

AGENDA NOTES

Gorham Town Council Regular Meeting

August 3, 2018 – 6:30pm

Burleigh H. Loveitt Council Chambers

1. Item # 9354

Public Hearing on a proposal to issue renewal liquor license to Gorham Sports Center. (Admin. Spon.)

All departments report no issues with the liquor license renewal to Gorham Sports Center.

2. Item # 9355

Public hearing on a proposal to issue Massage Licenses to Audrey Nelson, Elizabeth Berks, Christina Downs, Chelsea Jackson, Natalie Povlin and Heather Theriault. (Admin. Spon.)

No issues with applications from all departments.

3. Item # 9356

Public hearing regarding a proposal to amend the Land Use & Development Code to allow for the use of A Frame signs. (Admin. Spon.)

This proposed amendment to the Land Use and Development Code would allow businesses to utilize sandwich board signs as long as they are located in the same lot as the use. As written, the amendment would cap the number of signs allowed to three on a multi business property. Signs would need to be taken in after the close of business and would not be allowed in the right of way or obstruct vehicle or pedestrian traffic. Currently sandwich board signs are not allowed under the Land Use & Development Code.

The Council version of the amendment is listed in the agenda. The Planning Board version is attached in a July 3, 2018 memo from the Town Planner which clarifies more of the language. Staff's recommendation is to adopt the Planning Board's version of the amendment.

4. Item # 9357

Public hearing on a proposed Moratorium Ordinance prohibiting Medical Marijuana Caregiver Retail Stores. (Admin. Spon.)

Item # 9357 is a moratorium ordinance that would close a loophole in the new marijuana legislation allowing for retail caregiver operations until the new marijuana legislation goes into effect. Currently, any person may open a retail caregiver marijuana operation in Gorham where normal retail establishments are permitted under the Land Use & Development Code.

Under PL 452 (LD 1539), a caregiver who is registered with the State is authorized to operate a retail store to sell harvested marijuana to qualifying patients for the patients' medical use. This provision is not in the emergency bill that is already in effect. The bill authorizes municipalities to regulate registered caregivers, registered caregiver retail stores, registered dispensaries, marijuana testing facilities and manufacturing facilities. A municipality can't prohibit or limit the number of registered caregivers and it can't prohibit registered caregiver retail stores, registered dispensaries, marijuana testing facilities and manufacturing facilities that are operating with municipal approval in the municipality prior to the effective date of this law.

However, after that date, there needs to be a vote of the municipal legislative body (Town Council) to adopt or amend an ordinance to allow any of these uses. This moratorium will go into effect 30 days from adoption, but will be retroactive to August 7, 2018. The Council will be able to address this issue later in the fall and staff is planning a legal workshop with the Council to discuss the topic in further detail.

5. Item # 9358

Action to consider accepting a deed for a parcel of land in the Madison Avenue Subdivision for open space and trail use. (Admin. Spon.)

This item would accept a parcel of land off of the Madison Avenue Subdivision as open space. Madison Avenue is located off of Gordan Farms (of off Fort Hill Road) and the parcel contains access to the local snowmobile trail network.

6. Item # 9359

Action to consider authorizing staff to review the contract zone of Hans Hansen to allow one single family dwelling unit and also amend the zone to expand certain commercial uses. (Councilor Benner Spon.)

This item was tabled to the August agenda by the Council in July. Item #9360 seeks to clarify this item in the Hans Hansen Contract Zone and it is recommended to either table indefinitely item #9359 and/or not move it to the floor for discussion and vote.

7. Item # 9360

Action to consider authorizing staff to review the contract zone of Hans Hansen to allow a caretaker unit and/or mixed use caretaker unit on Lot #7. (Councilor Benner Spon.)

This item would instruct staff to review the contract zone of Hans Hansen in South Gorham to allow for a caretaker unit and/or a mixed use caretaker unit on Lot #7. The caretaker unit would service the entire contract zone.

8. Item # 9361

Action to consider granting permission to Gorham Sand & Gravel to use the public right of way on Hannah Drive to access their private property. (Admin. Spon.)

In order to satisfy the requirements of the Land Use & Development Code, Gorham Sand & Gravel is requesting permission from the Town Council to access their property located off of Hannah Drive through the public easement. Hannah Drive is located off of Huston Road Extension and a formal request from Gorham Sand & Gravel, as well as a subdivision plan is attached.

9. Item # 9362

Action to consider new, and reviewing existing, Impact Fees to ensure that new development in Gorham will be accomplished in a safe and healthful manner and that such development will bear a proportional, or reasonably related share of the cost of new, expanded, or modified infrastructure necessary to service the development. (Councilor Stelk Spon.)

Item #9362 will ask the Ordinance Committee to work with staff to evaluate existing impact fees in the Land Use & Development Code, as well as recommend any new impact fees for consideration by the Town Council.

Currently, impact fees are collected for recreation and open space, as well as for the Fort Hill Road water main extension. A copy of Chapter 7, Impact Fees, from the LUDC is attached.

10. Item # 9363

Action to consider evaluating the requirements for municipal road acceptance of private ways in the Land Use & Development Code. (Councilor Hartwell Spon.)

This item will ask the Ordinance Committee to recommend changes to the Land Use & Development Code with regards to road acceptance and/or examine the process by which newly constructed private roads are accepted by the Town of Gorham.

11. Item # 9364

Action to consider adopting a zoning district for the Comprehensive Plan's South Gorham Crossroads Mixed Use Growth Area. (Councilor Hartwell Spon.)

Item #9364 will instruct the Ordinance Committee to review the Land Use & Development Code zoning within the area of the Comprehensive Plan identified as the South Gorham Crossroads Mixed Use Growth Area for recommendations on rezoning that is consistent with the Comprehensive Plan.

A memo from the Town Planner is attached.

12. Item # 9365

Action to consider adopting a zoning district for the Comprehensive Plan's South Gorham Commercial Center Mixed Use Growth Area. (Councilor Hartwell Spon.)

Item #9365 will instruct the Ordinance Committee to review the Land Use & Development Code zoning within the area of the Comprehensive Plan identified as the South Gorham Commercial Center Mixed Use Area for recommendations on rezoning that is consistent with the Comprehensive Plan.

A memo from the Town Planner is attached in reference to the previous item.

13. Item # 9366

Action to consider adopting an Invasive Plants Species Ordinance. (Councilor Hartwell Spon.)

This item will ask the Ordinance Committee to review the possibility of adopting an Invasive Plants Ordinance in the Town of Gorham. A sample ordinance from the Town of Falmouth is attached.

14. Item # 9367

Action to consider approving the transfer of funds & assets seized in a criminal case. (Admin. Spon.)

Authorizes the Town Manager to accept funds on behalf of the Town of Gorham in the amount of \$767 from a criminal case, as well as a 2002 Chevy Silverado pickup which will be handed over to the Police Department's Volunteers in Police Service for general use. Funds are put in a reserve account to buy future items like police body armor, etc.

15. Item # 9368

Action to consider approving the transfer of funds & assets seized in a criminal case. (Admin. Spon.)

Authorizes the Town Manager to accept funds on behalf of the Town of Gorham in the amount of \$1,000 from a criminal case. Funds are put in a reserve account to buy future items like police body armor, etc.

16. Item # 9369

Action to consider amending the Sprinkler System Ordinance to require sprinkler systems in new construction of residential units. (Ordinance Committee Spon.)

At the May 2018 meeting, the Town Council held a public hearing on proposed amendments to the Sprinkler System Ordinance from the Ordinance Committee after being instructed to review the topic in 2017 and again after a first workshop in the winter. The Council then voted to table the amendment until a second workshop could be held on the amendments by the Council. That workshop was held on July 25th. Although the Council did not take any votes at the workshop, sending the item back to the Ordinance Committee to make the changes was discussed. If the Council desires to amend the initial proposed language, recommendation of staff would be to amend this order to send Item #9369 back to the Ordinance Committee for further review and recommendations based on discussion of the July 25th Town Council workshop.

17. Item # 9370

Executive session to discuss contract negotiations with the Police Department Union.

18. Item # 9371

This order will authorize the Town Manager to enter into a new three year collective bargaining agreement with the Maine Association of Police, Gorham Unit.

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
 DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
 8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008
 10 WATER STREET, HALLOWELL, ME 04347
 TEL: (207) 624-7220 FAX: (207) 287-3434
 EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	

NEW application: Yes No

PRESENT LICENSE EXPIRES 8-27-18

INDICATE TYPE OF PRIVILEGE: MALT VINOUS SPIRITUOUS

INDICATE TYPE OF LICENSE:

RESTAURANT (Class I,II,III,IV)

RESTAURANT/LOUNGE (Class XI)

CLASS A LOUNGE (Class X)

HOTEL (Class I,II,III,IV)

HOTEL, FOOD OPTIONAL (Class I-A)

BED & BREAKFAST (Class V)

CLUB w/o Catering (Class V)

CLUB with CATERING (Class I)

GOLF COURSE (Class I,II,III,IV)

TAVERN (Class IV)

QUALIFIED CATERING OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: Southern Maine Community Recreation Center	Business Name (D/B/A) Gorham Sports Center
APPLICANT(S) –(Sole Proprietor) Tyler Maroon	DOB: [REDACTED]
DOB: [REDACTED]	Physical Location: 215 Narragansett St
Address [REDACTED]	City/Town State Zip Code Gorham ME 04038
City/Town State Zip Code [REDACTED] [REDACTED] [REDACTED]	Mailing Address 215 Narragansett St
City/Town State Zip Code Gorham ME 04038	City/Town State Zip Code Gorham ME 04038
Telephone Number Fax Number [REDACTED] [REDACTED]	Business Telephone Number Fax Number 207-839-6767 207-839-6900
Federal I.D. #	Seller Certificate #: or Sales Tax #: 1132451 - 26-0776999
Email Address: Please Print info@gorhamsportscenter.com	Website: gorhamsportscenter.com

If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: _____

1. If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: _____

2. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ 7500 LIQUOR \$ 3500

3. Is applicant a corporation, limited liability company or limited partnership? YES NO

If Yes, please complete the Corporate Information required for Business Entities who are licensees.

4. Do you own or have any interest in any another Maine Liquor License? Yes No

If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

(Use an additional sheet(s) if necessary.)

License #	Name of Business	City / Town	Physical Location

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.

All fees must accompany application, make check payable to the Treasurer, State of Maine.

This application must be completed and signed by the Town or City and mailed to:
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, ME 04333-0008.
Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: _____, Maine _____
City/Town (County)

On: _____
Date

The undersigned being: Municipal Officers County Commissioners of the
 City Town Plantation Unincorporated Place of: _____, Maine

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW).][2003, c. 213, §1 (AMD) .]

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime; [1987, c. 45, Pt. A, §4 (NEW).]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c. 45, Pt. A, §4 (NEW).]

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (AMD).]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c. 592, §3 (AMD).]

E. A violation of any provision of this Title; [2009, c. 81, §1 (AMD).]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and [2009, c. 81, §2 (AMD).]

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages. [2009, c. 81, §3 (NEW).]

[2009, c. 81, §§1-3 (AMD) .]

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. [1993, c. 730, §27 (RP).]

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause. [1993, c. 730, §27 (AMD) .]

[1995, c. 140, §6 (AMD) .]

4. No license to person who moved to obtain a license. [1987, c. 342, §32 (RP) .]

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

[1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80 (AFF) .]

Please be sure to include the following with your application:

Completed the application and sign the form.

Signed check with correct license fee and filing fee.

Your local City or Towns signature(s) are on the forms.

Be sure to include your ROOM, FOOD and LIQUOR gross income for the year (if applicable).

Enclose diagram for all businesses, auxiliary locations, extended decks and storage areas.

Complete the Corporate Information sheet for all ownerships except sole proprietorships.

If you have any questions regarding your application, please contact us at (207) 624-7220.

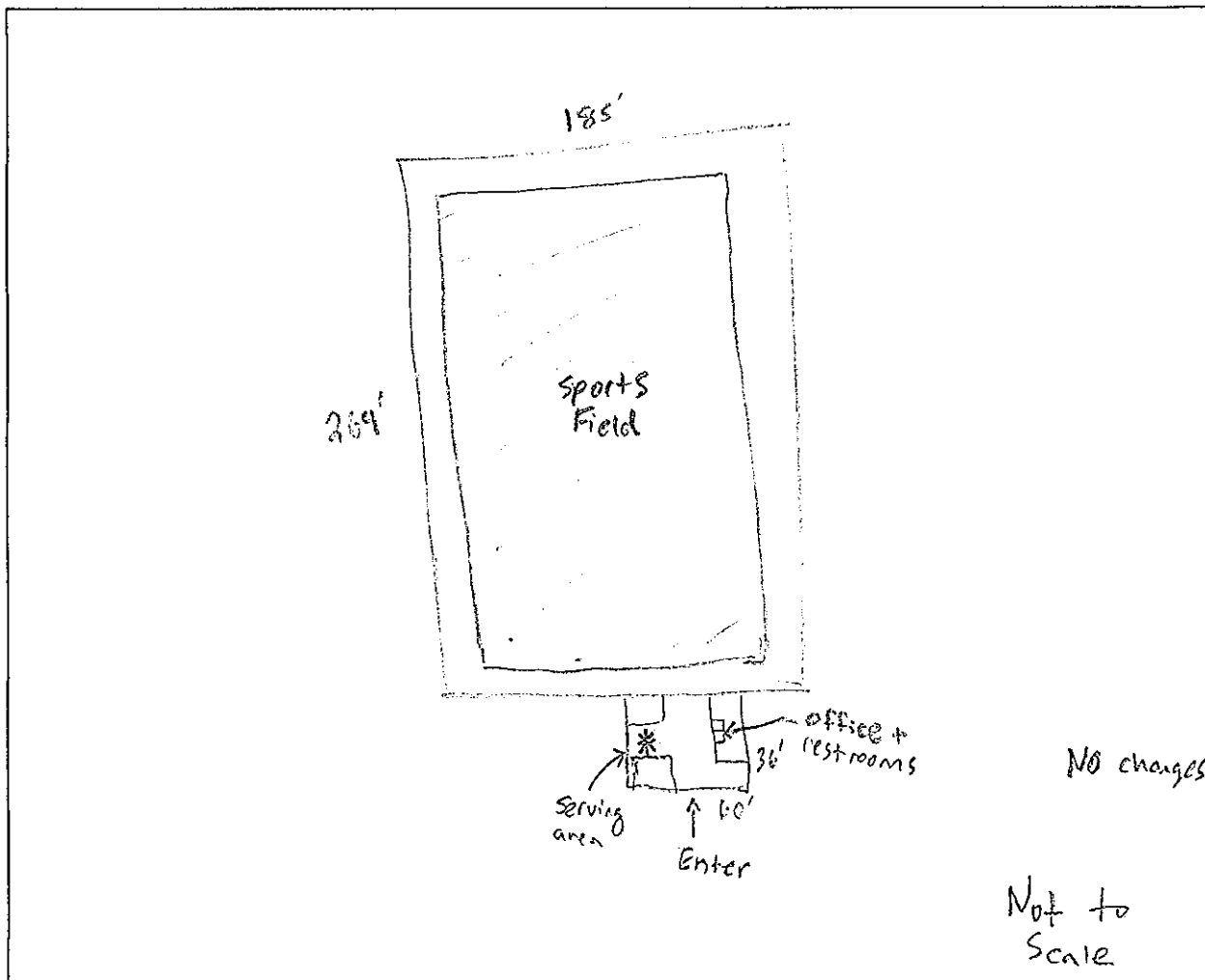
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing & Enforcement
8 State House Station, Augusta, ME 04333-0008
10 Water Street, Hallowell, ME 04347
Tel: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@maine.gov

DIVISION USE ONLY	
<input type="checkbox"/>	Approved
<input type="checkbox"/>	Not Approved
BY:	

ON PREMISE DIAGRAM

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, restrooms, decks and all areas that you are requesting approval from the Division for liquor consumption.





Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

For Office Use Only:	
License #:	_____
SOS Checked:	_____
100% Yes	<input type="checkbox"/> No <input type="checkbox"/>

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

- Exact legal name: Southern Maine Community Recreation Center
- Doing Business As, if any: Gorham Sports Center
- Date of filing with Secretary of State: 4/17/2007 State in which you are formed: ME
- If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

- List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
[REDACTED]	[REDACTED]	[REDACTED]	Board President	0
[REDACTED]	[REDACTED]	[REDACTED]	Secretary	0
[REDACTED]	[REDACTED]	[REDACTED]	Treasurer	0
[REDACTED]	[REDACTED]	[REDACTED]	Board Member	0

(Stock ownership in non-publicly traded companies must add up to 100%.)

CONT. →

- If Co-Op # of members: _____ (list primary officers in the above boxes)



Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

For Office Use Only:	
License #:	_____
SOS Checked:	_____
100% Yes	<input type="checkbox"/> No <input type="checkbox"/>

**Corporate Information Required for
Business Entities Who Are Licensees**

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

1. Exact legal name: _____
2. Doing Business As, if any: _____
3. Date of filing with Secretary of State: _____ State in which you are formed: _____
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
[REDACTED]	[REDACTED]	[REDACTED]	Board Member	0
[REDACTED]	[REDACTED]	[REDACTED]	Board Member	0
[REDACTED]	[REDACTED]	[REDACTED]	Board Member	0

(Stock ownership in non-publicly traded companies must add up to 100%.)

6. If Co-Op # of members: _____ (list primary officers in the above boxes)

7. Is any principal person involved with the entity a law enforcement official?

Yes No If Yes, Name: _____ Agency: _____

8. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes No

9. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:

 6/24/18
Signature of Duly Authorized Person Date

Tyler Maroon
Print Name of Duly Authorized Person

Submit Completed Forms to:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

CASHION ONLY. ALL CHECK LOCK SECURITY FEATURES LISTED ON BACK INDICATE NO TAMPERING OR COPYING.



SMCRC dba Gorham Sports Center
215 Narragansett Street
Gorham, ME 04038
207-839-6767

Kennebunk Savings Bank
52-7450/2112

7070

PAY TO THE ORDER OF

Town of Gorham

\$ 25.00

Twenty-Five

DOLLARS

PROTECTED AGAINST FRAUD

MEMO

Liquor license

[Signature]



06/26/2018 9:46 AM Teller1 ASL
 #25919
 Type Reference
 Amount
 Town Clerk License/Fees
 Renewal liq license
 Liquor license
 25.00
 Total:
 25.00*

Paid By: Southern Maine Recreational Center
 Remaining Balance: 0.00

Check : 25.00
 7070 - 25.00

Town of Gorham
 ----- R e c e i t

Details on Back
MP
Intuit® CheckLock™ Secure Check

From:  Robert Lefebvre Tuesday, June 26, 2018 12:35:09 PM 

Subject: Re: Gorham Sports Center liquor license

To:  Laurie Nordfors

Cc:  Dan Jones  Sharon Laflamme  Freeman Abbott  Charles Jarrett

fire is all set




GORHAM FIRE DEPARTMENT
270 Main Street, Gorham, Maine 04038

ROBERT LEFEBVRE
Fire Chief

Tel: 207-222-1642
24 Hours: 207-839-5581
Fax: 207-839-7753
E-mail: rlefebvre@gorham.me.us

Gorham
Grow with Us

From:  Dan Jones

Wednesday, June 27, 2018 8:18:06 AM 

Subject: Re: Gorham Sports Center liquor license



To:  Laurie Nordfors

No issues here.


