

TOWN MANAGER'S AGENDA NOTES
GORHAM TOWN COUNCIL
REGULAR MEETING
October 4, 2022
6:30pm
Burleigh Loveitt Council Chambers

Public hearing #1

On Item #2022-10-1

Public hearing to hear comment on renewal applications for Automobile Graveyards/Junkyard Permit for 2022-2023. (Admin. Spon.)

Annual approvals of junkyard permits. Staff report applications are complete.

Public hearing #2

On Item #2022-10-2

Public hearing to hear comment on a proposal to issue a Large Outdoor Event License to Daniel Walker for an event at Raceway Drive on 10-29-22. (Admin. Spon.)

Staff report application is complete.

Public hearing #3

On Item #2022-10-3

Public hearing to hear comment on a proposal to amend the Town's General Assistance Ordinance by updating the maximum levels of assistance as required by the State. (Admin. Spon.)

This is the annual required adoption of general assistance maximums that are used to calculate payment for general assistance in the Town of Gorham. The Town of Gorham shares general assistance services with the Town of Windham.

Public hearing #4

On Item #2022-10-4

Public hearing to hear comment on a proposal to issue a Large Outdoor Event License to Shawn Moody for an event at Raceway Drive on October 15, 2022. (Admin. Spon.)

OLD BUSINESS

Item #2022-9-6

Action to amend the Zoning Map to change the area in the vicinity of South Street to Brackett Road from Rural and Suburban Residential District to the Urban Expansion District, and the area in the vicinity of New Portland Road and Lowell Road from the Rural District to the Suburban Residential District. (Admin. Spon.)

This item was tabled from your September 2022 Regular Town Council Meeting and changes a section of land from South Street to Brackett Road from Rural and Suburban Residential to Urban Expansion as outlined in the Town's comprehensive plan. Staff will be on hand to answer questions and a requested memo from the original adoption of the last comprehensive plan is attached.

Item #2022-4-8

Action to amend the Fire Suppression Systems Ordinance (Admin. Spon.)

This item was tabled from your August 2022 Regular Town Council Meeting in order to obtain clarification and recommendations from the Gorham Fire Chief. As proposed, this amendment to the Fire Suppression Systems Ordinance increases the time between self-certifications for residential sprinklers in one or two-family homes. The Town Council asked staff to report back on the rationale for third-party inspection of antifreeze loops commonly found in garages. A memo from the fire chief is attached and staff will be on hand at the meeting to answer questions.

Item #2021-09-11

Action to consider amendments to the Land Use and Development Code to promote effective multi-family development in the Town of Gorham (Councilor Hartwell Spon.)

This item was last reviewed and amended at your June 2022 Regular Town Council Meeting (6-0), but was voted (6-0) to be referred back to the Ordinance Committee for consideration once the LD-2003 Legislation was available from the Legislature. The Ordinance Committee reviewed and made proposed amendments at their July meeting, which are reflected in the attached memo from the Director of Community Development. Staff will be on hand at the meeting to answer questions.

NEW BUSINESS

Item #2022-10-5

Action to consider appointments to the Robie Park Master Plan Steering Committee. (Appointments Committee Spon.)

This item appoints members to the Robie Park Master Plan Steering Committee. Once appointed, the committee will likely meet with staff in the next month to outline the next steps on bringing forward recommended updates to the Robie Park Master Plan for future approval by the Gorham Town Council.

Item #2022-10-6

Action to consider a contract zone on Map 29, Lot 4.001 in the Rural zone to allow for a dog kennel business. (Councilor Hartwell Spon.)

This item considers authorizing the creation of a contract zone to allow for a dog kennel on Map 29, Lot 4.001 in the Rural zone. Currently, zoning setbacks do not allow for this type of business on the property. A letter from the owner is attached. If approved, the owner will need to pay a fee of \$3,500 for staff and legal creation of the zone, which will then be forwarded to the Planning Board for their review and public hearing after which it will come back to the Town Council for a final review and hearing. As a reminder, contract zones are contracts for the zoning of the property that supercede traditional zoning.

Item #2022-10-7

Action to consider instructing the Ordinance Committee to review kennel setbacks and screening requirements. (Councilor Hartwell Spon.)

This item will ask the Ordinance Committee to review and make recommendations to kennel setbacks and screening requirements in the Land Use and Development Code related to the aforementioned item.

Adjourn



**Community Development
Code Division**

Freeman Abbott, Code Enforcement Officer
fabbott@gorham.me.us
Christopher Poulin, Code Enforcement Officer
cpoulin@gorham.me.us

75 South Street, Gorham
222-1605

PAID
OK 1350001532

**Application For Automobile Graveyard and/or Junkyard Permit
MUNICIPAL OFFICE USE ONLY**

Tentative Date of Hearing: October 4th, 2022 Application Received 9-7-22
Time of Hearing 6:30pm Permit No _____ Date: _____
Place of Hearing Gorham Town Council Meeting Fee Paid \$ 100.00
Notifications sent by: Gorham Code Enforcement Office

To the City/Town Gorham County Cumberland Maine

I/We - LRQ NORTHEAST INC

Hereby, make application (in quadruplicate) for a permit to establish, operate or maintain an Automobile Graveyard and/or Junkyard at the following described location and in accordance with the provisions of Title 30-A, Sections 3751-3760, Chapter 183, Public Laws 1988.

Answer all questions in full.

1. Give location of Automobile Graveyard and/or Junkyard 1 1/2 miles west of Gorham Village on RT 202.

2. Is this application made by or for a company, partnership, corporation-individual? Corporation

3. Is this property leased YES Property owned by Shawn Masdy
Address: 5 ECKINS Rd Gorham, ME 04038

4. How is "yard" screened? - Fence? (Type) _____ Height Trees? (Type) PINE
Embankment? Gully? _____ Hill? _____ Other? _____

5. How far is edge of "yard" from center of highway? 200 Feet.

6. Can junk be seen from any part of highway? Yes _____ No

7. Was Junkyard Law, Requirements and Fees explained to you? Yes No _____

8. Is any portion of this "yard" on public property? Yes _____ No

9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach, School, Church or Cemetery? Yes _____ No



Community Development
Code Division

Freeman Abbott, Code Enforcement Officer
fabbott@gorham.me.us
Christopher Poulin, Code Enforcement Officer
cpoulin@gorham.me.us

75 South Street, Gorham
222-1605

Application For Automobile Graveyard and/or Junkyard Permit
MUNICIPAL OFFICE USE ONLY

Tentative Date of Hearing: October 4th, 2022 Application Received 9-19-22

Time of Hearing 6:30pm Permit No _____ Date: _____
Place of Hearing Gorham Town Council Meeting Fee Paid \$ 100.00
Notifications sent by: Gorham Code Enforcement Office

To the City/Town Gorham County Cumberland Maine

I/We - Casco Federal Credit Union

Hereby, make application (in quadruplicate) for a permit to establish, operate or maintain an Automobile Graveyard and/or Junkyard at the following described location and in accordance with the provisions of Title 30-A, Sections 3751-3760, Chapter 183, Public Laws 1988.

Answer all questions in full.

1. Give location of Automobile Graveyard and/or Junkyard 393 Ossipee Trail
(Backside of property off Shaw Mills Rd)

2. Is this application made by or for a company, partnership, corporation-individual? Company

3. Is this property leased _____ Property owned by Casco Federal Cr. Union
Address: 375 Main St. Gorham, ME 04038

4. How is "yard" screened? - Fence? (Type) _____ Height Trees? (Type) _____
Embankment? X Gully? _____ Hill? _____ Other? _____

5. How far is edge of "yard" from center of highway? _____ Feet.

6. Can junk be seen from any part of highway? Yes _____ No X

7. Was Junkyard Law, Requirements and Fees explained to you? Yes X No _____

8. Is any portion of this "yard" on public property? Yes _____ No X

9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach, School, Church or Cemetery? Yes _____ No X



Community Development
Code Division

Freeman Abbott, Code Enforcement Officer
fabbott@gorham.me.us
Christopher Poulin, Code Enforcement Officer
cpoulin@gorham.me.us

75 South Street, Gorham
222-1605

Application For Automobile Graveyard and/or Junkyard Permit
MUNICIPAL OFFICE USE ONLY

Tentative Date of Hearing: October 4th, 2022 Application Received 9-7-22

Time of Hearing 6:30pm Permit No _____ Date: _____

Place of Hearing Gorham Town Council Meeting Fee Paid \$ 100.00

Notifications sent by: Gorham Code Enforcement Office

To the City/Town GORHAM County CUMBERLAND Maine

I/We - GORDON REICHERT/REICHERT'S Hot Body, Inc.

Hereby, make application (in quadruplicate) for a permit to establish, operate or maintain an Automobile Graveyard and/or Junkyard at the following described location and in accordance with the provisions of Title 30-A, Sections 3751-3760, Chapter 183, Public Laws 1988.

Answer all questions in full.

1. Give location of Automobile Graveyard and/or Junkyard 112 Shaw's Mill Rd.

GORHAM, MAINE

2. Is this application made by or for a company, partnership, corporation-individual? CORPORATION

3. Is this property leased NO Property owned by GORDON REICHERT
Address: 112 SHAW'S MILL RD. GORHAM, MAINE 04037

4. How is "yard" screened? - Fence? (Type) 6' wood Height Trees? (Type) _____
Embankment? _____ Gully? _____ Hill? _____ Other? _____

5. How far is edge of "yard" from center of highway? 250 Feet.

6. Can junk be seen from any part of highway? Yes _____ No

7. Was Junkyard Law, Requirements and Fees explained to you? Yes No _____

8. Is any portion of this "yard" on public property? Yes _____ No

9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach, School, Church or Cemetery? Yes _____ No



Community Development
Code Division

Freeman Abbott, Code Enforcement Officer
fabbott@gorham.me.us
Christopher Poulin, Code Enforcement Officer
cpoulin@gorham.me.us

75 South Street, Gorham
222-1605

Application For Automobile Graveyard and/or Junkyard Permit
MUNICIPAL OFFICE USE ONLY

Tentative Date of Hearing: October 4th, 2022 Application Received 9-19-22

Time of Hearing 6:30pm Permit No Date:
Place of Hearing Gorham Town Council Meeting- Fee Paid \$ 100.00
Notifications sent by: Gorham Code Enforcement Office

To the City/Town GORHAM County CUMBERLAND Maine

I/We - MOODY'S COWORKER OWNED, INC. DBA MOODY'S COLLISION AND INSURANCE
AUTO AUCTIONS

Hereby, make application (in quadruplicate) for a permit to establish, operate or maintain an Automobile
Graveyard and/or Junkyard at the following described location and in accordance with the provisions of Title 30-
A, Sections 3751-3760, Chapter 183, Public Laws 1988.

Answer all questions in full.

1. Give location of Automobile Graveyard and/or Junkyard
200 NARRAGANSETT ST, GORHAM, ME 04038

2. Is this application made by or for a company, partnership, corporation-individual? CORP

3. Is this property leased YES Property owned by SHAWN H. MOODY
Address: 5 ELKINS RD, GORHAM, ME 04038

4. How is "yard" screened? - Fence? (Type) Height Trees? (Type)
Embankment 3' BERM Gully? Hill? Other?

5. How far is edge of "yard" from center of highway? 200 Feet.

6. Can junk be seen from any part of highway? Yes No X

7. Was Junkyard Law, Requirements and Fees explained to you? Yes X No

8. Is any portion of this "yard" on public property? Yes No X

9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach,
School, Church or Cemetery? Yes No X



Community Development
Code Division

Freeman Abbott, Code Enforcement Officer
fabbott@gorham.me.us
Christopher Poulin, Code Enforcement Officer
cpoulin@gorham.me.us

75 South Street, Gorham
222-1605

Application For Automobile Graveyard and/or Junkyard Permit
MUNICIPAL OFFICE USE ONLY

10126

Tentative Date of Hearing: October 4th, 2022 Application Received 9-7-22

Time of Hearing 6:30pm Permit No _____ Date: _____

Place of Hearing Gorham Town Council Meeting- Fee Paid \$ 100.00

Notifications sent by: Gorham Code Enforcement Office

To the City/Town Gorham County Cumberland Maine

I/We - John Dumbrocyo d/b/a Dumbo Enterprises

Hereby, make application (in quadruplicate) for a permit to establish, operate or maintain an Automobile Graveyard and/or Junkyard at the following described location and in accordance with the provisions of Title 30-A, Sections 3751-3760, Chapter 183, Public Laws 1988.

Answer all questions in full.

1. Give location of Automobile Graveyard and/or Junkyard 86 longfellow ROAD
REAR lot

2. Is this application made by or for a company, partnership, corporation-individual? Individual

3. Is this property leased NO Property owned by John Dumbrocyo
Address: 86 Longfellow Road, Gorham, ME 04038

4. How is "yard" screened? - Fence? (Type) 6' Height Trees? (Type) 12' Pine+Oak
Embankment' _____ Gully' _____ Hill? _____ Other? _____

5. How far is edge of "yard" from center of highway? 400' +- Feet.

6. Can junk be seen from any part of highway? Yes _____ No

7. Was Junkyard Law, Requirements and Fees explained to you? Yes No _____

8. Is any portion of this "yard" on public property? Yes _____ No

9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach, School, Church or Cemetery? Yes _____ No



Community Development
Code Division

Freeman Abbott, Code Enforcement Officer
fabbott@gorham.me.us
Christopher Poulin, Code Enforcement Officer
cpoulin@gorham.me.us

75 South Street, Gorham
222-1605

Application For Automobile Graveyard and/or Junkyard Permit
MUNICIPAL OFFICE USE ONLY

Tentative Date of Hearing: October 4th, 2022 Application Received 9-19-22

Time of Hearing 6:30pm Permit No _____ Date: _____
Place of Hearing Gorham Town Council Meeting- Fee Paid \$ 100.00
Notifications sent by: Gorham Code Enforcement Office

To the City/Town Gorham County Cumberland Maine

I/We - Chet's Auto Sales, Inc

Hereby, make application (in quadruplicate) for a permit to establish, operate or maintain an Automobile Graveyard and/or Junkyard at the following described location and in accordance with the provisions of Title 30-A, Sections 3751-3760, Chapter 183, Public Laws 1988.

