

AGENDA AND PROPOSED ORDERS
GORHAM TOWN COUNCIL
REGULAR MEETING
February 1, 2022
6:30pm
Burleigh Loveitt Council Chambers

Pledge of Allegiance to the Flag

Roll Call

Acceptance of the minutes of the January 4, 2022 Regular Town Council Meeting and the January 18, 2022 Special Town Council Meeting.

Open Public Communications

Councilor Communications

Town Manager Report

School Committee Report

Public hearing #1

On item #2022-02-01

Public hearing to hear comment on a proposal to issue a Medical Use Marijuana License to Gerard Tardiff, Premium Processing, 5 Little Wing Lane, Unit B. Property owned by Dave Cowan. (Admin. Spon.)

Proposed

Order #22-01

Ordered, that the Town Council issue a Medical Use Marijuana License to Gerard Tardiff, Premium, 5 Little Wing Lane, Unit B. Property owned by Dave Cowan.

Public hearing #2

On item #2022-02-02

Public hearing to hear comment on a proposal to issue a Renewal Special Amusement License to Sebago Brewing Company, 616 Main Street. (Admin. Spon.)

Proposed

Order #22-02

Ordered, that the Town Council issue a Special Amusement License to Sebago Brewing Company, 616 Main Street.

Public hearing #3

On item #2022-02-03

Public hearing to hear comment on a proposal to amend the Land Use & Development Code to require phased build outs of subdivisions. (Admin. Spon.)

Proposed

Order #22-03

Ordered, that the Town Council amend the Land Use & Development Code to require phased build outs of subdivisions as follows:

CHAPTER 3: SUBDIVISION

SECTION 3-5 - POST APPROVAL ACTIVITIES

A. Performance Guarantee:

7) Phasing of Development: The Planning Board may approve plans to develop a subdivision in separate and distinct phases. If the subdivision has fifty (50) lots or more, subdivision phases shall be limited so that no more than twenty-five (25) lots are allowed in an individual phase. The Planning Board may allow up to ten (10) additional lots in any one phase if the applicant provides sufficient evidence for the Planning Board to determine that the additional lots will provide for a better overall design and development of the subdivision. Only one (1) phase will have building permits issued at a time until at least ninety percent (90%) of the certificates of occupancy have been issued for that phase and all required improvements for that phase have been completed, except for finish paving of streets. In no event shall more than two (2) phases of the subdivision be under construction at the same time. The phases must be designed so that they can be recorded at the registry of deeds as separate and distinct plans. No phased plans will be released for recording in the registry of deeds until the performance guarantee for that phase has been established as required under this section..

Public hearing #4

On item #2022-02-04

Public hearing to hear comment on a proposal to amend the Land Use & Development Code to adopt the Urban Residential Expansion District and approval of the revised zoning language and map. (Admin. Spon.)

Proposed

Order #22-04

Ordered, that the Town Council amend the Land Use & Development Code to adopt the Urban Residential Expansion District and approve the revised zoning language and map as follows:

CHAPTER 1: ZONING REGULATIONS

SECTION 1-24 – URBAN RESIDENTIAL EXPANSION DISTRICT

A. PURPOSE

To expand and add to the physical, aesthetic and social quality of Gorham's urban area, consistent with the Comprehensive Plan's goals of providing a location for a variety of residential and service uses in accordance with the standards of this chapter. To this end, residential development shall not exceed the net residential density allowable herein and may preferably occur in accordance with the provisions of Chapter 1, Section 1-18, of this Code.

