

REPORT OF THE  
GORHAM TOWN COUNCIL  
REGULAR MEETING  
Burleigh Loveitt Council Chambers  
January 2, 2024

Chairperson Phillips opened the meeting. There were 12 members of the public in attendance.

Roll Call: Chairperson Phillips, Councilors Pratt, Simms, Lavoie, Siegel, Wilder Cross and Gagnon. Also in attendance were Town Manager Ephrem Paraschak and Town Clerk Laurie Nordfors.

Moved by Councilor Wilder Cross, seconded by Councilor Pratt and VOTED to accept the Minutes of the December 5, 2023 Regular Town Council Meeting and the December 12, 2023 Special Town Council Meeting. **7 yeas**

### **Councilor Communications**

Councilor Gagnon reported that the Robie Park Master Plan Steering Committee will meet on January 10, 2024 at 6:00pm and the Economic Development/Capital Improvements Committee will meet on January 18, 2024 at 11:00am. He also thanked Councilor Wilder Cross and volunteers for the wonderful New Year Gorham celebration and wished everyone a Happy New Year.

Councilor Wilder Cross thanked the volunteers and sponsors who worked together to make this year's New Year Gorham a huge success, with the biggest crowd and most ticket sales ever. The committee will begin planning next year's event later this month and pointed out that if anyone is interested in being involved, contact her through the town website. Councilor Wilder Cross attended the December GPCOG Metro Regional meeting where Portland City Manager shared an update regarding Portland's shelters and encampments. She and Mayor Dion welcome any suggestions about ways we can help them deal with this incredible challenge. They also heard a report from Health and Human Services Committee Representative Annie Graham, who updated the Committee on current work to reform the State's General Assistance Program. The bill, LD1732 would help municipalities deal with the growing rate of requests for general assistance. Councilor Wilder Cross also attended last month's Board of Health meeting where the discussion focused on flavored smokeless tobacco products, especially as they relate to the health of youngsters.

Councilor Pratt noted that this Friday, January 5, from 7:00-9:00pm is Gorham night at the Maine Celtics game, where Gorham's own 6<sup>th</sup> grade boys and girls will perform at halftime. And as always, Councilor Pratt urged residents to give blood if possible and noted an upcoming blood drive at Cressey Road Church on January 4th.

Councilor Simms thanked the many volunteers and sponsors for the wonderful New Years Gorham celebration. He also reported that the Appointments Committee is still accepting applications for citizen and business volunteers for the newly formed Joint Fiscal Sustainability Committee and to apply if interested.

Councilor Lavoie thanked Public Works for their hard work during the recent wind/rainstorm last month.

Councilor Siegel wished everyone a Happy New Year and also urged citizens and businesses to apply to volunteer for the Joint Fiscal Sustainability Committee.

Chairperson Phillips attended a joint Gorham/Scarborough Economic Development meeting last month and reported that they came away with many good ideas. She also reported that at last month's Town Council workshop, the Council set their goals for 2024 and these goals will be added to the Town's website soon.

### **Town Manager Report**

Town Manager Paraschak reminded residents of the winter parking ban that is in effect from midnight to 6am on all Gorham roads. He noted that a new sand shed was installed at Public Works and informed residents that winter sand is available there, one 5-gallon bucket per storm. Town Manager Parashak thanked Public Works, GPD and GFD for all of their hard work during last month's rain/windstorm. He also reminded residents that the March Council meeting will be moved to March 12<sup>th</sup> due to the State's Presidential Primary being held on March 5th.

### **School Committee Report**

**Stewart McCallister, Vice Chair reported the following:**

#### GHS NEASC Accreditation Work:

Gorham High School staff are working to complete their NEASC accreditation self-study process in preparation for their upcoming NEASC site visit scheduled for later this spring. NEASC stands for the New England Association of Schools and Colleges, and it has been the accreditation body for Gorham High School for decades. Due to the recent pandemic and some changes in the accreditation process itself, it has been 10 years since GHS has completed this important work.

