

REPORT OF THE
GORHAM TOWN COUNCIL
REGULAR MEETING
Burleigh Loveitt Council Chambers
October 4, 2022

Chairman Pratt opened the meeting. There were 30 members of the public in attendance.

Roll Call: Chairman Pratt, Councilors Shepard, Wilder Cross, Phillips, Hartwell, Hager and Kuech. Also in attendance were Town Manager Ephrem Paraschak and Assistant Town Clerk Letitia Genest.

Moved by Councilor Hager, seconded by Councilor Shepard and VOTED to accept the Minutes of the September 6, 2022 Regular Town Council Meeting and the September 20th and 27th, 2022 Special Town Council meeting. 7 yeas

Open Public Communications

James Walker, Robert McNally, William Irving, James Means and Linda Pearson expressed their concerns over the recent town wide revaluation and the inaccurate calculations and significant errors on tax assessments.

Lynn Theisen voiced her concern with the property tax stabilization program and would like to see the taxes capped at last year's rates.

Charlie Pierson thanked the Council for supporting the repavement of Mighty Street. He also thanked Ben Hartwell for his many years of service to the Town of Gorham as well as his service to the Country as a Veteran and wished him well.

Councilor Communications

Councilor Hager reported that the Finance Committee met on September 19th and reviewed the annual budget to date. There were no concerns. They also discussed the Town's Fund Balance Policy and will send it back to the auditors for their review.

Councilor Kuech reported that the Little Rams Committee met and discussed their final report, which will be presented to the School Committee and then the Town Council in November. She also noted that there will be a meet the candidate's night at the North Gorham Library on October 19th from 6pm-8pm.

Councilor Wilder Cross attended the GPCOG regional meeting where they discussed plans for the upcoming year to expand housing choices for the homeless, public transportation options and the need to continue welcoming asylum seekers. She happily reported that the 15th annual New Year's Gorham is in the works with more information to come. She also noted that the Gorham Village Alliance has planted fall flowers around town in the planters, the USM annual Outdoor Concert will be held on October 15th at 1pm with lots of great music and food and the ribbon cutting for the new Gorham Skate park will be held this Thursday.

Councilor Phillips thanked Councilor Hartwell for his many years of service on the Council and also Councilor Hager for his many years of service on the Council and School Committee. She noted that they will be missed.

Councilor Shepard reminded citizens of the upcoming Gorham Skate park ribbon cutting this Thursday, October 6th.

Councilor Hartwell reported that the Ordinance Committee met on September 20th and discussed recreation impact fees and the White Rock mixed use maps. Next month they will be discussing long term pedestrian improvements. He also spoke a bit on the recent revaluation and noted that the tax assessments were based on current market conditions.

Chairman Pratt attended the September 29th Jetport Noise Abatement Committee meeting and reported all is normal at the jetport. He also congratulated Nate Moody for being recognized as one of Maine Biz 40 under 40 young business leaders. As always, Chairman Pratt encouraged anyone to give blood if they can.

Town Manager Report

Town Manager Paraschak reminded citizens that absentee ballots are available for the November 8th election. He noted that tax bills have gone out for the new tax year and if there are any discrepancies or errors, he encouraged citizens to apply for an abatement. Town Manager Paraschak thanked the Gorham Police Department for conducting a successful safety training for Municipal Staff last week. He also acknowledged that Baxter Memorial Library will hold their annual Halloween parade through the municipal building on October 25th.

School Committee Chairman Ann Schools reported the following:

Enrollment Numbers

Enrollments are still not official until October 15th, however, the most current information regarding total enrollment for the 2022-23 School Year as compared to the 2021-22 School Year and to the NESDEC projections are found below.

| School | 2021 | 2022 | Difference | (+/-) Proj. | Enrollment | Difference (+/-) |
|----------------------|-------------|-------------|-------------------|--------------------|-------------------|-------------------------|
| Great Falls Elem. | 509 | 485 | | -24 | 514 | -29 |
| Narragansett Elem. | 361 | 361 | | 0 | 357 | 4 |
| Village Elem. | 415 | 433 | | 18 | 428 | 5 |
| Gorham Middle School | 630 | 642 | | 12 | 640. | 2 |
| Gorham High School | 838 | 810 | | -28 | 796 | 14 |
| Totals | 2753 | 2731 | | -22 | 2735 | -4 |

Overall, enrollments are very close to the NESDEC projections across grades K-12. However, you will see that enrollments are slightly lower at the K-5 level and higher at the 6-12 level. Also note that these numbers do not include our new Pre-K students. So although we lost 22 students overall we gained 8 Pre-K students so the net loss was 16.

