

MINUTES
ORDINANCE COMMITTEE MEETING
Meeting of May 21, 2019 – 8 a.m.
Conference Room A

Present: Councilor Shepard, Committee Chair; Councilors Smith and Wilder Cross.

Also Present: Town Manager, Ephrem Paraschak; Town Planner, Tom Poirier; North Star Consulting Group - Community Planner, Ben Smith; One (1) member of the public, Susan Duchaine of DDI, Inc.; Executive Assistant, Jessica Hughes.

1. **Consideration of minutes of May 21, 2019 Committee meeting.**

A motion was MADE by Councilor Wilder Cross, SECONDED by Councilor Smith, and VOTED to accept the amended minutes of the May 21, 2019 Ordinance Committee as distributed. Unanimous vote.

2. **Current Business**

- A. Review and consider developing an amendment to the Land Use & Development Code to incorporate the requirements of the South Gorham Crossroads and recommend updates, if any, to the Town Council (referred by Town Council on August 7, 2018).

Ben Smith of North Star Consulting presented attachment A/ his memo which contained draft ordinance language for the new South Gorham Crossroads Zone.

Susan Duchaine of DDI, Inc. commented that the Town is missing the boat with not allowing commercial use.

Councilor Smith commented that he does not dislike the look of North Windham and Councilor Wilder Cross disagreed as she is opposed to the look.

Town Planner Tom Poirier referred to the special exceptions section in the memo and cautioned the committee that special exceptions could open up the opportunity for more argument, more applications and staff time reviewing. Tom further commented that the ordinance as written would remove Council oversight and approval, where most ordinances currently require Council vote and involvement.

Susan Duchaine commented that she has been contacted by several large businesses that are looking to expand in Gorham and would need light industrial use.

Tom Poirier commented that the Comprehensive Plan did not allow light industrial use; however, Ben Smith's drafted ordinance does.

Susan Duchaine commented that light industrial use will generate more tax revenue than apartments.

Ben Smith commented that his interpretation of the Town's Comprehensive Plan was that were no single family homes and there would be higher density residential use.

Tom Poirier commented that if the committee envisions light industrial use, an amendment will need to be made to the Comprehensive Plan.

Councilor Smith would prefer to minimize any impact from tractor trailers by directing that traffic on a separate road network that can access a future turnpike spur.

Town Manager Ephrem Paraschak asked the committee if they would like to keep the special exception use list open/ more flexible, to which Councilor Shepard replied yes.

Susan Duchaine commented that if the turnpike spur commits, the Town can work toward attracting prospective companies to do business in this new zone. Susan further asked that the committee consider changing the definition for outside storage as she wants to be sure that an allowed use would include a gas station.

Councilor Shepard commented that if the committee approve of the South Gorham Crossroads Zone now, the committee could also begin working on amending the Comprehensive Plan to allow light industrial use.

Tom Poirier commented that staff can add service/gas stations, car dealerships to the permitted uses.

Susan Duchaine commented that the more restrictive the ordinance, the less businesses will want to do business in Gorham. She further commented that if a business is comfortable with having less parking, than that should not pose a conflict.

Tom Poirier asked the committee if they would like to specify "Village character," to which Councilor Shepard replied that he is okay with not requiring Village character as a design standard.

Tom Poirier further commented that staff could look at design and performance standards and bring back recommendations if the committee so wished.

Ephrem Paraschak asked where does mixed use buildings fall within the ordinance, to which Tom Poirier replied that as long as both uses are allowed, mixed use buildings are permitted.

Ephrem asked if someone is building condominium units and another person is putting in light-industrial use lot, are there any standards for buffering, to which Ben Smith commented no – not as the ordinance is currently written.

Councilor Shepard commented that the ordinance can provide general guidelines, but the market will dictate what businesses will come to town.

Susan Duchaine asked when this ordinance will go the Town Council for review, to which Tom Poirier and Ephrem Paraschak advised that the council could review the ordinance at their August Town Council meeting and it would then be reviewed at the Planning Board and Sub Ordinance Committee for several months.

Ephrem Paraschak asked the Council if there is a type of business that they would like to see come to town, to which Councilor Wilder Cross commented that we should attract more hotels.

- B. Review new and existing Impact Fees and recommend updates, if any, to Town Council (referred by Town Council on August 7, 2018).

The committee reviewed attachment B/ an amendment to the Land Use & Development Code, Chapter 7 relating to the Impact Fee Ordinance.

Councilor Wilder Cross noted that a correction should be made to reflect the title of Director of Community Development instead of Town Planner in the first paragraph under section B.

A motion was MADE by Councilor Wilder Cross, SECONDED by Councilor Smith, and VOTED to send the revised amendment to Chapter 7 of the Land Use & Development Code to the Town Council for review and approval at their August Town Council meeting. Unanimous vote.

- C. Review and consider developing an amendment to the Land Use & Development Code to allow for mobile vending units at farmer's markets and recommend updates, if any, to the Town Council (referred by Town Council on May 7, 2019).

Tom Poirier advised that per the Town Attorney, as long as markets are quasi-Town events, mobile vending units are allowed.

Councilor Shepard asked if food trucks could come on nights when gazebo concerts were scheduled, to which Tom Poirier commented yes.

A motion was MADE by Councilor Wilder Cross, SECONDED by Councilor Smith, and VOTED to send the recommendation not to amend the ordinance to the Town Council for consideration at a future Town Council meeting. Unanimous vote.

3. **Items Referred by Town Council to Committee for Future Meetings/Action.**

- A. Review adding requirements to the Land Use & Development Code requiring that property taxes be paid before the issuance of permits and bring back recommendations to the Town Council (referred by the Town Council on February 5, 2019).
- B. Review the Cemetery Ordinance and bring back recommendations to the Town (referred by Town Council on November 13, 2018).
- C. Review and consider developing an amendment to the Land Use & Development Code to incorporate the requirements of the South Gorham Commercial Center and recommend updates, if any, to the Town Council (referred by Town Council on August 7, 2018).
- D. Review and consider developing an amendment to the Land Use & Development Code to allow varied density in the Village Centers and Urban Commercial District and recommend updates to the Town Council (referred by Town Council on February 6, 2018).
- E. Review the Special Amusement Ordinance and recommend updates, if any, to the Town Council (referred by Town Council on January 2, 2018).

4. **Other Business**

No additional items were discussed under Other Business.

5. **Schedule next meeting and discuss agenda items for next meeting.**

The next meeting of the Committee is scheduled for Tuesday, July 16th at 8am. The following agenda items will be discussed at the next meeting:

- A. Review and consider developing an amendment to the Land Use & Development Code to incorporate the requirements of the South Gorham Crossroads and recommend updates, if any, to the Town Council (referred by Town Council on August 7, 2018).
- B. Review the Special Amusement Ordinance and recommend updates, if any, to the Town Council (referred by Town Council on January 2, 2018).

6. **Adjournment**

There being no further business, a motion was MADE by Councilor Wilder Cross, SECONDED by Councilor Smith and VOTED to adjourn. Time of adjournment: 9:12 a.m.

Respectfully submitted,

Jessica Hughes, Executive Assistant to the Town Manager & HR