

**AGENDA AND PROPOSED ORDERS
GORHAM TOWN COUNCIL
REGULAR MEETING
August 1, 2023
6:30PM
Burleigh Loveitt Council Chambers**

Pledge of Allegiance to the Flag

Roll Call

Acceptance of the minutes of the July 11, 2023 Regular Town Council Meeting.

Open Public Communications

Councilor Communications

Town Manager Report

Acceptance of MLEAP Accreditation Certification and award for Police Department from Maine Chiefs of Police Association

School Committee Report

**Public hearing #1
On Item #2023-8-1**

Public hearing to hear comment on a proposal to issue a renewal Medical Marijuana License to Andrew Clough, White Pine Technologies, LLC, 15 Pearson Drive. Property owned by Bob Pearson. (Admin Spon)

**Proposed
Order #23-102**

Ordered, that the Town Council issue a renewal Medical Marijuana License to Andrew Clough, White Pine Technologies, LLC, 15 Pearson Drive. Property owned by Bob Pearson.

**Public hearing #2
On Item #2023-8-2**

Public hearing to hear comment on a proposal to issue a new Medical Marijuana License to Austin DiMaria, Green Theory Genetics, 36 Bartlett Road. Property owned by Hincks Realty LLC. (Admin Spon.)

**Proposed
Order #23-103**

Ordered, that the Town Council issue a new Medical Marijuana License to Austin DiMaria, Green Theory Genetics, 36 Bartlett Road. Property owned by Hincks Realty LLC.

Public hearing #3
On Item #2023-8-3

Public hearing to hear comment on a proposed amendment to the Land Use and Development Code to require underground utilities for any new subdivision, private way or site plan. (Admin Spon)

Proposed
Order #23-104

Ordered that the Town Council amend the Land Use and Development Code to require underground utilities for any new subdivision, private way or site plan as follows:

SECTION 1-11 - ROADSIDE COMMERCIAL DISTRICT

Section 1-11, E, 2, b: Utilities

~~2. All developments are required to have underground utilities.~~

SECTION 1-13 - MOSHER CORNER MIXED USE

Section 1-13, E, 2, b:
b) Utilities

~~1. All developments are required to have underground utilities.~~

SECTION 1-16 - NARRAGANSETT MIXED-USE DEVELOPMENT DISTRICT

Section 1-16, E, 5:
5) Public Utilities

~~b) All developments are required to have underground utilities.~~

SECTION 1-24 - URBAN RESIDENTIAL EXPANSION DISTRICT

Section 1-24, E:

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.~~

3. Residential developments shall be developed to meet the following requirements:

~~a. All residential uses shall be served by underground utilities.~~

SECTION 1-25 - SOUTH GORHAM COMMERCIAL DISTRICT

Section 1-25, D, 12:
12) Public Utilities

~~b) All developments are required to have underground utilities.~~

CHAPTER 1A - PLANNED UNIT DEVELOPMENT

SECTION 1A-6 - PLANNED UNIT DEVELOPMENT SITE PLAN APPROVAL

Section 1A-6, B, 8:

Zoning Amendment: Underground Utilities

1. Location of electrical service lines and all utility connections for attached residential and all non-residential uses. Utilities shall be underground in accordance with Land Use Code Chapter 2-10 Section 2-10A "Provision of Underground Utilities", ~~unless this requirement is waived by the Planning Board. Waivers shall only be granted if the Planning Board determines that underground utilities would constitute a safety hazard or that above-ground utilities can be adequately screened.~~

SECTION 2-4 - RESIDENTIAL

Section 2-4, A, 6, f:

b. Utilities: all utilities shall be installed underground in accordance with Land Use Code Chapter 2-10 Section 2-10A "Provision of Underground Utilities", ~~wherever possible.~~

Transformer boxes, pumping stations and meters shall be located so as not to be unsightly or hazardous to the public.

Section 2-4, B, 1, b:

b. For new construction, utilities shall ~~either~~ be placed underground in accordance with Land Use Code Chapter 2-10 Section 2-10A "Provision of Underground Utilities", ~~or, if above the ground, designed so as to be visually compatible with the overall development.~~

SECTION 2-6 - CAMPGROUND OVERLAY DISTRICT - ESTABLISHMENT

8) All utilities (electrical, water, telephone, and cable) shall be installed underground in accordance with Land Use Code Chapter 2-10 Section 2-10A "Provision of Underground Utilities".

