Stelk. Also present, Town Manager David Cole and Town Clerk Laurie Nordfors.

Moved by Councilor Stelk, seconded by Councilor Shepard and VOTED to accept the minutes of the February 7, 2017 Regular Town Council Meeting. 7 yeas

#### Councilor Communications

Councilor Benner reported that the Appointments Committee met and filled all of the vacancies on the Town Boards and Committees. They were very pleased with the number of applications and noted that it was very hard to make their decisions.

Councilor Hager reported that the Finance Committee met on March 2<sup>nd</sup> and acknowledged that all finances were right on track.

Councilor Stelk disclosed that a powered stop sign would be going in at the intersection of Mallison Street and Mosher Road this spring.

Chairman Phinney congratulated the Gorham High School Girls Basketball team for winning the State Tournament and also congratulated all Gorham High School Student Athletes for a great season.

#### Town Manger Report

David Cole revealed that the Gorham East-West Corridor Bill is on the Agenda tonight and a Public Hearing will be scheduled in the near future. He reported that the Main Street Project will be discussed at the GEDC Meeting on March 15.

#### School Committee Report

Darryl Wright congratulated the GHS Girls' Basketball team on their undefeated season and 2<sup>nd</sup> State Championship for Class AA in two years. He encouraged everyone to check out the School Departments new website. He reported that the Finance Committee just approved moving forward with Oak Point Associates being the company to conduct a feasibility study on our top 3 options. The School Committee is also working with two different district wide study groups to study adolescent sleep patterns and asking if the school day should start later for some students or a longer instructional day for all our students. They are also looking to do a K-5 reconfiguration. The School Department is working its way through the Budget process. The Public is invited to attend the School committee workshop meeting on March 15<sup>th</sup> at 7pm in the Conference Room upstairs at the Municipal Center. The next School Committee regular meeting is scheduled for March 8<sup>th</sup>.

## Old Business

Item # 9183                      Ordered that the Town Council approve 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.

Moved by Councilor Hager, seconded by Councilor Hartwell and VOTED to amend the order to state;

ORDERED, that the Town Council authorize, on a temporary basis, the Public Works Department to snow plow and sand Paul Smiths' private driveway, located at the end of Phinney Street, to provide an additional location for Municipal vehicles to turn around, subject to Paul Smiths' continued written permission to do so and,

BE IT FURTHER ORDERED, that the Town Council direct Town Staff to look for better options to provide a turnaround for Municipal Vehicles. 6 years (Councilor Smith was recused from the vote)

Item # 9183 was voted as amended 6 years (Councilor Smith was recused from the vote)

Chairman Phinney opened Public Hearing #1. There were no comments from the Public and the hearing was closed.

Item # 9191                      Moved by Councilor Shepard, seconded by Councilor Stelk and ORDERED, that the Town Council approve a renewal liquor license for School Street Pub & Grill, 29B School Street. 7 years

Chairman Phinney opened Public Hearing # 2. There were no comments from the Public and the hearing was closed.

Item # 9192                      Moved by Councilor Stelk, seconded by Councilor Hager and ORDERED, that the Town Council approve a renewal liquor license for MK Kitchen, 2 School Street. 7 years

Chairman Phinney opened Public Hearing # 3. There were no comments from the Public and the hearing was closed.

Item # 9193                      Moved by Councilor Stelk, seconded by Councilor Hager and VOTED to waive the reading of the order. 7 years

Moved by Councilor Shepard, seconded by Councilor Benner and ORDERED, 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 # 9193 was voted 7 yeas.

Item # 9194                      Moved by Councilor Shepard, seconded by Councilor Benner and VOTED to waive the reading of the Order. 7 yeas

Moved by Councilor Benner, seconded by Councilor Shepard and ORDERED,

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 (Maine DOT) 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, Maine DOT, 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 # 9194 was voted 7 yeas.

Item # 9195                      Moved by Councilor Stelk, seconded by Councilor Hager and 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. 7 years

Item # 9196                      Moved by Councilor Shepard, seconded by Councilor Benner and 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. 7 years

Item # 9197                      Moved by Councilor Benner, seconded by Councilor Shepard and ORDERED, that the Town Council approve a drainage easement in the Bartlett Subdivision, located on Longmeadow Drive. 7 years

Item # 9198                      Moved by Councilor Shepard, seconded by Councilor Benner and ORDERED, that the Town Council approve an over limit permit for an approximate 4.7 mile MDOT paving project for Route 114. 7 years

Item # 9199                      Moved by Councilor Benner, seconded by Councilor Shepard and ORDERED, that the Town Council appoint the following people to serve on:

Planning Board:                      Scott Herrick  
Mike Richman

Board of Appeals:                      Janice Labrecque

Economic Development Corporation:    Dan Nichols, 3 year term  
Todd Chase, 3 year term  
Ethan Johnson, 3 year term  
Sarah Jackson, 1 year term  
Chris Kelly, 1 year term

Fair Hearing Board:                      Stephen Soule

Conservation Commission:                      Anton Gulovsen  
Jodie Keene

Board of Voter Registration Appeals: Janice Labrecque  
Denise Quint

Baxter Memorial Library Trust: Megan Hills  
Mary Collins  
Meghan Grassi  
Heidi Pratt

Board of Assessment: Craig Sterling  
James Cupps

Historic Preservation Commission: Nancy Kenty, 3 year term  
Noah Miner, 3 year term  
Bruce Roullard, 3 year term  
Marylee Dodge, 2 year term  
Michael Towle, 2 year term  
Nicole Shaffer, 1 year term  
Marsha Weeks Trail, 1 year term

Item # 9199 was voted 7 yeas.

Item # 9200 Moved by Councilor Hager, seconded by Councilor Stelk and ORDERED, that the Town Council go into Executive Session pursuant to Title 1 MRSA Section 405 (6) (A) to discuss a personnel matter. 7 yeas

Moved by Councilor Benner, seconded by Councilor Shepard and VOTED to come out of Executive Session. 7 yeas

Moved by Councilor Shepard, seconded by Councilor Stelk and VOTED to adjourn. 7 yeas  
Time of adjournment 7:52pm

A True Record of Meeting

ATTEST \_\_\_\_\_  
Laurie Nordfors, Town Clerk