

AGENDA NOTES

Gorham Town Council Regular Meeting
February 4, 2020 – 6:30pm
Burleigh H. Loveitt Council Chambers

****Starting in January 2020, we have rolled out a new Council Item and Order numbering system to better track items and orders throughout the year. Each month, item numbers will start with a four-digit year, followed by the month, then the item number starting with 1 until all items for that month are completed (2020-1-1). Order numbers will have two digits for the year and will start at number 1 in January and run consecutively throughout the year (20-001). Item numbers using the old format, i.e. - “9522” will still appear on Council agendas as they are brought back to the Council from committees and the Planning Board until the items are resolved, but will include new order numbers with the new system every time they appear for a vote before the Council.**

**Public
Hearing #1
On Item #2020-2-1**

Public hearing to consider a refund of impact fees in the amount of \$1,715 to John and Kimber Cross pursuant to Chapter 7, Section 7-1 G. (Admin. Spon.)

This item is a request to refund \$1,715 to John and Kimber Cross pursuant to Chapter 7, Section 7-1 G of the Land Use & Development Code that was recently amended by the Town Council. The request is for a reimbursement of an impact fee paid when the Cross’s home was removed by Central Maine Power for a utility expansion and in turn they built a new home with no new net increase in dwelling units. Their letter to the Town requesting the reimbursement is attached.

**Public
Hearing #2
On Item #9505**

Public hearing on proposed amendments to the Historic Preservation Ordinance to allow for historical sites and landmarks, including locations specifically identified by the Historical Preservation Commission. (Admin. Spon.)

Public hearing and vote on amendments to the Historical Preservation Ordinance as recommended by the Historical Preservation Committee and Ordinance Committee. The amendments would allow the Preservation Committee to designate sites of historical significance through the Town Council. The amendments to the ordinance also designate the Town Clock, Old Yard Cemetery, Civil War Monument and Founders Monument as Historic Landmarks & Sites.

Item # 2020-2-2

**Action regarding the March 3, 2020 State Presidential Primary Election and Special Municipal Election.
(Admin. Spon.)**

Administrative action for the authorization of the March 3, 2020 State Presidential Primary Election and Special Municipal Election.

Item # 2020-2-3

Action to consider amending Chapter 2, Section 2-4 of the Land Use & Development Code, Clustered Residential Development. (Councilor Hartwell Spon.)

This item and order would instruct the Ordinance Committee to review and propose updates to the Land Use & Development Code's section on Clustered Residential Development.

Item # 2020-2-4

Action to consider amending the Streets and Sidewalks Ordinance to allow for more on street parking in the Gorham Village. (Councilor Philips Spon.)

This item was requested by staff to update the Streets and Sidewalks Ordinance to align with current on street parking in the Gorham Village that was never formally authorized by the ordinance, as well as to look for new available parking locations and designate them as available in the ordinance. A copy of the Streets and Sidewalks Ordinance is attached.

Item # 2020-2-5

Action to consider hiring an engineering firm to assist the Town of Gorham with design, permitting, review and development of the new industrial/business park located off of Main Street. (Councilor Philips Spon.)

Two firms submitted proposals to the Town's RFP for engineering services relating to the new industrial park. After interviews of the two firms, it is the recommendation of staff to formally select Milone & MacBroom for engineering services. A copy of their submittal is attached.

Item # 2020-2-6

Action to consider creating a Steering Committee for the new Industrial/Business Park located off of Main Street. (Councilor Philips Spon.)

This item and order would create a steering committee for the new industrial park to work on design of the park and report back to the Town Council for ultimate approval. We anticipate that this committee may need to meet as often as every two weeks for the next several months in order for the Town's engineering firm to have enough information to submit a MDEP permit. Due to the timing of the permitting process any construction on the site even for basic utilities likely would not start until the fall of 2020 or spring of 2021. This order would require that the Council appoint two of their members to the committee. The remainder of the committee would be Owens McCullough as a Gorham resident, a member of the GEDC appointed by that board, as well as a member of the local business community.

Item # 2020-2-7

Action to consider accepting the recommendation of the Ordinance Committee with regard to amendments to the contract zone of Hans Hansen in South Gorham (Ordinance Committee Spon.)

This item would be to accept the recommendation of the Ordinance Committee that the Town Council forward the proposed amendment to the contract zone of Hans Hansen in South Gorham to the Planning Board for their recommendation and public hearing. A memo is attached from the Director of Community Development outlining the discussion at the Ordinance Committee with general guidance to the Planning Board. The Town Council may want to further weigh in on conditions for the contract zone amendment so that the Planning Board has additional guidance when formalizing the amendments.

**Community Development
Planning Division**



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

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

Tel: 207-222-1620 / Fax: 207-839-4793

January 21, 2020

John M. Cross Jr. &
Kimber I. Cross
185 Shaws Mill Road
Gorham, ME 04038

RE: Application for Impact Fee Refund

Dear Mr. and Ms. Cross;

The Town of Gorham received your letter as an application for Impact Fee Refund. The Planning Division has forwarded the letter to the Town Manager's Office for review and approval by the Town Council.

Feel free to contact me or the Town Managers Office with any questions.

Sincerely,

A handwritten signature in cursive script that reads "Carol Eyerman".

Carol Eyerman
Town Planner

cc: Ephrem Paraschak, Town Manager

185 Shaws Mill Rd
Gorham, ME

Carol Eyrman, Town Planner
75 South St Ste. 1
Gorham, ME 04038

Jan. 15, 2020
Re: Application for Impact Fee Refund

Dear Carol,

This letter is my application for a refund to us, John M. Cross Jr, and Kimber I Cross, for the Impact Fee of \$1715 dollars which we paid on April 21, 2015. Attached is the receipt from the Town of Gorham and a copy of the check paid. The refund is due based on the recent Town regulation allowing the impact fee refund to be approved within 5 years of construction.

Background: As part of its 1995 Reliability Project which included power line enhancements and a new Sub Station in the Gorham/Standish sectors, Central Maine Power purchased our Gorham house and some land at 198 Shaws Mill Rd. We used the proceeds of the sale to build our new house in 1995 on the same Gorham farm lot on which we still reside. The new house has the address 185 Shaws Mill Rd on the same farm lot. The 198 house owned by CMP remained uninhabited until CMP demolished it in 2018. The CMP completer project now has new poles and enhanced power wiring on the old 198 Shaws Mill lot where the demolished house stood.

Attached is the receipt from the Town of Gorham showing payment of \$5,360 which included a \$1,715 Impact Fee, and a copy of the check for \$5,360.

Since this application is time sensitive under the recent Town regulation for refunds of Impact Fees, can you please reply in writing to us that you have received this letter as our application for refund.

Thank you for prompt consideration of this. If you have questions you can phone us at 207-671-3078 (John) or 207-318-9009 (Kimber).

Sincerely,


John M. Cross Jr.


Kimber I. Cross

cc: Tom Poirier, Community Development Director

RECEIPT DATE 4/21/15 NO. 804182

RECEIVED FROM John Cross

ADDRESS **Town of Gorham**
75 South Street, Suite 1
Gorham, Maine 04038

FOR Bla Per #512 \$ 5,360

ACCOUNT		
AMT. OF ACCOUNT		
AMT. PAID		
BALANCE DUE		

CASH
 CHECK
 MONEY ORDER

BY [Signature]

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JOHN M. CROSS
 KIMBER I. CROSS
 PHL 207-839-8717
 198 SHAW'S MILL RD
 GORHAM, ME 04038

55-767/2112
 RECEIVED 4/21/15 220
 DATE 4/21/15

PAY TO Town of Gorham, ME \$ 5,360 ^{xx/100}

THE ORDER OF Five thousand three hundred sixty and xx/100 DOLLARS

Gorham
 SAVINGS BANK
 MEMO House, Bobby Bennett
Kimber Lee Cross

05/04/2015 220 \$5,360.00



CONTACT	Date-3/5/15	NOTES	
Name	John Cross Jr	READY TO ISSUE-	/ /
Email			
Phone	671-3078 318-9009		
Preinspection of site			
COMPLIANCE NEEDED	Subdivision Private Way	Driveway Permit to DPW sent 3-5-15 Sewer Permit to DPW	
2 WEEK NOTICE		Plans to Assessor 3-9-15	
PRIOR TO CO			
Map/Lot	81 Lot 30.4	Address - 185 Shaws mill Road	
Who Verified -	Mike	Subdivision _____, Lot _____	
NEW 911 address	Mike DarcAngelo/Assessor	Condo _____, Unit _____	
IMPACT FEE	TOD Bramblewood) \$3750 Wagner Fm I -\$1785.72 Wagner Fm II -\$6,666.67 REC Impact \$1,715 Water Impact (A) - (B)	Planning Board - review file.	Siteplan adequacy? Need Class D survey?
HHE-200 or Sewer	Concrete tank - 1000 Gal 1000	Site evaluator - Mark Hampton	
Bedrooms - 4		Conflicts?	
field/type	Stone Bed	Inspections	
ZONING			
Zoning District	SR		
Use	Res		
Setbacks -	50 Front, 20 Rear, 20 Sides,	Scope of work ² Contemporary	
Handout - Attachments:	plan+section	FEES	
	Print Inspections on card	Wiring	
	INS-TaBL 402.4.2 checklist	Plumbing	
	Holes/notches sheet	# Driveway	20
	Construction Plans	Sewer OR SWDS-Septic	265
	Deck Advisory	Wtr Impact (A-B)	
	Energy Advisory form	Recreational Impact	1715
	Final Inspection checklist	Transfer Overlay District	
	Air Barrier suggestions	\$ 280.000 x \$12. =Building	3,360
	ACQ Lumber notes	Total	5,360

5-21-15

SECTION 2-4 - RESIDENTIALA. CLUSTERED RESIDENTIAL DEVELOPMENT

A Cluster Residential Development is a form of development which allows a developer to create smaller lots than required by the applicable zoning district regulations in return for setting aside a portion of the tract as permanent open space owned and maintained jointly by the individual lot owners. The net residential density of the site shall remain the same as if the site were developed as a conventional subdivision. Each dwelling unit in a cluster residential development shall be placed on a separate lot whether the dwelling unit is a single-family dwelling or part of a two-family or multi-family dwelling. The Planning Board may approve requests for cluster residential developments if it finds that the proposal conforms to the criteria listed below and is the best development form for the site.

Notwithstanding other provisions of this Code relating to space and bulk, the Planning Board in reviewing and approving proposed residential developments located in Gorham, may modify said provisions related to space and bulk to permit innovative approaches to housing and environmental design in accordance with the following standards. This shall not be construed as granting variances to relieve hardship.

Innovative approaches to residential layout and environmental design shall be subject to the following criteria:

1. The purpose and intent of this Land Use and Development Code shall be upheld.
2. There shall be compliance with all State and local codes and ordinances.
3. Each building shall be an element of an overall plan for site development.
4. There shall be no approval of any proposed development which exceeds the allowable net residential densities permitted without appeal in the district in which it is located.
5. Residual open space shall be usable for recreational or other outdoor living purposes and for preserving large trees, tree groves, woods, ponds, streams, glens, rock outcrops, native plant life and wildlife cover. The use of any open space may be further limited or controlled at the time of final approval where necessary to protect adjacent properties or uses. Residual open space shall be dedicated to the recreational amenity and environmental enhancement of the development and shall be recorded as such. Such dedications may include private covenants or arrangements to preserve the integrity of open spaces and their use for agricultural or conservation purposes.

The common open space shall be accessible to the residents of the project. At a minimum, this use may include such activities as walking, picnicking, fishing, swimming, cross country skiing, and other low intensity recreational uses unless otherwise provided for in the Planning Board approval.

6. The developer shall take into consideration the following points, and shall illustrate the treatment of spaces, paths, roads, service and parking areas and other features required in his proposal:
 - a) Orientation: buildings and other improvements shall respect scenic vistas and natural features.
 - b) Streets: access from public ways, internal circulation and parking shall be designed to provide for vehicular and pedestrian safety and convenience, emergency and fire equipment, snow clearance, street maintenance, delivery and collection services. Streets shall be laid out and constructed consistent with local requirements.

- c) Drainage: adequate provision shall be made for storm waters, with particular concern for the effects of any effluent draining from the site. Erosion resulting from any improvements on the site shall be prevented by landscaping or other means.
 - d) Sewage Disposal: adequate provision shall be made for sewage disposal, and shall take into consideration soil conditions and potential pollution of surface or ground waters.
 - e) Water Supply: adequate provision shall be made for both ordinary use as well as special fire needs.
 - f) Utilities: all utilities shall be installed underground wherever possible. Transformer boxes, pumping stations and meters shall be located so as not to be unsightly or hazardous to the public.
 - g) Recreation: facilities shall be provided consistent with the development proposal.
 - h) Buffering: planting, landscaping, disposition and form of buildings and other improvements, or fencing and screening shall be utilized to integrate the proposed development with the landscape and the character of any surrounding development.
 - i) Disposition of Buildings: shall recognize the need for natural light and ventilation.
7. For purposes of this section, the tract or parcel of land involved must be either in single ownership, or the subject of an application filed jointly by the owners of all the property included.
 8. Before the recording of final subdivision plans, or as a condition of final subdivision approval, the Planning Board shall require and accept in accordance with the standards adopted by ordinance, an improvement guarantee in accordance with Chapter 3, Subdivision, Section 3-4., Final Plan, Subsection C., Improvement Guarantee.
 9. Common open space shall be dedicated after approval of the project. There shall be no further subdivision of this land, nor buildings constructed upon it without further planning review and which would cause the net residential density to exceed the density permitted in that district.
 10. The common open space(s) shall be shown on the development plan and with appropriate notation on the face thereof to indicate that it:
 - a) shall not be used for future building lots.
 - b) a part or all of the common open space may, at the option of the Town, be dedicated for acceptance by the Town for operation as a municipal recreational facility.
 11. If any or all of the common open space is to be reserved for use by the residents, the formation and incorporation by the developer of a neighborhood association shall be required prior to final plat approval.
 12. Covenants for mandatory membership in the association setting forth the owners' rights and interest and privileges in the association and the common land, shall be approved by the Planning Board and included in the deed for each lot.



STREETS AND SIDEWALKS ORDINANCE

ENACTED: MARCH 3, 2009
EFFECTIVE DATE: MARCH 4, 2009
AMENDED: JULY 7, 2009
AMENDED: FEBRUARY 1, 2011
AMENDED: APRIL 2, 2013
AMENDED: JULY 16, 2013
AMENDED: DECEMBER 6, 2016

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CHAPTER 1 - STREET AND SIDEWALKS

SECTION 1. CONDUCT OF PERSONS

1 .1 It shall be unlawful for any person to loiter in, on, or adjacent to a public way, after having been requested to disperse by a duly authorized law enforcement officer. For the purposes of this ordinance, loitering is defined as the act of standing, sitting, leaning or idling in, on, or adjacent to any street, way, sidewalk, or parking area adjacent to a public way, so as to hinder or impede the passage of pedestrians or vehicles.