Chief Daniel Jones
Gorham Police Department
270 Main Street
Gorham, ME 04038
(207) 222-1665
djones@gorham.me.us







DISCLAIMER: This e-mail and any file or attachment transmitted with it, is only intended for the use of the person and/or entity to whom it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the recipient of this message is not the intended recipient or otherwise responsible for delivering the message to the intended recipient, be notified that any disclosure, distribution or copying of this information is strictly prohibited. If you received this communication in error, destroy all copies of this message, attachments and/or files in your possession, custody or control and any other copies you may have created, and notify the sender at the above listed telephone number or e-mail address.

From:  Freeman Abbott Wednesday, June 27, 2018 12:16:04 PM 

Subject: Re: Gorham Sports Center liquor license

To:  Laurie Nordfors

Cc:  Dan Jones  Robert Lefebvre  Sharon Laffamme  Charles Jarrett

Code is all set



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

FIRST PREVENTERS: A First Preventer may go under the title of building inspector, building official, code enforcement officer, fire chief, fire marshal, building safety official, electrical inspector, plumbing inspector plan reviewer or simply health officer. But the labels merely obscure their common mission: to prevent harm by ensuring compliance with building safety codes before a disaster occurs. From hurricanes to tornados, floods, wildfires and earthquakes, building safety codes administered by First Preventers play a major role in saving lives, protecting property and reducing recovery costs often paid for by taxpayer dollars.

Laurie Nordfors writes:
Hello,


I have a liquor license renewal for Gorham Sports Center, 215 Narragansett Street. Do any of you have any issues with them?

Thanks,
Laurie



Laurie K Nordfors, CCM
Town Clerk
Registrar of Voters
Assistant Tax Collector
Motor Vehicle Agent

From:  Sharon Laflamme

Wednesday, June 27, 2018 4:27:51 PM 

Subject: Re: Gorham Sports Center liquor license

To:  Laurie Nordfors

Taxes have been paid

Sharon

Laurie Nordfors writes:

Hello,

I have a liquor license renewal for Gorham Sports Center, 215 Narragansett Street. Do any of you have any issues with them?

Thanks,

Laurie



Laurie K Nordfors, CCM
Town Clerk
Registrar of Voters
Assistant Tax Collector
Motor Vehicle Agent
Town of Gorham
75 South Street
Gorham, ME 04038
207-222-1670
fax- 207-839-5036

Sharon LaFlamme
Finance Director
Town of Gorham
75 South Street, Ste., 1
Gorham, ME 04038
207-222-1611

TOWN OF GORHAM

APPLICATION FOR MASSAGE THERAPIST/ESTABLISHMENT LICENSE

THIS BOX FOR MUNICIPAL USE ONLY

Date of Application 4/17/2018 Agenda Date _____ License # 1806
 Date Fee Paid 4/17/2018 New Renewal _____

Taxes	Account #	Paid	FEE: MASSAGE THERAPIST	\$ 50.00
Real Estate	_____	_____	MASSAGE ESTABLISHMENT	\$ 75.00
Personal Prop.	_____	_____	COMBINED LICENSE	\$ 100.00
			CONDITIONAL LICENSE	\$ 50.00
			REQUIRED BACKGROUND CHECK	\$ 31.00

MAP _____ LOT _____ ZONING _____ CERT. OF OCCUPANCY ISSUED _____

CODE ENFORCEMENT OFFICER
 APPROVED _____
 DISAPPROVED _____
 COMMENT _____

CHIEF OF POLICE DCJ
 APPROVED _____
 DISAPPROVE _____
 COMMENT _____

HEALTH OFFICER (if requested by CEO)
 APPROVED _____
 DISAPPROVED _____
 COMMENT _____

APPLICANT INFORMATION (Please submit 2 current photos)

Austin, Audrey Lynne (Nelson) _____
 Applicant Name: Last, First, Middle Home Phone # _____ Business Phone # _____
Audrey Nelson _____ SEX: M / F
 Other names ever used by Applicant _____

Residence Address _____ Mailing Address (if different) _____

Applicants State Identification #: MT6106 _____
 Conditional Therapist Only: Name of licensed supervisor _____

Name and address of Massage Establishment: 510 Main St Group 510 Main St Gorham, ME 04038

If premises upon which therapeutic massage establishment is located are not owned by applicant please give owners name and address: Beth Germond 671-8237

Business Type-circle one: Sole Proprietor / Association / Partnership / Corporation

If applicable, please attach Articles of Association and By-Laws; evidence of existence of Partnership; or Articles of Incorporation and Corporate By-Laws.

For Massage Establishment Licenses Only: Please attach a list of all business owners, officers, managers, and/or partners and their current residence address during the three years immediately preceding the date of this application. Name and address of Establishment Supervisor: _____

Does applicant, or any officer of a corporate applicant, or any partner of a partnership applicant, or any person having an actual ownership interest or management authority in this business, have any arrests or convictions for any offenses, other than traffic violations, during the past five years? _____ Yes No

YEAR	OFFENSE	LOCATION	DISPOSITION

TURN OVER AND COMPLETE BACK

TOWN OF GORHAM

APPLICATION FOR MASSAGE THERAPIST/ESTABLISHMENT LICENSE

THIS BOX FOR MUNICIPAL USE ONLY

Date of Application 4/17/2018 Agenda Date _____ License # 1806
 Date Fee Paid 4/17/2018 New Renewal _____

Taxes	Account #	Paid	FEE: MASSAGE THERAPIST	\$ 50.00
Real Estate	_____	_____	MASSAGE ESTABLISHMENT	\$ 75.00
Personal Prop.	_____	_____	COMBINED LICENSE	\$100.00
			CONDITIONAL LICENSE	\$ 50.00
			REQUIRED BACKGROUND CHECK	\$ 31.00


MAP _____ LOT _____ ZONING _____ CERT. OF OCCUPANCY ISSUED _____


<u>CODE ENFORCEMENT OFFICER</u>	<u>CHIEF OF POLICE</u>
APPROVED <u>EA</u>	APPROVED _____
DISAPPROVED _____	DISAPPROVE _____
COMMENT _____	COMMENT _____

HEALTH OFFICER (if requested by CEO)

APPROVED EA
 DISAPPROVED _____
 COMMENT _____

APPLICANT INFORMATION (Please submit 2 current photos)

Austin, Audrey Lynne (Nelson) 

Applicant Name: Last, First, Middle Home Phone # Business Phone #
Audrey Nelson  EX: M/F

Other names used by Applicant _____



Residence Address Mailing Address (if different)

Applicants State Identification #: MT6106

Conditional Therapist Only: Name of licensed supervisor _____

Name and address of Massage Establishment: 510 Main St Group 510 Main St Gorham, ME 04038

If premises upon which therapeutic massage establishment is located are not owned by applicant please give owners name and address: Beth Germond 671-8237

Business Type-circle one: Sole Proprietor / Association / Partnership / Corporation

If applicable, please attach Articles of Association and By-Laws; evidence of existence of Partnership; or Articles of Incorporation and Corporate By-Laws.

For Massage Establishment Licenses Only: Please attach a list of all business owners, officers, managers, and/or partners and their current residence address during the three years immediately preceding the date of this application. Name and address of Establishment Supervisor: _____

Does applicant, or any officer of a corporate applicant, or any partner of a partnership applicant, or any person having an actual ownership interest or management authority in this business, have any arrests or convictions for any offenses, other than traffic violations, during the past five years? Yes No

If yes: YEAR	OFFENSE	LOCATION	DISPOSITION
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

TURN OVER AND COMPLETE BACK

NEW APPLICATIONS FOR MASSAGE THERAPIST AND COMBINED LICENSES: ATTACH ONE OF THE FOLLOWING PROFICIENCY REQUIREMENTS (Check one and attach appropriate documentation)

- Evidence of completion of a formal training course in massage therapy given by a recognized school.
- Evidence of 100 hours of on-the-job training in therapeutic massage performed in the presence of a therapist licensed by the Town of Gorham.
- Evidence of continuous practice as a Massage Therapist for at least one (1) year, accompanied by the written recommendations of at least five (5) therapists licensed by the Town of Gorham, the State of Maine or by a municipality that has enacted Massage Therapist Licensing requirements similar to those of the Town of Gorham.
- Evidence of successful completion of a certified exam given by the AMTA, or another Municipality or State.

CERTIFICATION OF INFORMATION

PLEASE READ AND SIGN

I hereby certify that all statements made in this application are true. I agree and understand that any misstatements or omissions of material fact herein will result in denial of license or revocation of license if one has already been issued.

Further, I hereby certify that I have read the Town of Gorham's Massage Establishment and Massage Therapist Ordinance and I am aware of its requirements.

In addition, I hereby authorize the release of any criminal history record information or driving history record information to the Town Clerk's Office or licensing authority. I understand that this information shall become public record, and I hereby waive any rights of privacy with respect hereto.

Audrey Austin
Signature of Applicant

4-17-18
Date

AUTHORIZATION TO RELEASE INFORMATION

I, Audrey Austin (Nelson), being an applicant seeking a therapeutic
(Applicant's printed name)
massage establishment or combined establishment/massage therapist license from the Town of
Gorham, do hereby direct you to release to the Gorham Police Department or its representative
any and all information you have, and copies of records with any reference to, my criminal record.
A copy of this authorization will be as effective as any original. This release will expire 60 days
after the date signed.

I hereby affirm that I have read the above directive and release in its entirety and fully
understand it.

Audrey Austin
APPLICANT'S SIGNATURE

4-17-18
DATE

SWORN AND SUBSCRIBED BEFORE ME on this 17 day of April 2018

Bethany Benson
NOTARY PUBLIC SIGNATURE

Bethany M. Benson
Notary Public
State of Maine
My Commission Expires Sept. 11, 2020

* Legally changed last name from Austin back to
maiden name, Nelson, in February 2018.







State of Maine
 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
 OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION
 MASSAGE THERAPY PROGRAM

License Number MT6106

Be it known that

AUDREY L. AUSTIN

has qualified as required by Title 32 MRSA Chapter 127 and is licensed as:

MASSAGE THERAPIST

Anne L. Head
 Commissioner

ISSUE DATE
 January 11, 2018

EXPIRATION DATE
 January 31, 2019

X Detach



STATE OF MAINE
 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
 OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION
 MASSAGE THERAPY PROGRAM

License Number MT6106
AUDREY L. AUSTIN
 MASSAGE THERAPIST

ISSUED 01/11/2018

EXPIRES 01/31/2019

STATE OF MAINE
 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
 35 State House Station
 Augusta, Maine 04333-0035
 (207) 624-8603

Anne L. Head
 Commissioner

TOWN OF GORHAM

APPLICATION FOR MASSAGE THERAPIST/ESTABLISHMENT LICENSE

THIS BOX FOR MUNICIPAL USE ONLY

Date of Application 2/26/18 Agenda Date _____ License # 1804
 Date Fee Paid 2/26/18 New _____ Renewal X

Taxes	Account #	Paid	FEE: MASSAGE THERAPIST	\$ 50.00
Real Estate	_____	_____	MASSAGE ESTABLISHMENT	\$ 75.00
Personal Prop.	_____	_____	COMBINED LICENSE	\$100.00
			CONDITIONAL LICENSE	\$ 50.00
			REQUIRED BACKGROUND CHECK	\$ 31.00

MAP _____ LOT _____ ZONING _____ CERT. OF OCCUPANCY ISSUED _____

FA
 CODE ENFORCEMENT OFFICER APPROVED _____
 DISAPPROVED _____
 COMMENT _____

DC
 CHIEF OF POLICE APPROVED _____
 DISAPPROVE _____
 COMMENT _____

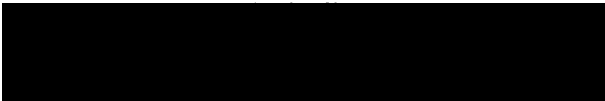
FA
 HEALTH OFFICER (if requested by CEO) APPROVED _____
 DISAPPROVED _____
 COMMENT _____

APPLICANT INFORMATION (Please submit 2 current photos)

Berks Elizabeth
 Applicant Name: Last, First, Middle

Home Phone # _____ Business Phone # 207 653 8148

SEX: M/F F



Mailing Address (if different)

Applicants State Identification #: MT 759

Conditional Therapist Only: Name of licensed supervisor

Name and address of Massage Establishment: Liz Berks massage therapist

If premises upon which therapeutic massage establishment is located are not owned by applicant please give owners name and address: 12 Elm Street

Business Type-circle one: Sole Proprietor Association / Partnership / Corporation

If applicable, please attach Articles of Association and By-Laws; evidence of existence of Partnership; or Articles of Incorporation and Corporate By-Laws.

For Massage Establishment Licenses Only: Please attach a list of all business owners, officers, managers, and/or partners and their current residence address during the three years immediately preceding the date of this application. Name and address of Establishment Supervisor: _____

Does applicant, or any officer of a corporate applicant, or any partner of a partnership applicant, or any person having an actual ownership interest or management authority in this business, have any arrests or convictions for any offenses, other than traffic violations, during the past five years? Yes _____ No X

YEAR	OFFENSE	LOCATION	DISPOSITION

TURN OVER AND COMPLETE BACK

TOWN OF GORHAM

APPLICATION FOR MASSAGE THERAPIST/ESTABLISHMENT LICENSE

THIS BOX FOR MUNICIPAL USE ONLY

Date of Application 2/20/18 Agenda Date _____ License # 1804
 Date Fee Paid 2/20/18 New _____ Renewal X

Taxes	Account #	Paid	FEE: MASSAGE THERAPIST	\$ 50.00
Real Estate	_____	_____	MASSAGE ESTABLISHMENT	\$ 75.00
Personal Prop.	_____	_____	COMBINED LICENSE	\$100.00
			CONDITIONAL LICENSE	\$ 50.00
			REQUIRED BACKGROUND CHECK	\$ 31.00

MAP _____ LOT _____ ZONING _____ CERT. OF OCCUPANCY ISSUED _____

CODE ENFORCEMENT OFFICER FA CHIEF OF POLICE
 APPROVED _____ APPROVED _____
 DISAPPROVED _____ DISAPPROVE _____
 COMMENT _____ COMMENT _____

HEALTH OFFICER (if requested by CEO)
 APPROVED FA
 DISAPPROVED _____
 COMMENT _____

APPLICANT INFORMATION (Please submit 2 current photos)

Berks Elizabeth Home Phone # _____ Business Phone # 207 653 8148
 Applicant Name: Last, First, Middle SEX: M/F

Other names used by Applicant _____

 Mailing Address (if different)

Applicants State Identification #: MT 759 Conditional Therapist Only: Name of licensed supervisor _____
 Name and address of Massage Establishment: Liz Berks massage therapist

If premises upon which therapeutic massage establishment is located are not owned by applicant please give owners name and address: 12 Elm Street

Business Type-circle one: Sole Proprietor / Association / Partnership / Corporation
 If applicable, please attach Articles of Association and By-Laws; evidence of existence of Partnership; or Articles of Incorporation and Corporate By-Laws.

For Massage Establishment Licenses Only: Please attach a list of all business owners, officers, managers, and/or partners and their current residence address during the three years immediately preceding the date of this application. Name and address of Establishment Supervisor: _____

Does applicant, or any officer of a corporate applicant, or any partner of a partnership applicant, or any person having an actual ownership interest or management authority in this business, have any arrests or convictions for any offenses, other than traffic violations, during the past five years? Yes No

YEAR	OFFENSE	LOCATION	DISPOSITION

TURN OVER AND COMPLETE BACK

NEW APPLICATIONS FOR MASSAGE THERAPIST AND COMBINED LICENSES: ATTACH ONE OF THE FOLLOWING PROFICIENCY REQUIREMENTS (Check one and attach appropriate documentation)

- Evidence of completion of a formal training course in massage therapy given by a recognized school.
- Evidence of 100 hours of on-the-job training in therapeutic massage performed in the presence of a therapist licensed by the Town of Gorham.
- Evidence of continuous practice as a Massage Therapist for at least one (1) year, accompanied by the written recommendations of at least five (5) therapists licensed by the Town of Gorham, the State of Maine or by a municipality that has enacted Massage Therapist Licensing requirements similar to those of the Town of Gorham.
- Evidence of successful completion of a certified exam given by the AMTA, or another Municipality or State.

CERTIFICATION OF INFORMATION

PLEASE READ AND SIGN

I hereby certify that all statements made in this application are true. I agree and understand that any misstatements or omissions of material fact herein will result in denial of license or revocation of license if one has already been issued.

Further, I hereby certify that I have read the Town of Gorham's Massage Establishment and Massage Therapist Ordinance and I am aware of its requirements.

In addition, I hereby authorize the release of any criminal history record information or driving history record information to the Town Clerk's Office or licensing authority. I understand that this information shall become public record, and I hereby waive any rights of privacy with respect hereto.

Elyse A. Best
Signature of Applicant

2-26-18
Date

AUTHORIZATION TO RELEASE INFORMATION

I, Elizabeth Berks, being an applicant seeking a therapeutic
(Applicant's printed name)
massage establishment or combined establishment/massage therapist license from the Town of
Gorham, do hereby direct you to release to the Gorham Police Department or its representative
any and all information you have, and copies of records with any reference to, my criminal record.
A copy of this authorization will be as effective as any original. This release will expire 60 days
after the date signed.

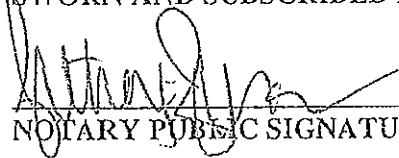
I hereby affirm that I have read the above directive and release in its entirety and fully
understand it.

Ely M Bent

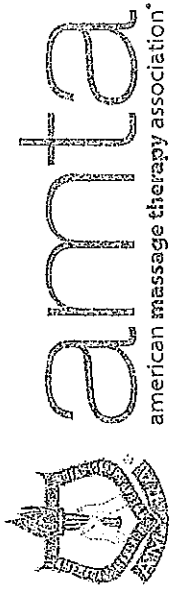
2-26-18
DATE


APPLICANT'S DATE OF BIRTH

SWORN AND SUBSCRIBED BEFORE ME on this 26 day of February 2018


NOTARY PUBLIC SIGNATURE

Bethany M. Benson
Notary Public
State of Maine
My Commission Expires Sept. 11, 2020

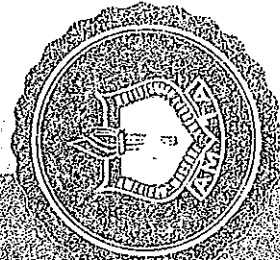


This verifies that

Elizabeth M. Berks

Has successfully met the professional standards established for recognition as a **Professional Member with Active status** in good standing of the American Massage Therapy Association and is hereby granted this certificate of membership.

in witness whereof, this Officer has affixed her hand and the Seal of this Association.



