

TOWN MANAGER'S AGENDA NOTES
GORHAM TOWN COUNCIL
REGULAR MEETING
January 3, 2023
6:30pm
Burleigh Loveitt Council Chambers

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

Public hearing to hear comment on a proposal to issue a renewal Medical Marijuana License to Michael Barris, B's Trees, LLC, 7 County Road. Property owned by 7 County Road LLC. (Admin. Spon.)

Staff report application is complete.

Public hearing #2
On Item #2020-11-09

Public hearing to hear comment on a proposal to amend the Urban Residential Expansion District zoning map. (Admin. Spon.)

This hearing and item adopts the urban residential expansion district for the area of Gray Road, Libby Ave and Queen Street as identified in the Town's comprehensive plan.

Public hearing #3
On Item #2021-9-10

Public hearing to hear comment on a proposal to amend the zoning map and Land Use and Development Code to adopt the South Gorham Crossroads District. (Admin. Spon.)

This hearing and item formally adopts a new South Gorham Crossroads Districts as identified in the Town's comprehensive plan. A map of the district is included in the order as well as a memo from staff outlining the permitted uses which include a variety of mixed use and commercial.

Public hearing #4
On Item #2021-9-10

Public hearing to hear comment on a proposal to amend the zoning map and Land Use and Development Code to adopt South Gorham Commercial Corridor. (Admin. Spon.)

This item also adopts a new zoning district as called for in the Town's comprehensive plan, the South Gorham Commercial Corridor which is located in south Gorham on Route 22. A memo from staff is attached and a map of the zone is included in the agenda.

**Public hearing #5
On item #2023-1-2**

Public hearing to hear comment on a proposal to amend the Land Use and Development Code regarding Accessory Dwelling Units. (Admin. Spon.)

Public hearing #5 and the associated order amends the LUDC with regards to accessory dwelling units on properties that have existing dwelling units. A memo from staff is attached. Staff will also be on hand at the meeting to answer any questions.

Item #2023-1-3

Action to consider a resignation from the Planning Board. (Admin. Spon)

Item 2023-1-3 formally accepts the resignation of now Councilor Seven Siegel from the Gorham Planning Board who resigned before being sworn in as a town councilor.

Item #2023-1-4

Action to consider making an appointment to the Planning Board.

Appointment of David Walsh to the Planning Board on recommendation of the Appointments Committee with a term expiring on April 1, 2025.

Item #2023-1-5

Action to re-appoint a Registrar of Voters. (Admin. Spon.)

This is an administrative item re-appointing Laurie Nordfors, Town Clerk, as the Registrar of Voters.

Item #2023-1-6 Action to set a workshop for the month of March to review planning services available through GPCOG. (Councilor Wilder Cross Spon.)

This item sets March 21, 2023 as a Town Council agenda where the Greater Portland Council of Governments can present information on planning and study services that they have available.

Item #2023-1-7

Action to consider authorizing the issue of a bond that was approved by the voters on November 8, 2022. (Admin. Spon.)

Item 2023-1-7 authorizes the Treasurer (Town Manager) to go to market for bonds to fund the November 8, 2022 citizen-approved school facility projects for \$10,523,215. Staff utilized legal bond counsel, as well as a professional bond consultant for this process.

Item #2023-1-8

Action to consider authorizing an abatement of taxes for the 2020-21 and 2021-22 tax years. (Admin. Spon.)

This item is an abatement for property located at 6 State Street that was incorrectly assessed to Angelo Sotiropoulos since 2015. The Town's assessor can abate taxes for only the current year and the Town Council may abate taxes for two years prior to the current year for a total of three tax years. A memo from the Town Assessor is attached where he recommends abating the taxes for the 2021 and 2022 tax years.

Item #2023-1-9

Action to consider amending the LUDC to allow for reduced setbacks in the Gorham Village Districts. (Councilor Siegel Spon.)

This item instructs the Ordinance Committee to review setbacks in the Gorham Village districts, and to come back to the Town Council with any recommendations.

Item #2023-1-10

Action to consider establishing a housing authority. (Councilor Siegel Spon.)

Item 2023-1-10 instructs staff to look at the feasibility of establishing a housing authority and the procedure for doing so, and report their findings back to the Town Council.

Item #2023-1-11

Action to consider changing the names of the urban residential expansion districts. (Councilor Siegel Spon.)

This item instructs the Ordinance Committee to review changing the name of the urban residential expansion districts to the urban growth boundary districts.

Item #2023-1-12

Action to consider accepting a recreation access easement. (Admin. Spon.)

Acceptance of a trail access easement off of Natalee Drive. Detail plans and a deed are attached.

Item #2022-12-3

Action to consider accepting the recommendation of the Ordinance Committee to utilize a vendor to adjust ordinance language to be gender neutral. (Ordinance Committee Spon.)

This item would accept the recommendation of the Ordinance Committee that the company completing the Town's codification project be tasked with making ordinances gender neutral.

Item #2022-10-11

Action to consider amending dog kennel standards in the Land Use & Development Code. (Ordinance Committee Spon.)

Item 2022-10-11 forwards to the Planning Board proposed changes to the LUDC with regard to dog kennels. The proposed amendment would remove the ability for the Planning Board or administrative review process to count open space, or conservation areas towards the required minimum 100' buffer.



