

REPORT OF THE
GORHAM TOWN COUNCIL
REGULAR MEETING
Burleigh Loveitt Council Chambers
August 1, 2023

Chairman Pratt opened the meeting. There were 25 members of the public in attendance.

Roll Call: Chairman Pratt, Councilors Shepard, Wilder Cross, Phillips, Lavoie, Siegel and Gagnon. Also in attendance were Town Manager Ephrem Paraschak and Town Clerk Laurie Nordfors.

Moved by Councilor Phillips, seconded by Councilor Gagnon and VOTED to amend the minutes to correct the vote of approving the July 11, 2023 minutes to 5 yeas, 1 nay (Wilder Cross), 1 abstention (Pratt) **7 yeas**

Moved by Councilor Gagnon, seconded by Councilor Phillips and VOTED to accept the Minutes of the July 11, 2023 Regular Town Council Meeting as amended. **7 yeas**

Open public communications

Sarah Plummer, Brookwood Drive, Delvina Miremadi-Baldino, Gordon Farms Road, Mark Jutkiewicz, Hidden Pines Drive and Kellie Deveaux, Herrick Drive voiced their concerns on the school budget cuts and hoped the School Department and the Town Council can come to an agreement on a budget that will benefit both the students and tax payers.

Councilor Communications

Councilor Siegel acknowledged all of the well wishes from residents during his recent illness and also thanked residents for their many emails and calls about Town issues, which Councilor Siegel noted that he tries to address each and every one of them.

Councilor Wilder Cross reported that during the July Ordinance Committee meeting, the discussion continued regarding the proposed Contract Zone for the Village expansion, which hopefully will be on the September Council meeting agenda. The Council considered three items, referred by the Ordinance Committee, on the August agenda which were regarding pedestrian improvements, curb cuts on arterial and designated collectors and stream protection. The next Ordinance Committee meeting will be August 21st. Councilor Wilder Cross reminded residents that the Gorham Village Alliance will sponsor Art on South, which will be held on Saturday, September 9th from 10-2 on the Preble Street Common (next to Robie Gym). Many local artists have already registered, but applications are still being accepted. If you want to exhibit your arts/crafts, contact the Gorham Village Alliance. Information is available on their Facebook page or you can reach out to them at gorhamvillagealliance@gmail.com. She also reminded residents that beginning at the end of this month, the Husky Line will be extended to run all the way from Gorham to the Old Port, with no transfers necessary. Councilor Wilder Cross pointed out that if you have not yet taken advantage of the trail that begins at Cherry Hill, that she highly recommends it. She expressed that families with young children will truly enjoy the storybook trail and amazing wood carvings along the way. Also, she thanked Public Works for installing the benches which are popping up in the Village area.

Councilor Phillips informed residents of the Farmers Market at Cherry Hill Farms on Wednesdays from 2:00-6:00 through September. She reported that the Capital Improvements Committee met on July 20th and discussed the Chick Master Plan. They are hoping to choose a night in September to meet and discuss roadways in and around the property. The next meeting will be on August 17th.

Councilor Lavoie reported that the Finance Committee will meet on August 8th at 5:30pm and review the annual auditors report.

Councilor Gagnon reflected on the recent Robie Park Steering Committee Community Charrette, that was held on July 12, where over 60 people attended and gave their input and wonderful ideas for the Park. He commended Town Manager Ephrem Paraschak and Community Development Director Tom Poirier for putting together a great presentation. The next meeting will take place in late September.

Chairman Pratt reminded citizens to donate blood if possible and pointed out that there will be a blood drive at Cressey Road Church on August 3rd. He also attended the ribbon cutting at Modern Rug and revealed that the building is incredible and that the business “does it all” if you need your rugs cleaned.

Town Manager Report

Town Manager Paraschak reminded residents of the Plummer Road Culvert construction, which will start soon and continue for 4-6 weeks. For any questions or concerns, contact Public Works. He also explained that the State program LD-290, Senior Property Tax Stabilization Program has been repealed by the State. There are two new programs that will take its place. More information can be found on the Maine.gov website or by contacting the Town Office. Town Manager Paraschak reported that the Summer Food Trucks at Little Falls Rec is still going strong. They are open on Thursdays from 4:00-8:00pm. He also revealed that the Towns Bond rating is at its highest and congratulated our Finance department on a wonderful job.

School Committee Report

Sarah Perkins, Chair reported the following:

Beginning of School:

Bus routes will be published on August 17 in the Gorham Times and on our website.

First days of school:

August 22: Staff

August 28: Students in grades 6, 9 and Pre-K

August 29: Students in grades 1-5 and 7-8 and 10-12

September 5: Students in kindergarten

An opening letter to all parents/guardians and staff will be sent by Superintendent Perry later this week with all the details!

2023-2024 School Budget:

A review of the path thus far:

June 13th: Original FY 24 proposed budget failed at referendum.

July 11th: School Committee presented 2nd proposed budget with a further reduction of \$909,000. The Town Council voted to reduce that proposed budget by an additional

\$2,000,000. The School Committee met later that same night to identify the cuts that would need to be made to meet that reduced budget amount.

July 18th: The School Committee unanimously passed a resolution in opposition to the TC approved budget amount.

July 25th: Second FY 24 proposed budget failed at referendum.

July 26th: The School Committee is now operating off of the most recently passed budget by the Town Council. Due to this, the SC had to move forward with reductions to positions based on the July 11 vote regardless of the results of the referendum.

Looking ahead:

August 2nd: The School Committee will meet to approve a 3rd proposed school budget.

August 8th¹: Public hearing on the 3rd proposed budget (if draft timeline is approved by Council later tonight).

August 1st: Third school budget referendum (if draft timeline is approved by Council later tonight).

Moving Forward:

The School Committee is committed to improving the budget process and overall collaboration with the Town Council to provide the best possible education to the children of Gorham while keeping taxes as low as possible for residents and business owners alike.

We've begun discussions around several ways to work toward this goal, including:

Work by the Finance Sub-Committee to explore revenue generating and expense reducing items.

Inviting members of the Town Council to our annual "Desert & Discuss" event in November, which is the formal "kick off" to our annual budget development process.

A joint workshop meeting to be held between both boards in December to discuss the establishment of initial budget targets for FY 25 and beyond

Inviting the Town Council and members of the community to participate in a "Fiscal Sustainability Committee," along with officials from the Planning Board, GEDC, and School/Business Roundtable to name a few. This committee will be advisory in nature and will be charged with developing a report to be delivered to the TC and SC outlining large scale fiscal needs in our community over the next 3, 7, and 10 years and corresponding recommendations for how we meet these challenges.

Public hearing #1

On Item #2023-8-1

Public hearing to hear comment on a proposal to issue a renewal Medical Marijuana License to Andrew Clough, White Pine Technologies, LLC, 15 Pearson Drive. Property owned by Bob Pearson. (Admin Spon)

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

Proposed

Order #23-102

Moved by Councilor Phillips, seconded by Councilor Siegel and Ordered, that the Town Council issue a renewal Medical Marijuana License to Andrew Clough, White Pine Technologies, LLC, 15 Pearson Drive. Property owned by Bob Pearson.

Order #23-102 was VOTED 7 yeas

Public hearing #2

On Item #2023-8-2

Public hearing to hear comment on a proposal to issue a new Medical Marijuana License to Austin DiMaria, Green Theory Genetics, 36 Bartlett Road. Property owned by Hincks Realty LLC. (Admin Spon.)