Dolly Wallace, AMTA National President

This verification expires: 10/31/2018
Organized 1943. Incorporated in the State of Delaware 1960



State of Maine
 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
 OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION
 MASSAGE THERAPY PROGRAM

License Number MT759

Be it known that
ELIZABETH M. BERKS
 has qualified as required by Title 32 MRSA Chapter 127 and is licensed as:
MASSAGE THERAPIST

Anne L. Head
 Commissioner

ISSUE DATE
 December 27, 2017

EXPIRATION DATE
 December 31, 2018

X Detach



STATE OF MAINE
 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
 OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION
 MASSAGE THERAPY PROGRAM

License Number MT759
ELIZABETH M. BERKS
 MASSAGE THERAPIST

ISSUED 12/27/2017

EXPIRES 12/31/2018

STATE OF MAINE
 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
 35 State House Station
 Augusta, Maine 04333-0035
 (207) 624-8603

Anne L. Head
 Commissioner



TOWN OF GORHAM

APPLICATION FOR MASSAGE THERAPIST/ESTABLISHMENT LICENSE

THIS BOX FOR MUNICIPAL USE ONLY

Date of Application 12-18-2017 Agenda Date _____ License # MT 3417
 Date Fee Paid _____ New _____ Renewal _____ *See Emails*

Taxes	Account #	Paid	FEE: <u>MASSAGE THERAPIST</u>	\$ <u>50.00</u>
Real Estate	_____	_____	<u>MASSAGE ESTABLISHMENT</u>	\$ <u>75.00</u>
Personal Prop.	_____	_____	<u>COMBINED LICENSE</u>	\$ <u>100.00</u>
			<u>CONDITIONAL LICENSE</u>	\$ <u>50.00</u>
			<u>REQUIRED BACKGROUND CHECK</u>	\$ <u>31.00</u>

MAP _____ LOT _____ ZONING _____ CERT. OF OCCUPANCY ISSUED _____

CODE ENFORCEMENT OFFICER
 APPROVED _____
 DISAPPROVED _____
 COMMENT _____

CHIEF OF POLICE
 APPROVED Dcy
 DISAPPROVE _____
 COMMENT _____

HEALTH OFFICER (if requested by CEO)
 APPROVED _____
 DISAPPROVED _____
 COMMENT _____

APPLICANT INFORMATION (Please submit 2 current photos)

Downs M Downs
 Applicant Name: Last, First, Middle (Downs, Christina M) Home Phone # _____ Business Phone # 207-205-7169
 Other names used by Applicant _____ DA _____ SEX: M F

Applicants State Identification #: 8750262

Conditional Therapist Only: Name of licensed supervisor _____

Name and address of Massage Establishment: Christina Downs 510 Main St Gorham ME 04308

If premises upon which therapeutic massage establishment is located are not owned by applicant please give owners name and address: The 510 Group LLC, 510 Main St Gorham ME 04308

Business Type-circle one: Sole Proprietor / Association / Partnership / Corporation

If applicable, please attach Articles of Association and By-Laws; evidence of existence of Partnership; or Articles of Incorporation and Corporate By-Laws.

For Massage Establishment Licenses Only: Please attach a list of all business owners, officers, managers, and/or partners and their current residence address during the three years immediately preceding the date of this application. Name and address of Establishment Supervisor: _____

Does applicant, or any officer of a corporate applicant, or any partner of a partnership applicant, or any person having an actual ownership interest or management authority in this business, have any arrests or convictions for any offenses, other than traffic violations, during the past five years? Yes _____ No

YEAR	OFFENSE	LOCATION	DISPOSITION

TURN OVER AND COMPLETE BACK

TOWN OF GORHAM

APPLICATION FOR MASSAGE THERAPIST/ESTABLISHMENT LICENSE

THIS BOX FOR MUNICIPAL USE ONLY

Date of Application 12-18-2017 Agenda Date _____ License # 1801
 Date Fee Paid 12/18/2017 New _____ Renewal

Taxes	Account #	Paid	FEE: MASSAGE THERAPIST	\$ 50.00
Real Estate	_____	_____	MASSAGE ESTABLISHMENT	\$ 75.00
Personal Prop.	_____	_____	COMBINED LICENSE	\$100.00
			CONDITIONAL LICENSE	\$ 50.00
			REQUIRED BACKGROUND CHECK	\$ 31.00

MAP _____ LOT _____ ZONING _____ CERT. OF OCCUPANCY ISSUED _____

CODE ENFORCEMENT OFFICER
 APPROVED FA 2/27/18
 DISAPPROVED _____
 COMMENT _____

CHIEF OF POLICE
 APPROVED _____
 DISAPPROVE _____
 COMMENT _____

HEALTH OFFICER (if requested by CEO)
 APPROVED 2/27/18
 DISAPPROVED _____
 COMMENT _____

APPLICANT INFORMATION (Please submit 2 current photos)

Downs M Downs
 Applicant Name: Last, First, Middle (Downs, Christina M) Home Phone # _____ Business Phone # 207-205-7169
 DATE OF BIRTH _____ SEX: M (F)

Residence Address _____
 Mailing Address (if different) _____

Applicants State Identification #: 8750262

Conditional Therapist Only: Name of licensed supervisor
 Name and address of Massage Establishment: Christina Downs 510 Main St Gorham ME 04308

If premises upon which therapeutic massage establishment is located are not owned by applicant please give owners name and address: The 510 Group LLC 510 Main St Gorham ME 04308

Business Type-circle one: Sole Proprietor / Association / Partnership / Corporation

If applicable, please attach Articles of Association and By-Laws; evidence of existence of Partnership; or Articles of Incorporation and Corporate By-Laws.

For Massage Establishment Licenses Only: Please attach a list of all business owners, officers, managers, and/or partners and their current residence address during the three years immediately preceding the date of this application. Name and address of Establishment Supervisor: _____

Does applicant, or any officer of a corporate applicant, or any partner of a partnership applicant, or any person having an actual ownership interest or management authority in this business, have any arrests or convictions for any offenses, other than traffic violations, during the past five years? Yes _____ No

YEAR	OFFENSE	LOCATION	DISPOSITION

TURN OVER AND COMPLETE BACK

NEW APPLICANTIONS FOR MASSAGE THERAPIST AND COMBINED LICENSES: ATTACH ONE OF THE FOLLOWING PROFICIENCY REQUIREMENTS (Check one and attach appropriate documentation)

- ___ Evidence of completion of a formal training course in massage therapy given by a recognized school.
- ___ Evidence of 100 hours of on-the-job training in therapeutic massage performed in the presence of a therapist licensed by the Town of Gorham.
- ___ Evidence of continuous practice as a Massage Therapist for at least one (1) year, accompanied by the written recommendations of at least five (5) therapists licensed by the Town of Gorham, the State of Maine or by a municipality that has enacted Massage Therapist Licensing requirements similar to those of the Town of Gorham.
- ___ Evidence of successful completion of a certified exam given by the AMTA, or another Municipality or State.

CERTIFICATION OF INFORMATION

PLEASE READ AND SIGN

I hereby certify that all statements made in this application are true. I agree and understand that any misstatements or omissions of material fact herein will result in denial of license or revocation of license if one has already been issued.

Further, I hereby certify that I have read the Town of Gorham's Massage Establishment and Massage Therapist Ordinance and I am aware of its requirements.

In addition, I hereby authorize the release of any criminal history record information or driving history record information to the Town Clerk's Office or lincising authority. I understand that this information shall become public record, and I hereby waive any rights of privacy with respect hereto.

Christina Davis
Signature of Applicantant

12-18-2018
Date

AUTHORIZATION TO RELEASE INFORMATION

I, Christina Downs, being an applicant seeking a therapeutic
(Applicant's printed name)
massage establishment or combined establishment/massage therapist license from the Town of
Gorham, do hereby direct you to release to the Gorham Police Department or its representative
any and all information you have, and copies of records with any reference to, my criminal record.
A copy of this authorization will be as effective as any original. This release will expire 60 days
after the date signed.

I hereby affirm that I have read the above directive and release in its entirety and fully
understand it.

Christina Downs
APPLICANT'S SIGNATURE

12-18-2018
DATE


APPLICANT'S DATE OF BIRTH

SWORN AND SUBSCRIBED BEFORE ME on this 18th day of Dec 2018

NOTARY PUBLIC SIGNATURE

TOWN OF GORHAM

APPLICATION FOR MASSAGE THERAPIST/ESTABLISHMENT LICENSE

THIS BOX FOR MUNICIPAL USE ONLY

Date of Application 11/30/18 Agenda Date _____ License # _____
 Date Fee Paid _____ New _____ Renewal _____

Taxes	Account #	Paid	FEE: MASSAGE THERAPIST	\$ 50.00
Real Estate	_____	_____	MASSAGE ESTABLISHMENT	\$ 75.00
Personal Prop.	_____	_____	COMBINED LICENSE	\$100.00
			CONDITIONAL LICENSE	\$ 50.00
			REQUIRED BACKGROUND CHECK	\$ 31.00

MAP _____ LOT _____ ZONING _____ CERT. OF OCCUPANCY ISSUED _____

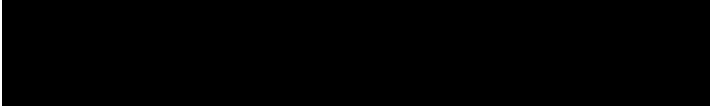
CODE ENFORCEMENT OFFICER APPROVED _____ DISAPPROVED _____ COMMENT _____

CHIEF OF POLICE APPROVED DCJ _____ DISAPPROVE _____ COMMENT _____

HEALTH OFFICER (if requested by CEO) APPROVED _____ DISAPPROVED _____ COMMENT _____

APPLICANT INFORMATION (Please submit 2 current photos)

Jackson, Chelsea, Paige _____ Same _____
 Applicant Name: Last, First, Middle Home Phone # Business Phone #
 _____ DATE OF BIRTH _____ SEX: M (F)



_____ Mailing Address (if different)

Applicants State Identification #: _____

Name and address of Massage Establishment: Therivault Chiropractic & Massage, 381 Main St. Unit 3
Gorham, ME 07038

If premises upon which therapeutic massage establishment is located are not owned by applicant please give owners name and address: Heather Therivault

Business Type-circle one: Sole Proprietor / Association / Partnership / Corporation

If applicable, please attach Articles of Association and By-Laws; evidence of existence of Partnership; or Articles of Incorporation and Corporate By-Laws.

For Massage Establishment Licenses Only: Please attach a list of all business owners, officers, managers, and/or partners and their current residence address during the three years immediately preceding the date of this application. Name and address of Establishment Supervisor: _____

Does applicant, or any officer of a corporate applicant, or any partner of a partnership applicant, or any person having an actual ownership interest or management authority in this business, have any arrests or convictions for any offenses, other than traffic violations, during the past five years? Yes No

If yes: YEAR	OFFENSE	LOCATION	DISPOSITION

TURN OVER AND COMPLETE BACK

TOWN OF GORHAM

APPLICATION FOR MASSAGE THERAPIST/ESTABLISHMENT LICENSE

THIS BOX FOR MUNICIPAL USE ONLY

Date of Application _____ Agenda Date _____ License # _____
 Date Fee Paid _____ New _____ Renewal _____

Taxes	Account #	Paid	
Real Estate	_____	_____	FEE: MASSAGE THERAPIST \$ 50.00
Personal Prop.	_____	_____	MASSAGE ESTABLISHMENT \$ 75.00
			COMBINED LICENSE \$100.00
			CONDITIONAL LICENSE \$ 50.00
			REQUIRED BACKGROUND CHECK \$ 31.00

MAP _____ LOT _____ ZONING _____ CERT. OF OCCUPANCY ISSUED _____

CODE ENFORCEMENT OFFICER
 APPROVED _____ *1/30/18 JJA*
 DISAPPROVED _____
 COMMENT _____

CHIEF OF POLICE
 APPROVED _____
 DISAPPROVE _____
 COMMENT _____

HEALTH OFFICER (if requested by CEO)
 APPROVED _____
 DISAPPROVED _____
 COMMENT _____

APPLICANT INFORMATION (Please submit 2 current photos)

Jackson, Chelsea, Paige _____ *Same* _____
 Applicant Name: Last, First, Middle Home Phone # Business Phone #
 DATE OF BIRTH _____ SEX: M F

Residence Address _____ Mailing Address (if different) _____

Applicants State Identification #: _____

Name and address of Massage Establishment: *Therault Chiropractic & Massage, 381 Main St Unit 3, Gorham, ME 07038*

If premises upon which therapeutic massage establishment is located are not owned by applicant please give owners name and address: *Heather Therault*

Business Type-circle one: Sole Proprietor / Association / Partnership / Corporation

If applicable, please attach Articles of Association and By-Laws; evidence of existence of Partnership; or Articles of Incorporation and Corporate By-Laws.

For Massage Establishment Licenses Only: Please attach a list of all business owners, officers, managers, and/or partners and their current residence address during the three years immediately preceding the date of this application. Name and address of Establishment Supervisor: _____

Does applicant, or any officer of a corporate applicant, or any partner of a partnership applicant, or any person having an actual ownership interest or management authority in this business, have any arrests or convictions for any offenses, other than traffic violations, during the past five years? Yes _____ No

YEAR	OFFENSE	LOCATION	DISPOSITION

TURN OVER AND COMPLETE BACK



AUTHORIZATION TO RELEASE INFORMATION

I, Chelsea P. Jackson, being an applicant seeking a therapeutic
(Applicant's printed name)
massage establishment or combined establishment/massage therapist license from the Town of
Gorham, do hereby direct you to release to the Gorham Police Department or its representative
any and all information you have, and copies of records with any reference to, my criminal record.
A copy of this authorization will be as effective as any original. This release will expire 60 days
after the date signed.

I hereby affirm that I have read the above directive and release in its entirety and fully
understand it.

Chelsea P. Jackson
APPLICANT'S SIGNATURE

1/24/18
DATE


APPLICANT'S DATE OF BIRTH

SWORN AND SUBSCRIBED BEFORE ME on this 24th day of January 2018

Michelle D. Cote
NOTARY PUBLIC SIGNATURE

Michelle D.Cote
Notary Public, Maine
My Commission Expires Sept. 23, 2020

Polarity Realization Institute

An Educational Development Company
CERTIFICATE OF COMPLETION

This certifies that

Chelsea Jackson

*Has successfully completed the
Therapeutic Massage Career Program*

Curriculum offered at: Spa Tech Institute™

PRI Educational Development Company Member School

Melinda Sw
Director Signature

600
Hours

12/19/11
Date

CERTIFICATE OF COMPLETION

Chelsea Jackson

*Has successfully completed the
Therapeutic Massage Career Program*

Offered by



A
PRI
Educational
Development
Company
Member
School

Melba.../B...

Director Signature

600

Hours

10/19/11

Date

18-602482

Item # 9355-e

TOWN OF GORHAM

APPLICATION FOR MASSAGE THERAPIST/ESTABLISHMENT LICENSE

THIS BOX FOR MUNICIPAL USE ONLY

Date of Application 2/20/2018 Agenda Date _____ License # 1803
 Date Fee Paid 2/20/2018 New _____ Renewal X

Taxes	Account #	Paid	FEE: MASSAGE THERAPIST	\$ 50.00
Real Estate	_____	_____	MASSAGE ESTABLISHMENT	\$ 75.00
Personal Prop.	_____	_____	<u>COMBINED LICENSE</u>	\$100.00
			<u>CONDITIONAL LICENSE</u>	\$ 50.00
			<u>REQUIRED BACKGROUND CHECK</u>	\$ 31.00

MAP _____ LOT _____ ZONING _____ CERT. OF OCCUPANCY ISSUED _____

<u>CODE ENFORCEMENT OFFICER</u>	<u>CHIEF OF POLICE</u>
APPROVED _____	APPROVED <u>Dec 31/19/18</u>
DISAPPROVED _____	DISAPPROVE _____
COMMENT _____	COMMENT _____

HEALTH OFFICER (if requested by CEO)
 APPROVED _____
 DISAPPROVED _____
 COMMENT _____

APPLICANT INFORMATION (Please submit 2 current photos)

Pavin, Natalie Michelle Home Phone # _____ Business Phone # 207-894-4913
 Applicant Name: Last, First, Middle | DATE OF BIRTH | _____ SEX: M (F)

Other names ever used by Applicant _____
 _____ Mailing Address (if different)

Applicants State Identification #: MT5192
 Name and address of Massage Establishment: Skin & Body of Gorham

If premises upon which therapeutic massage establishment is located are not owned by applicant please give owners name and address: Rob Lavoie 88 State St Gorham ME

Business Type-circle one: Sole Proprietor / Association / Partnership / Corporation
 If applicable, please attach Articles of Association and By-Laws; evidence of existence of Partnership; or Articles of Incorporation and Corporate By-Laws.

For Massage Establishment Licenses Only: Please attach a list of all business owners, officers, managers, and/or partners and their current residence address during the three years immediately preceding the date of this application. Name and address of Establishment Supervisor: _____

Does applicant, or any officer of a corporate applicant, or any partner of a partnership applicant, or any person having an actual ownership interest or management authority in this business, have any arrests or convictions for any offenses, other than traffic violations, during the past five years? Yes _____ No X

YEAR	OFFENSE	LOCATION	DISPOSITION

TURN OVER AND COMPLETE BACK

TOWN OF GORHAM

APPLICATION FOR MASSAGE THERAPIST/ESTABLISHMENT LICENSE

THIS BOX FOR MUNICIPAL USE ONLY

Date of Application 2/20/2018 Agenda Date _____ License # 1803
 Date Fee Paid 2/20/2018 New _____ Renewal X

Taxes	Account #	Paid	FEE: MASSAGE THERAPIST	\$ 50.00
Real Estate	_____	_____	MASSAGE ESTABLISHMENT	\$ 75.00
Personal Prop.	_____	_____	<u>COMBINED LICENSE</u>	\$ 100.00
			CONDITIONAL LICENSE	\$ 50.00
			<u>REQUIRED BACKGROUND CHECK</u>	\$ 31.00

MAP _____ LOT _____ ZONING _____ CERT. OF OCCUPANCY ISSUED _____

CODE ENFORCEMENT OFFICER
 APPROVED ✓ FA 2/27/18
 DISAPPROVED _____
 COMMENT _____

CHIEF OF POLICE
 APPROVED _____
 DISAPPROVE _____
 COMMENT _____

HEALTH OFFICER (if requested by CEO)
 APPROVED ✓ FA 2/27/18
 DISAPPROVED _____
 COMMENT _____

APPLICANT INFORMATION (Please submit 2 current photos)

Pavin, Natalie Michelle Home Phone # _____ Business Phone # 207-894-4913
 Applicant Name: Last, First, Middle | DATE OF BIRTH _____ EX: M (F)

Other names used by Applicant: _____
 _____ Mailing Address (if different)

Applicants State Identification #: MT5192
 Name and address of Massage Establishment: Skin & Body of Gorham
 Conditional Therapist Only: Name of licensed supervisor _____

If premises upon which therapeutic massage establishment is located are not owned by applicant please give owners name and address: Bob Lavoie 88 State St Gorham ME

Business Type-circle one: Sole Proprietor / Association / Partnership / Corporation
 If applicable, please attach Articles of Association and By-Laws; evidence of existence of Partnership; or Articles of Incorporation and Corporate By-Laws.

