

**AGENDA AND PROPOSED ORDERS  
GORHAM TOWN COUNCIL  
REGULAR MEETING  
May 7, 2024  
6:30PM  
Burleigh Loveitt Council Chambers  
\*Amended**

**Pledge of Allegiance to the Flag**

**Roll Call**

**Acceptance of the minutes of the April 2, 2024 Regular Town Council Meeting.**

**Open Public Communications**

**Councilor Communications**

**Town Manager Report**

**School Committee Report**

**Presentation: Gorham Action Team for Youth**

**Public hearing #1  
On Item #2024-5-1**

Public Hearing on a referendum scheduled for June 11, 2024 to appropriate a sum of money not to exceed \$875,000 for a capital expenditure to purchase a new fire truck, such \$875,000 amount to be paid from the capital reserve fund of the Town. This Public Hearing is primarily for informational purposes and no additional action is anticipated.

**Public hearing #2  
On Item #2024-5-2**

Public hearing to hear comment on a proposal to issue a new Adult-Use Marijuana Manufacturing Facility license to Harrison Otterbein, Calendar Islands Cannabis, LLC, 289 New Portland Road. Property owned by 789 Development LLC. (Admin. Spon,)

**Proposed  
Order #24-58**

Ordered, that the Town Council issue a new Adult-use Marijuana Manufacturing Facility license to Harrison Otterbein, Calendar Island Cannabis, LLC, 289 New Portland Road. Property owned by 789 Development LLC.

**Public hearing #3**  
**On Item #2024-5-3**

Public hearing to hear comment on a proposal to issue a new Liquor License to Backwoods Burger Shack, 680 Gray Road. (Admin. Spon.)

**Proposed**  
**Order #24-59**

Ordered, that the Town Council issue a new Liquor License to Backwoods Burger Shack, 680 Gray Road.

**Public hearing #4**  
**On Item #2024-3-6**

Public hearing to hear comment on a proposed amendment to the Zoning Map to change Map 8, Lot 10 from Urban Residential Expansion District to the South Gorham Crossroads District. (Admin. Spon.)

**Proposed**  
**Order #24-60**

Ordered, that the Town Council amend the Zoning Map to change Map 8, Lot 10 from Urban Residential Expansion District to the South Gorham Crossroads District.