**TOWN OF GORHAM
CLERK'S OFFICE**

75 South Street, Suite 1

Gorham, Maine 04038 Phone:

Phone: (207) 222-1670 □ Fax: (207) 839-5036

MARIJUANA LICENSE APPLICATION

**FEES FOR
APPLICATION AND
LICENSE REVIEW**

Adult-Use and Medical Marijuana Licensing Ordinance Section 17, License Fees:
"Licensing fees for adult-use marijuana establishments and medical marijuana businesses shall be paid annually as set forth below. All applications must be submitted with a nonrefundable/nontransferable \$500 application fee and the appropriate Tier fee, as stated below:"

Application Fee: \$500.00

pd 11-15-22

Adult-Use Marijuana Manufacturing Facility
\$5,000.00

Adult-Use Marijuana Cultivation Facility:

Tier 1 (0 to 500 SF of plant canopy)
\$1,000

Tier 2 (501 to 2,000 SF of mature plant canopy)
\$1,500

Tier 3 (2,001 to 7,000 SF of mature plant canopy)
\$2,500

Tier 4 (> 7,000 SF of mature plant canopy)
\$5,000

Adult-Use Nursery Cultivation Facility (plant canopies of individual Nursery Cultivations are capped at 1,000 SF, subject to the requirements and restrictions of State law.)
\$1,000

Adult-Use Marijuana Testing Facility
\$3,000

Medical Marijuana Caregiver (Non-Home Occupation):

Tier 1 (0 to 500 SF of plant canopy)
\$1,000

Tier 2 (501 to 2,000 SF of mature plant canopy) \$1,500

X Tier 3 (2,001 to 7,000 SF of mature plant canopy)
\$2,500

Tier 4 (> 7,000 SF of mature plant canopy)
\$5,000

Medical Marijuana Manufacturing Facility
\$5,000

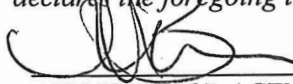
Medical Marijuana Testing Facility
\$3,000

Renewal applications for adult-use marijuana cultivation licenses may seek an increase to a higher tier if they comply with the requirements in this section and State law.

PROPERTY DESCRIPTION	Parcel ID	Map(s)	6	Lot(s)	3	Zoning District:	Rural	Industrial	Olde Canal
	Physical Address	7 County rd							
PROPERTY OWNER'S INFORMATION	Name	7 County rd LLC			Mailing Address	P.O. Box 2808 South Portland 04072			
	Phone								
	Email								
APPLICANT'S INFORMATION IF DIFFERENT FROM OWNER.	Name	Michael Barris			Name of Business	B's Trees LLC			
	Phone	207 252 7450			Mailing Addresses: Residential And Business	7 County rd Gorham			
	Email	Mike@bstrees.com				ME 04038			
BUSINESS INFORMATION	Owner's Name(s)	B's Trees LLC			Mailing Address	B's Trees LLC			
	Phone	207 252 7450				7 County rd Gorham			
	Email	Mike@bstrees.com				ME 04038			

6	<p>Documentation to be provided with application. All documentation must be provided at time of application submission.</p> <p>E Recent passport style photograph</p> <p>E Applicant's driver's license</p> <p>E Sketch showing building footprint, interior layout, and parking plan.</p> <p>E Copy of tax map showing property lines, and property lines of other properties within 1,000 feet.</p>
	<p>E Copy of tax map showing pre existing public or private school with 750 feet of the property.</p> <p>E Operating Plan that addresses wastewater, disposal of solid waste, ventilation and odor, parking, and landscaping. (see Section 10, Subsection 7)</p> <p>E Copy of State of Maine conditional license</p>
	<p>Section 10 Standards for license General: 2. Adult-use marijuana establishments and medical marijuana businesses may not be located on property within seven hundred and fifty (750) feet of the property line of a preexisting public or private school (K12). For the purposes of this Ordinance, "school" includes a public school, private school, or public preschool program as defined in 20-A M.R.S.A. §1, or any other educational facility that serves children from prekindergarten to grade 12. Required setbacks shall be measured as the most direct, level, shortest, without regard to the intervening structures or objects, straight-line distance between the school property line and the property line of the parcel of land on which the adult-use marijuana establishment or medical marijuana business is located. If the adult-use marijuana establishment or medical marijuana business is located within a subdivision, the required setback shall be measured from the front door of the facility to the property line of the school. Presence of a town, city, county, or other political subdivision boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this Section.</p>
	<p>For additional information, please review the Marijuana Cultivation or Manufacturing Facility Licensing Ordinance. The ordinance is available here https://www.gorham-me.org/codes-ordinances/pages/general-ordinances or a copy may be requested at the Town Clerk's office.</p>
ADDITIONAL COMMENTS:	

The undersigned hereby makes application to the Town of Gorham for approval of the proposed use and declares the foregoing to be true and accurate to the best of his/her knowledge.



 APPLICANT OR AGENT'S SIGNATURE

11.11.2022

 DATE

Michael Barris

 PLEASE TYPE OR PRINT NAME

For office use only:			
Code Enforcement Officer Review Comments submitted:	OK	Date	11/23/22
Police Department Review Comments submitted:	OK	Date	12-6-22
Fire Department Review Comments submitted:	OK	Date	11/23/22
Other Staff Comments:	Planning	OK	Date 11-15-22
Town Council Decision:	APPROVED/DENIED		Date





**Community Development
Planning Division**

Thomas M. Poirier, *Director of Community Development* tpoirier@gorham.me.us
 Carol Eyerman, *Town Planner* ceyerman@gorham.me.us

GORHAM MUNICIPAL CENTER, 75 South Street, Gorham, ME 04038

Tel: 207-222-1620

		AGENT AUTHORIZATION	
APPLICANT(s)/ OWNER(s)	Name(s)	Michael Barris	
PROPERTY DESCRIPTION	Physical Address/Location	7 county rd Gorham	Map(s) 6
			Lot(s) 3
APPLICANT'S AGENT INFORMATION	Name	Michael Barris	
	Phone	207 252 7450	Business Name B'S Trees LLC
	Email	mike@bstrees.com	Mailing Address 7 county rd Gorham
<p><i>Said agent(s) may represent me/us before Gorham Town officers and the Gorham Planning Board to expedite and complete the approval of the proposed development for this parcel.</i></p>			
 APPLICANT SIGNATURE		11-11-2022 DATE	
Michael Barris PLEASE TYPE OR PRINT NAME HERE			
CO-APPLICANT SIGNATURE (if applicable)		DATE	
PLEASE TYPE OR PRINT NAME HERE			
 APPLICANT'S AGENT SIGNATURE		11-11-2022 DATE	
Michael Barris PLEASE TYPE OR PRINT NAME HERE			



Laurie Nordfors <lnordfors@gorham.me.us>

Re: Medical Marijuana renewal for B's Trees LLC, 6 County Road

1 message

Carolyn Eyerman <ceyerman@gorham.me.us>

Tue, Nov 15, 2022 at 3:33 PM

To: Laurie Nordfors <lnordfors@gorham.me.us>

Cc: Christopher Poulin <cpoulin@gorham.me.us>, freeman abbott <fabott@gorham.me.us>, Tom Poirier <tpoirier@gorham.me.us>, daniel young <dyoung@gorham.me.us>, Michael Nault <mnault@gorham.me.us>, kennie fickett <kfickett@gorham.me.us>, Christopher Sanborn <csanborn@gorham.me.us>, Brianna Freeman <bfreeman@gorham.me.us>, Kristiina Robinson <krobinson@gorham.me.us>

The operating plan meets the intent of the ordinance.

