

**AMENDED REPORT OF THE  
GORHAM TOWN COUNCIL  
REGULAR MEETING  
September 5, 2017**

Chairman Phinney opened the meeting with the Pledge of Allegiance to the Flag. There were 19 members of the Public in attendance at the start of the meeting.

Roll Call: Chairman Phinney, Councilors Benner, Shepard, Smith, Stelk, Hartwell and Hager. Also present, Town Manager Ephrem Paraschak and Deputy Town Clerk Paula Nystrom.

Moved by Councilor Benner, seconded by Councilor Shepard and VOTED to accept the minutes of the August 5, 2017 Regular Town Council Meeting and the August 22, 2017 Special Town Council Meeting. 7 yeas.

Open Public Communications – None

Councilor Communications

Councilor Hager said the Finance Committee met on August 24, 2017 and indicated that as of fiscal year end they were in good shape. The next meeting has not been scheduled yet.

Town Manager Report

Our new Town Manager, Ephrem Paraschak thanked the David Cole and especially the Town of Gorham for the warm welcome he has received as he has made his way around to various offices. He is looking forward to working with all the managers and employees.

School Committee Report

Chairman, Darryl Wright reported that the school year 2017 – 2018 is off to a great start. Maintenance and Facilities did a great job over the summer renovating, fixing, building and cleaning all the schools, laptops are being distributed soon with over 1400 going out, fall testing will begin, and Homecoming week is the week of September 18<sup>th</sup>. The next school committee meeting will be September 13, 2017, 7 pm in the Council Chambers.

Michael Shaughnessy from Westbrook representing the Friends of Presumpscot River is asking elected officials in Windham, Westbrook and Gorham to adopt a resolution that the Presumpscot Historic and Natural River Corridor be designated as a Historic & National River Corridor.

Roger Wheeler, the Director of the Friends of Sebago Lake (FOSL) made a brief presentation regarding the Saccarappa Agreement and the impact it will have on the sea run fisheries on the Presumpscot River and Sebago Lake.

Aaron Frederick from Gorham, is a Board Member of a non-profit program with Environmental Education for Youth and supports this joint agreement between Towns and would like the Town of Gorham to adopt this resolution.

David Alexander as a resident of Gorham, commented that the Presumpscot River is a great resource to be preserved.

Chairman Phinney opened Public Hearing # 1.

Matt Mattingly, owner of Pine Crest Bed & Breakfast spoke on his behalf. There were no other comments from the public and the hearing was closed.

Proposed  
Order #9259                      Moved by Councilor Shepard, seconded by Councilor Hager and VOTED that the Town Council approve a Victulars License for Pine Crest Bed & Breakfast. 4 yeas, 3 nays (Stelk, Smith, Benner)

Chairman Phinney opened Public Hearing #2. There were no comments from the public and the hearing was closed.

Moved by Councilor Hager, seconded by Councilor Shepard and VOTED to waive the reading of the order. 7 yeas

Proposed  
Order # 9260                      Whereas, the Olde Canal Park located off Mosher Road is currently zoned industrial, and  
Whereas the Town would like to preserve the primary permitted uses of this land while allowing this area to be more flexible,  
  
Now Therefore Be It Ordered, that the Town Council adopt the following new Olde Canal Industrial District:

## **CHAPTER 1: ZONING REGULATIONS**

### **SECTION 1-21- OLDE CANAL INDUSTRIAL ZONE**

#### **A. PURPOSE**

To provide areas within the Town of Gorham for manufacturing, processing, research, warehousing, heavy equipment sales, and large scale office buildings and to which end all the performance standards set forth in this Code shall apply.

#### **B. PERMITTED USES**

- 1) Manufacturing, processing and treatment.
- 2) Warehousing and outdoor storage.

- 3) Road distribution facilities.
- 4) Research facilities.
- 5) Wholesale businesses and wholesale business establishments, but excluding junk yards.
- 6) Accessory uses and buildings, including retail and service uses accessory to another permitted use and also including a caretaker unit for residential use provided that there shall be no more than one residential unit on a property and such unit shall be resided in by an owner of the property, an employee of the industrial operation, or a person who serves as a security person. In the event that the principal industrial use or other permitted use terminates, than the accessory residential use shall also terminate.
- 7) Municipal and governmental uses.
- 8) Public utility facilities including substations, pumping stations and sewage treatment plants.
- 9) Mineral extraction.
- 10) Heavy machinery and equipment retail sales and service.
- 11) Office buildings with over 10,000 sq.ft. of gross floor area.
- 12) Hotel with/ or without convention halls
- 13) Commercial Schools

**C. SPECIAL EXCEPTIONS**

- 1) (Reserved)

**D. SPACE STANDARDS**

Minimum area of lot	None
Minimum street frontage	None
Minimum front yards	30 feet except where the front yard abuts a residential use or district, in which case a minimum of 50 feet shall be provided.
Minimum side and rear yards	20 ft. except as otherwise required by the buffer provisions of this Code and except where the side and/or rear

	yards abut a residential use or district in which case a minimum of 30 ft. or 50% of the building or outdoor stored material height, whichever is greater, shall be required.
Maximum building height	None
Maximum building coverage	None

Notwithstanding the provisions of this subsection D, an auxiliary public utility structure is exempt from the minimum lot size and street frontage requirements of this district. Structures must meet setback requirements. Additional screening and buffering can be requested by the Planning Board.

#### **E. PERFORMANCE STANDARDS**

The general performance standards contained in Chapter 2 of this Code shall be fully observed and the following additional standards shall be required of uses within this district.

