

**AGENDA AND PROPOSED ORDERS  
GORHAM TOWN COUNCIL  
REGULAR MEETING  
March 12, 2024  
6:30PM  
Burleigh Loveitt Council Chambers**

**Pledge of Allegiance to the Flag**

**Roll Call**

**Acceptance of the minutes of the February 6, 2024, Regular Town Council Meeting.**

**Open Public Communications**

**Councilor Communications**

**Town Manager Report**

**School Committee Report**

**Public hearing #1**

**On item #2024 3-1**

Public hearing to hear comments on a proposal to issue a renewal Medical Marijuana License to Tanner Brown, Threshold LLC, 11E Gorham Industrial Parkway. Property owned by 11E Gorham Industrial Parkway LLC. (Admin. Spon.)

**Proposed**

**Order #24-31**

Ordered, that the Town Council issue a renewal Medical Marijuana License to Tanner Brown, Threshold LLC, 11E Gorham Industrial Parkway. Property owned by 11E Gorham Industrial Parkway.

**Public hearing #2**

**On Item #2022-08-2**

Public hearing to hear comments on a proposal to amend the Land Use and Development Code to add a new Pedestrian Overlay District and proposed amendments to existing ordinance sections to include pedestrian/sidewalk standards. (Admin. Spon.)

## **2. Proposed Amendments to Chapter 1 Zoning Regulations Section 1-1 B**

The TC amendment language is shown in black and underlined with the Planning Board's recommended changes shown in **black, bolded, underlined, and struck through.**

### **Chapter 1 Zoning Regulations**

#### **Section 1-1 General**

#### **B. ESTABLISHMENT OF ZONES**

To implement the provisions of this Chapter, the Town of Gorham is hereby divided into the

following classes of Districts:

Pedestrian Overlay District

Add the following zoning overlay district language:

**Section 1-26**

Purpose

The purpose of the Pedestrian Overlay District (PED) is to establish a safer, more diverse, healthier, financially productive and business friendly environment. The district encourages walkability which complements the overall neighborhood design.

Applicability

The PED will be applied to select areas as an overlay to existing zoning districts. The PED shall be shown on the official zoning map. The design standards are stated in Chapter 2 Section 2-5 and shall apply to both public and private rights of way.

Board of Appeals

The Board of Appeals shall have no authority to grant variances from the design standards except as a result of notice of zoning determination challenge.

Exceptions

1. New developments within areas designated as PED are is subject to the development and design standards of PED, with the following exceptions:
  - a. Development exempted under Chapter 3: Subdivision, **Section 3-1 C. Administration.**
  - b. Development exempted under Chapter 4: Site Plan Review, Section 4-2 Applicability, A., and B.
  - c. **One-lot private ways shall be exempt from these requirements.**

PERFORMANCE STANDARDS

1. Pedestrian facilities shall be provided to and within the development.
2. Pedestrian facilities shall adhere to current engineering practice as well as Federal and State law regarding design and construction.
3. **Residential** and commercial subdivisions and developments with private ways and public streets must be designed with sidewalks as described under Chapter 2, Section 2-5 Minimum Standards for the Design and Construction of streets and ways.
4. On-Site Pedestrian Relationships and Facilities
  - a. Where sidewalks exist or can physically be constructed in front of the parcel, the site shall be designed to provide for pedestrian access to the front entrance of the building without the need to cross parking areas or access drives.
  - b. The walkway to the front entrance shall be constructed with materials that contrast with the paving of the vehicular areas, which provide a safe and inviting access to the building, and that are visually compatible with other pedestrian facilities in the neighborhood.

- c. If a sidewalk along the street is interrupted or crossed by a proposed driveway, access road, or other vehicular facility, the sidewalk material or design must be maintained across the driveway or another visually compatible method used to clearly delineate the sidewalk from the drive.
- d. Provisions shall be made for pedestrian circulation between buildings and uses within a site or on adjacent parcels if the buildings do not have a direct relationship to the sidewalk or if the front wall of the building is located more than one hundred (100) feet from the property line.

#### 5. Off-site Fee in lieu of construction.

Where a new off-site sidewalk must be constructed, a waiver may be granted by the Planning Board/Site Plan Review Committee and a fee in lieu of that sidewalk shall be paid if one or more of the following conditions apply:

- a. The sidewalk is proposed to be constructed within an existing right-of-way where sufficient right-of-way or easement width does not exist or cannot be dedicated to build the sidewalk without reducing existing transportation facilities **such as travel lanes, on-street parking, and bicycle lanes as determined by the Town Engineer and the adaptive reuse or preservation of an existing building or structure prevents extending the sidewalk onto private property.** In these instances, compliance to the maximum extent practicable is required and a fee is paid for the balance of sidewalk not constructed.
- ~~b. The sidewalk is proposed to be constructed within or on existing natural resources or their associated setback requirements, steep slopes greater than 25%, historic or archaeological features.~~
- c. The sidewalk is a part of a publicly funded project that includes sidewalks. In this case, the developer shall pay the fee based on the town or State design up to the amount limited by the Fee Schedule.
- d. The sidewalk for a commercial project is five hundred (500) feet or more from an existing sidewalk, as measured from the closest points of the existing sidewalk to the subject property line along the existing road frontage.
- e. The sidewalk for a residential or mixed-use project is fifteen hundred (1,500) feet or more from an existing sidewalk, as measured from the closest points of the **existing sidewalk to the**

**subject property line along the existing road frontage, or fifty (50) times the maximum number of dwelling units allowed per the base density of the development parcel(s), whichever is greater,**

- f. The fee shall be based on the amounts found in the town's Fees Schedule and may be prorated based on partial compliance. The total cost of the project shall include all construction costs associated with the improvement as approved by the town.

