

REPORT OF THE
GORHAM TOWN COUNCIL
REGULAR MEETING
Burleigh Loveitt Council Chambers
March 12, 2024

Chairperson Phillips opened the meeting. There were over 50 members of the public in attendance.

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

Moved by Councilor Pratt, seconded by Councilor Wilder Cross and VOTED to accept the Minutes of the February 6, 2024 Regular Town Council Meeting. **7 yeas**

Councilor Communications

Councilor Siegel revealed that he will be running for State Representative in District 109 and also reported that the Ordinance Committee met last month, where they continued their discussion on economic development in Gorham and road standards. Councilor Siegel congratulated the GHS Theater on their first-place finish in the regional One Act Festival for their production of Radium Girls as well as the GHS Boys and Girls Basketball teams on their stellar performance in the State Championship Games.

Councilor Lavoie also congratulated the GHS Boys and Girls Basketball teams for reaching the State finals and the GHS Indoor Track Team for their performance at the State Track meet. He also announced that the 5th annual Gorham Cleans Up will be held on April 21st from 8:30-11:00. For more information on this event, you can contact the Gorham Village Alliance or the Conservation Commission.

Councilor Pratt congratulated all the GHS winter sports teams and recognized Luke Burns for his 1st place win at States for wrestling. Luke has achieved over 100 career wins, which Councilor Pratt pointed out as remarkable. As always, Councilor Pratt reminded residents to give blood if able.

Councilor Wilder Cross gave accolades to all the talented students who continue to make her so happy to live in Gorham, where kids are simply amazing. She recognized kids achieving honors in academics, actors in Mama Mia and Radium Girls, all the musicians and vocalists that advanced to State levels, all the amazing athletes, and the robotics teams that compete at several levels. She also thanked the many teachers, mentors and parents who support these kids in so many ways. She pointed out that the High School Robotics Team, Northern Force, will be competing in the Pine Tree FIRST Competition this weekend and she wishes them well. Councilor Wilder Cross attended the March Metro Region GPCOG meeting, which focused on housing issues, most specifically, the advances of the "Housing First" initiative sponsored by Preble Steet and Avesta Housing. Housing First provides permanent housing for chronic homeless people. The presentation sparked additional conversation about the lack of affordable housing throughout the region. She also noted that the General Assistance reform is still in the early stages, but from what is understood, it is not being pushed aside. The goal is for municipalities to receive 90% State reimbursement for its general assistance. More information will be shared next month, as well as more information about any help for senior citizens real estate tax relief.

Councilor Gagnon attended that last months CIPS meeting, where they discussed different master plans for economic development. He also reminded residents to change the batteries in their smoke detectors, which should be done twice a year when we change the clocks.

Chairperson Phillips addressed the passing of long-time resident Nancy Kenty. Nancy was a member of the Baxter Memorial Library Board of Trustees, as well as a Town Election Worker for many years and will be greatly missed.

Town Manager Report

Town Manager Paraschak reported that there will be a public input session on the Gorham Connector Project on Monday, March 25th at 4:30pm in the Shaw Gym. Anyone from the public is welcome to attend and give their input on the project. For more information, you can visit the Maine Turnpike website. He also announced some important dates on the upcoming Town and School budget. The Town budget will be presented to the Council on April 13th and the School budget on April 23rd. There will be a public hearing on both budgets on May 14th and the Council will vote on both budgets on that date as well. The school budget will go to the voters on Tuesday, June 11th. Town Manager Paraschak recognized long time Town employee Fire Chief Ken Fickett for his 50 years of employment with the Town and presented him with a plaque for his service.

School Committee Report

Sara Perkins, Chair reported the following:

Budget: We've completed two budget meetings so far, the recordings for which are on our website. You each have a copy of the initial budget booklet and we would love to hear any questions you have. Feel free to reach out directly to Superintendent Perry or myself or use the Q&A document that was included in the budget booklet email. Future meetings (all open to the public) are as follows:

- March 18 at 7:00 p.m.
- March 25 at 7:00 p.m.
- April 1 at 7:00 p.m.

The School Committee is scheduled to vote on a proposed FY 25 budget on April 10, the results of which will be sent along to the Town Council for further consideration.

Thank you!: THANK YOU to our friends at the GPD and GFD for their help in recognizing our student athletes these past few weeks as our boys and girls basketball teams played in the MPA basketball tournament. Both seasons ended as State runners up and the police/fire escorts home from the southern regional championship and out of town on Saturday night were amazing and showed our students how much the community values their hard work and dedication.

Accreditation: A team of educational professionals from around New England is interviewing GHS students, staff, parents, and others this week as part of our NEASC accreditation. This process helps ensure that our HS continues to provide high quality education. More information can be found in the recording of our Feb. 28 SC workshop meeting. We hope to have an initial report later this school year.

Substitute Teachers: We continue to need substitutes in our schools. We're offering a set of three classes to help those interested become more familiar with the role. Dates are as follows. Please reach out to Gorham Adult Education for more info and to register.

- Session 1: Monday, April 29, 2024, 5-7:00 p.m. Central Office Classroom 2nd Floor
- Session 2: Tuesday, April 30, 2024, 5-6:30 p.m. Orientation to GMS and GHS
- Session 3: Monday, May 6, 2024, 5-7:00 p.m. Orientation to Village, Narragansett & Great Falls Schools

We're also greatly in need of substitute nurses. Anyone interested can reach out to Superintendent Perry.