ASPIRE GORHAM

Our Aspire Gorham work has been very productive again this year! Attached please find a data snapshot of all the work that was done in 2021-22 with Gorham students to get them thinking about their aspirations through exposure, exploration, and experience!

NWEA

NWEA testing for the fall is going on across grades 1-10 this month in Math and Reading. This data is not used as state testing data. It is instead used as benchmark data for the district to measure program effectiveness and to inform instructional practices. We track this data at length and share it annually through our State of the Schools Report. If interested, you can find our State of the Schools Report by going to our website and clicking on "About Us" then on "Our Learning System" and finally on the "Annual State of Schools Reports."

Little Rams

Our Little Rams Committee work has been completed and a report has been created entitled "Bright Futures for Little Rams: Gorham's Early Childhood Partnership Plan." This plan will be presented to the Gorham School Committee at our meeting tomorrow night. Superintendent Perry has reached out to the Town Council to request that this plan also be presented at your regular meeting in November. We can't wait to share all the great work in this area

FOAA Requests

The Gorham School Department has been inundated with public record requests recently. Searching for and assembling records in accordance with state law is very time intensive and expensive for the school district.

To further promote transparency and in hopes that this effort might reduce the number of public record requests received pertaining to similar matters, we have decided to make all public record requests, along with corresponding records that were shared public. You can view this information by going to our website and clicking on "Community" and then "FOAA Requests."

We take our responsibility to provide transparency to the public very seriously and we welcome the opportunity to share information. We encourage individuals with questions to reach out to our School Committee members or to Superintendent Perry. We also encourage people to attend our public school committee meetings and workshops which are held monthly. Our agendas and meeting minutes can be found on our website.

Pre K Grant

Gorham schools will be pursuing a state level grant application to see if we can fund new Pre-K programs on site at our schools but also in partnership with our private childcare providers in Gorham. We will be sharing information on this application with the School Committee tomorrow, so please tune in if you wish to learn more!

Our next regular meeting is tomorrow, October 5, 2022 at 7:00pm in Council Chambers

Public hearing #1**On Item #2022-10-1**

Public hearing to hear comment on renewal applications for Automobile Graveyards/Junkyard Permits for 2022-2023. (Admin. Spon.)

Chairman Pratt opened public hearing #1. There were no comments from the public and the hearing was closed.

Proposed**Order #22-114**

Moved by Councilor Hager, seconded by Councilor Phillips and Ordered, that the Town Council approve renewal applications for the following Automobile Graveyard/ Junkyard Permits for 2022-2023;

| | | |
|-----------------|-------------------------------|-------------------------|
| STEVE LUCE | LKQ CORP/GORHAM AUTO | 192 NARRAGANSETT STREET |
| JIM STONE | CASCO FEDERAL CREDIT UNION | 375 MAIN STREET |
| GARY NELSON | CHET'S AUTO SALES | 475 OSSIPEE TRAIL |
| SHAWN MOODY | MOODYS/INSURANCE AUTO AUCTION | 200 NARRAGANSETT STREET |
| GORDON REICHERT | REICHERT'S AUTO BODY | 112 SHAWS MILL ROAD |
| JOHN DUMBROOCYO | DUMBO ENTERPRISE | 86 LONGFELLOW ROAD |

Order #22-114 VOTED 7 yeas

Public hearing #2**On Item #2022-10-2**

Public hearing to hear comment on a proposal to issue a Large Outdoor Event License to Daniel Walker for an event at Raceway Drive on 10-29-22. (Admin. Spon.)

Chairman Pratt opened public hearing #2. There were no comments from the public and the hearing was closed.

Proposed**Order #22-115**

Moved by Councilor Wilder Cross, seconded by Councilor Hager and Ordered, that the Town Council issue a Large Outdoor Event License to Daniel Walker for an event at Raceway Drive on 10-29-22.

Order #22-115 VOTED 7 yeas

Public hearing #3
On Item #2022-10-3

Public hearing to hear comment on a proposal to amend the Town's General Assistance Ordinance by updating the maximum levels of assistance as required by the State. (Admin. Spon.)

Chairman Pratt opened public hearing #3. There were no comments from the public and the hearing was closed.