# ZONING MAP

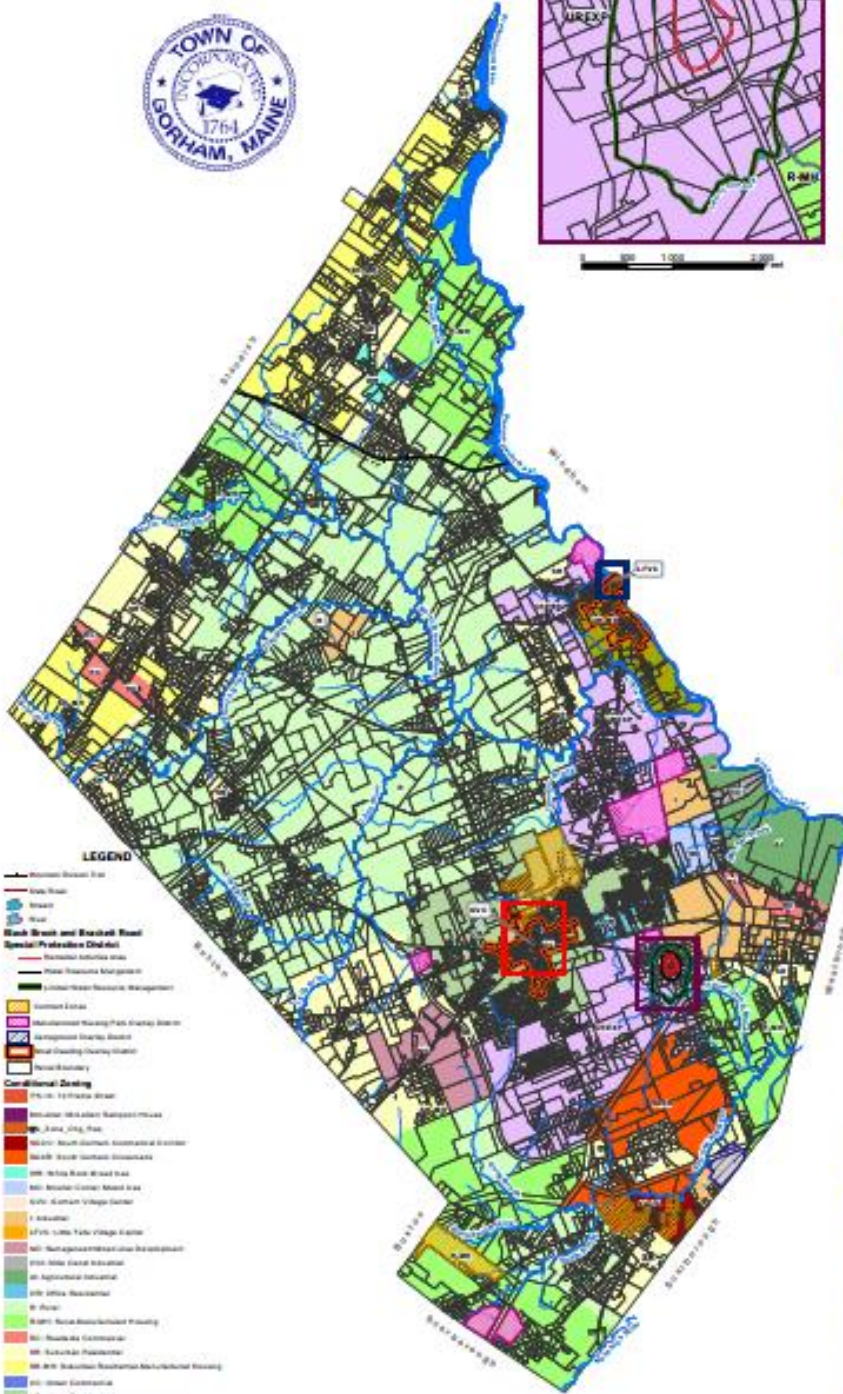
OF THE TOWN OF  
**GORHAM**  
 CUMBERLAND COUNTY, MAINE  
 May 2024 - DRAFT



**Black Brook and Brackett Road  
 Special Protection District**



**Gorham Village Center**



**LEGEND**

- Wetland District 100
- Water
- Road
- Rail
- Black Brook and Brackett Road Special Protection District
- Residential Subdivision Area
- Other Protective Map zone in
- Limited Water Resource Management
- Common Code
- Residential Medium Density District
- Management Overlay District
- Local Planning Overlay District
- Parcel Boundary
- Town Boundary
- Conditional Zoning**
- Historic District
- Residential Medium Density District
- 2000 Zone 100
- 2000 Zone 200
- 2000 Zone 300
- 2000 Zone 400
- 2000 Zone 500
- 2000 Zone 600
- 2000 Zone 700
- 2000 Zone 800
- 2000 Zone 900
- 2000 Zone 1000
- 2000 Zone 1100
- 2000 Zone 1200
- 2000 Zone 1300
- 2000 Zone 1400
- 2000 Zone 1500
- 2000 Zone 1600
- 2000 Zone 1700
- 2000 Zone 1800
- 2000 Zone 1900
- 2000 Zone 2000
- 2000 Zone 2100
- 2000 Zone 2200
- 2000 Zone 2300
- 2000 Zone 2400
- 2000 Zone 2500
- 2000 Zone 2600
- 2000 Zone 2700
- 2000 Zone 2800
- 2000 Zone 2900
- 2000 Zone 3000
- 2000 Zone 3100
- 2000 Zone 3200
- 2000 Zone 3300
- 2000 Zone 3400
- 2000 Zone 3500
- 2000 Zone 3600
- 2000 Zone 3700
- 2000 Zone 3800
- 2000 Zone 3900
- 2000 Zone 4000
- 2000 Zone 4100
- 2000 Zone 4200
- 2000 Zone 4300
- 2000 Zone 4400
- 2000 Zone 4500
- 2000 Zone 4600
- 2000 Zone 4700
- 2000 Zone 4800
- 2000 Zone 4900
- 2000 Zone 5000

I hereby certify that this is the Zoning Map of the Town of Gorham, adopted by the Gorham Select Board and approved by the Gorham Planning Board and the Gorham Board of Selectmen on May 15, 2024. It is hereby approved as a condition of this Ordinance subject to the State's approval.

