

AMENDED AGENDA AND PROPOSED ORDERS
GORHAM TOWN COUNCIL
REGULAR MEETING
January 7, 2020
6:30pm
Burleigh H Loveitt Council Chambers

Pledge of Allegiance to the Flag

Roll Call

Acceptance of the minutes of the December 3, 2019 Regular Town Council Meeting

Open Public Communications

Councilor Communications

Town Manager Report

School Committee Report

Public

Hearing #1

On Item #2020-1-2 Public hearing on a proposal to issue a new Liquor License to Azul Tequila, LLC.
(Admin. Spon.)

Proposed

Order #20-002 Ordered, that the Town Council issue a new Liquor License to Azul Tequila LLC,
29 School Street.

Public

Hearing #2

On Item #2020-1-3 Public hearing on a proposal to issue a renewal Liquor License to Sebago
Brewing Company. (Admin. Spon.)

Proposed

Order #20-003 Ordered, that the Town Council issue a renewal Liquor License to Sebago
Brewing Company, 616 Main Street.

Public

Hearing #3

On order #2020-1-4 Public hearing on a proposal to issue a renewal Special Amusement License to Sebago Brewing Company. (Admin. Spon.)

Proposed

Order #20-004 Ordered, that the Town Council issue a renewal Special Amusement License to Sebago Brewing Company, 611 Main Street.

Public

hearing #4

On order #2020-1-5 Public hearing on a proposal to amend Chapter 7 of the Land Use and Development Code. (Admin. Spon.)

Proposed

Order #20-005 Ordered, that the Town Council amend Chapter 7 of the Land Use and Development Code as follows:

**Proposed Ordinance Language
Amendment to LUDC Chapter 7 (Impact Fee Ordinance)**

A. Amend Section 7-1.G as follows:

The Town Council may, by formal vote following a public hearing, waive the payment of a required impact fee, in whole or in part, if it finds that:

- 1) The developer voluntarily agrees to construct the improvement for which the impact fee would be collected, or
- 2) The developer is required, as part of a development approval by the Town or a state or federal agency, to make or to pay for infrastructure improvements that are of the same nature as the improvement to be funded by the impact fee, or
- 3) **The infrastructure that the impact fee relates to has been created to attract industry and the fee would be charged to an industrial use, or**
- 4) **The residential development activity will not result in a net addition of new dwelling units because the new dwelling unit will replace a demolished dwelling unit that was previously owned and occupied by the developer.**

B. Add a new subsection after Section 7-1.F.2:

- 3) **If a developer paid an impact fee pursuant to this chapter prior to the effective date of July 1, 2019, but would have been eligible for a waiver of the fee pursuant to Section 7-1.G.4 at the time of construction of the replacement dwelling unit, the developer may apply for a refund of the impact fee paid. Such application must be made in writing to the Director of Community Development within five years of the date of construction of the replacement**

dwelling unit, and must go to the Town Council for a formal vote following a public hearing. If approved, the refund of the impact fee shall be paid to the developer without interest.

Additions: Underlined

Item # 2020-1-6 Action to consider hearing a presentation from Portland West Rail & Trail Alliance. (Councilor Hartwell Spon.)

**Proposed
Order #20-006** Ordered, that the Town Council instruct staff to work with the Portland West Rail & Trail Alliance where possible to further explore the development of the Mountain Division Railroad for commuter access into Portland.

Item # 2020-1-7 Action to consider two resignations from the Conservation Commission. (Admin. Spon.)

**Proposed
Order # 20-007** Ordered, that the Town Council accept the resignation of Rob Lavoie and Stefania Strzalkowska from the Conservation Commission, and Be It Further Ordered that the Town Council expresses its appreciation for their service on the Commission and to the Gorham Community.

Item # 2020-1-8 Action to consider naming the new "Bike Park" off of Weeks Road. (Councilor Philips Spon.)

**Proposed
Order # 20-008** Ordered, that the Town Council officially name the Pump Track on Weeks Road the "Lavoie Bike Park" in recognition of Mr. Lavoie's outstanding dedication to the project, the Gorham Conservation Commission and the citizens of the Town of Gorham.