B. PERMITTED USES

- 1) One or two-family dwellings, exclusive of mobile homes and exclusive of trailers.
- 2) Nursing home, home for the aged.
- 3) Municipal building or use.
- 4) Municipally owned parks and playgrounds.
- 5) Accessory residential uses, including home occupations.
- 6) Manufactured housing units on single-family residential lots.
- 7) Rooming house, apartment building or multifamily housing, except fraternity housing.
- 8) Public utility facilities including substations, pumping stations and sewage treatment facilities.
- 9) School, hospital, church, or any other institution of educational, religious, philanthropic, fraternal organization, or social nature which is not used for residential or commercial purposes, which has less than two thousand (2,000) square feet of floor area and generates less than two hundred (200) vehicle trips during any twenty-four hour period, except fraternity houses.
- 10) Accessory Apartments
- 11) Bed and Breakfast Establishments

C. SPECIAL EXCEPTIONS

1) School, hospital, church or any other institution of education, religious, philanthropic, fraternal organization or social nature which is not used for residential purposes and has two thousand (2,000) or more square feet of floor area or generates two hundred (200) or more vehicle trips during any twenty-four hour period.

2) Bed and Breakfast Establishment with public dining as an accessory use.

D. SPACE STANDARDS

	<u>Sewered</u>	<u>Unsewered</u>
Minimum lot size for residential lots which are not a part of a subdivision	20,000 sq. ft.	40,000 sq. ft.
Minimum lot area per dwelling unit for a Subdivision, or multi- family housing*	20,000 sq. ft.	40,000 sq. ft.
Minimum street frontage	100 ft.	150 ft.
Minimum front yard	25 ft.	25 ft.
Minimum rear and side yards	15 ft.	15 ft.

* The net residential density identified under Section 1-5 Definitions shall be used to calculate the maximum number of dwelling units that can be placed on a parcel. Each lot in a subdivision shall have the minimum area per dwelling unit for the number of dwelling units proposed to be on a given lot.

Maximum building height	None	None
Maximum building coverage	25%	25%

Notwithstanding the provisions of this subsection D, an auxiliary public utility structure is exempt from the minimum lot size, building coverage, and street frontage requirements of this district. Structures must meet setback requirements. Additional screening and buffering can be requested by the Planning Board.

E. PERFORMANCE STANDARDS

- 1) The performance standards contained in Chapter 2 of this Code shall be fully observed.
- 2) Non-residential developments and uses shall be developed to meet the following requirements:
 - a. All non-residential uses shall be served by underground utilities.
 - b. All principal buildings and structures for non-residential purposes shall be of a traditional New England Village design to be compatible with the predominant scale and character of the existing Gorham Village architecture.
- 3) Residential developments shall be developed to meet the following requirements:
 - a. All residential uses shall be served by underground utilities.
 - b. Layout of a street network shall be completed in a grid style to ensure two (2) points of connection ~~on~~ for each street. The Planning Board may waive the requirement for two (2) points of connection for a portion of the development if the Planning Board finds that no other alternate street network is possible with 2 points of connection or it would be a financial hardship to complete the required two (2) points of connection. For purposes of this section, a financial hardship shall be considered to exist if establishing the two (2) points of connection would utilize more than twenty-five (25) percent of the cost of the entire development.

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 Expansion Space standards. The request for waiver shall include two (2) plans. One plan shall show a street/private way layout having two (2) points of connection, and the other plan shall show a street/private way layout with a dead end street/private way. The road layouts shown on both plans must be approved by the Planning Board.

If the Planning Board grants a waiver of the requirement for two (2) points of connection for dead end streets or private ways providing access to more than 4 lots and/or dwelling units, the street or private way shall be of a cul-de-sac design meeting all the relevant requirements under Chapter 2, Section 2-5 Minimum Standards for the Design and Construction of Streets and Ways.

Private ways serving a single lot and a single dwelling unit are exempt from the requirement for 2 points of connection.

c. Principal single-family, two-family, and multi-family buildings and structures shall be of a traditional New England design to be compatible with the predominant scale and character of the existing Gorham Village architecture.

Item #2022-02-05 Action to consider Town Council endorsement of a nonprofit Community Development Block Grant (CDBG) application for a septic system project related to the Port Resources Group Home located on Dingley Springs Road. (Admin. Spon.)

**Proposed
Order #22-05** Ordered, that the Town Council endorse Port Resources' CDBG grant application.

Item #2022-02-06 Action to consider instructing staff to review senior programs in the Town of Gorham. (Councilor Hager Spon.)

