

Land Use and Development Code Amendment: Marland, Contract Zone

**Town of Gorham
Planning Board Meeting
November 7, 2022**

ITEM 4 - Land Use and Development Code – Discussion: – Contract Zone, Marland, Miranda and Michelle – a request for a contract zone for 253 New Portland Road, specifically related to the setback requirements for dog kennels under the Land Use and Development Code. Zoned, SR. Map 29, Lot 4.001. The applicant is represented by Brandon Mazer, Esq., with Perkins Thompson.

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AMENDMENT TRACKING

DESCRIPTION	COMMENTS	STATUS
Town Council Meeting	The Town Council forwarded the item to the Planning Board for review and public hearing. (7 yeas)	October 4, 2022
Planning Board - Discussion		November 7, 2022

The Planning Board refers to staff notes during the review process; however, it shall be noted that staff recommendations are noncommittal and all final decisions are those of the Planning Board and not Town Staff.

Memo completed by Thomas Poirier, Director of Community Development.

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1. OVERVIEW

This item is on for discussion on the applicant's proposed Contract Zone, located at 253 New Portland Road, to locate a dog kennel on the premises. The applicant has contracted with Attorney Brandon Mazer, with Perkins Thompson to draft a proposed contract zone and application.

Town staff recommends this item be forwarded to one of the PLBD sub-committee to review and provide recommendations back to the full Planning Board. Staff also recommends that the committee also send notices of any meetings to the abutters for any comments to help expedite the review process.

2. ITEMS OF NOTE

The applicant is also proceeding with a minor site plan application should the contact zone be approved by the Town Council for the lot. As a reminder minor site plans are approved by Town Staff. Any requirements for site improvements required by the contract zone will most likely need to be added to the administrative review plans for approval.

3. STAFF REVIEWS

Community Development Director: 10/31/2022

October 31, 2022

1. Recommend adding language that the garage shall be required to have sound proofing should the noise at the property line exceed the minimum noise outlined under Chapter 4. This might be best by amending 4. Performance Standards a, iv, 2.
2. Recommend there be provisions that outline enforcement measures should parts of the use on the site become non-compliant with the terms of the contract zone.
3. Is there a proposed limit on how long or the number of dogs that will be outside at any one time?
4. Is the applicant looking to allow the dog kennel to operate 7 days a week?
5. The Zoning for the lot is no longer Rural- Manufactured Housing. The new zoning district is Suburban Residential. Please revise the contract zone language to reflect the new zoning district.

Public Works: No Comments Received

Code Enforcement: No Comments Received

Gorham Fire Department: 10/25/2022

October 25, 2022

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Fire, no comments at this time.

Town Attorney: Pending

4. CONTRACT ZONE LANGUAGE

See language provided by the applicant's attorney.

PROPOSED MOTIONS:

Move to send the proposed Contract Zone approval for Map 29, Lot 4.001 to the Planning Board's (Ordinance Sub-committee or Comp Plan Implementation Sub- Committee for review and recommendation)