Answer all questions in full.

1. Give location of Automobile Graveyard and/or Junkyard _____

475 Ossipee Trail Gorham ME 04038

2. Is this application made by or for a company, partnership, corporation individual? corporation

3. Is this property leased no Property owned by AWS + M.S LLC
Address: 475 Ossipee Trail Gorham ME 04038

4. How is "yard" screened? - Fence? (Type) _____ Height Trees? (Type) Pine
Embankment? _____ Gully? _____ Hill? _____ Other? _____

5. How far is edge of "yard" from center of highway? 500 Feet.

6. Can junk be seen from any part of highway? Yes _____ No ✓

7. Was Junkyard Law, Requirements and Fees explained to you? Yes ✓ No _____

8. Is any portion of this "yard" on public property? Yes _____ No ✓

9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach, School, Church or Cemetery? Yes _____ No ✓



APPLICATION FOR A LARGE OUTDOOR EVENT LICENSE

1. Name of Applicant: DANIEL WALKER Date of Birth [REDACTED]

2. Home Address of Applicant: [REDACTED]

3. Business Address of Applicant: _____

4. Telephone Number of Applicant:

Home [REDACTED] Business _____ E-mail [REDACTED]

5. Name of Business that will be using license: _____

6. Nature of business of license applicant: _____

7. Has the applicant ever had a license to conduct the business described above revoked? NO

If yes, please describe the circumstances involved: _____

8. Has the applicant or any appropriate officers ever been convicted for a Class A, B, C or D crime? NO If yes, please describe the circumstances involved. _____

9. Address of property and name of landowner where Event will take place

RACEWAY DRIVE - GORHAM, ME SHAWN MOODY

10. Date(s) of event 10-29-22 Hours of operation 10AM-3PM

11. Estimate of number of attendees 1000 Basis for estimate PREVIOUS EVENTS

12. Name and telephone # of contact person who will be responsible and can be contacted by the Town during the event DANIEL WALKER [REDACTED]

13. Please attach the following to this application:

1. A written descriptive plan, showing that facilities are provided at the site of the Large Outdoor Event including:

A. waste disposal facilities

APPLICANT WILL PROVIDE ALL CLEAN UP STAFF AND MATERIALS

B. firefighting equipment and personnel

APPLICANT WILL HAVE A FULLY QUALIFIED EMT ON SITE DURING ALL HOURS OF OPERATION.

C. water supplies

D. first-aid facilities

APPLICANT WILL STAFF VOLUNTEERS TO MANAGE PARKING.

E. communication facilities

F. parking available

APPLICANT WILL STAFF SECURITY PERSONNEL FULLY QUALIFIED TO MANAGE EVENT.

G. police or security guards

2. A letter of authority from landowners whose property will be used for the event. As well as letter(s) of approval from any landowner whose property may be used for parking.

3. A nonrefundable \$100 fee.

Applicant

Paul Walker

Date

9-15-22

Distribution:

Police Chief _____

Code Enforcement Officer _____

Fire Chief _____

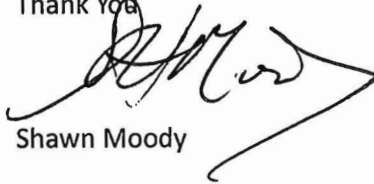
Health Officer _____

License granted _____

September 14, 2022

I, Shawn Moody give permission to Dan and Susan Walker to use my location at Raceway Drive (on the corner of routes 112 & 202) in Gorham to have a trick or treating event on October 29th with a rain date of October 30th from 12 p.m. - 3 p.m.

Thank You

A handwritten signature in black ink, appearing to read 'Shawn Moody', written over the printed name. The signature is stylized and cursive.

Shawn Moody



Laurie Nordfors <lnordfors@gorham.me.us>

Large Outdoor Event License

Kenny Fickett <kfickett@gorham.me.us>

Fri, Sep 16, 2022 at 10:05 AM

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

Cc: Christopher Poulin <cpoulin@gorham.me.us>, Christopher Sanborn <csanborn@gorham.me.us>, Michael Nault <mnault@gorham.me.us>, freeman abbott <fabott@gorham.me.us>

I approve

[Quoted text hidden]

[Quoted text hidden]

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.

--
Ken Fickett
Fire Chief
Gorham Fire / Rescue Department
270 Main Street
Gorham ME 04038
207-222-1643
207-839-7753 Fax



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Laurie Nordfors <lnordfors@gorham.me.us>

Re: Large Outdoor Event License

Christopher Sanborn <csanborn@gorham.me.us>

Fri, Sep 16, 2022 at 2:39 PM

To: Freeman Abbott <fabott@gorham.me.us>

Cc: Kenny Fickett <kfickett@gorham.me.us>, Laurie Nordfors <lnordfors@gorham.me.us>, Christopher Poulin <cpoulin@gorham.me.us>, Michael Nault <mnault@gorham.me.us>

P.D. is all set.

On Fri, Sep 16, 2022 at 12:08 PM Freeman Abbott <fabott@gorham.me.us> wrote:

Code is allset

Freeman Abbott
Town of Gorham Code Enforcement Officer
Building Inspector LPI
75 South Street, Ste. 1
Gorham, ME 04038
(207)222-1605

On Fri, Sep 16, 2022 at 10:05 AM Kenny Fickett <kfickett@gorham.me.us> wrote:

I approve

On Fri, Sep 16, 2022 at 9:42 AM Laurie Nordfors <lnordfors@gorham.me.us> wrote:

Good morning,
Daniel Walker has applied for a large outdoor event license for an event on 10-29-22 at Moody's Raceway. Please see the attached application and let me know if you have any concerns. It will go for Council approval in October.

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.

--

Ken Fickett
Fire Chief
Gorham Fire / Rescue Department
270 Main Street
Gorham ME 04038
207-222-1643
207-839-7753 Fax



Laurie Nordfors <lnordfors@gorham.me.us>

Large Outdoor Event License

Freeman Abbott <fabbott@gorham.me.us>

Fri, Sep 16, 2022 at 12:08 PM

To: Kenny Fickett <kfickett@gorham.me.us>

Cc: Laurie Nordfors <lnordfors@gorham.me.us>, Christopher Poulin <cpoulin@gorham.me.us>, Christopher Sanborn <csanborn@gorham.me.us>, Michael Nault <mnault@gorham.me.us>

Code is allset

Freeman Abbott
Town of Gorham Code Enforcement Officer
Building Inspector LPI
75 South Street, Ste. 1
Gorham, ME 04038
(207)222-1605

[Quoted text hidden]

Janet T. Mills
Governor



Maine Department of Health and Human Services
Office for Family Independence
109 Capitol Street
11 State House Station
Augusta, Maine 04333-0011
Tel.: (207) 624-4168; Toll-Free: (800) 442-6003
TTY: Dial 711 (Maine Relay); Fax: (207) 287-3455

Jeanne M. Lambrew, Ph.D.
Commissioner

SUBJECT: Implementing GA Rule 24: Changes Pursuant to L.D. 964
TO: Maine General Assistance Administrators
DATE: September 1, 2022

Dear General Assistance Administrator:

This memorandum is intended to provide guidance regarding the Department of Health and Human Services' policy for General Assistance eligibility regarding recovery residences.

Recovery Residence Definition

For the purposes of determining eligibility for General Assistance, a recovery residence is defined as a shared living residence for persons recovering from substance use disorder that is focused on peer support, provides to its residents an environment free of alcohol and illegal drugs and assists its residents by connecting the residents to support services or resources in the community that are available to persons recovering from substance use disorder (10-144 C.M.R. Chapter 323, Section II).

Eligibility for General Assistance to Inhabitants of a Recovery Residence

An applicant who requests assistance while residing in a recovery residence is not ineligible for General Assistance solely because the applicant resides in a recovery residence. When an applicant for General Assistance resides in the same recovery residence dwelling with one or more other individuals, the applicant who requests assistance while residing in the recovery residence is not considered to have commingling funds (10-144 C.M.R. Chapter 323, Section II).

Recovery Residence Certification Required

Beginning July 1, 2022, a municipality may not provide housing assistance to a person residing in a recovery residence that has not been certified in accordance with 5 M.R.S. § 20005(22)¹, except that the person may receive housing assistance while residing in an uncertified recovery residence for one 30-day period only. The applicant may receive assistance for necessities other than housing if the applicant is otherwise eligible while residing in an uncertified recovery residence. The overseer shall inform the applicant of the certification requirement and shall verify certification status prior to rendering a decision of eligibility (10-144 C.M.R. Chapter 323, Section IV). Verification of certification may be completed by visiting the Maine Association of Recovery Residences (MARR) website at <https://www.mainerecoveryresidences.com>. The administrator may accept verification of certification of the recovery residence from the recovery residence operator, or from a tenant or prospective tenant of the recovery residence. The municipality shall verify certification at regular and reasonable times as indicated by the residence's certification dates and as deemed necessary by the administrator.

¹ 5 M.R.S. § 20005(22) establishes by rule the criteria for the certification of recovery residences. The standards of which are based on criteria for recovery residences developed by a nationally recognized organization that supports persons recovering from substance use disorder.

Rental Payments to Recovery Residences

The maximum level of shelter costs for applicants in a recovery residence is 75% of the 1-bedroom allowance set pursuant to Appendix C of the municipal ordinance for housing maximums. These maximums are updated on an annual basis for October 1st to reflect the Department of Housing and Urban Development (HUD) fair market rents minus utilities. When a municipality elects to set maximum housing allowances based on their own analysis of rent in the municipality, pursuant to 10-144 C.M.R. Chapter 323, Section V (D), the rental payment to recovery residences in that municipality shall maintain a maximum shelter allowance of 75% of the municipality's 1-bedroom allowance as set pursuant to Appendix C of the municipal ordinance for that municipality.

If you have questions concerning the eligibility of an applicant, please do not hesitate to contact the General Assistance Hotline at 1-800-442-6003.

Thank you,

A handwritten signature in black ink, appearing to read "Sara Denson", with a horizontal line extending to the right from the end of the name.

Sara Denson, General Assistance Program Manager
Maine Department of Health and Human Services

2022 GA Housing Maximums Recovery Residences

The following Recovery Residence maximums are in effect from 7/1/2022- 9/30/2022

Non-Metropolitan FMR Areas

<u>Aroostook County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	117.25	502.50

<u>Franklin County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	120.75	517.50

<u>Hancock County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	143.15	613.50

<u>Kennebec County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	128.10	549.00

<u>Knox County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	130.73	560.25

<u>Lincoln County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	145.78	624.75

<u>Oxford County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	125.65	538.50

<u>Piscataquis County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	114.10	489.00

<u>Somerset County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	120.58	516.79

<u>Waldo County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	151.73	650.25

<u>Washington County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	116.20	498.00

Metropolitan FMR Areas

<u>Bangor HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	148.23	635.25

<u>Cumberland Cty. HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	168.18	720.75

<u>Lewiston/Auburn MSA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	131.08	561.75

<u>Penobscot Cty. HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	121.63	521.25

<u>Portland HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	225.75	967.50

<u>Sagadahoc Cty. HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	160.83	689.25

<u>York Cty. HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	169.40	726.00

<u>York/Kittery/S Berwick HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	204.40	876.00



APPLICATION FOR A LARGE OUTDOOR EVENT LICENSE

1. Name of Applicant: Shawn Moody Date of Birth [REDACTED]
2. Home Address of Applicant: [REDACTED]
3. Business Address of Applicant: 200 Narragansett St
4. Telephone Number of Applicant:
Cell [REDACTED] Home [REDACTED] Business 839-5900 E-mail shawn@moodys.pro
5. Name of Business that will be using license: Moodys Co-Worker Owned
6. Nature of business of license applicant: Shawn Moody
7. Has the applicant ever had a license to conduct the business described above revoked? No
If yes, please describe the circumstances involved: _____

8. Has the applicant or any appropriate officers ever been convicted for a Class A, B, C or D crime? No If yes, please describe the circumstances involved. _____

9. Address of property and name of landowner where Event will take place
Raceway Drive - Shawn Moody
10. Date(s) of event 10/15/22 Hours of operation 3pm-9pm
11. Estimate of number of attendees 1500 Basis for estimate anumber from last year
12. Name and telephone # of contact person who will be responsible and can be contacted by the Town during the event Shawn Moody [REDACTED]
Chrissi Moody [REDACTED]

13. Please attach the following to this application:

1. A written descriptive plan, showing that facilities are provided at the site of the Large Outdoor Event including:

- A. waste disposal facilities - *le porta potties / large dumpster / many trash cans*
- B. firefighting equipment and personnel *Chief Fickett will be providing support*
- C. water supplies - *Fire Dept Tank Truck*
- D. first-aid facilities *Fire Dept EMT Rescue*
- E. communication facilities - *PA system, cell phones*
- F. parking available *yes - large field w/ parking attendants + VIPs*
- G. police or security guards *Chief Sanborn will provide (2) officers*

2. A letter of authority from landowners whose property will be used for the event. As well as letter(s) of approval from any landowner whose property may be used for parking.

3. A nonrefundable \$100 fee.

Applicant: *[Signature]* Date: *9/22/2022*

Distribution:

Police Chief _____

Code Enforcement Officer _____

Fire Chief _____

Health Officer _____

License granted _____



Laurie Nordfors <lnordfors@gorham.me.us>

(no subject)

Christopher Sanborn <csanborn@gorham.me.us>

Wed, Sep 28, 2022 at 12:03 PM

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

Cc: freeman abbott <fabott@gorham.me.us>, kennie fickett <kfickett@gorham.me.us>

Yes, I approve.