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

Proposed

Order #23-103

Moved by Councilor Lavoie, seconded by Councilor Phillips and Ordered, that the Town Council issue a new Medical Marijuana License to Austin DiMaria, Green Theory Genetics, 36 Bartlett Road. Property owned by Hincks Realty LLC.

Order #23-103 was VOTED 7 yeas

Public hearing #3

On Item #2023-8-3

Public hearing to hear comment on a proposed amendment to the Land Use and Development Code to require underground utilities for any new subdivision, private way or site plan. (Admin Spon)

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

Proposed

Order #23-104

Moved by Councilor Wilder Cross, seconded by Councilor Siegel and Ordered that the Town Council amend the Land Use and Development Code to require underground utilities for any new subdivision, private way or site plan as follows:

Moved by Councilor Wilder Cross, seconded by Councilor Lavoie and VOTED to waive the reading of Order #23-104 due to length. 7 years

SECTION 1-11 - ROADSIDE COMMERCIAL DISTRICT

Section 1-11, E, 2, b: Utilities

~~2. All developments are required to have underground utilities.~~

SECTION 1-13 – MOSHER CORNER MIXED USE

Section 1-13, E, 2, b:

b) Utilities

~~1. All developments are required to have underground utilities.~~

SECTION 1-16 – NARRAGANSETT MIXED-USE DEVELOPMENT DISTRICT

Section 1-16, E, 5:

5) Public Utilities

~~b) All developments are required to have underground utilities.~~

SECTION 1-24 – URBAN RESIDENTIAL EXPANSION DISTRICT

Section 1-24, E:

2. Non-residential developments and uses shall be developed to meet the following requirements:

~~a. All non-residential uses shall be served by underground utilities.~~

3. Residential developments shall be developed to meet the following requirements:

~~a. All residential uses shall be served by underground utilities.~~

SECTION 1-25 – SOUTH GORHAM COMMERCIAL DISTRICT

Section 1-25, D, 12:

12) Public Utilities

~~b) All developments are required to have underground utilities.~~

CHAPTER 1A - PLANNED UNIT DEVELOPMENT

SECTION 1A-6 - PLANNED UNIT DEVELOPMENT SITE PLAN APPROVAL

Section 1A-6, B, 8:

Zoning Amendment: Underground Utilities

1. Location of electrical service lines and all utility connections for attached residential and all non-residential uses. Utilities shall be underground in accordance with Land Use Code Chapter 2-10 Section 2-10A "Provision of Underground Utilities". ~~unless this requirement is waived by the Planning Board. Waivers shall only be granted if the Planning Board determines that underground utilities would constitute a safety hazard or that above-ground utilities can be~~

~~adequately screened.~~

SECTION 2-4 – RESIDENTIAL

Section 2-4, A, 6, f:

b. Utilities: all utilities shall be installed underground in accordance with Land Use Code Chapter 2-10 Section 2-10A “Provision of Underground Utilities”. ~~wherever possible.~~

Transformer boxes, pumping stations and meters shall be located so as not to be unsightly or hazardous to the public.

Section 2-4, B, 1, b:

b. For new construction, utilities shall ~~either~~ be placed underground in accordance with Land Use Code Chapter 2-10 Section 2-10A “Provision of Underground Utilities”. ~~or, if above the ground, designed so as to be visually compatible with the overall development.~~

SECTION 2-6 – CAMPGROUND OVERLAY DISTRICT - ESTABLISHMENT

8) All utilities (electrical, water, telephone, and cable) shall be installed underground in accordance with Land Use Code Chapter 2-10 Section 2-10A “Provision of Underground Utilities”.

SECTION 2-10 –PROVISION OF UTILITIES

Section 2-10A - Provision of Underground Utilities

A. Underground utilities shall be required for all newly constructed streets and for any new development requiring Subdivision, Private Way, and/or Site Plan Approval.

B. The Planning Board may waive the requirement for provision of underground utilities for nonresidential projects including large scale energy consumers and/ or producers where underground installation will create an undue burden based on natural features or resource constraints, as determined by the Town Engineer.

Section 2-10B - Provision of Public Water Supply

(No further edits to section)

CHAPTER 3: SUBDIVISION

SECTION 3-3 - PRELIMINARY PLAN

Section 3-3, B, 18:

Zoning Amendment: Underground Utilities

18) Location of existing and proposed electric and telephone service in accordance with Land Use Code Chapter 2-10 Section 2-10A “Provision of Underground Utilities”.

CHAPTER 4: SITE PLAN REVIEW

SECTION 4-8 - PROCEDURES FOR MAJOR DEVELOPMENTS

Section 4-8, C, 9: and after construction

1. Location and nature of electrical, telephone and any other utility services to be installed at the site in accordance with Land Use Code Chapter 2-10 Section 2-10A “Provision of Underground Utilities”.

SECTION 4-9 - APPROVAL CRITERIA AND STANDARDS

Section 4-9:

J: Utilities - The development will be provided with electrical and telephone service adequate to meet the anticipated use of the project [in accordance with Land Use Code Chapter 2-10 Section 2-10A "Provision of Underground Utilities.](#)

Order #23-104 was VOTED 7 yeas

Public hearing #4

On Item #2023-8-4

Public hearing to hear comment on a proposal to amend the Zoning Map and Land Use and Development Code to implement the Comprehensive Plan, to create the White Rock Mixed-Use District.

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

Proposed

Order #23-105

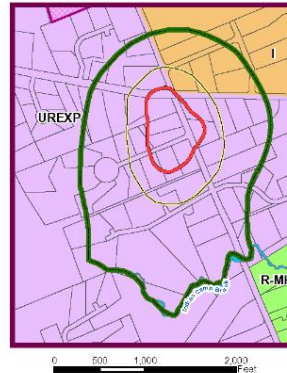
Moved by Councilor Gagnon, seconded by Councilor Siegel and Ordered, that the Town Council amend the Zoning Map and Land Use and Development Code to implement the Comprehensive Plan, to create the White Rock Mixed Use District as follows:

ZONING MAP

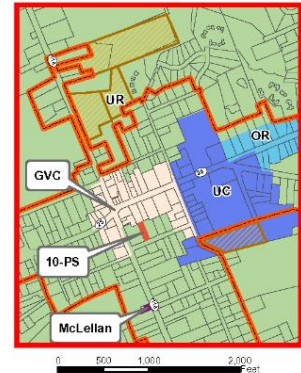
OF THE TOWN OF
GORHAM
CUMBERLAND COUNTY, MAINE
June 2023 Draft