If a fee in lieu of constructing a sidewalk is approved, the developer must provide a recorded easement for the future development of the sidewalk.

All fees shall be paid prior to the issuance of a building permit and shall not transfer to future projects on the same property.

The developer, wherever practical, shall grade for the future development of a sidewalk.

**Use of fees.**

All fees collected by the town pursuant to these provisions shall be accounted for separately from other monies and shall be spent only for the construction or rehabilitation of sidewalks or other pedestrian improvements in the town.

The following are proposed amendments to existing ordinance sections:

**SECTION 1-9 - VILLAGE CENTERS DISTRICT**

**SUBSECTION 2. GORHAM VILLAGE CENTER DISTRICT**

**e. PERFORMANCE STANDARDS**

**7. ~~7. Pedestrian Relationships and Facilities~~**

~~Where sidewalks exist or can be constructed in front of the parcel, the site shall be designed to provide for pedestrian access to the front entrance of the building without the need to cross parking areas or access drives. The walkway to the front entrance shall be constructed with materials that contrast with the paving of the vehicular areas, that provide a safe and inviting access to the building, and that are visually compatible with other pedestrian facilities in the neighborhood. If a sidewalk is interrupted or crossed by a proposed driveway, access road, or other vehicular facility, the sidewalk material or design must be maintained across the driveway or another visually compatible method used to clearly delineate the sidewalk from the drive.~~

**SECTION 1-10 URBAN COMMERCIAL DISTRICT**

**E. PERFORMANCE STANDARDS**

**7. ~~Pedestrian Relationships and Facilities~~**

~~Where sidewalks exist or can be constructed in front of the parcel, the site shall be designed to provide for pedestrian access to the front entrance of the building without the need to cross parking areas or access drives if the front wall of the building is located within one hundred (100) feet of the property line. The walkway to the front entrance shall be constructed with materials that contrast with the paving of the vehicular areas, that provide a safe and inviting access to the building, and that are visually compatible with other pedestrian facilities in the neighborhood. If a sidewalk along the street is interrupted or crossed by a proposed driveway, access road, or other vehicular facility, the sidewalk material or design must be maintained across the driveway or another visually compatible method used to clearly delineate the sidewalk from the drive.~~

~~Provisions shall be made for pedestrian circulation between buildings and uses within a site or on adjacent parcels if the buildings do not have a direct relationship to the sidewalk or if the front wall of the building is located more than one hundred (100) feet from the property line.~~

**SECTION 1-11 - ROADSIDE COMMERCIAL DISTRICT**

**E. PERFORMANCE STANDARDS**

e) Access Management:

- 1 Entrances and uses in this district shall be combined to the maximum extent possible. Developments must allow for ~~pedestrian and~~ vehicular access into the lot's driveways, sidewalks, and/or parking lots from the abutting properties.

**SECTION 1-13 – MOSHER CORNER MIXED USE**

**E. PERFORMANCE STANDARDS**

e) Access Management

1. Entrances and uses in this district shall be combined to the maximum extent possible. Developments must allow for ~~pedestrian and~~ vehicular access into the lot's driveways, sidewalks, and/or parking lots from the abutting properties.

**SECTION 1-16 – NARRAGANSETT MIXED-USE DEVELOPMENT DISTRICT**

**E. PERFORMANCE STANDARDS**

7) Bike paths/greenway systems – the applicant shall provide convenient and safe pedestrian and bicycle access to and within the development. The requirement for off site sidewalk extension shall be modified by the Planning Board or Site Plan Review Committee provided the following conditions are met:

a) For projects under site plan review the costs for offsite sidewalks exceeds a cost of \$1,000 per 2,000 sq. ft. of gross commercial floor area or for projects proceeding under subdivision review the costs for offsite sidewalks exceeds a cost of \$10,000 per lot.

Subdivision lots that have been reviewed under this provision are not required to be reviewed again under site plan review.

b) In place of a full sidewalk extension, the applicant is required to extend the nearest sidewalk the following lengths towards the proposed development:

1. For roads with existing closed drainage systems and curbing the applicant shall extend the sidewalk 200' for each 5,000 sq. ft. of gross floor area under site plan review or 400' for each lot;

2. For roads without existing closed drainage systems and curbing the applicant shall extend the sidewalk 100' and close in the drainage system for each 5,000 sq. ft. of gross floor area under site plan review or 250' for each lot; curbing the applicant shall extend the sidewalk 100' and

3. For existing public roads with sidewalks in poor condition as determined by the Public Works Director or his designee, an applicant can request that half of the required extension be utilized to repair the existing sidewalk network on a foot by-foot exchange.

## SECTION 1-25 – SOUTH GORHAM COMMERCIAL DISTRICT

### D. SITE PERFORMANCE STANDARDS

#### 7) Pedestrian Relationships and Facilities

a) Where sidewalks exist or can be constructed in front of the parcel, the site shall be designed to provide for pedestrian access to the front entrance of the building without the need to cross parking areas or access drives.

b) The walkway to the front entrance shall be constructed with materials that contrast with the paving of the vehicular areas, that provide a safe and inviting access to the building, and that are usually compatible with other pedestrian facilities in the neighborhood.

~~e) If a sidewalk along the street is interrupted or crossed by a proposed driveway, access road, or other vehicular facility, the sidewalk material or design must be maintained across the driveway or another visually compatible method used to clearly delineate the sidewalk from the drive.~~

~~d) Provisions shall be made for pedestrian circulation between buildings and uses within a site or on adjacent parcels if the buildings do not have a direct relationship to the sidewalk or if the front wall of the building is located more than one hundred (100) feet from the property line.~~

## Chapter 2 General Standards of Performance

### SECTION 2-4 - RESIDENTIAL

#### B. PERFORMANCE STANDARDS FOR MULTI-FAMILY HOUSING

2. g) Sidewalks within the development are required to allow pedestrian connections to structures, amenities, and/or prominent natural features within the development and the existing sidewalk network.