Chief Sanborn

[Quoted text hidden]

[Quoted text hidden]



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.

Christopher Sanborn
Chief of Police
Gorham Police Department
270 Main Street
Gorham, Maine 04038

Telephone (207) 222-1660
FAX (207) 839-5045
csanborn@gorham.me.us
www.gorham-me.org



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.



Laurie Nordfors <lnordfors@gorham.me.us>

(no subject)

Kenny Fickett <kfickett@gorham.me.us>

Wed, Sep 28, 2022 at 12:20 PM

To: Christopher Sanborn <csanborn@gorham.me.us>

Cc: Laurie Nordfors <lnordfors@gorham.me.us>, freeman abbott <fabbott@gorham.me.us>

Gorham Fire Approves

[Quoted text hidden]

--

Ken Fickett

Fire Chief

Gorham Fire / Rescue Department

270 Main Street

Gorham ME 04038

207-222-1643

207-839-7753 Fax

[Quoted text hidden]



Laurie Nordfors <lnordfors@gorham.me.us>

(no subject)

Freeman Abbott <fabbott@gorham.me.us>

Wed, Sep 28, 2022 at 1:01 PM

To: Kenny Fickett <kfickett@gorham.me.us>

Cc: Christopher Sanborn <csanborn@gorham.me.us>, Laurie Nordfors <lnordfors@gorham.me.us>

Code is all set

Freeman Abbott

Town of Gorham Code Enforcement Officer

Building Inspector LPI

75 South Street, Ste. 1

Gorham, ME 04038

(207)222-1605

[Quoted text hidden]



PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
BUREAU OF RESOURCE INFORMATION & LAND USE PLANNING
93 STATE HOUSE STATION
AUGUSTA, MAINE 04333

WALTER E. WHITCOMB
COMMISSIONER

December 12, 2016

Michael J. Phinney, Town Council Chair
Kathy Garrard, Comprehensive Plan Review Committee Chair
Gorham Municipal Center
75 South Street, Suite 1
Gorham, Maine 04038

Dear Mr. Phinney and Ms. Garrard;

Congratulations! We are happy to inform you that the Department of Agriculture Conservation & Forestry finds the Gorham Comprehensive Plan Update, adopted September 6, 2016, to be **consistent** with Maine's Growth Management Act. Thanks to the hard work of the Town Council, the Comprehensive Plan Review Committee, its planning consultant, town staff and involved citizens, this plan will provide important guidance to the Town's decision-makers for years to come.

We recognize the plan's many strengths and our finding of consistency is in no way conditional. Nevertheless, we urge the Comprehensive Plan Review Committee and the Town Council to consider amending the plan to reflect suggestions found in the state agency comments, which were attached to our 11/28/2016 Notice of Completeness. Our Finding of Consistency hereby extends to revisions made pursuant to those suggestions, so the adoption of such amendments will not alter the plan's "consistent" status or necessitate further review by this office.

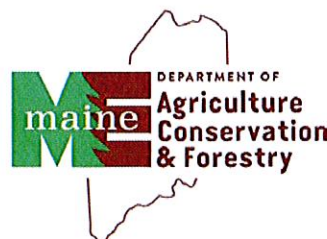
Again, please accept our congratulations. If you have any questions, or otherwise think that I can be of any assistance to the Town, please don't hesitate to contact me.

Sincere Best Wishes,

Phil Carey
Senior Planner/Acting Director
Municipal Planning Assistance Program

cc (via email): Tom Poirier, Gorham Town Planner
Stephanie Carver, GPCOG

MUNICIPAL PLANNING ASSISTANCE PROGRAM
22 STATE HOUSE STATION
18 ELKINS LANE, HARLOW BUILDING
AUGUSTA, ME 04333



PHONE: (207) 287-3860
WWW.MAINE.GOV/DACF/MUNICIPALPLANNING



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
BUREAU OF RESOURCE INFORMATION & LAND USE PLANNING
93 STATE HOUSE STATION
AUGUSTA, MAINE 04333

PAUL R. LEPAGE
GOVERNOR

WALTER E. WHITCOMB
COMMISSIONER

Thomas Poirier, Town Planner
Gorham Municipal Center
75 South Street, Suite 1
Gorham, ME 04038

November 28, 2016

Dear Tom;

The Department of Agriculture, Conservation & Forestry thanks the Town of Gorham for submitting its comprehensive plan update for review for consistency with Maine's Growth Management Act.

Upon accepting your plan for review, we solicited comments from your neighboring communities, regional planning organization, and relevant state agencies. We subsequently received comments from the Maine Departments of Inland Fisheries & Wildlife (DIFW); Agriculture, Conservation & Forestry (DACF); and Transportation (DOT). Those written comments are attached to this letter.

At this time, we're happy to report that we have found the Gorham Comprehensive Plan Update 2016, dated September 6, 2016, to be **complete**. This means that we have found all sections of the plan, with the exception of the future land use section, to be consistent with the Growth Management Act.

We will now review the plan's future land use section, and issue our finding on the plan's consistency by December 12, 2016.

Again, thank you for requesting our review. Please don't hesitate to contact me at 287-3860 or phil.carey@maine.gov if you have any questions.

Sincere Best Wishes,

Phil Carey
Senior Planner
Municipal Planning Assistance Program

cc (via email): Stephanie Carver, GPCOG

MUNICIPAL PLANNING ASSISTANCE PROGRAM
22 STATE HOUSE STATION
18 ELKINS LANE, HARLOW BUILDING
AUGUSTA, ME 04333



PHONE: (207) 287-3860

WWW.MAINE.GOV/DACF/MUNICIPALPLANNING



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
MAINE FOREST SERVICE
22 STATE HOUSE STATION
AUGUSTA, MAINE 04333

PAUL R. LEPAGE
GOVERNOR

WALTER E. WHITCOMB
COMMISSIONER

October 28, 2016

Phil Carey
Land Use Planning
22 State House Station
Augusta, ME 04333-0022

RE: Maine Forest Service, Maine Natural Areas Program review of the Town of Gorham Comprehensive Plan

Dear Phil:

The Maine Forest Service (MFS) and Maine Natural Areas Program (MNAP) have reviewed the Town of Gorham draft comprehensive plan. We believe that Gorham has largely addressed agriculture, conservation, and forestry comprehensive planning objectives; however, we note some missing information and inaccuracies below that Gorham's planners should consider.

Page 108, Tables C2 and C4; These tables refer to land enrolled in the Maine Tree Growth current use taxation program, but are inconsistent with one another. Current acreage, number of landowners, and parcels is included below, and is different than the numbers referred to in the plan.

Gorham Tree Growth Parcel Data:

Town Name	Total Acres	Number of Landowners	Number of Parcels	Date Recd
GORHAM	3,573.00	72.00	114.00	8/26/2016

DOUG DENICO, DIRECTOR
MAINE FOREST SERVICE
18 ELKINS LANE, HARLOW BUILDING



PHONE: (207) 287-2791 OR 800-367-0223
FAX: (207) 287-8422
www.maineforestservice.gov

Gorham's Timber Harvest dataset as prepared by the Department of Agriculture, Conservation, and Forestry is as follows:

Summary of Timber Harvest Information for the town of: Gorham

YEAR	Selection harvest, acres	Shelterwood harvest, acres	Clearcut harvest, acres	Total Harvest, acres	Change of land use, acres	Number of active Notifications
1991	347	0	3	350	3	12
1992	313	90	0	403	1	15
1993	363	65	6	434	0	16
1994	349	50	2	401	2	12
1995	276	101	0	377	0	13
1996	601	5	15	621	53	25
1997	450	5	7	462	10	23
1998	687	232	34	953	45	47
1999	1314	150	0	1464	16	63
2000	266	25	0	291	63	29
2001	301	30	0	331	5	20
2002	418	0	0	418	65	27
2003	420	0	0	420	139	25
2004	523	20	10	553	60	26
2005	571	5	15	591	45	35
2006	291	80	0	371	47	36
2007	518	25	0	543	35	37
2008	535	21	0	556	11	27
2009	426	41	0	467	4	30
2010	201.5	130	0	331.5	21	40
2011	451.5	83	10	544.5	72.5	44
2012	253.5	8	0	261.5	0	37
2013	366	55	0	421	10.5	27
2014	308.5	33	0	341.5	13	26
Total	10550	1254	102	11906	721	692
Average	440	52	4	496	30	29

Data compiled from Confidential Year End Landowner Reports to Maine Forest Service.

Department of Agriculture, Conservation and Forestry - Maine Forest Service
We help you make informed decisions about Maine's forests

*** To protect confidential landowner information, data is reported only where three or more landowner reports reported harvesting in the town.**

Nowhere does the plan refer to timber harvesting regulations in the shoreland zone. Gorham elected to retain the existing local shoreland zoning ordinance for timber harvesting, rather than following statewide standards. The local Code Enforcement Officer is responsible for administering and

enforcing the ordinance. Any future changes to this ordinance must be compliant with statewide standards. Refer to the MFS website for a copy of the rule:

http://www.maine.gov/dacf/mfs/policy_management/water_resources/sws/sws.html

Street trees, streetscape, and green infrastructure are referred to throughout the plan as desirable, but with no direction as to implementation or maintenance of these infrastructure elements. While to be commended, laying out a structure for oversight of these elements will ensure they are more than an afterthought in the planning process.

Page 27, replace this section as follows:

*There are **five high value plant species** in Gorham; two endangered, one threatened, and two three of special concern. ~~The habitat for the Creeping Spike Moss (endangered) is located southwest of the Gorham Village Area, near Camp Brook.~~*

It seemed odd to highlight the area where the most inconspicuous of these plants is located, better to delete the sentence.

Page 57, first paragraph (it's the same paragraph as on page 27)

As above.

Separate the plant and animal tables, so that the plant table is with the sentence about the plants, and the animal table is with the paragraph about animals. On this table, you can list Rare Plant for the species where the name is withheld (so it matches the maps), note that Pendulous Bulrush is now Special Concern, and it seems that listing the region of town the plant is located isn't necessary as there are two maps that show this information.

Reviewing agency and review coordinator contact information:

Department of Agriculture, Conservation and Forestry - Maine Forest Service

Jan Santerre

22 State House Station

Augusta, ME 04333-0022

207-287-4987

jan.santerre@maine.gov

Department of Agriculture, Conservation and Forestry - Maine Natural Areas Program

Lisa St. Hilaire

22 State House Station

Augusta, ME 04333-0022

207-287-8044

lisa.st.hilaire@maine.gov

If you have any questions regarding these comments, please contact one of the review coordinators directly. Thank you for your consideration of our comments.

Sincerely,

Jan Santerre, etc.

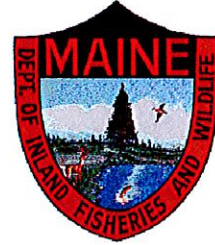
cc:

St. Hilaire



**Maine Department of Inland
Fisheries and Wildlife**

284 State Street
Augusta, Maine 04333-0041
Telephone: 207-287-5260
Fax: 207-287-6395
Email:
john.maclaine@maine.gov



Paul LePage, Governor

Chandler Woodcock,
Commissioner

Date: November 9, 2016
To: Phil Carey
From: John Maclaine
Re: Town of Gorham Comprehensive Plan Review

On behalf of the Maine Department of Inland Fisheries and Wildlife (MDIFW), we have reviewed the Town of Gorham's Draft Comprehensive Plan ("the Plan") and provide the following comments.

As you are aware, MDIFW's mission is focused on the protection and enhancement of the State's freshwater fisheries and wildlife. MDIFW provides non-regulatory objective and comprehensive habitat information to equip local decision-makers with the necessary tools to make informed and responsible land use decisions that mesh wildlife habitat conservation with future Town growth needs. The comments submitted below are based on the Department of Agriculture, Conservation, and Forestry instructions for agency commenters.

Please feel free to contact me should you have any questions regarding this information.

Appropriate use of data provided by MDIFW

MDIFW data were appropriately used in the Gorham Comprehensive Plan; however, we provide suggestions below for improving the Town's discussion of natural resources, particularly wildlife and fishery resources. MDIFW provides data depicting high value plant and wildlife habitats and critical natural resources to all Maine municipalities. Data are regularly updated, and we encourage Gorham to request information often in the future to ensure that land use decisions are based on the best available information.

Relation of Plan's policies and implementation strategies to MDIFW principal objectives and directives

Gorham proposes an acceptable program for natural resource conservation within their community. The policies and implementation strategies proposed are consistent with MDIFW objectives and directives. We do include additional information below that could help improve the policies and strategies outlined within this Plan.

Consistency of Plan with MDIFW programs and policies

We feel the proposed policies, strategies, and Future Land Use Plan are consistent with MDIFW programs and policies.

Specific Plan comments and recommendations were provided by John Maclaine (MDIFW Habitat Outreach Biologist), James Pellerin (MDIFW Region A Fisheries Biologist), Amanda Shearin (MDIFW Habitat Outreach Coordinator)

Specific Comments

In general, MDIFW encourages the Town to include additional and more detailed discussion of wildlife, fisheries, and their habitats in the Plan to provide baseline information on the importance and threats posed to these natural resources. Although some general discussion is included in the Plan, we have included additional resources to supplement the information provided in the Plan related to these species and habitats.

Chapter 5.D: Transportation, Page 35

We encourage Gorham to also consider additional strategies for enhancing passage and habitat connectivity for both terrestrial and aquatic organisms during transportation planning. Up to 80% of Maine's terrestrial vertebrate wildlife species use riparian areas sometime during their life cycle, so these areas can be vitally important connections between habitats for many terrestrial species in addition to fish. Many stream culverts and other crossing structures present barriers to fish and wildlife movement due to factors including undersized structures, and perched or hanging culverts. We recommend that the Town consider the importance of both aquatic and terrestrial wildlife passage using properly designed stream crossing structures. An introduction to the importance of riparian habitat and connections can be found at:

http://maineaudubon.org/wp-content/uploads/2012/08/MaineAudubonConnectors_singlepages.pdf

http://www.maine.gov/dep/land/publications/stream_crossing_poster.pdf

<http://stayingconnectedinitiative.org/assets/Terrestrial-Exec-Summary.pdf>

Stream Smart

The Town may want to consider the use of *Stream Smart* techniques for improving wildlife and fish passage at culverts where appropriate as the Town considers replacement or rehabilitation of stream crossing structures. *Stream Smart* road crossings support natural stream hydrology and support passage of fish and wildlife under the road.