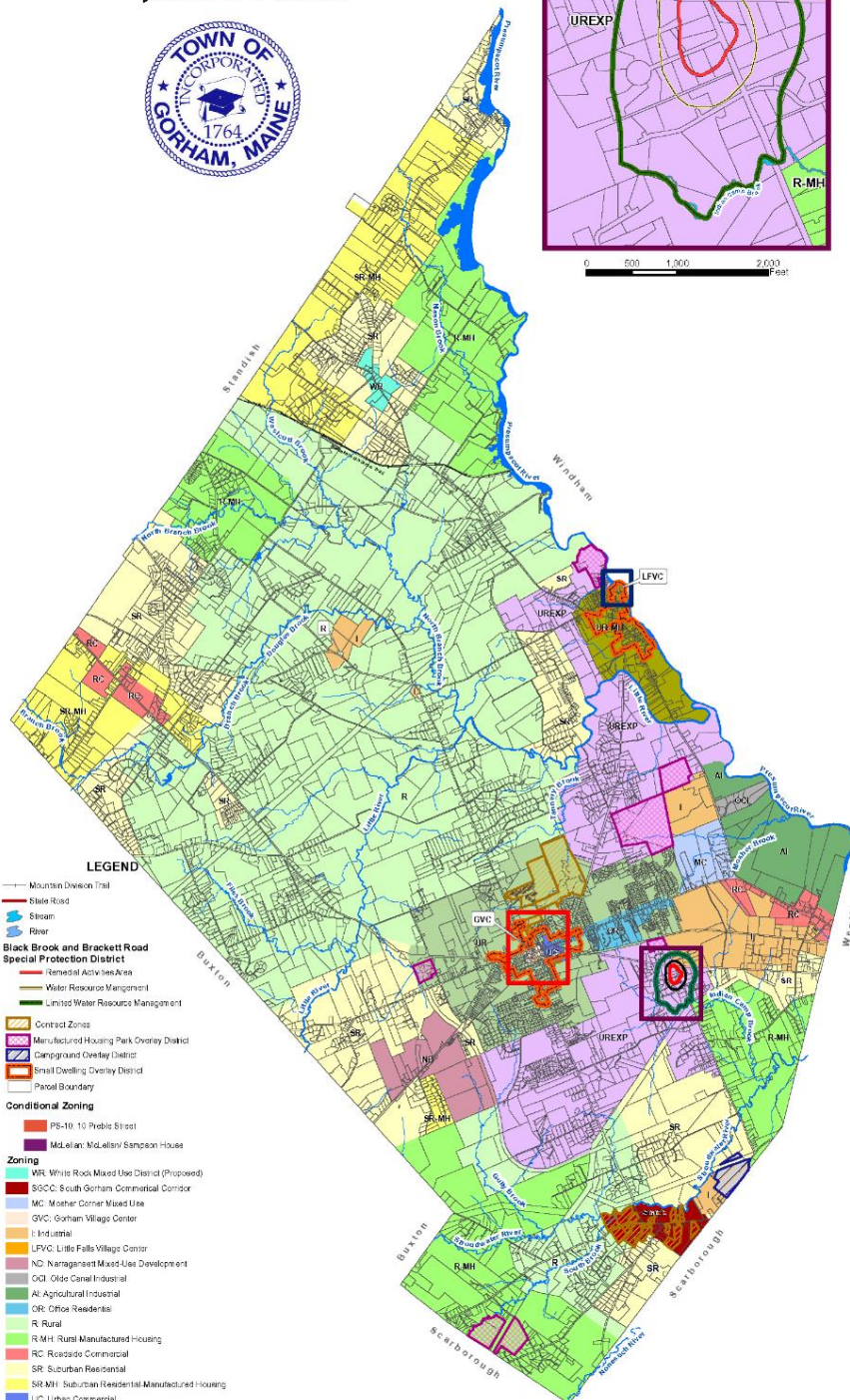
**Black Brook and Brackett Road
Special Protection District**



Gorham Village Center



Little Falls Village Center



LEGEND

- Mountain Division Trail
- State Road
- Stream
- River
- Black Brook and Brackett Road Special Protection District**
 - Remedial Action Area
 - Water Resource Management
 - Limited Water Resource Management
- Contract Zones
- Manufactured Housing Park Overlay District
- Campground Overlay District
- Small Dwelling Overlay District
- Parcel Boundary

- Conditional Zoning**
 - PS-10, 10-PS Prohibited
 - McLellan, McLellan/ Sampson House
- Zoning**
 - WM: White Road Mixed Use District (Proposed)
 - SOCC: South Gorham Commercial Corridor
 - MC: Mother Corner Mixed Use
 - GVC: Gorham Village Center
 - I: Industrial
 - LFVC: Little Falls Village Center
 - ND: Neighborhood Mixed-Use Development
 - OQ: Old Canal Industrial
 - AI: Agricultural Industrial
 - OR: Office Residential
 - R: Rural
 - R-MH: Rural Manufactured Housing
 - RC: Riverside Commercial
 - SR: Suburban Residential
 - SR-MH: Suburban Residential Manufactured Housing
 - UC: Urban Commercial
 - UR: Urban Residential
 - UR-MH: Urban Residential Manufactured Housing
 - UREXP: Urban Residential Expansion

I hereby certify that this is the Zoning Map of the Town of Gorham referred to in the Gorham Land Use and Development Code Zoning Ordinance and in the Official Zoning Map for the Town of Gorham, Maine. It includes all prior revisions and is current as of this date and was voted on by the Town Council.

Liaise Norstrom, Town Clerk

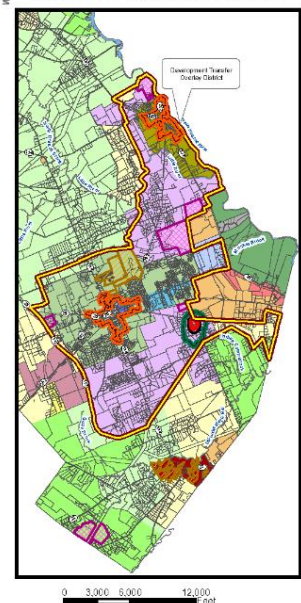
When necessary, symbols with respect to the district boundaries as shown upon this Zoning Map of the Town of Gorham, or amendments thereto, in the following shall apply:

1) Unless otherwise indicated, district boundary lines are line color lines, plotted at the time of adoption of the Code of Streets, Ways, Pathways, Waterways, or rights-of-way of public utilities and railroads or such lines extended.

2) Other district boundary lines which are not listed in the preceding paragraph shall be considered as lines separating a street and its distance from the center line of such street as indicated by the official Zoning Maps on file in the Gorham Planning Office. In the absence of a better description, its graphic code on the official Zoning Maps shall be used.

Approved by the Gorham Town Council on July 1, 2023 and effective July 1, 2023.

Development Transfer Overlay District



1 inch = 6,000 feet
0 1,500 3,000 6,000 9,000 12,000 Feet

Old Business:

Order #23-105 was VOTED 7 yeas

Old Business

Item #2022-08-02

Action to forward to the Planning Board a recommendation to develop a long-term plan for pedestrian improvements consistent with the Town's Comprehensive Plan. (Ordinance Committee Spon.)

Proposed

Order #23-106

Moved by Councilor Siegel, seconded by Councilor Wilder Cross and Ordered, that the Town Council forward to the Planning Board for public hearing and recommendations, amendments to the Town's Land Use Code as follows:

Moved by Councilor Wilder Cross, seconded by Councilor Lavoie and VOTED to waive the reading of Order #23-106 due to length. 6 yeas, 1 nay (Gagnon)

2. Proposed Amendments to Chapter 1 Zoning Regulations Section 1-1 B

Additions are underlined; deletions are ~~struck out~~

Chapter 1 Zoning Regulations

Section 1-1 General

B. ESTABLISHMENT OF ZONES

To implement the provisions of this Chapter, the Town of Gorham is hereby divided into the following classes of Districts:

Urban Residential UR

Urban Residential Expansion URExp

Suburban Residential SR

Rural R

Village Centers VC

Urban Commercial UC

Roadside Commercial RC

Industrial I

Mosher Corner Mixed Use MCMU

Office-Residential OR

Narragansett Mixed Use Development ND
Black Brook and Brackett Road Special Protection
10 Preble Street Conditional Zone
McLellan Sampson House Conditional
Olde Canal Industrial OCI
Agricultural Industrial AI
South Gorham Commercial SGCC
Shoreland Overlay District
Small Dwelling Overlay District
Manufactured Housing Park Overlay District
Development Transfer Overlay
Pedestrian Overlay District
Resource Protection Subdistrict
Stream Protection Subdistrict

Add the following zoning overlay district language:

Section 1-26

Purpose

The purpose of the Pedestrian Overlay District (PED) is to establish a safe, more diverse, healthier, financially productive and business friendly environment. The district encourages walkability which complements the overall neighborhood design.