NEASC Accreditation is a respected, effective, and time-tested methodology for school improvement and growth. It is not a single event, but rather an ongoing, voluntary cycle of comprehensive internal and external assessments, short- and long-term strategic planning, and periodic reporting sustained by professional partnership and support. It is intended to serve as a framework for schools to meet their own unique goals for student learning while maintaining alignment with research-based Standards for Accreditation that define the characteristics of high quality, effective learning communities.

Multi-Lingual Learner Population in Gorham: At the December 13, 2023 School Committee meeting (available on GoCAT) the Multilingual learner staff provided an important update on the growing population of our ML students and their changing needs. As a reminder, our ML program is mandated at both the state and federal level under what's known as a Lau plan.

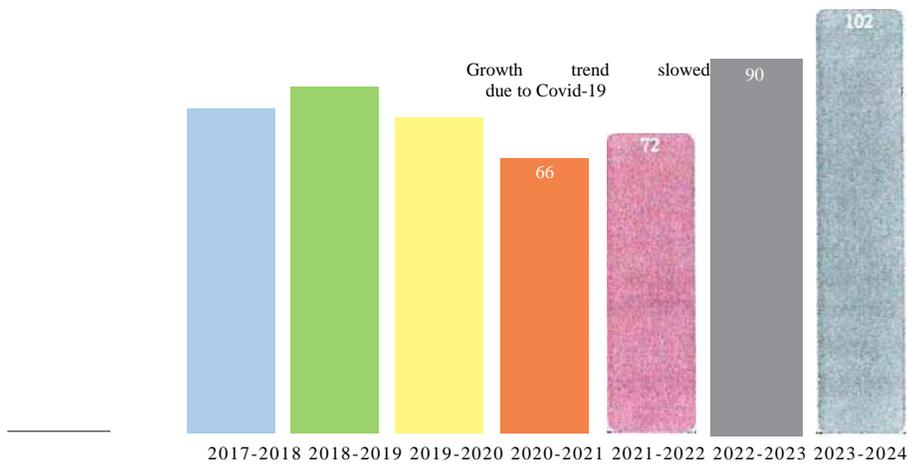
Currently over 25 languages are spoken in Gorham schools:

## 25 Languages Spoken By Gorham Students and Their Families

- Arabic
- Bulgarian
- Chinese (Mandarin and Cantonese)
- French
- German
- Haitian-Creole
- Indonesian
- Khmer
- ✓ Kinvasulenge
- s Kinvaswanda
- s Kirundi
- <sup>1</sup>..a()
- Linlla
- Pashto
- Polish
- Portuguese
- 0 Romanian
- Russian
- 3 Serbo-Croatian
- i-, Spanish
- r..: Swahili
- Tagalog
- Ukrainian
- Urdu
- Vietnamese

Our overall population of ML learners has increased by 30% since 2017-28 (24 students).

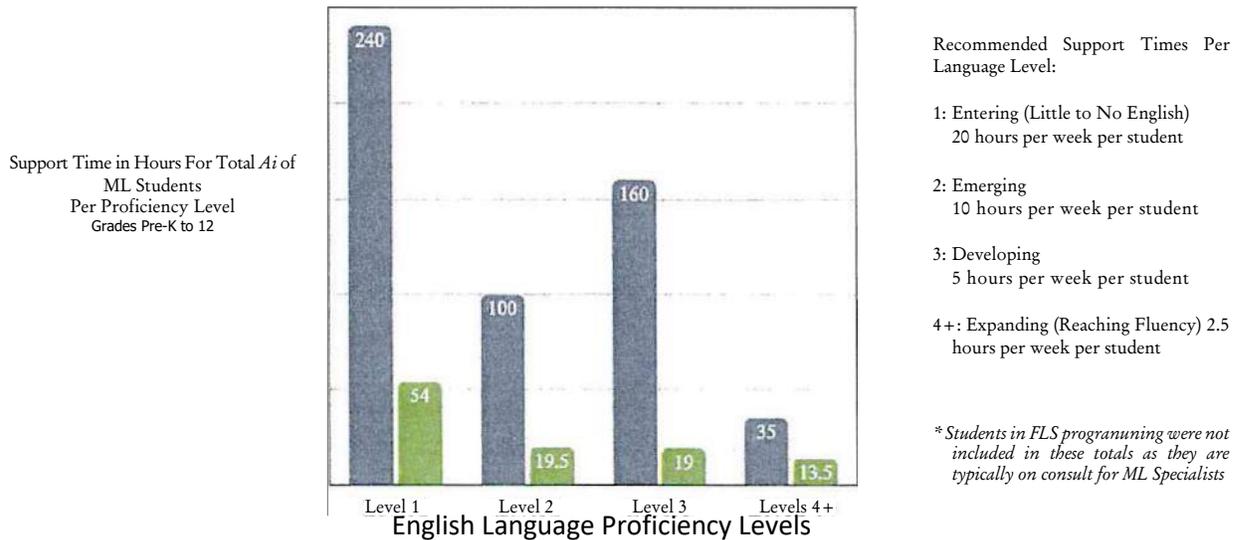
## Overall Population Growth of Gorham Multilingual Learners