<http://maineaudubon.org/streamsmart/>

Maine Stream Habitat Viewer

The Maine Stream Habitat Viewer was created by the Maine Stream Connectivity Work Group, a partnership of public and non-profit organizations, to enhance the assessment of public road crossings on a statewide scale. The viewer displays locations of dams and public road crossings, which can act as barriers to the movements of fish and wildlife, as well as information on how well each structure functions in passing fish and wildlife. Where aging dams and road crossings block fish passage, assistance is available to help find solutions. Use the "Contacts" list in the following link to learn more about the habitats displayed, funding sources, and Stream-Smart crossings.

<http://mapserver.maine.gov/streamviewer/streamdocHome.html>

Municipal Assistance for stream crossing projects

Maine Department of Environmental Protection (DEP) has a program to assist municipalities with funding properly-designed stream crossing replacements. We encourage Gorham to check DEP's website periodically for information on upcoming requests for proposals.

Appendix F: Recreation and Open Space, Page 123

When possible, our Department encourages including additional parking and access for recreational and open space areas, specifically related to improving water access on the Presumpscot, Stroudwater and Little Rivers.

Appendix J: Natural Resources - High Value Animal Species and Essential Habitats, Page 151

Maine Endangered, Threatened and Special Concern Species

In addition to the two protected species included in the Plan, great blue heron and upland sandpiper, there are numerous bat species that are now included in Maine's Endangered Species Act. Of the eight species of bats that occur in Maine, the three *Myotis* species are protected under Maine's Endangered Species Act (MESA) and are afforded special protection under 12 M.R.S. §12801 - §12810. The three *Myotis* species include little brown bat (*M. lucifugus*, State Endangered); northern long-eared bat (*M. septentrionalis*, State Endangered); and eastern small-footed bat (*M. leibii*, State Threatened). Four of the remaining bat species are listed as Special Concern: red bat (*Lasiurus borealis*), hoary bat (*Lasiurus cinereus*), silver-haired bat (*Lasionycteris noctivagans*), and tri-colored bat (*Perimyotis subflavus*). While a comprehensive statewide inventory for bats has not been completed, it is likely that several of these species occur within the town during migration and/or the breeding season.

Fisheries

MDIFW recommends additional discussion and clarification of fisheries issues be included in the Plan. Our Department encourages the Town to address fisheries habitat concerns during the subdivision and site plan review process, in addition to review of Significant Wildlife Habitats, including but not limited to proper sizing and installation of stream crossings, erosion and sedimentation control Best Management Practices (BMPs), and appropriate vegetated stream buffers.

Brook Trout

Data for brook trout habitat shown in *Figure J.2: Essential Habitat and Rare Plants* on Page 151 appears to include incomplete information. We recommend that the Town include a note on the incomplete nature of the data, or contact our Regional Fisheries Biologist, James Pellerin (207-657-2345) for additional guidance on the use of this data. Additionally, we recommend that all references to Essential Habitats be changed to Significant Wildlife Habitats or Endangered, Threatened, and Special Concern Species.

MDIFW generally recommends that 100-foot naturally vegetated buffers be maintained along all stream, regardless of size. Small streams, including intermittent streams, can provide crucial rearing habitat, cold water for thermal refugia, and abundant food for juvenile salmonids on a seasonal basis. MDIFW encourages Gorham to investigate additional options for stream systems outside Stream Protection zones to provide for higher quality habitat and water quality.

Significant Wildlife Habitats (Appendix J)

MDIFW recommends that multiple references to the term "essential habitats" on page 151 and elsewhere in the document be replaced with "Significant Wildlife Habitats". Essential Habitats are

designated under Maine's Endangered Species Act and currently, none are present within the Town of Gorham. Significant Wildlife Habitats are designated under Maine's Natural Resources Protection Act and encompass the following habitats within the Town:

Inland Waterfowl and Wading Bird Habitats

High and moderate value IWWHs within the Town includes both the wetland complex and a 250-foot upland habitat zone. These habitats provide important breeding, feeding, migration, and staging habitat for waterfowl and wading bird species. For additional information about these resources, please contact our Regional Wildlife Biologists at (207) 657-2345.

Deer Wintering Areas, page 151

Deer require mature conifer stands to survive moderate to severe winter conditions. Mature spruce, balsam fir and hemlock provide the best winter shelter for deer; however conifer cover is not the only condition that defines a deer wintering area. Landform (low elevation, aspect, and proximity to water) plays an important role in determining where deer attempt to winter in a given area. Because of the contribution of landform attributes, historical deer wintering areas may support wintering deer in the future given appropriate forest cover. We encourage landowners interested in managing for deer habitat to contact MDIFW Region A Wildlife Biologists at (207) 657-2345 for more information. Below are links to information regarding MDIFW's DWA data and additional resources on managing DWAs.

<http://www.maine.gov/megis/catalog/metadata/dwa.html>

http://maine.gov/ifw/wildlife/species/pdfs/DWA_Guidelines_2.4.10.pdf

Significant Vernal Pools, Page 151

While there have been Significant Vernal Pools identified in Gorham, a comprehensive statewide vernal pool inventory has not been completed at this time. It is possible that additional Significant Vernal Pools may be present within the Town. We commend the Town for requiring review of vernal pools as part of the site plan review and subdivision approval processes. Additional vernal pool information is provided on the websites below:

<http://www.maine.gov/dep/water/wetlands/vernal.html>

http://www.maine.gov/dep/land/nrpa/vernalpools/fs-vernal_pools_intro.html

Vernal Pool Special Area Management Plan, Page 34

The Town indicates it will investigate approaches that would allow development adjacent to vernal pools in designated growth areas in exchange for enhanced protection around high value pools in rural areas. As per the process outlined in Maine's Vernal Pool Special Area Management Plan (http://www.nae.usace.army.mil/portals/74/docs/regulatory/publicnotices/NAE-2016-00007_Maine_Vernal_Pool_SAMP.pdf), Gorham should seek input from MDIFW on the location of the designated growth area before seeking approval from the Army Corps of Engineers and the Maine Department of Environmental Protection on the designated growth area boundaries. Ideally, the designated growth area should encompass the most densely developed portions of town while avoiding, wherever possible, high value vernal pools embedded in large blocks of intact open space. If Gorham proceeds with this approach, MDIFW also should be consulted on the suitability of proposed high-value vernal pool conservation projects in rural areas.



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016

Paul R. LePage
GOVERNOR

David Bernhardt
COMMISSIONER

Date: November 9, 2016
To: Phil Carey
From: Hugh Coxe
Re: Town of Gorham Comprehensive Planning Review

On behalf of the Maine Department of Transportation, I have reviewed the Town of Gorham September 6, 2016 Comprehensive Plan and provide the following comments.

We find the Comprehensive Plan meets the overall intent of the Comprehensive Planning and Land Use Act with regard to transportation. However, some data included in the Plan is no longer current and should be updated as discussed below.

The Town is showing a good-faith effort to better manage and coordinate land use and the state highway system so as to preserve its capacity and safety, and they have outlined specific actions and timelines that will further maintain the highway system, bicycle-pedestrian and other transportation modes.

MaineDOT is committed to working with Maine communities such as Gorham. The recently-established Statewide Planning Office will continue to expand our outreach to work more closely with Maine communities, and I will be contacting the Town of Gorham soon to continue discussions on MaineDOT programs and any transportation questions or concerns they may have.

The comments submitted below are based on the Maine State Planning Office's (SPO) instructions for agency commenters.

Please feel free to contact me should you have any questions regarding this information.

- **Appropriate use of data provided by MaineDOT**

The data included in the plan for Annual Average Daily Traffic (AADT), bridge sufficiency ratings, and High Crash Locations appears to be from the 2010 – 2011 timeframe. More current data is available and should be updated in the plan. A brief review of updated data indicates some of the bridge ratings and High Crash Location data have changed. It is likely that AADT data has also changed given that some of the recent transportation projects, as well as recent development in the area, have impacted traffic patterns and volumes.

Among the changes in the data is that the intersection of Country Road and South Street, cited in the “issues and implications” section as the most severe high crash location with 27 crashes from 2009 – 2011, is no longer considered a high crash location.

While the Town of Gorham has appropriately used MaineDOT data for identifying the town’s transportation infrastructure, it did not make a clear link between the data and items listed as issues and implications. The data also does not seem to be used to support the policies listed in the Transportation section of the Community Goals & Policies chapter (chapter 5).

- **Relation of plan's policies and implementation strategies to MaineDOT principal objectives and directives**

The Town of Gorham’s 2016 Comprehensive Plan includes 19 policies and related strategies that, if successfully implemented, will effectively promote the State Goals relating to MaineDOT's principal objectives and directives. 16 of these policies are included in the detailed Implementation Strategy chapter (chapter 8) along with timelines and responsible entities. The remaining three policies (D.5,D.7, and D.9) appear to be existing policies or programs that the plan encourages the Town to continue or maintain.

- **Consistency of plan with MaineDOT programs and policies**

The Town of Gorham’s 2016 Comprehensive Plan is consistent with MaineDOT program goals. We do however recommend that town continue to work with MaineDOT as it seeks to implement transportation related items in the plan.

Our review finds that the Town of Gorham’s 2016 Comprehensive Plan, and specifically the Transportation chapter or related plans referenced in the Transportation chapter, address the analyses, conditions and trends, policies, and strategies as follows in the checklist below:

Transportation	✓
Analyses	
What are the transportation system concerns in the community and region? What, if any, plans exist to address these concerns?	✓
Are conflicts caused by multiple road uses, such as a major state or U.S. route that passes through the community or its downtown and serves as a local service road as well?	✓
To what extent do sidewalks connect residential areas with schools, neighborhood shopping areas, and other daily destinations?	✓
How are walking and bicycling integrated into the community’s transportation network (including access to schools, parks, and other community destinations)?	✓
How do state and regional transportation plans relate to your community?	✓
What is the community’s current and approximate future budget for road maintenance and improvement?	✓
Are there parking issues in the community? If so what are they?	✓

If there are parking standards, do they discourage development in village or downtown areas?	✓
Do available transit services meet the current and foreseeable needs of community residents? If transit services are not adequate, how will the community address the needs?	✓
If the community hosts a transportation terminal, such as an airport, passenger rail station, or ferry terminal, how does it connect to other transportation modes (e.g. automobile, pedestrian, bicycle, transit)?	NA
If the community hosts or abuts any public airports, what coordination has been undertaken to ensure that required airspace is protected now and in the future? How does the community coordinate with the owner(s) of private airports?	NA
If you are a coastal community are land-side or water-side transportation facilities needed? How will the community address these needs?	NA
Does the community have local access management or traffic permitting measures in place?	✓
Do the local road design standards support the community's desired land use pattern?	✓
Do the local road design standards support bicycle and pedestrian transportation?	✓
Do planned or recently built subdivision roads (residential or commercial) simply dead-end or do they allow for expansion to adjacent land and encourage the creation of a network of local streets? Where dead-ends are unavoidable, are mechanisms in place to encourage shorter dead-ends resulting in compact and efficient subdivision designs?	✓
Condition and Trends	
The community's Comprehensive Planning Transportation Data Set prepared and provided to the community by the Department of Transportation, and the Office, or their designees.	✓
Location and overall condition of roads, bridges, sidewalks, and bicycle facilities, including any identified deficiencies or concerns.	✓
Identify potential on and off-road connections that would provide bicycle and pedestrian connections to neighborhoods, schools, waterfronts and other activity centers.	✓
Identify major traffic (including pedestrian) generators, such as schools, large businesses, public gathering areas/activities, etc. and related hours of their operations.	✓
Identify policies and standards for the design, construction and maintenance of public and private roads.	✓
List and locate municipal parking areas including capacity, and usage.	✓
Identify airports within or adjacent to the community and describe applicable airport zoning and airspace protection ordinances your community has in place.	NA
Identify bus or van services.	✓

Identify existing and proposed marine and rail terminals within your community including potential expansions.	NA
If coastal communities identify public ferry service and private boat transportation support facilities (may be covered under Marine Resources with cross reference) including related water-side (docks/piers/wharves) and land-side (parking) facilities.	NA
Policies	
To prioritize community and regional needs associated with safe, efficient, and optimal use of transportation systems.	✓
To safely and efficiently preserve or improve the transportation system.	✓
To promote public health, protect natural and cultural resources, and enhance livability by managing land use in ways that maximize the efficiency of the transportation system and minimize increases in vehicle miles traveled.	✓
To meet the diverse transportation needs of residents (including children, the elderly and disabled) and through travelers by providing a safe, efficient, and adequate transportation network for all types of users (motor vehicles, pedestrians, bicyclists).	✓
To promote fiscal prudence by maximizing the efficiency of the state or state-aid highway network.	✓
Strategies	
Develop or continue to update a prioritized improvement, maintenance, and repair plan for the community's transportation network.	✓
Initiate or actively participate in regional and state transportation efforts.	✓
Maintain, enact or amend local ordinances as appropriate to address or avoid conflicts with: a. Policy objectives of the Sensible Transportation Policy Act (23 M.R.S.A. §73); b. State access management regulations pursuant to 23 M.R.S.A. §704; and c. State traffic permitting regulations for large developments pursuant to 23 M.R.S.A. §704-A.	✓
Maintain, enact or amend ordinance standards for subdivisions and for public and private roads as appropriate to foster transportation-efficient growth patterns and provide for future street and transit connections.	✓

Gorham Fire Department

Chief Kenneth Fickett
Telephone (207) 222-1660

270 Main Street, Gorham, ME 04038-1382
Fax (207) 839-7753

Memo

To: Ephrem Paraschak Town Manager

From Chief Fickett

Re: Sprinkler Questions

Date: 8-30-2022

Annual Inspections - The annual inspections are and have been required for home owners as many do renovations, finish areas of their houses without permits and do not take in consideration of the coverage of systems before modifying their homes and impacting the systems and thus defeating the purpose.