On Tue, Nov 15, 2022 at 1:47 PM Laurie Nordfors <lnordfors@gorham.me.us> wrote:

Hello,

Michael Barris, B's Trees LLC, 6 County Road has submitted his renewal medical marijuana license application. Could you please email me once your department has approved the application

Thank you,

Laurie

Laurie K Nordfors, CCM

Town Clerk

Registrar of Voters

Motor Vehicle Agent

Assistant Tax Collector

Town of Gorham

75 South Street

Gorham, ME 04038

207-222-1670

fax - 207-839-5036



NOTICE: Under Maine's Freedom of Access ("Right to Know") Law, documents - including emails - in the possession of public officials about Town business are considered public records. This means if anyone asks to see it, we are required to provide it. There are very few exceptions. We welcome citizen comments and want to hear from our constituents, but please keep in mind that what you write in an email is not private and will be made available to any interested party.



October was Community Planning Month! Thank you for helping us celebrate by participating in the puzzles and scavenger hunt contest. We particularly enjoyed visiting with you and answering your questions on Meet the Planner Day.

Thank you for choosing Gorham.

All the best,



Laurie Nordfors <lnordfors@gorham.me.us>

7 County: B's Tree's

1 message

Christopher Poulin <cpoulin@gorham.me.us>

Wed, Nov 23, 2022 at 10:53 AM

To: Laurie Nordfors <lnordfors@gorham.me.us>, Kenny Fickett <kfickett@gorham.me.us>, Miles Hutchinson <mhutchinson@gorham.me.us>, Angela Fall <afall@gorham.me.us>, Kristiina Robinson <krobinson@gorham.me.us>

Hi Laurie,

We did the walk through. They have minor things to address but otherwise OK. Thanks

Chris Poulin
Town of Gorham
Code Enforcement
CEO, LPI
cpoulin@gorham.me.us
75 South Street, Ste. 1
Gorham, ME 04038
(207)222-1605



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Laurie Nordfors <lnordfors@gorham.me.us>

background check for Michael Barris

Daniel Young <dyoung@gorham.me.us>
To: Laurie Nordfors <lnordfors@gorham.me.us>

Tue, Dec 6, 2022 at 2:42 PM

Good Afternoon. I just finished his background. The PD will approve the application

[Quoted text hidden]

[Quoted text hidden]



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Town of Gorham Community Development

Thomas M. Poirier, *Director of Community Development*
tpoirier@gorham.me.us
Carol Eyerman, *Town Planner*
ceyerman@gorham.me.us

GORHAM MUNICIPAL CENTER, 75 South Street, Gorham, ME 04038

Tel: 207-222-1620

TO: Town Council
Ephrem Paraschak, Town Manager

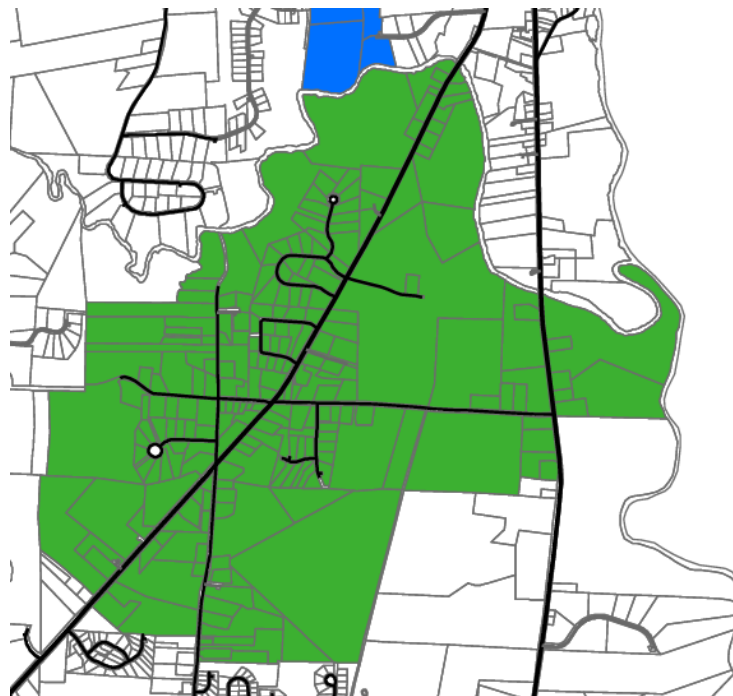
FROM: Thomas M. Poirier, Director of Community Development

SUBJECT: Urban Residential Expansion District Zoning Map Amendment (Phase 3)

DATE: DECEMBER 12, 2022

IMP

The Planning Board conducting a public hearing and reviewed the draft zoning map and listened to resident's comments on the proposed amendment to the Urban Residential Expansion District Phase 3, shown in green below. As a reminder the proposed Urban Residential Expansion District rezone is phase 3 of a 4 phase rezoning process.



Attached to the memo is the draft zoning map reviewed at the PLBD's December 5, 2022 meeting.