Be It Further Ordered, that the Town Zoning Map, dated September 2017, be adopted as the Town's Zoning Map.

Moved by Councilor Shepard, seconded by Councilor Benner and ORDERED to amend this order to reflect the Planning Board's amendments as presented.  
7 years

Item #9260      Voted as amended. 7 years

Chairman Phinney opened Public Hearing #3. There were no comments from the public and the hearing was closed.

Proposed  
Order # 9261      Moved by Councilor Shepard, seconded by Councilor Benner and ORDERED, that the Town Council approve a renewal liquor license for M and G X-Mac II, LLC, doing business as Ocean Garden Restaurant and Tavern, 390 Main Street.  
7 years

Proposed  
Order # 9262      Moved by Councilor Hager, seconded by Councilor Stelk and ORDERED, that the Town Council appropriate \$150,000 from the Land Acquisition Reserve Fund as a loan to the School Department, to be paid back from project funds, after Voters approve a project to expand Gorham High School. 7 years

Proposed  
Order # 9263      Moved by Councilor Hager, seconded by Councilor Stelk and ORDERED, that the Town Council accept the report of the Main Street Utility Study. 7 years

Proposed  
Order # 9264

Moved by Councilor Shepard, seconded by Councilor Benner and ORDERED, that the Town Council authorize the Town Manager to sign a letter endorsing an application for a Land for Maine Future Grant on property located on lower Main Street, to assist in the acquisition of an agricultural easement.

Moved by Councilor Hager, seconded by Councilor Smith and VOTED to table this item to a future Council meeting. 7 years

Proposed  
Order # 9265

Moved by Councilor Stelk, seconded by Councilor Hager and ORDERED, that the Town Council appoint Art Handman to the Steering Committee to assist and advise METRO Bus as they develop their new bus route to Gorham. 7 years

Proposed  
Order # 9266

Moved by Councilor Shepard, seconded by Councilor Stelk and ORDERED, that the Town Council authorize the Town to solicit sealed bids on a parcel of land (Tax Map 111, Lot 27) located off Huston Road, and

Be It Further Ordered, that a minimum bid of \$500 be set, with the Town to issue a quit claim deed, if a bid is accepted.

Moved by Councilor Hager, seconded by Councilor Stelk and VOTED to postpone this item to a future date to gather more information. 7 years

Proposed  
Order # 9267

Moved by Councilor Benner, seconded by Councilor Shepard and ORDERED, that the Town Council refer a proposal to amend the Narragansett development District, to the Planning Board for their public hearing and recommendation.  
7 years

Proposed  
Order # 9268

Moved by Councilor Hager, seconded by Councilor Stelk and ORDERED, by the Town Council that the polls be open for the November 7, 2017 Annual Municipal Election and the State Referendum Election between the hours of 7:00 am and 8:00 pm, and

Be It Further Ordered, that the absentee ballots will be processed on Monday, November 6, 2017 at 10:00am and on Tuesday, November 7, 2017 at 9:00am, 3:00pm and 8:00pm, and

Be It Further Ordered, that the Registrar of Voters is in session between the hours of 8:00am and 4:00pm on Tuesday, October 31, 2017; 8:00am and 4:00pm, on Wednesday, November 1, 2017; 8:00am and 7:00pm on Thursday, November 2, 2107; 8:00am and 1:00pm on Friday, November 3, 2017; 8:00am and 4:00pm on Monday, November 6, 2017 and 7:00am and 8:00pm on Tuesday, November 7, 2017 for the purpose of registering Citizens to vote, correcting the voter list and accepting Absentee Ballots, and

Be It Further Ordered, that the Town Council appoint the following Wardens and Ward Clerks for the November 7, 2017 Annual Municipal Election and the State Referendum Election, and the Town Clerk is authorized to make changes to these appointments as needed:

Ward 1-1	Warden:	Susan Emerson	Ward Clerk:	Laurel Smith
Ward 1-2	Warden:	Kathy Corbett	Ward Clerk:	Connie Loughran
Ward 2	Warden:	Marty Towle	Ward Clerk:	Nancy Kenty
Central	Warden:	Paula Nystrom	Ward Clerk:	Teresa Sanborn

Item #9268 VOTED 7 yeas

Proposed  
Order # 9269 Moved by Councilor Benner, Seconded by Councilor Stelk and ORDERED, that the Town Council appoint Molly Butler Bailey to fill an unexpired term on the Planning Board, with the term to expire in 2019. 7 yeas

Proposed  
Order # 9270 Moved by Councilor Hager, seconded by Councilor Stelk and ORDERED, that the Town Council go into executive session, pursuant to Title 36, MRSA Section 841 to discuss one application for abatement of taxes based on poverty and pursuant to Title 1 MRSA Section 405 (6) (D) to discuss contract negotiations with the Fire Department. 7 yeas, 7:32 PM

Moved by Councilor Shepard, Seconded by Councilor Hager and VOTED to come out of Executive Session. 7 yeas, 7:46 PM

Moved by Councilor Shepard, Seconded by Councilor Hager and VOTED to deny the application for poverty abatement. 7 yeas

Move by Councilor Hartwell, Seconded by Councilor Benner and VOTED to agree to a one year extension of the labor agreement between the Town of Gorham and the Gorham-Windham Professional Firefighters Association IAFF Local 4095 for one year, under the terms and conditions of a memorandum of understanding as agreed to by both parties. 7 yeas

Moved by Councilor Shepard, seconded by Councilor Hager and VOTED to adjourn. 7 yeas

Time of adjournment 7:48 pm

A True Record of Meeting

ATTEST \_\_\_\_\_  
Paula Nystrom, Deputy Town Clerk