Anti-Freeze Loops- The loops are designed for spaces that are not heated. Usually in garages that have living spaces above them. Most of the Houses being built now in Gorham have garages and living spaces above them requiring heating the garage or an Anti-Freeze Loop.

Anti-Freeze loops can be used in all 3 types of Systems 13, 13D, and 13R.

(Gorham Station has a 13 System – both Dry and wet systems as well as anti-freeze Loops in that Building.)

The type of anti-freeze used is a pre-mixed certified for Sprinkler Systems and is nonflammable.

Why we have required testing every year in Anti-Freeze Loops. If you don't have the proper protection of -20 the system is subjected to freezing. When the system freezes, a head or piping is frozen, and when it warms up to over 32 degrees it thaws out causing a leak or a full blown system discharge. The inspections catch these issues and prevent damage to the system and the home in some cases.

The anti-freeze deteriorates over time as when it expands and contracts it gets injected into the water base part of the system. When it contracts that mixture is injected back into the anti-freeze loop, thus making the mixture more subset able to freezing.

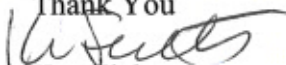
As with other industries the fire suppression industry has been affected by workforce shortages and also delays in providing inspections. We routinely work with residents that are trying to get a system inspected.

We have had unintentional activations or responses in single family homes due to systems not being fully operational or inspected with anti freeze loops and other material defects caught by inspections and not addressed. These include the following:

1. Frozen garden hose left outside, hose starts running – set of alarm for a flow of more than 15 gals of water a Min.
2. Garage doors left open in 0 degree temperature – head froze and activated
3. Bathroom head with a factory defect – let go, Head was in a recall state – Home owner aware did no action to replace.

Overall we recommend that the inspections of antifreeze loops continue however we will be at your meeting to answer any questions should you wish to change the frequency of the inspections.

Thank You


Ken Fickett
Fire Chief



Town of Gorham Community Development

Thomas M. Poirier, *Director of Community Development*

tpoirier@gorham.me.us

Carol Eyerman, *Town Planner*

ceverman@gorham.me.us

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

Tel: 207-222-1620

TO: Town Council Ordinance Committee
Ephrem Paraschak, Town Manager

FROM: Thomas M. Poirier, Director of Community Development

SUBJECT: Accessory Apartments

DATE: AUGUST 11, 2022

IMP

The State of Maine's LD 2003 regulates the separate area: affordable housing density (30-A M.R.S.A. § 4364), housing density for areas in which housing is allowed (30-A M.R.S.A. § 4364-A), and accessory dwelling units (30-A M.R.S.A. § 4364-B).

In Gorham's Land Use Code accessory dwelling units are called Accessory Apartments. Below are proposed changes to the Accessory Apartments definition and performance standards to bring the Town's standards in conformance the State of Maine's LD 2003. The proposed amendment edits are shown in black, underlined, and struck through. The Town Attorney has reviewed and approved the proposed amendment language.

Town staff is still reviewing the 2 other areas regulated by LD 2003 to see what amendments will be required in the Land Use Code to bring the Town's ordinance into conformance. The 2 remaining regulated areas are: affordable housing density and housing density for area in which housing is allowed.

Proposed Amendment:

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 PARKIGN STANDARDS

Accessory Apartments

1 parking space per each accessory apartment

SECTION 2-4 - RESIDENTIAL

C. ACCESSORY APARTMENTS

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 one of 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. 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 determines that there is not capacity in the sewer main or treatment facility. For a L lots without the ability to connect to public sewer, ~~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.
 - a. For accessory apartment attached to the existing single-family dwelling, 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.
 - b. 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.

PERKINS THOMPSON

Mailing Address
PO Bpx 426
Portland, ME 04112

Physical Address
One Canal Plaza
Portland, ME 04101

Office 207.774.2635
Fax 207.871.8026
www.perkinsthompson.com

Brandon J. Mazer
Direct 207.400.8125
bmazer@perkinsthompson.com

August 23, 2022

By Hand Delivery

Carol Eyerman, Town Planner
Community Development, Planning Division
Town of Gorham
75 South Street
Gorham, ME 04038

Re: Miranda & Michelle Marland Contract Zone
253 New Portland Road

Dear Carol:

On behalf of Miranda and Michelle Marland (collectively, the “Applicant”), we are submitting this application for a contract zone for the property at 253 New Portland Road, Gorham, ME (the “Property”).

The Applicant desires to operate a dog daycare (defined as a Dog Kennel under the Gorham Land Use and Development Code (the “Code”)) at the Property. The existing buildings on the Property do not meet the required setbacks of 100 feet under the dog kennel standards of the Code. There is currently a Minor Site Plan application with the Administrative Review Committee that has been tabled pending action on this application.

The attached draft of the Contract Zoning Agreement amends the Dog Kennel standards to better fit the Applicant’s needs and does not change the current allowable uses under the current Rural District Zone.

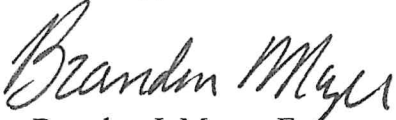
As required by Chapter 1, Section 1-1(H) of the Code and the application form provided by the town, enclosed as part of this submittal please find the following information:

1. A Warranty Deed evidencing the Applicant’s right, title and interest in the Property;
2. A Town of Gorham Tax Map showing the location of the Property;
3. A Google Map site plan showing the existing buildings and fenced in enclosure;

4. A draft of the Contract Zoning Agreement between the Applicant and Town of Gorham;
5. A check in the amount of \$3,400.00 for the application fee and public notice/legal ad fee.

If you have any questions or need additional information, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Brandon Mazer".

Brandon J. Mazer, Esq.
Attorney

Enclosures



**Community Development
Planning Division**

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

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

Tel: 207-222-1620

Application: CONTRACT ZONING	FEE FOR PLAN REVIEW		NEW APPLICATION			<input checked="" type="checkbox"/> \$3,200.00 <input checked="" type="checkbox"/> \$200 Public Notice/Legal Ad Fee		Amount Paid \$ _____	
			AMENDMENT TO AN AGREEMENT			<input type="checkbox"/> \$750.00 <input type="checkbox"/> \$200 Public Notice/Legal Ad Fee		Date Paid: _____	
PROPERTY DESCRIPTION	Parcel ID	Map(s)	29	Lot(s)	4,001	Zoning District(s)	R-MH	Total Land Area (sq.ft.)	5.88 acres
	Physical Address/ Location	253 New Portland Road Gorham, Maine 04037							
APPLICANT(S) INFORMATION (required)	Name(s)	Miranda & Michelle Marland				Mailing Address	253 New Portland Road Gorham, Maine 04037		
	Phone	[REDACTED]							
	Email	[REDACTED]							
PROPERTY OWNER'S INFORMATION (required)	Name(s)	Same as Above				Mailing Address			
	Phone								
	Email								
APPLICANT'S AGENT INFORMATION	Name	Brandon J. Mazer, Esq.				Name of Business	Perkins Thompson, P.A.		
	Phone	[REDACTED]				Mailing Address	PO Box 426 Portland, Maine 04112		
	Email	[REDACTED]							
PROPERTY DESCRIPTION	<p>Explain the need for Contract Zoning and describe all other associated applications:</p> <p>The applicant desires to operate a dog daycare at the property. The existing buildings on the property in which the applicants hope to operate the business do not meet the required setbacks of 100 feet under the dog kennel standards. There is currently a Minor Site Plan application with the Administrative Review Committee that has been tabled until a decision is made on this Contract Zone.</p>								

The original signed copy of this form must be accompanied by the required application fee, required number of application forms, plans, and other necessary submissions.
 (1 copy of original application/etc., 1 electronic copy, 8 reduced size (11x17) plans, 7 full size (24x36) plans)

Check All That Apply		THE FOLLOWING QUESTIONS MAY APPLY. (Answer Yes/No or comment Does Not Apply).	Explain or comment as needed for clarification
YES	NO		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Attached are copies of: current deed to the property, contract to purchase or lease or other form of 'Right, Title and/or Interest' in the property.	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Does the owner hold any interest in abutting or contiguous property? If yes, please explain:	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is a variance from the Zoning Board of Appeals required? If yes, please describe:	
ADDITIONAL COMMENTS:			

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



 APPLICANT (or APPLICANT'S AGENT) SIGNATURE

8/23/22

 DATE

Michelle Marland

 PRINT NAME


Miranda Marland

 PRINT NAME

AGENT AUTHORIZATION

PROPERTY DESCRIPTION	PHYSICAL ADDRESS/ LOCATION	253 New Portland Road Gorham, Maine 04038		MAP(S)	29
				LOT(S)	4.001
APPLICANT(S) INFORMATION	NAME(S)	Miranda & Michelle Marland		MAILING ADDRESS	253 New Portland Road, Gorham, Maine 04038
	PHONE	[REDACTED]			
	EMAIL	[REDACTED]			
OWNER(S) INFORMATION	NAME(S)	Same as Applicant		MAILING ADDRESS	
	PHONE				
	EMAIL				
APPLICANT'S AGENT INFORMATION	NAME	Brandon J. Mazer	BUSINESS NAME	Perkins Thompson, P.A.	
	PHONE	[REDACTED]	MAILING ADDRESS	PO Box 426 Portland, Maine 04112	
	EMAIL	[REDACTED]			

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.


 APPLICANT SIGNATURE

8/23/22
 DATE

PLEASE TYPE OR PRINT NAME HERE


 CO-APPLICANT SIGNATURE (if applicable)

8/23/22
 DATE

PLEASE TYPE OR PRINT NAME HERE


 APPLICANT'S AGENT SIGNATURE

8-22-22
 DATE

Brandon J. Mazer

PLEASE TYPE OR PRINT NAME HERE

EXHIBIT "A"

A certain lot or parcel of land, with the buildings thereon, situated in the Town of Gorham, County of Cumberland and State of Maine, and being known as Lot #3 on a plan entitled "Final Plan of McAdam Subdivision" as recorded in the Cumberland County Registry of Deeds in Plan Book 206, Page 166, to which further reference may be made.

Meaning and intending to convey the same premises described in the deed from Laurence J. Keef and Linda H. Keef to Jill M. Flaherty dated June 5, 2013 and recorded in the Cumberland County Registry of Deeds in Book 30712, Page 61.

MAINE REAL ESTATE TAX-Paid

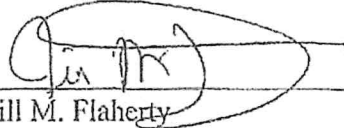
WARRANTY DEED
Statutory short form

DLN1002140171588

KNOW ALL PERSONS BY THESE PRESENTS that I, **Jill M. Flaherty** of the Town of Gorham, County of Cumberland, and State of Maine, for consideration paid, grant to **Miranda J. Marland and Michelle M. Marland** of the Town of Windham, County of Cumberland, and State of Maine, with warranty covenants and as joint tenants and not as tenants-in-common, a certain lot or parcel of land, together with the improvements thereon, situated in the Town of Gorham, County of Cumberland, and State of Maine, more particularly bounded and described within **Exhibit A** which is attached hereto and made a part hereof by reference.

**** a/k/a Michelle McDaniel Marland**
IN WITNESS WHEREOF I have set my hand and seal this 12 day of November, 2021.

Witness



Jill M. Flaherty

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

On 12 day of November, 2021 personally appeared the above named Jill M. Flaherty who did acknowledge the foregoing instrument to be their free act and deed.

Before me,



Notary Public/Attorney at Law

Printed name:
Seal (if any):

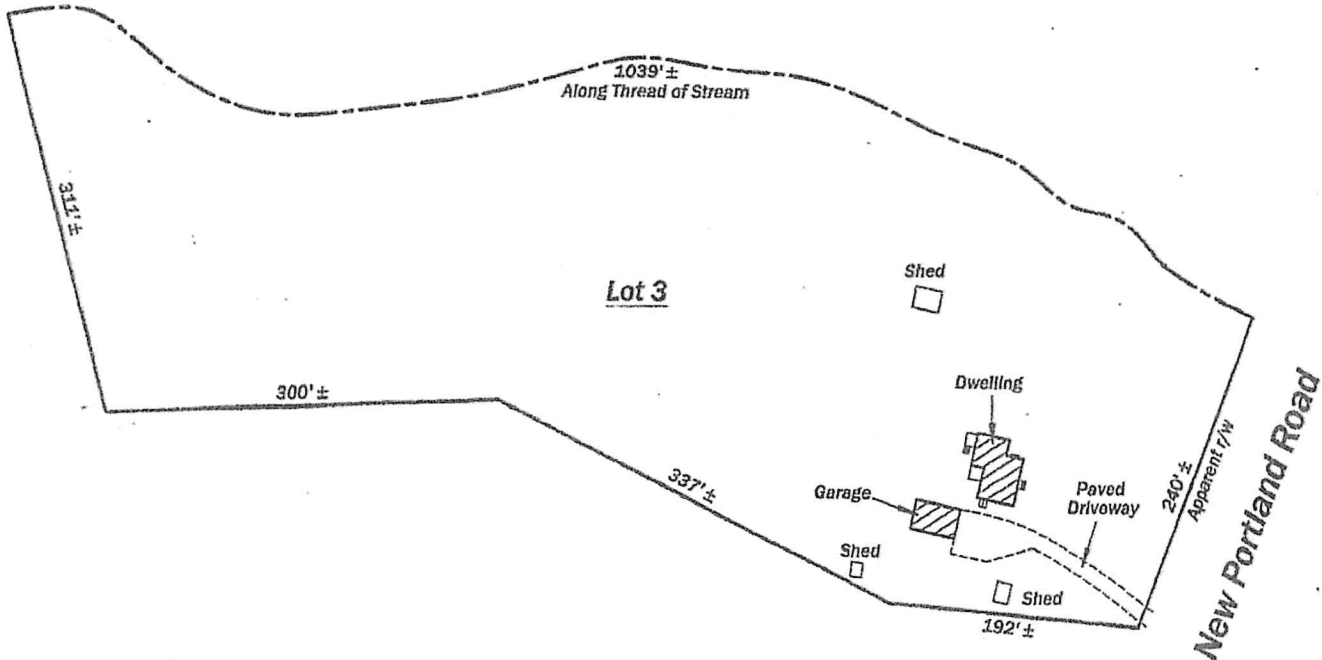
Constance C Bauer
Notary Public
My Commission Expires
October 5, 2024

THIS IS NOT A BOUNDARY SURVEY AND SHOULD NOT BE RECORDED OR USED IN LOCATING BOUNDARIES

ADDRESS: 253 New Portland Road
Gorham, Maine

INSPECTION DATE: 11/10/2021

SCALE: 1" = 150'



Note: See below referenced deed and plan to all notes, conditions and restrictions.