Proposed
Order #22-116

Moved by Councilor Shepard, seconded by Councilor Phillips and Ordered, that the Town Council amend the Town's General Assistance Ordinance by updating the maximum levels of assistance as required by the State.

Order #22-116 VOTED 7 yeas

Public hearing #4
On Item #2022-10-04

Public hearing to hear comment on a proposal to issue a Large Outdoor Event License to Shawn Moody for an event at Raceway Drive on October 15, 2022 (Admin. Spon.)

Chairman Pratt opened public hearing #4. There were no comments from the public and the hearing was closed.

Proposed
Order #22-117

Moved by Councilor Shepard, seconded by Councilor Hager and Ordered, that the Town Council issue a Large Outdoor Event License to Shawn Moody for an event at Raceway Drive on October 15, 2022.

Order #22-117 VOTED 7 yeas

OLD BUSINESS

Item #2022-9-6

Action to amend the Zoning Map to change the area in the vicinity of South Street to Brackett Road from Rural and Suburban Residential District to the Urban Expansion District and the area in the vicinity of New Portland Road and Lowell Road from the Rural District to the Suburban Residential District. (Admin. Spon.)

**Proposed
Order #22-118**

Moved by Councilor Shepard, seconded by Councilor Hager and Ordered, that the Town Council amend the Zoning Map to change the area in the vicinity of South Street to Brackett Road from Rural and Suburban Residential District to the Urban Expansion District and the area in the vicinity of New Portland Road and Lowell Road from the Rural District to the Suburban Residential District.

Order #22-118 VOTED 5 yeas 2 nays (Hager, Wilder Cross)

**Item #2022-4-8
Spon.)**

Action to amend the Fire Suppression Systems Ordinance (Admin.

**Proposed
Order #22-119**

Moved by Councilor Hartwell, seconded by Councilor Wilder Cross and Ordered, that the Town Council amend the Fire Suppression Systems Ordinance as follows:

**Moved by Councilor Hager, seconded by Councilor Wilder Cross and VOTED to waive
The reading of Order #22-119 due to length. 7 yays**

Section XII. Any structure containing a sprinkler/suppression system shall be required to have a yearly test completed on the system by a qualified, Maine-licensed sprinkler technician. A written copy of the yearly test report shall be forwarded to the Fire Chief's Office by the Maine-licensed technician, or his firm; however, if the technician, or his firm, is not paid in full for the inspection services within 30 days of the inspection, the Fire Department shall consider the inspection incomplete and in violation of this section of the Ordinance.

Notwithstanding this section, the owner of a one or two family dwelling with an NFPA 13D system, except for the antifreeze systems, may conduct the annual sprinkler inspection using an self- inspection form provided by the Fire Department if the owner has attended a training course provided by the Fire Department and is recertified every ~~third~~ fifth year with an on-line course, or equivalent, provided by the Fire Department. The completed self- inspection form shall be forwarded to the Fire Chief's Office.

Every ~~four~~ (4) five (5) years or when there is a change in ownership of the building, whichever occurs sooner, the sprinkler/suppression system,

including any antifreeze loops shall be inspected by a qualified, Maine-licensed sprinkler Technician and the report shall be forwarded to the Fire Chief's Office by the Technician or his firm.

Homeowners shall be provided with a notice from the Town on associated risks related with self-certification

Order #22-119 VOTED 7 yeas

Item # 2021-09-11 Action to consider amendments to the Land Use and Development Code to promote effective multi-family development in the Town of Gorham. (Councilor Hartwell Spon.)

Proposed

Order #22-120 Moved by Councilor Hartwell, seconded by Councilor Hager and Ordered, that the Town Council forward to the Planning Board, for review and public hearing, amendments to the Land Use and Development Code to promote effective multi-family development in the Town of Gorham as recommended by the Ordinance Committee, which are as follows with proposed amendment edits shown in black, underlined, and ~~struckthrough~~:

Moved by Councilor Hartwell, seconded by Councilor Hager and VOTED to waive the reading of Order #22-120 due to length. 7 yeas

Proposed Amendment:

CHAPTER 1: ZONING REGULATIONS

SECTION 1-5 - DEFINITIONS

Accessory Apartment A separate dwelling unit that has been added on, or created within, a lot with a single family house for the purpose of providing separate living accommodations.