For Massage Establishment Licenses Only: Please attach a list of all business owners, officers, managers, and/or partners and their current residence address during the three years immediately preceding the date of this application. Name and address of Establishment Supervisor: _____

Does applicant, or any officer of a corporate applicant, or any partner of a partnership applicant, or any person having an actual ownership interest or management authority in this business, have any arrests or convictions for any offenses, other than traffic violations, during the past five years? _____ Yes X No

YEAR	OFFENSE	LOCATION	DISPOSITION

TURN OVER AND COMPLETE BACK

NEW APPLICATIONS FOR MASSAGE THERAPIST AND COMBINED LICENSES: ATTACH ONE OF THE FOLLOWING PROFICIENCY REQUIREMENTS (Check one and attach appropriate documentation)

- Evidence of completion of a formal training course in massage therapy given by a recognized school.
- Evidence of 100 hours of on-the-job training in therapeutic massage performed in the presence of a therapist licensed by the Town of Gorham.
- Evidence of continuous practice as a Massage Therapist for at least one (1) year, accompanied by the written recommendations of at least five (5) therapists licensed by the Town of Gorham, the State of Maine or by a municipality that has enacted Massage Therapist Licensing requirements similar to those of the Town of Gorham.
- Evidence of successful completion of a certified exam given by the AMTA, or another Municipality or State.

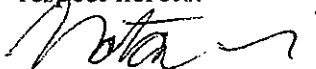
CERTIFICATION OF INFORMATION

PLEASE READ AND SIGN

I hereby certify that all statements made in this application are true. I agree and understand that any misstatements or omissions of material fact herein will result in denial of license or revocation of license if one has already been issued.

Further, I hereby certify that I have read the Town of Gorham's Massage Establishment and Massage Therapist Ordinance and I am aware of its requirements.

In addition, I hereby authorize the release of any criminal history record information or driving history record information to the Town Clerk's Office or licensing authority. I understand that this information shall become public record, and I hereby waive any rights of privacy with respect hereto.



Signature of Applicant

2/20/18

Date

AUTHORIZATION TO RELEASE INFORMATION

I, Natalie Pulin, being an applicant seeking a therapeutic
(Applicant's printed name)
massage establishment or combined establishment/massage therapist license from the Town of
Gorham, do hereby direct you to release to the Gorham Police Department or its representative
any and all information you have, and copies of records with any reference to, my criminal record.
A copy of this authorization will be as effective as any original. This release will expire 60 days
after the date signed.

I hereby affirm that I have read the above directive and release in its entirety and fully
understand it.

Natalie Pulin
APPLICANT'S SIGNATURE

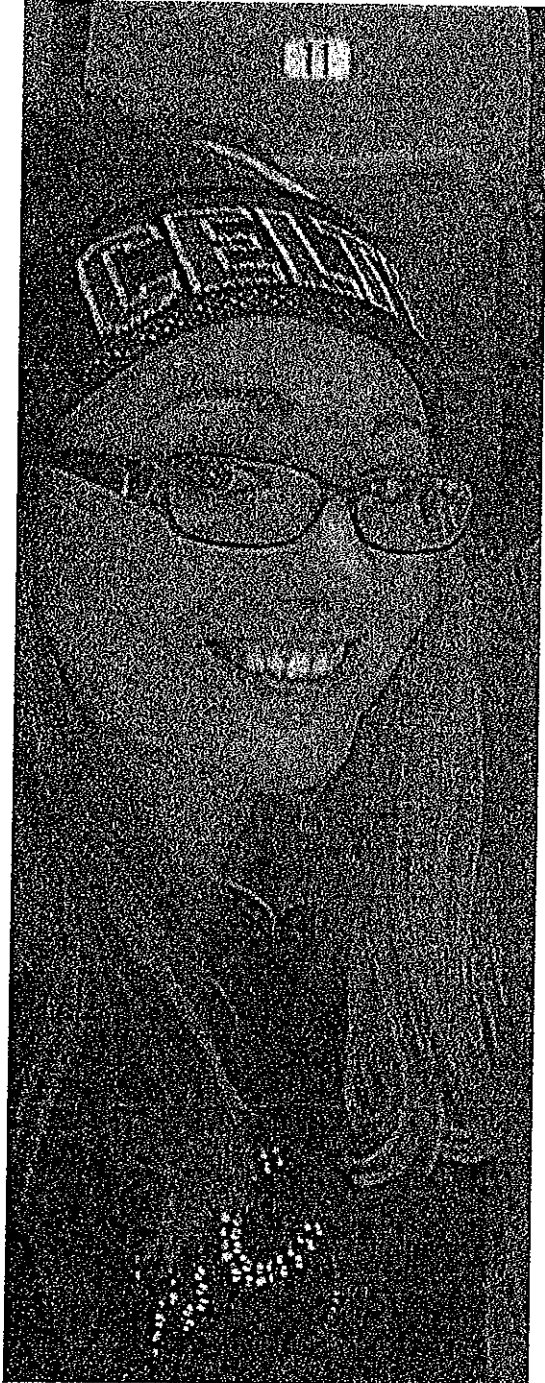
2/20/18
DATE

[Redacted]
A _____ H

SWORN AND SUBSCRIBED BEFORE ME on this 20th day of February 2018

Kathryn F. Cummings
NOTARY PUBLIC SIGNATURE

Kathryn F. Cummings
Notary Public
State of Maine
My Commission Expires Dec. 13, 2023





State of Maine
 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
 OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION
 MASSAGE THERAPY PROGRAM

License Number MT5192

Be it known that
NATALIE MICHELLE POULIN
 has qualified as required by Title 32 MRSA Chapter 127 and is licensed as:
MASSAGE THERAPIST

Anne L. Head
 Commissioner

ISSUE DATE
 October 17, 2017

EXPIRATION DATE
 October 31, 2018

X Detach



STATE OF MAINE
 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
 OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION
 MASSAGE THERAPY PROGRAM

License Number MT5192
NATALIE MICHELLE POULIN
 MASSAGE THERAPIST

ISSUED 10/17/2017

EXPIRES 10/31/2018

STATE OF MAINE
 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
 35 State House Station
 Augusta, Maine 04333-0035
 (207) 624-8603

Anne L. Head
 Commissioner

CERTIFICATE OF COMPLETION

Natalie Poulin

*Has successfully completed the
Therapeutic Massage Career Program*

Offered by



A
PRI
Educational
Development
Company
Member
School

[Handwritten Signature]
Director Signature

1000
Hours

9-30-13
Date

TOWN OF GORHAM

APPLICATION FOR MASSAGE THERAPIST/ESTABLISHMENT LICENSE

THIS BOX FOR MUNICIPAL USE ONLY

Date of Application 3/27/2018 Agenda Date License # 1805
Date Fee Paid 3/27/2018 New Renewal X

Taxes Account # Paid
Real Estate
Personal Prop.

FEE: MASSAGE THERAPIST \$ 50.00
MASSAGE ESTABLISHMENT \$ 75.00
COMBINED LICENSE \$100.00
CONDITIONAL LICENSE \$ 50.00
REQUIRED BACKGROUND CHECK \$ 31.00

MAP LOT ZONING CERT. OF OCCUPANCY ISSUED

CODE ENFORCEMENT OFFICER

APPROVED
DISAPPROVED
COMMENT

CHIEF OF POLICE

APPROVED
DISAPPROVE
COMMENT

HEALTH OFFICER (if requested by CEO)

APPROVED
DISAPPROVED
COMMENT

APPLICANT INFORMATION (Please submit 2 current photos)

Theriacult, Heather Anna Home Phone # Business Phone # 207 222-2118

DATE OF BIRTH EX: M/F

Mailing Address (if different)

Applicants State Identification #:

Name and address of Massage Establishment: Theriacult Chiropractic, Massage of Gorham, 381 Main St Unit 3 Gorham

If premises upon which therapeutic massage establishment is located are not owned by applicant please give owners name and address: Kim Dore, 6 Riparian Trail, Windholm 04062

Business Type-circle one: Sole Proprietor Association / Partnership / Corporation

If applicable, please attach Articles of Association and By-Laws; evidence of existence of Partnership; or Articles of Incorporation and Corporate By-Laws.

For Massage Establishment Licenses Only: Please attach a list of all business owners, officers, managers, and/or partners and their current residence address during the three years immediately preceding the date of this application. Name and address of Establishment Supervisor:

Does applicant, or any officer of a corporate applicant, or any partner of a partnership applicant, or any person having an actual ownership interest or management authority in this business, have any arrests or convictions for any offenses, other than traffic violations, during the past five years? Yes No

Table with 4 columns: YEAR, OFFENSE, LOCATION, DISPOSITION

TURN OVER AND COMPLETE BACK

TOWN OF GORHAM

APPLICATION FOR MASSAGE THERAPIST/ESTABLISHMENT LICENSE

THIS BOX FOR MUNICIPAL USE ONLY

Date of Application 3/27/2018 Agenda Date _____ License # 1805
 Date Fee Paid 3/27/2018 New _____ Renewal

Taxes	Account #	Paid	FEE: MASSAGE THERAPIST	\$ 50.00
Real Estate	_____	_____	MASSAGE ESTABLISHMENT	\$ 75.00
Personal Prop.	_____	_____	COMBINED LICENSE	\$100.00
			CONDITIONAL LICENSE	\$ 50.00
			REQUIRED BACKGROUND CHECK	\$ 31.00

MAP _____ LOT _____ ZONING _____ CERT. OF OCCUPANCY ISSUED _____

CODE ENFORCEMENT OFFICER APPROVED JA DISAPPROVED _____ COMMENT _____

CHIEF OF POLICE APPROVED _____ DISAPPROVE _____ COMMENT _____

HEALTH OFFICER (if requested by CEO) APPROVED JA DISAPPROVED _____ COMMENT _____

APPLICANT INFORMATION (Please submit 2 current photos)

Applicant Name: Last, First, Middle Theriacult, Heather Anna Home Phone # _____ Business Phone # 207 200-2118
 DATE OF BIRTH _____ SEX: M F

_____ Mailing Address (if different)

Applicants State Identification #: _____ Conditional Therapist Only: Name of licensed supervisor _____

Name and address of Massage Establishment: Theriacult Chiropractic & Massage of Gorham, 381 Main St Unit 3 Gorham

If premises upon which therapeutic massage establishment is located are not owned by applicant please give owners name and address: Kim Dore, 6 Riparian Trail, Windham 04062

Business Type-circle one: Sole Proprietor Association / Partnership / Corporation

If applicable, please attach Articles of Association and By-Laws; evidence of existence of Partnership; or Articles of Incorporation and Corporate By-Laws.

For Massage Establishment Licenses Only: Please attach a list of all business owners, officers, managers, and/or partners and their current residence address during the three years immediately preceding the date of this application. Name and address of Establishment Supervisor: _____

Does applicant, or any officer of a corporate applicant, or any partner of a partnership applicant, or any person having an actual ownership interest or management authority in this business, have any arrests or convictions for any offenses, other than traffic violations, during the past five years? Yes _____ No

YEAR	OFFENSE	LOCATION	DISPOSITION
_____	_____	_____	_____
_____	_____	_____	_____

TURN OVER AND COMPLETE BACK

NEW APPLICANTIONS FOR MASSAGE THERAPIST AND COMBINED LICENSES: ATTACH ONE OF THE FOLLOWING PROFICIENCY REQUIREMENTS (Check one and attach appropriate documentation)

- _____ Evidence of completion of a formal training course in massage therapy given by a recognized school.
- _____ Evidence of 100 hours of on-the-job training in therapeutic massage performed in the presence of a therapist licensed by the Town of Gorham.
- _____ Evidence of continuous practice as a Massage Therapist for at least one (1) year, accompanied by the written recommendations of at least five (5) therapists licensed by the Town of Gorham, the State of Maine or by a municipality that has enacted Massage Therapist Licensing requirements similar to those of the Town of Gorham.
- _____ Evidence of successful completion of a certified exam given by the AMTA, or another Municipality or State.


CERTIFICATION OF INFORMATION

PLEASE READ AND SIGN

I hereby certify that all statements made in this application are true. I agree and understand that any misstatements or omissions of material fact herein will result in denial of license or revocation of license if one has already been issued.

Further, I hereby certify that I have read the Town of Gorham's Massage Establishment and Massage Therapist Ordinance and I am aware of its requirements.

In addition, I hereby authorize the release of any criminal history record information or driving history record information to the Town Clerk's Office or licinsing authority. I understand that this information shall become public record, and I hereby waive any rights of privacy with respect hereto.



Signature of Applicantant

3/16/18

Date

AUTHORIZATION TO RELEASE INFORMATION

I, Heather Theriault, being an applicant seeking a therapeutic
(Applicant's printed name)
massage establishment or combined establishment/massage therapist license from the Town of
Gorham, do hereby direct you to release to the Gorham Police Department or its representative
any and all information you have, and copies of records with any reference to, my criminal record.
A copy of this authorization will be as effective as any original. This release will expire 60 days
after the date signed.

I hereby affirm that I have read the above directive and release in its entirety and fully
understand it.


APPLICANT'S SIGNATURE

3/16/18
DATE


APPLICANT'S DATE OF BIRTH

SWORN AND SUBSCRIBED BEFORE ME on this 27 day of March 2018


NOTARY PUBLIC SIGNATURE

Bethany M. Benson
Notary Public
State of Maine
My Commission Expires Sept. 11, 2020



Town of Gorham Planning Department

David C.M. Galbraith, *Zoning Administrator*
 dgalbraith@gorham.me.us

Thomas M. Poirier, *Town Planner*
 tpoirier@gorham.me.us

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

Tel: 207-222-1620

TO: Ephrem Paraschak, Town Manager

FROM: Thomas M. Poirier, Town Planner *TP*

SUBJECT: Sandwich Board/ A-frame Signs

DATE: July 3, 2018

At the Planning Board's June 4, 2018 Planning Board meeting the Board forwarded (7 ayes) the amendment to mobile vending units ordinance as amended by the Planning Board. The ordinance amendment proposed by the Town Council is shown underlined with the Planning Board's recommended changes are shown **bolded, underlined, and struck-through**.

The majority of the Planning Board's changes to the proposed ordinance amendment are meant to clarify language and requirements for sandwich board/ A-frame signs.

Public Comment: No public comments were given at the meeting.

AMENDMENT TRACKING

DESCRIPTION	COMMENTS	STATUS
Town Council Meeting	The Town Council forwards the item to the Planning Board for a public hearing and recommendations. (7 ayes)	January 2, 2018
Planning Board Meeting	The Planning Board forwarded the item to the Planning Board's Ordinance Committee for review and recommendations.	March 5, 2018
Planning Board Ordinance Committee Meeting	The Planning Board reviewed the language and proposed some changes to clarify a couple of provisions.	April 26, 2018
Planning Board Meeting: Public Hearing	The Planning moved (7 ayes) recommendation of the proposed ordinance amendment with changes by the Planning Board.	June 4, 2018

Proposed Ordinance Language

CHAPTER 2: GENERAL STANDARDS OF PERFORMANCE

SECTION 2-3- SIGNS

D. PROHIBITED SIGNS, DISPLAYS, AND RELATED MATERIALS

- n) Sandwich Board/A-frame Signs: Freestanding signs that meet the definition of a sandwich board sign are prohibited both within street rights-of-way, and on private property.

Planning Board Recommendation: Sandwich Board/ A-frame Signs

E. PERFORMANCE STANDARDS

15. Sandwich Board/A-frame Signs: In addition to the signs allowed under section G. Permitted Non-Residential Signs, ~~each business a single occupant property~~ is allowed one sandwich board sign with an area not to exceed 8 sq.ft. ~~No Each A multi-occupant property~~ is allowed to have ~~up to more than~~ 3 sandwich board signs in use at one time ~~with only 1 sign being used per occupant~~. The sandwich board signs must be taken inside when the business is closed. The signs cannot be located within any street rights-of-way, must be located on the same lot as the use, and cannot hinder or restrict pedestrian or vehicular traffic on or off the site

G. PERMITTED NON-RESIDENTIAL SIGNS

1) Village Environment

a) Single-Occupant Property

(1) Allowed Freestanding Signs

(b) Sandwich Board/A-frame Sign: per Section 2-3 Signs, E. Performance Standard, 15.

b) Multi-Occupant Property

(1) Allowed Freestanding Signs

(c) Sandwich Board/A-frame Sign: per Section 2-3 Signs, E. Performance Standard, 15.

2) Roadside Environment

a) Single-Occupant Property

(1) Allowed Freestanding Signs

(c) Sandwich Board/A-frame Sign: per Section 2-3 Signs, E. Performance Standard, 15.

b) Multi-Occupant Property

(1) Allowed Freestanding Signs

(f) Sandwich Board/A-frame Sign: per Section 2-3 Signs, E. Performance Standard, 15.

3) Industrial/ Business Park Environment

a) Single-Occupant Property

(1) Allowed Freestanding Signs

(b) Sandwich Board/A-frame Sign: per Section 2-3 Signs, E. Performance Standard, 15.

b) Multi-Occupant Property

(1) Allowed Freestanding Signs

(e) Sandwich Board/A-frame Sign: per Section 2-3 Signs, E. Performance Standard, 15.

Planning Board Recommendation: Sandwich Board/ A-frame Signs

4) Residential Environment

a) Single-Occupant Property

(1) Allowed Freestanding Signs

(b) Sandwich Board/A-frame Sign: per Section 2-3 Signs, E. Performance Standard, 15.

b) Multi-Occupant Property

(1) Allowed Freestanding Signs

(d) Sandwich Board/A-frame Sign: per Section 2-3 Signs, E. Performance Standard, 15.



Town of Gorham Planning Department

David C.M. Galbraith, *Zoning Administrator*
dgalbraith@gorham.me.us

Thomas M. Poirier, *Town Planner*
tpoirier@gorham.me.us

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

Tel: 207-222-1620

To: Ephrem Paraschak, Town Manager

From: Thomas M. Poirier, Town Planner *TM*

Subject: Conveyance of a 28.8 Acres of Open Space/ Conservation

Date: August 2, 2018

W.A. One is proposing to deed to the Town a piece of land that is roughly 29 acres identified as open space/ conservation parcel in the Madison Avenue Subdivision for the purposes of open space, public access to the Little River, trail use, and passive recreational uses.

On January 8, 2018, W.A. One received subdivision approval for a 9 lot subdivision designed under the Town's clustered subdivision standards. As part of the Planning Board approval process the Gorham Conservation Commission reviewed the subdivision's open space/ conservation area and identified the following to the Planning Board:

- A trail is located in the open space that provides for vital connection between North Gorham and the center of Gorham by snowmobiles and non-motorized use (hiking, biking, snow shoeing, and cross country skiing). The Commission would like to ensure the trail use continues into the future.
- The open space contains unique natural features such as river frontage along the Little River and a vernal pool.

The Gorham Conservation Commission recommended that the open space/ conservation parcels be deeded to the Town and a gravel driveway be constructed with 4 parking spaces for the public's use. The Gorham Conservation Commission is looking to utilize the area to protect trail connection/ use from North Gorham to the center of Gorham and provide potential access to the Little River and other natural features. On May 9, 2018 the Gorham Conservation Commission voted unanimously to recommend the Town Council accept ownership of the open space/ conservation parcels.