THE DWELLING DOES NOT HORIZONTALLY SCALE IN A SPECIAL FLOOD HAZARD AREA PER FEMA COMMUNITY MAP: 230047 PANEL: 25B ZONE: C DATE: 10/15/1981

THE DWELLING IS IN COMPLIANCE WITH MUNICIPAL ZONING SETBACKS.

OWNER: Jill M. Flaherty
APPLICANT: Miranda J. Marland
REQUESTING PARTY: Maine Title Services, LLC
LENDER: Cumberland County Federal Credit Union
FILE #: 2021-7469
MUNICIPAL REFERENCE:
MAP: 29 BLOCK: _____ LOT: 4-1
TITLE REFERENCE:
DEED BOOK: 30712 PAGE: 61 COUNTY: Cumberland
PLAN BOOK: 206 PAGE: 166 LOT: 3

MORTGAGE LOAN INSPECTION PLAN

FLYNN LAND SURVEYING, LLC
136 PLAINS ROAD
RAYMOND, MAINE 04071
207 329-9913



THIS INSPECTION IS FOR MORTGAGE LENDER USE ONLY. ITS SPECIFIC PURPOSE IS TO RENDER AN OPINION ON COMPLIANCE TO MUNICIPAL ZONING SETBACKS AND ZONE LOCATION ON THE FEMA FLOOD MAPS FOR THE EXISTING DWELLING AND ACCESSORY STRUCTURES. THERE ARE NO MONUMENTS SET OR MARKINGS MADE IN THE FIELD TO DEPICT THE LOCATION OF TITLE OR EASEMENT BOUNDARIES. THE LOCATION OF THE IMPROVEMENTS SHOWN ARE APPROXIMATE AND SHOULD NOT BE USED TO OBTAIN A BUILDING PERMIT. DISTANCES SHOWN ARE TAKEN FROM THE PROVIDED TITLE REFERENCES. SEE TITLE REFERENCES FOR ANY APPURTENANCES. A BOUNDARY SURVEY IS RECOMMENDED FOR AN ACCURATE LOCATION. THIS INSPECTION MAKES EXCEPTION TO ALL THE TECHNICAL STANDARDS ESTABLISHED BY THE STATE OF MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS. LOCATION OF WETLANDS ARE NOT DETERMINED AND ANY SHOWN ARE TAKEN FROM THE PROVIDED REFERENCES. COMPLIANCE TO DEEDED COVENANTS AND RESTRICTIONS NOT DETERMINED.



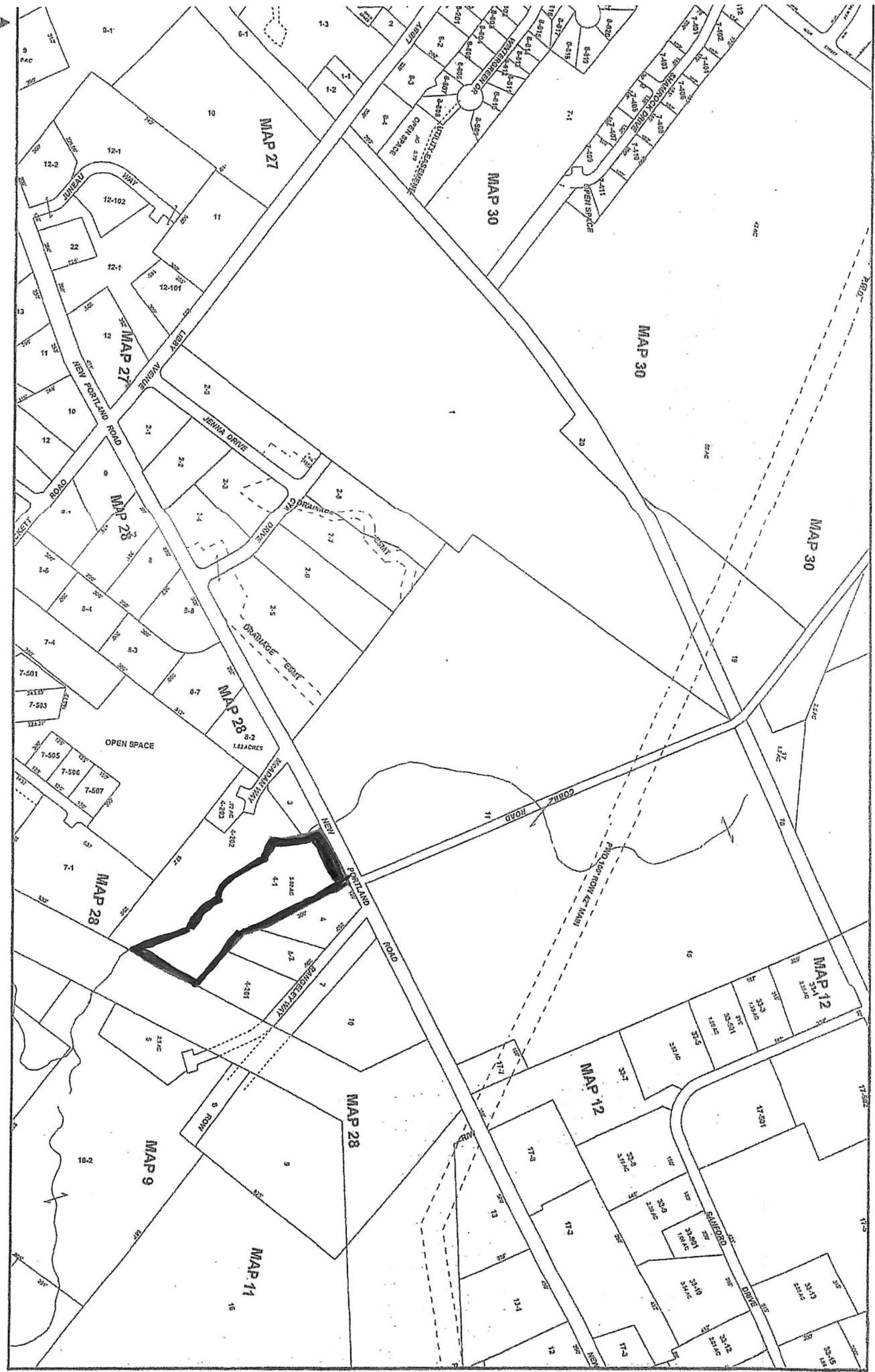
For Assessing Purposes Only
as of April 1, 2014

Town of Gorham, Maine



1 inch = 400 feet

MAP: 29



New Portland Road



SITE PLAN
SCALE: 1" = 50'
1" = 20'
1" = 40'

NOTE:
THIS APPROVAL IS DEFERENT UPON AND LIMITED TO THE PROPOSALS AND PLANS CONTAINED IN THE APPLICATION AND SUPPORTING DOCUMENTS SUBMITTED AND AFFIRMED BY THE APPLICANT AND ANY VARIATION FROM THE PLANS, PROPOSALS AND SUPPORTING DOCUMENTS IS SUBJECT TO REVIEW AND APPROVAL BY THE SITE PLAN REVIEW COMMITTEE, EXCEPT FOR DEFINITIVE CHANGES WHICH THE DIRECTOR OF PLANNING AND ZONING MAY APPROVE.

APPROVED-TOWN OF GORHAM
SITE PLAN REVIEW COMMITTEE

DATE _____

APPLICANT SIGNATURE _____

LEGEND

—	PROPERTY ROW	*	LIGHT POLE
—	SETBACK	*	BUILDING LIGHT
—	BUILDING	*	UTILITY POLE
—	TREELINE	*	HYDRANT
—	WATER	⊙	WELL
—	SEWER	⊙	DECIDUOUS TREE
—	OVERHEAD ELEC. P.TEL.	⊙	CONIFEROUS TREE
—	CULVERT	→	DRAINAGE ARROW
—	EDGE WETLAND	—	SEPTIC SYSTEM
—	STREET	—	
—	SHALE	—	
—	EXISTING GRADE	—	
—	PROPOSED GRADE	—	

PLANTING SCHEDULE

COTTON NAME	HEIGHT	DBH
NA		

DESIGN PROFESSIONAL (IF NEEDED)
NAME: _____
ADDRESS: _____
REGISTRATION # _____

PROPOSED SIGN DETAIL



AREA MAP (GAZETTEER / TAX MAP) N.T.S.
PLAN NOTES

- OWNER: Miranda + Michelle Marland
ADDRESS: 253 New Portland Road
Gorham, ME 04038
- APPLICANT: NAME: Jane
ADDRESS: _____
- TAX MAP LOT NO.: Map 29 Lot 4.1
- ZONING DISTRICT: Rural
- ZONING REQUIREMENTS:

MIN. LOT SIZE	REQUIRED	ACTUAL
MIN. STREET FRONTAGE	<u>60.000sqft</u>	<u>5.882acres</u>
FRONT YD. SETBACKS	<u>20.0</u>	<u>240.0</u>
SIDE/REAR YD. SETBACKS	<u>7.0</u>	<u>130.0</u>
MAX. BUILDING COVERAGE	<u>2.0</u>	<u>600.0</u>
PARKING	<u>NA</u>	<u>NA</u>
	<u>2+2</u>	<u>4</u>
- NOTE SOURCE OF ROW INFORMATION: _____
- PROPOSED USE: Doggie Day care
- LIST OF HAZARDOUS MATERIALS: NA

- BEGIN CONSTRUCTION DATE: NA
- END CONSTRUCTION DATE: NA
- SOLID WASTE PROVISIONS: Pine State Disposal

II. PROPOSED FIRE PROTECTION: Town of Gorham Fire Inspector how re-viewed site

RECORD OWNERS NAME: <u>Miranda + Michelle Marland</u>	ADDRESS: <u>253 New Portland Rd</u>
APPLICANTS NAME: <u>Jane</u>	ADDRESS: _____
PROJECT ADDRESS: <u>same</u>	ADDRESS: _____



CONTRACT ZONING AGREEMENT

BETWEEN

MIRANDA MARLAND, MICHELLE MARLAND AND TOWN OF GORHAM

This Contract Zoning Agreement (the "Agreement"), made this 23 day of August 2022, by and between the TOWN OF GORHAM, a body corporate and politic, located in the County of Cumberland and State of Maine (hereinafter the "Town") and Miranda J. Marland and Michelle M. Marland (collectively, the "Marlands" with a mailing address of 253 New Portland Road, Gorham, Maine 04038.

WHEREAS, the Marlands are the owners of property located 253 New Portland Road, Gorham, Maine, 04038 (hereinafter "the Property"); and

WHEREAS, the Property is shown on the Town of Gorham Tax Map 29, Lot 4.001; and

WHEREAS, the Property is located in the Rural-Manufactured Housing District and is approximately 5.88 acres in area; and

WHEREAS, the Marlands intend to own and operate a dog kennel and dog daycare at the Property (the "Project"), which is allowed under the Town's current zoning; and

WHEREAS, the Property is planned to be rezoned to a denser land use district in the near future as contemplated by the Gorham Comprehensive Plan Update of 2016, as amended in 2021; and

WHEREAS, the Town has the authority to enter into a contract rezoning for property, pursuant to 30-A M.R.S.A. § 4352(8) and Chapter I, Section 1-1, Subsection H, as amended of the Gorham Land Use and Development Code; and

WHEREAS, after notice and hearing and due deliberation upon this rezoning proposal, the Gorham Planning Board recommended the rezoning of the Property; and

WHEREAS, the rezoning will be consistent with the goals of the Gorham Comprehensive Plan Update of 2016, as amended in 2021, by promoting diversification of "the business base to build a strong community"; and

WHEREAS, the Town, by and through its Town Council, has determined that said rezoning will be pursuant to and consistent with the Town's Comprehensive Plan and has authorized the execution of this Agreement on Aug 23, 2022;

NOW, THEREFORE, in consideration of the mutual promises made by each party to the other, the parties covenant and agree as follows:

1. Amendment of Zoning Map. The Town will amend the Zoning Map of the Town of Gorham, as amended, a copy of which is on file at the Gorham Municipal Offices and which is incorporated by reference into the Land Use and Development Code of the Town of Gorham (the "Code"),

Chapter I, Section 1-1, Subsection C, by adopting the map change amendment shown on Attachment 1.

2. Permitted Uses. The Marlands are authorized to conduct any of the following uses on the Property without additional Town Council authorization:

a. Any uses allowed under the Rural-Manufactured Housing District

b. Additional Uses Allowed with Town Council Approval.