Applicability

The PED will be applied to select areas as an overlay to existing zoning districts. The PED shall be shown on the official zoning map. The design standards are stated in Chapter 2 Section 2-5 and shall apply to both public and private rights of way.

Board of Appeals

The Board of Appeals shall have no authority to grant variances from the design standards except as a result of notice of zoning ~~determination challenge, violation for which an appeal can be filed to the Board.~~

Exceptions

1. New development within areas designated as PED is subject to the development and design standards of PED, with the following exceptions:

- a. Development exempted under Chapter 3: Subdivision, C. Administration.
- b. Development exempted under Chapter 4: Site Plan Review, Section 4-2 Applicability, A. and B.

~~Change of use, non-residential to non-residential with no expansion.~~

~~A change of use in an existing building from a non-residential use to another non-residential use~~

~~Change from a residential use to a non-residential use with no expansion~~

~~Expansions of less than twenty five (25) percent of the building area or one thousand (1,000) square feet, whichever is less~~

~~Expansions of more than twenty five (25) percent or one thousand (1,000) square feet, whichever is less~~

PERFORMANCE STANDARDS

- 1. Pedestrian facilities shall be provided to and within the development.
- 2. Pedestrian facilities shall adhere to current engineering practice as well as Federal and State law in regards to design and construction.
- 3. That residential and commercial subdivisions' and developments with private ways and public streets are required to be designed with sidewalks as described under Chapter 2, Section 2-5 Minimum Standards for the Design and Construction of streets and ways.
- 4. On-Site Pedestrian Relationships and Facilities
 - a. Where sidewalks exist or can be constructed in front of the parcel, the site shall be designed to provide for pedestrian access to the front entrance of the building without the need to cross parking areas or access drives.
 - b. The walkway to the front entrance shall be constructed with materials that contrast with the paving of the vehicular areas, that provide a safe and inviting access to the building, and that are visually compatible with other pedestrian facilities in the neighborhood.
 - a.c. If a sidewalk along the street is interrupted or crossed by a proposed driveway, access road, or other vehicular facility, the sidewalk material or design must be maintained across the driveway or another visually compatible method used to clearly delineate the sidewalk from the drive.
 - d. Provisions shall be made for pedestrian circulation between buildings and uses within a site or on adjacent parcels if the buildings do not

have a direct relationship to the sidewalk or if the front wall of the building is located more than one hundred (100) feet from the property line.

Off-site Fee in lieu of construction.

Where a new sidewalk is required to be constructed, a waiver may be granted by the Planning Board and a fee in lieu of that sidewalk shall be paid if one or more of the following conditions apply:

(1) The sidewalk is proposed to be constructed within an existing right-of-way where sufficient right-of-way or easement width does not exist or cannot be dedicated to build the sidewalk without reducing existing transportation facilities such as travel lanes, on-street parking, bike lanes, and the adaptive reuse or preservation of an existing building or structure prevents extending the sidewalk onto private property. In these instances, compliance to the maximum extent practicable is required and a fee is paid for the balance of sidewalk not constructed.

(2) The sidewalk is a part of a publicly funded project that includes sidewalks. In this case, the developer shall pay the fee based on the town or State design up to the amount limited by the Fee Schedule.

(3) The required sidewalk is more than five hundred (500) feet from an existing sidewalk, measured from the closest points along the road frontage.

The fee shall be based on the amounts identified in the town's Fees Schedule and may be prorated based on partial compliance. The total cost of the project shall include all construction costs associated with the improvement as approved by the town.

In the event that a fee in lieu of constructing a sidewalk is approved, the developer must provide a recorded easement if necessary for the future development of the sidewalk. All fees shall be paid prior to the issuance of a building permit and shall not transfer to future projects on the same property.

The developer wherever practical shall grade for the future development of a sidewalk.

Use of fees.

All fees collected by the town pursuant to these provisions shall be accounted for separately from other monies, shall be expended only for the construction or rehabilitation of sidewalks or other pedestrian improvements in the town.

The following are proposed amendments to existing ordinance sections:

SECTION 1-9 - VILLAGE CENTERS DISTRICT

SUBSECTION 2. GORHAM VILLAGE CENTER DISTRICT

e. PERFORMANCE STANDARDS

~~7. Pedestrian Relationships and Facilities~~

~~Where sidewalks exist or can be constructed in front of the parcel, the site shall be designed to provide for pedestrian access to the front entrance of the building without the need to cross parking areas or access drives. The walkway to the front entrance shall be constructed with materials that contrast with the paving of the vehicular areas, that provide a safe and inviting access to the building, and that are visually compatible with other pedestrian facilities in the neighborhood. If a sidewalk is interrupted or crossed by a proposed driveway, access road, or other vehicular facility, the sidewalk material or design must be maintained across the driveway or another visually compatible method used to clearly delineate the sidewalk from the drive.~~

SECTION 1-10 URBAN COMMERCIAL DISTRICT

E. PERFORMANCE STANDARDS

~~7. Pedestrian Relationships and Facilities~~

~~Where sidewalks exist or can be constructed in front of the parcel, the site shall be designed to provide for pedestrian access to the front entrance of the building without the need to cross parking areas or access drives if the front wall of the building is located within one hundred (100) feet of the property line. The walkway to the front entrance shall be constructed with materials that contrast with the paving of the vehicular areas, that provide a safe and inviting access to the building, and that are visually compatible with other pedestrian facilities in the neighborhood. If a sidewalk along the street is interrupted or crossed by a proposed driveway, access road, or other vehicular facility, the sidewalk material or design must be maintained across the driveway or another visually compatible method used to clearly delineate the sidewalk from the drive.~~

~~Provisions shall be made for pedestrian circulation between buildings and uses within a site or on adjacent parcels if the buildings do not have a direct relationship to the sidewalk or if the front wall of the building is located more than one hundred (100) feet from the property line.~~

SECTION 1-11 - ROADSIDE COMMERCIAL DISTRICT

E. PERFORMANCE STANDARDS

e) Access

Management:

- 1 Entrances and uses in this district shall be combined to the maximum extent possible. Developments must allow for ~~pedestrian and~~ vehicular access into the lot's driveways, sidewalks, and/or parking lots from the abutting properties.

SECTION 1-13 – MOSHER CORNER MIXED USE

E. PERFORMANCE STANDARDS

e) Access Management

1. Entrances and uses in this district shall be combined to the maximum extent possible. Developments must allow for ~~pedestrian and~~ vehicular access into the lot's driveways, sidewalks, and/or parking lots from the abutting properties.