Planning staff has included a copy of the approved subdivision plans for the Town Council's review of the open space to be deed to the Town.



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

Planning Department/ Planning Board
Town of Gorham
75 South Street
Gorham, ME 04038

February 28, 2017

RE: Gordon Farms Road Subdivision- Madison Way

Dear Mr. Poirier,

Gorham's Conservation Commission has reviewed the overall plan for a subdivision off of Gordon Farms Rd. The plans show an existing trail network that extends to abutting parcels with two or more "re-routes" to ensure continuity.

The open space and existing trail have provided a source of outdoor recreation for residents of Gorham for many years. It is also an area rich in wildlife, which inhabit the existing streams and vernal pools.

The Conservation Commission strongly recommends that the developer deed all open space identified in the overall plan to the Town of Gorham. This will ensure continued recreation opportunities as well as conservation of land.

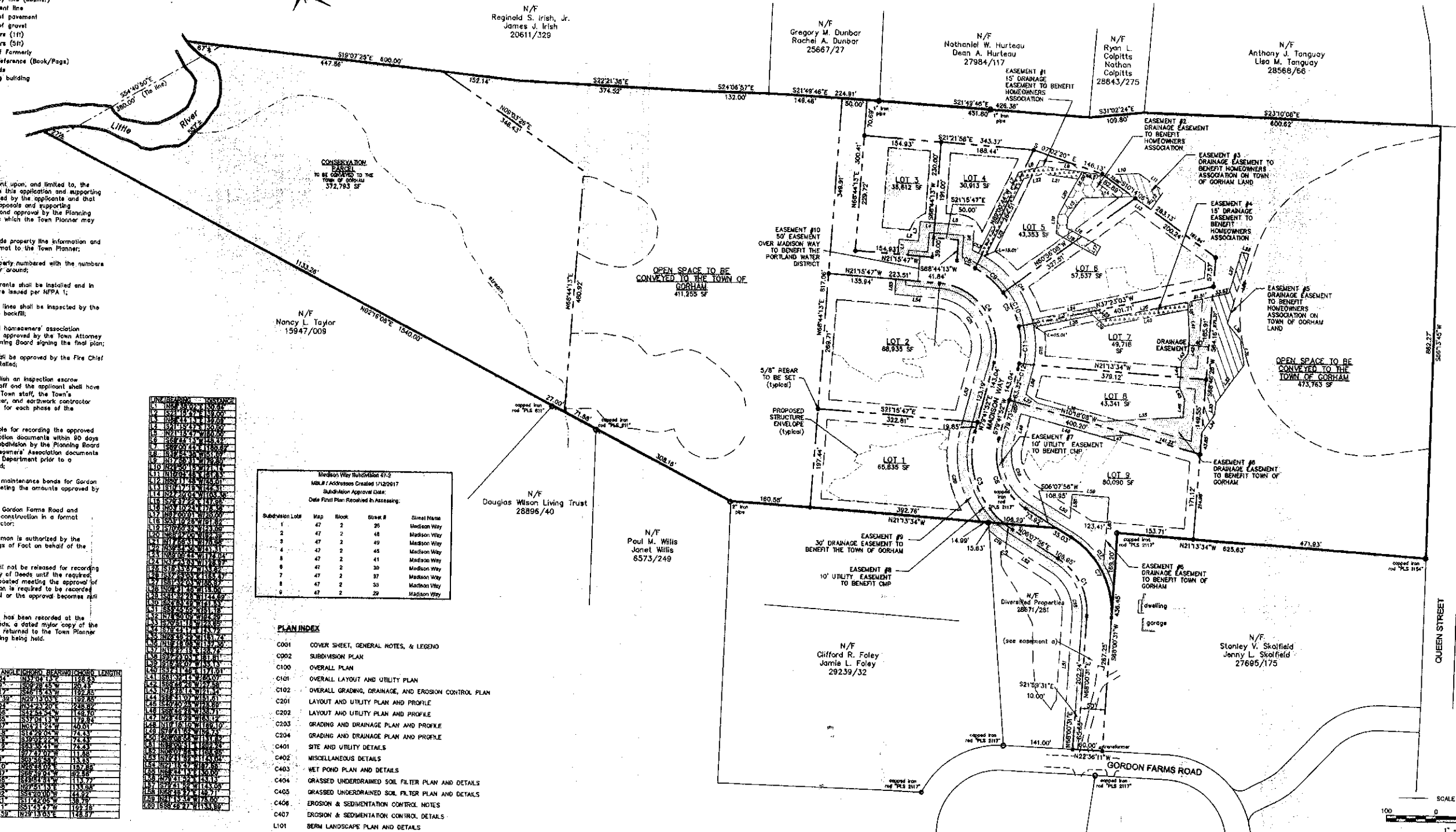
Best Regards,

A handwritten signature in blue ink that reads "Robert Lavoie".

Robert Lavoie

Chair, Gorham Conservation Commission

- LEGEND**
- Iron marker - found
 - Iron marker - set (#5 rebar)
 - Monument - set
 - Property line (locus)
 - - - Property line (sublot)
 - - - Easement line
 - - - Edge of pavement
 - - - Edge of gravel
 - - - Contours (1ft)
 - - - Contours (5ft)
 - - - Now of Formerly
 - - - Dead reference (Book/Page)
 - - - Wetlands
 - ▨ Existing building



- 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 applicant and that any variation from the plans, proposals and supporting documents is subject to review and approval by the Planning Board, except for minor changes which the Town Planner may approve;
 - 2) That the applicant shall provide property line information and site information in auto-coded format to the Town Planner;
 - 3) That the houses shall be properly numbered with the numbers being visible from the street year around;
 - 4) That the water main and hydrants shall be installed and in service before building permits are issued per N.P.A. I;
 - 5) That the underground electric lines shall be inspected by the Code Enforcement Office prior to backfill;
 - 6) That the easement deeds and homeowners' association documents shall be reviewed and approved by the Town Attorney and Town Staff prior to the Planning Board signing the final plan;
 - 7) That the hydrant locations shall be approved by the Fire Chief at the time the hydrants are installed;
 - 8) That the applicant shall establish an inspection escrow meeting the approval of Town Staff and the applicant shall have a pre-construction meeting with Town staff, the Town's inspecting engineer, design engineer, and airwork contractor prior to the start of construction for each phase of the development;
 - 9) That the applicant is responsible for recording the approved Madison Way Homeowners' Association documents within 90 days of the date of approval of the subdivision by the Planning Board and a recorded copy of the Homeowners' Association documents shall be returned to the Planning Department prior to a preconstruction meeting being held;
 - 10) That the applicant shall post maintenance bonds for Gordon Farms Road and Mercier Drive meeting the amounts approved by the Public Works Director;
 - 11) That the applicant shall video Gordon Farms Road and Mercier Way prior to the start of construction in a format approved by the Public Works Director;
 - 12) That the Planning Board Chairman is authorized by the Planning Board to sign the Findings of Fact on behalf of the entire Board;
 - 13) That the subdivision plans shall not be released for recording at the Cumberland County Registry of Deeds until the required performance guarantee has been posted meeting the approval of Town Staff, and the subdivision plan is required to be recorded within one year of original approval or the approval becomes null and void; and
 - 14) That once the subdivision plan has been recorded at the Cumberland County Registry of Deeds, a dated mylar copy of the recorded subdivision plans shall be returned to the Town Planner prior to a pre-construction meeting being held.

Madison Way Subdivision 47-2
M.B.L.# / Address Created 1/12/2017
Subdivision Approval Date:
Date First Plan Resolved in Assessing:

Subdivision Lot#	Map	Book	Sheet #	Street Name
1	47	2	25	Madison Way
2	47	2	48	Madison Way
3	47	2	49	Madison Way
4	47	2	45	Madison Way
5	47	2	41	Madison Way
6	47	2	39	Madison Way
7	47	2	37	Madison Way
8	47	2	33	Madison Way
9	47	2	29	Madison Way

PLAN INDEX

C001	COVER SHEET, GENERAL NOTES, & LEGEND
C002	SUBDIVISION PLAN
C100	OVERALL PLAN
C101	OVERALL LAYOUT AND UTILITY PLAN
C102	OVERALL GRADING, DRAINAGE, AND EROSION CONTROL PLAN
C201	LAYOUT AND UTILITY PLAN AND PROFILE
C202	LAYOUT AND UTILITY PLAN AND PROFILE
C203	GRADING AND DRAINAGE PLAN AND PROFILE
C204	GRADING AND DRAINAGE PLAN AND PROFILE
C401	SITE AND UTILITY DETAILS
C402	MISCELLANEOUS DETAILS
C403	WET POND PLAN AND DETAILS
C404	GRASSED UNDERDRAINED SOIL FILTER PLAN AND DETAILS
C405	GRASSED UNDERDRAINED SOIL FILTER PLAN AND DETAILS
C406	EROSION & SEDIMENTATION CONTROL NOTES
C407	EROSION & SEDIMENTATION CONTROL DETAILS
L101	BERM LANDSCAPE PLAN AND DETAILS

NO.	DATE	DESCRIPTION	BY	CHKD.
1	02/02/18	Issue for recording	JRC	JRC
2	02/02/18	Issue for recording	JRC	JRC
3	02/02/18	Issue for recording	JRC	JRC
4	02/02/18	Issue for recording	JRC	JRC
5	02/02/18	Issue for recording	JRC	JRC
6	02/02/18	Issue for recording	JRC	JRC
7	02/02/18	Issue for recording	JRC	JRC
8	02/02/18	Issue for recording	JRC	JRC
9	02/02/18	Issue for recording	JRC	JRC
10	02/02/18	Issue for recording	JRC	JRC
11	02/02/18	Issue for recording	JRC	JRC
12	02/02/18	Issue for recording	JRC	JRC
13	02/02/18	Issue for recording	JRC	JRC
14	02/02/18	Issue for recording	JRC	JRC
15	02/02/18	Issue for recording	JRC	JRC
16	02/02/18	Issue for recording	JRC	JRC
17	02/02/18	Issue for recording	JRC	JRC
18	02/02/18	Issue for recording	JRC	JRC
19	02/02/18	Issue for recording	JRC	JRC
20	02/02/18	Issue for recording	JRC	JRC
21	02/02/18	Issue for recording	JRC	JRC
22	02/02/18	Issue for recording	JRC	JRC
23	02/02/18	Issue for recording	JRC	JRC
24	02/02/18	Issue for recording	JRC	JRC
25	02/02/18	Issue for recording	JRC	JRC
26	02/02/18	Issue for recording	JRC	JRC
27	02/02/18	Issue for recording	JRC	JRC
28	02/02/18	Issue for recording	JRC	JRC
29	02/02/18	Issue for recording	JRC	JRC
30	02/02/18	Issue for recording	JRC	JRC
31	02/02/18	Issue for recording	JRC	JRC
32	02/02/18	Issue for recording	JRC	JRC
33	02/02/18	Issue for recording	JRC	JRC
34	02/02/18	Issue for recording	JRC	JRC
35	02/02/18	Issue for recording	JRC	JRC
36	02/02/18	Issue for recording	JRC	JRC
37	02/02/18	Issue for recording	JRC	JRC
38	02/02/18	Issue for recording	JRC	JRC
39	02/02/18	Issue for recording	JRC	JRC
40	02/02/18	Issue for recording	JRC	JRC
41	02/02/18	Issue for recording	JRC	JRC
42	02/02/18	Issue for recording	JRC	JRC
43	02/02/18	Issue for recording	JRC	JRC
44	02/02/18	Issue for recording	JRC	JRC
45	02/02/18	Issue for recording	JRC	JRC
46	02/02/18	Issue for recording	JRC	JRC
47	02/02/18	Issue for recording	JRC	JRC
48	02/02/18	Issue for recording	JRC	JRC
49	02/02/18	Issue for recording	JRC	JRC
50	02/02/18	Issue for recording	JRC	JRC
51	02/02/18	Issue for recording	JRC	JRC
52	02/02/18	Issue for recording	JRC	JRC
53	02/02/18	Issue for recording	JRC	JRC
54	02/02/18	Issue for recording	JRC	JRC
55	02/02/18	Issue for recording	JRC	JRC
56	02/02/18	Issue for recording	JRC	JRC
57	02/02/18	Issue for recording	JRC	JRC
58	02/02/18	Issue for recording	JRC	JRC
59	02/02/18	Issue for recording	JRC	JRC
60	02/02/18	Issue for recording	JRC	JRC
61	02/02/18	Issue for recording	JRC	JRC
62	02/02/18	Issue for recording	JRC	JRC
63	02/02/18	Issue for recording	JRC	JRC
64	02/02/18	Issue for recording	JRC	JRC
65	02/02/18	Issue for recording	JRC	JRC
66	02/02/18	Issue for recording	JRC	JRC
67	02/02/18	Issue for recording	JRC	JRC
68	02/02/18	Issue for recording	JRC	JRC
69	02/02/18	Issue for recording	JRC	JRC
70	02/02/18	Issue for recording	JRC	JRC
71	02/02/18	Issue for recording	JRC	JRC
72	02/02/18	Issue for recording	JRC	JRC
73	02/02/18	Issue for recording	JRC	JRC
74	02/02/18	Issue for recording	JRC	JRC
75	02/02/18	Issue for recording	JRC	JRC
76	02/02/18	Issue for recording	JRC	JRC
77	02/02/18	Issue for recording	JRC	JRC
78	02/02/18	Issue for recording	JRC	JRC
79	02/02/18	Issue for recording	JRC	JRC
80	02/02/18	Issue for recording	JRC	JRC
81	02/02/18	Issue for recording	JRC	JRC
82	02/02/18	Issue for recording	JRC	JRC
83	02/02/18	Issue for recording	JRC	JRC
84	02/02/18	Issue for recording	JRC	JRC
85	02/02/18	Issue for recording	JRC	JRC
86	02/02/18	Issue for recording	JRC	JRC
87	02/02/18	Issue for recording	JRC	JRC
88	02/02/18	Issue for recording	JRC	JRC
89	02/02/18	Issue for recording	JRC	JRC
90	02/02/18	Issue for recording	JRC	JRC
91	02/02/18	Issue for recording	JRC	JRC
92	02/02/18	Issue for recording	JRC	JRC
93	02/02/18	Issue for recording	JRC	JRC
94	02/02/18	Issue for recording	JRC	JRC
95	02/02/18	Issue for recording	JRC	JRC
96	02/02/18	Issue for recording	JRC	JRC
97	02/02/18	Issue for recording	JRC	JRC
98	02/02/18	Issue for recording	JRC	JRC
99	02/02/18	Issue for recording	JRC	JRC
100	02/02/18	Issue for recording	JRC	JRC

- NOTES**
- 1) Book and Page references are to the Cumberland County Registry of Deeds.
 - 2) Bearings are referenced to grid north, Maine State Plane Coordinate System, NAD83, West Zone derived from GPS observations.
 - 3) Portion of the property lying along the stream and the Little River are within Zone A based on FEMA Community #230047 Flood #0015 B, dated October 10, 1981. Zone A is an area of 100-year flood, base flood elevations and flood hazard factors not determined.
 - 4) Madison Way has been designed to the Town of Gorham's rural access standards. Madison Way shall be a private way until such time, if ever, it is accepted by the Town of Gorham. All maintenance including but not limited to repair, snow removal, sodding, drainage facilities, and similar services shall be the responsibility of the Madison Way Homeowner's Association until such time, if ever, that it is accepted by the Town of Gorham. All drainage facilities not located in the road's right of way shall be the responsibility of the Madison Way Homeowner's Association.

EASEMENTS OF RECORD

- a) Property is subject to a Driveway Easement conveyed to Stanley Skolfield and Jenny Skolfield by Diversified Properties, Inc. as amended in Book 32967, Page 169.

Approved by the Town of Gorham Planning Board
 dated March 7, 2018

[Signature]
[Signature]

- PLAN REFERENCES**
- 1) Amended Plan of Private Way Riverbend Road and Riverbend Subdivision made for Paul and Janet Willis by B&M dated September, 1998 recorded in Plan Book 200, Page 494.
 - 2) Plan of Land made for Nathan Hurteau by Wayne Wood & Co. dated August, 2010.
 - 3) First Amended Subdivision Plan: Gordon Farms Subdivision: Phase 2 made for Smith and Smith Construction by Sabago Technics dated November 10, 2005 and revised through June 6, 2008 recorded in Plan Book 208, Page 327.
 - 4) Second Amended Subdivision Plan Gordon Farms Subdivision: Phase 2 made for Diversified Properties, Inc. dated February, 2013 and revised through July 16, 2013 recorded in Plan Book 213, Page 367.

State of Maine, Cumberland ss
 Registry of Deeds
 Received March 7, 2018
 at 10 h. 12 m. A.M. and recorded in
 Plan Book 318 Page 13
 Attest: *[Signature]*

TOTAL AREA
 1,813,997.8 square feet / 41.62 acres

OWNERS OF RECORD
 Diversified Properties, Inc. Book 28671, Page 281
 W.A. One. Book 32237, Page 72
 Tax Assessment Map 47, Lot 2

CERTIFICATION
 This survey conforms to the current standards of practice set forth by the Maine State Board of Licensure for Land Surveyors.