\_\_\_\_\_  
 Laura Heston, Town Clerk

When an applicant seeks approval for a site or project as shown on the Zoning Map of the Town of Gorham, it is the applicant's responsibility to verify the zoning code for the site and to verify that the site is zoned for the proposed use. The applicant is responsible for obtaining all necessary permits and approvals from the appropriate agencies. The applicant is also responsible for obtaining all necessary permits and approvals from the appropriate agencies. The applicant is also responsible for obtaining all necessary permits and approvals from the appropriate agencies.

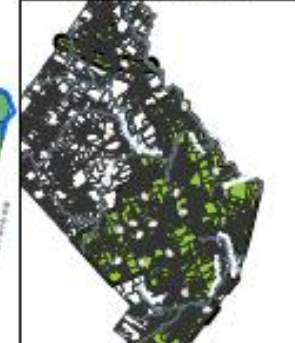
1 inch = 6,000 feet

0 1,000 2,000 4,000 6,000 8,000 10,000 12,000 feet

**Little Falls Village Center**



**Pedestrian Overlay District**



**Development Transfer Overlay District**



Additional requirements for pedestrian infrastructure apply for development projects within the Pedestrian Overlay, shown in green. See Local Use Ordinance Code Chapter 1, Section 1.08.

See Local Use Ordinance Code Chapter 1, Section 1.10 for information about this Code.

**Public hearing #5**  
**On Item #2023-2-7**

Public hearing to hear comment on a proposed amendment to the Land Use and Development Code that would create a village home occupation overlay district and amend home occupation standards. (Admin. Spon.)

**Proposed**  
**Order #24-61**

Ordered, that the Town Council amend the Land Use and Development Code to create a village home occupation overlay district and amend home occupation standards as follows:

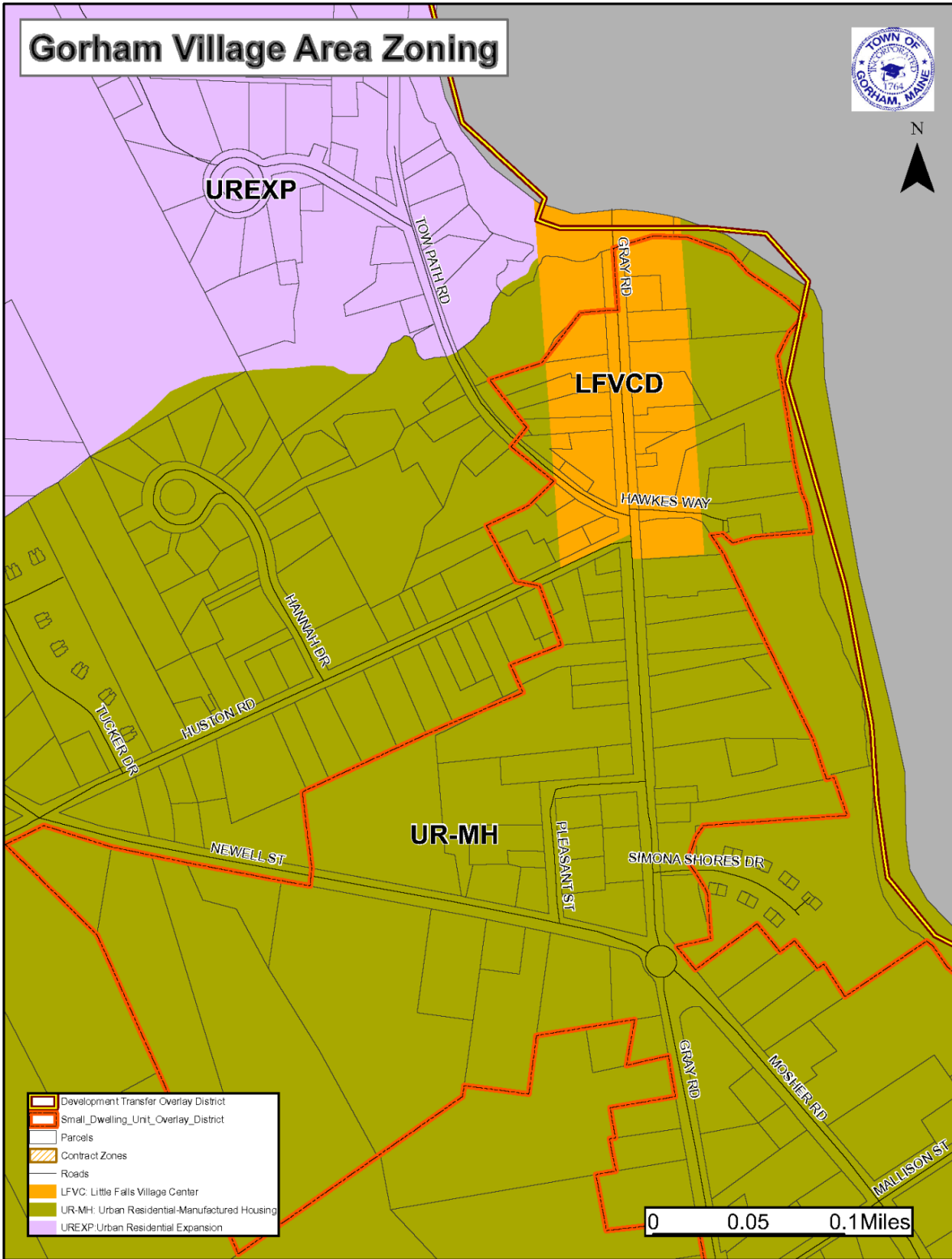
Ordinance amendment is shown in black language and underlined below. Village Home Occupation Overlay District boundaries are to follow the Small Dwelling Overlay District Boundaries.