SECTION 2-10 - PROVISION OF UTILITIES

Section 2-10A - Provision of Underground Utilities

A. Underground utilities shall be required for all newly constructed streets and for any new development requiring Subdivision, Private Way, and/or Site Plan Approval.

B. The Planning Board may waive the requirement for provision of underground utilities for nonresidential projects including large scale energy consumers and/ or producers where underground installation will create an undue burden based on natural features or resource constraints, as determined by the Town Engineer.

Section 2-10B - Provision of Public Water Supply

(No further edits to section)

CHAPTER 3: SUBDIVISION

SECTION 3-3 - PRELIMINARY PLAN

Section 3-3, B, 18:

Zoning Amendment: Underground Utilities

18) Location of existing and proposed electric and telephone service in accordance with Land Use Code Chapter 2-10 Section 2-10A "Provision of Underground Utilities".

CHAPTER 4: SITE PLAN REVIEW

SECTION 4-8 - PROCEDURES FOR MAJOR DEVELOPMENTS

Section 4-8, C, 9: and after construction

1. Location and nature of electrical, telephone and any other utility services to be installed at the site in accordance with Land Use Code Chapter 2-10 Section 2-10A "Provision of Underground Utilities".

SECTION 4-9 - APPROVAL CRITERIA AND STANDARDS

Section 4-9:

J: Utilities - The development will be provided with electrical and telephone service adequate to meet the anticipated use of the project in accordance with Land Use Code Chapter 2-10 Section 2-10A "Provision of Underground Utilities.

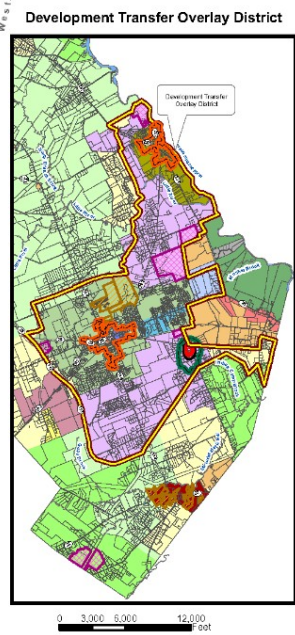
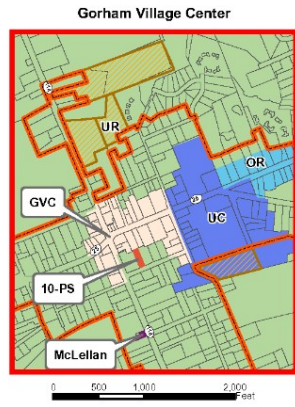
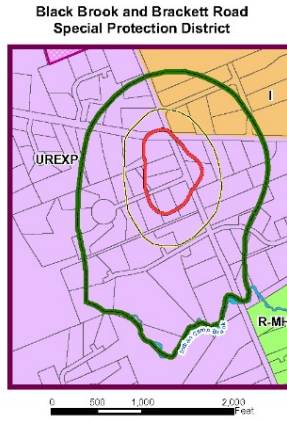
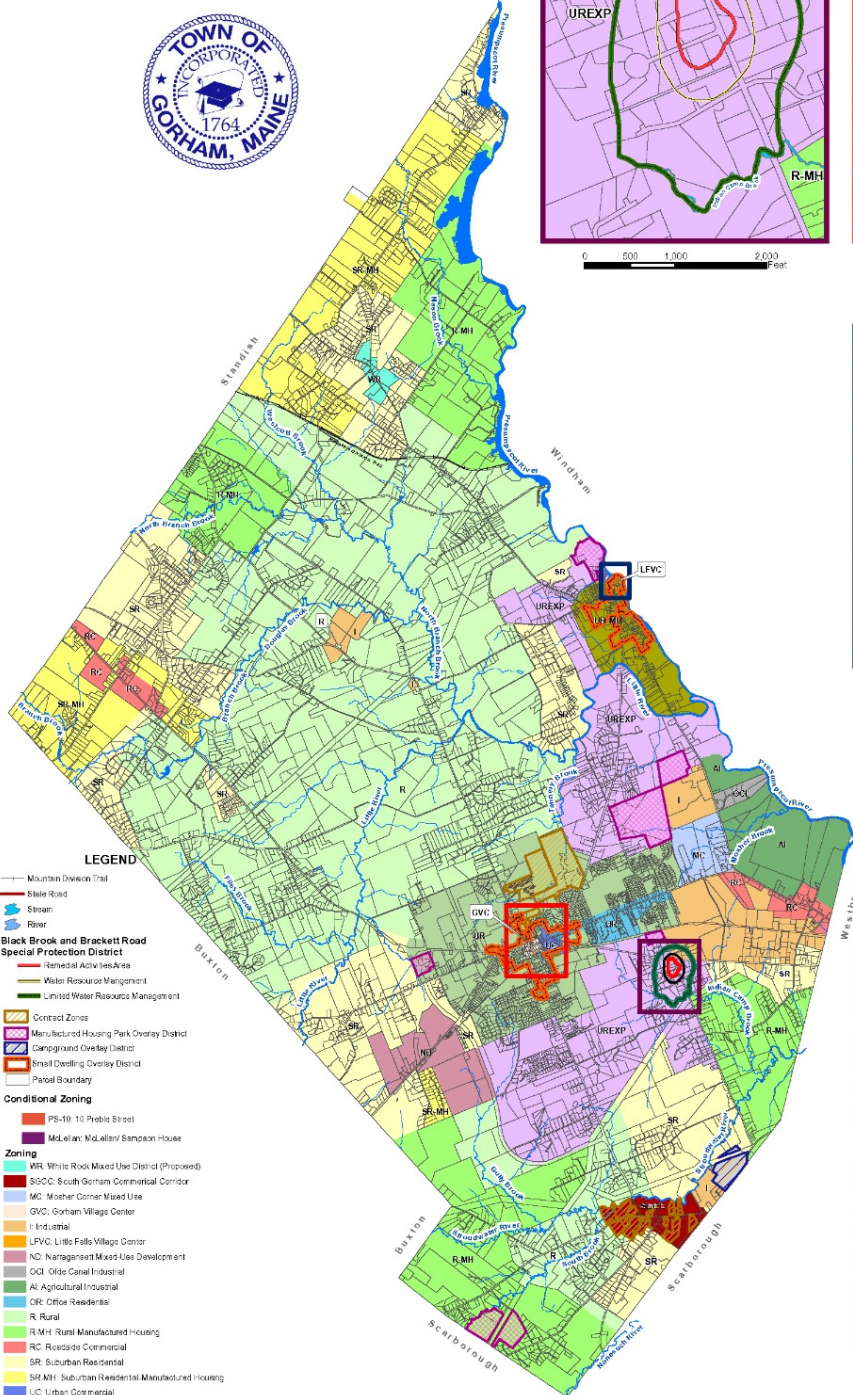
Public hearing #4 On Item #2022-8-2