SECTION 1-16 – NARRAGANSETT MIXED-USE DEVELOPMENT DISTRICT

E. PERFORMANCE STANDARDS

7) Bike paths/greenway systems – the applicant shall provide for convenient and safe ~~pedestrian and~~ bicycle access to and within the development. ~~The requirement for off-site sidewalk extension shall be modified by the Planning Board or Site Plan Review Committee provided the following conditions are met:~~

- ~~a) — For projects under site plan review the costs for off site sidewalks exceeds a cost of \$1,000 per 2,000 sq. ft. of gross commercial floor area or for projects proceeding under subdivision review the costs for off-site sidewalks exceeds a cost of \$10,000 per lot. Subdivision lots that have been reviewed under this provision are not required to be reviewed again under site plan review.~~
- ~~b) — In place of a full sidewalk extension, the applicant is required to extend the nearest sidewalk the following lengths towards the proposed development:~~
 - ~~1. — For roads with existing closed drainage systems and curbing the applicant shall extend the sidewalk 200' for each 5,000 sq. ft. of gross floor area under site plan review or 400' for each lot;~~
 - ~~2. — For roads without existing closed drainage systems and curbing the applicant shall extend the sidewalk 100' and close in the drainage system for each 5,000 sq. ft. of gross floor area under site plan review or 250' for each lot;~~

- ~~3. For existing public roads with sidewalks in poor condition as determined by the Public Works Director or his designee, an applicant can request that half of the required extension be utilized to repair the existing sidewalk network on a foot by foot exchange.~~

SECTION 1-25 – SOUTH GORHAM COMMERCIAL DISTRICT

D. SITE PERFORMANCE STANDARDS

~~7) Pedestrian Relationships and Facilities~~

- ~~a) Where sidewalks exist or can be constructed in front of the parcel, the site shall be designed to provide for pedestrian access to the front entrance of the building without the need to cross parking areas or access drives.~~
- ~~b) The walkway to the front entrance shall be constructed with materials that contrast with the paving of the vehicular areas, that provide a safe and inviting access to the building, and that are visually compatible with other pedestrian facilities in the neighborhood.~~
- ~~c) If a sidewalk along the street is interrupted or crossed by a proposed driveway, access road, or other vehicular facility, the sidewalk material or design must be maintained across the driveway or another visually compatible method used to clearly delineate the sidewalk from the drive.~~
- ~~d) Provisions shall be made for pedestrian circulation between buildings and uses within a site or on adjacent parcels if the buildings do not have a direct relationship to the sidewalk or if the front wall of the building is located more than one hundred (100) feet from the property line.~~

Chapter 2 General Standards of Performance

SECTION 2-4 - RESIDENTIAL

B. PERFORMANCE STANDARDS FOR MULTI-FAMILY HOUSING

- ~~2.g) Sidewalks within the development are required to allow pedestrian connections to structures, amenities, and/or prominent natural features within the development and the existing sidewalk network.~~
- ~~1. The applicant may request a waiver from the full off site sidewalk extension as outlined under Chapter 2, Section 2-5, F, 11 Sidewalks.~~

SECTION 2-5 - MINIMUM STANDARDS FOR THE DESIGN AND CONSTRUCTION OF STREETS AND WAYS

F. STREET DESIGN STANDARDS - PUBLIC WAYS

- 41) Sidewalks - Sidewalks shall be provided within all subdivisions and commercial development located in the Pedestrian Overlay District, in the Village Center, Urban Commercial, Commercial Office, Office Residential, and Urban Residential Districts, and for all subdivisions located within the Development Transfer Overlay District that conform to the overlay district All pedestrian facilities shall adhere to the Performance Standards in Section 1-26 Pedestrian Overlay District and the design standards under this section. within Chapter 2 Section 2-5 Minimum Standards for the Design and Construction of Streets and Ways.

~~requirements, with connection to the existing sidewalk network provided for the safety and convenience of the residents, per the standards in Table 1 and Figures 1, 2, 3 and 5. The sidewalk location in figures 1, 2, 3 and 5 is preferred; however, it may, at the discretion of the Planning Board, be positioned at curb line with zero esplanade. Sidewalks may also be required in subdivisions which abut any of the above Districts.~~

~~—The requirement for off-site sidewalk extension in the Urban Residential District shall be modified by the Planning Board provided the following conditions are met:~~

- ~~a. The cost for off site sidewalks exceeds a cost of \$5,000 per dwelling unit. The number of dwelling units used in the calculation shall be based on the maximum number of dwelling units allowed on the parcel as identified under the Urban Residential District Space standards.~~
- ~~b. In place of a full sidewalk extension as required in subsection 11, the applicant is required to extend the nearest sidewalk the following lengths towards the proposed development:~~
 - ~~(1) For roads with existing closed drainage systems and curbing the applicant shall extend the sidewalk 200' for each proposed dwelling unit in the development.~~
 - ~~(2) For roads without existing closed drainage systems and curbing the applicant shall extend the sidewalk 100' and close in the drainage system for each proposed dwelling unit in the development.~~
 - ~~(3) For existing public roads with sidewalks in poor condition as determined by the Public Works Director or his designee, an applicant can request that half of the required extension be utilized to~~

~~repair the existing sidewalk network on a foot by foot exchange.~~

~~Sidewalks may also be required, for the safety and convenience of the public, by the Planning Board or Site Plan Review Committee for major and minor developments located along arterial and collector streets and which are within reasonable distance of the existing sidewalk network.~~

Sidewalks, when required, shall be a minimum of five (5) feet in width, unless site conditions dictate a different width.

Chapter 4 Site Plan Review

SECTION 4-9 - APPROVAL CRITERIA AND STANDARDS

~~E. Pedestrian Circulation—The development plan will provide for a system of pedestrian circulation within and to the development. If the project is located in a village area, this system will connect with existing sidewalks if they exist in the vicinity of the project.~~

Pedestrian Relationships and Facilities

a.. Adequate Ppedestrian facilities shall be provided to and within the development if any part of the development is located in the Pedestrian Overlay District.

Commercial Construction Sidewalk Fee is based on the following square footage schedule:

- 0 ft² to 5,000 ft² - \$5,000
- 5,001 ft² to 10,000 ft² - \$7,500
- > 10,000 ft² - \$7,500 + \$700 for every 1,000 ft², or portion thereof, over 10,000 ft²
- Commercial Fee is capped at \$100,000 regardless of facility size

Residential Construction Sidewalk Fee is based on number of proposed units per the following schedule:

- Fee is \$2,500 per allowable unit.
- Residential Fee is capped at \$500,000 regardless of number of units.

Item #23-106 was VOTED 7 yeas

Item #2022-08-02

Action to forward to the Planning Board a recommendation to revise standards for curb cuts on arterial and designated collectors consistent with the Town's Comprehensive Plan. (Ordinance

Committee Spon.)

Proposed

Order #23-107

Moved by Councilor Siegel, seconded by Councilor Shepard and Ordered, that the Town Council forward to the Planning Board for public hearing and recommendations, additions to the Land Use Code as follows:

Moved by Councilor Wilder Cross, seconded by Councilor Lavoie and VOTED to waive the reading of Order #23-107 due to length. 6 yeas, 1 nay (Gagnon)

Access Management Standards and Applicable Roadways:

DEFINITIONS

Access: A public or private point of entry or exit from land adjacent to a public highway or roadway utilized by motorized vehicles, typically described as an entrance or driveway depending on the land use and/or volume of traffic generated by the use.

Access Point: The intersection of an existing or proposed access with the public right-of-way.

Access Management: Access Management is the proactive management of vehicular access points to land parcels adjacent to all manner of roadways. Good access management promotes safe and efficient use of the transportation network and maintains the posted speed limit on Arterial and Collector Roadways.

.....
.....

1.

Corner **Clearance**

Definition:

“The minimum distance, measured parallel to a highway, between the nearest curb, pavement or shoulder line of an intersecting public way and the nearest edge of an entrance excluding its radii.”