In addition, the needs of ML students and their families have changed significantly. In the past, incoming students most likely had prior experience with the English language. This has shifted to the majority of incoming ML students having little or no English speaking or writing experience. This requires more intense services for student learning, which cannot be not met with current staffing levels, as you can see below.

Recommended Support Times Per English Proficiency Level  
Versus  
Actual Support Times  
August 2023 - November 2023

Recommended Support Time (per State Recommendations and  
Adopted by Gorham Lau Plan) Actual Support Time



This will likely become a discussion point in our FY 25 budget development process.

Budget:

Once again thank you for attending our Joint Budget meeting held on December 5, 2023, which can be viewed on GoCAT. During the meeting we discussed the creation of a running Q&A document that Town Council members could use throughout the budget development process to ask important questions and get answers well in advance of our more formal budget meetings in May and June.

During the course of the meeting we collected questions that were asked and added them to the document, which can be found at [www.gorhamschools.org](http://www.gorhamschools.org) under "About Us," "School Committee," "School Budget Information." At the top of that page, you will see the Q&A sheet link listed. So far there are 19 questions with answers. All Town Council members have editing access to this document so please keep adding questions and we'll check it periodically to provide additional answers.

Joint Fiscal Sustainability Committee:

We are moving right along in our preparation to hold the first committee meeting. *As a reminder, this committee's purpose is to understand the existing financial landscape for the Town of Gorham and the Gorham School Department. To evaluate the future financial landscape, and to use this knowledge to make recommendations for how to maintain sustainable taxes while continuing to manage the present and future growth of our community over the next 5-10 years.*

The Town Manager and Superintendent have met and are close to finalizing a contract with the facilitator. In addition, both groups are working to finalize membership of the committee and anticipate having the first meeting of this group in February, 2024.

We are very much looking forward to this important work as a community.

Concerts Coming Up:

Our music students are gearing up for some great concerts at the GHS Performing Arts Center. Here's the schedule:

- Jan. 9 at 7:00 GHS Winter Concert
- Jan. 10 at 6:00 Elementary Winter Concert

Any questions, please feel free to reach out: [Sarah.Perkins@gorhamschools.org](mailto:Sarah.Perkins@gorhamschools.org).

**Public hearing #1**

**On Item #2023-7-3**

Public hearing to hear comments on a proposal to amend the Land Use & Development Code – Roadside Commercial – Outside Storage as an Accessory Use. (Admin. Spon.)

Chairperson Phillips opened public hearing #1. There were no comments from the public and the hearing was closed.