3. Consistency. After conducting a public hearing on _____, 2022, with public notice as required by 30-A M.R.S. §4352(8), the Planning Board has determined that the contract rezoning hereunder is consistent with the Comprehensive Plan, which is a “growth management” plan, and establishes a rezoned area consistent with existing and permitted uses with the original Rural-Manufactured Housing District.

4. Performance Standards. All development and uses shall be subject to the Dog Kennel Standards below and to all other applicable performance standards set forth in Chapter 2 of the Code. Where this Agreement and Chapter 2 of the Code conflict, this Agreement shall be followed.

a. A Dog Kennel, operated in compliance with the Code’s General Standards of Performance for Dog Kennels as amended and stated below without additional Town Council or Town Planning Approval; a Dog Kennel on the Property shall meet the following standards:

- i. Shall be located on lots not less than three (3) acres in area.
- ii. Shall not have more than fifteen (15) dogs at any given time.
- iii. Dogs may be housed overnight. Dogs shall be housed within a permanent structure/outbuilding between the hours of 7:00 p.m. and 7:00 a.m.
- iv. Any structure used for housing the dogs and/or containment area shall be:
 1. Designed, constructed and located on the Property in a manner that will minimize the negative impact upon abutting properties.
 2. Set back a minimum of **fifty (50) feet** from all property lines. The Town’s Planning Board or Administrative Review Committee may grant a waiver from this setback requirement provided the structure or containment area is adjacent to a dedicated open space or conservation area which may be used towards meeting the minimum fifty (50) foot setback requirement based upon a finding that a negative impact to abutting properties will not be created. Existing building setbacks as of the effective date of this Agreement shall be deemed acceptable.
 3. Structurally sound and maintained in good repair at all times.
 4. Well ventilated so as to provide constant fresh air.
 5. Maintained at a comfortable temperature.

6. Maintained in a clean and sanitary condition at all times. Any animal excrement shall be removed at least twice daily from the dog pens and runs. Each pen shall be washed down with water and disinfectant cleaner as often as necessary to maintain a safe and sanitary condition for the dogs, but in no event less than once each day.
 - v. Any structure used for housing the dogs shall have its floor constructed of cement, asphalt or a similar material.
 - vi. Outside containment areas shall be enclosed with fencing with a height of no less than eight (8) feet.
 - vii. All dog pens shall provide sufficient room for the dogs housed therein to turn about freely, to stand erect, and to lie down in a natural position.
 - viii. Any storage container used for holding waste that includes animal excrement shall be kept tightly covered at all times and emptied at least once every two (2) days. Such container shall be located in accordance with the setback requirements for structures as stated in this section.
 - ix. All dogs shall have access to shelter to protect them from weather.
 - x. The dogs shall be provided with sufficient fresh water and wholesome food so as to maintain their health. Food and water containers shall be kept clean and sanitized.
 - xi. General training courses and pet grooming services shall be allowed between 7:00am and 7:00pm any day of the week.

5. Dimensional Standards. All development on the Property shall comply with the following dimensional requirements:

- a. Minimum Lot Size: None
- b. Minimum Street Frontage: None
- c. Minimum side and rear setbacks: 50 feet
- d. Maximum building height: None

6. Other Requirements. All development on the Property shall comply with the following requirements related to the physical development and operation of the Property:

- a. [TBD—IF PLANNING BOARD/COUNCIL HAS OTHER CONDITIONS]

7. Agreement to Be Recorded. The Marlands shall record this Agreement in the Cumberland County Registry of Deeds and shall submit proof of recording to the Gorham Code Enforcement

Officer and the Town Planner before any site work is undertaken or any building permits are issued.

8. Amendments to Agreement. The provisions of this Agreement shall be deemed restrictions on the use of the property and shall be amended only upon further written agreement of the Town of Gorham and the Marlands or its successors in interest to the Property.

9. Site Plan Review. Approval of this Agreement will not serve as a waiver of site plan review if otherwise required by the Code.

The above stated restrictions, provisions, and conditions, are an essential part of the rezoning, shall run with the Property, shall bind and benefit the Marlands, any entity affiliated with the Marlands, including, but not limited to, Hand in Paw LLC, their successors and assigns, and any party in possession or occupancy of the Property or any part thereof, and shall inure to the benefit of and be enforceable by the Town, by and through its duly authorized officials and employees. The provisions of this Agreement, including the permitted uses listed in Sections 2 and 3 and the dimensional requirements listed in Section 5, are intended to replace the uses and dimensional restrictions of the Rural-Manufactured Housing District and Dog Kennel Standards. The above restrictions, provisions and conditions are an essential part this Agreement, shall run with the Property, shall bind the Marlands, their successors in interest and any assigns of said Property or any part thereof, and shall inure to the benefit of and be enforceable by the Town of Gorham. If any of the restriction, provisions, conditions, or portions of this Agreement is for any reasons held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such determination shall not affect the validity of the remaining portions hereof.

Except as expressly modified herein, the use and occupancy of the Property shall be governed by and comply with the provisions of the Code and any applicable amendments thereto or replacement thereof.

This Agreement shall be enforced pursuant to the land use enforcement provisions of state law (including 30-A M.R.S.A. §4453) and the Code. Following any determination of a zoning violation by the Code Enforcement Officer, the Town Council, after recommendation of the Planning Board, may amend, modify or rescind its conditional rezoning of the site.

In the event that the Marlands or its successors or assigns fail to develop and operate the Project in accordance with this Agreement, or in the event that nay other breach of any conditions set forth in this Agreement, the Town Council shall have the authority, after hearing, to resolve the issue resulting in the breach or the failure to develop or operate. The resolution may include termination of this Agreement by the Town Council and a rezoning of the Property to the prior or any successor zoning districts. In such an event, Property shall then be used only for such other uses as are otherwise allowed by law.

[SIGNATURES ON THE FOLLOWING PAGE]

WITNESS:

TOWN OF GORHAM

By: _____
Ephrem Paraschak, Its Town Manager
(Duly authorized by vote of the Gorham
Town Council on _____, 2020)

WITNESS:

Letitia M Genest

Miranda Marland
Miranda Marland

WITNESS:

Letitia M Genest

Michelle Marland
Michelle Marland

STATE OF MAINE
CUMBERLAND, ss.

August 23, 2022

Personally appeared the above-named _____, Town Manager of the Town of Gorham, and acknowledged the foregoing to be his free act and deed in his said capacity, as duly authorized, and the free act and deed of said Town of Gorham.

Before Me,

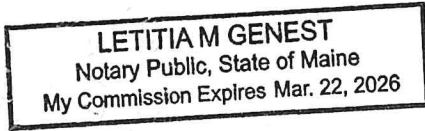
Notary Public: _____
My Commission Expires: _____

STATE OF MAINE
CUMBERLAND, ss.

August 23, 2022

Personally appeared the above-named Miranda Marland acknowledged the foregoing to be her free act and deed.

Before Me,



Letitia M Genest
Notary Public: _____
My Commission Expires: _____

STATE OF MAINE
CUMBERLAND, ss.

August 23, 2022

Personally appeared the above-named Michelle Marland acknowledged the foregoing to be her free act and deed.

Before Me,

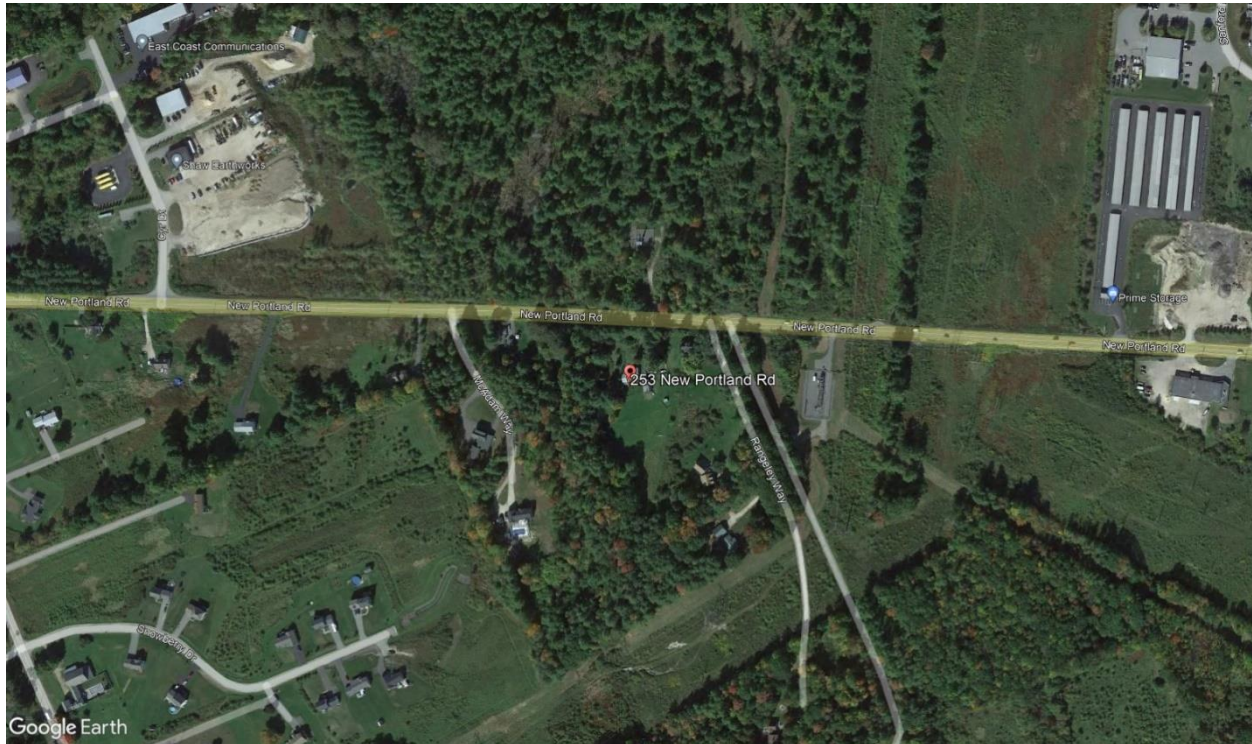


Letitia M Genest
Notary Public: _____
My Commission Expires: _____

1. OVERVIEW

The applicants are seeking approval to utilize the currently used storage space located in the basement of the existing residence for a dog play space for a doggie daycare. The property is located at 253 New Portland Road, Map 29, Lot 4.001, and is currently zoned Rural.

2. AERIAL IMAGES



3. STAFF COMMENTS

Gorham Town Planner Comments:

No additional comments.

Gorham Fire Chief Comments:

No comments received

Gorham Code Enforcement Officer:

No comments received

Gorham Public Works Director/Town Engineer:

No comments received

Gorham Police Chief:

No comments received

Abutter comments: 06/25/2022; 07/08/2022

June 25, 2022

To Whom It May Concern,

We are Richard and Paige Kepler, and we reside at 257 New Portland Road, Gorham, Maine. We are neighbors with Michelle and Miranda Marland. We are writing on their behalf pertaining to the Dog Daycare that they are wanting to run at their home. We are the closest house to their property, and as such, would be the most impacted by the Daycare. Michelle and Miranda have been wonderful neighbors and have always checked with us to make sure that any dogs that are at their house are not being a bother to us. We have not been inconvenienced at all with their dogs. There is minimal barking,

if at all, and they are very careful to keep the dogs on their property, which is fenced in. We have not experienced any problems and we fully support their desire to run this Dog Daycare.

If you have any questions, please feel free to contact us.

Sincerely,

Richard and Paige Kepler

Richard cell -- [REDACTED] Paige cell - [REDACTED]

July 8, 2022

Administrative Review Application on July 12th for 253 New Portland Road. Zoned R, Map 29, 4.001. Applicants requesting to construct a 5,000 square feet fence for the dog daycare. FYI –the fence is already up and those dogs bark way too much. I suppose they’re zoned for this daycare. I’m not happy about it, as I’m a close neighbor. They fence was installed in June.

Kim Lavigne

Hand and Paw, LLC – 253 New Portland Road
Miranda and Michelle Marland
M29 L4.1
Minor Site Plan Review

**GORHAM SITE PLAN COMMITTEE
MINOR SITE PLAN REVIEW
FINDINGS OF FACT**

**For
253 NEW PORTLAND ROAD – DOG DAYCARE**

August 10, 2022

WHEREAS, Hand and Paw, LLC - Miranda and Michelle Marland, applicants, are seeking approval to utilize the currently used storage space located in the basement of the residence for a dog play space for a doggie daycare.

Pursuant to the Application:

Administrative Site Plan Review was held and approval granted on 08/10/2022.

Project Description:

The applicants, are seeking approval to utilize the current storage space located in the basement of the residence for a dog play space for a doggie daycare. The lot is identified as Tax Map 29, Lot 4.1, consists of 5.88 acres and is located 253 New Portland Road. The site currently contains a single family house and a garage.

Variations: None requested.

Waiver Requested:

- The applicants request a waiver from Ch. 2, Section 2-14.b – to waive the dog kennel standards.

SUGGESTED MOTION: Move to approve the requested waiver from Ch. 2, Section 2-14.b – to waive the dog kennel standards.

The project plans and other documents considered to be a part of the approval by the Site Plan Review Committee in this ruling consist of the following:

The plans (the plans), prepared by the applicants, consists of the following:

Site Plan – Received, 06/27/2022, 07/06/2022
--

Other documents submitted consist of the following:

Administrative Review Application – 06/27/2022, 07/06/2022
Site Plan – Received, 06/27/2022, 07/06/2022
Gorham Town Planner Comments – No additional comments
Gorham Fire Chief – No comments received

Gorham Code Enforcement – No comments received
Gorham Public Works – No comments received
Gorham Police Chief – No comments received
Abutters Comments – K. Lavigne, 07/08/2022; R. and P. Kepler, 06/25/2022

NOW THEREFORE, based on the entire record before the Committee and pursuant to the applicable standards set out in the Land Use and Development Code of the Town of Gorham, the Committee makes the following factual findings.