Public hearing to hear comment on a proposal to amend the Zoning Map and Land Use and Development Code to implement the Comprehensive Plan, to create the White Rock Mixed-Use District.

Proposed

ZONING MAP

OF THE TOWN OF
GORHAM
 CUMBERLAND COUNTY, MAINE
 June 2023 Draft



- LEGEND**
- Mountain Division Trail
 - State Road
 - Stream
 - River
 - Black Brook and Brackett Road Special Protection District**
 - Removal Activities Area
 - Water Resource Management
 - Limited Water Resource Management
 - Control Zones
 - Manufactured Housing Park Overlay District
 - Dumpground Overlay District
 - Small Dwelling Overlay District
 - Pavement Boundary
 - Conditional Zoning**
 - PS-10: 10 Prohibit Street
 - McLellan/McLellan/Sampson Houses
 - Zoning**
 - WR: White Rocks Mixed Use District (Proposed)
 - SOCC: South Gorham Commercial Corridor
 - MC: Mosier Corner Mixed Use
 - GVC: Gorham Village Center
 - I: Industrial
 - LFVC: Little Falls Village Center
 - ND: Neighborhood Mixed-Use Development
 - OI: Olds Canal Industrial
 - AI: Agricultural Industrial
 - OR: Office Residential
 - R: Rural
 - R-MH: Rural Manufactured Housing
 - RC: Riverside Commercial
 - SR: Suburban Residential
 - SR-MH: Suburban Residential/Manufactured Housing
 - UC: Urban Commercial
 - UR: Urban Residential
 - UR-MH: Urban Residential/Manufactured Housing
 - UREXP: Urban Residential Expansion

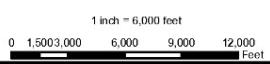
I hereby certify that this is the Zoning Map of the Town of Gorham referred to in the Gorham Land Use and Development Code Zoning Ordinance and the Official Zoning Map for the Town of Gorham, Maine. It includes all prior revisions and is current as of this date and as voted on by the Town Council.