Rev.	Date	Description	By
Rev. 5	02/02/18	misc. text corrections	JRC
Rev. 4	01/31/18	terminus of water district easement	JRC
Rev. 3	11/14/17	reconfigure Madison Way entrance	JRC
Rev. 2	11/13/17	easement labels and hatching	JRC
Rev. 1	11/08/17	reconfiguration of Lot 5, conditions of approval	JRC

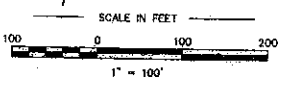
**PLAN OF
 Madison Way Subdivision**
 Gordon Farms Road
 Gorham, Maine

MADE FOR
W. A. One
 P.O. Box 10127
 Portland, Maine

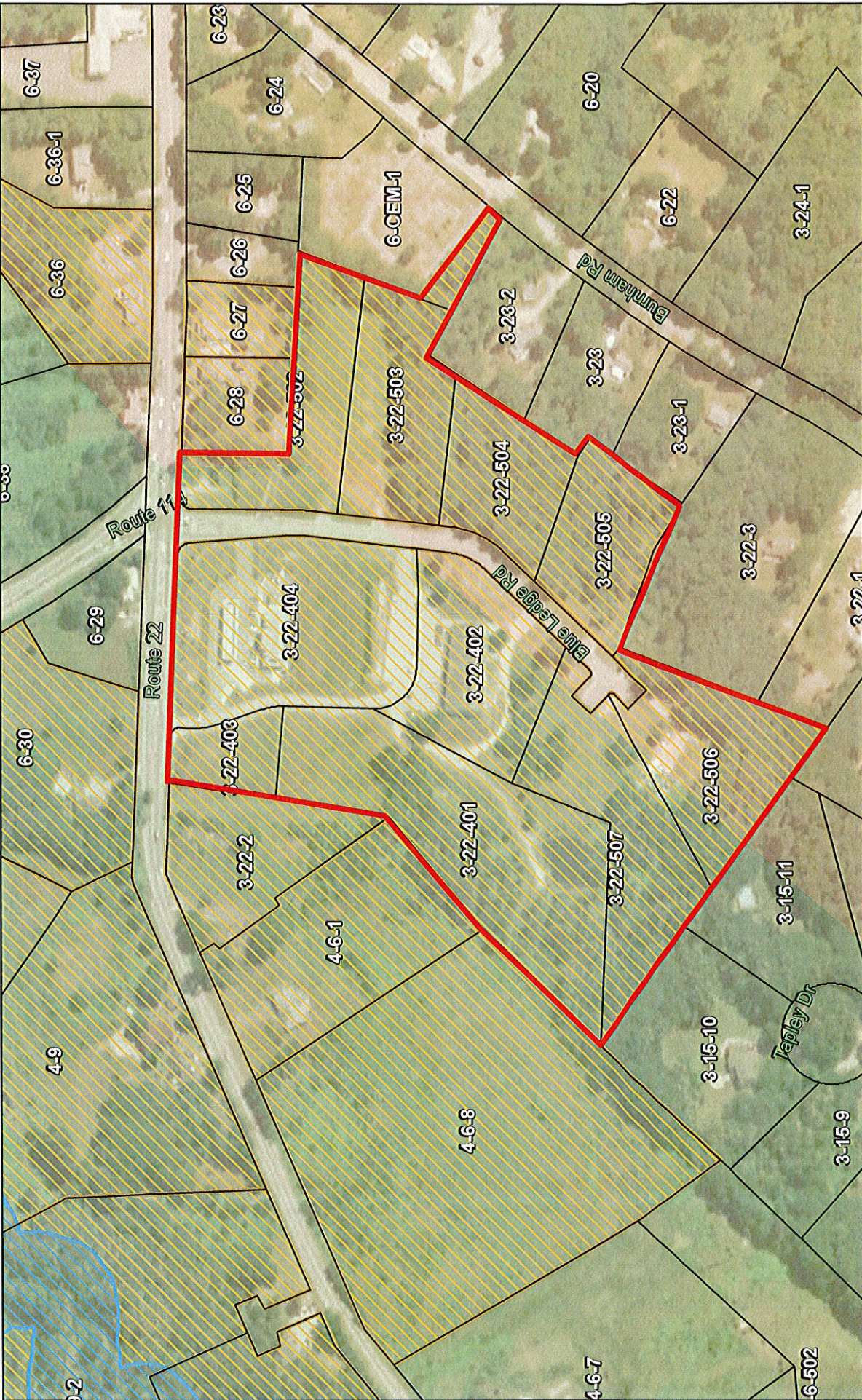
JOB #213010
 BOOK #899
 213010-2015
 FILE #0580

DATE: September 2, 2017
 SCALE: 1" = 100'

Titcomb Associates
 133 Gray Road, Falmouth, Maine 04105
 (207)797-9199 www.titcomb-survey.com



Hans Hansen Contract Zone



6/28/2018, 3:31:12 PM

Parcel Labels

Parcels

SR: Suburban Residential

McLellan: McLellan Sampson House

Zoning - Shoreland Overlay Districts

10- PS:10 Preble

R: Rural

Major Road Labels

Zoning - Conditional Zone

Rural

Parcel Labels

Scale: 0 to 0.11 mi / 0 to 0.17 km

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Public User
Town of Gorham

**AMENDMENT TO CONTRACT ZONING AGREEMENT
BETWEEN HANS C. HANSEN, INC.
AND THE TOWN OF GORHAM**

This Amendment to Contract Zoning Agreement, made this 1ST day of October, 2013, 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 **HANS HANSEN, INC.**, a Maine corporation with a mailing address of P.O. Box 264, Gorham, Maine 04038 (hereinafter "Hansen").

WHEREAS, the Town entered into a Contract Zoning Agreement with Hansen, dated October 21, 2011 and recorded in the Cumberland County Registry of Deeds in Book 29646, Page 97 (hereinafter the "Contract Zoning Agreement") that established zoning regulations for a parcel of real estate located at 74 County Road, Gorham, Maine, consisting of 23.8 acres (hereinafter "the Property"); and

WHEREAS, the Property consists of Lots 22.401, 22.402, 22.403, 22.404, 22.502, 22.503, 22.504, 22.505, 22.506 and 22.507 on the Town's Tax Map 3; and

WHEREAS, the Contract Zoning Agreement established use, dimensional and performance standards for the Property; and

WHEREAS, Hansen has entered into a Purchase and Sale Agreement with GC CF New England, LLC, for the purchase of the unit to be located on the area consisting of Tax Map 3, Lot 22.404 of the Property (hereinafter the "Parcel"), also known as Unit 4 of the Stargazer Subdivision, a condominium development; and

WHEREAS, Hansen seeks to amend the dimensional and performance standards established by the Contract Zoning Agreement in order to facilitate the proposed development of the Parcel; and

TOWN OF GORHAM

David O. Cole

David O. Cole
Its Town Manager
(duly authorized by vote of the
Gorham Town Council on
October 1, 2013)

HANS HANSEN, INC.

Hans Hansen

Hans Hansen
Its President

STATE OF MAINE
CUMBERLAND, ss

October 23, 2013

Personally appeared the above-named David O. Cole, in his capacity as Town Manager for the Town of Gorham, and made oath that the foregoing instrument is his free act and deed in his said capacity and the free act and deed of the Town of Gorham.

Laurie K. Nordfors
Notary Public/Attorney at Law

Laurie K. Nordfors
Notary Public

Print Name **State of Maine**
My Commission Expires 12-23-2016

STATE OF MAINE
CUMBERLAND, ss

October 23, 2013

Personally appeared the above-named Hans Hansen in his capacity as President of Hans Hansen, Inc., and made oath that the foregoing instrument is his free act and deed in his said capacity and the free act and deed of Hans Hansen, Inc.

Laurie K. Nordfors
Notary Public/Attorney at Law

Laurie K. Nordfors
Notary Public

Print Name **State of Maine**
My Commission Expires 12-23-2016

**CONTRACT ZONING AGREEMENT
BETWEEN
HANS C. HANSEN, INC., AND TOWN OF GORHAM**

This Contract Zoning Agreement, made this 21st day of OCTOBER, 2011, 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 **HANS HANSEN, INC.**, a Maine corporation with a mailing address of P.O. Box 264, Gorham, Maine 04038.

WHEREAS, Hans Hansen, Inc. ("Hansen") is the owner of a parcel of real estate located on Route 22/114 in Gorham, Maine, consisting of 23.8 acres located on or near the intersection of Route 22 and Route 114 (hereinafter "the Property"); and

WHEREAS, the Property consists of Lots 22.401, 22.402, 22.403, 22.404, 22.502, 22.503, 22.504, 22.505, 22.506, and 22.507 on the Town's Tax Map 3; and

WHEREAS, the Property is currently located partially in the Suburban Residential District and partially in the Rural District, as established by the Town's Land Use and Development Code; and

WHEREAS, the Property is located in an area with significant motor vehicle traffic, especially at the intersection of Route 22 and Route 114; and

WHEREAS, a greater flexibility of uses than is allowed in the underlying zoning district is appropriate in light of the unique nature of the site and its proximity to the major intersection; and

WHEREAS, the high volume of traffic, particularly at the intersection, makes it difficult to develop the Property for residential purposes; and

WHEREAS, certain non-residential uses have been determined to be appropriate for the site, subject to the restrictions set forth in this Agreement, in addition to the applicable requirements of the Land Use and Development Code; 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 I, 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 1993 Gorham Comprehensive Plan, by promoting additional job opportunities and providing for development that is "carried out in a manner that is environmentally sound and which minimizes the impact on surrounding properties" (Chapter 3, Section 3.g); and

WHEREAS, a portion of the Property is located in an area shown on the Revised Land Use Plan in the Comprehensive Plan as "Neighborhood Center," which calls for "a mix of land uses in these centers, including residential uses, services, small scale retail uses that primarily meet local needs, and specialty commercial uses that are appropriate to the area"; 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 Contract Zoning Agreement on October 4, 2011;

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 in the Land Use and Development Code, Chapter I, Section I, Subsection C, by adopting the map change amendment shown on Attachment I.

2. **Permitted Uses.** Hansen is authorized to establish on the Property any of the following uses without additional Town Council authorization:
 - a. Funeral home.
 - b. Day Care Centers, as defined in Chapter I, Section V of the Land Use and Development Code.
 - c. Business Services, Personal Services and Repair Services Establishments as defined in Chapter I, Section V of the Land Use and Development Code.
 - d. Convenience stores, either with or without associated gasoline sales.
 - e. Sit-down restaurants.
 - f. Retail stores that have a 7,000 square feet footprint or less in total floor area.
 - g. Professional offices, including real estate offices, medical offices, attorneys' offices, and similar offices that are not high generators of traffic.
 - h. Banks.

No drive-through or drive-up facilities shall be allowed with any of the above-listed permitted uses, unless the Planning Board finds as part of site plan review, based upon a traffic study to be provided by the applicant, that the proposed use will not result in vehicles queuing in front of the proposed building or on the roadway serving the lot. The applicant for a use shall be responsible for all required traffic mitigation costs identified by the traffic study and shall acquire any permits required by the Maine Department of Transportation.

3. **Additional Uses Allowed with Town Council Approval.** The following uses may be established if specifically authorized by the Town Council:

Light industrial uses of 10,000 square feet or less in total floor area. Such uses shall include the assembly of materials but shall exclude basic processes such as smelting, refining, distilling, forging, brewing and similar processes involving converting raw materials to a finished or semi-finished product. Examples of light industrial uses are bakeries, laboratories, and businesses that assemble materials into a finished product.

4. **Performance Standards.** All development and uses shall be subject to all applicable performance standards set forth in Chapter II of the Land Use and Development Code.

5. **Dimensional Requirements.** 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: 10 feet, unless the side or rear of a lot is located on Route 22/114.
 - d. Minimum front setback: 10 feet, unless the lot has frontage on Route 22/114. For a lot without frontage, the front setback shall be measured from the property line parallel with either Blue Ledge Road or the South Gorham Crossing private driveway.
 - e. Minimum setback from Route 22/114: 75 feet.
 - f. Maximum building height: None.
 - g. Minimum setbacks from residential properties: 20 feet.
6. **Other Requirements.** All development on the property shall comply with the following requirements:
- a. The minimum landscape buffer along Rt. 22/114 shall be 70 feet of plants and materials as required by the Planning Board.
 - b. There shall be no new entrances or exits to the property from Route 22/114.
 - c. The hours of operation will be established by the Planning Board.
 - d. To the extent possible, parking shall be in the rear of building and parking lots shall be interconnected. The Planning Board may consider parking at the side of the building if a use can show a hardship, but under no circumstances shall parking be allowed in the front yard or in the 75 foot buffered area between Rt. 22/114 and the project. For purposes of this section, the front yard for a lot without street frontage shall be considered to be the area between the property line parallel with either Blue Ledge Road or the South Gorham Crossing private driveway and the front of the building on the lot.
 - e. All property shall pay normally assessed property taxes or if the property is otherwise exempt from property taxes, shall make a payment in lieu of property taxes that is equal to 100 % of the amount that would have been paid if the business was subjected to the property tax.
 - f. The application fee for the contract zone normally due at the time the application is submitted shall be deferred. The applicant shall pay an application fee equal to \$500 for each lot that is sold for each of the first 7 lots. Payment is due at closing for each individual lot.
 - g. The applicant shall make a contribution towards the future extension of public sewer of \$10,000 per lot or business unit for each lot sold. The contribution shall be due at closing for each individual lot.
 - h. The building and lot design shall be consistent with a traditional New England Village Character.
 - i. Sidewalks shall be added along Blue Ledge Road and South Gorham Crossing.
 - j. Buffering along residential properties will meet the approval of the Planning Board during the site plan review of individual lots.
 - k. Signage for lots within the Property shall be governed by the Roadside Environment requirements of Chapter II, Section III of the Land Use and Development Code. No signage shall be placed in locations where it can be seen from Route 22/114, except for one freestanding business park directory sign meeting the requirements of Chapter II, Section III.2.b (regulations for multi-occupant property). Signage for individual lots must be placed so that it can be seen from Blue Ledge Road or from the South Gorham Crossing private driveway from which the property has access or to which the front of the building is oriented.
7. **Agreement to Be Recorded.** Hansen shall record this Contract Zoning 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 Contract Zoning 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 Hansen or its successors in interest to the Property.
- 9. **Site Plan and Subdivision Review.** Approval of this Agreement will not serve as a waiver of site plan or subdivision review if otherwise required by the Land Use and Development Code.

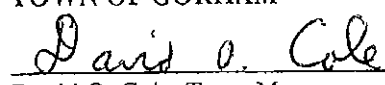
The above stated restrictions, provisions, and conditions, are an essential part of the rezoning, shall run with the Property, shall bind and benefit Hansen, any entity affiliated with Hansen that takes title to the Property, their successors and assigns, and any party in possession or occupancy of the Property or any part thereof, and shall inure to the benefit of and be enforceable by the Town, by and through its duly authorized representatives. The provisions of this Agreement, including the permitted uses listed in Sections 2 and 3 and the dimensional requirements, are intended to replace the uses and dimensional requirements of the existing Suburban Residential and Rural Districts. The above restrictions, provisions and conditions are an essential part of the rezoning, shall run with the Property, shall bind Hansen, its successors in interest and any assigns of said Property or any part thereof or interest therein, and any party in possession or occupancy 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 restrictions, provisions, conditions, or portions of this Agreement is for any reason 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 subject premises shall be governed by and comply with the provisions of the Land Use and Development Code of the Town of Gorham and any applicable amendments thereto or replacement thereof.

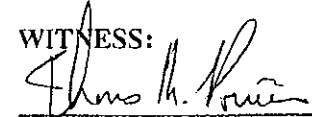
This conditional rezoning agreement shall be enforced pursuant to the land use enforcement provisions of state law (including 30-A M.R.S.A. § 4452) and the Land Use and Development Code. Following any determination of a zoning violation by the Court or the Code Enforcement Officer, the Town Council, after recommendation of the Planning Board, may amend, modify or rescind its conditional rezoning of the site.

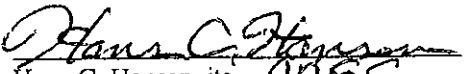
In the event that Hansen or its successors or assigns fail to develop and operate the project in accordance with this Agreement, or in the event of any other breach of any condition set forth in this Agreement, the Town Council shall have the authority, after hearing, to resolve the issue resulting in the breach or the failure to develop or operate. The resolution may include a termination of the 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.

WITNESS:


TOWN OF GORHAM


 David O. Cole, Town Manager
 (duly authorized by vote of the Gorham Town Council on October 4, 2011)

WITNESS:


HANS C. HANSEN, INC.


 Hans C. Hansen, its PRES.

STATE OF MAINE
CUMBERLAND, ss

October 21, 2011

Personally appeared the above-named David O. Cole, in his capacity as Town Manager for the Town of Gorham, and made oath that the foregoing instrument is his free act and deed in his said capacity and the free act and deed of the Town of Gorham.

Cornelia Loughran
Notary Public/Attorney-at-Law

CORNELIA LOUGHRAN
Print Name **NOTARY PUBLIC - MAINE**
MY COMMISSION EXPIRES SEPTEMBER 1, 2016

SEAL

STATE OF MAINE
CUMBERLAND, ss

October 21, 2011

Personally appeared the above-named Hans C. Hansen, in his capacity as President of Hans C. Hansen, Inc., and made oath that the foregoing instrument is his free act and deed in his said capacity and the free act and deed of Hans C. Hansen, Inc.

Cornelia Loughran
Notary Public/Attorney-at-Law

Print Name
CORNELIA LOUGHRAN
NOTARY PUBLIC - MAINE
MY COMMISSION EXPIRES SEPTEMBER 1, 2016

SEAL

Received
Recorded Register of Deeds
Jun 06, 2012 03:24:44P
Cumberland County
Pamela E. Lovley

STJ, Inc.

939 Parker Farm Road
Buxton, Me 04093

Tel 207-839-2442
Fax 207-839-5445

Ephrem Paraschak, Town Manager
Town of Gorham
75 South Street, Suite 1
Gorham, ME 04038

Re: Property at 222 and 224 Huston Road

July23, 2018

Mr. Paraschak,

We currently own the property located at 222 and 224 Huston Road in Gorham. This property abuts a subdivision that was approved in 1997 and amended in 2000. Included in that subdivision approval was a 50' right of way specifically intended to allow access to the back portion of the property we now own.

I met with Freeman, Tom P, and David G. to discuss the process and options for the future of our property. We would like to utilize the 50' right of way depicted on the Hannah Drive Subdivision plan between lots #7 and #8 to access the back portion of our property.

Please accept this letter as a formal request to be placed on the Town Council agenda for the next regular meeting to consider that possibility.

It is my understanding that this would be the first step in a multi-step process which would include planning board approval for any future use of our property as well as any improvements in the right of way.

I have included a copy of the original approval as well as a sketch plan showing the immediate area. I would be happy to answer any questions prior to the Council meeting and will plan to attend the meeting to further explain our objectives.

Thank you for your assistance.



Mark Curtis
markcurtis@gsg gravel.com

CHAPTER 7 – IMPACT FEES

SECTION 7-1 – GENERAL

- Purpose
- Authority
- Payment of Impact Fees
- Impact Fee Accounts
- Use of Impact Fees
- Refund of Impact Fees
- Waiver of Impact Fees
- Review and Revision

SECTION 7-2 – MIDDLE SCHOOL FACILITIES IMPACT FEE #1
(Reserved)

SECTION 7-3 – RECREATIONAL FACILITIES AND OPEN SPACE IMPACT FEE #3

- Description of the Improvements
- Need for the Improvement
- Activities Subject to the fee
- Calculation of the Fee
- Effective Dates

SECTION 7-4 - FORT HILL WATER MAIN EXTENSION IMPACT FEE

- Description of the Improvements
- Need for the Improvement
- Activities Subject to the fee
- Calculation of the Fee
- Effective Dates

CHAPTER 7 IMPACT FEES

SECTION 7-1 GENERAL

A. PURPOSE

The purpose of these impact fee provisions is to ensure that new development in Gorham will be accomplished in a safe and healthful manner and that such development will bear a proportional or reasonably related share of the cost of new, expanded, or modified infrastructure necessary to service the development through: 1) the payment of impact fees that shall be dedicated to paying for the needed improvements, or 2) the construction of appropriate improvements as provided for herein.

B. AUTHORITY

These impact fee provisions are adopted by the Town under the authority of 30A M.R.S.A. §4354 and its statutory and constitutional home rule provisions.

C. PAYMENT OF IMPACT FEES

The impact fees provided for under this chapter shall be determined in accordance with the provisions for calculation of each impact fee as established by the Town Council and set forth below. Where there is uncertainty as to the amount of the impact fee required to be paid by any development, the amount of the fee shall be determined by the Planning Board based upon the fee calculation methodology for that fee and the recommendation of the Town Planner. The impact fee shall be paid to the Town of Gorham in care of the Planning Department. The fee shall be paid prior to the issuance of any building, plumbing, or other permit for the development subject to the fee. The Town Council may approve the payment of impact fees over time in accordance with an approved payment schedule provided that appropriate arrangements are in place to guarantee collection of the fees.