**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.

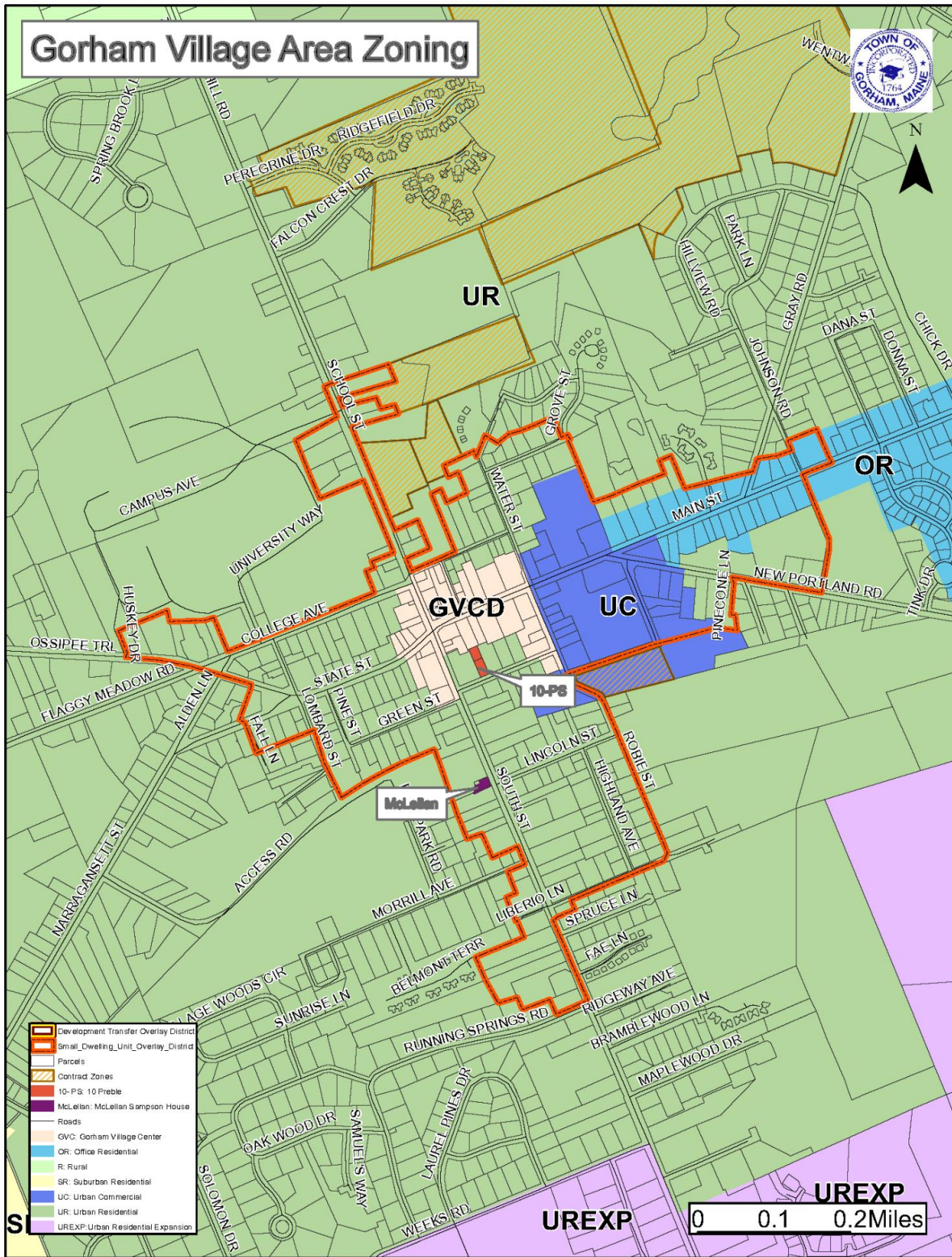
# Gorham Village Area Zoning



- Development Transfer Overlay District
- Small Dwelling Unit Overlay District
- Parcels
- Contract Zones
- Roads
- LFVCD: Little Falls Village Center
- UR-MH: Urban Residential-Manufactured Housing
- UREXP: Urban Residential Expansion

0 0.05 0.1 Miles





**Public hearing #6**  
**On Item #2023-11-15**

Public hearing to hear comment on a proposed amendment to the Land Use and Development Code that would replace one lot private way standards with backlot standards. (Admin. Spon.)

**Proposed**

Additions are underlined; deletions are ~~struck out~~

## **2. Proposed Amendments to Chapter 1 Zoning Regulations Section 1-5**

### **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 1 Section 1-1 D 8.

#### **Chapter 2 Section 2-5 K 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 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 1-1 D 8 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 shall service a single-family dwelling, or a sixteen (16) feet wide driveway shall serve a two family or single family dwelling 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.

## Chapter 2 Section 2-5

### H. STANDARDS FOR PRIVATE WAYS

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 than 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

Note: The proposed amendment also includes the removal of the one – lot private way standards from Tables I, II, and III.

**Item #2024-5-4** Action regarding the June 11, 2024 School Budget Validation Election. (Admin. Spon.)

**Proposed  
Order #24-63**

Ordered, that the Town Council authorize the Town Clerk to issue the warrant for the June 11, 2024 School Budget Validation Election; and

Be It Further Ordered, that the polls be open from 7:00am until 8:00pm; and

Be It Further Ordered, that the Town Council appoints the following persons for the designated voting districts and if any of the following should fail to serve, the Town Council hereby authorizes the Town Clerk to appoint substitutes:

District 1-1 – Susan Emerson, Warden and Laurel Smith, Ward Clerk  