~~1. The applicant may request a waiver from the full off site sidewalk extension as outlined under Chapter 2, Section 2 5, F, 11 Sidewalks.~~

### SECTION 2-5 - MINIMUM STANDARDS FOR THE DESIGN AND CONSTRUCTION OF STREETS AND WAYS

#### F. STREET DESIGN STANDARDS - PUBLIC WAYS

11) Sidewalks - Sidewalks shall be provided within all subdivisions and commercial development located in the Pedestrian Overlay District. All pedestrian facilities shall adhere to the Performance Standards in Section 1-26 Pedestrian Overlay District and the design standards under this section.~~in the Village Center, Urban Commercial, Commercial Office, Office Residential, and Urban Residential Districts, and for all subdivisions located within the Development Transfer Overlay District that conform to the overlay district, within Chapter 2 Section 2 5 Minimum Standards for the Design and Construction of Streets and Ways.~~

~~The requirements, with connection to the existing sidewalk network provided for the safety and convenience of the residents, per the standards in Table 1 and Figures 1, 2, 3 and 5. The sidewalk location in figures 1, 2, 3 and 5 is preferred; however, it may, at the discretion of the Planning Board, be positioned at curb line with zero esplanade. Sidewalks may also be required in subdivisions which abut any of the above Districts.~~

The requirement for off site sidewalk extension in the Urban Residential District shall be modified by the Planning Board provided the following conditions are met:

~~a.~~ The cost for off site sidewalks exceeds a cost of \$5,000 per dwelling unit. 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 District Space standards.

~~b.~~ In place of a full sidewalk extension as required in subsection 11, the applicant is required to extend the nearest sidewalk the following lengths towards the proposed development:

~~(1)~~ For roads with existing closed drainage systems and curbing the applicant shall extend the sidewalk 200' for each proposed dwelling unit in the development.

~~(2)~~ For roads without existing closed drainage systems and curbing the applicant shall extend the sidewalk 100' and close in the drainage system for each proposed dwelling unit in the development.

~~(3)~~ For existing public roads with sidewalks in poor condition as determined by the Public Works Director or his designee, an applicant can request that half of the required extension be utilized to repair the existing sidewalk network on a foot by foot exchange.

Sidewalks may also be required, for the safety and convenience of the public, by the Planning Board or Site Plan Review Committee for major and minor developments located along arterial and collector streets and which are within reasonable distance of the existing sidewalk network.

~~Sidewalks, when required, shall be a minimum of five (5) feet in width, unless site conditions dictate a different width.~~

## **Chapter 4 Site Plan Review**

### **SECTION 4-9 - APPROVAL CRITERIA AND STANDARDS**

~~E. Pedestrian Circulation The development plan will provide for a system of pedestrian circulation within and to the development. If the project is located in a village area, this system will connect with existing sidewalks if they exist in the vicinity of the project.~~

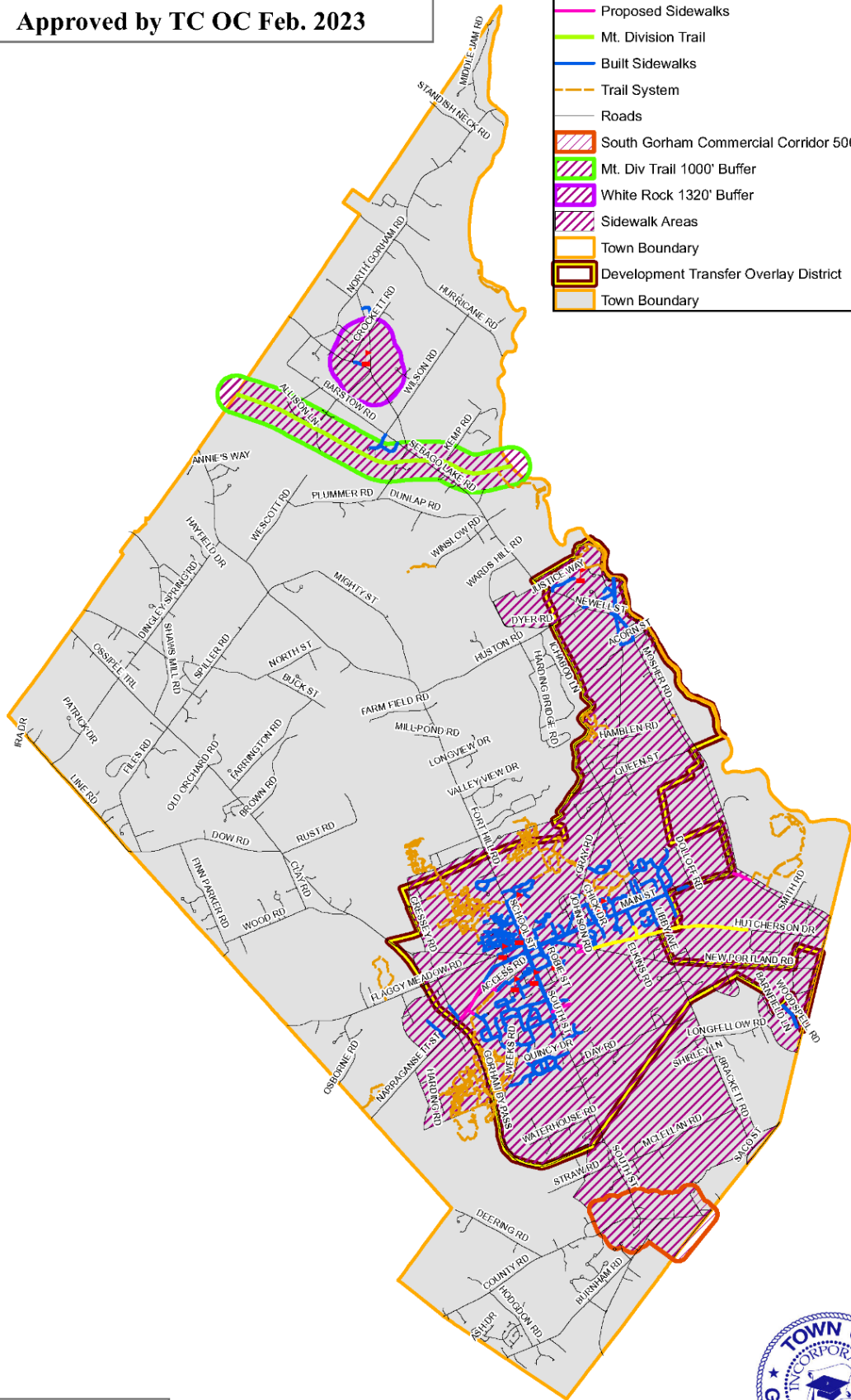
#### Pedestrian Relationships and Facilities