AMENDMENT TRACKING

DESCRIPTION	COMMENTS	STATUS
Planning Board - Discussion	Moved to Planning Board Public Hearing (6 yeas, 1 absent)	November 7, 2022
Planning Board - Public Hearing	The Planning Board moved to recommend adoption of the map amendment with the boundaries as shown. (6 yeas, 1 position vacant)	December 5, 2022

Public Hearing: Public Hearing was held at the Planning Board’s December 5, 2022 meeting. Two Members of the public spoke about the proposed zoning map amendment. One member of the public stated that the Urban Residential – Expansion District should allow for agricultural uses as allowed in the Suburban Residential and Urban Residential Zoning Districts. The other member of the public outlined that the Town should start to look at updating the Town’s Comprehensive Plan.

Planning Board Motion: The Planning Board’s found the proposed map amendment consistent with the Town Comprehensive Plan and motioned to recommend adoption of the proposed zoning map. (6 ayes, 1 position vacant)



**Town of Gorham Community
Development**

Thomas M. Poirier, *Director of Community Development*
tpoirier@gorham.me.us
 Carol Eyerman, *Town Planner*
ceyerman@gorham.me.us

GORHAM MUNICIPAL CENTER, 75 South Street, Gorham, ME 04038

Tel: 207-222-1620

TO: Town Council
Ephrem Paraschak, Town Manager

FROM: Thomas M. Poirier, Director of Community Development

SUBJECT: South Gorham Crossroads District

DATE: DECEMBER 28, 2022

IMP

The Planning Board had a number of meetings to review the proposed amendment. The Planning Board worked with Northstar Planning employees to review and make recommended edits to the proposed zoning district and recommend a proposed boundary for the district. The PLBD listened to resident’s comments at all levels of review of the proposed South Gorham Crossroads District.

The Planning Board is recommending adoption of the proposed district with 3 Planning Board amendments. The Planning Board amendments are: to change the title of performance standards 6 and 7 to On-site and Off-site Pedestrian Connections; revise performance standard 9 Signs to refer to the required section under Chapter 2 for signage; and simplify the wording of performance standard 18, b, regarding illumination of parking areas. The Planning Board’s proposed changes are shown in the attached ordinance in blue, underlined, and struck through. The Planning Board is recommending the boundaries of the South Gorham Crossroads district follow the boundaries as shown in the attached map.

As a reminder the South Gorham Crossroads District is proposed for a mixed-use area of higher density residential development. The non-residential uses are proposed to be small scale retail and services to focus on the residential uses in the area as well as some regionally focused business and services including hotels, indoor recreation facilities, professional offices, and light industrial uses.

Planning Board Motion: The Planning Board’s motion to recommend adoption of the proposed zoning amendment and map as amended by the Planning Board (6 ayes, 1 position vacant)

AMENDMENT TRACKING

DESCRIPTION	COMMENTS	STATUS
Town Council Meeting	The Town Council forwarded the item to the Planning Board for a public hearing and recommendations. (7 ayes)	April 5, 2022
Planning Board - Discussion	Discussed and referred to the Planning Board Comprehensive Plan Implementation Committee for review and recommendation.	May 2, 2022
Comprehensive Plan Implementation Committee	The Board got an overview of the proposed district and the review proposal moving forward. Staff will provide a memo previously given to the TC ordinance committee showing projects of a similar type and scale envisioned for South Gorham Crossroads.	May 16, 2022

Comprehensive Plan Implementation Committee	The committee discussed process for review of the proposed zoning district and started to review the permitted uses for the district.	June 13, 2022
Comprehensive Plan Implementation Committee	The committee discussed Site Performance Standards 1 through 6 with Northstar Planning.	July 11, 2022
Comprehensive Plan Implementation Committee	The committee reviewed the proposed ordinance and made recommended changes.	August 1, 2022; September 12, 2022
Planning Board - Discussion	The PLBD request maps showing lots along South Street requesting to be added to the South Gorham Crossroads District. The PLBD also requested the Northstar memo from 2019 which outlined the Comp Plan's vision for the proposed district.	October 3, 2022; November 7, 2022
Planning Board – Public Hearing	The PLBD recommended adoption of the proposed zoning district and map boundaries as shown. (6 ayes)	December 5, 2022



**Town of Gorham Community
Development**

Thomas M. Poirier, *Director of Community Development*
tpoirier@gorham.me.us
Carol Eyerman, *Town Planner*
ceyerman@gorham.me.us

GORHAM MUNICIPAL CENTER, 75 South Street, Gorham, ME 04038

Tel: 207-222-1620

TO: Town Council
Ephrem Paraschak, Town Manager

FROM: Thomas M. Poirier, Director of Community Development

SUBJECT: South Gorham Commercial District

DATE: DECEMBER 16, 2022

IMP

The Planning Board had a number of meetings to review the proposed amendment. The Planning Board worked with Northstar Planning employees to review and make recommended edits to the proposed zoning district and recommend a proposed boundary for the district.

The Planning Board is recommending adoption of the proposed district with 4 substantive Planning Board amendments, the other changes are more minor in nature. The Planning Board substantive amendments are: to strike out a few of the permitted uses allowed, add a buffer requirement between light industrial and residential uses, revise performance standard 9 Signs to refer to the required section under Chapter 2 for signage; and add performance standard 18, for exterior lighting. The Planning Board’s proposed changes are shown in the attached ordinance in blue, underlined, and struck through. The Planning Board is recommending the boundaries of the South Gorham Commercial district follow the boundaries as shown in the attached map.

As a reminder the South Gorham Commercial District is proposed for a mixed-use area with a New England Village design atmosphere. The proposed district is meant to provide an opportunity for a center of small scale non-residential uses and a wide range of residential uses.