Laurel Norcross, Town Clerk

When uncertainty exists with respect to the district boundaries as shown upon this Zoning Map of the Town of Gorham, or amendments thereto, the following shall apply:

- Unless otherwise indicated, district boundary lines are the center lines, plotted on the basis of location of the Code of Streets, Ways, Pathways, Walkways, or rights-of-way of public utilities and railroads of such lines extended.
- Other district boundary lines which are not listed in the preceding paragraph shall be considered as lines paralleling a street and at distances from the center lines of such streets as indicated by the official Zoning Maps on file in the Gorham Mapping Office. In the absence of a better dimension, the graphic scales on the official Zoning Maps shall be used.

Approved by the Board of Selectmen on June 13, 2023 and effective June 13, 2023.



Old Business:

Item #2022-08-02 Action to forward to the Planning Board a recommendation to develop a long-term plan for pedestrian improvements consistent with the Town's Comprehensive Plan. (Ordinance Committee Spon.)

**Proposed
Order #23-106** Ordered, that the Town Council forward to the Planning Board for public hearing and recommendations, amendments to the Town's Land Use Code as follows:

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

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

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:

- Urban Residential UR
- Urban Residential Expansion URExp
- Suburban Residential SR
- Rural R
- Village Centers VC
- Urban Commercial UC
- Roadside Commercial RC
- Industrial I
- Mosher Corner Mixed Use MCMU
- Office-Residential OR
- Narragansett Mixed Use Development ND
- Black Brook and Brackett Road Special Protection
- 10 Preble Street Conditional Zone
- McLellan Sampson House Conditional

Olde Canal Industrial OCI
Agricultural Industrial AI
South Gorham Commercial SGCC
Shoreland Overlay District
Small Dwelling Overlay District
Manufactured Housing Park Overlay District
Development Transfer Overlay
Pedestrian Overlay District
Resource Protection Subdistrict
Stream Protection Subdistrict

Add the following zoning overlay district language:

Section 1-26

Purpose

The purpose of the Pedestrian Overlay District (PED) is to establish a safe, 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. violation for which an appeal can be filed to the Board.~~

Exceptions

1. New development within areas designated as PED is subject to the development and design standards of PED, with the following exceptions:

- a. Development exempted under Chapter 3: Subdivision, C. Administration.
- b. Development exempted under Chapter 4: Site Plan Review, Section 4-2 Applicability, A. and B.

~~Change of use, non-residential to non-residential with no expansion.~~

A change of use in an existing building from a non-residential use to another non-residential use

Change from a residential use to a non-residential use with no expansion

Expansions of less than twenty-five (25) percent of the building area or one thousand (1,000) square feet, whichever is less

Expansions of more than twenty-five (25) percent or one thousand (1,000) square feet, whichever is less

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 in regards to design and construction.
3. That residential and commercial subdivisions' and developments with private ways and public streets are required to 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 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 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.

Off-site Fee in lieu of construction.

Where a new sidewalk is required to be constructed, a waiver may be granted by the Planning Board and a fee in lieu of that sidewalk shall be paid if one or more of the following conditions apply:

(1) 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, bike lanes, 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.

(2) 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.

(3) The required sidewalk is more than five hundred (500) feet from an existing sidewalk, measured from the closest points along the road frontage.

The fee shall be based on the amounts identified 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.

In the event that a fee in lieu of constructing a sidewalk is approved, the developer must provide a recorded easement if necessary 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, shall be expended 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. ~~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 for 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 off-site 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 off-site 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;~~

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 visually 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

- 1) Sidewalks - Sidewalks shall be provided within all subdivisions and commercial development located in the Pedestrian Overlay District, 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. All pedestrian facilities shall adhere to the Performance Standards in Section 1-26 Pedestrian Overlay District and the design standards under this section. within Chapter 2 Section 2-5 Minimum Standards for the Design and Construction of Streets and Ways.

~~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 Ppedestrian facilities shall be provided to and within the development if any part of the development is located in the Pedestrian Overlay District.

Commercial Construction Sidewalk Fee is based on the following square footage schedule:

- 0 ft² to 5,000 ft² - \$5,000
- 5,001 ft² to 10,000 ft² - \$7,500
- > 10,000 ft² - \$7,500 + \$700 for every 1,000 ft², or portion thereof, over 10,000 ft²
- Commercial Fee is capped at \$100,000 regardless of facility size

Residential Construction Sidewalk Fee is based on number of proposed units per the following schedule:

- Fee is \$2,500 per allowable unit.
- Residential Fee is capped at \$500,000 regardless of number of units.

Item #2022-08-02

Action to forward to the Planning Board a recommendation to revise standards for curb cuts on arterials and designated collectors consistent with the Town’s Comprehensive Plan. (Ordinance Committee Spon.)

