

MINUTES
ORDINANCE COMMITTEE MEETING
Meeting of July 16, 2019 – 8 a.m.
Conference Room A

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

Also Present: Town Manager, Ephrem Paraschak; Town Planner, Tom Poirier; Town Clerk, Laurie Nordfors; 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 June 17, 2019 Committee meeting.**

A motion was MADE by Councilor Smith, SECONDED by Councilor Wilder Cross, and VOTED to accept the amended minutes of the June 17, 2019 Ordinance Committee as distributed. Unanimous vote.

2. **Current Business**

- A. Review the Special Amusement Ordinance and recommend updates, if any, to the Town Council (referred by Town Council on January 2, 2018).

Town Clerk Laurie Nordfors addressed the Committee and reviewed that attachment A-1 referenced the existing Special Amusement Ordinance and attachment A-2 referenced suggested changes to the existing ordinance in red font.

Town Manager Ephrem Paraschak pointed out that what is written in the ordinance could conflict with business uses in the future.

Councilor Shepard and Wilder Cross recommended involving Police Chief Dan Jones for his input when this item is to be discussed again.

Councilor Shepard commented that trivia, pool tables, arcade games and karaoke should not be listed.

Laurie Nordfors commented that the Special Amusement fee is \$100.00.

A motion was MADE by Councilor Wilder Cross, SECONDED by Councilor Paul Smith and VOTED to postpone further discussion of the ordinance until the Police Chief can review, provide input and attend a future meeting when the item will be discussed. Unanimous vote.

- B. Review and provide a recommendation on a new Disorderly Housing Ordinance (referred by the Town Council on June 18, 2019).

The Committee requested to discuss this item from the list of items on the Ordinance Committee Agenda that were referred by Town Council to the Committee for Future Meetings/Action.

After reviewing the attachment 3-B provided, Councilor Shepard noted that the reference of “scheme” under Section 3-d should be replaced with “framework.”

Councilor Shepard also recommended asking Police Chief Dan Jones to review this draft ordinance and provide any comments or recommendations.

Councilor Shepard further commented that the type of building/dwelling size should be eliminated.

Ephrem Paraschak suggested changing item 3 under Section 4 by adding a definition of dwelling units, and change the chart to indicate calls per address.

Councilor Wilder Cross suggested that the max calls per address should be five, at which time the building would be in violation of the ordinance.

A motion was MADE by Councilor Wilder Cross, SECONDED by Councilor Paul Smith and VOTED to postpone further discussion of the ordinance until the Police Chief can review, provide input and attend a future meeting when the item will be discussed. Unanimous vote.

- C. 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).

The Committee reviewed the attached revised South Gorham Crossroads District.

Ben Smith of North Star Consulting Group explained that the revised version includes the Committee's recommendations from the last meeting held June 17, 2019, which leans more toward mixed-use developments. Ben further commented that based on concerns shared by the Committee at the last meeting, he adjusted the language to move away from open-ended special exception uses. Additionally, changes were made to the performance standards that lean on the Narragansett Development District and Village Center District.

Councilor Shepard commented that it appears that minimum standards were not covered in the South Gorham Crossroads District.

Susan Duchaine of DDI, Inc. commented that the South Gorham Crossroads District language is very discouraging, and residential use should not be allowed next to a future turnpike spur. Susan asked the Committee if the Comprehensive Plan currently allows residential use next to the area for the proposed turnpike spur, to which Ben Smith replied yes.

Councilor Shepard commented that he envisioned there being a residential area allowed at the end of Brackett Road.

Susan Duchaine commented that it would be difficult to put a residential area at the end of Brackett Road without sewer and water run down to it.

Ephrem Paraschak asked if the Comprehensive Plan allows for a delineation of a residential area from mixed-use, or can the residential area be isolated, to which Tom Poirier commented that it may be easier to tweak the zoning map than create a third zone.

Tom Poirier further commented that trying to make a shift in the middle of the Comprehensive Plan may expose the Town to liability and challenges by abutters.

Susan Duchaine addressed the Committee and asked what the Town envisions in the South Gorham Crossroads area. Susan has been previously told or heard that the Town did not want residential and is now seeing that the proposed district references residential area.

Ephrem commented that staff needs to re-examine the zone.

Ben Smith commented that there is room to look at how the abutting zoning district can be amended.

Ephrem asked if the Committee wants to include a provision for a 25-foot setback on larger buildings, or are we focusing on small buildings.

Councilor Shepard commented that he would still like to see the ability to have residential use on the second floor, with retail/commercial use on the first floor (mixed-use).

Susan Duchaine asked the Committee who they envision living/operating a business in this zone. She further commented that the requirement should be for 20 percent residential use in the zone, but not require that percent on every parcel.

Ben Smith commented that he needs more direction on changes that will be appropriate and will meet the Comprehensive Plan and work with market realities. Ben further asked if an extension of the South Gorham Commercial zone on the end of Brackett Road is feasible.

Susan Duchaine commented that we should make residential the exception use, not commercial. Additionally, Susan asked if the Comprehensive Plan requires 20 percent of residential use on each parcel, to which Ben Smith replied no; however, the Comprehensive Plan references mixed-use with high density residential.

Councilor Smith commented that he does not want to require a certain percent of acreage to be developed for commercial-use and the remaining percent to be set aside for residential-use, only for the residential area to remain undeveloped.

Ben Smith commented that the Comprehensive Plan references minimum and maximum residential densities with percentages. The Committee needs to think about where on the map to have mixed-use; maybe reference master planning concepts.

Ephrem asked if we can revise the Comprehensive Plan to tweak zones and not delay commercial development, to which Tom Poirier responded and advised that we would need to be sure to lineup future land use with the intent of zones.

Councilor Wilder Cross asked if staff can provide a larger map of the zone and area in question, to which Tom and Ephrem replied yes.

Susan Duchaine commented that the goal should be to have a road that runs from South Street to Brackett Road with businesses and little or no design standards.

Tom Poirier advised that staff can provide input regarding what it will take to amend the Comprehensive Plan at the next meeting, as well as a larger map of the zone. Tom further commented that the biggest changes to the proposed South Gorham Crossroads Zone were with making design standards less restrictive.

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).

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, August 20th at 8am. The following agenda items will be discussed at the next meeting:

- A. Review and provide a recommendation on a new Disorderly Housing Ordinance (referred by the Town Council on June 18, 2019).
- B. Review the Cemetery Ordinance and bring back recommendations to the Town (referred by Town Council on November 13, 2018).
- C. Review the Special Amusement Ordinance and recommend updates, if any, to the Town Council (referred by Town Council on January 2, 2018).
- D. 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).

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: 9:30 a.m.

Respectfully submitted,

Jessica Hughes, Executive Assistant to the Town Manager & HR