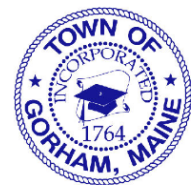
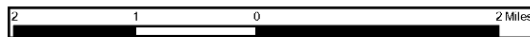
- a. Adequate pedestrian facilities shall be provided to and within the development if any part of the development is in the Pedestrian Overlay District.

**Comprehensive Plan Implementation:  
Bicycle and Pedestrian Recommendations  
Approved by TC OC Feb. 2023**

- Gorham Schools
- Cross Town Trail
- Proposed Sidewalks
- Mt. Division Trail
- Built Sidewalks
- Trail System
- Roads
- South Gorham Commercial Corridor 500' Buffer
- Mt. Div Trail 1000' Buffer
- White Rock 1320' Buffer
- Sidewalk Areas
- Town Boundary
- Development Transfer Overlay District
- Town Boundary



Produced by Damon Yakovleff  
Assistant Town Planner  
March 2023



**Item # 2024-3-2**

Action to consider adopting a resolution in recognition of Gorham High School's *Mamma Mia!* production. (Councilor Siegel Spon.)

**Proposed**

**Order#24-33**

Ordered, that the Town Council formally adopts the following resolution in recognition of Gorham High School's production of *Mamma Mia!* as follows:

**Resolution of the Gorham Town Council Recognizing the Performance of Gorham High School's Production of *MAMMA MIA!***

Whereas, the Gorham Town Council recognizes the arts as a vital and enriching segment of children's well-rounded education; and

Whereas, the arts education teachers at Gorham High School and in the Gorham School District continue to strive for educational excellence and artistic literacy for their students; and

Whereas, support should be given to arts teachers and students to strengthen performing arts programs in the Gorham schools and community; and

Whereas, every chance given, arts education provides to every child valuable benefits of developing students' creativity through problem-solving and critical-thinking abilities, and interrelates students' learning in arts processes of creation, production, performance, and presentation:

Now, Therefore, Be it Resolved, That the Gorham Town Council does hereby express its appreciation to Gorham Schools' arts educators, and the 37 cast and crew members of the *Mamma Mia!* musical, held in February 2024, for their efforts with the production that promotes and nurtures excellence in education and brings the community together.

Done this 12th day of March 2024.

**Item #2024-3-3**

Action to consider adopting a new Robie Park Master Plan. (Councilor Philips Spon.)

**Proposed**

**Order #24-34**

Ordered, that the Town Council adopts the proposed Robie Park Master Plan as recommended by the Robie Park Steering Committee.

**Item #2024-3-4** Action to consider 2024-2025 Board and Committee appointments.  
(Appointment Committee Spon.)

**Proposed  
Order #24-35** Ordered, that the Town Council make appointments to various Town Boards and Committees as recommended by the Appointments Committee at their meeting March 7, 2024.

**Item #2024-3-5** Action to consider formally becoming a member community of Greater Portland METRO. (Councilor Wilder Cross Spon.)

**Proposed  
Order #24-36** Ordered, that the Town Council formally votes to become a member of the Greater Portland METRO transit service; and

Be It Further Ordered, that this order is contingent upon the allocation of two board seats for the Town of Gorham on the METRO Board of Directors.

**Item #2024-3-6** Action to consider rezoning Map 8, Lot 10 from the Urban Residential Expansion District to the South Gorham Crossroads District. (Councilor Philips Spon.)

**Proposed  
Order #24-37** Ordered, that the Town Council forwards to the Planning Board, for review and public hearing, changing Map 8, Lot 10 from the Urban Residential Expansion District to the South Gorham Crossroads District.

**Item #2024-3-7** Action to consider authorizing the Town Manager to execute a amendment to the Purchase & Sale Agreement with Core X Complete Maine Propco LLC and clear a portion of Map 30, Lot 1 as designated on their site plan approval. (Councilor Philips Spon.)

**Proposed  
Order #24-38** Ordered, that the Town Council authorizes the Town Manager to executive an extension of the purchase and sale agreement with Core X Complete Maine Propco LLC until October 1, 2024; and

Be It Further Ordered, that the Town Manager is authorized to execute an agreement that authorizes the buyer to clear sections of this lot prior to April 14, 2024 to meet the conditions of their environmental approvals.