Proposed

Order #23-107
public

Ordered, that the Town Council forward to the Planning Board for hearing and recommendations, additions to the Land Use Code as follows:

Access Management Standards and Applicable Roadways:

DEFINITIONS

Access: A public or private point of entry or exit from land adjacent to a public highway or roadway utilized by motorized vehicles, typically described as an entrance or driveway depending on the land use and/or volume of traffic generated by the use.

Access Point: The intersection of an existing or proposed access with the public right-of-way.

Access Management: Access Management is the proactive management of vehicular access points to land parcels adjacent to all manner of roadways. Good access management promotes safe and efficient use of the transportation network and maintains the posted speed limit on Arterial and Collector Roadways.

.....
1. Corner Clearance

Definition:

“The minimum distance, measured parallel to a highway, between the nearest curb, pavement or shoulder line of an intersecting public way and the nearest edge of an entrance excluding its radii.”

Technical Standard:

The minimum corner clearance for all streets, entrances and/or driveways on Compact Classified Arterials and both major and minor collector roadways must be 100-feet for un-signalized intersections and 125-feet at signalized intersections except at no time will a street, entrance or driveway be located on the radius of the two intersecting roadways. The minimum corner clearance on all local (both private and public roadways) shall be 75-feet.

2. Double Frontage Lots

Definition:

“A double frontage lot is a parcel of land that has sufficient frontage on two public streets; whereby, minimum corner clearance standards to the parcel can be met based upon Town of Gorham Access Management Standards.”

Technical Standard:

The preference is for the access to be provided at the lower classified roadway. In addition the following shall be confirmed:

Where a site has frontage on two or more streets on all Compact Area Arterial, Major and Minor Collector roads, access to the proposed site will be from the lower classification of street unless the higher classification of street has less potential for traffic congestion and for hazards to both vehicle traffic and pedestrians. A traffic analysis, whose scope is defined by Town Staff will be required to determine the preferred frontage for access.

For developments with significant traffic volumes of 50 or more peak hour trips, access to both frontages will be considered based upon a detailed traffic study clearly demonstrates a traffic safety and congestion benefits will result.

MaineDOT’s Entrance and Driveway rules apply to all Non-Compact Roadways; MaineDOT’s Region 1 office should be consulted for these classified roadways.

3. Intersection/Entrance Spacing

Definition:

“Intersection/entrance or driveway spacing is the measured distance between access facilities on a roadway. The separation distance is measured from the edge of the proposed street/entrance or driveway to the edge of the existing street/entrance, excluding the corner radii.

Technical Standard:

Any street, entrance or driveway located on all arterial and major collector roads shall be separated from any other existing or proposed street, entrance or driveways in accordance with the following table. (The proposed access shall also consider the existing location of streets, entrances and driveways across a road or highway and meet the same standards).

| POSTED SPEED IN (MPH) | SEPARATION DISTANCE (FEET) |
|------------------------------|-----------------------------------|
| 25 OR LESS | 90 |
| 30 | 105 |
| 35 | 130 |
| 40 | 175 |
| 45 | 265 |
| 50 | 350 |

The Planning Board may relax these standards only upon finding, based upon a traffic study, that the location of the street, entrance or driveway closer than these minimum standards is necessary for effective utilization of the site and or provides an opportunity for sharing access with an adjacent parcel reducing the total number of required site access openings and will not cause unreasonable congestion and for safety hazards.

4. Shared Entrances

Definition:

“A single entrance or driveway serving two or more developable parcels. A shared driveway may cross a lot line or be on the parcel line, and the owners may have an easement for the shared use.”

Technical Standard:

The Planning Board shall consider, where feasible, opportunities for shared entrances and/or driveways between adjacent parcels on all arterial and major collector roadways. The Planning Board may require the performance of a traffic study to determine if the proposed single entrance or driveway access serving two or more parcels improves roadway safety and congestion.

5. Parcel Interconnectivity

Definition:

“The ability to enter or exit adjacent properties or parcels without entering or exiting the public highway or roadway system via internal connections between two or more properties or parcels.”

This can be accomplished by use of “frontage or backage” roads as well as direct connections between adjacent properties or parcels.

Technical Standard

The Planning board shall consider where feasible, opportunities for direct connections between parcels and/or the use of “frontage or backage” roads between adjacent parcels on all arterial and major collector roadways. The Planning Board may require the performance of a traffic study to determine if the proposed interconnection of two or more parcels improves roadway safety and congestion.