1 .2 No person shall in, on or adjacent to any of said streets, ways, parking area, or public places, make, continue or cause to be made or continued any loud, unnecessary, or unusual noise or noises which shall either annoy, disturb, injure, or endanger the comfort, repose, health, peace, or safety of others. The sounding of any horn or signaling device, except as a danger warning, the playing of any radio, musical instrument, phonograph, or any other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet, and comfort of neighboring inhabitants and passers-by; the use of any loud speaker or amplifier for the purpose of commercial advertising or attraction of the public to a specific building, location or business, yelling, shouting, hooting, whistling, or singing shall be considered to be loud, disturbing, and unnecessary noises and a violation of this ordinance but such enumeration shall not be deemed exclusive.

1 .3 It shall be unlawful for any person to drink any malt, vinous, or spirituous liquors upon any streets, sidewalks, or any public way, or parking area adjacent to a public way.

1 .4 It shall be unlawful for any person or persons to enter or remain on public land known as Fort Hill Park, 1/2 hour after sunset up to sunrise.

SECTION 2. PARKING REQUIREMENT

2.1 Standing or parking close to curb - No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the right-hand wheels of the vehicle within twelve (12) inches of the curb or edge of the roadway except as otherwise provided in this article.

2.2 Signs or marking indicating angle parking

- A. The Police Chief shall determine upon what streets angle parking shall be permitted and shall mark or sign such streets but such angle parking shall not be indicated upon any Federal-aid or State highway within this town unless the Maine Department of Transportation has determined that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

2.3 Obedience to angle-parking signs or markings - Upon those streets which have been signed or marked by the Police Chief for angle parking, no person shall park or stand a vehicle other than at the angle at the curb or edge of the roadway indicated by such signs or markings.

2.4 Stopping, Standing, or Parking Prohibited in Specified Places

- A. No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic-control device, in any of the following places:

1. On a sidewalk

2. Within 5 feet of a public or private driveway.
3. Within an intersection
4. Within 10 feet of a fire hydrant
5. On a crosswalk
6. Within 20 feet from the center of a crosswalk at an intersection
7. Within 30 feet upon the approach to any flashing beacon, stop signs, or traffic-control signal located at the side of a roadway; unless otherwise indicated by signs or pavement markings.
8. Within 50 feet of the nearest rail of a railroad crossing
9. Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance (when property signposted).
10. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic.
11. On the roadway side of any vehicle stopped or parking at the end or curb of a street - so called "Double Parking"
12. Upon any bridge or other elevated structure upon a highway
13. At any place where official signs prohibit stopping

2.5 Parking not to obstruct traffic - No person shall park any vehicles in the travel lane of a street in a manner to obstruct traffic.

2.6 All night parking prohibited - No person shall park a vehicle on the street between the hours of midnight and 6 a.m. from November 1st to May 1st.

2.7 Parking for certain purposes prohibited - No person shall park a vehicle upon any roadway for the principal purpose of:

- A. Displaying such vehicle for sale.
- B. Washing, greasing or repairing such vehicle except repairs necessitated by an emergency.

2.8 Parking adjacent to schools

- A. The Police Chief is hereby authorized to erect signs indicating no parking upon either or both sides of any street adjacent to any school property when such parking would, in his opinion, interfere with traffic or create a hazardous situation.
- B. When official signs are erected indicating no parking upon either side of a street adjacent to any school property as authorized herein, no person shall park a vehicle in any such designated place.

2.9 Parking prohibited on narrow streets

- A. The Police Chief is hereby authorized to erect signs indicating no parking upon any street when the width of the roadway does not exceed 20 feet, or upon one side of a street as indicated by such signs when the width of the roadway does not exceed 30 feet.
- B. When official signs prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign.

2.10 No stopping, standing or parking near hazardous or congested places

- A. The Police Chief is hereby authorized to determine and designate by proper sign areas in which the stopping, standing or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.
- B. When official signs are erected at hazardous or congested places as authorized herein no person shall stop, stand or park a vehicle in any such designated place.

2.11 Handicapped parking

- A. It shall be unlawful for any vehicle to park in a parking space(s) designated as a handicapped parking space without first displaying a special registration plate or placard issued under Title 29A, Section 521 of M.R.S.A. or a similar plate issued by another state, providing that such area(s) after being designed as a handicapped parking space(s) are signed and posted adjacent to and visible for each handicapped parking space a sign consisting of a profile view of a wheelchair with occupant in white on a blue background, and bearing the following warning: Handicapped Parking.

SECTION 3 – LOADING ZONES

3.1 Police Chief to designate curb loading zones - The Police Chief is hereby authorized to determine the location of passenger and freight curb loading zones and shall place and maintain appropriate signs indicating the same and stating the hours during which the provisions of this section are applicable.

3.2 Standing in passenger curb loading zone - No person shall stop, stand or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger curb loading zone during hours when regulations applicable to such curb loading zone are effective, and then only for a period not to exceed 5 minutes.

3.3 Standing in freight curb loading zone - No person shall stand or park a vehicle for any purpose or length of time than for the expeditious unloading and delivery or pickup and unloading of materials in any place marked as a freight curb loading zone during hours when the provisions applicable to such zones are in effect. In no case shall the stop for loading and unloading of materials exceed 30 minutes.

SECTION 4 - STOPPING, STANDING OR PARKING RESTRICTED OR PROHIBITED ON CERTAIN STREETS

4.1 Application of article - The provisions of this article prohibiting the standing or parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when in compliance with the directions of a police officer or official traffic-control device.

4.2 Regulations not exclusive - The provisions of this article imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times.

4.3 Parking prohibited at all times on certain streets - When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any of the streets described in Schedule A attached to and made a part of this ordinance.

4.4 Parking time limited on certain streets - When signs are erected giving notice thereof, no person shall park a vehicle for longer than one hour at any time (a) between the hours of 7 a.m. and 7 p.m.

on any day except Sundays and public holidays upon any of the streets described in Section 1 of Schedule B attached to and made a part of this ordinance; or (b) between the hours of 7 a.m. and 4 p.m. of any day except Sundays and public holidays upon any of the streets described in Section 2 of Schedule B attached to and made a part of this ordinance.

4.5 Parking time limited on certain streets - When signs are erected giving notice thereof, no person shall park a vehicle for longer than two hours at any time between the hours of 7 a.m. and 7 p.m. on any day except Sundays and public holidays upon any of the streets described in Section 4 of Schedule B.

4.6 Parking prohibited at certain times on certain streets - When signs are erected giving notice thereof, no persons shall park a vehicle at any time between the hours of 6 a.m. and 4 p.m., Monday through Friday upon any of the streets described in Schedule D attached to and made a part of this ordinance.

4.7 Parking signs required - Whenever by this or any other ordinance of this Town any parking time limit is imposed or parking is prohibited on designated streets it shall be the duty of the Chief of Police to cause to be erected appropriate signs giving notice thereof and no such regulations shall be effective unless said signs are erected and in place at the time of any alleged offense. Parking and No Parking signs are placed on the street at an angle, so that they may be viewed from a vehicle while parking. Signs have arrows indicating the direction of parking and no parking. You must picture the sign to be parallel with the roadway.

SECTION 5 – OVERHEAD SIGNS

5.1 The Town Manager is authorized to place overhead signs at appropriate locations indicating traffic movement and direction and also to place signs indicating that pedestrians have the right of way on crosswalks.

SECTION 6 - EMERGENCY HAZARDS

6.1 The Town Manager, or his designee, with the advice of the Chief of Police and the Public Works Superintendent, shall be authorized to establish emergency parking, traffic or pedestrian regulations in the instance of civil emergencies, including but not limited to fire, rescue, holocaust, construction, snow or other weather storms. Such regulations shall be of a temporary nature and shall be conspicuously posted. Any posting of such regulations adjacent to a street shall be prima facie evidence that such posting was done in conformance with this ordinance and it shall be unlawful for any person to violate any posted emergency regulations.

6.2 The Chief of Police or his designee may cause any vehicle parked, disabled or abandoned on any Town way at a place, in a manner or for a length of time prohibited by this ordinance or in violation of emergency parking, traffic or pedestrian regulations under Section 1 of this Article to be removed from the way and brought to a garage, storage place, parking place or Town property.

SECTION 7 - SIDEWALKS

7.1 It shall be unlawful for any person to use a sidewalk or other pedestrian way for the use of any motorized vehicle (except for the purpose of Public Works), or horseback riding.

SECTION 8 - STREETS RESTRICTED TO CERTAIN TRAFFIC

8.1 When signs are erected giving notice thereof no person shall drive a three (3), four (4), or five (5) axle through truck anytime upon the streets described in Schedule C, attached to and made part of this ordinance.

SECTION 9 - STREETS RESTRICTED TO ENTERING TRAFFIC

9.1 When signs are erected giving notice thereof no person shall drive a vehicle onto a street marked "Do Not Enter". The following locations are hereby authorized to display said signs:

- A. At State Street and Pine Street thereby prohibiting vehicles from entering Pine from State Street, except for the initial 160 feet for the purpose of entering business parking lots at 76 and 88 State Street.
- B. At Narragansett Street and Alden Lane thereby prohibiting vehicles from entering Alden Lane from Narragansett Street.

SECTION 10 - STREETS RESTRICTED TO RIGHT-TURNS

10.1 When signs are erected giving notice thereof, no person shall turn left when exiting a street onto another street as described in Schedule E when an intersection is marked "No Left Turns".

SECTION 11 - REMOVAL OF SNOW FROM PRIVATE PROPERTY TO STREETS

11.1 No person shall lay, throw, place or plow or cause to be laid, thrown, placed or plowed on or into any public street, any snow or ice from private property. If in the removal of snow or ice from private property it is necessary to temporarily place snow or ice on any public street, such snow or ice shall be immediately removed from the public way by and at the expense of the person that caused it to be placed thereon or caused the hiring of a person to remove said snow or ice.

11 .2 No person shall place snow or ice at any intersection or in such location so as to hinder vision of those persons entering a public way.

11 .3 During snowplowing operations, the following procedure will be implemented for the night-time hours (12 midnight to 6 a.m.).

- A. In the event that a vehicle is parked in the street or otherwise inhibiting snow removal operations, the plow operators will:
 - 1. Radio to Public Safety Dispatcher with the plate number and description of the vehicle and the vehicle's exact location.
 - 2. Advise the area patrol officer of the violation and if he/she has not already done so on that particular shift he/she will go immediately to that location and issue a parking tag for: overnight parking and/or snow removal violations, (both on the same ticket, if applicable).
 - 3. The dispatcher will then utilize the directory, teletype, or similar communications to determine the registered owner or, if impractical, the responsible party and will call the residence and advise the party to immediately remove the vehicle and will also advise that if they refuse to remove it, the vehicle will be towed at their expense.
 - 4. If no contact is made by telephone, the Public Works Director or the working

highway crew foreman will be called and will determine if the vehicle still needs to be towed. If so, the officer will make a good faith attempt to notify someone at the residence at which it is parked. If the officer is still unable to make notification, the next available wrecker will be called to tow the vehicle.

5. The assigned wrecker will tow the vehicle to its own storage area. The wrecker operator will be responsible for collecting his/her towing charges.
6. Once a vehicle has been towed, the officer will then notify Dispatch to notify Public Works to return to the area to continue snow removal.

11.4 During other snowplowing operations between the “business hours” of 6 a.m. and 12 midnight the following procedures will be implemented.

- A. In the event that a vehicle is parked in the street, the plow operator will notify the responsible party and bring attention to the problem and ask that the vehicle be removed.
 1. Use their lights, horn, or similar communications in a good faith attempt to notify the responsible party and bring attention to the problem and ask that the vehicle be removed.
 2. Should these efforts fail, the plow operator will notify the Public Safety dispatcher of the vehicle plate number, description and exact location (in front of which house).
 3. The dispatcher will then utilize the directory, teletype, or similar communications to determine the registered owner or, if impractical, the responsible party, and will call the residence and advise the party to immediately remove the vehicle and that if they refuse to move it the vehicle will be towed at their expense (if the vehicle is immediately removed no ticket will be issued).
 4. If no contact is made by the telephone, the area patrol officer will be dispatched to the scene and he/she, if not making immediate contact with the registered owner or, if impractical, the responsible party at the residence, will issue a ticket for interfering with snow removal operations.
 5. The Public Works Director or working crew foreman will be called and will determine if the vehicle needs to be towed. If so, the officer will make any additional reasonable attempts at notification (calling known work number, etc.) and being unsuccessful in this attempt will cause the vehicle to be towed as outlined above.
 6. The assigned wrecker will tow the vehicle to its own storage area. The wrecker operator will be responsible for collecting his/her towing charges.
 7. Once the vehicle has been towed, the Officer will then notify Dispatch to notify Public Works to return to the area to continue snow removal.

SECTION 12 - PENALTIES

12.1 Any violation of Section 1 through Section 11 of this ordinance, except as specified in Section 12, paragraph 12.2, shall be punishable by a fine not to exceed \$100 to be recovered for the use of

the Town of Gorham, Maine.

12.2 The fact that a motor vehicle is unlawfully parked shall be prima facie evidence of the unlawful parking of such vehicle by the person in whose name such vehicle is registered. Said person charged with a violation of the parking regulations contained in the Streets and Sidewalks Public Safety Ordinance of the Town of Gorham, Maine may waive his right to court action by the payment to the Town of the fees specified below within a period of 15 days from the date of the violation.

- A. For violation of the parking regulations contained in Section 2 of this ordinance, a fee of Twenty-Five (\$25.00) Dollars.
- B. For violation of Section 6, paragraph 6.1 of this ordinance (parking in violation of emergency hazard regulations) a fee of Fifty Dollars (\$50.00)
- C. Immobilize (booting) vehicles with three or more outstanding (unpaid) tickets may be booted if they are ticketed for a violation. In order to get a boot removed, the owner must first pay all unpaid parking tickets, plus a boot fee of Fifty (\$50.00) Dollars. Payments must be made in cash, money order or bank check. No personal checks will be accepted. Payments are to be made at the Gorham Police Department, 270 Main Street, 207-839-5581, Monday through Friday, between the hours of 8:30 a.m. and 4:30 p.m. After 6:00 p.m., we begin towing and impounding immobilized vehicles at the owner's expense. All outstanding parking tickets and boot fees must be paid to the Town of Gorham as well as any towing and storage fees to the tow company before said vehicles will be released. The individual tow company sets the tow fee. After the first 24 hours, there is an impound/storage fee that is also set by the individual tow company.