D. IMPACT FEE ACCOUNTS

All impact fees collected under the provisions of this chapter shall be segregated and accounted for in separate impact fee accounts designated for the particular improvements in question. The impact fee accounts are as follows:

- 1) Middle School Facilities Impact Fee
- 2) Recreational Facilities and Open Space Impact Fee
- 3) Fort Hill Water Main Extension Impact Fee

E. USE OF IMPACT FEES

Impact fees collected under the provisions of this chapter shall be used only to pay for the capital cost of the infrastructure improvements specifically associated with each impact fee as described below. No portion of the fee shall be used for routine maintenance or operation activities.

The following costs may be included in the capital cost of the infrastructure improvement:

- 1) Engineering, surveying, and environmental assessment services directly related to the design, construction, and oversight of the improvement,

- 2) The actual construction of the improvement including, without limitation, property acquisition costs, demolition costs, clearing and grading of the land, and necessary capital equipment,
- 3) Mitigation costs,
- 4) Legal and administrative costs associated with construction of the improvement including any borrowing necessary to finance the project,
- 5) Debt service costs including interest if the Town borrows for the construction of the improvement,
- 6) Relocation costs, and
- 7) Similar costs that are directly related to the project.

F. REFUND OF IMPACT FEES

- 1) If a building permit is surrendered or lapses without commencement of construction, the developer shall be entitled to a refund, without interest, of any impact fee paid in conjunction with that project. In the case of a refund, the Town shall retain four (4) percent of the impact fee paid to offset a portion of the administrative cost of collection. A request for a refund shall be made in writing to the Town Planner and shall occur within ninety (90) days of the lapse or expiration of the permit.
- 2) Any fees collected that are not spent or obligated by contract for the specified improvement within a twenty (20) year period for the specific impact fee account by the end of the calendar quarter shall be returned to the developer or its designee without interest.

G. WAIVER OF IMPACT FEES

The Town Council may, by formal vote following a public hearing, waive the payment of a required impact fee, in whole or in part, if it finds that:

- 1) The developer voluntarily agrees to construct the improvement for which the impact fee would be collected, or
- 2) The developer is required, as part of a development approval by the Town or a state or federal agency, to make or to pay for infrastructure improvements that are of the same nature as the improvement to be funded by the impact fee, or
- 3) The infrastructure that the impact fee relates to has been created to attract industry and the fee would be charged to an industrial use.

H. REVIEW AND REVISION

The Town Council shall periodically review each impact fee established under this chapter at least once every five years. If the Council finds that the anticipated cost of the improvement has changed or that the identification of developments subject to the fee is no longer appropriate, the Council may propose changes in the impact fee. Any changes adopted as a result of such review shall apply to all future development but shall not be applied retroactively to projects that have already paid an impact fee.

SECTION 7-2 MIDDLE SCHOOL FACILITIES IMPACT FEE #1

RESERVED

SECTION 7-3 RECREATIONAL FACILITIES AND OPEN SPACE IMPACT FEE #2

A. DESCRIPTION OF THE IMPROVEMENTS

The Town is planning to expand the recreational facilities in the community to serve the needs of a growing population. The Town will use the revenue generated from the recreational facilities portion of this impact fee to undertake the following improvements to expand the supply of community-wide outdoor recreation facilities:

- 1) Continue to develop the so-called Chick Property as a multi-purpose community recreational complex substantially in accordance with the June 2001 Feasibility Study conducted by DeLuca-Hoffman Associates and the Chick Property Master Plan approved by the Town Council on June 6, 2000.
- 2) Undertake Phase 2 of the recreational facilities development at the new Gorham Middle School as outlined in the conceptual site plan for that facility.
- 3) Prepare a master plan for the reuse and development of the Weeks Road property and a Master Plan for the so-called Gorham Savings Bank property and then begin to develop recreational facilities in accordance with the approved Master Plans.
- 4) Prepare a plan and design for the Little Falls Recreation area to increase the number of playing fields and to begin developing those fields.
- 5) The open space portion of the impact fee will be used to acquire land, conservation easements and or/development rights, and improve conservation land to protect significant natural resources, conserve scenic values, preserve the community's agricultural heritage, conserve the remaining supply of viable farmland, and provide areas for low-intensity recreational activities such as walking, bird-watching, cross-country skiing and similar activities that are consistent with the primary use of the property as open space or farmland.

B. NEED FOR THE IMPROVEMENT

The need for community recreation facilities, parks, and open space is a function of the size of the community's population. As the community grows, it needs more recreation land, fields, facilities, playgrounds, natural areas, and open space. The Town's adopted Comprehensive Plan identifies the need to expand the supply of recreational facilities and open space to serve a growing population. Similarly, the 1999 Long Range Facility Plan prepared by PDT Architects identifies the need for expanded recreational facilities to serve a growing population (see Impact Fee Methodology dated June 16, 2003).

The Town has 0.0127 acres of park and recreation land per capita as of May 2003. The recreational facilities portion of the fee is designed to allow the Town to maintain the current ratio of land and park and recreational facilities as the population grows and creates the need for the expanded facilities.

Gorham has a total of 622 acres of community open space or a ratio of 0.0438 acres of community open space per capita as of May 2003. The open space portion of the fee is designed to allow the Town to maintain this ratio as the Town's population grows.

C. ACTIVITIES SUBJECT TO THE FEE

Any residential development activity that creates new dwelling units shall pay this impact fee based upon the expected population of the project considering typical occupancy

rates. The following occupancy factors shall be used as a base for calculating the fee:

Single family dwellings and mobile homes	3.2 people/unit
Dwelling unit in a two-family or multi-family dwelling with:	
a. one bedroom	1.2 people/unit
b. two bedrooms	2.0 people/unit
c. three or more bedrooms	3.0 people/unit
Dwelling unit in elderly or congregate housing	1.2 people/unit housing

This fee shall apply to the construction of any new dwelling unit whether or not such unit is part of a subdivision. It shall apply to conversion or alteration of an existing building that creates or increases the number of dwelling units in the building. In the case of a development activity that increases the number of dwelling units in a building, the impact fee shall apply only to the new dwelling units.

D. CALCULATION OF THE FEE

The recreational facilities and open space impact fee is the sum of the per capita cost of providing additional recreational facilities and the per capita cost of providing additional open space multiplied by the anticipated number of residents in the dwelling unit. The adjusted per capita recreational facilities fee is \$457 (see Impact Fee Methodology dated June 16, 2003). The adjusted per capita open space facilities fee is \$79. Combining the two portions of the fee results in an impact fee of \$536 per capita.

- 1) The impact fee per dwelling unit for the following types of residential units shall be:

A single family dwelling including a manufactured or modular housing unit placed on a single-family lot, a mobile home or manufactured housing unit in a mobile home park, or a detached condominium unit	\$1,715
---	---------

A dwelling unit in a two-family or multi-family dwelling including attached condominium units with:

a. one bedroom	\$ 643
b. two bedrooms	\$1,072
c. three or more bedrooms	\$1,608

A dwelling unit in elderly or congregate housing	\$ 643
--	--------

- 2) For any other type of residential use or where the application of the fee schedule is unclear, the Planning Board shall determine the applicable fee based upon the number of occupants that would be typically expected to live in the dwelling unit and the impact fee of \$536 per capita.
- 3) In the situation where the number of dwelling units in an existing building is being increased, the impact fee due shall be the difference between the impact fee that would be due based upon the proposed utilization of the building minus the fee that would have been charged based upon the utilization of the building prior to the change.

E. EFFECTIVE DATES

Notwithstanding the provisions of 1 M.R.S.A. §302 or any other law, this ordinance, when enacted, shall govern any plan or application for approval or permits under the Land Use and Development Code submitted on or after November 11, 2003, and any such plan or application submitted before that date, but which had not received at least one substantive review, within the meaning of §302, on or before that date, by the Town board or official having authority to grant any such permit or approved.

SECTION 7-4 FORT HILL WATER MAIN EXTENSION IMPACT FEE

A. DESCRIPTION OF THE IMPROVEMENTS

The Town plans to cooperate with the Portland Water District to install a sixteen (16) inch water main in the Fort Hill Road from Mercier Way to the intersection with the Huston Road, a distance of approximately 8,000 feet.

B. NEED FOR THE IMPROVEMENT

Development in the Fort Hill corridor north of the current terminus of the water main has relied on groundwater supplies provided through private wells. These wells provide limited supplies. Periodically, there have been some issues with the quality of these groundwater supplies.

North of the current terminus of the water main, the Fire Department has access to only 2 all-season supplies in the Fort Hill area – the fire pond at the back side of the Fort Hill Farms development and a fire pond at the end of Long View Drive in the Martin Subdivision. These supplies leave much of the area between the terminus of the existing main and Huston Road, especially the area along Route 114, and to the west of Route 114, with almost no available supply of water for fire suppression.

Most of Gorham Village is served by public water including hydrants for fire protection water supplies. The "Village water system" is a branch of the Portland Water District with a single connection via a pump station located near Main Street in the vicinity of Libby Avenue. This results in the entire "Village water system" being a long dead end with only a single source of supply.

As a result of this configuration, fire flows and pressures within Gorham Village are limited. While these limitations have not presented serious problems in terms of providing fire protection to the existing development in Gorham Village, continued growth in and around the Village will tax the ability of the current system to provide adequate flows and pressure for fire protection.

The Portland Water District is planning to construct a new pumping station on the Huston Road. The long range plan of the District anticipates that this pump station will eventually be connected to Gorham Village through the construction of a water main in Fort Hill Road. The Water District proposes to install an oversized 16 inch main. This improvement, when and if it occurs, will provide public water service in the Fort Hill corridor from the terminus of the current main to the Huston Road intersection. This improvement will also provide a second source of supply for the "Village water system". This interconnection will substantially improve fire flows and pressure in the portion of Gorham Village served by the existing water mains thereby providing capacity for new users in and around the Village. The planned resurfacing/reconstruction of the Fort Hill Road by the Maine Department of Transportation during 2004 combined with the Water District's funding constraints make it unlikely that this improvement would be undertaken in the near future even with the development pressures in the area and the limited fire protection water supplies in the Village.

The Town of Gorham proposes to work with the Portland Water District to accelerate the planned extension of the Fort Hill Road water main from its terminus in the vicinity of the Gordon Farm Subdivision northerly approximately 8,000 feet to the intersection with the Huston Road. This will enable the main to be installed in 2004 prior to the planned reconstruction of the Fort Hill Road. This will enable this main to be connected to the new Huston Road pumping station in the near future. Fire hydrants will be provided upon the length of the extension.

C. ACTIVITIES SUBJECT TO THE FEE

Any development within the Fort Hill Water Main Extension Impact Fee Benefit District as shown on the map of said district dated April 26, 2004 on file with the Town Clerk shall be subject to the fee whether or not such use utilizes the Portland Water District system (see Fort Hill Water Main Extension Impact Fee Methodology dated April 27, 2004). This includes residential and nonresidential uses as well as additions to existing buildings that increase the water use of the property based upon design sewage flows from the Maine State Plumbing Code.

D. CALCULATION OF THE FEE

The base impact fee shall be \$650 per new single-family dwelling unit in Area A of the Benefit District and \$200 per new single-family dwelling unit in Area B as shown on the Fort Hill Water Main Extension Impact Fee Benefit District map dated April 26, 2004 (see Fort Hill Water Main Extension Impact Fee Methodology dated April 27, 2004). New nonresidential buildings and structures, other new residential uses, and expansions of existing buildings that increase their water use shall be charged an impact fee based upon their likely water use, or increase in water use for existing buildings, based upon the design sewage flows from the Maine State Plumbing Code and base fees of \$650 and \$200 per 300 gallons per day of design flow. The impact fee shall be set at \$650 for Area A and \$200 for Area B for development that is subject to the fee in Fiscal Year 2003-04 and 2004-05 and the fee adjusted by 3% per year to account for the potential rate of inflation. This adjustment results in the following schedule of impact fees per single-family home or 300 gallons per day of design sewage flow for all other uses:

Fiscal Year (7/1 to 6/30)	Area A	Area B
2003-04	\$650	\$200
2004-05	\$650	\$200
2005-06	\$670	\$206
2006-07	\$690	\$212
2007-08	\$710	\$219
2008-09	\$732	\$225
2009-10	\$754	\$232
2010-11	\$776	\$239
2011-12	\$799	\$246
2012-13	\$823	\$253
2013-14	\$848	\$261
2014-15	\$874	\$269
2015-16	\$900	\$277
2016-17	\$927	\$285
2017-18	\$955	\$294
2018-19	\$983	\$303

If the impact fee continues beyond 2018-19, the fee shall continue to increase at 3% per year.

E. EFFECTIVE DATES

Notwithstanding the provisions of 1 M.R.S.A. §302 or any other law, this ordinance, when enacted, shall apply to any project for which an application for a building permit under the Land Use and Development Code or other Town ordinance is submitted on or after June 1, 2004.

The Fort Hill Water Main Extension Impact Fee shall terminate when the Town has collected \$249,000 in impact fees under this provision.



Town of Gorham Planning Department

David C.M. Galbraith, *Zoning Administrator*
dgalbraith@gorham.me.us

Thomas M. Poirier, *Town Planner*
tpoirier@gorham.me.us

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

Tel: 207-222-1620

TO: Town Council

FROM: Thomas M. Poirier, Town Planner *TMP*

SUBJECT: Comprehensive Plan Study for South Gorham Mixed Use- Districts

DATE: AUGUST 3, 2018

Below is information from the adopted Comprehensive Plan relating to the South Gorham Crossroads and South Gorham Commercial Center Mixed Use Districts. This section is found under Section II, Chapter 6 Land Use of the Comprehensive Plan.

- **South Gorham Crossroads Area**

- **Location** – The South Gorham Crossroads Area includes land on both sides of South Street from the roundabout at the Bernard Rines Village Bypass to the Stroudwater River and extending eastward to Brackett Road (see Figure 6.5).
- **Allowed Uses** – Since the Crossroads Area will potentially be served by the continuation of the East-West connector or related improvements and is potentially serviceable by public sewerage, the allowed residential uses in this designation should be limited to multi-family residential and residential units in mixed-use buildings. Single-family and two-family dwellings should not be allowed in this area. In addition to residential uses, a range of non-residential uses should be allowed as part of a planned, mixed-use development including business and professional offices, retail and service uses, fully enclosed light industrial uses, and community and public uses.
- **Development Standards** – The development standards in the Crossroads Area are intended to require a high-intensity pattern of development. The maximum density for residential uses should be twelve to fifteen units per net acre with provisions for variable density for small units. In addition, the standards should require a minimum overall density of not less than five units per net acre for any individual residential project. The standards for development should require that new buildings be located with access off internal streets when feasible. All development should maintain an attractive roadside appearance with a landscaped buffer strip along the edge of both existing and new streets. The location of large parking lots between buildings and existing streets should be restricted.

Town Council Ordinance Committee: Form Based Code

To assure that the vision for this area is attained, all development proposals on lots that had at least ten acres as of April 1, 2013 must be done in accordance with an approved development plan for the entire parcel. This plan must establish, in conceptual terms, the overall use and development of the parcel including provisions for roads and other infrastructure. The plan should also include development and design standards to guide building-by-building development. This plan must be approved by the Planning Board prior to any development on the parcel and, once approved; all projects must substantially conform to the development plan.

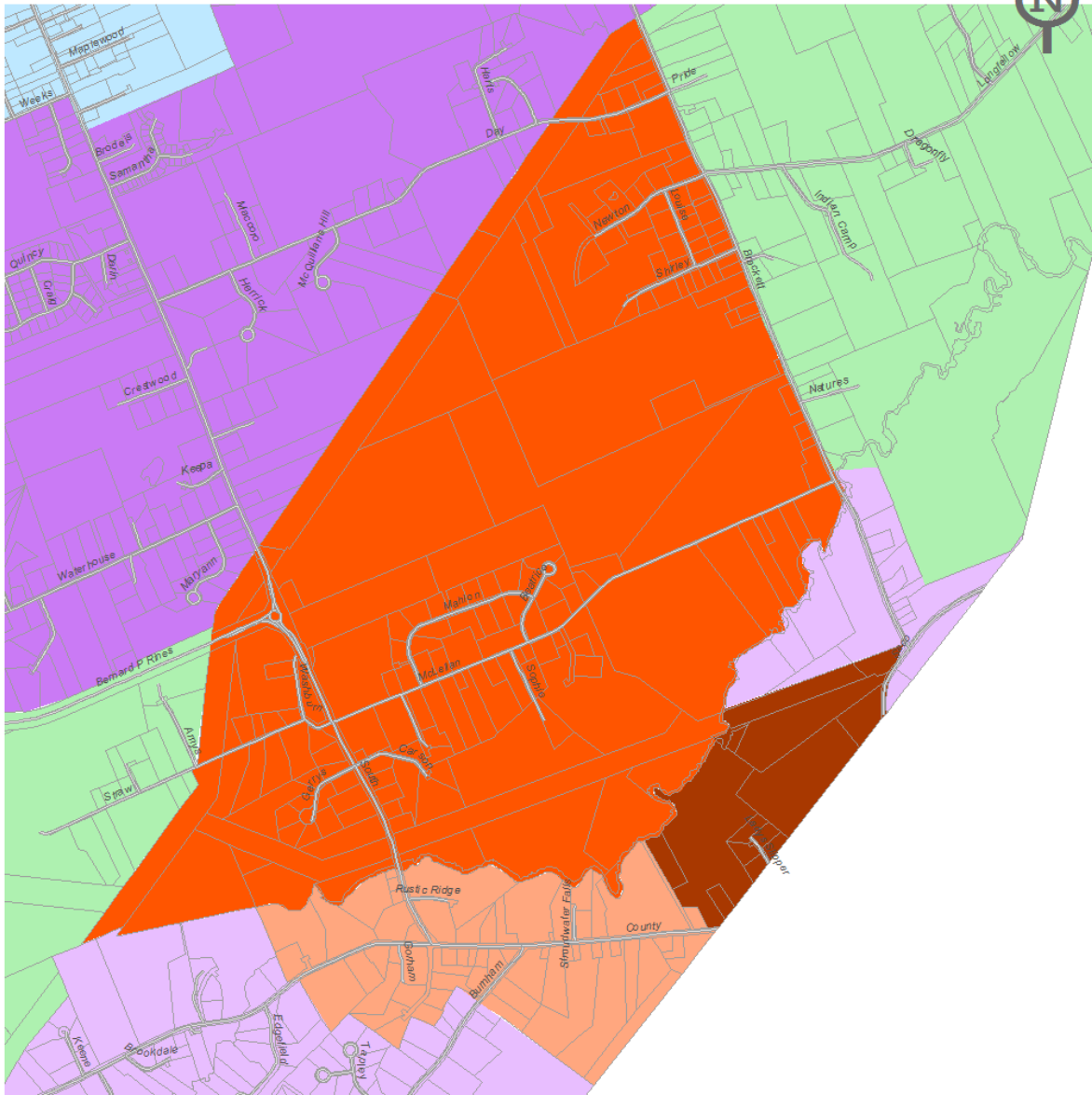
- **South Gorham Commercial Center Area**

- **Location** – The South Gorham Commercial Center Area designation includes the land on both sides of the County Road in the vicinity of the intersection with South Street (see Figure 6.5). This designation includes the parcels that have been “contract zoned” thereby creating a consistent pattern for this area of the community.
- **Allowed Uses** – In the longer-term, the land use regulations in this area should be based on a Master Plan for South Gorham and North Scarborough developed jointly with the Town of Scarborough. In the near-term, the zoning should incorporate the provisions of the existing contract zones that have been established within this area. The allowed uses in this designation should include a range of residential uses including eldercare facilities together with a wide-range of smaller-scale non-residential uses including business and professional offices, personal and business services, restaurants, retail uses, B&Bs, and community uses. . Most non-residential uses should be limited to a maximum of 5,000 to 7,500 square feet of floor area. Larger uses such as retail uses with up to 15,000 square feet of floor area may be allowed on “back lots” away from County Road provided that their access is from internal streets and the frontage along County Road is developed with smaller-scale buildings.
- **Development Standards** – As noted above, the land use regulations for this area should evolve as a Master Plan for South Gorham and North Scarborough is developed and adopted. As a general guiding principle, a higher density of activity should be allowed within approximately one thousand five hundred (1,500) feet of the intersection of County Road and South Street with lower density activity in the remainder of the area. Residential uses should be allowed at a density of up to two units per net acre with on-site sewage disposal and four units per acre with public sewerage throughout the area with higher density allowed with public sewerage near the South Street intersection. The basic minimum lot size should be 20,000 square feet that can be reduced to 10,000 square feet or less_with public sewerage. The variable density provisions for small units should apply in this designation if public sewerage is utilized.