District 1-2 – Katherine Corbett, Warden and Marie Plummer, Ward Clerk  
District 2 – Carol Wyman, Warden and Marty Towle, Ward Clerk  
Central – Kim Getchell, Warden and Paula Nystrom, Ward Clerk

Be It Further Ordered, that the Registrar of Voters be in session during the hours of 7:00 am and 5:00 pm on Tuesday, June 4<sup>th</sup> through Thursday June 6<sup>th</sup> and Monday, June 10<sup>th</sup> and,

Be it Further Ordered, that the Town Clerk be authorized to process absentee ballots on Monday, June 10<sup>th</sup> at 10:00 am and 2:00 pm; and Tuesday June 11<sup>th</sup> at 10:00 am, 2:00 pm and 8:00 pm.

**Item #2024-5-5** Action to consider a resignation from the Board of Trustees, Baxter Memorial Library. (Admin. Spon.)

**Proposed  
Order #24-64**

Ordered, that the Town Council accept the resignation of David Fogg from the Board of Trustees, Baxter Memorial Library; and

Be it further ordered, that the Council thanks David for his many years of service on the Board.

**Item #2024-5-6** Action to consider an appointment for the Board of Trustees, Baxter Memorial Library. (Appointments Com. Spon.)

**Proposed**

**Order #24-65** Ordered, that the Town Council appoint Keith Potts to the Board of Trustees, Baxter Memorial Library, with his term to expire April 1, 2025.

**Item #2024-5-7** Action to consider accepting a resignation from the Gorham Economic Development Corporation. (Admin. Spon.)

**Proposed**

**Order #24-66** Ordered, that the Town Council accepts the resignation of Ethan Johnson from the Gorham Economic Development Corporation; and

Be It Further Ordered, that the Council thanks Ethan for his many years of service on the GEDC.

**Item #2024-5-8** Action to consider amending the Fire Suppression Systems Ordinance. (Councilor Pratt Spon.)

**Proposed**

**Order #24-67** Ordered, that the Town Council instructs the Ordinance Committee to review the Fire Suppression Systems Ordinance for the viability of Removing sprinkler requirements for Single family home structures in less proximity to other dwellings on neighboring properties, and to report back to the Town Council with recommendations.