**Proposed
Order #22-06** Ordered, that the Town Council instructs staff to prepare recommendations on expanding senior programs in the Town of Gorham; and

Be It Further Ordered, that staff proposes recommendations for discussion at a future Town Council workshop.

Item #2022-02-07 Action to consider instructing the Ordinance Committee to review Recreation Impact Fees. (Councilor Philips Spon.)

**Proposed
Order #22-07** Ordered, that the Town Council instructs the Ordinance Committee to review Recreation Impact Fees and provide recommendations on expansion of eligible projects.

Item #2022-02-08

Action to consider utilizing American Rescue Plan Act (ARPA) funding to provide Hazard Pay to Gorham First Responders and Town employees. (Councilor Shepard Spon.)

Proposed

Order #22-08

Ordered, that the Town Council instructs the Town Manager to prepare recommendations for the Town Council for the March meeting that provides hazard and/or premium pay from ARPA funding for Town employees while recognizing the extra hazards faced by first responders.

Item #2022-02-09

Action to consider the use of ARPA Funding for the procurement of supplies and equipment for the Gorham Fire Department. (Councilor Pratt Spon.)

Proposed

Order #22-09

Ordered, that the Town Council authorizes the release of \$170,238 in ARPA funding to provide for the purchase of power stretchers, face masks and automated CPR devices as follows:

WHEREAS, the American Rescue Plan Act will authorize federal funding for the Town of Gorham in the amount of approximately \$1,899,863.90; and

WHEREAS, there are four authorized spending categories including: 1. COVID-19 related or negative economic impact; 2. Revenue loss restoration; 3. Premium pay options; and 4. Water, sewer, and broadband infrastructure; and

WHEREAS, the Town Manager is offering a Phase 1 proposed spending plan to the Town Council on February 1, 2022, with an opportunity for public input; and

WHEREAS, all expenditures shall be complete by December 31, 2024.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GORHAM ASSEMBLED THIS 1ST DAY OF FEBRUARY, 2022 THAT:

1. The Town Council generally accepts the first phase of the proposed spending plan, attached hereto as Appendix A; and

2. The Town Council acknowledges that the proposed spending plan is subject to change based upon the evolution of the pandemic, emerging needs, regional and statewide collaborations; and
3. No expenditures other than those that have already been encumbered shall occur without the approval of the Town Council.

Attest: _____
Laurie Nordfors, Town Clerk

Date:

**APPENDIX A
AMERICAN RESCUE PLAN ACT OF 2021
PROPOSED USE OF FUNDS / PROJECT LIST**

Covid Impact / Response

Purchase of power load cots for ambulances, automated CPR devices and individual SCBA masks.

\$170,238

Total Expenditures Phase 1: \$170,238

Item #2022-02-10 Action to consider funding portable bathrooms at the Cherry Hill Family Farm property (Councilor Phillips Spon.)

Proposed
Order #22-10 Ordered, that the Town Council authorizes staff to allocate funding for portable bathrooms at the Cherry Hill Family Farm property from Account number 950-02-50640-01.

Item #2022-02-11

Action to consider a recommendation to write off accounts receivables in the amount of \$358.90 for uncollectible invoices. (Finance Committee Spon.)

Proposed

Order #22-11

Ordered, that the Town Council authorize that the outstanding amount totaling \$359.98 for uncollectible invoices be written off.

Item #2022-02-12

Action to consider a recommendation to write off taxes in the amount of \$1,121.65 total for three foreclosed mobile homes, real estate account numbers 66749, 67145, and 67148. (Finance Committee Spon.)

Proposed

Order #22-12

Ordered, that the Town Council approve of the recommendation to write off taxes in the amount of \$1,121.65 for three foreclosed mobile homes, real estate account numbers 66749, 67145, and 67148.

Item #2022-02-13

Action to consider setting a workshop in March for discussion on specific recreation projects to receive ARPA funding. (Councilor Pratt Spon.)

Proposed

Order #22-13

Ordered, that the Town Council approve to set a workshop for March 15, 2022 for a full Town Council workshop.

Adjourn