**Item #2023-2-7** Action to consider amending home occupation standards in the Land Use & Development Code to increase economic development opportunities. (Ordinance Committee Spon.)

**Proposed  
Order #24-39**

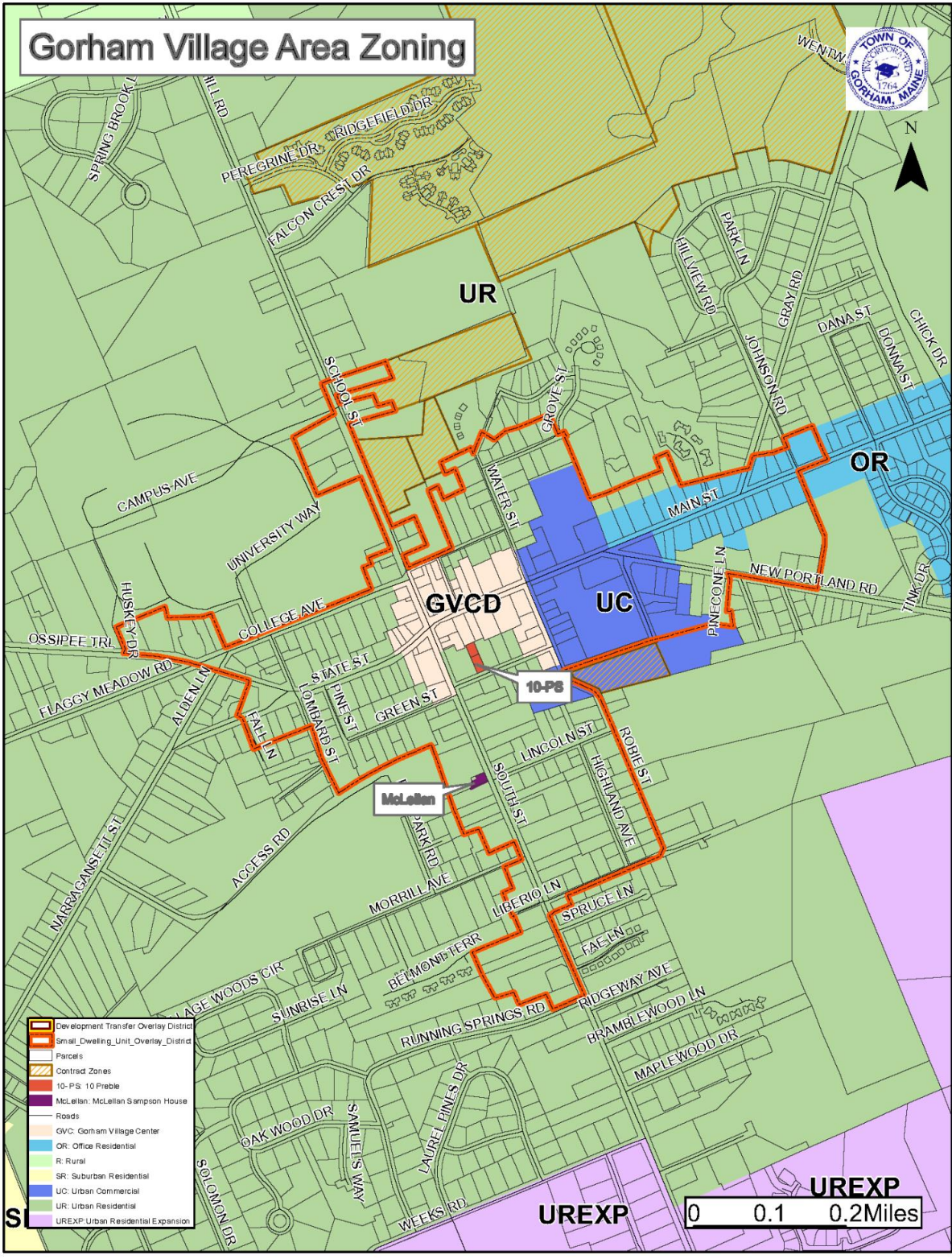
Ordered, that the Town Council forwards to the Planning Board, for review and public hearing, amendments to the Land Use and Development Code creating a village home occupation overlay district and amending home occupation standards as follows:

SECTION 2-15 – HOME OCCUPATION STANDARDS

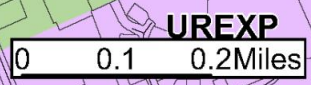
16. Home occupations in the village home occupation overlay district are allowed the following exceptions to the above requirements.