12.3 The Town Manager is hereby authorized to have prepared in such form as he deems appropriate, for the use by the Police Department, tickets notifying violators of their right to waive court action upon payment of the fees specified herein within the time limits specified herein.

SCHEDULE A - No Parking Allowed

SECTION 1

Parking shall be prohibited on the following streets:

Academy Street	The easterly side from College Avenue to State Street. The westerly side from 170 feet from College Avenue to a point 45 feet from State Street.
Access Road	The northerly side from Ball Park Road continuing westerly to the driveway of #6 Access Road, a distance of 1,815 feet. The southerly side from the driveway of #7 Access Road easterly to the designated parking spaces located on Access Road for a distance of 200 feet
Alden Lane	Both sides from State Street to College Avenue, a distance of 107 feet.
Church Street	The northerly side 260 feet from School Street The southerly side 190 feet from School Street
College Avenue	The southerly side from 100 feet west of School Street to State Street for a distance of 1,400 feet. The northerly side 160 feet from School Street. The northerly side from State Street to the University of

	Southern Maine fire lane, a distance of 860 feet.
Cross Street	The easterly side 168 feet from Church Street.
Elm Street	The westerly side from Main Street to Preble Street
Gray Road	The westerly side from Huston Road 125 feet southerly. The westerly side from Huston Road 162 feet northerly to the fire hydrant near utility pole #125.
Green Street	On the northerly side 160 feet from South Street
Johnson Road	The westerly side from Main Street to Gray Road. The easterly side 100 feet from Gray Road. The easterly side 75 feet from Main Street.
Lincoln Street	The northerly side from the entrance of Village School to South Street, a distance of 848 feet. The southerly side from the entrance of Village School 100 feet westerly to the driveway of #29 Lincoln Street.
Lombard Street	The west side of Lombard Street
Main Street	The northerly side from 100 feet east of New Portland Road to Cross Street. The southerly side from New Portland Road to South Street. The southerly side beginning 190 feet west of the midpoint of the intersection of Route 202 and Route 25 and extending 310 feet easterly.
Mechanic Street	The easterly side from the New Portland Road to Railroad Avenue. The westerly side from the New Portland Road to Railroad Avenue.
Middle Jam Road	The easterly side from the North Gorham Road to 400 feet north of the North Gorham Road The westerly side from North Gorham Road to 400 feet north of the North Gorham Road
New Portland Road	The northerly side from Main Street to 100 feet east of Mechanic Street The southerly side from Main Street to 100 feet east of Mechanic Street
North Gorham Road	On either side from a distance of 850 feet westerly from the intersection of the North Gorham Road and the Gorham-Windham Municipal boundary. On both sides 200 feet westerly from the intersection of Standish Neck Road.
Ball Park Road	The west side of Ball Park Road from Morrill Avenue to the Access Road
Pine Street	The westerly side from State Street to 200 feet south of State Street
Preble Street	The southerly side from South Street to Elm Street
School Street	The westerly side beginning at CMP pole #1 to the intersection of College Avenue, a distance of 203 feet.

	The easterly side beginning at a point 270 feet north of Main Street and continuing north to the intersection of Church Street, a distance of 60 feet. The westerly side beginning at CMP pole #8 and continuing north to the compact zone line. The easterly side beginning at CMP pole #8 and continuing north to the compact zone line.
South Street	The easterly side from Main Street to 120 feet south of Main Street.
Standish Neck Road	On both sides 125 feet from the intersection of North Gorham Road.
State Street	The southerly side from South Street to 200 feet east of Pine Street within the right-turn lane. The southerly side from Pine Street continuing westerly to the compact zone line. The northerly side from the driveway of #35 State Street continuing westerly to the compact zone line.
Water Street	The westerly side from Main Street to the intersection of Church Street On the easterly side 470 feet from Main Street

SECTION 2

Parking shall be prohibited within the boundaries of Robie Park. These boundaries being: Morrill Avenue on the south side, Ball Park Road on the east side, Access Road on the north side, and the high school parking lot and the unnamed roadway that runs from Morrill Avenue to the high school parking lot on the west side of the park.

SCHEDULE B - Limited Parking

SECTION 1 (One Hour Limit: 7 a.m. – 7 p.m.)

Parking shall be limited to a maximum of one hour between the hours of 7 a.m. and 7 p.m. on the following streets:

Gray Road	The westerly side of Gray Road, between CMP pole #126 southerly to CMP pole #127 for a distance of 164 feet. The easterly side of Gray Road directly across the street from the same CMP poles and for the same distance.
Main Street	The northerly side from School Street to Cross Street
South Street	Town owned parking on the north side of Robie Gym and Town owned parking located in front of Robie Gym on South Street.

SECTION 2 (One Hour Limit: 7 a.m. – 4 p.m.)

Parking shall be limited to a maximum of one hour between the hours of 7 a.m. and 4 p.m. of any day except Sundays and public holidays upon the following streets:

CHAPTER 2 - STREET OPENING ORDINANCE

Section 1. Purpose

1.1 The purpose of this ordinance is to protect the enormous public investment in the streets and roads of Gorham and also to protect the health, safety, and welfare of the traveling public.

Section 2. Definitions, License, Insurance Permit

Definitions:

The following words and phrases, when used in Chapter 2 of this ordinance, shall have the meanings respectively ascribed to them:

- 2.1 Town shall mean Town of Gorham and/or its public works authority.
- 2.2 Excavation shall mean any opening in the surface of a public place made in any manner whatsoever, except an opening in a lawful structure below the surface of a public place, the top of which is flush with the adjoining surface and so constructed as to permit frequent openings without injury or damage to the public place.
- 2.3 Facility shall mean pipe, pipeline, tube, main, service, trap, vent, vault, manhole, meter, gauge, regulator, valve, conduit, wire tower, pole, pole line, anchor, cable, junction box, or any material, structure, or object of any kind or character, whether enumerated herein or not, which is or may be lawfully constructed, left, placed or maintained in, upon, along, across, under, or over any public place.
- 2.4 Licensed excavator shall mean any person who has been issued a license by the Town of Gorham to excavate in public places in the Town.
- 2.5 Newly constructed, reconstructed or repaved streets shall mean any street that has been newly constructed, reconstructed or repaved within the last five (5) years.
- 2.6 Permittee shall mean a person who has obtained a permit as required by this article.
- 2.7 Public place shall mean any public street, way, place, sidewalk, park, square, plaza, or any other similar public property owned or controlled by the Town and dedicated to public use, and any dedicated-but-unaccepted street or way.
- 2.8 Substructure shall mean any pipe, conduit, duct, tunnel, manhole, vault, buried cable, wire or utility system appurtenance, or any other similar structures located below the surface of any public place.
- 2.9 Utility shall mean a private company, corporation or quasi-municipal corporation under the direction and control of the Public Utilities Commission, as defined in 35-A M.R.S.A., Section 102 as it may hereinafter be amended.
- 2.10 Major Excavation shall mean repair or replacement of any main utility line, repair or replacement of the majority of utility services lines on any street, any excavation project of a one hundred (100) foot length, or more, or a two hundred and fifty (250) square foot area or greater, or any project complex enough to be deemed major by the Public Works Director.

2.11 Minor Excavation shall be any repair or replacement that is not a Major Excavation.

2.12 Person shall mean any individual, firm, company, association, corporation, trust or governmental authority, partnership, public or private corporation or authority, trust, estate, governmental entity, or agency or political subdivision of a municipality, the State of Maine, or other legal entity, or their representatives, agents or assigns. The singular shall include the plural where indicated by the context.

2.13 Emergency shall mean any event which may threaten public health or safety, including but not limited to leaking water or gas conduit systems, damaged, plugged or leaking sewer or storm drain conduit systems, damaged underground electrical and communication facilities, or downed overhead pole structures.

Section 3. License Required

3.1 No person or utility shall excavate in a public place without holding a valid license for such work from the Town of Gorham. The public works authority shall issue such license upon receipt of an application therefore and the annual license fee, after having satisfied himself or herself of the competency and ability of the applicant to carry on the business of excavating. No person or utility possessing such license shall allow his or her name to be used by any person or utility, directly or indirectly, either to obtain a permit to do any work under this license; provided, however, that nothing herein shall be construed to prohibit a licensed excavator from doing such work through an authorized agent or employee who is directly and continuously supervised by him while in the performance thereof. A license issued to an excavator may be revoked after notice and hearing, if it is determined by the Town that the licensed excavator has willfully disobeyed any portion of this article.

3.2 The excavator may, within 30 days from the date the permit was revoked, appeal this decision to the Board of Appeals.

3.3 The annual non-refundable excavator license fee shall be established by the Town Council and the Town Council may change the fee at any time as they determine to be in the Town's best interest. The license shall be valid from January 1 to December 31 and contains no prorated provisions.

Section 4. Insurance

4.1 This article shall not be construed as imposing upon the Town of Gorham or any official or employee of the Town any liability or responsibility for damages to any person injured by the performance of an excavation work for which an excavation permit is required under this article, nor shall the Town or any official or employee thereof be deemed to have assumed any such liability or responsibility by reason of inspections authorized hereunder, the issuance of any permit, or the approval of any excavation work. In the case of a dedicated-but-unaccepted street or way, this article shall not be construed as authorizing any action that is inconsistent with any private rights in said street or way by the Town for highway or any other purposes. For purposes of this section, every licensed excavator shall maintain at all times a minimum of \$1,000,000.00 public liability insurance coverage protecting himself, his agents and the Town from all such claims for damages or injuries and naming the Town as an additional insured. Evidence of such coverage shall be a condition precedent to the issuance of any license hereunder and shall be submitted in a form satisfactory to the public works authority.

Section 5. Permit

- 5.1 No person or utility shall make any excavation or fill any excavation in any public place without first obtaining a permit to do so from the Town. A certificate of Public Liability Insurance is required prior to the issuance of any excavation permit, with a minimum of \$1,000,000.00 coverage naming the Town as an additional insured.
- 5.2 No excavation permit shall be issued unless a written application on a form provided by the Town for an issuance of an excavation permit is submitted to the Town. The written application shall state the name and address of the applicant, the name of the public place to be excavated and street number, the beginning date of proposed work, the type of work to be done, signatures of utility approval, the signature of Town departments (if involved), a diagram of the planned excavation on the back of the form.
- 5.3 Utilities, although having to submit an application for a permit to the Town, may contact other utilities involved by phone and the authorized person doing so shall sign the application in the appropriate place. All applications shall be presented to the Town for the issuance of an excavation permit within thirty (30) days from the date of the last utility approval. After the expiration of this thirty (30) day period such application shall become null and void and shall have to be renewed.
- 5.4 In order to obtain a permit, the applicant must be in possession of a current excavator license from the Town of Gorham, and the applicant must be current on all of its financial obligations to the Town.
- 5.5 Excavation work must be started no later than sixty (60) days from this date of the issue of the excavation permit. After the expiration of this sixty (60) day period, such permit shall become null and void and shall have to be renewed.

Section 6. Special Conditions

61 Relocation and protection of utilities

The permittee shall not interfere with any existing facility without the written consent of the Town and the owner of the facility. If it becomes necessary to relocate an existing facility, this shall be done by its owner. No facility owned by the Town shall be moved to accommodate the permittee unless the cost of such work be borne by the permittee. The cost of moving privately owned facilities shall be similarly borne by the permittee unless it makes other arrangements with the person owning the facility. The permittee shall support and protect by timbers or otherwise all pipes, conduits, poles, wires or other apparatus, which may be in any way affected by the excavation work, and do everything necessary to support, sustain and protect them under, over, along, or across the work. The permittee shall secure approval of method of support and protection from the owner of the facility. In case any of the pipes, conduits, poles, wires or apparatus should be damaged, and for this purpose pipe coating or other encasement or devices are to be considered as part of a substructure, the permittee shall promptly notify the owner thereof. All damaged facilities shall be repaired by the agency or person owning them and the expense of such repairs shall be charged to the permittee. It is the intent of this section that the permittee shall assume all liability for damage to facilities and any resulting damage or injury to anyone because of such facility damage and such assumption of liability is a contractual obligation of the permittee. The only exception will be such instances where damage is exclusively due to the negligence of the owning utility. The Town shall not be made a party to any action because of this section. The permittee shall

inform itself as to the existence and location of all underground facilities and protect the same against damage.

6.2 Protection and non interference of public property:

- a. The permittee shall not remove, even temporarily, any trees or shrubs which exist in the street area without first obtaining the consent of the appropriate Town department or Town official having control of such property.
- b. The excavation work shall be performed and conducted so as not to interfere with access to fire hydrants, fire stations, traffic signal cables or loops and all other equipment designated by the Town.

6.3 Urgent Work

When traffic conditions, the safety or convenience of the traveling public or the public interest require that the excavation work be performed as emergency work, the Town shall have the full power to order, at the time the permit is granted, that a crew and adequate facilities be employed by the permittee beyond normal working hours including up to twenty-four (24) hours a day to the end that such excavation work may be completed as soon as possible.

6.4 Emergency action

Nothing in this article shall be construed to prevent the making of such emergency excavations as may be necessary for the preservation of life or property or for the location of trouble in conduit or pipe, or for making emergency repairs, provided that the person making such excavation shall apply to the Town for such a permit on the first working day after such work is commenced. Before any excavation work is started, the person or utility excavating must contact all utilities for on the spot locations in accordance with 23 MRSA, Section 3360-A.

6.5 Noise, dust and debris

Each permittee shall conduct and carry out excavation work in such a manner as to avoid unnecessary inconvenience and annoyance to the general public and occupants of neighboring property. The permittee shall take appropriate measures to reduce to the fullest extent practicable in the performance of the excavation work, noise, dust and unsightly debris and between the hours of 10:00 p.m. and 7:00 a.m. shall not use, except with the express written permission of the Town or in case of an emergency as herein otherwise provided, any tool, appliance or equipment producing noise of sufficient volume to disturb sleep or occupants of the neighboring property.

6.6 Preservation of monuments

Any monument set for the purpose of locating or preserving the lines of any street or property subdivision, or a precise survey reference point, or a permanent survey bench mark within the Town, shall not be removed or disturbed or caused to be removed or disturbed without first obtaining permission in writing from the Town to do so. Permission to remove or disturb such monuments, reference points or bench marks shall be granted only when no alternative route for the proposed substructure or conduit is available. If the Town is satisfied that no alternative route is available, permission shall be granted only upon condition, by an agreement in writing, that the person or utility applying for such

permission shall pay all expenses incident to the proper replacement of this monument by the Town or permittee.