CHAPTER 2: GENERAL STANDARDS OF PERFORMANCE

SECTION 2-2 – PARKING, LOADING, AND TRAFFIC

A. OFF-STREET PARKING STANDARDS

Accessory Apartments 1 parking space per each accessory apartment

SECTION 2-4 - RESIDENTIAL

C. ACCESSORY APARTMENTS

Accessory apartments ~~are~~ is a permitted use in all ~~the UR, SR, R~~ zoning districts which allow single-family dwelling or a lot where a single-family exists, subject to the approval of the Code Enforcement Officer and adherence to the following standards:

1. The owner(s) of the ~~lot principal structure~~ must reside in the principal structure or one of the accessory unit apartments.
2. The number of occupants of ~~the any~~ accessory ~~unit apartment~~ is limited to two.
3. ~~The a~~ Accessory ~~unit apartment~~ shall contain up to a maximum of 800 square feet of living space and shall not be less than 190 square feet in area.
4. ~~Accessory dwellings~~ apartment on a lot with the ability to connect to public sewer shall be served by public sewer unless the Portland Water District determines that there is not capacity in the sewer main or treatment facility. For ~~a lot~~ lots without the ability to connect to public sewer, ~~the~~ the septic systems on the ~~property lot~~ property lot in question shall be functioning properly at the time of application and ~~is~~ shall be sufficiently designed to meet the new anticipated capacity required under all State and local regulations for septic systems.
 - a. For accessory apartment attached to the existing single-family dwelling, if expansion of the septic system is required to meet the increased flow from the accessory apartment, the applicant shall submit an HHE-220 form to the Code Enforcement Officer for review and approval prior to the installation of the system. Any septic system expansions will need to be completed prior to the certificate of occupancy being issued for the accessory apartment.
 - b. Accessory apartment detached from the existing single-family dwelling are required to each have a separate and functioning septic system meeting all State and local regulations for septic systems. Clustered systems are prohibited as set forth in the Town of Gorham Waste Water Ordinance, Article IV – Private Wastewater Disposal Systems, Section 7 – Cluster Systems Prohibited.
5. ~~The parking requirements of the Gorham Land use and Development Code shall be adhered to.~~ For a lot served by private wells the owner(s) must show evidence that water is potable and acceptable for domestic use prior to issuance of a certificate of occupancy for the accessory apartment.
6. Proper ingress and egress shall be provided to the accessory ~~unit apartment~~.
7. Should the owner(s) of the ~~principal structure or accessory apartment lot~~ be found in noncompliance of the standards contained in this section, the noncompliance shall be considered a violation of this code and subject to the fines and penalty section, and the accessory ~~unit apartment(s)~~ shall be discontinued, and the ~~structure lot~~ shall revert to single family use.
8. An accessory apartment which complies with the requirements of this subsection shall not be considered an additional dwelling unit when calculating lot area per ~~family dwelling unit~~ under the space and bulk regulations of the Code. Accessory apartment is required to meet the setbacks in the zoning district they are located in and if applicable Shoreland zoning requirements.

Only ~~one two~~ accessory apartments ~~per principal structure~~ shall be permitted on a lot.

Councilor Hartwell asked to take an item not on the agenda.

Moved by Councilor Hartwell, seconded by Councilor Pratt and VOTED to take an item not on the agenda. 7 yeas

Item # 2022-09-15 Action to consider when interest will be due on personal property and real estate taxes that are due on November 15, 2022.

Proposed

Order # 22-113 Moved by Councilor Hartwell, seconded by Councilor Wilder Cross and Ordered, that the Town Council approve when interest will be due on unpaid personal and real estate property tax bill that are due on November 15, 2022, and

BE IT FURTHER ORDERED that all taxes on real estate and personal property shall be due and payable upon approval of this Order and that one-half of all real estate and personal property taxes that remain unpaid on November 15, 2022 shall commence bearing interest on December 30, 2022, and that the final half of all real estate and personal property taxes that remain unpaid on May 15, 2023, shall commence bearing interest on May 16, 2023 at the interest rate of 4.0% per annum as authorized by Maine Law until paid and collected and the Tax Collector and Treasurer are authorized to collect and receive thereof; and

BE IT FURTHER ORDERED that the Gorham Town Council authorizes the Finance Director to accept prepayment of real and personal property taxes; and

BE IT FURTHER ORDERED that pursuant to Title 36, M.R.S.A., Section 506A, the Gorham Town Council establishes an interest rate of 0.0% per annum to be paid on all real estate and personal property taxes rebated due to overpayment of taxes; and

BE IT FURTHER ORDERED that pursuant to Title 36, M.R.S.A., Section 906, the Gorham Town Council hereby require and direct that any tax payment received from an individual as payment for any property tax be applied against outstanding or delinquent taxes due on that property in chronological order beginning with the oldest unpaid tax bill, provided, however, that no such payment shall be applied to any tax for which an abatement application or appeal is pending unless approved in writing by the taxpayer. This order shall remain in effect until rescinded by the Municipal Officers.