Planning Board Motion: The Planning Board’s motion to recommend adoption of the proposed zoning amendment and map as amended by the Planning Board (6 ayes, 1 position vacant)

AMENDMENT TRACKING

DESCRIPTION	COMMENTS	STATUS
Town Council Meeting	The Town Council forwarded the item to the Planning Board for a public hearing and recommendations. (6 ayes)	June 7, 2022
Planning Board - Discussion	The Planning Board forwarded the item to the Planning Board’s CPIC for a workshop and discussion.	July 11, 2022
Comprehensive Plan Implementation Committee	The committee reviewed the proposed ordinance language with Town and Northstar Planning Staff and made recommended changes to the ordinance. The item was then sent to the next available PLBD meeting for a public hearing.	August 1, 2022; September 12, 2022 October 3, 2022 November 7, 2022
Planning Board – Public Hearing	The PLBD recommended adoption of the proposed zoning district and map boundaries as shown. (6 ayes)	December 5, 2022



Town of Gorham Community Development

Thomas M. Poirier, *Director of Community Development*
tpoirier@gorham.me.us
Carol Eyermer, *Town Planner*
ceyermer@gorham.me.us

GORHAM MUNICIPAL CENTER, 75 South Street, Gorham, ME 04038

Tel: 207-222-1620

TO: Town Council
Ephrem Paraschak, Town Manager

FROM: Thomas M. Poirier, Director of Community Development

SUBJECT: Accessory Apartments Amendment

DATE: DECEMBER 19, 2022

IMP

The Planning Board is recommending adoption of the proposed accessory apartments amendment as revised by the Planning Board. The Town Council proposed draft language is shown black, underlined and struck through. The Planning Board's proposed changes are shown in the attached ordinance in **black, bolded, underlined, and struck through**. The Planning Board recommended changes are to address Portland Water District requirements for public sewer and water services to attached and detached accessory apartments. The other change is the number of accessory apartments allowed on a lot. When staff and the Town Council worked on the draft it was thought that LD 2003 required municipalities to allow for 2 accessory dwellings per lot. This was incorrect only 1 accessory dwelling is needed for the Town to be in compliance with LD 2003. The proposed changes meet the minimum requirement under LD 2003.

As a reminder the proposed amendment for accessory apartments was the first step for the Town to come into compliance with LD 2003. The 2 other provisions regulated by LD 2003 are affordable housing density and housing density for areas which housing is allowed.

Planning Board Motion: The Planning Board's motion to recommend adoption of the proposed zoning amendment and map as amended by the Planning Board (6 ayes, 1 position vacant)

AMENDMENT TRACKING

DESCRIPTION	COMMENTS	STATUS
Town Council Meeting	Move the item to the PLBD for review and recommendations. (7 yeas)	October 4, 2022
Planning Board - Discussion	Moved to Planning Board Public Hearing (6 yeas, 1 absent)	November 7, 2022
Planning Board – Public Hearing	Moved to recommend adoption as amended by the PLBD.	December 5, 2022

CHAPTER 1: ZONING REGULATIONS
SECTION 1-5 - DEFINITIONS

Accessory Apartment A separate dwelling unit that has been added on, or created within, a lot with a single family house for the purpose of providing separate living accommodations.

CHAPTER 2: GENERAL STANDARDS OF PERFORMANCE
SECTION 2-2 – PARKING, LOADING, AND TRAFFIC

A. OFF-STREET PARKING STANDARDS

Accessory Apartments 1 parking space per each accessory apartment

SECTION 2-4 - RESIDENTIAL
C. ACCESSORY APARTMENTS

Accessory apartments ~~are~~ is a permitted use in all the UR, SR, R zoning districts which allow single-family dwelling or a lot where a single-family exists, subject to the approval of the Code Enforcement Officer and adherence to the following standards:

1. The owner(s) of the lot principal structure must reside in the principal structure or in the accessory unit apartments.
2. The number of occupants of the any accessory unit apartment is limited to two.
3. ~~The a~~ Accessory unit apartment shall contain up to a maximum of 800 square feet of living space and shall not be less than 190 square feet in area.
4. **a. Accessory dwellings apartment on a lot with the ability to connect to public sewer shall be served by public sewer unless the Portland Water District (PWD) determines that there is not capacity in the sewer main or treatment facility. The PWD sewer connections shall meet the following requirements:**
 - 1) **The proposed accessory apartment is connected to the primary residence. In this scenario, the accessory apartment may be connected to the primary residence internal PWD sewer lateral to the primary residence.**

2) The proposed accessory apartment is a separate standalone building: In this scenario, a separate and independent PWD sewer lateral will be provided to serve the accessory apartment. The detached accessory apartment and the single-family house shall have independent connections from each structure to the PWD's sewer main. The independent sewer laterals will be provided from both buildings with a connection of the two laterals into a sewer manhole at the property line. The sewer manhole will be a minimum two-foot (2') size providing access to each sewer lateral. The sewer manhole may be placed on the existing sewer lateral from the single-family residence with the accessory apartment sewer lateral being fed into it.

b. For a ~~L~~ lots without the ability to connect to public sewer, ~~T~~the septic systems on the ~~property~~ lot in question shall be functioning properly at the time of application and ~~is~~ shall be sufficiently designed to meet the new anticipated capacity required under all State and local regulations for septic systems.

1) For accessory apartment attached to the existing single-family dwelling, ~~I~~if expansion of the septic system is required to meet the increased flow from the accessory apartment, the applicant shall submit an HHE-220 form to the Code Enforcement Officer for review and approval prior to the installation of the system. Any septic system expansions will need to be completed prior to the certificate of occupancy being issued for the accessory apartment.

2) Accessory apartment detached from the existing single-family dwelling are required to each have a separate and functioning septic system meeting all State and local regulations for septic systems. Clustered systems are prohibited as set forth in the Town of Gorham Waste Water Ordinance, Article IV – Private Wastewater Disposal Systems, Section 7 – Cluster Systems Prohibited.

5. The parking requirements of the Gorham Land use and Development Code shall be adhered to. For a lot served by private wells the owner(s) must show evidence that water is potable and acceptable for domestic use prior to issuance of a certificate of occupancy for the accessory apartment.

6. Proper ingress and egress shall be provided to the accessory ~~unit~~ apartment.

7. Should the owner(s) of the ~~principal structure or accessory apartment~~ lot be found in noncompliance of the standards contained in this section, the noncompliance shall be considered a violation of this code and subject to the fines and penalty section, and the accessory ~~unit~~ apartment(s) shall be discontinued, and the ~~structure~~ lot shall revert to single family use.