Congratulations!: Congratulations to GHS Theater on their first-place finish in the regional One Act Festival for their production of Radium Girls!

Moved by Councilor Gagnon, seconded by Councilor Pratt and VOTED to take item 2024-3-2 out of order. 7 yeas

Item # 2024-3-2

Action to consider adopting a resolution in recognition of Gorham High School's *Mamma Mia!* production. (Councilor Siegel Spon.)

**Proposed
Order#24-33**

Moved by Councilor Siegel, seconded by Councilor Wilder Cross and Ordered, that the Town Council formally adopts the following resolution in recognition of Gorham High School's production of *Mamma Mia!* as follows:

**Resolution of the Gorham Town Council Recognizing the
Performance of Gorham High School's Production of *MAMMA MIA!***

Whereas, the Gorham Town Council recognizes the arts as a vital and enriching segment of children's well-rounded education; and

Whereas, the arts education teachers at Gorham High School and in the Gorham School District continue to strive for educational excellence and artistic literacy for their students; and

Whereas, support should be given to arts teachers and students to strengthen performing arts programs in the Gorham schools and community; and

Whereas, every chance given, arts education provides to every child valuable benefits of developing students' creativity through problem-solving and critical-thinking abilities, and interrelates students' learning in arts processes of creation, production, performance, and presentation:

Now, Therefore, Be it Resolved, That the Gorham Town Council does hereby express its appreciation to Gorham Schools' arts educators, and the 37 cast and crew members of the *Mamma Mia!* musical, held in February 2024, for their efforts with the production that promotes and nurtures excellence in education and brings the community together.

Done this 12th day of March 2024.

Order #24-33 was VOTED 7 yeas.

Public hearing #1

On item #2024 3-1

Public hearing to hear comments on a proposal to issue a renewal Medical Marijuana License to Tanner Brown, Threshold LLC, 11E Gorham Industrial Parkway. Property owned by 11E Gorham Industrial Parkway LLC. (Admin. Spon.)

Chairperson Phillips opened public hearing #1. There were no comments from the public and the hearing was closed.

Proposed

Order #24-31

Moved by Councilor Lavoie, seconded by Councilor Pratt and Ordered, that the Town Council issue a renewal Medical Marijuana License to Tanner Brown, Threshold LLC, 11E Gorham Industrial Parkway. Property owned by 11E Gorham Industrial Parkway.

Order #24-31 was VOTED 7 yeas.

Public hearing #2

On Item #2022-08-2

Public hearing to hear comments on a proposal to amend the Land Use and Development Code to add a new Pedestrian Overlay District and proposed amendments to existing ordinance sections to include pedestrian/sidewalk standards. (Admin. Spon.)

Chairperson Phillips opened public hearing #2. There were no comments from the public and the hearing was closed.

Proposed

Order #24-32

Moved by Councilor Pratt, seconded by Councilor Wilder Cross and Ordered, that the Town Council amend the Land Use and Development Code to add a new Pedestrian Overlay District and amend existing ordinance sections to include pedestrian/sidewalk standards as follows:

Moved by Councilor Lavoie, seconded by Councilor Wilder Cross and VOTED to waive the reading of Order #24-32 due to length. 7 yeas.

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

The TC amendment language is shown in black and underlined with the Planning Board's recommended changes shown in **black, bolded, underlined, and struck through.**

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:

Pedestrian Overlay District

Add the following zoning overlay district language:

Section 1-26

Purpose

The purpose of the Pedestrian Overlay District (PED) is to establish a safer, 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.

Exceptions

1. New developments within areas designated as PED ~~are~~ is subject to the development and design standards of PED, with the following exceptions:
 - a. Development exempted under Chapter 3: Subdivision, **Section 3-1 C. Administration.**
 - b. Development exempted under Chapter 4: Site Plan Review, Section 4-2 Applicability, A., and B.
 - c. **One-lot private ways shall be exempt from these requirements.**

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 regarding design and construction.
3. **Residential** and commercial subdivisions and developments with private ways and public streets must 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 physically 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, which 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.

5. Off-site Fee in lieu of construction.

Where a new off-site sidewalk must be constructed, a waiver may be granted by the Planning Board/Site Plan Review Committee and a fee in lieu of that sidewalk shall be paid if one or more of the following conditions apply:

- a. 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, and bicycle lanes as determined by the Town Engineer 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.
- ~~b. The sidewalk is proposed to be constructed within or on existing natural resources or their associated setback requirements, steep slopes greater than 25%, historic or archaeological features.~~
- c. 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.
- d. The sidewalk for a commercial project is five hundred (500) feet or more from an existing sidewalk, as measured from the closest points of the existing sidewalk to the subject property line along the existing road frontage.
- e. The sidewalk for a residential or mixed-use project is fifteen hundred (1,500) feet or more from an existing sidewalk, as measured from the closest points of the **existing sidewalk to the subject property line along the existing road frontage, or fifty (50) times the maximum number of dwelling units allowed per the base density of the development parcel(s), whichever is greater.**
- f. The fee shall be based on the amounts found 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.