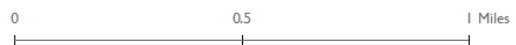
Town Council Ordinance Committee: Form Based Code

The development standards should promote a campus style development pattern in the area near the South Street intersection with more of a village character in the remainder of the area. The standards should require that new buildings have a traditional character and scale and be limited to a maximum of two stories except in the area around the South Street intersection if public sewerage becomes available in the future. Buildings should be located on access drives or new streets where feasible to minimize curb cuts on County Road. The creation of an interconnected street network should be required where feasible. New buildings directly fronting on County Road with access from that street should not be allowed unless there is no alternative. Buildings should be located in proximity to the street or access road with a setback of no more than fifty feet along the County Road and 35 feet on other streets or drives.

Figure 6.5: South Gorham
Gorham Comprehensive Plan Update



- | | |
|--|---|
| Residential Growth Area | Nonresidential Growth Areas |
| Suburban Residential | Corridor Commercial |
| Village Expansion | Industrial |
| Mixed-Use Growth Area | Mosher Corner Planned Dev |
| Gorham Village Center | University Institutional |
| Little Falls Village Center | Mixed-Use Limited Growth Areas |
| Mosher Corner Mixed Use | Village Office-Residential |
| Narragansett Mixed-Use Dev. | White Rock Mixed-Use |
| South Gorham Commercial Center | Residential Limited Growth Areas |
| South Gorham Crossroads | Village Residential |
| Village Approach | Rural Areas |
| Village Commercial | Rural |





TOWN OF FALMOUTH

ORDINANCE NO 114-2017

An Ordinance Amending the Code of Ordinances Regarding Invasive Terrestrial Plants

Be it ordained by the Town Council of the Town of Falmouth, Maine in Town Council assembled, that the Falmouth Code of Ordinances be amended to read as follows:

Chapter II-7 Land Subdivision

Sec. 7-11. Performance Guarantee

- A. **General.** A performance guarantee shall be drafted such that the Town shall receive written notice at least sixty (60) days prior to their expiration. Construction which occurs such that certification by the Public Works Director is not possible shall be grounds for default of the performance guarantee. A Performance Guarantee may be tendered in the form of either cash or a certified letter of credit in a form satisfactory to the Planning Board. If cash is accepted the Town and developer shall execute an escrow agreement in a form satisfactory to the Planning Board. It shall be in an amount of money to be determined by the Planning Board with the advice of various Town departments sufficient to cover the cost of completing all improvements required by the Planning Board approval. It shall be conditioned upon the completion of all such improvements within the time limit specified by the Planning Board, which shall not exceed two (2) years from the date of approval.
- B. **Conditional Agreement.** A Conditional Agreement, if acceptable in lieu of a Performance Guarantee, shall be endorsed by the Planning Board on the Final Plan, and shall provide that no lot or parcel of land may be conveyed, and that no permit may be issued by the Building Inspector for any building on any portion of the development until the completion of all such improvements within a period of time determined by the Planning Board not to exceed two (2) years from the date of such agreement.
- C. **Completion of Site Improvements.** Completion shall be determined by the Public Works Director or their designee to their satisfaction, who shall submit written certification to the Community Development Director that all improvements assured by the Performance

Guarantee have been constructed in conformance with the Final Plan and all applicable codes and ordinances. In addition, the developer shall furnish at his own expense the signed certification by a registered surveyor or civil [engineer](#) that all permanent bounds or monuments have been installed and are accurately in place in the locations designated in the Final Plan.

For projects that include either the construction or extension of streets or any required improvements made in existing street rights of way, the performance guarantee shall not be reduced below \$5,000 until a qualified professional approved by the Public Works Director, and whose services are paid by the developer, has verified, upon visual inspection, that all street rights of way and street easement areas where improvements are required are free of invasive terrestrial plants as defined in Chapter 19-2 of this Code. The Public Works Director may also consult with the Conservation Commission regarding the identification of invasive terrestrial plants.

Appendix 7-1

H. Additional Requirements

Street trees, esplanades, and buffer areas may be required by the Planning Board as necessary to insure compliance with the guidelines contained in Section [7-3](#), and the other provisions of this Ordinance. Where such improvements are required, they shall be incorporated in the Final Plan and executed by the subdivider as construction of the subdivision progresses. Invasive terrestrial plants as defined in Sec. 19-2 are prohibited.

Division II-14-2-2 [Street] Dedication and Acceptance

Sec. 14-62. Procedure.

1. Prior to submittal of a formal application, the applicant must present to the public works department the following documentation:
 - a. Proof of unencumbered fee simple title in the [private way](#) being proposed for acceptance;
 - b. Proof that all improvements required by the [planning board](#) have been satisfactorily completed and that all performance guarantees associated with those improvements have been released; and
 - c. Proof that the private way has endured without damage at least two (2) consecutive freeze/thaw cycles after construction.
 - d. Proof of the verification by a qualified professional approved by the public works department and compensated by the applicant that the street rights of way and any other property proposed to be conveyed in any manner to the town, upon visual inspection, has been free of invasive terrestrial plants as defined in Chapter 19-2 of this Code for a period of two years prior to the application filing. In the event that invasive terrestrial plants are present, the applicant shall provide proof to the public works director that there have been appropriate eradication methods applied for a minimum of two growing seasons in a manner acceptable to the public works director.

2. An application packet including an original application form as prescribed by the director of parks and public works and all required documents and items specified in Sec. 14-63 plus three (3) copies, shall be submitted to the parks and public works department. Applications may contain multiple streets within a development.
3. The director of public works, or their designee, shall determine if the application is complete within thirty (30) business days of receipt.
4. If the application is determined incomplete, the public works staff shall notify the applicant of the missing information. When an application is determined to be complete, the department shall forward the application to the community development director, police chief and fire chief.
5. The community development director, director of public works, police chief, and fire chief shall provide written reports within thirty (30) days of receipt of the determination of completeness. Reports shall address the following:
 - a. Conformance with the town's comprehensive plan as well as other adopted plans that address desired street patterns;
 - b. Budget impact regarding provision of adequate municipal services;
 - c. Expenditures by the town for upgrading or extending water and/or sewer mains, storm drains, sanitary sewers, gas mains, culverts, underdrains and all underground and overhead utilities;
 - d. Town liability for damage to private property such as, but not limited to, walks, fences, lawns and other items that encroach within the proposed right-of-way; and
 - e. Any concerns for providing public safety and access to the street and its occupants.
6. At such time as the director of parks and public works determines that the application is ready for consideration by the town council, the town manager shall place the application on the next available town council agenda.
7. If the town council determines that the street is in order for acceptance, an order shall be scheduled at such time as the director of public works determines that all documents noted in Sec. 14-63(11) are submitted and acceptable.

(Ord. of 7-12-2010)

Division II-19-1-2 [Zoning] Definitions

Invasive Plants to be Prohibited in Falmouth	
<i>Acer ginnala</i>	Amur maple
<i>Acer platanoides</i>	Norway maple
<i>Aegopodium podagraria</i>	Bishop's weed
<i>Ailanthus altissima</i>	Tree of heaven
<i>Alliaria petiolata</i>	Garlic mustard
<i>Amorpha fruticosa</i>	False indigo
<i>Ampelopsis glandulosa</i>	Porcelain berry
<i>Artemisia vulgaris</i>	Common mugwort
<i>Berberis thunbergii</i>	Japanese barberry
<i>Berberis vulgaris</i>	European barberry
<i>Celastrus orbiculata</i>	Asiatic bitterweet
<i>Centaurea biebersteinii</i>	Spotted knapweed
<i>Cynanchum louiseae</i>	Black swallowwort
<i>Eleagnus umbellata</i>	Autumn olive
<i>Euonymus alatus</i>	Burning bush
<i>Euphorbia cyparissias</i>	Cypress spurge
<i>Fallopia baldschuanica</i>	Chinese bindweed
<i>Fallopia japonica</i>	Japanese knotweed
<i>Frangula alnus</i>	Glossy buckthorn
<i>Heracleum mantegazzianum</i>	Giant hogweed
<i>Hesperius matronalis</i>	Dame's rocket
<i>Impatiens glandulifera</i>	Himalayan balsam
<i>Iris pseudacorus</i>	Yellow iris
<i>Lepidium latifolium</i>	Perennial pepperweed
<i>Ligustrum obtusifolium</i>	Blunt-leaved privet
<i>Ligustrum vulgare</i>	Common privet
<i>Lonicera morrowii</i>	Morrow honeysuckle
<i>Lonicera japonica</i>	Japanese honeysuckle
<i>Lonicera maackii</i>	Amur or bush honeysuckle
<i>Lonicera tartarica</i>	Tartarian honeysuckle
<i>Lythrum salicaria</i>	Purple loosestrife
<i>Microstegium vimineum</i>	Japanese stilt-grass
<i>Paulownia tomentosa</i>	Pawlownia
<i>Persicaria perfoliata</i>	Mile-a-minute weed
<i>Phellodendron amurense</i>	Amur cork tree
<i>Phragmites australis</i>	Common reed
<i>Poa nemoralis</i>	Wood blue grass
<i>Polygonum perfoliatum</i>	Mile-a-minute vine

<i>Populus alba</i>	White cottonwood
<i>Reynoutria x bohemica</i>	Bohemian knotweed
<i>Rhamnus cathartica</i>	Common buckthorn
<i>Robinia pseudoacacia</i>	Black locust
<i>Rosa multiflora</i>	Multiflora or rambler rose

Attest: _____

Ellen Planer
Town Clerk
March 27, 2017

JANET T. MILLS
ATTORNEY GENERAL



STATE OF MAINE
OFFICE OF THE ATTORNEY GENERAL
6 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0006

TEL: (207) 626-8800
TTY USERS CALL MAINE RELAY 711

REGIONAL OFFICES
84 HARLOW ST. 2ND FLOOR
BANGOR, MAINE 04401
TEL: (207) 941-3070
FAX: (207) 941-3075

415 CONGRESS ST., STE. 301
PORTLAND, MAINE 04101
TEL: (207) 822-0260
FAX: (207) 822-0259

14 ACCESS HIGHWAY, STE. 1
CARIBOU, MAINE 04736
TEL: (207) 496-3792
FAX: (207) 496-3291

July 17, 2018

Gorham Police Department
Chief Dan Jones
270 Main Street
Gorham, ME 04038

RE: State of Maine vs. Jeffrey Linscott
Cumberland County Unified Criminal Court Doc. No. CR-17-7261
Criminal Forfeiture
Required Vote of Municipal Officers/Approval of Transfer of Forfeiture Assets

Dear Chief Jones:

Enclosed please find a draft Approval form for submission to the municipal officers.

Please inform the municipal officers that:

- A. 15 M.R.S.A. §5824(3) requires that, before any forfeitable item may be transferred to a State Agency, County or Municipality, the municipal legislative body must publicly vote to accept the item(s) **if subsequently ordered forfeited by the Court;**
- B. Under Rules issued by the Department of the Attorney General, a public vote must be made on each forfeiture "approval" and a "continuing resolution" of approval cannot be accepted;
- C. As with all forfeitures, an approval of a transfer by the municipal legislative body does not guarantee either that the Defendant(s) *In Rem* will in fact be forfeited or, if forfeited, that the Court will order the item(s) transferred to the approving Department, Agency, County or Municipality. The municipal legislative body's approval only signifies that, if the Defendant(s) *In Rem* are in fact ordered forfeited and, if the Attorney General and the Court agree to a transfer of all or part of the Defendant(s) *In Rem* to a Department, Agency, County or Municipality based upon the "*substantial contribution*" of that Department, Agency, County or Municipality, then that entity is in fact, willing to accept the Defendant(s) *In Rem* or portions thereof. In order to streamline what is otherwise a cumbersome forfeiture process, it is our practice to seek State, county or

municipal approval in anticipation of the final order of forfeiture. However, final forfeiture is not guaranteed and both the municipal legislative body and the law enforcement agency involved are **cautioned** that they **should not encumber** funds or property until a Final Order granting them lawful title to the property is delivered to them;

D. Under the provisions of the Forfeiture Statute, if the municipal legislative body fails to approve a transfer in a timely manner, any forfeited items shall be transferred to the State of Maine General Fund.

Assuming your municipal legislative body does grant its approval, kindly see to it that the accompanying form is signed by the appropriate person and is “embossed” with the seal of the municipality. Then, please return the **original** to me for filing, and retain a copy for your records.

My sincere thanks for your attention to this matter. Should you have any questions, please do not hesitate to contact me.

Sincerely,



Johanna Gauvreau
Assistant Attorney General
CRIMINAL DIVISION

Enclosure

State of Maine	}	
	}	Municipality of Gorham
v.	}	Approval of Transfer
	}	15 M.R.S.A. §5824(3) & §5822(4)(A)
Jeffrey Linscott,	}	
Defendants;	}	
	}	
And	}	
	}	
\$767.00 U.S. Currency,	}	
Defendant(s) In Rem #1	}	
	}	
One 2002 Chevrolet Silverado pickup	}	
Truck, VIN #1GCEK19T22E119824	}	
Defendant(s) In Rem #2	}	

NOW COMES the municipality of Gorham, Maine, by and through its municipal officers, and does hereby grant approval pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) to the transfer of the above captioned Defendant(s) in Rem #1 and #2, or any portion thereof, on the grounds that the Gorham Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the municipality of Gorham, Maine does hereby approve of the transfer of the Defendant(s) in Rem #1 and #2, or any portion thereof, pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) by vote of the Gorham municipal legislative body on or about

_____.

Dated: _____

Municipal Officer
Gorham, Maine
(Impress municipal legislative body seal here)

JANET T. MILLS
ATTORNEY GENERAL



STATE OF MAINE
OFFICE OF THE ATTORNEY GENERAL
6 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0006

TEL: (207) 626-8800
TTY USERS CALL MAINE RELAY 711

REGIONAL OFFICES
84 HARLOW ST. 2ND FLOOR
BANGOR, MAINE 04401
TEL: (207) 941-3070
FAX: (207) 941-3075

415 CONGRESS ST., STE. 301
PORTLAND, MAINE 04101
TEL: (207) 822-0260
FAX: (207) 822-0259

14 ACCESS HIGHWAY, STE. 1
CARIBOU, MAINE 04736
TEL: (207) 496-3792
FAX: (207) 496-3291

July 17, 2018

Gorham Police Department
Chief Dan Jones
270 Main Street
Gorham, ME 04038

RE: State of Maine vs. John Davis
Cumberland County Unified Criminal Court Doc. No. CR-17-5960
Criminal Forfeiture
Required Vote of Municipal Officers/Approval of Transfer of Forfeiture Assets

Dear Chief Jones:

Enclosed please find a draft Approval form for submission to the municipal officers.

Please inform the municipal officers that:

A. 15 M.R.S.A. §5824(3) requires that, before any forfeitable item may be transferred to a State Agency, County or Municipality, the municipal legislative body must publicly vote to accept the item(s) **if subsequently ordered forfeited by the Court;**

B. Under Rules issued by the Department of the Attorney General, a public vote must be made on each forfeiture "approval" and a "continuing resolution" of approval cannot be accepted;

C. As with all forfeitures, an approval of a transfer by the municipal legislative body does not guarantee either that the Defendant(s) *In Rem* will in fact be forfeited or, if forfeited, that the Court will order the item(s) transferred to the approving Department, Agency, County or Municipality. The municipal legislative body's approval only signifies that, if the Defendant(s) *In Rem* are in fact ordered forfeited and, if the Attorney General and the Court agree to a transfer of all or part of the Defendant(s) *In Rem* to a Department, Agency, County or Municipality based upon the "*substantial contribution*" of that Department, Agency, County or Municipality, then that entity is in fact, willing to accept the Defendant(s) *In Rem* or portions thereof. In order to streamline what is otherwise a cumbersome forfeiture process, it is our practice to seek State, county or

municipal approval in anticipation of the final order of forfeiture. However, final forfeiture is not guaranteed and both the municipal legislative body and the law enforcement agency involved are **cautioned** that they **should not encumber** funds or property until a Final Order granting them lawful title to the property is delivered to them;

D. Under the provisions of the Forfeiture Statute, if the municipal legislative body fails to approve a transfer in a timely manner, any forfeited items shall be transferred to the State of Maine General Fund.

Assuming your municipal legislative body does grant its approval, kindly see to it that the accompanying form is signed by the appropriate person and is “embossed” with the seal of the municipality. Then, please return the **original** to me for filing, and retain a copy for your records.

My sincere thanks for your attention to this matter. Should you have any questions, please do not hesitate to contact me.

Sincerely,



Johanna Gauvreau
Assistant Attorney General
CRIMINAL DIVISION

Enclosure

STATE OF MAINE
Cumberland, ss

UNIFIED CRIMINAL COURT
Docket No. CR-17-5960

State of Maine	}	
	}	
v.	}	Municipality of Gorham
	}	Approval of Transfer
	}	15 M.R.S.A. §5824(3) & §5822(4)(A)
John Davis,	}	
Defendants;	}	
	}	
And	}	
	}	
\$790.00 U.S. Currency,	}	
Defendant(s) In Rem #1	}	
	}	
\$5,000.00 U.S. Currency	}	
Defendant(s) In Rem #2	}	

NOW COMES the municipality of Gorham, Maine, by and through its municipal officers, and does hereby grant approval pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) to the transfer of the above captioned Defendant(s) in Rem #2 (\$1,000.00 U.S. Currency), or any portion thereof, on the grounds that the Gorham Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the municipality of Gorham, Maine does hereby approve of the transfer of the Defendant(s) in Rem #2, or any portion thereof, pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) by vote of the Gorham municipal legislative body on or about

_____.

Dated: _____

Municipal Officer
Gorham, Maine
(Impress municipal legislative body seal here)