6.7 Granite and bituminous curb

No person or utility shall remove, damage, haul away or cause misalignment of any bituminous curb, granite curbing, including radius curb and catch basin stones, for any reason whatsoever without first receiving written permission from the Town. Any curb missing, damaged or misaligned shall be replaced or aligned by the Town at the rate set forth herein and will be charged to the permittee; provided, however, that the Town, at its option, may allow the permittee to replace or realign that portion of the curb damaged by the permittee's excavation. In such event, replacement or realignment shall be done in a manner and under specifications prescribed by the Town and subject to inspection by the Town and shall be completed within a period of ninety (90) days after such authorization to complete such work. The permittee shall, for a period of three (3) years thereafter, be fully liable for all defects in materials and workmanship relating to such work and shall promptly repair or replace the same upon notice of the public works authority and to the satisfaction thereof.

6.8 Manholes and/or catch basins

No person or utility shall remove, damage, haul away, or otherwise disturb any manhole and/or catch basin castings, frames, and/or covers owned by the Town without first receiving written permission from the Town. Any manhole and/or catch basin castings, frames, and/or covers missing damaged or disturbed shall be repaired and/or replaced by the permittee in accordance with the specifications set forth by the Public Works Department.

6.9 Excavations in reconstructed streets

Whenever the Town has developed plans to reconstruct a street, the Town or its representative shall give written notice thereof to all abutting property owners, to the Town departments, and to all public utilities that have or may wish to lay pipes, wires or other facilities in or under the highway. Upon receipt of such written notice, such person or utility shall have sixty (60) days in which to install or lay any such facility. If an extension of time is needed by a person or utility for the installation of such facilities, the person or facility shall make a written application to the Town explaining fully the reasons for requesting such an extension of time. At the expiration of the time fixed and after such street has been reconstructed, no permit shall be granted to open such street for a period of five (5) years unless an emergency condition exists or unless the necessity for making such installation could not reasonably have been foreseen at the time such notice was given. The above mentioned five (5) year moratorium for street openings also pertains to all new public or private streets, i.e. new subdivisions or developments that have been accepted in accordance with Town specifications.

6.10 Incurred expenses through repairing and backfilling by Town of Gorham

- a. If the work or any part thereof mentioned in this article for repairing or backfilling the trenches or excavations shall be unskillfully or improperly done, the Town shall cause the same to be skillfully and properly done, and shall keep an account of the expense thereof, and in such case such person or utility shall pay the Town an amount equal to the whole of the expense incurred by the Town with an additional amount of fifty (50) percent. Thereafter, upon completion of the work and the

determination of the costs thereof, the Town shall issue no further or new permits to any person or utility until it shall receive payment of the estimated costs.

- b Any person or utility who continues to violate any section of this article shall receive no further permits until such time as the Town is satisfied that the person or utility shall comply with the terms of this article.

6.11 Maintenance of drawings

Every person or utility owning, using, controlling, or having an interest in substructures, under the surface of the public way used for the purpose of supplying or conveying gas, electricity, communication, impulse, water, steam, ammonia or oil in the Town, shall file with the Town, a map or set of maps each drawn to scale of not less than one (1) inch to fifty (50) feet, showing in detail the plan, location, size and kind of installation, if known, of all new or renewed substructures, except service lines designed to serve single properties. These maps shall be provided to the Town no later than sixty (60) days after the completion date of construction.

6.12 Annual work program to be submitted by utilities

Each year on or before March 31 st, each utility shall submit to the public works authority its planned work program for the ensuing year, which shall not include emergencies and normal house service lines. Thereafter, no permit shall be issued to a utility for excavations not contained within its planned work program, except for emergencies and house service lines, until a prior written application for such excavation shall have been submitted to and approved by the public works authority.

Section 7. Excavation, Resurfacing

7.1 Clearance for vital structures

The excavation work shall be performed and conducted so as not to interfere with access to fire hydrants, fire stations, fire escapes, water gates, underground vaults, valve housing structures, traffic signal cables and loops and all other vital equipment as designated by the Town.

7.2 Protective measures and routing of traffic

- a. Safe crossings. The permittee shall in general maintain safe crossings for two (2) lanes of vehicle traffic at all street intersections where possible and safe crossings for pedestrians. If any excavation is made across any public street or sidewalk, adequate crossings shall be maintained for vehicles and for pedestrians. If the street is not wide enough to hold the excavated material without using part of the adjacent sidewalk, a passageway at least one-half of the sidewalk width shall be maintained along such sidewalk line.
- b. Barriers and warning devices. It shall be the duty of every permittee cutting or making an excavation in or upon any public place, to place and maintain barriers and warning devices necessary for safety of the general public. Traffic control in the vicinity of all excavations affecting vehicular, pedestrian and bicycle traffic shall be subject to final review and approval of the Public Works Department. Barriers, warning signs, lights, etc., shall conform to the latest edition of the "Manual on

Uniform Traffic Control Devices.” Warning lights shall be electrical markers or flashers used to indicate a hazard to traffic from sunset of each day to sunrise of the next day. Electrical markers or flashers shall emit light at a reasonable distance for safety. Reflectors or reflecting material may be used to supplement, but not replace light sources.

- c. Normalizations of traffic conditions. The permittee shall take appropriate measures to assure that during the performance of the excavation work, traffic conditions as near normal as possible shall be maintained at all times so as to minimize inconvenience to the occupants of the adjoining property and to the general public.
- d. Closing of streets. When traffic conditions permit, the Public Works Department, with the approval of the police and fire departments of the Town, may by written approval (or by verbal approval in case of an emergency), permit the closing of streets to all traffic for a period of time prescribed by him or her, if in his or her opinion it is necessary. The written approval of the Public Works Department may require that the permittee give notification to various public agencies and to the general public. In such cases, such written approval shall not be valid until such notice is given. In case of emergency on week nights, weekends or holidays the utility company having such emergency shall contact the police and fire departments by phone before closing a street to traffic.
- e. Interference with arterial streets. The permittee is also informed that construction activities (unless an emergency condition exists) shall not interfere with the normal flow of traffic on arterial streets of the Town. The full inbound roadway lane width shall be maintained between the hours of 6:45 a.m. and 8:30 a.m. and the full outbound roadway lane width shall be maintained between the hours of 4:00 p.m. and 5:45 p.m.
- f. Shifting traffic to opposite side. The permittee may shift traffic to the opposite side of the roadway to maintain required lane width. The permittee may only make such shift with the approval of the Public Works Department following proper review of detour plans to insure adequate safe two-way traffic flow and proper number and placement of police officers.

7.3 Breaking through pavement in streets and sidewalks

- a. All excavations on paved street and sidewalk surfaces shall be pre-cut in a neat straight line with pavement breakers, saws, or asphalt cutters.
- b. Heavy duty pavement breakers may be prohibited by the Town when the use endangers existing substructures or other property.
- c. Cutouts of the trench lines must be normal or parallel to the trench line.
- d. Pavement edges shall be trimmed to a vertical face and neatly aligned with the center line of the trench.
- e. Unstable pavement shall be removed over cave-outs and over breaks and the sub grade shall be treated as the main trench.
- f. The permittee shall not be required to pay for repair of pavement damage existing prior to the excavation unless his or her cut results in small floating sections that

may be unstable, in which case, the permittee shall remove the unstable portion and the area shall be treated as part of the excavation.

- g. When three (3) or more street openings are made in sequence fifteen (15) feet or less, center to center, between each adjacent opening, the permittee shall neatly cut and remove the area of pavement between these adjacent openings and shall patch as one trench.
- h. On concrete sidewalks, all cuts shall be made from the nearest joint or score line on the other side of the excavation.

7.4 Care of Excavated material

- a. All material excavated from trenches and piled adjacent to the trench or in any street shall be piled and maintained in such manner as not to endanger those working in the trench, pedestrians or users of the streets, and so that as little inconvenience as possible is caused to those using streets and adjoining property. Where the confines of the area being excavated are too narrow to permit the piling of excavated material beside the trench, the Town shall have the authority to require that the permittee haul the excavated material to a storage site and then re-haul it to the trench site at the time of backfilling.
- b. It shall be the permittee's responsibility to secure the necessary permission and make all necessary arrangements for all required storage and disposal sites.
- c. All material excavated shall be laid compactly along the side of the trench and kept trimmed so as to cause as little inconvenience as reasonably possible to vehicular and pedestrian traffic, or as specified by the Town. Whenever necessary in order to expedite the flow of traffic or to abate the dirt or dust nuisance, the boards or bins may be required by the Town to prevent the spreading of dirt into traffic lanes.

7.5 Backfilling of excavation

Crushed stone or sand shall be used to bed all underground utilities and shall be thoroughly compacted under, around and to a minimum of 6 inches above the structure. After being properly bedded, the backfill material, if suitable, shall be the excavated material. If the excavation is not suitable, backfill shall be of a like material approved by the Town. All backfill materials shall be placed in eight (8) to ten (10) inch lifts and thoroughly compacted with approved mechanical compactors. Within eighteen (18) inches of the sub grade of the pavement, gravel shall be used as backfill material consisting of fifteen (15) inches of bank run and three (3) inches of crushed or screened gravel in accordance with the Town's specification. The Town may require soil tests to be furnished by a recognized soil testing laboratory or registered professional engineer specializing in soil mechanics when, in its opinion, backfill for any excavation is not being adequately compacted. In order for the resurfacing to be permitted, such tests must show that the backfill material meets the minimum requirements as prescribed by the Town. All expense of such tests shall be borne by the permittee.

7.6 Trenches

The maximum length of open trench in an excavation permissible at any time shall be two hundred (200) feet, and no greater length shall be opened for pavement removal,

excavation, construction, backfilling, patching or any other operation without the written permission of the Town.

7.7 Prompt completion of work

After an excavation is commenced, the permittee shall prosecute with diligence and expedite all excavation work covered by the excavation permit and shall promptly complete such work and restore the street as specified in this article. The permittee shall perform such restoration work so as not to obstruct, impede or create a safety hazard to public travel by foot or vehicle.

7.8 Excavation during winter

No person or utility shall be granted a permit to excavate or open any street or sidewalk from the time of November first of each year to April fifteenth of the following year unless an emergency or special condition exists and permission is obtained in writing from the Town. Any person or utility wishing to obtain a street opening permit between these aforementioned dates shall first explain fully in writing the emergency situation existing to the Town before issuance is granted. If a hazardous condition, which could endanger life of property exists, excavation work shall not be delayed by this section, however, a written explanation shall be delivered to the Town as soon as possible and a street opening permit obtained for the opening made.

7.9 Manholes and/or catch basins

No person or utility shall remove, damage, haul away, or otherwise disturb any manhole and/or catch basin castings, frames, and/or covers owned by the Town without first receiving written permission from the Town. Any manhole and/or catch basin castings, frames, and/or covers missing, damaged, or disturbed shall be repaired and/or replaced by the permittee in accordance with the specifications set forth by the Public Works Department.

7.10 Resurfacing of Streets and Sidewalks

- a. Permanent resurfacing by the Town. Permanent resurfacing of excavations in streets shall be made by the Town.
- b. Temporary resurfacing by the permittee. The top surface of backfill shall be covered with four (4) inches compacted depth of bituminous temporary resurfacing material, by the permittee. Such temporary paving material shall be cold mix, except that the permittee may use or the Town may require hot mix. All temporary paving material shall be compacted so that it is hard enough and smooth enough to be safe for pedestrian travel over it, as well as for vehicular traffic to pass safely over it at a legal rate of speed. The permittee shall maintain the temporary paving and shall keep same safe for pedestrian and vehicular traffic until the excavation has been resurfaced with permanent paving by the Town, except if it is not possible to maintain the surface of the temporary paving in a safe condition for pedestrian and vehicular traffic, then the permittee shall maintain barriers and lights where required herein.
- c. Permanent resurfacing by the permittee. Upon completion of the backfilling and temporary resurfacing of an excavation within a public place for the installation of removal of a substructure, the Town, at its option, may allow the permittee to

permanently resurface that portion of the street surface damaged by the permittee's excavation. In such event, permanent resurfacing shall be done in a manner and under specifications prescribed by the Town and subject to inspection by the Town and shall be completed within a period of ninety (90) days after such authorization to complete final resurfacing. If such permanent resurfacing is satisfactory to the Town, all charges for resurfacing except for permit fees, long-term maintenance reserves and Town inspection charges, as herein set forth, will be canceled. The permittee shall, for a period of three (3) years thereafter, be fully liable for all defects in materials and workmanship relating to such resurfacing and shall promptly repair or replace the same upon notice of the public works authority and to the satisfaction thereof.

7.11. Inspections

The Town shall make such inspections as are reasonably necessary in the enforcement of this article. The Town shall have the authority to promulgate and cause to be enforced such rules and regulations as may be reasonably necessary to enforce and carry out the intent of this article.

Section 8. Fees and Charges

- 8.1 Fee. A non-refundable fee of twenty five dollars (\$25.00) shall be paid for each issuance and for each renewal of an excavation permit. A non refundable fee of fifty dollars (\$50.00) shall be paid for each application and for each renewal of a major excavation permit.
- 8.2 Wavier of Fees. The Town Manager may waive all permit fees in streets, sidewalks, or driveway areas to contractors under contract to the Town (including the Portland Water District), the Maine Department of Transportation, or the Town of Gorham.
- 8.3 Cost of Replacement. Charges shall be established and updated from time to time by order of the Town Council to cover the cost of replacement of the street or sidewalk after openings under this article, which charges shall not be in excess of the reasonable cost of such replacement.
- 8.4 Major Excavation Projects.
- a. For major excavation projects (as defined in Section 2.10 of this ordinance), the application fee shall be fifty (\$50.00) dollars. Applicants must post a performance bond equal to 105% of the estimated excavation costs of the project (as determined by the Public Works Director or the Director's designee) or twenty thousand (\$20,000) dollars, whichever is more, for a minimum of twelve (12) months or the duration of the project, whichever is more.¹
 - b. Applicants must agree in writing to repair any excavation work to Town standards.
 - c. Applicants must agree in writing to warranty their work until the street, where the excavation work was done, is repaved.

¹ Amended July 7, 2009

8.5 Special Conditions.

- a Where three (3) or more street openings are made in sequence (fifteen (15) feet or less, center to center, between each adjacent opening), the permittee shall be charged for one opening measured from the first opening to the last opening.
- b The Town of Gorham reserves the right, after due notice:
 - 1. To provide such supervision and inspection as the Town may deem necessary.
 - 2. To re-excavate and backfill as may be necessary.
 - 3. If the area is improperly and unsatisfactorily cleaned up, to clean up the area.
 - 4. To charge the holder of the permit the cost of all work performed under reservations (1,2, and 3 above); which charge will be in addition to the normal fee for street openings and will be included in the final bill to permit holder.
- c In streets where the Town has installed new sanitary sewer or storm drain and the pavement on such streets is in need of major repair, the Town may waive up to fifty (50) percent of the total street opening repair charge to utilities and individuals having work to do on such streets.