8. An accessory apartment which complies with the requirements of this subsection shall not be considered an additional dwelling unit when calculating lot area per ~~family~~ dwelling unit under the space and bulk regulations of the Code. Accessory apartment is required to meet the setbacks in the zoning district they are located in and if applicable Shoreland zoning requirements.
9. Only one ~~two~~ accessory apartments ~~per principal structure~~ shall be permitted on a lot.
10. **Accessory apartments on a lot with the ability to connect to a public water main shall be connected into the public water main unless the Portland Water District determines that there is not capacity in the PWD water main to serve the lot. Accessory apartments being constructed on a lot with public water supply shall provide a PWD ability to serve letter prior to issuance of a building permit for the accessory apartment.**



COUNCIL ABATEMENT NOTICE:
AFTER THE FACT: TY 2020-2021

Date of Abatement: **January 3, 2023**

Property Location: **6 STATE STREET**

Real Estate:

Map: 102 Lot: 28

Personal Property Account:

Abatement of tax assessed against: **SOTIROPOULOS ANGELOS**

Tax Rate: **\$19.00**

REAL ESTATE:			
Original Assessment:	\$52,500	Original Tax:	\$997.50
New Assessment:	\$0	New Tax:	\$0.00
Abatement:	\$52,500	Credit to Account:	\$997.50
PERSONAL PROPERTY:			
Original Assessment:	\$0	Original Tax:	\$0.00
New Assessment:	\$0	New Tax:	\$0.00
Abatement:	\$0	Credit to Account:	\$0.00
TOTAL:	\$52,500		\$997.50

CAUSE/REASON FOR ABATEMENT:

INCORRECT OWNER

Lee Pratt, Council Chair

Ephrem Paraschak, Tax Collector



Town of Gorham
75 South Street, Suite 1
Gorham, ME 04038
207-222-1650 • eparaschak@gorham.me.us
Ephrem Paraschak, Manager

January 3, 2023

Angelos Sotiropoulos
2 State Street
Gorham, ME 04038

2020-2021 NOTICE OF ACTION ON REAL PROPERTY ABATEMENT
Location: 6 State Street

To whom it may concern,

The Gorham Town Council has granted a full abatement of taxes on the above-described property.

REASON: ASSESSED TO WRONG OWNER

Where an abatement has been granted, the change in value is shown below:

Original Valuation	\$56,500
New Valuation	\$0

The abatement has resulted in a total reduction of \$56,500 of assessed value or taxes of \$997.50.

A REVISED TAX BILL MAY NOT BE ISSUED

If you are dissatisfied with the decision of the Assessor, you may file an appeal to the Board of Assessment Review within 60 days after receiving this notice. The appeal Applications are available at the Assessor's office, on the town's web site under the Assessing Dept. page or it can be forwarded to you electronically upon your request.

The Tax Collector has been notified. I would recommend contacting the Tax Collector with any questions you may have at 207-222-1670.

Sincerely,

Ephrem Paraschak
Gorham Town Manager



Cumberland County Regional Assessing
 25 Pearl Street, Portland, ME 04101
 207-699-2475 • cumberlandcounty.org

Maine
Cumberland County

Benjamin Thompson, Director

December 27, 2022

Gorham Town Council
 c/o Town Manager
 Gorham Municipal Center,
 75 South Street, Suite 1,
 Gorham, ME 04038

RE: MBLU 0102-0028, 6 State Street

Dear Council members,

My opinion has been requested concerning an abatement request presented on behalf of Gorham resident and business owner, Angelo Sotiropoulos. It is my understanding that a request for abatement has been made to the Town Manager's office via email on December 6, 2022 requesting Council to approve an abatement for tax years 2021-2022 and 2020-2021.

According to my authority as the Assessor, I have abated taxes assessed to Mr. Sotiropoulos for the parcel listed above for the current commitment year, 2022-2023, in the amount of \$849.39. It has been proven to my satisfaction that Angelo Sotiropoulos transferred any and all interest which he had in the parcel identified as Map/Lot 0102-0028 to AGS Properties LLC on January 14, 2015. Although this parcel has been assessed to the wrong owner since 2015, Maine law only allows for a correction of a maximum of three years total.

Maine statute, Title 36 section 841, second paragraph under subsection 1 states:

“The municipal officers, either upon written application filed after one year but within 3 years from commitment stating the grounds for an abatement or on their own initiative within that time period, may make such reasonable abatement as they consider proper to correct any illegality, error or irregularity in assessment if the taxpayer has complied with section 706-A. The municipal officers may not grant an abatement to correct an error in the valuation of the property.”

Authority to grant an abatement for the 2nd and 3rd year from the latest commitment resides with the municipal officers in situations of error in assessment. An example of an error in assessment is where an assessor includes property not owned by the taxpayer in that taxpayer’s parcel or assesses a parcel to the wrong owner.

Therefore, it is my opinion that the Gorham Town Council would be within their authority to consider granting an abatement for both tax years as follows:

Tax Year	Value	Mil Rate	Parcel	Assessed To	Amount
2022-2021	\$52,500	.01940	0102-0028	Sotiropoulos Angelos	\$1,018.50
2021-2020	\$52,500	.01900	0102-0028	Sotiropoulos Angelos	\$ 997.50