New developments shall consider and plan their site’s to allow for future parcel interconnectivity via one of the methods described above and can be required to provide parcel interconnectivity with an adjacent existing parcel via an easement. Planning Board shall consider requiring a new development to provide their half of a direct parcel connection if an agreement to

complete a full connection cannot be made with the adjacent parcel, or money can be held in escrow to make the improvement in the future.

A detailed traffic study will be required to determine the appropriate type of parcel interconnectivity and design that will provide optimal traffic operations and safety.

6. Number of Entrances

Definition:

Access to and from the public right-of-way to a proposed development shall be via a formal entrance. Entrances shall be designed and constructed to accommodate the appropriate level of traffic volumes and design vehicle, and provide for safe and efficient connection to arterials, collectors and local roads.

Technical Standard

New developments will be allowed one primary entrance that meets the Town Standards. The Planning board shall consider opportunities for shared entrances and parcel interconnectivity where feasible to reduce the number of curb-cuts on arterial and collector roadways. New developments generating 50 or more peak hour trips may be allowed a secondary entrance, or two one-way entrances. A formal traffic study, defined by the Planning Board and Town Staff, shall determine justification for the additional entrance(s).

The Planning Board shall consider restrictions of movements to proposed entrances where it can be shown through a traffic study that safety concerns warrant it.

Town of Gorham Access Management

The Access Management Regulations for the Town of Gorham shall apply to the following roadways:

Route 114 (Arterial)

Route 25 (Arterial)

Route 202 (Arterial)

Route 22 (Arterial)

Route 237 (Arterial)

Route 112 (Arterial)

Brackett Rd. (Collector)

New Portland Rd. (Arterial)

Day Rd. (Collector)

McLellan Rd. (Collector)

Flaggy Meadow Rd. (Collector)

North Gorham Road (Collector)

Wilson Road (Rural Sub-Collector)

Dunlap/Plummer Road (Rural Sub-Collector/Collector)

Libby Ave (Collector)

Excluding Libby Ave from Rte. 202 to end.

Huston Road (Collector)

Wescott Road (Rural Sub-Collector)

Between Rte. 114 and Plummer Road

Spiller Road (Collector)

Dingley Spring Road (Collector)

Wood Road (Rural Sub-Collector)

Deering Road (Collector)

Burnham Road (Collector)

Mitchell Hill Road (Collector)

Saco Street (Collector)

Bartlett Road (Industrial/Commercial)

Middle Jam Road (Rural Sub-Collector)

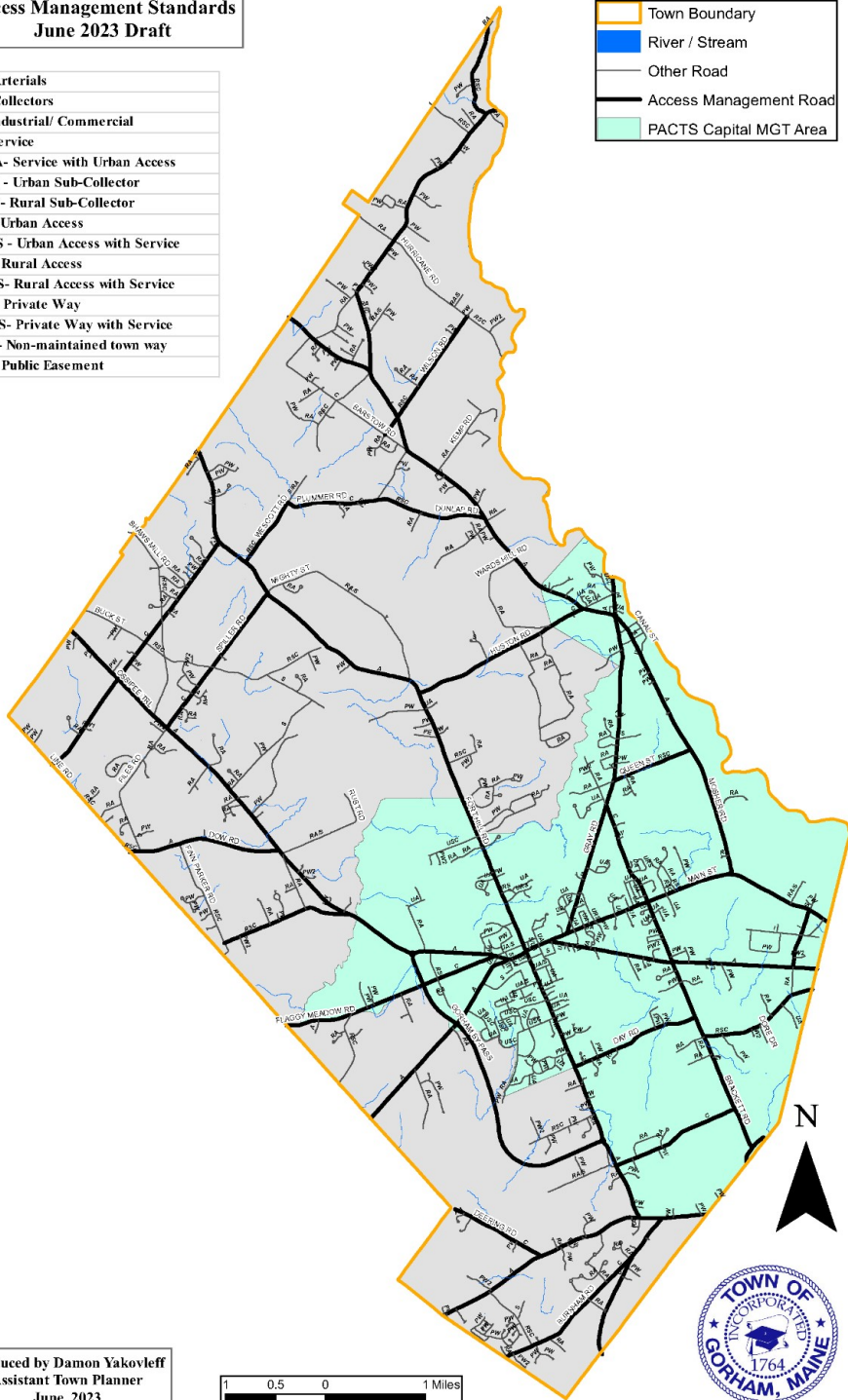
Queen Street (Rural Sub-Collector)