If a fee in lieu of constructing a sidewalk is approved, the developer must provide a recorded easement 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 and shall be spent 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 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 offsite 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 offsite 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; curbing the applicant shall extend the sidewalk 100' and~~

~~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 usually 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

11) Sidewalks - Sidewalks shall be provided within all subdivisions and commercial development located in the Pedestrian 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, 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, within Chapter 2 Section 2-5 Minimum Standards for the Design and Construction of Streets and Ways.~~

~~The 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

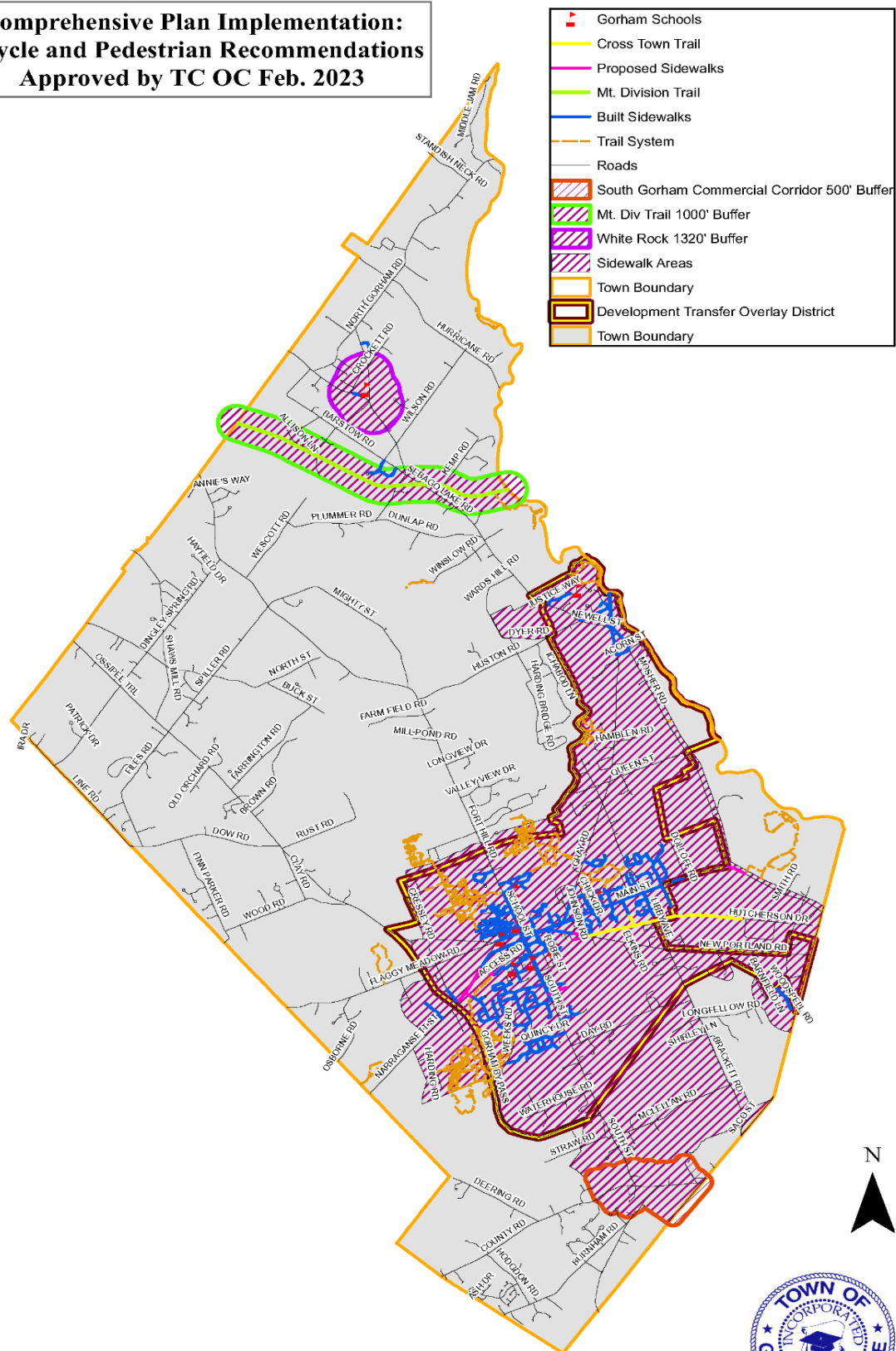
SECTION 4-9 - APPROVAL CRITERIA AND STANDARDS

~~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.~~

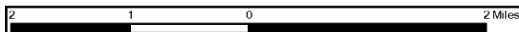
Pedestrian Relationships and Facilities

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

**Comprehensive Plan Implementation:
Bicycle and Pedestrian Recommendations
Approved by TC OC Feb. 2023**



**Produced by Damon Yakovleff
Assistant Town Planner
March 2023**



Order #24-32 was VOTED 7 yeas.

Item #2024-3-3 Action to consider adopting a new Robie Park Master Plan. (Councilor Philips Spon.)

Proposed
Order #24-34 Moved by Councilor Gagnon, seconded by Councilor Pratt and Ordered, that the Town Council adopts the proposed Robie Park Master Plan as recommended by the Robie Park Steering Committee.

Kaitlyn Aceto, Aceto Landscape Architecture & Urban Design gave a presentation of the Robie Park Master Plan.

Order #24-34 was VOTED 7 yeas.

Item #2024-3-4 Action to consider 2024-2025 Board and Committee appointments. (Appointment Committee Spon.)

Proposed
Order #24-35 Moved by Councilor Siegel, seconded by Councilor Pratt and Ordered, that the Town Council make appointments to various Town Boards and Committees as recommended by the Appointments Committee at their meeting March 7, 2024.