FINDINGS OF FACT

CHAPTER 4, SECTION 9 – Approval Criteria and Standards

Note: (This section is modified for brevity. See the current Land Use and Development Code for exact wording.)

- A. Utilization of the Site** - The plan for the development will reflect the natural capabilities of the site to support development.

This section does not apply because there will be no construction.

Finding: The plan for development reflects the natural capabilities of the site to support the development.

- B. Access to the Site** – Vehicular access to the site will be on roads which have adequate capacity to accommodate the additional traffic generated by the development.

The site is accessed from New Portland Road. The total number of vehicle trips on a daily basis will be ten (10) entering and ten (10) exiting. At the busiest am hour, the number of vehicles entering and exiting the site will be two (2). At the busiest pm hour, the number of vehicles entering and exiting the site will be two (2).

Finding: New Portland Road has the capacity to accommodate the traffic generated by the development.

- C. Access into the Site** – Vehicular access into the development will provide for safe and convenient access.

The access to the site is from an existing curb cut located along New Portland Road. No changes are proposed.

The grade of any proposed drive or street will be a -2.0% for a minimum of five (5) feet from the existing pavement edge or to the centerline of the existing drainage swale. From

the above control point, a grade of not more than -3% shall be required for a minimum of two (2) car lengths or forty (40) feet.

Finding: The vehicular access into the development provides for safe and convenient access.

D. Internal Vehicular Circulation – The layout of the site will provide for the safe movement of passenger, service and emergency vehicles through the site.

There is an access driveway to allow ingress and egress that will provide a clear route for delivery vehicles, emergency vehicles, does not allow backing into the street, and snow storage is provided.

Pedestrian access is provided along the front and side of the building for the business through the parking area.

Finding: The layout of the site will provide for the safe movement, service and emergency vehicles through the site.

E. Pedestrian Circulation - The development plan will provide for a system of pedestrian circulation within and to the development.

Pedestrian access is not provided along New Portland Road at this time.

Finding: The development plan provides for a system of pedestrian circulation within the development.

F. Storm water Management - Adequate provisions will be made for the disposal of all storm water collected on streets, parking areas, roofs or other impervious surfaces through a storm water drainage system and maintenance plan which will not have adverse impacts on abutting or downstream properties:

No change is proposed to the existing stormwater management system.

Finding: Adequate provisions are made for the disposal of all stormwater collected on the site through a stormwater drainage system which will not have an adverse impact on abutting or downstream properties.

G. Erosion Control - For all projects, building and site designs and roadway layouts will fit and utilize existing topography and desirable natural surroundings to the fullest extent possible.

There will be no disturbance of soil that requires erosion control measures.

Finding: The project will fit and utilize existing topography and desirable natural surroundings to the fullest extent possible.

- H. Water Supply** - The development will be provided with a system of water supply that provides each use with an adequate supply of water meeting the standards of the State of Maine for drinking water.

The site has an existing well. No change is proposed.

Finding: The development provides a system of water supply that provides for an adequate supply of water meeting the standards of the State of Maine for drinking water.

- I. Sewage Disposal** - A sanitary sewer system will be installed at the expense of the developer if the project is located within a sewer service area as identified by the sewer user ordinance. The Site Plan Review Committee or Planning Board may allow individual subsurface waste disposal systems to be used where sewer service is not available.

The site has an existing onsite septic system. No change is proposed.

Finding: The development provides for adequate sewage disposal for the anticipated use of the site.

- J. Utilities** - The development will be provided with electrical and telephone service adequate to meet the anticipated use of the project.

The site is supplied with utilities from New Portland Road right of way. No change is proposed.

Finding: The development will be served with electrical and telephone service adequate to meet the anticipated use of the project.

- K. Natural Features** - The landscape will be preserved in its natural state insofar as practical by minimizing tree removal, disturbance and compaction of soil, and by retaining existing vegetation insofar as practical during construction.

The existing canopy trees and understory will remain where they are located on the parcel.

Finding: The landscape and natural features will be preserved in their natural state to the greatest extent possible.

- L. Groundwater Protection** - The proposed site development and use will not adversely impact either the quality or quantity of groundwater available to abutting properties or public water supply systems.

The development will not be removing groundwater from the area other than for the single family dwelling use. The business does not use contaminants that would leach into the groundwater.

Finding: The site development and use will not adversely impact either the quality or quantity of groundwater available to abutting properties or public water supply systems.

M. Exterior Lighting - The proposed development will provide for adequate exterior lighting to provide for the safe use of the development in nighttime hours.

All lighting shall be full-cutoff design and meet dark sky requirements while allowing for a safe environment.

Finding: The proposed development will provide for adequate exterior lighting to provide for the safe use of the development in nighttime hours while avoiding undue adverse impact.

O. Waste Disposal - The proposed development will provide for adequate disposal of solid wastes and hazardous wastes.

The current waste hauler is Pine State Disposal.

There will be no hazardous waste used or produced.

Finding: The proposed development provides for adequate disposal of solid wastes and hazardous wastes.

P. Landscaping - The development plan will provide for landscaping to define street edges, break up parking areas, soften the appearance of the development and protect abutting properties from adverse impacts of the development.

No change is proposed with the current landscaping.

Finding: The development plan provides for landscaping that will soften the appearance of the development and protect abutting properties from adverse impacts of development.

Q. Shoreland Relationship - The development will not adversely affect the water quality or shoreline of any adjacent water body. The development plan will provide for access to abutting navigable water bodies for the use of occupants of the development.

The lot is not located in the Shoreland Overlay District.

Finding: The development will not adversely affect the water quality or shoreline of any adjacent water body.

- R. Technical and Financial Capacity** - The applicant has demonstrated that he has the financial and technical capacity to carry out the project in accordance with this Code and the approved plan.

The applicants purchased the property recently and provided all the information within the application. No additional changes are proposed that would require technical or financial capacity to be shown.

Finding: The applicants have demonstrated it has the financial and technical capacity to carry out the project in accordance with the Code and the approved plan.

- S. Buffering** - The development will provide for the buffering of adjacent uses where there is a transition from one type of use to another use and to screen service and storage areas. The buffer areas required by the district regulations will be improved and maintained.

There is a fence which is an enclosure/play area for the dogs, when outside.

There are large canopy trees and understory on the western and southern sides. The eastern side has a few canopy trees along the property line.

Finding: The development will provide for the buffering of adjacent uses where there is a transition from one type of use to another use and to screen service and storage areas.

- T. Noise** - The vehas demonstrated that the development will comply with the noise regulations listed in Table 1 – Sound Level Limits and the associated ordinances.

The use of the site is required to meet the following required noise regulations: Daytime Levels of 60 dBA and 50 dBA nighttime as outlined under this section.

Finding: The use of the site will comply with the noise regulations listed in Table 1 – Sound Level Limits and associated noise ordinances.

CHAPTER 2, General Standards of Performance

Note: Only those sections that ARE NOT DUPLICATIVE OF SITE PLAN REVIEW STANDARDS are listed with findings below.

Section 2-1 Environmental

Floodplain Management

Finding: This site is not located within a special flood hazard zone.

Shoreland Area protection

Finding: This site is not located within a shoreland protection area.

Air Pollution

This project will not emit toxic, odoriferous emissions and shall comply with all State of Maine requirements.

Finding: The project meets the requirements for the standards of this section.

Section 2-2 Parking, Loading, and Traffic

A. Off-street parking standards

There are seven (7) parking spaces required. Two (2) for the dwelling unit and five (5) for the business. There are seven (7) paved parking spaces that are located on the property.

Striping of the spaces is not required.

Finding: The parking provided meets the standards of this section.

SECTION 2-14 – DOG KENNEL STANDARDS

The purpose of this section is to provide standards to ensure that Dog Kennels are safe and maintained in a clean and sanitary manner and do not create a nuisance to surrounding properties. The Dog Kennel owner shall submit a fully dimensioned and detailed plan illustrating all structures and areas that will be used in the operation of the Dog Kennel showing compliance with the Town's Land Use and Development Code. The Code Enforcement Office may conduct an inspection as needed to verify that the Dog Kennel is operating as approved and in conformance with this Land Use and Development Code. A Dog Kennel shall meet the following standards:

1. Shall be located on lots not less than three (3) acres in area.
The property is 5.88 acres.

Finding: The lot area provided meets the standards of this section

2. Shall not have more than ten (10) dogs at any given time.

The applicants state in the application that they will have ten (10) dogs a day.

Finding: The applicants meet the requirements of a limit of ten (10) dogs.

3. Dogs shall be housed within a permanent structure/outbuilding between the hours of 7:00 p.m. and 7:00 a.m.

The applicants state in the application that no dogs will be boarded overnight.

Finding: The applicants meet the requirements of this section.

4. Any structure used for housing the dogs and/or containment area shall be:

- a. Designed, constructed and located on the lot in a manner that will minimize the negative impact upon abutting properties.

The dogs will be located within the dwelling basement and a fenced in area within the back yard.

Finding: The applicants meet the requirements for minimizing negative impacts.

- b. Set back a minimum of one hundred (100) feet from all property lines. The Town's Planning Board or Administrative Review Committee may grant a waiver from this setback requirement provided the structure or containment area is adjacent to a dedicated open space or conservation area which may be used towards meeting the minimum one hundred (100) foot setback requirement based upon a finding that a negative impact to abutting properties will not be created.

Waiver is requested from this sub-section.

- c. Structurally sound and maintained in good repair at all times.

The dogs will be located within the dwelling basement and a fenced in area within the back yard.

Finding: The applicants meet the requirements for structurally sound structure.

- d. Well ventilated so as to provide constant fresh air.

The dogs will be located within the dwelling basement and a fenced in area within the back yard.

Finding: The applicants meet the requirements for ventilation and fresh air.

- e. Maintained at a comfortable temperature.

The dogs will be located within the dwelling basement and a fenced in area within the back yard.

Finding: The applicants meet the requirements for a comfortable temperature.

f. Maintained in a clean and sanitary condition at all times. Any animal excrement shall be removed at least twice daily from the dog pens and runs. Each pen shall be washed down with water and disinfectant cleaner as often as necessary to maintain a safe and sanitary condition for the dogs, but in no event less than once each day.

The dogs will be located within the dwelling basement and a fenced in area within the back yard.

Finding: The applicants shall meet the requirements for clean and sanitary conditions.

5. Any structure used for housing the dogs shall have its floor constructed of cement, asphalt or a similar material.

The dogs will be located within the dwelling basement, which is cement and a fenced in area within the back yard.

Finding: The applicants meets the requirements for cement material within the dwelling.

6. Outside containment areas shall be enclosed with fencing with a height of no less than eight (8) feet.

The dogs will be located in an eight (8) foot fenced in area within the back yard.

Finding: The applicants shall meet the requirements for eight (8) foot fenced in area.

7. All dog pens shall provide sufficient room for the dogs housed therein to turn about freely, to stand erect, and to lie down in a natural position.

The applicants states the dogs will be located within the dwelling basement and states that the fenced in area will be five thousand (5,000) feet.

Finding: The applicants shall meet the requirements for sufficient room for the dogs.

8. Any storage container used for holding waste that includes animal excrement shall be kept tightly covered at all times and emptied at least once every two (2) days. Such container shall be located in accordance with the setback requirements for structures as stated in this section.

The applicants shall keep all animal excrement containers tightly covered at all times and it will be emptied at least once every two (2) days.

Finding: The applicants shall meet the requirements to keep all animal excrement containers tightly covered at all times and it will be emptied at least once every two (2) days.

9. All dogs shall have access to shelter to protect them from the weather.

The applicants states the dogs will be located within the dwelling basement during inclement weather.

Finding: The applicants shall meet the requirements for shelter for the dogs.

10. The dogs shall be provided with sufficient fresh water and wholesome food so as to maintain their health. Food and water containers shall be kept clean and sanitized.

The applicants shall provide the dogs with sufficient fresh water and wholesome food.

Finding: The applicants shall meet the requirements for sufficient fresh water and wholesome food.

NOW THEREFORE on 10th of August, 2022, the Minor Site Plan Review Committee adopts the Findings of Fact herein, and based on these Findings that the proposed project will have no significant detrimental impact. The Minor Site Plan Review Committee hereby votes to grant Minor Site Plan Review approval to Hand in Paw, LLC – Michelle and Miranda Marland.

Carolyn Eyerman, AICP
Town Planner

CONDITIONS OF APPROVAL

1. That this approval is dependent upon, and limited to, the proposals and plans contained in this application and supporting documents submitted and affirmed by the applicants and that any variation from the plans, proposals and supporting documents is subject to review and approval by the Planning Board or Minor Site Plan Review Committee, except for minor changes which the Town Planner may approve.
2. That prior to the commencement of construction of the site plan, the applicants is responsible for obtaining all required local, state and federal permits;

3. Any staff and peer review comments shall be addressed prior to the Chair signing the plans.
4. That any proposed use on the site shall meet the sound level requirements outlined under Chapter 4, Section 9, T. Noise;
5. That all site construction shall be carried out in conformance with the Maine Erosion and Sediment Control Best Management Practices, Maine Department of Environmental Protection, latest edition and in accordance with the erosion and sedimentation control information contained in the application.
6. That the Chair is authorized by the Committee to sign the Findings of Fact on behalf of the entire Committee; and
7. That these conditions of approval must be added to the notice of decision and shall be recorded at the Cumberland County Registry of Deeds within thirty (30) days of the date of written notice of approval by the Minor Site Plan Review Committee, and a dated copy of the recorded notice of decision shall be returned to the Town Planner prior to the issuance of a building permit.

**SO APPROVED BY THE GORHAM MINOR SITE PLAN REVIEW COMMITTEE
CHAIR ON THE 10TH DAY OF AUGUST, 2022.**

Carolyn Eyerman, AICP
Town Planner