Technical Standard:

The minimum corner clearance for all streets, entrances and/or driveways on Compact Classified Arterials and both major and minor collector roadways must be 100-feet for un-signalized intersections and 125-feet at signalized intersections except at no time will a street, entrance or driveway be located on the radius of the two intersecting roadways. The minimum corner clearance on all local (both private and public roadways) shall be 75-feet.

2.

Double **Frontage** **Lots**

Definition:

“A double frontage lot is a parcel of land that has sufficient frontage on two public streets; whereby, minimum corner clearance standards to the parcel can be met based upon Town of Gorham Access Management Standards.”

Technical Standard:

The preference is for the access to be provided at the lower classified roadway. In addition the following shall be confirmed:

Where a site has frontage on two or more streets on all Compact Area Arterial, Major and Minor Collector roads, access to the proposed site will be from the lower classification of street unless the higher classification of street has less potential for traffic congestion and for hazards to both vehicle traffic and pedestrians. A traffic analysis, whose scope is defined by Town Staff will be required to determine the preferred frontage for access.

For developments with significant traffic volumes of 50 or more peak hour trips, access to both frontages will be considered based upon a detailed traffic study clearly demonstrates a traffic safety and congestion benefits will result.

MaineDOT's Entrance and Driveway rules apply to all Non-Compact Roadways; MaineDOT's Region 1 office should be consulted for these classified roadways.

3.

Intersection/Entrance Spacing

Definition:

“Intersection/entrance or driveway spacing is the measured distance between access facilities on a roadway. The separation distance is measured from the edge of the proposed street/entrance or driveway to the edge of the existing street/entrance, excluding the corner radii.

Technical Standard:

Any street, entrance or driveway located on all arterial and major collector roads shall be separated from any other existing or proposed street, entrance or driveways in accordance with the following table. (The proposed access shall also consider the existing location of streets, entrances and driveways across a road or highway and meet the same standards)

POSTED SPEED IN (MPH)	SEPARATION DISTANCE (FEET)
25 OR LESS	90
30	105
35	130
40	175

45	265
50	350

The Planning Board may relax these standards only upon finding, based upon a traffic study, that the location of the street, entrance or driveway closer than these minimum standards is necessary for effective utilization of the site and or provides an opportunity for sharing access with an adjacent parcel reducing the total number of required site access openings and will not cause unreasonable congestion and for safety hazards.

4.

Shared Entrances

Definition:

“A single entrance or driveway serving two or more developable parcels. A shared driveway may cross a lot line or be on the parcel line, and the owners may have an easement for the shared use.”

Technical Standard:

The Planning Board shall consider, where feasible, opportunities for shared entrances and/or driveways between adjacent parcels on all arterial and major collector roadways. The Planning Board may require the performance of a traffic study to determine if the proposed single entrance or driveway access serving two or more parcels improves roadway safety and congestion.

5.

Parcel Interconnectivity

Definition:

“The ability to enter or exit adjacent properties or parcels without entering or exiting the public highway or roadway system via internal connections between two or more properties or parcels.”

This can be accomplished by use of “frontage or backage” roads as well as direct connections between adjacent properties or parcels.

Technical Standard

The Planning board shall consider where feasible, opportunities for direct connections between parcels and/or the use of “frontage or backage” roads between adjacent parcels on all arterial and major collector roadways. The Planning Board may require the performance of a traffic study to determine if the proposed interconnection of two or more parcels improves roadway safety and congestion.

New developments shall consider and plan their site's to allow for future parcel interconnectivity via one of the methods described above and can be required to provide parcel interconnectivity with an adjacent existing parcel via an easement. Planning Board shall consider requiring a new development to provide their half of a direct parcel connection if an agreement to complete a full connection cannot be made with the adjacent parcel, or money can be held in escrow to make the improvement in the future.

A detailed traffic study will be required to determine the appropriate type of parcel interconnectivity and design that will provide optimal traffic operations and safety.

6. Number of Entrances

Definition:

Access to and from the public right-of-way to a proposed development shall be via a formal entrance. Entrances shall be designed and constructed to accommodate the appropriate level of traffic volumes and design vehicle, and provide for safe and efficient connection to arterials, collectors and local roads.

Technical Standard

New developments will be allowed one primary entrance that meets the Town Standards. The Planning board shall consider opportunities for shared entrances and parcel interconnectivity where feasible to reduce the number of curb-cuts on arterial and collector roadways. New developments generating 50 or more peak hour trips may be allowed a secondary entrance, or two one-way entrances. A formal traffic study, defined by the Planning Board and Town Staff, shall determine justification for the additional entrance(s).

The Planning Board shall consider restrictions of movements to proposed entrances where it can be shown through a traffic study that safety concerns warrant it.

Town of Gorham Access Management

The Access Management Regulations for the Town of Gorham shall apply to the following roadways:

Route 114 (Arterial)

Route 25 (Arterial)

Route 202 (Arterial)

Route 22 (Arterial)

Route 237 (Arterial)

Route 112 (Arterial)

Brackett Rd. (Collector)

New Portland Rd. (Arterial)

Day Rd. (Collector)

McLellan Rd. (Collector)

Flaggy Meadow Rd. (Collector)

North Gorham Road (Collector)

Wilson Road (Rural Sub-Collector)

Dunlap/Plummer Road (Rural Sub-Collector/Collector)

Libby Ave (Collector)

Excluding Libby Ave from Rte. 202 to end.

Huston Road (Collector)

Wescott Road (Rural Sub-Collector)

Between Rte. 114 and Plummer Road

Spiller Road (Collector)

Dingley Spring Road (Collector)

Wood Road (Rural Sub-Collector)

Deering Road (Collector)

Burnham Road (Collector)

Mitchell Hill Road (Collector)

Saco Street (Collector)

Bartlett Road (Industrial/Commercial)






Middle Jam Road (Rural Sub-Collector)