Between Rte. 202 & Rte. 237

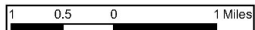
**Access Management Standards
June 2023 Draft**

- A- Arterials
- C- Collectors
- I- Industrial/ Commercial
- S- Service
- S/UA- Service with Urban Access
- USC - Urban Sub-Collector
- RSC- Rural Sub-Collector
- UA- Urban Access
- UA/S - Urban Access with Service
- RA- Rural Access
- RA/S- Rural Access with Service
- PW- Private Way
- PW/S- Private Way with Service
- NM - Non-maintained town way
- PE - Public Easement

-  Town Boundary
-  River / Stream
-  Other Road
-  Access Management Road
-  PACTS Capital MGT Area



Produced by Damon Yakovleff
Assistant Town Planner
June, 2023



Item #2023-3-6

Action to consider a recommended list of real estate brokers to use for a two-year period. (Admin. Spon.)

**Proposed
Order #23-108**

Ordered, that the Town Council use the recommended list of real estate brokers for a two-year period as follows:

**Real Estate Broker Applications
April 12 - May 12, 2023**

| Broker Name | Broker Home Address | RE/Brokerage Office Address | Date App. Received | RE License # | Eligibility Criteria | | | |
|----------------|-----------------------------|---|--------------------|--------------|----------------------------------|---|---|---|
| | | | | | Primary Broker resides in Gorham | Primary Broker held active Maine Real Estate Broker license for past 10 yrs | Willing to accept commission no greater than 5% | Willing to list + actively attempt to sell all properties by Town on rotational basis |
| Josh Plowman | 126 Osborne Road, Gorham | Plowman Realty Group, 352 Main Street, Gorham | 4/12/2023 | DB922191 | Yes | Yes, since 2012 | Yes | Yes |
| Peter Mason | 35 Robie Street, Gorham | PoGo Realty, 39 Main Street, Gorham | 4/13/2023 | DB913104 | Yes | Yes, since 1997 | Yes | Yes |
| David Willis | 33 Old Dynamite Way, Gorham | Willis Real Estate, 347 Main Street, Gorham | 4/18/2023 | BR915759 | Yes | Yes, since 2002 | Yes | Yes |
| Julie Chandler | 10 Lucina Terrace, Gorham | PoGo Realty, 39 Main Street, Gorham | 4/20/2023 | BR917966 | Yes | Yes, since 2000 | Yes | Yes |
| Keith Nicely | 110 Mighty Street, Gorham | eXp Realty, 110 Mighty Street, Gorham | 5/1/2023 | BR920937 | Yes | Yes, since 2010 | Yes | Yes |

Item #2023-3-11

Action to forward to the Planning Board a recommendation to increase the stream protection sub district from 75' to 100'. (Ordinance Committee Spon.)