Section 9. Billing Procedures

- 9.1 Upon completion of the excavation work and after settlement has stabilized, a measurement shall be made by the Town of the size of the opening and a bill will be mailed to the permittee depending upon the costs of the opening to be repaired. Cost of repair of the opening will be a factor of the total number of square yards multiplied by the appropriate rate as set forth herein. Bills rendered in accordance with this section shall be due and payable by the permittee immediately upon receipt thereof. If a permittee does not pay any such bill within thirty (30) days after receipt, the Town shall issue no further permits to any such permittee until it receives payment of such outstanding bill.

Section 10. Penalty

- 10.1 Any person, firm or corporation who violates any of the provisions of Chapter 2 of this ordinance shall be guilty of a misdemeanor and upon conviction thereof, shall be fined not less than One thousand dollars (\$1 ,000.00) for the first offense and not less than Two thousand (\$2,000) dollars for the second and subsequent violation and shall be subject to any legal and equitable remedies as may be available to the Town. Each day such violations continue shall constitute a separate offense.

If the work or any part thereof mentioned in the preceding sections of repairing or backfilling the trenches or excavations aforesaid shall be unskillfully or improperly done, the Town shall cause the same to be skillfully and properly done, and shall pay the Town an amount equal to the whole of said expense incurred by said Town with an additional amount of fifty (50) percent. Thereafter, upon completion of the work and the determination of the costs thereof, the Town shall issue no further or new permits to any person or utility until it shall receive payment of said costs.

Any person or utility who continues to violate any section of this article shall receive no further permits until such time as the Town is satisfied that the person or utility shall comply with the terms of this article.

Section 11. Liability of Town

- 11.1 This article shall not be construed as imposing on the Town or any official or employee any liability or responsibility for damages to any person injured by the performance of an excavation work for which an excavation permit is issued hereunder; nor shall the Town or any official or employee of the Town be deemed to have assumed any such liability or responsibility by reason of inspections authorized by this ordinance, the issue of any permits, or the approval of any excavation work.

Section 12. Validity and Severability

- 12.1 If any section or provision of this ordinance is declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this ordinance.

Section 13. Conflicts with Other Ordinances

- 13.1 This ordinance shall not in any way impair or remove the necessity of compliance with any other applicable rule, ordinance, regulation, bylaw or provision of law. If this ordinance conflicts with any other ordinance, regulation, bylaw, or provision of law, the greater restriction shall prevail.

CHAPTER 3 – RESTRICTING VEHICLE WEIGHT ON POSTED WAYS

Section 1. Purpose and Authority

- 1.1 The purpose of this ordinance is to prevent damage to town ways and bridges in the Town of Gorham which may be caused by vehicles of excessive weight, to lessen safety hazards and the risk of injury to the traveling public, to extend the life expectancy of Town ways and bridges, and to reduce the public expense of their maintenance and repair.

Section 2. Definitions

- 2.1 The definitions contained in Title 29 M.R.S.A. shall govern the construction of words contained in this ordinance. Any words not defined therein shall be given their common and ordinary meaning.

Section 3. Restrictions and Notices

- 3.1 The municipal officers, the Town Manager or the Town Manager's designee may, either permanently or seasonally, impose such restrictions on the gross registered weight of vehicles as may, in their judgment, be necessary to protect the traveling public and prevent abuse of the highways, and designate the Town ways and bridges to which the restrictions shall apply.
- 3.2 Whenever notice has been posted as provided herein, no person may thereafter operate any vehicle with a gross registered weight in excess of the restriction during any applicable time period on any way or bridge so posted unless otherwise exempt as provided herein.
- 3.3 The notice shall contain, at a minimum, the following information: the name of the way or bridge, the gross registered weight limit, the time period during which the restriction applies, the date on which the notice was posted, and the signatures of the appropriate municipal officials.
- 3.4 The notice shall be conspicuously posted at each end of the restricted portion of the way or bridge in a location clearly visible from the travelway. Whenever a restriction expires or is lifted, the notices shall be removed wherever posted. Whenever a restriction is revised or extended, existing notices shall be removed and replaced with new notices.
- 3.5 No person may remove, obscure or otherwise tamper with any notice so posted except as provide herein.

Section 4. Exemptions

- 4.1 The following vehicles are exempt from this ordinance;
 - (a) any two-axle vehicle while delivering home heating fuels;
 - (b) any vehicle while engaged in highway maintenance or repair under the direction of the State or Town;
 - (c) any emergency vehicle (such as firefighting apparatus or ambulances) while responding to an emergency;

- (d) any school transportation vehicle while transporting students;
- (e) any public utility vehicle while providing emergency service or repairs;
- (f) any vehicle making regular delivery or pickup of agricultural products such as feed delivery and milk pickup vehicle serving dairy farms;
- (g) any vehicle making regular pickups of normal household solid waste. (This exemption does not include demolition debris, metal goods, bulky waste, etc.); and,
- (h) any vehicle whose owner or operator holds a valid permit from the municipal officers, the Town Manager or the Town Manager's designee, as provided herein.

Section 5. Permits

- 5.1 The owner or operator of any vehicle not otherwise exempt as provided herein may apply in writing to the Town Manager or the Town Manager's designee for a permit to operate on a posted way or bridge notwithstanding the restriction. The Town Manager or the Town Manager's designee may issue a permit only upon all of the following findings:
- (a) no other route is reasonably available to the applicant;
 - (b) it is a matter of economic necessity and not mere convenience that the applicant use the way or bridge; and,
 - (c) the applicant has tendered cash, a bond or other suitable security running to the Town in an amount sufficient, in their judgment, to repair any damage to the way or bridge which may reasonably result from the applicant's use of same. Applicants are still responsible for any damage which occurs in excess of the bond amount and must provide sufficient funds within sixty (60) days of receiving written notice to pay for all damages.
- 5.2 Even if the Town Manager or the Town Manager's designee makes the foregoing findings, they need not issue a permit if they determine the applicant's use of the way or bridge could reasonably be expected to create or aggravate a safety hazard or cause substantial damage. They may also limit the number of permits issued or outstanding as may, in their judgment, be necessary to preserve and protect the highways.
- 5.3 In determining whether to issue a permit, the Town Manager or the Town Manager's designee shall consider the following factors:
- (a) the gross registered weight of the vehicle;
 - (b) the current and anticipated condition of the way or bridge;
 - (c) the number and frequency of vehicle trips proposed;
 - (d) the cost and availability of materials and equipment for repairs;
 - (e) the extent of use by other exempt vehicles; and,
 - (f) such other circumstances as may, in their judgment, be relevant.

- 5.4 The Town Manager or Town Manager's designee may issue permits subject to reasonable conditions, including but not limited to restrictions on the actual load weight and the number of frequency of vehicle trips, which shall be clearly noted on the permit.

Section 6. Permit Fees

- 6.1 There shall be a fee of fifteen dollars (\$15) for any permit that runs for less than eight (8) consecutive days. There shall be a fee of twenty-five dollars (\$25) for any permit that runs for eight (8) consecutive days or longer. No permit may be issued for more than four (4) months.

Section 7. Administration and Enforcement

- 7.1 This ordinance shall be administered and may be enforced by the municipal officers or their duly authorized designee (such as the Public Works Director, Code Enforcement Officer, Police or other Law Enforcement Officer).

Section 8. Penalties

- 8.1 Any violation of this ordinance shall be a civil infraction subject to a fine of not less than \$25.00 nor more than \$5,000.00. Each violation shall be deemed a separate offense. In addition to any fine, the Town may seek restitution for the cost of repairs to any damaged way or bridge and reasonable attorney fees and costs.
- 8.2 Prosecution shall be in the name of the Town of Gorham and shall be brought in the Maine District Court.

Section 9. Severability; Effective Date

- 9.1 In the event any portion of this ordinance is declared invalid by a court of competent jurisdiction, the remaining portions shall continue in full force and effect.

Section 10. Amendment

- 10.1 This ordinance may be amended by the municipal officers at any properly noticed meeting.



December 2, 2019

Mr. Thomas Poirier, Director of Community Development
Town of Gorham
75 South Street, Suite 1
Gorham, ME 04038

**RE: RFP 2019-01 Design of the Next Phases of Gorham Industrial Park - Gorham, Maine
MMI #4807-13**

Dear Mr. Poirier:

Milone & MacBroom, Inc. is pleased to submit its qualifications to the Town of Gorham to provide professional services for design and permitting of federal, state, and local approvals, and construction inspection of the next phases of the Gorham Industrial Park. When reviewing our proposal, we ask that you consider our team's strengths:

- Since its inception, Milone & MacBroom has been involved in the development of several business/industrial parks. Examples of similar projects include Libby Hill Industrial Park for the City of Gardiner, Clarke Business Park, Hamden Business Park, Killingly Industrial Park, Woodruff Hill Industrial Park, Greenbriar Business Park, and the Wallingford Industrial / Business Park.
- Our project team has extensive expertise in the field of civil engineering providing comprehensive site development services from concept to construction. We have assembled the right project partners to assist us with environmental studies (Mainely Soils), land surveying services (Northern Engineering Survey), and electrical engineering and design (Bennett Engineering).
- Milone & MacBroom brings together all of the professional skills, experience, and knowledge required to meet the Town's established schedule.
- We have an established record of providing municipal engineering services throughout Maine and New England and have enjoyed a mutually beneficial relationship with the Town of Gorham on previous successful projects.
- From our years of experience working with the public and private sectors, we thoroughly understand the design, permitting and approval processes for the Town of Gorham, Maine DEP and Maine DOT.

We look forward to the opportunity of providing our expertise to the Town of Gorham. If we can provide you with additional information, please feel free to contact me at (207) 541-9544 or via email at jadams@mminc.com.

MILONE & MACBROOM, INC.

John Q. Adams, PE, PTOE
Maine Regional Manager

Mike Zarba, PE
Senior Project Manager – Civil Engineering

- Site Analysis & Selection
- Master Planning
- Site Design & Engineering
- Infrastructure & Utilities
- Water Supply Systems
- Sanitary Sewer Systems
- Land Use Permitting
- Construction Documents & Specifications
- Cost Estimating
- LEED
- Erosion Control
- Hydraulic Analysis
- Stormwater Management
- Project Management
- Low Impact Development Techniques



Roadway Design

Milone & MacBroom has developed an extensive portfolio of highway and infrastructure improvement projects for municipalities, state agencies, and private developers.



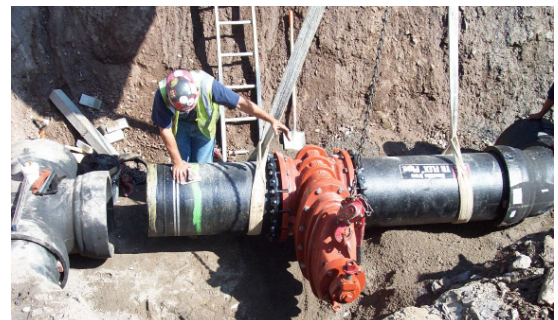
Our in-house technical staff can handle all aspects of transportation improvement systems, including planning, permitting, conceptual design, environmental assessment, pavement and drainage evaluation, safety concerns, value engineering, cost estimating, final design, and construction management services.

Many of the projects undertaken by the firm receive construction funding from the state Department of Transportation administered programs using Federal Highway Administration funding. We provide designs in metric format which conform to state Departments of Transportation and AASHTO standards.

Utility Engineering

Our firm works with utility industry partners to develop environmentally friendly projects that allow for the delivery of efficient and reliable services for the communities in which they serve.

With continuing changes to the world's climate and energy needs, clean air and preservation of natural resources remain the key measures of success for any utility development project. It has become apparent that future projects will need to integrate low-carbon, clean technologies and fossil fuel alternatives to be considered successful. By focusing on sustainable designs through the use of renewable resources, our commitment to the environment will serve to protect present and future generations. At Milone & MacBroom, we are equipped to provide our clients with all of the services necessary to support development of reliable utility systems.



Planning & Development

Milone & MacBroom combines the expertise of its engineering, environmental, and land use specialists to plan for a myriad of public improvements for governmental and private agencies. We provide site suitability analysis, traffic and infrastructure evaluation, design services, and cost estimates.

Our in-house staff has been involved in a wide variety of community revitalization and economic development initiatives ranging from urban neighborhood revitalization projects to the preparation of Municipal Development Plans (MDPs). Many of the projects have required the preparation of environmental impact evaluations and have had extensive stakeholder participation.



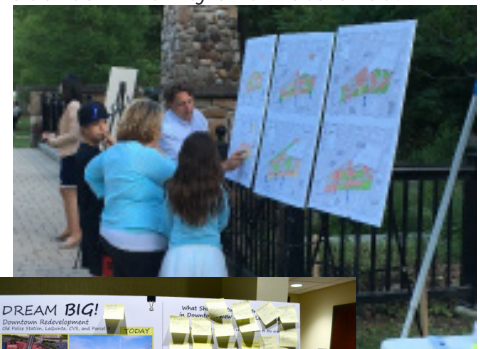
Stormwater Management & Planning

Milone & MacBroom has been a long-term advocate of watershed planning, integrating the management of stormwater quantity and quality with land use development and redevelopment. We have promoted watershed management in our projects, lectures, professional papers, and pro bono work. Proper watershed management has a direct relationship to the control of nonpoint pollutants and improvements in water quality.

Milone & MacBroom has been active in stormwater management from both a planning and design perspective. The firm has designed many stormwater management, water quality control, and drainage projects including open channels, culverts, bridges, dams, detention basins, sediment basins, storm drains, erosion control programs, and created or restored wetlands. We have also completed stormwater management studies for entire municipalities and watersheds. These studies have been used as a framework for developing stormwater regulations and best management practices, taking into consideration the needs of the individual community and watershed.

Public Outreach and Information Meetings

Communicating with the public is one area that sets Milone & MacBroom apart from our competitors. We understand that a project is only successful if the community members and stakeholders feel invested in and supportive of the project. We excel at finding creative solutions for outreach to target varying use groups and to enhance communications.



Industrial / Business Parks

The firm has a diverse client base of private and public sector clients, including a significant number of municipalities. We have had the pleasure of working with local economic development commissions in conducting feasibility studies for industrial parks, preparing municipal development plans and environmental impact evaluations, and completing engineering documents for infrastructure improvements of industrial parks.