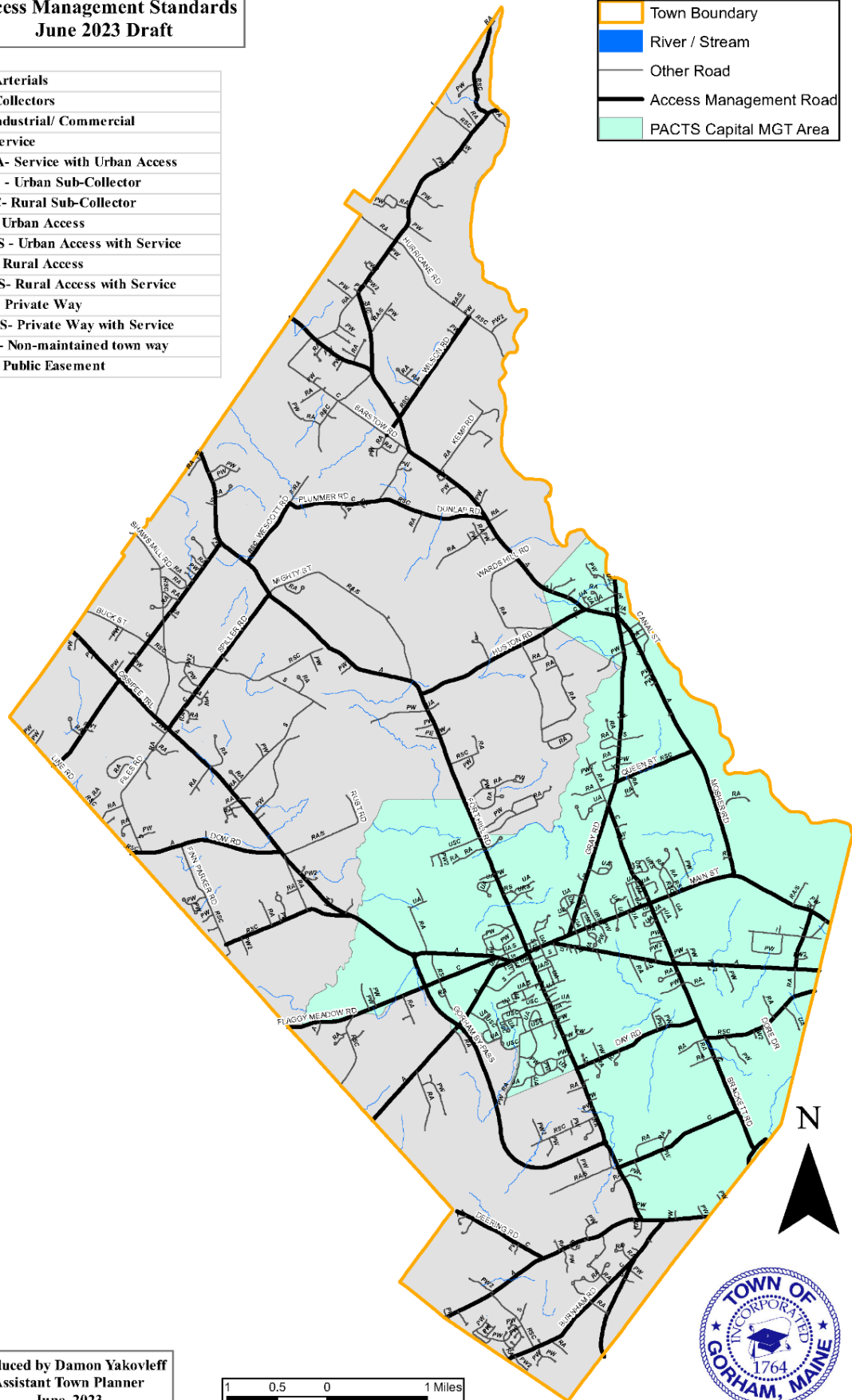
Queen Street (Rural Sub-Collector)

Between Rte. 202 & Rte. 237

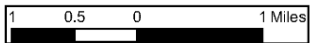
Access Management Standards June 2023 Draft

A- Arterials
C- Collectors
I- Industrial/ Commercial
S- Service
S/UA- Service with Urban Access
USC - Urban Sub-Collector
RSC- Rural Sub-Collector
UA- Urban Access
UA/S - Urban Access with Service
RA- Rural Access
RA/S- Rural Access with Service
PW- Private Way
PW/S- Private Way with Service
NM - Non-maintained town way
PE - Public Easement

	Town Boundary
	River / Stream
	Other Road
	Access Management Road
	PACTS Capital MGT Area



Produced by Damon Yakovlev
Assistant Town Planner
June, 2023



Order #23-107 was VOTED 7 years

Item #2023-3-6 Action to consider a recommended list of real estate brokers to use for a two-year period. (Admin. Spon.)

Proposed Order #23-108 Moved by Councilor Phillips, seconded by Councilor Lavoie and Ordered, that the Town Council use the recommended list of real estate brokers for a two-year period as follows:

**Real Estate Broker Applications
April 12 - May 12, 2023**

Broker Name	Broker Home Address	RE/Brokerage Office Address	Date App. Received	RE License #	Eligibility Criteria			
					Primary Broker resides in Gorham	Primary Broker held active Maine Real Estate Broker license for past 10 yrs	Willing to accept commission no greater than 5%	Willing to list + actively attempt to sell all properties by Town on rotational basis
Josh Plowman	126 Osborne Road, Gorham	Plowman Realty Group, 352 Main Street, Gorham	4/12/2023	DB922191	Yes	Yes, since 2012	Yes	Yes
Peter Mason	35 Robie Street, Gorham	PoGo Realty, 39 Main Street, Gorham	4/13/2023	DB913104	Yes	Yes, since 1997	Yes	Yes
David Willis	33 Old Dynamite Way, Gorham	Willis Real Estate, 347 Main Street, Gorham	4/18/2023	BR915759	Yes	Yes, since 2002	Yes	Yes
Julie Chandler	10 Lucina Terrace, Gorham	PoGo Realty, 39 Main Street, Gorham	4/20/2023	BR917966	Yes	Yes, since 2000	Yes	Yes
Keith Nicely	110 Mighty Street, Gorham	eXp Realty, 110 Mighty Street, Gorham	5/1/2023	BR920937	Yes	Yes, since 2010	Yes	Yes

Order #23-108 was VOTED 7 years

Item #2023-3-11 Action to forward to the Planning Board a recommendation to increase the stream protection sub district from 75' to 100'. (Ordinance Committee Spon.)

Proposed Order #23-109 Moved by Councilor Phillips, seconded by Councilor Lavoie and Ordered, that the Town Council forward to the Planning Board for public hearing and recommendations an amendment to the stream protection sub-district as shown on the following map:

Town of Gorham Shoreland Zoning

EFFECTIVE:

I CERTIFY THIS TO BE A TRUE COPY OF THE OFFICIAL
SHORELAND ZONING MAP AS APPROVED BY VOTE OF
THE TOWN COUNCIL

Laurie Nordfors, Town Clerk

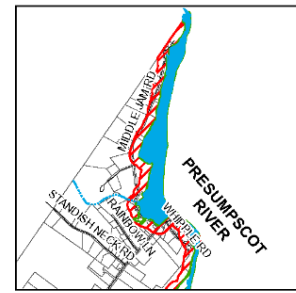
Legend

- Roads
- Parcel Boundary
- Shoreland River & Stream
- Wetland

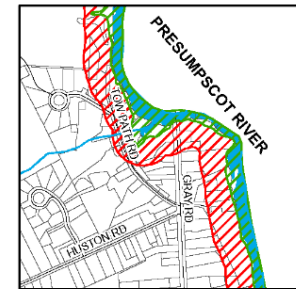
Shoreland Zoning

- ▨ Resource Protection Sub District
- ▨ Shoreland Overlay District
- ▨ Stream Protection Sub District
- Shoreland Stream
- Non-Shoreland Stream