Sincerely,

Benjamin L Thompson, CMA
 Gorham Town Assessor

Account Name & Address	Land	Building	Exemption	Assessment	Tax
2720 SOONG SYLOKE J 5113 SOUTH BRIGHTON ST Acres 1.85 SEATTLE WA 98118	47,700	67,900	0	115,600	2,196.40 1,098.20 (1) 1,098.20 (2)
856 GRAY ROAD 0111-0090-0001 B18068P211					
3176 SOPER ELIZABETH A & SOPER WILLIAM M 24 LOMBARD STREET Acres 0.23 GORHAM ME 04038	77,900	77,000	21,500 98 Homestead	133,400	2,534.60 1,267.30 (1) 1,267.30 (2)
24 LOMBARD STREET 0105-0050 B17487P185					
3493 SORENSON SCOTT S 125 SPILLER ROAD Acres 1.50 GORHAM ME 04038	69,700	144,600	21,500 97 Homestead	192,800	3,663.20 1,831.60 (1) 1,831.60 (2)
125 SPILLER ROAD 0079-0013-0001 B27397P94					
6611 SOTIROPOULOS ANGELO 30 MERCIER WAY Acres 1.39 GORHAM ME 04038	117,100	552,800	0	669,900	12,728.10 6,364.05 (1) 6,364.05 (2)
30 MERCIER WAY 0045-0023-0312 B21236P64					
6833 SOTIROPOULOS ANGELO 30 MERCIER WAY Acres 1.46 GORHAM ME 04038	99,200	0	0	99,200	1,884.80 942.40 (1) 942.40 (2)
11 BARNFIELD LANE 0011-0017-0302 B31538P18					
1396 SOTIROPOULOS ANGELOS 2 STATE STREET Acres 0.04 GORHAM ME 04038	52,500	0	0	52,500	997.50 498.75 (1) 498.75 (2)
6 STATE STREET 0102-0028 B9428P152					

	Land	Building	Exempt	Total	Tax
Page Totals:	464,100	842,300	43,000	1,263,400	24,004.60
Subtotals:	503,189,200	983,460,566	90,948,036	1,395,701,730	26,518,332.87



COUNCIL ABATEMENT NOTICE:
AFTER THE FACT: TY 2021-2022

Date of Abatement: **January 3, 2023**

Property Location: **6 STATE STREET**

Real Estate:

Map: 102 Lot: 28

Personal Property Account:

Abatement of tax assessed against: **SOTIROPOULOS ANGELOS**

Tax Rate: **\$19.40**

REAL ESTATE:			
Original Assessment:	\$52,500	Original Tax:	\$1,018.50
New Assessment:	<u>\$0</u>	New Tax:	<u>\$0.00</u>
Abatement:	\$52,500	Credit to Account:	\$1,018.50
PERSONAL PROPERTY:			
Original Assessment:	\$0	Original Tax:	\$0.00
New Assessment:	<u>\$0</u>	New Tax:	<u>\$0.00</u>
Abatement:	\$0	Credit to Account:	\$0.00
TOTAL:	\$52,500		\$1,018.50

CAUSE/REASON FOR ABATEMENT:

INCORRECT OWNER

Lee Pratt, Council Chair

Ephrem Paraschak, Tax Collector



Town of Gorham
75 South Street, Suite 1
Gorham, ME 04038
207-222-1650 • eparaschak@gorham.me.us
Ephrem Paraschak, Manager

January 3, 2023

Angelos Sotiropoulos
2 State Street
Gorham, ME 04038

2021-2020 NOTICE OF ACTION ON REAL PROPERTY ABATEMENT
Location: 6 State Street

To whom it may concern,

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REASON: ASSESSED TO WRONG OWNER

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Sincerely,

Ephrem Paraschak
Gorham Town Manager



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Maine
Cumberland County

Benjamin Thompson, Director

December 27, 2022

Gorham Town Council
 c/o Town Manager
 Gorham Municipal Center,
 75 South Street, Suite 1,
 Gorham, ME 04038

RE: MBLU 0102-0028, 6 State Street

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2021-2020	\$52,500	.01900	0102-0028	Sotiropoulos Angelos	\$ 997.50

Sincerely,

Benjamin L Thompson, CMA
 Gorham Town Assessor

Real Estate Tax Commitment Book - 19.400
2021-2022 Tax Commitment

Account Name & Address	Land	Building	Exemption	Assessment	Tax
4353 AGS PROPERTIES LLC 2 STATE STREET Acres 0.15 GORHAM ME 04038	118,400	429,700	0	548,100	10,633.14 5,316.57 (1) 5,316.57 (2)
2 STATE STREET 0102-0027 B32028P124					
1396 SOTIROPOULOS ANGELOS 2 STATE STREET Acres 0.04 GORHAM ME 04038	52,500	0	0	52,500	1,018.50 509.25 (1) 509.25 (2)
6 STATE STREET 0102-0028 B9428P152					
3859 WOODMAN ROBERT J 28 STATE STREET Acres 0.07 GORHAM ME 04038	15,600	121,000	0	136,600	2,650.04 1,325.02 (1) 1,325.02 (2)
28 STATE STREET 0102-0029-0001 B35627P1					
3959 SMITH CHRISTOPHER PO BOX 226 Acres 0.07 GORHAM ME 04038	15,600	54,300	0	69,900	1,356.06 678.03 (1) 678.03 (2)
28 STATE STREET 0102-0029-0002 B30225P332					
4033 ANGEL TED O 747 OAK POINT ROAD Acres 0.07 TRENTON ME 04605	15,600	54,300	0	69,900	1,356.06 678.03 (1) 678.03 (2)
28 STATE STREET 0102-0029-0003 B8166P68					
4087 WOODMAN ROBERT J 23 FAITH DRIVE Acres 0.07 GORHAM ME 04038	15,600	118,900	0	134,500	2,609.30 1,304.65 (1) 1,304.65 (2)
28 STATE STREET 0102-0029-0004 B37456P58					
Page Totals:	233,300	778,200	0	1,011,500	19,623.10
Subtotals:	515,160,800	1,174,396,579	304,260,779	1,385,296,600	26,874,754.61



Town of Gorham Planning Department

Thomas M. Poirier, *Director of Community Development*
tpoirier@gorham.me.us

GORHAM MUNICIPAL CENTER, 75 South Street, Gorham, ME 04038

Tel: 207-222-1620

TO: Ephrem Paraschak, Town Manager

FROM: Thomas M. Poirier, Director of Community Development

SUBJECT: Access Easement along Natalee Place (Tax Map/ Lot Number 100-3 & 100-3-1)

DATE: December 27, 2022

At the request of the Gorham Conservation Commission, the Planning Board required the developer of Natalee place to provide an access easement for a potential future trail connection to the abutting trail network. Natalee Place is a housominium project located in the Gorham Village off Main Street almost directly across from Cumberland Farms Gas Station. The access easement is located on the northern end of the parcel and would provide for interconnection between Natalee Drive and abutting properties to the east and north.