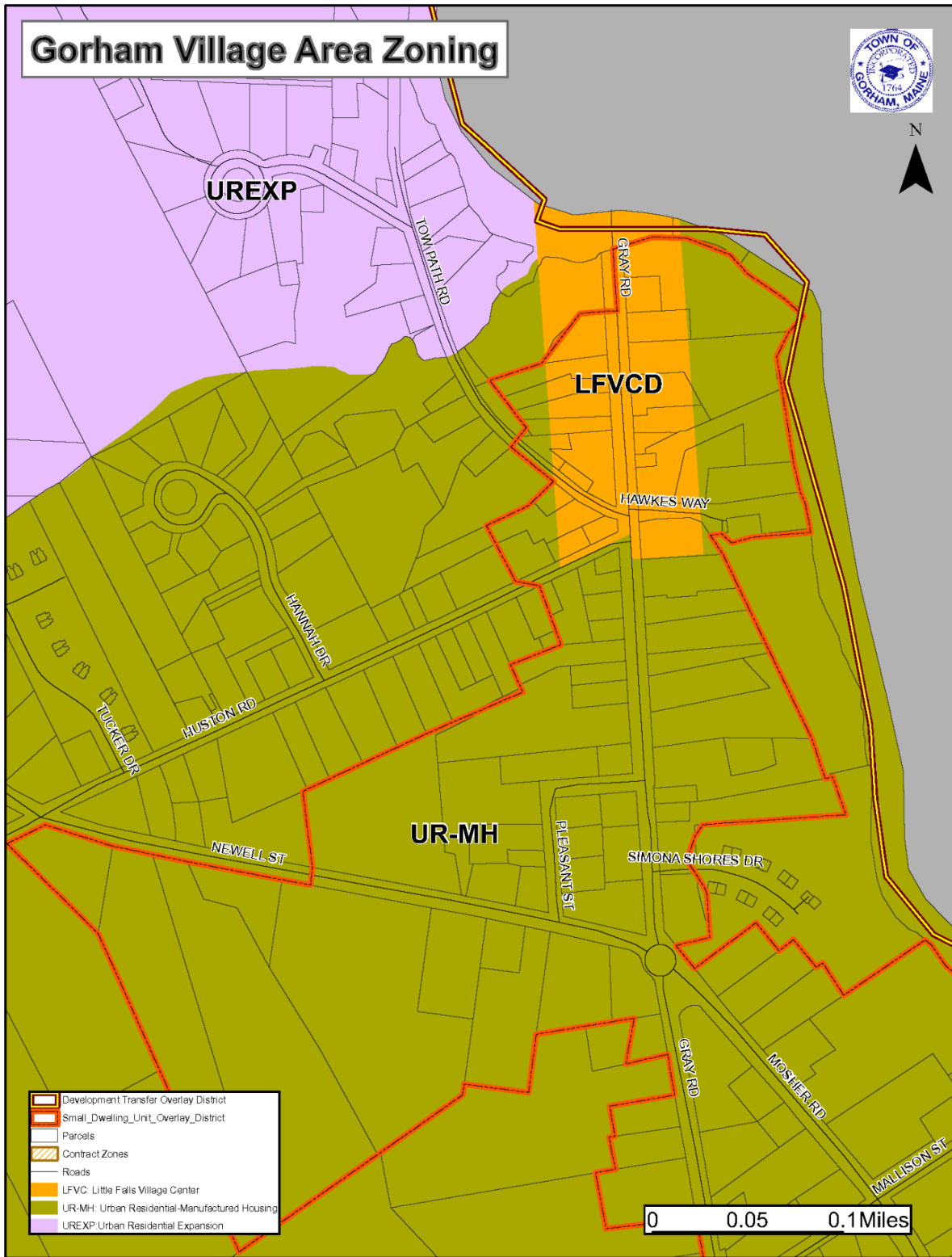
- a. The home occupations excluding medical marijuana caregivers shall not utilize more than 50% of the total floor area of the dwelling unit.
- b. Medical marijuana caregivers are required to meet the requirements outlined under section 14.e.1.-4. and under section 15.
- c. Not more than ten people outside the family shall be employed in the home occupation.
- d. The following uses shall be allowed as home occupations as defined in Chapter 1, Section 1-5 Definitions:
  1. Retail stores under 500 sq.ft.

# Gorham Village Area Zoning



- Development Transfer Overlay District
- Small Dwelling Unit Overlay District
- Parcels
- Contract Zones
- 10-PS: 10 Priebe
- McLellan: McLellan Sampson House
- Roads
- GVC: Gorham Village Center
- OR: Office Residential
- R: Rural
- SR: Suburban Residential
- UC: Urban Commercial
- UR: Urban Residential
- UREXP: Urban Residential Expansion





**Item #2023-10-11**

Action to consider Main Street Sewer Impact Fees for the purposes of expanding water and sewer availability in the Town of Gorham where extensions are possible. (Ordinance Committee Spon.)

**Proposed  
Order #24-40**

Ordered, that the Town Council forwards to the Planning Board, for review and public hearing, amendments to the Land Use and Development Code that would create a sewer impact fee for parts of Main Street as follows:

## **CHAPTER 7 – IMPACT FEES**

### **SECTION 7-5 – MAIN STREET SEWER EXTENSION IMPACT FEE**

**Description of the Improvements**

**Need for the Improvement**

**Activities Subject to the fee**

**Calculation of the Fee**

**Effective Dates**

### **SECTION 7-5 MAIN STREET SEWER IMPACT FEE**

#### **A. DESCRIPTION OF THE IMPROVEMENTS**

The Town plans to construct an eight (8) inch sewer extension and new pump station along Main Street (Route 25) between Portal Way to the intersection at Mosher Road (Route 237), a distance of approximately 3,500 feet.

#### **B. NEED FOR THE IMPROVEMENT**

The Town of Gorham identified a gap in development along a portion of Main Street (Route 25) between Portal Way to the intersection at Mosher Road (Route 237). Development in the surrounding lots has been limited in nature, with only a few low-impact developments utilizing private septic systems in lieu of a sewer connection with frontage generally along Main Street leaving the rears of these lots mostly undeveloped. There is virtually no development on the remainder of the lots identified in the Proposed Main Street Sewer Impact Fee District map dated August 2023.

The absence of adequate wastewater capacity impedes development in the area. Without a sewer line, developers face a fundamental infrastructure gap that limits their ability to manage wastewater efficiently. Larger developments, in particular, have been deterred from investing in the area as higher wastewater demand requires significant infrastructure construction leading to increased costs. The absence of adequate utility creates a substantial barrier for prospective development.



The Town of Gorham recognizes the critical role that proper infrastructure plays in fostering economic growth and attracting development. The proposed improvement includes an approximately 2,500 feet extension of the sewer line along Main Street between Portal Way and Mosher Road. Additionally, the proposed improvement includes the construction of a new pump station to support larger development in the area. These utility upgrades serve as a strategic investment to attract development along Route 25.