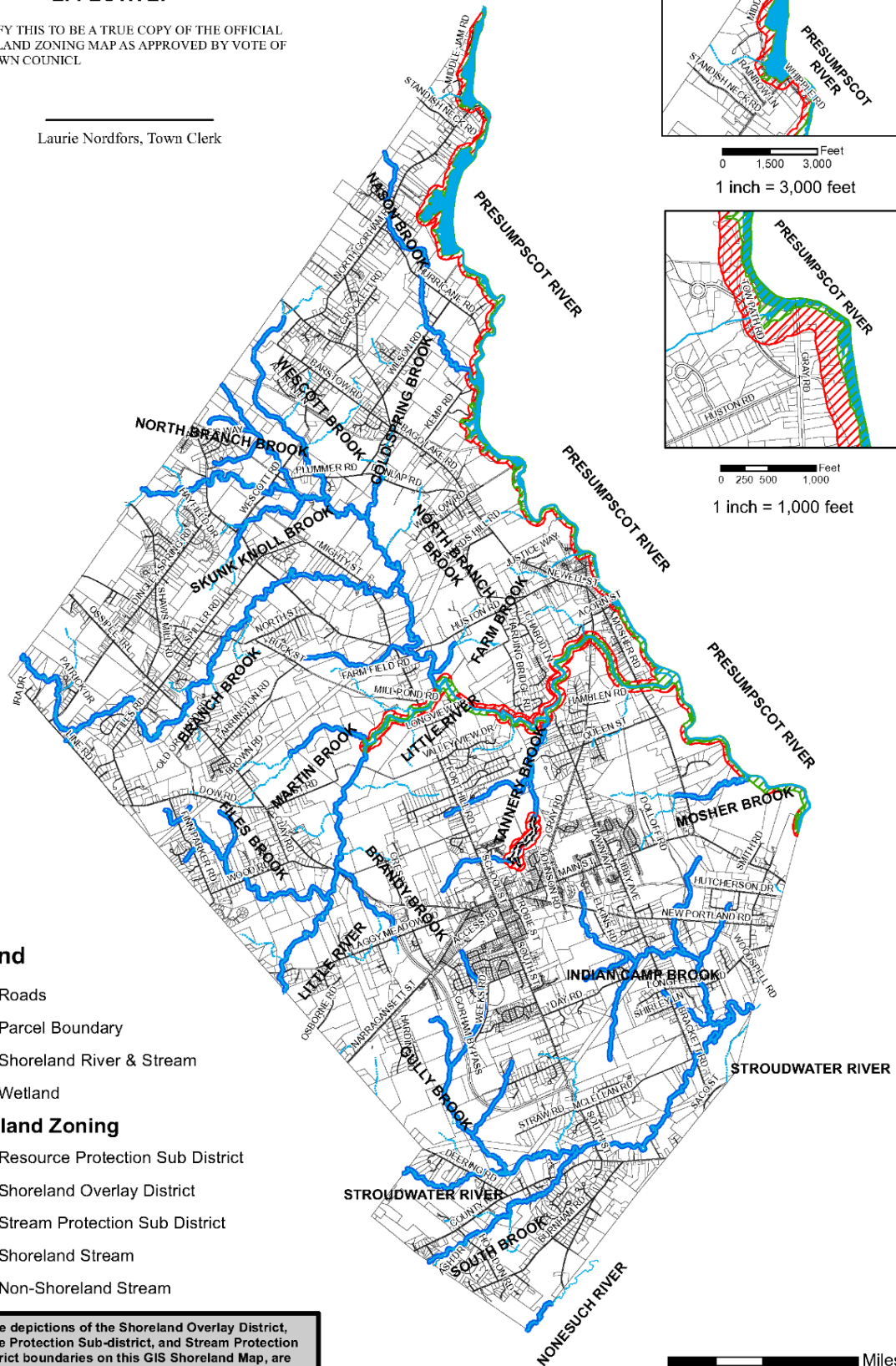
Note: The depictions of the Shoreland Overlay District, Resource Protection Sub-district, and Stream Protection Sub-district boundaries on this GIS Shoreland Map, are merely illustrative of their approximate boundaries. The exact boundaries shall be determined by on-site inspections and measurement from the normal high water line or upland edge of a wetland.



0 1,500 3,000 Feet
1 inch = 3,000 feet



0 250 500 1,000 Feet
1 inch = 1,000 feet



0 0.5 1 2 Miles
1 in = 1 miles

Order #23-109 was VOTED 7 yeas

New Business:

Item #2023-8-5 Action to consider allocating funding from the Transfer Overlay Account to assist the Presumpscot Regional Land Trust with the preservation of property off of Ossipee Trail. (Councilor Pratt Spon.)

**Proposed
Order #23-110** Moved by Councilor Gagnon, seconded by Councilor Phillips and Ordered, that the Town Council authorizes the release of \$20,000 from the Transfer Overlay Account for the conservation of 30 acres of land off of Ossipee Trail for the Trout Run Conservation Project.

Order #23-110 was VOTED 7 yeas

Item #2023-8-6 Action to consider allocating funding from the Open Space Impact Account to assist Presumpscot Regional Land Trust with the preservation of property off of Day Road. (Councilor Pratt Spon.)

**Proposed
Order #23-111** Moved by Councilor Lavoie, seconded by Councilor Phillips and Ordered, that the Town Council authorizes the release of \$20,000 from the Open Space Impact Account for the conservation of 30 acres of land off of Day Road for the Deer Woods Conservation Project.

Order #23-111 was VOTED 7 yeas

Item #2023-8-7 Action regarding the August 15, 2023 Special School Budget Validation Election. (Admin. Spon.)

**Proposed
Order #23-112** Moved by Councilor Lavoie, seconded by Councilor Phillips and Ordered, that the Town Council authorize the Town Clerk to issue the warrant for the August 15, 2023 Special School Budget Validation Election; and

Be It Further Ordered, that the polls be open from 7:00am until 8:00pm; and

Be It Further Ordered, that the Town Council appoints the following persons for the designated voting districts and if any of the following should fail to serve, the Town Council hereby authorizes the Town Clerk to appoint substitutes:

District 1-1 – Susan Emerson, Warden and Laurel Smith, Ward Clerk
District 1-2 – Katherine Corbett, Warden and Marie Plummer, Ward Clerk

District 2 – Martha Towle, Warden and Nancy Kenty and Heidi Pratt, Ward Clerk

Central – Kim Getchell, Warden and Paula Nystrom, Ward Clerk

Be It Further Ordered, that the Registrar of Voters be in session during the hours of 7:00am and 5:00pm on Tuesday, August 8th, Wednesday, August 9th, Thursday August 10th and Monday August 14th, 2023, and

Be it Further Ordered, that the Town Clerk be authorized to process absentee ballots on Monday, August 14th at 10:00 am and 2:00pm; and Tuesday August 15th at 10:00am, 2:00pm and 8:00pm.

Order #23-112 was VOTED 7 yeas

Item #2023-8-8

Action to consider accepting Olde Canal Way as a public way. (Councilor Pratt. Spon.)

Proposed

Order #23-113

Moved by Councilor Shepard, seconded by Councilor Gagnon and Ordered, that the Town Council accepts 2,150 feet of Olde Canal Way as a public way; and

Be It Further Ordered, that Olde Canal Way is classified as an Industrial/ Commercial Road.

Order #23-113 was VOTED 7 yeas

Item #2023-8-9

Action to consider instructing the Capital Improvements Committee to evaluate options for a site facilities plan at 80 Huston Road (Public Works & School Transportation Services). (Councilor Philips Spon.)

Proposed

Order #23-114

Moved by Councilor Phillips, seconded by Councilor Shepard and Ordered, that the Town Council instructs the Capital Improvements Committee to work with staff to evaluate options for a site planning study of 80 Huston Road and bring recommendations back to the Town Council for review.

Order #23-114 was VOTED 7 yeas

Item #2023-8-10

Action to enter into executive session for personnel matters and to discuss confidential economic development matters.

Proposed

Order #23-115

Moved by Councilor Wilder Cross, seconded by Councilor Siegel and Ordered, that the Town Council enter into executive session pursuant to Order #23-89 1 MRSA § 405(6) (A) Personnel Matters and 1 MRSA § 405(6) (C) for discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency.

Order #23-115 was VOTED 7 yeas

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

Moved by Councilor Lavoie, seconded by Councilor Phillips and VOTED to adjourn. 7 yeas

Time of adjournment: 8:24pm

A True Record of Meeting
08-01-2023


ATTEST

Laurie Nordfors, Town Clerk
08-02-2023