Municipal Clients

Municipalities that we have provided similar work for include the following:

- City of Gardiner, ME
- Town of Bethel, CT
- Town of Killingly, CT
- Town of Hamden, CT
- City of New Britain, CT
- Town of Marlborough, CT
- Town of Wallingford, CT
- Town of Enfield, CT
- Town of Oxford, CT
- Waterbury, CT Development Corporation
- City of Waterbury, CT

DESCRIPTION OF KEY PERSONNEL



Thomas Daly, PE is a Senior Project Manager who specializes in working with project architects on the planning, design, and construction of projects including educational and private clients. His project experience also involves the development of LEED certified buildings and green design approaches to site development. Tom served as Project Manager on the Hamden Business Park and Pinnacle Business Park projects. He will serve as Principal-in-Charge.



John Adams, PE, PTOE, IMSA II is the Maine Regional Manager with over 25 years of engineering experience including roadway and intersection design, traffic signal design and coordination, design of signal system communications architecture, operation of traffic signal systems via signal management software, corridor studies, and traffic impact safety and planning studies. Mr. Adams additionally has experience in trail design, drainage improvements, bridge, roadway and traffic signal inspection. He will serve as Project Coordinator.



Darin Overton, PE is a Senior Project Manager with site development and water resources engineering project experience. He is primarily involved in stormwater quality management, hydrologic computer modeling, two-dimensional hydraulic modeling, site layout and design, and subdivision design including design of new roads and reconstruction of existing roads. Much of his project experience in site design involves steering projects toward environmentally sensitive designs that include the application of Low Impact Development (LID) principles and practices. His project experience also includes local, state, and federal regulatory permitting for a wide variety of projects. Darin will lead the Site Design efforts.



Hannah Ritmiller, EIT is a Civil Engineer with experience in the preparation of site plans and AutoCAD drawings for projects in the private and public realm. Based out of the Maine office, she assists with projects throughout New England. Her experience and responsibilities include a broad range of civil engineering project support, from assisting in roadway layout, storm and sanitary sewer design, site grading, and sediment and erosion control measures. She is fluent in the latest Civil 3D and AutoCAD software, and in addition to site civil design, she is typically responsible for the coordination of survey base data and compilation of technical plan sets. She will assist with Site Design.



Regina Leonard, PLA is a Senior Landscape Architect with over 19 years of experience in landscape architecture with a primary focus on public landscapes. She understands the inherent complexities of civic-scale projects and has demonstrated experience working with communities and interest groups toward common goals. Ms. Leonard's past and recent work is strongly based in municipal settings and includes a range of services from conceptual level design through project implementation. She will assist with Site Design.



Michael Zuba, AICP is the Director of Planning for Milone & MacBroom's public, private, and educational planning and development projects. Mr. Zuba understands the complexity of modern planning projects, balancing input from many stakeholders, managing project dynamics, and fostering public involvement. He has been actively involved in a variety of community planning assignments, including the preparation of community comprehensive plans; housing studies; residential and commercial market studies; and projects requiring revitalization, redevelopment, and reuse planning. Additionally, Mike is certified by the National Charrette Institute (NCI) for designing public outreach processes and workshops. He will assist with Site Design.



William Van Duzer, PE, PTOE is a Lead Transportation Engineer with a wide range of transportation engineering experience on projects throughout the Northeast, including roadway and intersection design and improvements, traffic analysis and improvements, and traffic signal layout and systems coordination in addition to providing construction administration and inspection. He has performed data collection, analysis, and evaluation for the preparation of reports and assisted in the development of contract documents. Bill will lead the Roadway Design / Traffic efforts.



Jason Ready, PE, PTOE, IMSA II is a Project Engineer in the firm's Transportation department, previously working for 11 years at the Androscoggin Transportation Resource Center (ATRC), the Lewiston / Auburn, Maine MPO. He has over 12 years of experience in road safety audits, traffic signal management, traffic engineering and municipal planning, and coordination plans using Synchro/SimTraffic and field observation and adjustment, and transportation planning studies. Mr. Ready is proficient in traffic data collection and analysis as well as organization and presentation utilizing GIS. He is also experienced in complete streets studies. He will assist with Roadway Design / Traffic efforts.



Edward Rivard, EIT is a Civil Engineer specializing in transportation systems, public water and wastewater systems, traffic engineering, and structural engineering. He has been responsible for preparing technical drawings for various highway and public works projects including drawings, specifications, and other engineering data using AutoCAD Civil 3D utilizing contour data. He was an intern at the Massachusetts Department of Transportation (MassDOT) Worcester office where he assisted with traffic planning and traffic data counts collection. He will assist with Roadway Design / Traffic efforts.



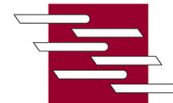
Michael Zarba, PE is a Lead Civil Engineer in the Portland, Maine office. He has over 30 years of municipal and consultant engineering experience. He has extensive design, management, and administrative work experience in municipal public works and consultant engineering firms. Mr. Zarba has broad knowledge of design, construction, and maintenance of public infrastructure. He has experience specializing in roadway design, municipal site plan revisions, drainage, and building maintenance. He will assist with Utility Design.



Thomas Knowlton, PE is a Senior Project Specialist, Water & Wastewater Engineering with over 20 years of field and office experience in the project management, planning, design, and construction administration for water and wastewater projects. He has experience in design-bid-build projects of all sizes and has an in-depth understanding of water and wastewater pump stations, rehabilitation of pipelines for both water and sewer systems, and water storage tanks. He will assist with Utility Design.

SUBCONSULTANTS

Bennett Engineering, Inc. specializes in heating, ventilating, air-conditioning, fire protection, heat recovery, sanitary plumbing systems, electrical power distribution, telecommunications, and lighting systems. Bennett Engineering has expertise in designing systems using alternative energy sources utilizing the latest technology in biomass boilers and state of the art temperature and humidity controls.

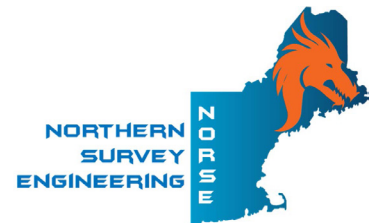


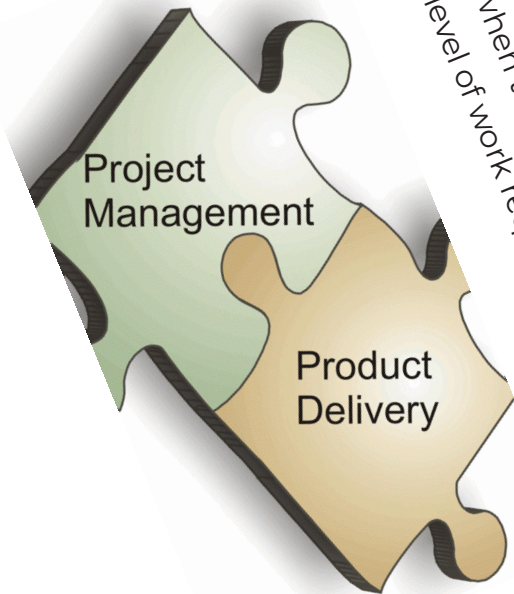
**BENNETT
ENGINEERING**
MECHANICAL • ELECTRICAL

Mainely Soils, LLC was founded on July 30th, 2018 by its owner Alexander Finamore. Mr. Finamore brings 14 years of consulting experience to his business including wetland and waterbody delineation, vernal pool surveys, site evaluation/septic design, and land survey field experience. Mr. Finamore's responsibilities include the management and implementation of natural resource field surveys, assessments, regulatory reviews, and permit applications for a wide range of clients in Southern Maine. Mr. Finamore is experienced with residential and commercial development, highway, railroad, and energy infrastructure development, wind farm siting, and electric and natural gas transmission siting and permitting.



Northern Survey Engineering (NORSE) is a full-service boutique surveying firm founded in 2017, dedicated to applying modern solutions to an old profession. Our business model is built around efficiency, responsiveness and mobility, and through that ideology we have developed a unique ability to cover a large service area, effectively reaching the entirety of New England. We currently have three fully outfitted field crews that are based out of Brunswick, Maine, and mobilize to project locations from Northern Maine to Southern Connecticut daily. Our day-trip area of service is typically in a 3-hour radius, which when centered on our home office in Brunswick extends our coverage across the entirety of Southern Maine and well into Massachusetts, West to beyond the NH border, North to Millinocket and down-east to Mount Desert Island.





As is customary with all projects, a Principal of the firm will serve as the Principal-in-Charge and will be responsible for project oversight to ensure quality control. A senior liaison Project Manager is also assigned to the project and that scheduler resources are assigned to. A weekly email report will be provided to the project team noting current progress, anticipated budgets are adhered to. A weekly email report will be provided to the project team noting current progress, anticipated budgets are adhered to. A weekly email report will be provided to the project team noting current progress, anticipated schedule, and any outstanding issues.

Project Management System
Milone & MacBroom has an internal project management system which involves weekly meetings to review scheduling requirements for the next two-week period and to assign appropriate personnel to specific project milestones. At points where the schedule intensifies, additional staff assignments are made consistent with the level of work required. The present and anticipated workload at each of the milestones will be reviewed with our clients. At points where the schedule intensifies, additional staff assignments are made consistent with the level of work required. The present and anticipated workload at each of the milestones will be reviewed with our clients. At points where the schedule intensifies, additional staff assignments are made consistent with the level of work required.



SITE DEVELOPMENT

Projects

- Harbor Point and Yale & Towne Development
Stamford, CT
- The HUB Redevelopment
Meriden, CT
- City Pier
New London, CT
- Kleen Energy Power Generation Facility
Middletown, CT
- Old Mill Commons
Unionville, CT
- Rentschler Stadium
East Hartford, CT
- United Illuminating Central Operations Center
Orange, CT
- Hamden Business Park
Hamden, CT
- Whitney Center
Hamden, CT
- Seaview Plaza Development
Bridgeport, CT
- Shoppes at Cheshire
Cheshire, CT
- Belimo Manufacturing Facility
Danbury, CT
- Libby Hill Industrial Park
Gardiner, ME

Milone & MacBroom offers architectural firms, private developers, and municipal clients a unique collaboration of specialty practices in civil engineering/site design, planning, landscape architecture, and environmental science, in support of new construction. Since 1984, we have been successful in helping our clients achieve successful development and redevelopment projects including multiphase residential subdivision, retail centers, mixed-use developments, office and industrial parks, and educational facilities. From site analysis to downtown urban revitalizations to small-town community development, we provided our clients with the necessary services to plan and design every phase of their development projects.

Libby Hill Business Park

Gardiner, ME

CLIENT

City of Gardiner
Gardiner, ME

Services Provided

- Survey
- Site Planning & Design
- Roadway Design
- Hydraulic Analysis
- Permitting
- Construction Oversight

Milone & MacBroom provided survey, planning, engineering services to complete final design associated with the development of a subdivision plan and infrastructure improvements for the expansion of the Libby Hill Business Park. The city was interested in attracting new additions to the business park with appropriate infrastructure to enhance the character of the park.

Design included the construction of approximately 4,200 feet of road with a complete infrastructure system including stormwater, sanitary sewer, and water facilities designed to support the future development.

Work included design of a wastewater pump station needed for expansion of the existing business park. A hydraulic capacity review of five existing pump stations between the site and the town's wastewater treatment plant was also conducted recommending pump impeller replacement at existing stations.

The firm provided construction oversight during the construction of the subdivision for this EDA funded project.



Pinnacle Business Park

New Britain, CT

CLIENT

City of New Britain
New Britain, CT

Milone & MacBroom was retained as the design and traffic engineer for this large redevelopment project. Approval was secured for this development, which is to consist of more than 684,000 square feet of business/industrial space and will be located between I-84 and Slater Road in the northwest area of New Britain.

Services Provided

- Survey
- Traffic Engineering
- Civil Engineering
- Site Planning
- Landscape Architecture

Milone & MacBroom was the lead designer for the project from concept to construction. Redesign and improvement to the intersection and traffic control signal at Slater Road, Osgood Avenue, and the business park's driveway was a major component of the project.



Hamden Business Park

Hamden, CT

CLIENT

Town of Hamden
Hamden, CT

Services Provided

- Survey
- Civil Engineering
- Site Planning & Design
- Landscape Architecture
- Wetland Delineation
- Construction Administration

Milone & MacBroom was selected by the Town of Hamden to provide survey, civil engineering, and environmental wetland services for an expansion to the Hamden Business Park located off Putnam Avenue. The Hamden Economic Development Department acquired the 12-acre parcel of land with the intent to subdivide the property.

The firm designed a 1,000 foot roadway extension from the existing Hamden Park Drive to Putnam Avenue. The design resulted in four new lots which are zoned for commercial construction use. The project was reviewed and approved by the local inland wetland, planning, and zoning commissions.

Milone & MacBroom was responsible for designing the roadway, stormwater management system, and sewer and water conveyance systems. As part of the sewer design, the firm analyzed the capacity of a downstream sewer pump station and gravity sewer. The project received approval from the Greater New Haven Water Pollution Control Authority.

We prepared bid documents and provided construction administration services for the roadway and related infrastructure portion of the project.



Lower Maple Business Park Site Improvements

Springfield, MA

CLIENT

Develop Springfield
Springfield, MA

Services Provided

- Civil Engineering/Site Design
- Permitting
- Landscape Architecture

Milone & MacBroom prepared concept through construction drawings for site improvements associated with the renovation of 83 Maple Street for Develop Springfield. The existing historic structure once in disrepair was renovated for professional office space, while retaining most of the historic elements. The existing site was also overgrown with and in need of complete renovation. Runoff from a new parking area now flows to an engineered rain garden that provides both peak flow reduction and stormwater quality enhancement. Other site improvements included new pedestrian walkways, ADA accessibility improvements, and site signage and landscape plantings.



