

MINUTES

ORDINANCE COMMITTEE MEETING

Meeting of December 17, 2019 – 8:00 a.m.

Conference Room A

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

Also present: Town Manager, Ephrem Paraschak; Director of Community Development, Thomas Poirier; Town Planner, Carol Eyerman; Noah Miner and Bruce Roullard of the Historic Preservation Committee; Hans Hansen and Mrs. Hansen; Thomas Greer (PE), Walsh Engineering; Walter Stinson; Executive Assistant, Jessica Hughes.

1. **Consideration of the minutes of the November 12, 2019 meeting.**

An amendment to the minutes was noted by Councilor Wilder Cross in that the Committee had previously discussed and voted at the November 12th meeting to add the Civil War monument and Founders' monument to the Historic Preservation Ordinance in addition to the motion to table the discussion for the December 17th meeting.

A motion was MADE by Councilor Wilder Cross, SECONDED by Councilor Hartwell and VOTED to accept the amended minutes of the November 12, 2019 meeting as distributed. Unanimous vote.

2. **Current Business**

- A. Review and consider an amendment to the Historic Preservation Ordinance to include a new category for Historic Sites, to include the Old Yard Cemetery, Town Clock, Civil War monument and Founders monument and bring back recommendations to the Town Council (referred by the Town Council on October 1, 2019).

Noah Miner of the Historic Preservation Committee addressed the committee and referenced that the Historic Preservation Committee recommend adding the Old Yard Cemetery adjacent to the Gorham House of Pizza to the list of historic sites. Mr. Miner also recommended that the Ordinance Committee consider adding a new section to define a historic site. Mr. Miner further shared that the stone wall surrounding the Old Yard Cemetery is in disrepair, and some of the trees within the cemetery that were damaged during the ice storm of 1998 need to be cleaned up. Bruce Roullard of the Historic Preservation Committee shared that the Civil War monument was erected in 1866 in front of USM. Mr. Roullard further commented that the Town Clock should be designated as a historic landmark. If someone requested to move it, it would then require a special permit through the Historic Preservation Committee for approval.

A discussion ensued in which Tom Poirier recommended asking the Historic Preservation Committee to add a new section referencing a standard for adding new historic landmarks. Councilor Hartwell recommended incorporating the same process for approving plans and specifications for adding new monuments and modifying existing monuments. Mr. Roullard recommended amending existing definitions to include structures and fixtures to encompass "bells" and "clocks." Staff advised that they will make the recommended changes.

A motion was MADE by Councilor Wilder Cross, SECONDED by Councilor Hartwell and VOTED to ask staff to add recommended changes to the Historic Preservation Ordinance to expand the definition

of historic sites to include “fixtures” and “artifacts,” as well as add a new section for a standard approval process and bring the amended ordinance back to the next meeting. Unanimous vote.

- B. Review and consider developing an amendment to the Land Use and Development Code to allow varied density in the Village Centers and Urban Commercial District and recommend updates to the Town Council (referred by the Town Council on February 6, 2019).

Mr. Poirier reviewed the memo he provided titled “Gorham Village Area – Mixed Use Standards,” which referenced several ways that the committee can look at density in the Village area. He further added that the Council may want to consider the floor area ratio standard, which incorporates a variation of Form Based Code, or alternatively use an impervious area ratio standard.

Councilor Hartwell commented that he would like to see the downtown area remain “Main Street” style, with less required set back area for businesses and more walkable, which would fall under the floor area ratio standard.

Councilor Wilder Cross added that she would prefer to use the floor area ratio standard as well.

Mr. Poirier commented that he may need to develop a parking matrix for dwelling units in the Village.

Carol Eyerman commented that the committee may want to consider looking at the parking study that the Town previously performed and focus on on-street parking.

Councilor Shepard commented that parking requirements should be less restrictive.

Mrs. Eyerman added that some municipalities have transportation impact fees that help support infrastructure.

Mr. Poirier will look at development transfer standards, floor area ratio and impervious area standards and bring back his recommendation at the next meeting.

Mrs. Eyerman asked the committee if they felt that development transfer standards should be required or allow occupants to opt-in, to which Councilor Hartwell said that he would prefer that they allow the option of opting-in.

- C. Review and consider amending the Land Use & Development Code to allow for the commercial adult use cultivation, manufacturing and processing of marijuana and bring back recommendations to the Town Council (referred by the Town Council on October 1, 2019).

Mr. Poirier commented that the State Regulations did not address the issue of odor. He further added that staff can provide a draft ordinance at the next meeting.