NAME	BOARD OR COMMITTEE
BARBARA NICHOLS	PLANNING BOARD
ROB DELANEY	PLANNING BOARD
SARAH JACKSON	GEDC
CHRIS KELLEY	GEDC
JIM ANDERSON	GEDC
DAN NICHOLS	BOARD OF APPEALS
PAWEL BINCZYK	BOARD OF APPEALS

DANIEL DWYER	FAIR HEARING BOARD
ERNIE WELLS	CONSERVATION COMMISSION
DRU STRANGE	CONSERVATION COMMISSION
MOLLY BUTLER BAILEY	CONSERVATION COMMISSION
DIANE CASWELL	BOARD OF TRUSTEES-BAXTER MEMORIAL LIBRARY
DEBORAH ARCARO	BOARD OF TRUSTEES-BAXTER MEMORIAL LIBRARY
TYLER GOWEN	HISTORIC PRESERVATION COMMISSION
MARSHA WEEKS TRAIL	HISTORIC PRESERVATION COMMISSION
ROBERT COOK	BOARD OF ASSESSMENT REVIEW
NICK SMITH	REVOLVING LOAN FUND COMMITTEE
CHRISTINE DYKE	REVOLVING LOAN FUND COMMITTEE
EDWARD BENDER	BOARD OF HEALTH

Order #24-35 was VOTED 7 yeas.

Item #2024-3-5

Action to consider formally becoming a member community of Greater Portland METRO. (Councilor Wilder Cross Spon.)

Proposed

Order #24-36

Moved by Councilor Wilder Cross, seconded by Councilor Lavoie and Ordered, that the Town Council formally votes to become a member of the Greater Portland METRO transit service; and

Be It Further Ordered, that this order is contingent upon the allocation of two board seats for the Town of Gorham on the METRO Board of Directors.

Order #24-36 was VOTED 6 yeas, 1 nay (Pratt)

Item #2024-3-6

Action to consider rezoning Map 8, Lot 10 from the Urban Residential Expansion District to the South Gorham Crossroads District. (Councilor Philips Spon.)

Proposed

Order #24-37

Moved by Councilor Lavoie, seconded by Councilor Pratt and Ordered, that the Town Council forwards to the Planning Board, for review and public hearing, changing Map 8, Lot 10 from the Urban Residential Expansion District to the South Gorham Crossroads District.

Order #24-37 was VOTED 7 yeas.

Item #2024-3-7

Action to consider authorizing the Town Manager to execute an amendment to the Purchase & Sale Agreement with Core X Complete Maine Propco LLC and clear a portion of Map 30, Lot 1 as designated on their site plan approval. (Councilor Philips Spon.)

Proposed

Order #24-38

Moved by Councilor Pratt, seconded by Councilor Gagnon and Ordered, that the Town Council authorizes the Town Manager to executive an extension of the purchase and sale agreement with Core X Complete Maine Propco LLC until October 1, 2024; and

Be It Further Ordered, that the Town Manager is authorized to execute an agreement that authorizes the buyer to clear sections of this lot prior to April 14, 2024 to meet the conditions of their environmental approvals.

Order #24-38 was VOTED 7 yeas.

Item #2023-2-7

Action to consider amending home occupation standards in the Land Use & Development Code to increase economic development opportunities. (Ordinance Committee Spon.)

Proposed

Order #24-39

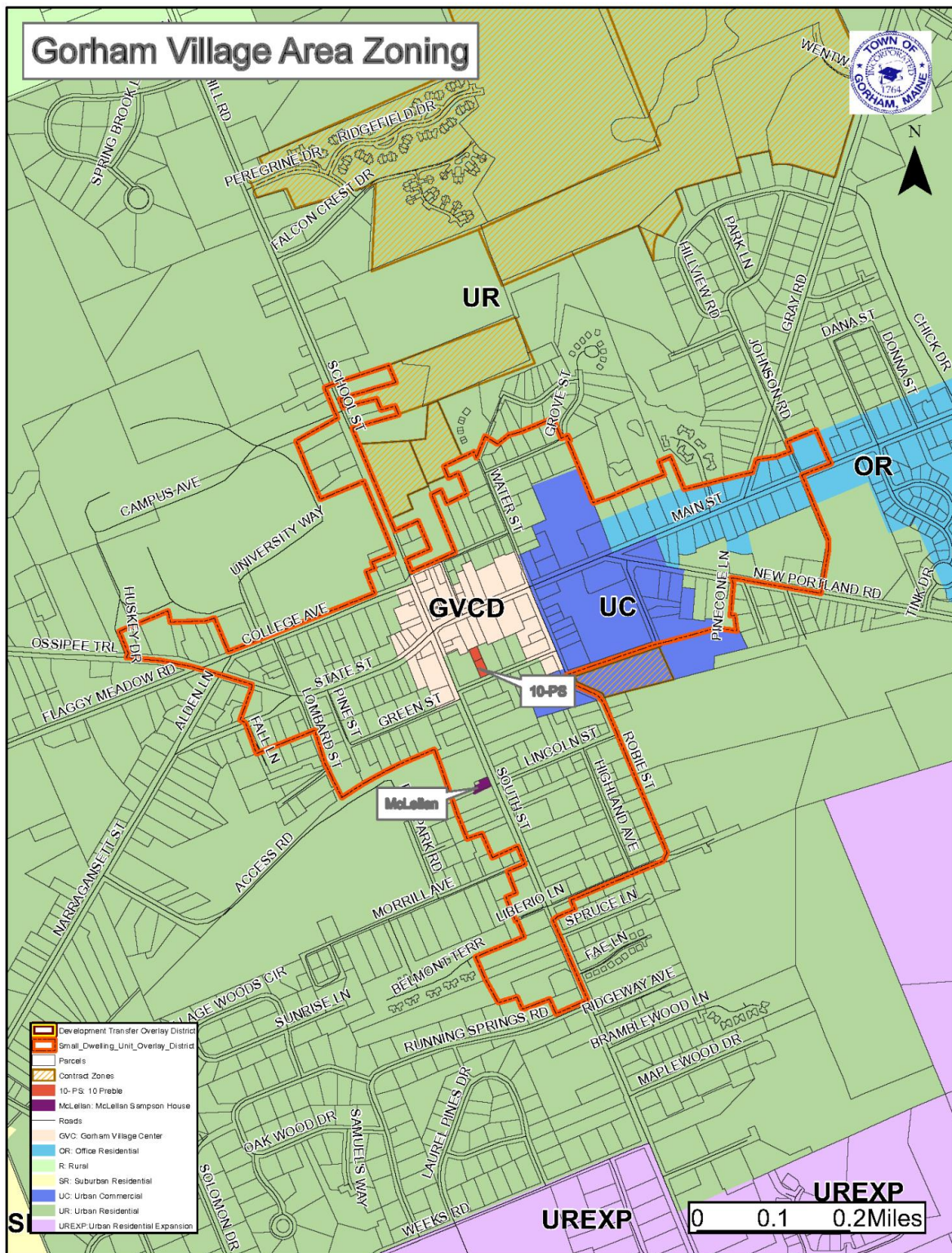
Moved by Councilor Siegel, seconded by Councilor Simms and Ordered, that the Town Council forwards to the Planning Board, for review and public hearing, amendments to the Land Use and Development Code creating a village home occupation overlay district and amending home occupation standards as follows:

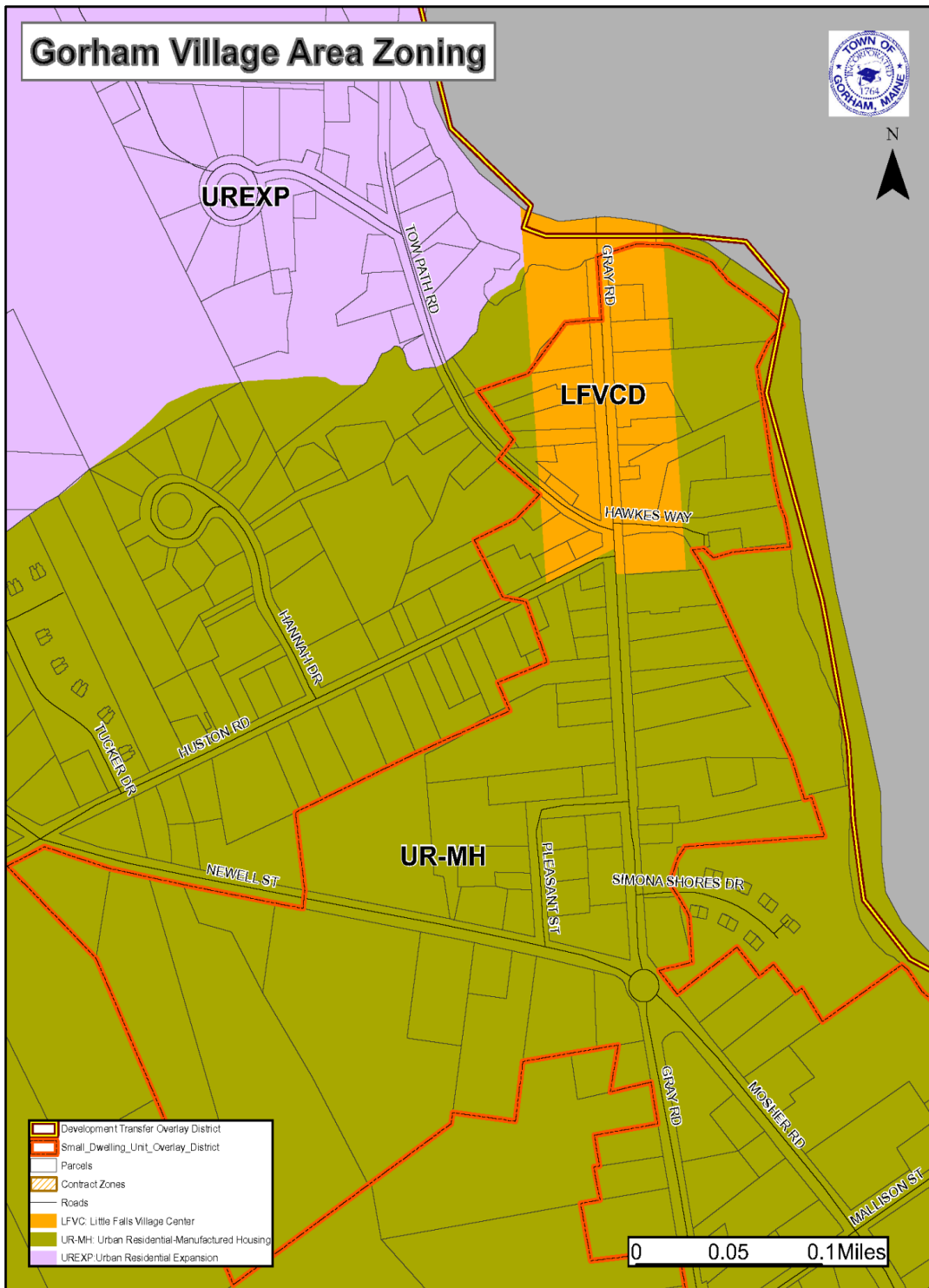
SECTION 2-15 – HOME OCCUPATION STANDARDS

16. Home occupations in the village home occupation overlay district are allowed the following exceptions to the above requirements.