**Proposed
Order #23-109**

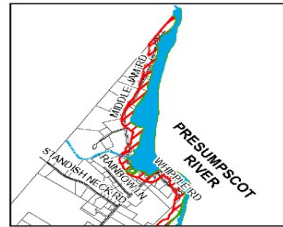
Ordered, that the Town Council forward to the Planning Board for public hearing and recommendations an amendment to the stream protection sub-district as shown on the following map:

Town of Gorham Shoreland Zoning

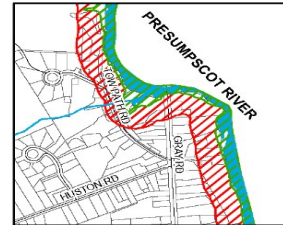
EFFECTIVE:

I CERTIFY THIS TO BE A TRUE COPY OF THE OFFICIAL SHORELAND ZONING MAP AS APPROVED BY VOTE OF THE TOWN COUNCIL.

Laurie Nordfors, Town Clerk



0 1,500 3,000 Feet
1 inch = 3,000 feet



0 250 500 1,000 Feet
1 inch = 1,000 feet

Legend

- Roads
- ▭ Parcel Boundary
- ▭ Shoreland River & Stream
- ▭ Wetland

Shoreland Zoning

- ▨ Resource Protection Sub District
- ▨ Shoreland Overlay District
- ▨ Stream Protection Sub District
- Shoreland Stream
- ⋯ Non-Shoreland Stream

Note: The depictions of the Shoreland Overlay District, Resource Protection Sub-district, and Stream Protection Sub-district boundaries on this GIS Shoreland Map, are merely illustrative of their approximate boundaries. The exact boundaries shall be determined by on-site inspections and measurement from the normal high water line or upland edge of a wetland.

0 0.5 1 2 Miles
1 in = 1 miles

New Business:

Item #2023-8-5

Action to consider allocating funding from the Transfer Overlay Account to assist the Presumpscot Regional Land Trust with the preservation of property off of Ossipee Trail. (Councilor Pratt Spon.)

Proposed

Order #23-110

Ordered, that the Town Council authorizes the release of \$20,000 from the Transfer Overlay Account for the conservation of 30 acres of land off of Ossipee Trail for the Trout Run Conservation Project.

Item #2023-8-6

Action to consider allocating funding from the Open Space Impact Account to assist Presumpscot Regional Land Trust with the preservation of property off of Day Road. (Councilor Pratt Spon.)

Proposed

Order #23-111

Ordered, that the Town Council authorizes the release of \$20,000 from the Open Space Impact Account for the conservation of 30 acres of land off of Day Road for the Deer Woods Conservation Project.

Item #2023-8-7

Action regarding the August 15, 2023 Special School Budget Validation Election. (Admin. Spon.)

Proposed

Order #23-112

Ordered, that the Town Council authorize the Town Clerk to issue the warrant for the August 15, 2023 Special 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 – Martha Towle, Warden and Nancy Kenty and Heidi Pratt,
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 7:00am and 5:00pm on Tuesday, August 8th, Wednesday, August 9th, Thursday August 10th and Monday August 14th, 2023, and

Be it Further Ordered, that the Town Clerk be authorized to process absentee ballots on Monday, August 14th at 10:00 am and 2:00pm; and Tuesday August 15th at 10:00am, 2:00pm and 8:00pm.

Item #2023-8-8

Action to consider accepting Olde Canal Way as a public way. (Councilor Pratt. Spon.)

**Proposed
Order #23-113**

Ordered, that the Town Council accepts 2,150 feet of Olde Canal Way as a public way; and

Be It Further Ordered, that Olde Canal Way is classified as an Industrial/ Commercial Road.

Item #2023-8-9

Action to consider instructing the Capital Improvements Committee to evaluate options for a site facilities plan at 80 Huston Road (Public Works & School Transportation Services). (Councilor Philips Spon.)

**Proposed
Order #23-114**

Ordered, that the Town Council instructs the Capital Improvements Committee to work with staff to evaluate options for a site planning study of 80 Huston Road and bring recommendations back to the Town Council for review.

Item #2023-8-10

Action to enter into executive session for personnel matters and to discuss confidential economic development matters.

**Proposed
Order #23-115**

Ordered, that the Town Council enter into executive session pursuant to Order #23-89 1 MRSA § 405(6) (A) Personnel Matters and 1 MRSA § 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