The access easement has been reviewed and approved by the Town Attorney. The easement deed language allows for pedestrian and non-motorized equipment access and similar outdoor recreation that does not have an unreasonable adverse impact.

Staff has include a copy of the subdivision plan with the easement areas highlighted in yellow, signed copy of the easement deed, and letter of support from the Gorham Conservation Commission.

RECREATIONAL TRAIL EASEMENT

ROBIE HOLDINGS LLC, a Maine limited liability company (“Grantor”), for consideration paid, the receipt and sufficiency of which is hereby acknowledged, grants to the **TOWN OF GORHAM**, a municipal corporation organized under the laws of Maine and having a mailing address of 75 South Street, Suite 1, Gorham, Maine 04038, its successors and assigns and the public in general (collectively, the “Town”), a perpetual, non-exclusive easement in gross for access in, on, over, to and across the following areas (such areas collectively, the “Easement Area”): (a) the entirety of the right of way shown as “Natalee Drive” on the Subdivision & Site Plan approved by the Town of Gorham Planning Board on July 27, 2021 and recorded at the Cumberland County Registry of Deeds in Plan Book 221, Page 515 (the “Subdivision Plan”) (such right of way referred to herein as “Natalee Drive”); and (b) the ten-foot (10’) wide strip of land leading easterly then northerly from the northerly end of Natalee Drive and shown on the Subdivision Plan as “10’ Access Easement to Conservation Commission” (the “Trail Connector”); SUBJECT TO the following terms and conditions:

1. Scope of Easement. The Easement Area may be used by the Town for (i) non-motorized outdoor recreation, including but not limited to hiking, cycling, walking, nature observation and other forms of similar outdoor recreation that do not have an unreasonable adverse impact on the use of, and the occupants of, the residential homes located at the Natalee Place Subdivision; and (ii) emergency access by emergency service vehicles. Additionally, within the Trail Connector, the Town may, using motorized and non-motorized equipment and vehicles, install, improve, maintain, repair and replace a recreational trail and signage for such trail. Notwithstanding the foregoing, camping and open fires are prohibited within the Easement Area.
2. Public Access Limitations. For so long as Natalee Place is not a public road accepted by the Town of Gorham, public users may use Natalee Place for access to and from the Trail Connector for the foregoing purposes only between 6:00AM and 9:00PM.
3. Compliance. The Town’s use of the Easement Area shall comply with all federal, state and local laws, statutes and ordinances and the rules and regulations promulgated thereunder and the Town shall be responsible for securing any permits or approvals required for such use.
4. Indemnity; Protections Against Liability. The Town of Gorham shall repair any damages caused to Natalee Drive or any other property of Grantor or the Natalee Place Condominium Association (the “Association”) caused by the Town’s used of this easement and shall restore such property to substantially the same condition as existed prior to any such damage. The Town of Gorham shall insure, defend, hold harmless and indemnify Grantor, the Association and the owners of units in the Association, from and against any liability, claim, damages, or responsibility associated with or arising out of the use of this easement by any person or entity. Nothing in this Section shall be construed as a waiver of any defenses or immunities available to the Town under the provisions of the Maine Tort Claims Act (14 M.R.S.A. §§ 8101-8118) or to the Grantor or the Association under the provisions of the Recreational Immunity Act (14 M.R.S.A. § 159-A), as those defenses relate to claims by third parties.

SUBJECT TO all matters and conditions of approval identified on the Subdivision Plan, and to all easements, covenants, restrictions and other terms set forth in the Declaration of Condominium for Natalee Place Condominium dated November 16, 2021 and recorded at the Cumberland County Registry of Deeds on November 18, 2021 at Book 38904, Page 29.

RESERVING to Grantor, its successors and assigns, the use and enjoyment of the Easement Area for all purposes consistent with the easement granted herein and the permitted uses thereof by the Town, including any vegetation management activities and grading activities related to development of the Natalee Place Subdivision deemed prudent by Grantor, its successors and assigns, so long as such activities are consistent with the purposes of this Easement and do not unreasonably interfere with the use of the easement by the Town.

For Grantor's source of title reference is made to the warranty deed to Robie Holdings LLC dated September 20, 2021 and recorded at the Cumberland County Registry of Deeds in Book 38683, Page 151.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be duly executed this 10 day of the month of November, 2022.

Signed, Sealed and Delivered
in the presence of:

Robie Holdings LLC

Witness


Jarod Robie, Sole Member

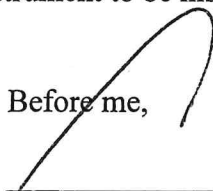
STATE OF MAINE
COUNTY: Cumberland, ss.

11-10-, 2022

Then personally appeared the above-named Jarod Robie, Sole Member of Robie Holdings LLC, and acknowledged the foregoing instrument to be his free act and deed in his stated capacity.

Before me,

Christopher J. McLain
Notary Public, Maine
My Commission Expires
November 10, 2026



Notary Public
Printed Name: _____
My Commission expires: _____



75 South Street, c/o Planning Department, Suite 1, Gorham, ME 04038
info@gorhamconservation.org • www.gorhamconservation.org

Carolyn Eyereman, Town Planner
Damon Yakovleff, Assistant Town Planner
Planning Department
75 South Street
Gorham, ME 04038

December 19, 2022

Dear Carol and Damon,

The Conservation Commission has reviewed the Natalee Drive Easement proposal as described by Robie Holdings, LLC, and recommends that the Town accept this easement.

It will offer the potential to make a trail connection between Gorham Village and the Tannery Brook Preserve via an existing open space easement in the Glenwater neighborhood.

The easement as detailed on the Natalee Drive site plan covers the best possible route for trail access based on our site walks.

If any further information is needed, please let us know.

Thank you for your consideration,

Gorham Conservation Commission