- a. The home occupations excluding medical marijuana caregivers shall not utilize more than 50% of the total floor area of the dwelling unit.
- b. Medical marijuana caregivers are required to meet the requirements outlined under section 14.e.1.-4. and under section 15.
- c. Not more than ten people outside the family shall be employed in the home occupation.
- d. The following uses shall be allowed as home occupations as defined in Chapter 1, Section 1-5 Definitions:
 1. Retail stores under 500 sq.ft.

Gorham Village Area Zoning





Order #24-39 was VOTED 7 yeas.

Item #2023-10-11

Action to consider Main Street Sewer Impact Fees for the purposes of expanding water and sewer availability in the Town of Gorham where extensions are possible. (Ordinance Committee Spon.)

Proposed

Order #24-40

Moved by Councilor Siegel, seconded by Councilor Wilder Cross and Ordered, that the Town Council forwards to the Planning Board, for review and public hearing, amendments to the Land Use and Development Code that would create a sewer impact fee for parts of Main Street as follows:

Moved by Councilor Lavoie, seconded by Councilor Wilder Cross and VOTED to waive the reading of Order #24-32 due to length. 7 yeas.

CHAPTER 7 – IMPACT FEES

SECTION 7-5 – MAIN STREET SEWER EXTENSION IMPACT FEE

Description of the Improvements

Need for the Improvement

Activities Subject to the fee

Calculation of the Fee

Effective Dates

SECTION 7-5 MAIN STREET SEWER IMPACT FEE

A. DESCRIPTION OF THE IMPROVEMENTS

The Town plans to construct an eight (8) inch sewer extension and new pump station along Main Street (Route 25) between Portal Way to the intersection at Mosher Road (Route 237), a distance of approximately 3,500 feet.

B. NEED FOR THE IMPROVEMENT

The Town of Gorham identified a gap in development along a portion of Main Street (Route 25) between Portal Way to the intersection at Mosher Road (Route 237). Development in the surrounding lots has been limited in nature, with only a few low-impact developments utilizing private septic systems in lieu of a sewer connection with frontage generally along Main Street leaving the rears of these lots mostly undeveloped. There is virtually no development on the remainder of the lots identified in the Proposed Main Street Sewer Impact Fee District map dated August 2023.

The absence of adequate wastewater capacity impedes development in the area. Without a sewer line, developers face a fundamental infrastructure gap that limits their ability to manage wastewater efficiently. Larger developments, in particular, have been deterred from investing in the area as higher wastewater demand requires significant infrastructure construction

leading to increased costs. The absence of adequate utility creates a substantial barrier for prospective development.

The Town of Gorham recognizes the critical role that proper infrastructure plays in fostering economic growth and attracting development. The proposed improvement includes an approximately 2,500 feet extension of the sewer line along Main Street between Portal Way and Mosher Road. Additionally, the proposed improvement includes the construction of a new pump station to support larger development in the area. These utility upgrades serve as a strategic investment to attract development along Route 25.

The Town of Gorham will finance and construct the sewer upgrades, including the sewer line extension and new pump station, with the intention of establishing an impact fee district to recuperate the related construction expenditures. This approach is rooted in a commitment to catalyze immediate infrastructure improvements that will remove barriers to development in the area.

c. ACTIVITIES SUBJECT TO THE FEE

Any development within the Proposed Main Street Sewer Impact Fee District as shown on the map of said district dated January 2024 on file with the Town Clerk shall be subject to the fee whether or not such use utilizes the sewer line extension or newly constructed pump station. This includes residential and nonresidential uses as well as additions to existing buildings, changes in use, or expansions of use that increase wastewater flow of the property based upon design sewage flows from the Maine State Plumbing Code. Furthermore, this impact fee is split into two areas: Area A and Area B – both areas will be subject to the impact fee. The calculations for each are described in Section D.

AREA A: Parcels located in Area A are categorized based on their ability to directly utilize the improvements along Main Street. These parcels are shown in the Main Street Sewer Impact Fee District Map.

AREA B: Parcels located in Area B are categorized based on their proximity to improvements but cannot connect to the improvements without additional work. The improvements associated with the Main Street Sewer Impact Fee do not serve the parcels in Area B as shown in the Main Street Sewer Impact Fee District Map. These parcels will have to install additional improvements in order to connect to the utilities provided by this impact fee.

d. CALCULATION OF THE FEE

The Main Street Sewer Impact Fee is split into two areas: Area A and Area B as shown on the Main Street Sewer Impact Fee District Map:

AREA A:

Development within Area A is subject to the complete impact fee as the improvements directly serve future development of the parcels. The Impact Fee for Area A is based on the sum of the costs associated with the construction of the infrastructure upgrades and the total estimated capacity in gallons per day (gpd) of the new infrastructure upgrades. The final costs are _____ and the estimated capacity of the new sewer upgrades is 50,443 gpd.