Chicopee River Business Park Feasibility Site Plan Test Fits

Chicopee, MA

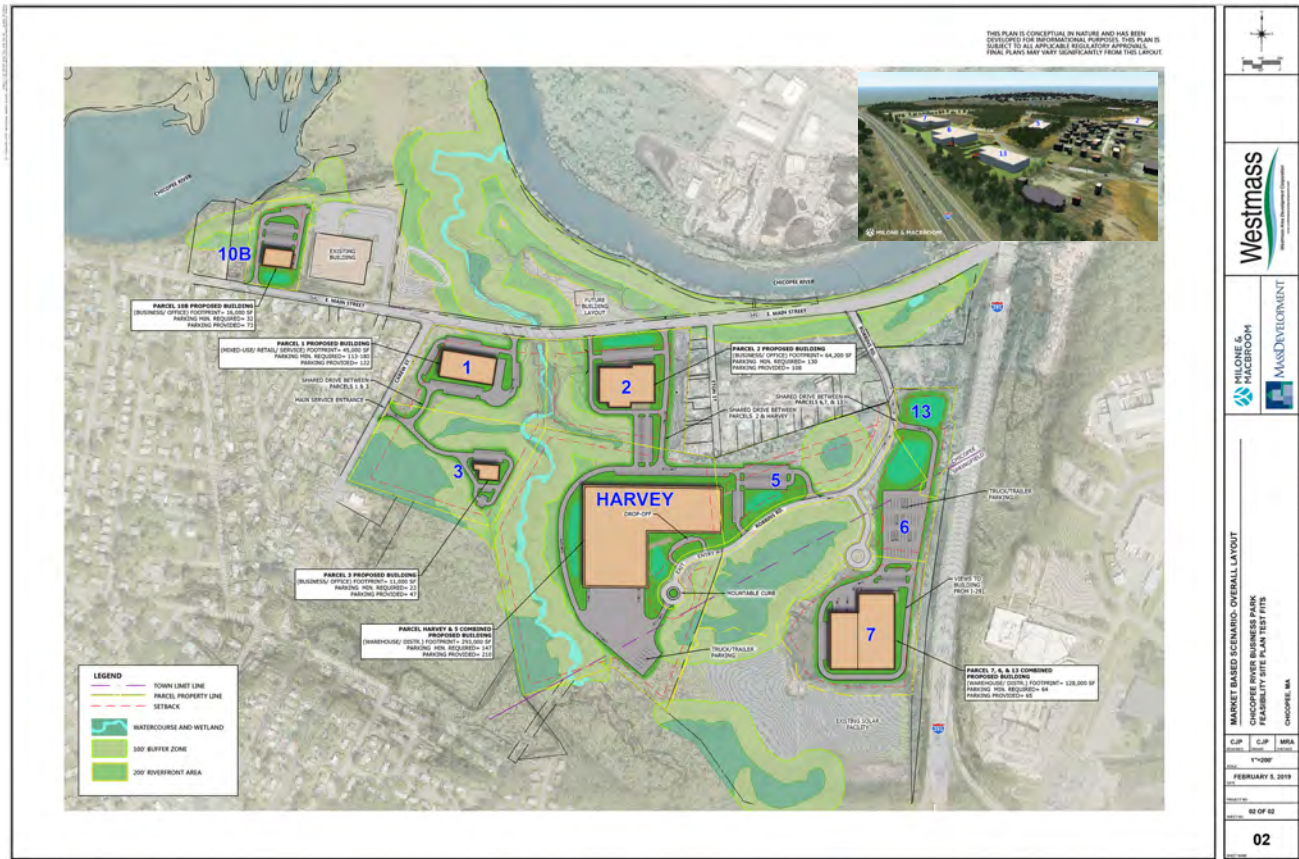
CLIENT

Camoin Associates, Inc.

Milone & MacBroom worked in conjunction with Camoin Associates, Inc., Massachusetts Development Finance Agency (MassDev), and Westmass Development to assess the development potential of several undeveloped parcels within the Chicopee River Business Park. The study assessed the current zoning and parcel configurations and developed several graphic alternative site plans that better matched the current economic and market trends of the region. These site plans became part of a report that will refocus the marketing and sales efforts of the business park.

Services Provided

- Site Investigation
- Feasibility Site Planning



Killingly Industrial Park

Killingly, CT

CLIENT

Town of Killingly
Killingly, CT

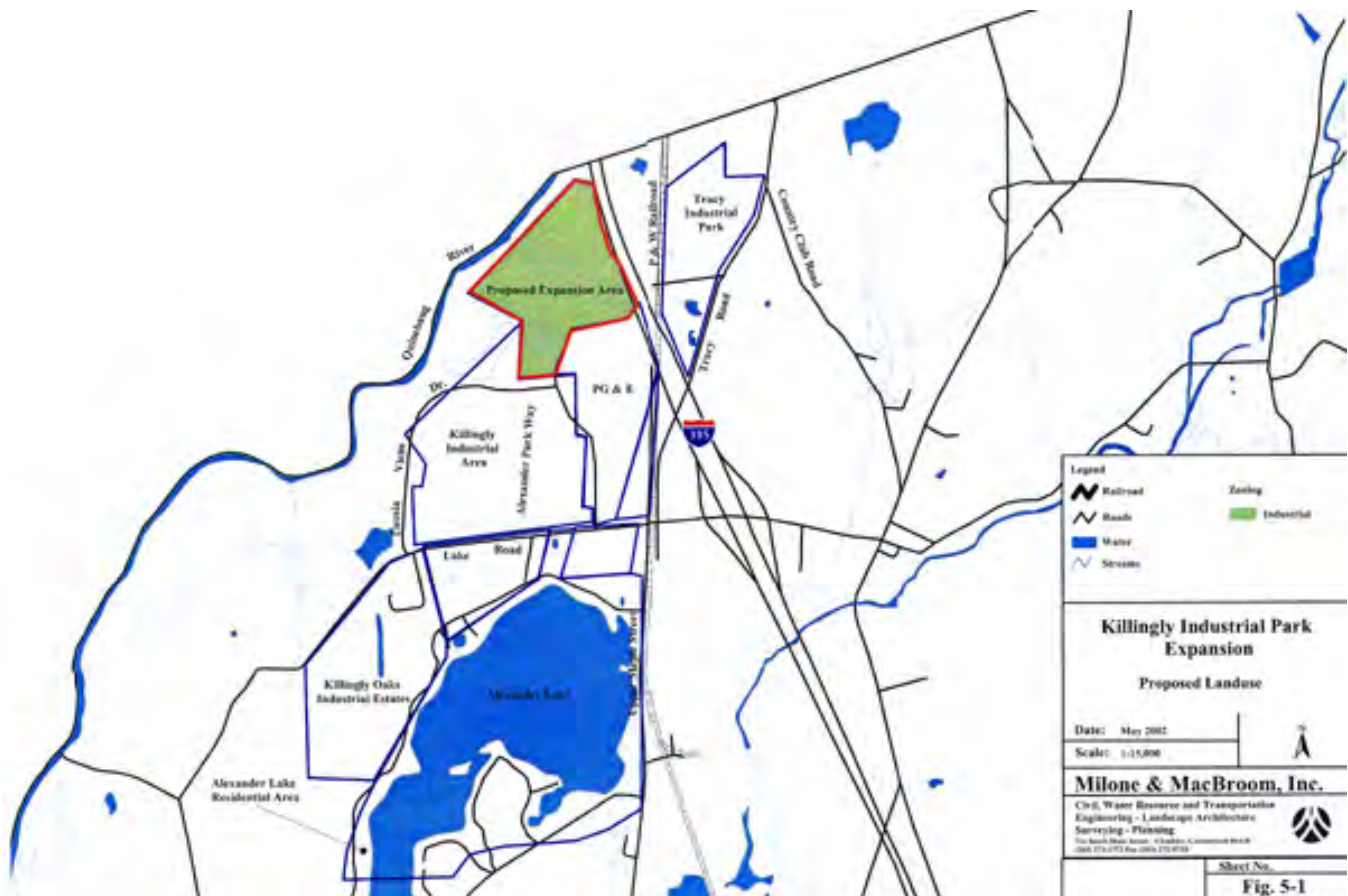
Services Provided

- Survey & Mapping
- Planning
- Municipal Development Plan
- Public Outreach

The Town of Killingly expanded its municipal industrial park by extending Alexander Park Way in order to create new industrial building lots. The town prepared an environmental assessment that has resulted in a Finding of No Significant Impact (FONSI) by the Connecticut Office of Policy and Management.

Milone & MacBroom was charged with the task of preparing a Municipal Development Plan (MDP). In order to prepare this MDP, available data related to the industrial park was collected and the information assembled in a format following the guidelines set forth by the Department of Economic and Community Development. The project included survey and mapping, as well as a market study.

During the review and implementation process, the firm worked closely with the Town of Killingly's Planning & Zoning Commission, Regional Planning Agency, and presented the Municipal Development Plan at a public hearing.



Wallingford Industrial Park

Wallingford, CT

CLIENT

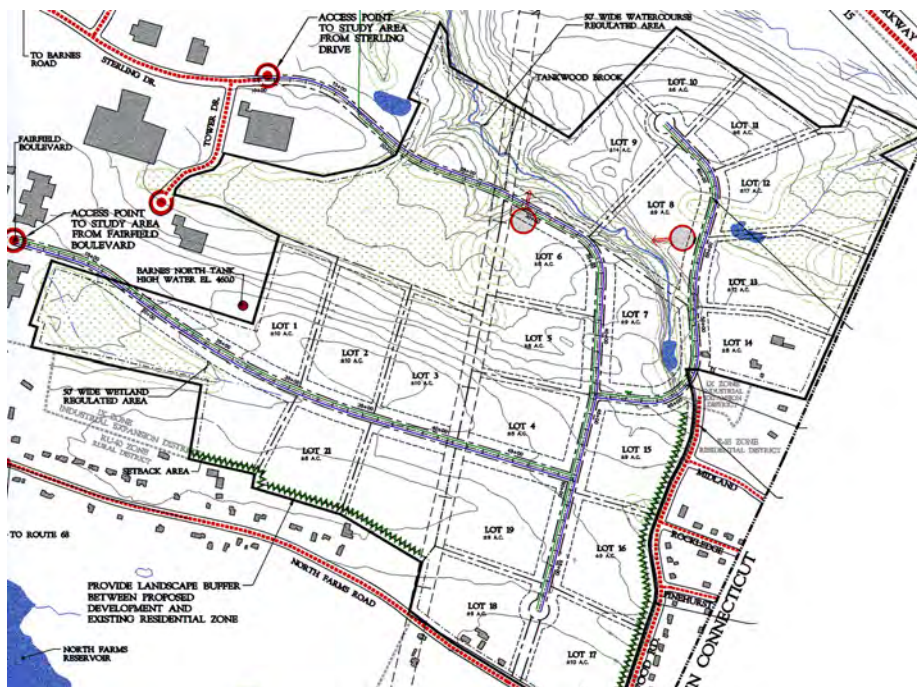
Town of Wallingford
Wallingford, CT

Services Provided

- Civil Engineering
- Site Planning & Design
- Zoning
- Construction Administration

The Town of Wallingford retained Milone & MacBroom to conduct a feasibility study for the development of industrially zoned land in the northern portion of town. The study focused on the physical attributes of land, regulatory statutes, infrastructure, existing roadway network, and the associated costs for the development. The study area consisted of 12 privately-owned parcels in the IX zone, encompassing approximately 270 acres of land. Current land uses included residential dwellings, agriculture, and commercial retail.

Our findings recommended that approximately 170 acres of the 270 total acres in the study area were conducive for industrial park development. The balance of the study area was limited by wetlands, watercourses, and slopes. Three possible concepts were evaluated to represent how the study area could be developed with respect to the current zoning. Each concept depicts a roadway network for which preliminary road profiles were developed, as well as possible lot layout configurations which meet the minimum zoning requirements. An opinion of probable construction costs was developed for each of the three concepts.



Enfield Business Park

Enfield, CT

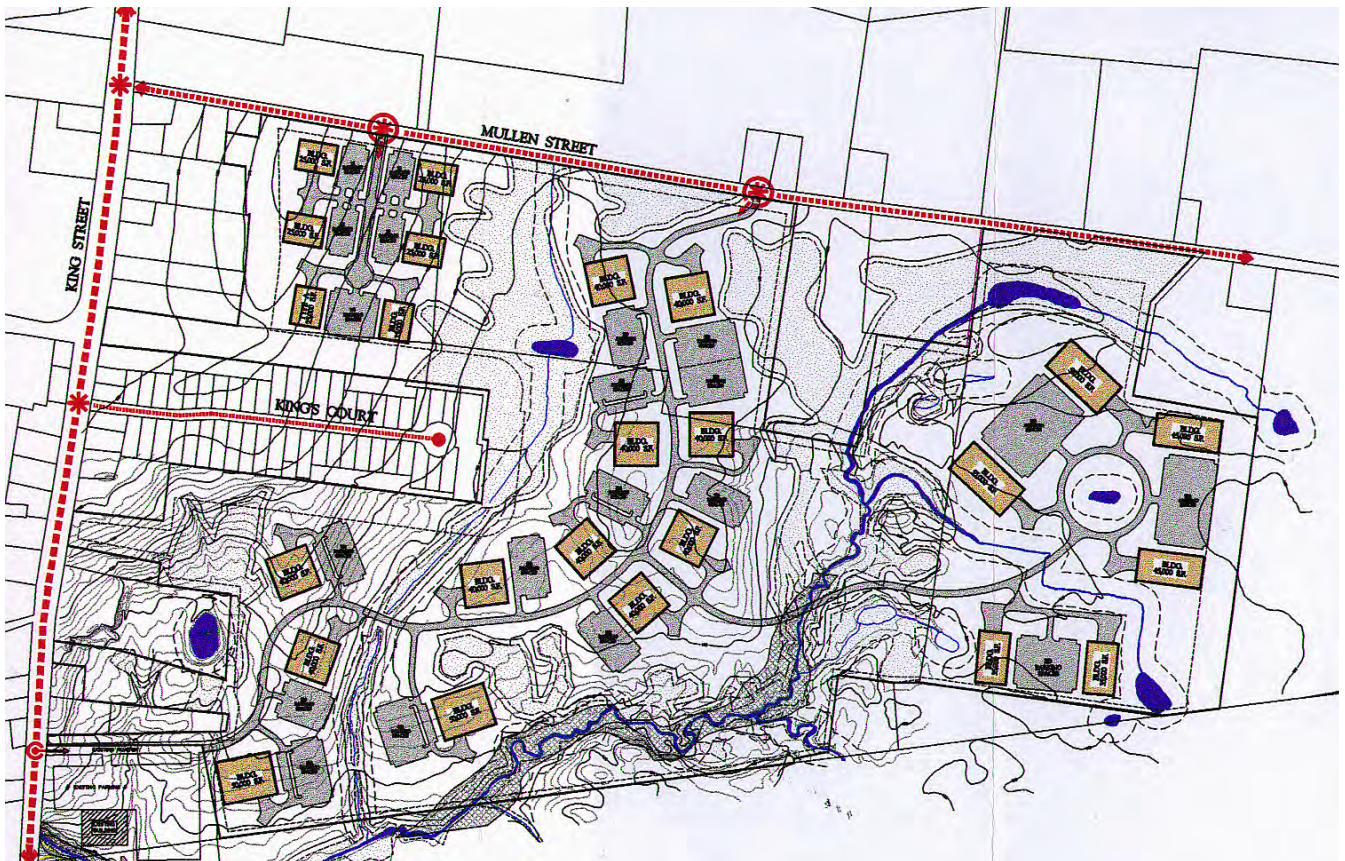
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Town of Enfield
Enfield, CT

Services Provided

- Planning
- Land Use Evaluation

The Town of Enfield identified in its recent Plan of Development where industrial development could occur. Recognizing that it had no “product” to offer prospective employers, the Economic Development Commission retained Milone & MacBroom to evaluate three large tracts of land to determine the development potential of each site. The study identified the development opportunities and constraints of each site utilizing existing data, evaluated traffic and infrastructure deficiencies, and projected the building yield for different development scenarios. The study serves as the basis for an application to the Department of Economic and Community Development for the funding of infrastructure improvements.