**Item #2024-5-9** Action to consider bundling building permit fees and associated fees. (Councilor Pratt Spon.)

**Proposed**

**Order #24-68** Ordered, that the Town Council forwards to the Finance Committee, for review and recommendation, bundling permit fees in a manner that is more consistent with other municipalities and/or easier for permit applicants.

**Item #2024-5-10** Action to consider the appointment of an Open Space & Trail Master Plan Steering Committee. (Admin. Spon.)

**Proposed  
Order #24-69**

Ordered, that the Town Council appoints members to an Open Space & Trail Master Plan Steering Committee as follows:

- 1 member of the Planning Board: Jim Hager
- 1 member of the Gorham Conservation Commission: Ernie Wells
- 1 member of the public: Charlie Springer
- 1 member of the agricultural community: Jen Grant

And, Be It Further Ordered that the Town Council appoints Councilor \_\_\_\_\_ as a Council representative to the review committee.

**Item #2024-5-11**

Action to consider defining greenhouses and hoopouses in the Land Use & Development Code. (Councilor Siegel Spon.)

**Proposed  
Order #24-70**

Ordered, that the Town Council forwards to the Ordinance Committee, for review and recommendation, amending the Land Use & Development Code to better define greenhouses and hoopouses.

**Item #2024-5-12**

Action to consider a proclamation declaring the month of May as “Bike Month” in the Town of Gorham. (Councilor Simms Spon.)

**Proposed  
Order #24-71**

Ordered, that the Town Council adopts the following proclamation:

Whereas, throughout the month of May, Gorham residents are encouraged to celebrate biking and the freedom, joy, and well-being it imbues within us, as well as the power that more people riding bikes has in making life better for everyone in our community; and

Whereas, May 13-19, 2024 is “Bike to Work Week” and Friday May 17, 2024 is “Bike to Work Day”; and

Whereas, throughout the month of May, the residents of Gorham and its visitors will experience the joys of bicycling through group rides, trail rides, commuting rides, and simply getting out and going somewhere by bike; and

Whereas, bicycling has been shown to improve citizens’ health, well-being, and quality of life, while also mitigating car pollution and traffic congestion; and

Whereas, bicycling has been shown to attract tourism dollars and increase spending at local businesses; and

Whereas, Gorham schools, town staff, local businesses, and civic groups are encouraged to promote the use of the bicycle as both a means of transportation and recreation

year-round, to attract more residents and visitors to enjoy our local parks and trail systems, as well as our restaurants, retail establishments, and local attractions; and

Whereas, Gorham aspires to collaborate with the Bicycle Coalition of Maine and other civic groups to promote greater public awareness of bicycle operation and safety education during Bike Month and year-round, in an effort to reduce collisions, injuries and fatalities and improve public health and safety for everyone on the road;

Now therefore, Gorham Town Council does hereby proclaim May 2024 as Bike Month here in Gorham, and we welcome all residents to join us in this observance.

**Item #2024-5-13**

Action to consider authorizing staff to implement certain bicycle awareness safety measures in the Gorham Village.  
(Councilor Simms Spon.)

**Proposed**

**Order #24-72**

Ordered, that the Town Council authorizes staff to install pavement marking "Sharrows", bicycle road sharing signage and install small bicycle racks on public property in the Gorham Village to the extent practical and financially feasible according to the Bicycle & Pedestrian Plan for Gorham Village.

**Item #2024-5-14**

Action to consider setting a Town Council workshop in July to discuss the Great Maine Neighborhoods Initiative. (Councilor Wilder Cross Spon.)

**Proposed**

**Order #24-73**

Ordered, that the Town Council designates July 16, 2024 as a workshop to discuss Greater Portland Council of Governments Great Maine Neighborhoods Initiative.



**Item #2024-5-15**

Action to consider accepting Cyr Drive as a public way.  
(Councilor Philips Spon.)

**Proposed**

**Order #24-74**

Ordered, that the Town Council accepts the entirety of the Cyr Drive extension at 2200' to Map 29, Lot 20 as shown on the approved subdivision plan for the Gorham Industrial Park West Campus; and

Be It Further Ordered, that the public right of way be designated an Industrial / Commercial Public Road.

**Adjourn.**