The Town of Gorham will finance and construct the sewer upgrades, including the sewer line extension and new pump station, with the intention of establishing an impact fee district to recuperate the related construction expenditures. This approach is rooted in a commitment to catalyze immediate infrastructure improvements that will remove barriers to development in the area.

**c. ACTIVITIES SUBJECT TO THE FEE**

Any development within the Proposed Main Street Sewer Impact Fee District as shown on the map of said district dated January 2024 on file with the Town Clerk shall be subject to the fee whether or not such use utilizes the sewer line extension or newly constructed pump station. This includes residential and nonresidential uses as well as additions to existing buildings, changes in use, or expansions of use that increase wastewater flow of the property based upon design sewage flows from the Maine State Plumbing Code. Furthermore, this impact fee is split into two areas: Area A and Area B – both areas will be subject to the impact fee. The calculations for each are described in Section D.

**AREA A:** Parcels located in Area A are categorized based on their ability to directly utilize the improvements along Main Street. These parcels are shown in the Main Street Sewer Impact Fee District Map.

**AREA B:** Parcels located in Area B are categorized based on their proximity to improvements but cannot connect to the improvements without additional work. The improvements associated with the Main Street Sewer Impact Fee do not serve the parcels in Area B as shown in the Main Street Sewer Impact Fee District Map. These parcels will have to install additional improvements in order to connect to the utilities provided by this impact fee.

**d. CALCULATION OF THE FEE**

The Main Street Sewer Impact Fee is split into two areas: Area A and Area B as shown on the Main Street Sewer Impact Fee District Map:

**AREA A:**

Development within Area A is subject to the complete impact fee as the improvements directly serve future development of the parcels. The Impact Fee for

Area A is based on the sum of the costs associated with the construction of the infrastructure upgrades and the total estimated capacity in gallons per day (gpd) of the new infrastructure upgrades. The final costs are \_\_\_\_\_ and the estimated capacity of the new sewer upgrades is 50,443 gpd.

**AREA B:**

The Main Street Sewer Impact Fee does not directly serve development in Area B. Development within Area B requires additional improvements in order to connect to the sewer line along Main Street. Although additional investment is needed in Area B, the improvements associated with this impact fee still serve these parcels.

Area B is eligible for a credit towards the impact fee based on a the total costs of improvements. The credit shall not be more than the final impact fee. In order to be eligible for a credit towards the impact fee, the cost estimate for the proposed sewer extension shall be approved by the Town of Gorham.

The Impact Fee for Area B is based on the sum of the costs associated with the construction of the infrastructure upgrades and the total estimated capacity in gallons per day (gpd) of the new infrastructure upgrades. The final costs are \_\_\_\_\_ and the estimated capacity of the new sewer upgrades is 50,443 gpd.

**e. EFFECTIVE DATES**

notwithstanding the provisions of 1 M.R.S.A. §302 or any other law, this ordinance, when enacted, shall govern any plan or application for approval or permits under the Land Use and Development Code submitted on or after \_\_\_\_\_, and any such plan or application submitted before that date, but which had not received at least one substantive review, within the meaning of §302, on or before that date, by the Town board or official having authority to grant any such permit or approved.

**Item #2023-11-15**

Action to consider forwarding amendments to the Land Use & Development Code to the Planning Board amending one lot private way provisions. (Ordinance Committee Spon.)

**Proposed  
Order #24-41**

Ordered, that the Town Town Council forwards to the Planning Board, for public hearing and recommendation, amendments to the Land Use & Development Code replacing one lot private way provisions with backlot provisions as proposed below:

**Chapter 1 Zoning Regulations**

**Section 1-5 DEFINITIONS**

**Driveway** – A driveway is a paved or gravel way for vehicular, bicycle or pedestrian traffic extending from a road or street to an adjacent property line(s) for the purpose of providing access to a single legal lot.

**Back Lot** - A lot without the legally required road frontage developed in accordance with Chapter 2 Section 2-5 XXX.

## **Chapter 2 Section 2-5 Standards for Driveways**

### **Driveways.**

**A.** Driveways providing access to lots containing a single-family dwelling and no more than one (1) accessory dwelling unit, or one (1) two-family structure:

**(1)** Driveways shall be located no less than forty (40) feet from any street intersection. Driveways to corner lots shall gain access from the street of lower classification when a corner lot is bounded by streets of two different classifications as described herein, except as recommended by the Director of Public Works or their designee.

**(2)** For collector and higher order streets, there shall be adequate driveway turnaround space on each lot so that no vehicle need back out onto a street in order to leave the lot.

**(3)** Driveways shall be so located, designed and constructed as to meet the requirements for sight distance under this section.

**(4)** All driveway edge of pavement shall be at least five (5) feet from any side or rear lot line for single-family lots and for attached housing units. Common use of driveways by adjacent landowners is encouraged, and in the case of a common driveway this requirement does not apply.

**(5)** Each single-family lot or attached housing unit shall have only one driveway curb cut along its street frontage.

## **Chapter 1 Section XX Standards for Back Lots**

Back lots. One back lot may be created from any lot of record which conforms to the lot requirements herein.

(1) The back lot and front lot each contain no more than one principal structure, each principal structure containing no more than two dwelling units. Primary uses are limited to single family, single family with accessory dwelling unit, or two-family dwellings for both the front lot and back lot.

(2) Both the front lot and back lot conform to the minimum lot area and minimum lot area per dwelling unit as stated herein.

(3) The back lot is at least as wide at the site of the proposed dwelling as the frontage measurement required in the district.