AREA B:

The Main Street Sewer Impact Fee does not directly serve development in Area B. Development within Area B requires additional improvements in order to connect to the sewer line along Main Street. Although additional investment is needed in Area B, the improvements associated with this impact fee still serve these parcels.

Area B is eligible for a credit towards the impact fee based on a the total costs of improvements. The credit shall not be more than the final impact fee. In order to be eligible for a credit towards the impact fee, the cost estimate for the proposed sewer extension shall be approved by the Town of Gorham.

The Impact Fee for Area B is based on the sum of the costs associated with the construction of the infrastructure upgrades and the total estimated capacity in gallons per day (gpd) of the new infrastructure upgrades. The final costs are _____ and the estimated capacity of the new sewer upgrades is 50,443 gpd.

e. EFFECTIVE DATES

notwithstanding the provisions of 1 M.R.S.A. §302 or any other law, this ordinance, when enacted, shall govern any plan or application for approval or permits under the Land Use and Development Code submitted on or after _____, and any such plan or application submitted before that date, but which had not received at least one substantive review, within the meaning of §302, on or before that date, by the Town board or official having authority to grant any such permit or approved.

Order #24-40 was VOTED 7 yeas.

Item #2023-11-15

Action to consider forwarding amendments to the Land Use & Development Code to the Planning Board amending one lot private way provisions. (Ordinance Committee Spon.)

Proposed

Order #24-41

Moved by Councilor Siegel, seconded by Councilor Pratt and Ordered, that the Town Council forwards to the Planning Board, for public hearing and recommendation, amendments to the Land Use & Development

Code replacing one lot private way provisions with backlot provisions as proposed below:

Moved by Councilor Lavoie, seconded by Councilor Wilder Cross and VOTED to waive the reading of Order #24-32 due to length. 7 yeas.

Chapter 1 Zoning Regulations

Section 1-5 DEFINITIONS

Driveway – A driveway is a paved or gravel way for vehicular, bicycle or pedestrian traffic extending from a road or street to an adjacent property line(s) for the purpose of providing access to a single legal lot.

Back Lot - A lot without the legally required road frontage developed in accordance with Chapter 2 Section 2-5 XXX.

Chapter 2 Section 2-5 Standards for Driveways

Driveways.

A. Driveways providing access to lots containing a single-family dwelling and no more than one (1) accessory dwelling unit, or one (1) two-family structure:

(1) Driveways shall be located no less than forty (40) feet from any street intersection. Driveways to corner lots shall gain access from the street of lower classification when a corner lot is bounded by streets of two different classifications as described herein, except as recommended by the Director of Public Works or their designee.

(2) For collector and higher order streets, there shall be adequate driveway turnaround space on each lot so that no vehicle need back out onto a street in order to leave the lot.

(3) Driveways shall be so located, designed and constructed as to meet the requirements for sight distance under this section.

(4) All driveway edge of pavement shall be at least five (5) feet from any side or rear lot line for single-family lots and for attached housing units. Common use of driveways by adjacent landowners is encouraged, and in the case of a common driveway this requirement does not apply.

(5) Each single-family lot or attached housing unit shall have only one driveway curb cut along its street frontage.

Chapter 1 Section XX Standards for Back Lots

Back lots. One back lot may be created from any lot of record which conforms to the lot requirements herein.

(1) The back lot and front lot each contain no more than one principal structure, each principal structure containing no more than two dwelling units. Primary uses are limited to single family, single family with accessory dwelling unit, or two-family dwellings for both the front lot and back lot.

(2) Both the front lot and back lot conform to the minimum lot area and minimum lot area per dwelling unit as stated herein.

(3) The back lot is at least as wide at the site of the proposed dwelling as the frontage measurement required in the district.

(4) The back lot has perpetual deeded access to a publicly accepted street or a private road. This access shall be obtained by extension of the back lot to the public street or through provision of an easement of the minimum driveway width required for the number of dwelling units on the back lot plus side setbacks.

(5) The creation of the back lot does not make the front lot nonconforming, or more nonconforming, as to frontage.

(6) The back lot and front lot share the same driveway entrance to the public street, if the access to the back lot is via a deeded right-of-way or is located on an arterial or collector roads. This requirement may be waived by the Town Engineer when the Engineer makes findings that a combined driveway is not feasible due to the traffic safety concerns, terrain, or natural resource impact.

(7) A twelve (12) foot wide driveway services a single-family dwelling, or sixteen (16) feet wide for two family or single family with ADU, constructed with a minimum of twelve (12) inches of subbase gravel and a minimum of three (3) inch base gravel.

(8) Street numbering, as assigned by the Addressing Officer, is clearly visible at the public street in accordance with the Town Code and state requirements.

(9) Any dwellings on the back lot shall connect to public sewer or water when a public sewer or water line is located in the public street giving access to the back lot.

10) Underground utilities shall be required for all newly constructed dwelling units on back lots. The Town Engineer may waive the requirement for provision of underground utilities for projects where underground installation will create an undue burden based on natural features or resource constraints.