Woodruff Hill Industrial Park

Oxford, CT

CLIENT

Oxford Economic Development Commission
Oxford, CT

Services Provided

- Municipal Development Plan
- Environmental Impact Evaluation

Milone & MacBroom assisted the Oxford Economic Development Commission and the Connecticut Department of Economic and Community Development in the planning and design of the development of the Woodruff Hill Industrial Park. The project area consisted of 18 lots and approximately 310-acres of town-owned and industrial-zoned property and is serviced by approximately 5,000 linear feet of new road and improvements to existing infrastructure creating access to the nearby Oxford Airport and aid in the proposed development.

As part of the project efforts, an Environmental Impact Evaluation (EIE) was prepared by the firm under the Connecticut Environmental Policy Act (CEPA) to evaluate the potential impacts that may result from implementation of the development. A Municipal Development Plan (MDP) was developed and addressed not only the physical design of the industrial park, but also the environmental issues, marketability, land disposition, and project financing. The major areas of interest included potential impacts on natural land resources, wetlands, and consistency with the written and mapped policies of the statewide Plan of Conservation and Development.



Greenbriar Business Park

Farmington, CT

CLIENT

Peter Stitch Associates
West Hartford, CT

Services Provided

- Master Planning
- Site Planning & Design
- Civil Engineering
- Transportation Engineering

Milone & MacBroom was the principal consultant for the master planning of all site improvements for a 320,000 square foot office / industrial park situated on 37 acres of land in Farmington, Connecticut. The master plan included 11 buildings ranging in size from 20,000 to 70,000 square feet, with supporting roads, parking, and infrastructure.

Milone & MacBroom was responsible for the detailed site planning and engineering for the initial phase of construction. The project included a 30,000 square foot office building, the entrance road, parking, and infrastructure. Off-site roadway and traffic signal improvements were part of the initial project.



South Main Street Industrial Park Due Diligence

Waterbury / Naugatuck, CT

CLIENT

Waterbury Development Corporation
Waterbury, CT

Services Provided

- Phase I Environmental Site Assessment
- Wetland Delineation
- Utility Assessment
- Zoning Assessment and Fiscal Impact Analysis
- Traffic Analysis
- Preliminary Concept Plans and Cost Estimates

Milone & MacBroom contracted with the Waterbury Development Corporation, in cooperation with the City of Waterbury and Borough of Naugatuck, to provide due diligence services in support of a proposed industrial park expansion. The industrial park expansion covers three undeveloped parcels totaling approximately 157 acres located along the municipal boundary of Naugatuck and Waterbury. Two of the parcels are owned by the City of Waterbury while a third was jointly purchased by the Borough of Naugatuck and the Waterbury Development Corporation in the fall of 2017. There were three primary objectives of the project:

Real Estate Transaction Support

Milone & MacBroom provided a range of real estate transaction support services for 0 Great Hill Road, which was jointly purchased by the Borough of Naugatuck and Waterbury Development Corporation at the completion of the project. The project team conducted a review of land records and mapping, developed a legal description for the property, and conducted a Phase I Environmental Site Assessment.

Preliminary Concept Plans

Milone & MacBroom developed two preliminary concept plans showing potential future layout buildings, roadways, utilities, and property lines. The first concept subdivided the site into nine pad sites while the second concept had a single large end user. Prior to the creation of the concepts, Milone & MacBroom conducted a graphical wetlands delineation of the study area. The project team reviewed the zoning regulations in both municipalities and provided an opinion on which zone changes were needed prior to development. Similarly, Milone & MacBroom analyzed projected traffic volumes from the development concepts and provided an opinion on the local and state traffic permits that are likely needed prior to construction. Finally, the project team estimated infrastructure and site development costs and provided a fiscal impact analysis of the tax benefits associated with the concepts. The concepts and cost estimates were used in a subsequent grant application to the Connecticut Department of Economic and Community Development (DECD).



Intermunicipal Agreement Support

Milone & MacBroom worked in conjunction with municipal staff and attorneys, and provided an opinion on how to structure intermunicipal agreements pertaining to roadway maintenance, snow clearance, water service, and sanitary sewer service.

Corporate Drive Business Park

Trumbull, CT

CLIENT

RD Scinto Real Estate Development
Shelton, CT

Primerose Companies
Bridgeport, CT

Milone & MacBroom has been involved over the past 15 years in several private development projects at the Corporate Drive Business Park on Route 111 in Trumbull, Connecticut. Milone & MacBroom has performed traffic impact studies for each development. As part of CTDOT permitting through the Office of the State Traffic Administration (OSTA), improvements have led to driveway access management improvements at Route 111 and internal circulation improvements within the Business Park.

Services Provided

- Traffic Engineering
- Permitting



ADMINISTRATIVE DECISION REVIEW AREA #1
SITE PLAN CHANGE

ADMINISTRATIVE DECISION REVIEW AREA #2
BUILDING ADDITION



Residential Build-Out Traffic Impact Study

South Norwalk, CT

CLIENT

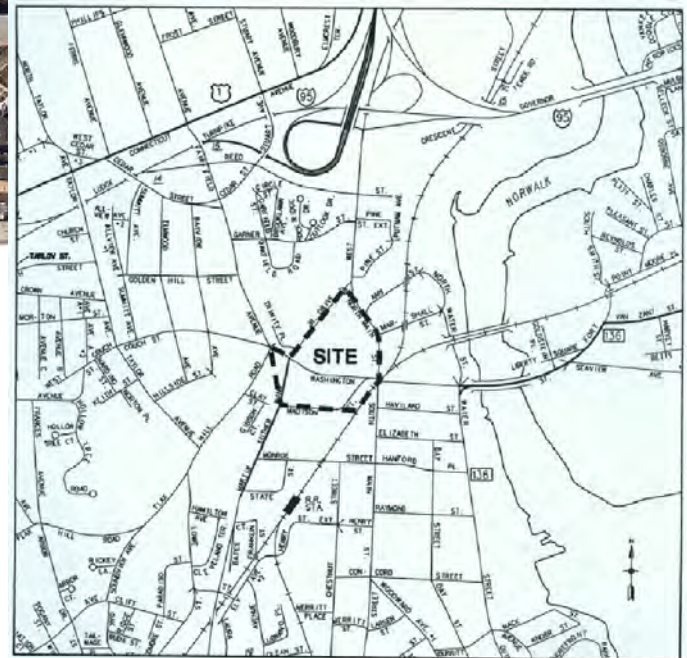
Joseph Criscuolo
Hillside Plaza, LLC
Stamford, CT

Services Provided

- Traffic Engineering
- Transportation Planning

Milone & MacBroom undertook a study in 2010 of potential traffic impacts associated with a proposed change in zoning that would allow an increase in building intensity within the South Norwalk Business District (SNBD) leading to an additional several hundred residential dwelling units. Under the proposal that was studied, the upwards of 970 residential units could be built within the SNBD, roughly bordered by Dr. Martin Luther King Jr. Boulevard, North Main Street, and Madison Street.

This study included capacity analysis of four key intersections surrounding the zoning district. Current and future scenario traffic conditions were analyzed in this study and identification of potential impacts was made.



SITE LOCATION
South Norwalk Business District
Norwalk, Connecticut

Brunswick Connector Road

Brunswick, ME

CLIENT

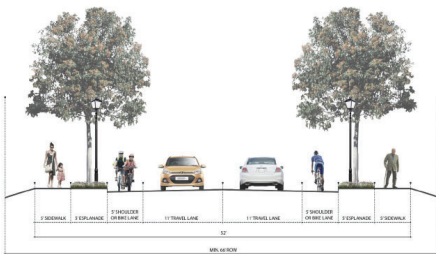
Town of Brunswick
Brunswick, ME

Services Provided

- Transportation Planning
- Traffic Engineering
- Roadway Design
- Utility Coordination
- Stakeholder Outreach
- CADD Design

Milone & MacBroom provided comprehensive planning and design services allowing the Town of Brunswick to realize their vision of a new connector road critical to the revitalization and economic development of the former Brunswick Naval Air Station. Beginning at the planning and engineering study phase, Milone & MacBroom led the team of stakeholders, town staff, the Midcoast Region Redevelopment Authority (MRRRA), local utility companies, and major property owners through a collaborative process to ensure that all needs were met and that all parties felt they were being heard.

An in-depth transportation planning and traffic analysis, ensuring all traffic needs were met, was completed for the new connector road linking Admiral Fitch Avenue to Route 24. Because we were dealing with a new roadway, the experienced team was able to incorporate several complete streets elements that followed recent policies adopted by the Town. The design involved 1500' of new roadway created in AutoCAD, intersection reconfiguration, traffic control signals, bicycle lanes and pedestrian amenities, landscaping, and utility coordination for water, electrical, and street lighting. By developing the connector roadway, reducing traffic congestion, and increasing capacity, while partnering with other Town and MRRRA Initiatives, economic development and revitalization will be stimulated in this area of Brunswick.



BUNSWICK COLLECTOR ROAD STANDARD (CURBED SECTION)
COMPLETE STREET OPTION

MILONE & MACBROOM



Milone & MacBroom remained responsive throughout the process ensuring accurate project costs were budgeted, complete design plans were drawn, right-of-ways were obtained and clearly shown on the design plan, stakeholder concerns were addressed, and all local and state level permitting requirements were met.



References

Libby Hill Business Park

Name: Mr. Charles Applebee, (Former DPW City of Gardiner)

Address: City of Gardiner, ME, City Hall, 6 Church Street, Gardiner, ME 04345

Phone: (207) 882-5476

Email: waterqualityandcompliance@roadrunner.com

Brunswick Connector Road

Name: John Eldridge / Ryan Barnes

Address: Town of Brunswick, 85 Union Street, Brunswick, ME 04011

Phone: (207)-725-6659 x202

Email: jeldridge@brunswickme.org / rbarnes@brunswickme.org

Killingly Industrial Park

Name: David Capacchione, P.E., Director of Facilities / Gary Martin, Assistant Town Engineer

Address: 172 Main Street, Killingly, CT 06239

Phone: 860-779-5360 / 860-779-5349

Wallingford Industrial Park

Name: Kacie Hand, Town Planner

Address: Town of Wallingford, 45 South Main Street, Room #G-40, Wallingford, CT 06492

Phone: (203) 294-2090

Woodruff Hill Industrial Park

Name: Bill Miller

Phone: 203-881-1607



Town of Gorham Planning Department

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

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

Tel: 207-222-1620

TO: Town Council,
Ephrem Paraschak, Town Manager

FROM: Thomas M. Poirier, Director of Community Development *TP*

SUBJECT: Amendment to the Hans Hansen Contract Zone

DATE: January 31, 2020

The memo is to identify the discussion topics between the Town Council Ordinance Committee and the applicant at the Committee's January 21st meeting. The items listed below were those the committee identified as requirements they felt comfortable on adding to the contract zone to allow the amendment to proceed for review. The Town Council should review the items below to ensure staff has gotten the items correctly, identify any additional conditions they would like the Planning Board to consider, and the Town Council should also look to provide the Planning Board with direction on the questions from staff below.

1. The applicant will be required to pay \$10,000.00 for each of the 4 lots (lots 1 & 2, 5 & 6) proposed to be utilized for strictly residential dwelling units for the extension of public sewer and water. The 3 remaining mix-use lots will pay the sewer extension fee as outlined in the Contract Zone.
2. The standalone residential units will be aged restricted units meeting the requirements of H.U.D. standards for age 55 years and older. Each unit in the development shall be occupied by at least one elderly person subject to the Fair Housing Act at 42 U.S.C. § 3601, et. seq. and shall not be used other than a single-family residence. No persons of 18 years of age or younger shall be permitted as a permanent resident, nor shall the unit be occupied (except on an occasional basis) by persons other than an elderly person and such person's spouse. No discussion was had on whether to add the age restricted requirement to the residential units on a mixed-use building.

Does the Town Council want to add the age restricted language to the mixed-use buildings?

3. The applicant identified in the meeting that they are proposing a density of 15,000 sq.ft., staff is unclear if this is off the overall lot size or utilizing the net acreage calculation. The Comp Plan identifies that South Gorham Corridor Commercial District lots on private septic systems to have the density set at 2 units per net acre. This would require a development to provide a plan showing all required deductions on the lots to identify an amount of usable land. The amount of usable land would then be divided by 21,780 sq.ft. In short, by requiring the net acreage calculation further restricts the number of dwellings that are allowed on a lot.

Amendment for Hans Hansen Contract Zone

The committee also identified that they would allow mix use developments on lots 3 and 4 (commercial first floor and residential second floor), the density for these lots was not discussed at the meeting.

Town Staff recommends the Town Council identify how they would like to proceed with for residential density and mix-use density in the Contract Zone?

4. Development Transfer Fee: Staff is unclear if the Town Council is looking for the applicant to buy up density above what is currently allowed in the underlying zone. If so, this will need to be added to the contract zone agreement.
5. The committee had discussions requiring that one of the commercial or mix-use buildings proposed for lots 3 or 4 should be started prior to construction of 1 of the residential developments proposed for lots 1/2 or 5/6 .

Is this something the Town Council wants to be added to the language of the contract zone?

6. Blue Ledge Road – will be evaluated to ensure that the road has been constructed to accommodate the ADT trips proposed for the entire site. The applicant will be responsible for any upgrades to Blue Ledge Road, South Gorham Crossing, or off-site roads to ensure roads can adequately handle the proposed uses of the site. A sidewalk will be installed along the entire eastern edge of Blue Ledge Road.
7. Mercy Quick Care Operation – receives a large number of visits from Gorham Fire Department’s ambulance for transporting people to a hospital. This frequent nuisance might have large impacts on the residential units for lots 1 and 2. Staff recommends that the Town Council give the Planning Board the flexibility to recommend locations for where residential units can best be located on lots 1, 2, 3, 4, 5, and 6 to minimize conflicts between uses.