Moved by Councilor Hartwell, seconded by Councilor Hager and VOTED to amend the order to read as follows:

Proposed

Order # 22-113

Moved by Councilor Hartwell, seconded by Councilor Wilder Cross and Ordered, that the Town Council approve when interest will be due on unpaid personal and real estate property tax bill that are due on November 15, 2022, and

BE IT FURTHER ORDERED that all taxes on real estate and personal property shall be due and payable upon approval of this Order and that one-half of all real estate and personal property taxes that remain unpaid on November 15, 2022 shall commence bearing interest on December 30, 2022, and that the final half of all real estate and personal property taxes that remain unpaid on May 15, 2023, shall commence bearing interest on May 16, 2023 at the interest rate of 4.0% per annum as authorized by Maine Law until paid and collected and the Tax Collector and Treasurer are authorized to collect and receive thereof; and

BE IT FURTHER ORDERED that the Gorham Town Council authorizes the Finance Director to accept prepayment of real and personal property taxes; and

BE IT FURTHER ORDERED that pursuant to Title 36, M.R.S.A., Section 506A, the Gorham Town Council establishes an interest rate of 4% per annum to be paid on all real estate and personal property taxes rebated due to overpayment of taxes; and

BE IT FURTHER ORDERED that pursuant to Title 36, M.R.S.A., Section 906, the Gorham Town Council hereby require and direct that any tax payment received from an individual as payment for any property tax be applied against outstanding or delinquent taxes due on that property in chronological order beginning with the oldest unpaid tax bill, provided, however, that no such payment shall be applied to any tax for which an abatement application or appeal is pending unless approved in writing by the taxpayer. This order shall remain in effect until rescinded by the Municipal Officers.

Order #22-113 VOTED as amended 7 yeas.

NEW BUSINESS

Item #2022-10-5

Action to consider appointments to the Robie Park Master Plan Steering Committee. (Appointments Committee Spon.)

Proposed

Order #22-121

Moved by Councilor Wilder Cross, seconded by Councilor Phillips and Ordered, that the Town Council appoint the following people to the Robie Park Master Plan Steering Committee:

| | |
|---|---------------------------------------|
| Robie Park Neighborhood Resident: | Michael Chabot |
| Resident not from immediate neighborhood: | Katherine Garrard |
| Business Community Member: | Rob Delaney |
| Conservation Commission Representative | Jacinda Wilson |
| School Committee Member: | Sarah Perkins |
| High School Student: | Laurel Emerson |
| Council Members: | Virginia Wilder Cross, Ronald Shepard |

Order #22-121 VOTED 7 yeas

Item # 2022-10-6

Action to consider a contract zone on Map 29, Lot 4.001 in the Rural zone to allow for a dog kennel business. (Councilor Hartwell Spon.)

Proposed

Order #22-122

Moved by Councilor Hartwell, seconded by Councilor Wilder Cross and Ordered, that the Town Council forwards to the Planning Board, for review and public hearing, a proposal to add a contract zone on Map 29, Lot 4.001 in the Rural zone to allow for a dog kennel business; and
Be It Further Ordered, that the Planning Board forward its final recommendations back to the Town Council for final review and public hearing.

Order #22-122 VOTED 7 yeas

Item # 2022-10-7

Action to consider instructing the Ordinance Committee to review kennel setbacks and screening requirements. (Councilor Hartwell Spon.)

Proposed

Order # 22-123

Moved by Councilor Hartwell, seconded by Councilor Phillips and Ordered, that the Town Council forwards to the Ordinance Committee, for review and recommendation, amending kennel setbacks and screening requirements in the Land Use and Development Code.

Order #22-123 VOTED 7 yeas

Moved by Councilor Hager, seconded by Councilor Hartwell and VOTED to adjourn. 7 yeas

Time of adjournment: 8:35pm

A True Record of Meeting
10-04-2022


ATTEST

Laurie Nordfors, Town Clerk
10-05-2022