Chapter 2 Section 2-5

H. STANDARDS FOR PRIVATE WAYS

The Planning Board may approve the use of private ways to provide access to individual lots of land provided that the following conditions are met:

- 1) An approved private way may serve a combination of dwelling units/lots identified below:

1 lot gravel private way – 1 lot with a single family house

2-6 gravel private way – up to 6 lots, with no more that 6 total dwelling units served by the private way

7-10 paved private way – up to 10 lots, with no more than 10 total dwelling units served by the private way

25 dwelling unit paved private way – up to 25 lots, with no more than 25 total dwelling units served by the private way

**Add amended table 2

Order #24-41 was VOTED 6 yeas, 1 nay (Gagnon)

Item #2024-3-8

Action to consider instructing the public works department to repaint two crosswalks on Ballpark Road and Access Road to multicolored pride crosswalks. (Councilor Siegel Spon.)

Proposed

Order # 24-42

Moved by Councilor Siegel, second by Councilor Simms and Ordered, that the Town Council instructs staff to facilitate the painting of the crosswalk on Ball Park Ave. between Robie Park and the Municipal Center; and the crosswalk on Access Road between the High School and Robie Park with a multi color pride paint layout; and

Be It Further Ordered, that if safety permits community members to be allowed to participate in the initial painting of the crosswalks.

Jodi Keene, Gwen McGinnis and Ellie Sato voiced their opinion on the project.

Order #24-42 was VOTED 6 yeas, 1 nay (Pratt)

Item #2024-3-9

Action to consider incorporating a percentage of affordable housing requirements into the Land Use and Development Code.
(Councilor Siegel Spon.)

Proposed

Order #24-43

Moved by Councilor Siegel, seconded by Councilor Simms and Ordered, that the Town Council instructs the Ordinance Committee to review adding requirements to the Land Use and Development Code that would require a defined percentage of housing development units to be affordable.

Order #24-43 was VOTED 7 yeas

Item #2024-3-10

Action to authorize the Town to restore the softball/baseball diamonds located at Great Falls Rec. fields for community use.
(Councilor Gagnon Spon.)

Proposed

Order #24-44

Ordered that the Town authorize Public Works to improve the sand area for each diamond located on site, to allow for playable use by April 10th.

Be it further ordered that Little League will be allowed use of the fields, with priority given during their season.

Proposed Order #24-44 was moved by Councilor Gagnon. There was no second and the motion failed.

Item #2024-3-11 Action to consider writing off bad debt. (Finance Committee Spon.)

Proposed

Order #24-45 Moved by Councilor Wilder Cross, seconded by Councilor Lavoie and Ordered, that the Town Council writes off two uncollectible bad checks for the sum of \$2,457.48 as recommended by the Finance Committee.

Order #24-45 was VOTED 7 yeas

Item #2024-3-12 Action to consider accepting a quit claim deed to resolve a tax foreclosure issue for property located off of Brackett Road. (Finance Com. Spon.)

Proposed

Order #24-46 Moved by Councilor Lavoie, seconded by Councilor Siegel and Ordered, that the Town Council authorizes the Town Manager to accept a quit claim deed from LuAnn Littlefield for Map 08, Lot 22, .42 acres located off of Brackett Road to resolve tax-acquired property issues; and

Be It Further Ordered, that the Town Manager is authorized to require payment of legal fees for the drafting of the quit claim deed.

Order #24-46 was VOTED 7 yeas

Item #2024-3-13 Action to consider authorizing a June 11, 2024 referendum question to authorize the ordering, and eventual purchase of a new fire engine for the Gorham Fire Department. (Councilor Philips Spon.)

Proposed

Order #24-47 Moved by Councilor Lavoie, seconded by Councilor Wilder Cross and Ordered, that the Town Council authorizes a referendum question for the June 11, 2024 election to authorize the order and eventual purchase of a fire engine by the Gorham Fire Department in the amount of \$875,000.

Order #24-47 was VOTED 6 yeas, 1 nay (Gagnon)

Item #2024-3-14 Action to consider appointing an Economic Development Strategic Plan Steering Committee. (Councilor Philips Spon.)

Proposed

Order #24-48 Moved by Councilor Simms, seconded by Councilor Pratt and Ordered, that the Town Council appoints the following individuals to an Economic Development Strategic Plan Steering Committee as follows:

	Organization Representative	Name
3.	Gorham Economic Development Corporation	Todd Chase (GEDC member)
4.	Gorham Economic Development Corporation	Dan Nichols (GEDC member)
5.	Gorham Business Owner	Tim Haines (Sebago Brewing)
6.	Gorham Business Owner	Nancy Ames (Sullivan House Bakery)
7.	Gorham Village Alliance	David Willis (GVA / Willis Real Estate)
8.	Planning Board	TBD
9.	Gorham Resident	Joe Capozza (Resident / Capozza Floor Covering)

Be It Further Ordered that the Town Council appoints Councilor Gagnon and Councilor Simms to the committee.

Order #24-48 was VOTED 7 yeas

Item #2024-3-15

Action to consider entering into an executive session pursuant to 1 M.R.S.A. § 405(6)(C).

Proposed

Order #24-49

Moved by Councilor Lavoie, seconded by Councilor Gagnon and Ordered, that the Town Council enter into executive session pursuant to 1 M.R.S.A. § 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.

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

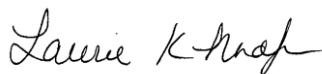
Moved by Councilor Simms, seconded by Councilor Siegel and VOTED to adjourn. 7 yeas

Time of adjournment: 8:49pm.

A True Record of Meeting

03/12/2024

ATTEST



Laurie Nordfors, Town Clerk

03/13/2024