(4) The back lot has perpetual deeded access to a publicly accepted street or a private road. This access shall be obtained by extension of the back lot to the public street or through provision of an easement of the minimum driveway width required for the number of dwelling units on the back lot plus side setbacks.

(5) The creation of the back lot does not make the front lot nonconforming, or more nonconforming, as to frontage.

(6) The back lot and front lot share the same driveway entrance to the public street, if the access to the back lot is via a deeded right-of-way or is located on an arterial or collector roads. This requirement may be waived by the Town Engineer when the Engineer makes findings that a combined driveway is not feasible due to the traffic safety concerns, terrain, or natural resource impact.

(7) A twelve (12) foot wide driveway services a single-family dwelling, or sixteen (16) feet wide for two family or single family with ADU, constructed with a minimum of twelve (12) inches of subbase gravel and a minimum of three (3) inch base gravel.

(8) Street numbering, as assigned by the Addressing Officer, is clearly visible at the public street in accordance with the Town Code and state requirements.

(9) Any dwellings on the back lot shall connect to public sewer or water when a public sewer or water line is located in the public street giving access to the back lot.

10) Underground utilities shall be required for all newly constructed dwelling units on back lots. The Town Engineer may waive the requirement for provision of underground utilities for projects where underground installation will create an undue burden based on natural features or resource constraints.

The Planning Board may approve the use of private ways to provide access to individual lots of land provided that the following conditions are met:

1) An approved private way may serve a combination of dwelling units/lots identified below:

1 lot gravel private way – 1 lot with a single family house

2-6 gravel private way – up to 6 lots, with no more that 6 total dwelling units served by the private way

7-10 paved private way – up to 10 lots, with no more than 10 total dwelling units served by the private way

25 dwelling unit paved private way – up to 25 lots, with no more than 25 total dwelling units served by the private way

\*\*Add amended table 2

**Item #2024-3-8**

Action to consider instructing the public works department to repaint two crosswalks on Ballpark Road and Access Road to multicolored pride crosswalks. (Councilor Siegel Spon.)

**Proposed**

**Order #24-42**

Ordered, that the Town Council instructs staff to facilitate the painting of the crosswalk on Ball Park Ave. between Robie Park and the Municipal Center; and the crosswalk on Access Road between the High School and Robie Park with a multi color pride paint layout; and

Be It Further Ordered, that if safety permits community members to be allowed to participate in the initial painting of the crosswalks.

**Item #2024-3-9**

Action to consider incorporating a percentage of affordable housing requirements into the Land Use and Development Code. (Councilor Siegel Spon.)

**Proposed**

**Order #24-43**

Ordered, that the Town Council instructs the Ordinance Committee to review adding requirements to the Land Use and Development Code that would require a defined percentage of housing development units to be affordable.

**Item #2024-3-10**

Action to authorize the Town to restore the softball/baseball diamonds located at Great Falls Rec. fields for community use. (Councilor Gagnon Spon.)

**Proposed**

**Order #24-44**

Ordered that the Town authorize Public Works to improve the sand area for each diamond located on site, to allow for playable use by April 10th.

Be it further ordered that Little League will be allowed use of the fields, with priority given during their season.

**Item #2024-3-11** Action to consider writing off bad debt. (Finance Committee Spon.)

**Proposed**

**Order #24-45** Ordered, that the Town Council writes off two uncollectible bad checks for the sum of \$2,457.48 as recommended by the Finance Committee.

**Item #2024-3-12** Action to consider accepting a quit claim deed to resolve a tax foreclosure issue for property located off of Brackett Road. (Finance Com. Spon.)

**Proposed**

**Order #24-46** Ordered, that the Town Council authorizes the Town Manager to accept a quit claim deed from LuAnn Littlefield for Map 08, Lot 22, .42 acres located off of Brackett Road to resolve tax-acquired property issues; and

Be It Further Ordered, that the Town Manager is authorized to require payment of legal fees for the drafting of the quit claim deed.

**Item #2024-3-13** Action to consider authorizing a June 11, 2024 referendum question to authorize the ordering, and eventual purchase of, a new fire engine for the Gorham Fire Department. (Councilor Philips Spon.)

**Proposed**

**Order #24-47** Ordered, that the Town Council authorizes a referendum question for the June 11, 2024 election to authorize the order and eventual purchase of a fire engine by the Gorham Fire Department in the amount of \$875,000.

**Item #2024-3-14** Action to consider appointing an Economic Development Strategic Plan Steering Committee. (Councilor Philips Spon.)

**Proposed**

**Order #24-48** Ordered, that the Town Council appoints the following individuals to a Economic Development Strategic Plan Steering Committee as follows:

	<b>Organization Representative</b>	<b>Name</b>
<b>3.</b>	Gorham Economic Development Corporation	Todd Chase (GEDC member)
<b>4.</b>	Gorham Economic Development Corporation	Dan Nichols (GEDC member)
<b>5.</b>	Gorham Business Owner	Tim Haines (Sebago Brewing)
<b>6.</b>	Gorham Business Owner	Nancy Ames (Sullivan House Bakery)
<b>7.</b>	Gorham Village Alliance	David Willis (GVA / Willis Real Estate)
<b>8.</b>	Planning Board	<i>TBD</i>
<b>9.</b>	Gorham Resident	Joe Capozza (Resident / Capozza Floor Covering)

Be It Further Ordered that the Town Council appoints Councilor \_\_\_\_\_ and Councilor \_\_\_\_\_ to the committee.

**Item #2024-3-15**

Action to consider entering into an executive session pursuant to 1 M.R.S.A. § 405(6)(C).

**Proposed**

**Order #24-49**

Ordered, that the Town Council enter into executive session pursuant to 1 M.R.S.A. § 405(6)(C) for discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency.

**Adjourn.**