Item # 2020-1-9 Action to reconsider Order # 9528 from the December 3, 2019 Regular Town Council Meeting. (Councilor Hartwell Spon.)

**Proposed
Order #20-009** Ordered, that the Town Council reconsider Order # 9528, an Order, that the Town Council forward to the Ordinance Committee, for their recommendation, a proposal to amend the contract zone of Hans Hansen in South Gorham to allow for senior housing units.

Item # 2020-1-10 Action to consider instructing staff to prepare recommendations on updates to the Employees Personnel Policy for Ordinance Committee review and recommendation. (Councilor Philips Spon.)

Proposed Order #20-010 Ordered, that the Town Council instruct staff to prepare general updates to the Employee Personnel Policy for Ordinance Committee review and recommendation.

Item # 2020-1-11 Action to consider instructing the Finance Committee to review Portland Water District Sewer rates for the Town of Gorham. (Councilor Philips Spon.)

Proposed Order #20-011 Ordered, that the Town Council instruct the Finance Committee to review Sewer rates for the Portland Water District in the Town of Gorham and provide a recommendation to the Town Council with regards to the rates.

Item # 2020-1-12 Action to consider accepting Benjamin Way as a public way. (Admin. Spon.)

Proposed Order # 20-012 Ordered, that the Town Council accept Benjamin Way as a public way.

Item # 2020-1-13 Action to consider accepting Burton Drive as a public way. (Admin. Spon.)

Proposed Order #20-013 Ordered, that the Town Council accept Burton Drive as a public way.

Item # 2020-1-14 Action to consider appointing three Councilors to the Comprehensive Plan Amendment Committee. (Admin. Spon.)

Proposed Order #20-014 Ordered, that the Town Council appoint Councilors _____, _____, and _____ to the Comprehensive Plan Amendment Committee.

Item # 2020-1-15 Action to consider instructing staff to review traffic calming measures on state collector roads approaching the Gorham Village. (Councilor Hartwell, Wilder Cross, Hager and Pratt Spon.)

Proposed Order # 20-015 Ordered, that the Town Council instruct staff to review and recommend traffic calming measures in and around the approaches to the Gorham Village for state collector roadways to include the use of reactive speed signs, bump outs, crosswalk signs and speed tables.

Old Business

Item # 9522 Action to consider accepting the recommendation of the Ordinance Committee to amend the Land Use & Development Code to allow for Self-Service Storage Facilities in the Roadside Commercial Zone. (Ordinance Committee Spon.)

Proposed Order # 20-016 Ordered, that the Town Council forward to the Planning Board, for public hearing and recommendation, amending the Land Use & Development Code to allow for Self-Service Storage Facilities as follows:

CHAPTER 1: ZONING REGULATIONS

Self-Service Storage Facility – A structure containing separate, individual, and private storage spaces of varying sizes leased or rented to individuals for varying periods of time. Outdoor storage shall not be considered an accessory use to this permitted use.

Warehousing facilities – A building used primarily for the storage of goods and materials by the owner of the goods or operated for a specific commercial establishment or a group of establishments in a particular industrial or economic field. Warehousing may be for long-term or short term storage.

SECTION 1-5 – DEFINITIONS

SECTION 1-11 - ROADSIDE COMMERCIAL DISTRICT

A. PURPOSE

To provide general sales, services and business space in the Town of Gorham.

B. PERMITTED USES

- 1) Any building or use listed under Section 1-10, Subsection B and C, Urban Commercial District.
- 2) Auto-oriented businesses.
- 3) Accessory uses and buildings including a caretaker unit.
- 4) Used car lot.

- 5) Gasoline station and/or repair garage.
- 6) Public utility facilities including substations, pumping stations, and sewage treatments plants.
- 7) Light Industrial Uses of ten thousand (10,000) square feet or less of gross building floor area.
- 8) Commercial outdoor recreation facilities.
- 9) Bed and Breakfast Establishment
- 10) Bed and Breakfast Establishment with public dining as an accessory use
- 11) Inn
- 12) Mobile Vending Units
- 13) Self-Service Storage Facility

Additions: Underlined

ADJOURN