Ephrem Paraschak asked the committee to consider whether they will vote to opt-in before staff spends the time drafting an ordinance.

Mr. Poirier recommended limiting growing facilities to two districts; Industrial District and Old Canal Industrial District.

Councilor Hartwell recommended creating a special district for growing facilities.

Councilor Wilder Cross suggested drafting the ordinance to require that facilities be modeled after the facility that the Ordinance Committee toured on December 16, 2019 at 7 County Road. Mr. Paraschak added that staff could make a good attempt with including safety provisions.

Councilor Wilder Cross asked staff if the Town can limit the number of growing facilities by limiting the number of licenses, to which Mr. Paraschak answered yes.

- D. Review and consider developing an amendment to the Land Use and Development Code to allow for storage units in the Roadside Commercial District and bring back recommendations to the Town Council (referred by the Town Council on November 12, 2019).

Walter Stinson addressed the committee and shared that self-storage is a need in today's society. He had looked at a number of parcels and felt that the land in question and its requested use would fit in.

Councilor Hartwell had commented that the Town Council's initial concern was with what could happen to the land if the self-storage use was given up. He added that the reality of the self-storage use concept is that the land could be repurposed if the storage-use ended.

Mr. Stinson added that he is working with an architect to make the entrance concept attractive.

Mr. Poirier added that there are no performance standards in the Roadside Commercial District, and that there are landscape buffer requirements. Mr. Poirier asked if the committee wants a New England Village character for the Roadside Commercial District, or do they want to keep that open. Councilor Wilder Cross commented that she does not see the importance of requiring Village-character further away from the Village area. Councilor Hartwell commented that the gateway/main arteries into Gorham should look nice.

Mr. Poirier commented that the Comprehensive Plan has some definitions, which gives the Planning Board some teeth with looking at buildings and how they function with their sites.

A motion was MADE by Councilor Hartwell, SECONDED by Councilor Wilder Cross to recommend adding storage units to the Roadside Commercial District, and request the Planning Board to provide recommendations on design standards for buildings in the Roadside Commercial District.

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

- A. Review and consider an amendment to the contract zone of Hans Hansen in South Gorham to allow for senior housing units and bring back recommendations to the Town Council (referred by the Town Council on December 3, 2019).

Thomas Greer of Walsh Engineering addressed the committee and asked why this item needs to be reviewed by the Ordinance Committee, to which Councilor Hartwell commented that he was weary of contract zones in South Gorham, and would prefer to see the area rezoned. He added that he would like to see mixed-use, commercial-use and dense housing in South Gorham.

Mr. Greer commented that with the impending turnpike spur, he is not sure that commercial-use is best as the amount of uses is very limited. He additionally said that 55+ housing is a good fit and makes sense.

Hans Hansen added that he is 100 percent behind business; however, with the requirement of three-phase power lines being installed underground and the cost being \$200,000 to \$300,000, it is not feasible in his current contract zone, and moving businesses further away where it is an allowed use removes street visibility.

Councilor Hartwell asked Mr. Poirier where the closest water and sewer line is to South Gorham, to which Mr. Poirier said that it is at Saco Street in Westbrook.

Councilor Hartwell added that the South Gorham area seems like it would be a good use for more dense housing when the turnpike spur is built. Councilor Hartwell advised that the item will be on the January 2020 Town Council meeting agenda for reconsideration.

4. **Other Business**

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

The next meeting of the Committee is scheduled for Tuesday, January 21, 2020 at 8:00 a.m. The following items will be discussed at the next meeting:

- A. Review and consider an amendment to the Historic Preservation Ordinance to include a new category for Historic Sites, to include the Old Yard Cemetery, Town Clock, Civil War monument and Founders monument and bring back recommendations to the Town Council (referred by the Town Council on October 1, 2019).
- B. Review and consider developing an amendment to the Land Use and Development Code to allow varied density in the Village Centers and Urban Commercial District and recommend updates to the Town Council (referred by the Town Council on February 6, 2019).
- C. Review and consider amending the Land Use & Development Code to allow for the commercial adult use cultivation, manufacturing and processing of marijuana and bring back recommendations to the Town Council (referred by the Town Council on October 1, 2019).

6. **Adjournment**

There being no further business, a motion was MADE by Councilor Wilder Cross and SECONDED by Councilor Hartwell and VOTED to adjourn. Time of adjournment: 9:15 a.m.

Respectfully submitted,

Jessica R. Hughes, Executive Assistant