**Proposed**

**Order #24-1**

Moved by Councilor Pratt, seconded by Councilor Simms and Ordered, that the Town Council amend the Land Use & development Code- Roadside Commercial-Outside Storage as an Accessory Use as follows:

**Moved by Councilor Lavoie, seconded by Councilor Wilder Cross and VOTED to waive the reading of Order #24-1 due to length. 7 yeas**

**Proposed Amendment:**

**Chapter 1: Zoning Regulations**

**Section 1-5 Definitions**

Landscape buffer      Landscape buffer shall contain an adequate mix of trees, shrubs, plants, hardscapes, berms, topography, and other landscaping features that adequately break up the proposed development.

**Section 1-11– Roadside Commercial District**

**B. Permitted Uses**

- 3) Accessory uses and buildings including a caretaker unit and accessory outdoor storage meeting the requirements outlined in Section E. Performance Standards f). with an area not greater than 2 times the total square footage of all the structures located on the site or 15,000 sq. ft whichever is greater.

#### **E. Performance Standards**

2) The following additional performance standards shall also apply.

a) Lot Layout

2) All generators, HVAC units, outdoor storage areas, and dumpster pads shall be landscaped ~~and located behind buildings and structures~~ so that they are not visible from any public street or residential properties. The Planning Board may allow generators, HVAC units, outdoor storage areas, and dumpster pads to be located so they are not located behind the buildings if the Board finds that the proposed locations are required to provide for a better overall design of the lots/ development and that are sufficiently buffered from public roads and residential properties.

**f) Outdoor Storage of equipment, supplies, machinery, commercial vehicles, and other materials may be permitted pursuant to the following:**

**1. Outdoor storage shall be an accessory use to the primary permitted use on the property. Outdoor storage areas shall be limited to the following:**

**. Locations that are visible from the street or an adjacent primary residential or commercial structure:**

- i. Lots up to five acres = 25% of the lot area
- ii. Lots between five and ten acres = 15% of the lot area or 1.25 acres whichever is greater.
- iii. Lots above ten acres = 10% of the lot area or 1.5 acres whichever is greater.

**b. Locations that are not visible from the street or adjacent primary residential or commercial structure:**

- i. 25% of the lot area based upon the applicant successfully demonstrating to the Board or Site Plan Review Committee that visibility is precluded by topography, vegetation or by other means.
- ii. The applicant shall provide written documentation to the Board or Site Plan Review Committee that all means used to satisfy the intent of this Section are either owned or under acceptable lease by the applicant and will be preserved and remain undisturbed for the duration of the permitted outdoor storage use.

2. Outdoor storage areas shall be fully screened from the street view (except for necessary access drives) by buildings, fences, walls, landscape buffers or by topographic features such as earthen berms, or a combination there-of. The proposed method of enclosure shall have a height sufficient to completely screen the storage area and shall have a minimum height of eight (8) feet.
3. Existing topography, vegetation, buildings or other structures may be utilized in whole or in part, to achieve the screening noted above. The applicant must demonstrate to the satisfaction of the Board or Site Plan Review Committee that these existing features meet the intent of this regulation.
4. No outdoor storage shall be permitted in any areas of Special Flood Hazards as defined by the Federal Emergency Management Agency (FEMA).
5. Outdoor storage areas shall not extend beyond the front face of the subject parcels primary building, furthermore these areas shall not extend into the zone's minimum front, side and rear yard setbacks. Outdoor storage buffers shall accommodate adequate space for snow storage, maintain clear sight lines for safe vehicle and pedestrian access and be comprised of durable materials that will be suitable for all-weather outdoor exposure.
6. All loading/unloading areas shall be interior or adjacent to the permitted outdoor storage area and be oriented away from the street and neighboring properties, in order to maintain public safety and minimize disturbance to abutting properties.
7. Outdoor storage areas shall not be utilized for retail/commercial display purposes, unless explicitly authorized by the Board or Site Plan Review Committee.
8. No temporary or permanent storage of any State regulated waste product or material shall be permitted under this Section.
9. The Board or Site Plan Review Committee shall consider the impact upon public safety, public health, sanitation and aesthetics when considering

**applications under this Section and they may regulate such outdoor storage based upon the quantity, location, enclosure/screening and nature of materials to be stored.**

NOTE: The TC amendment language is shown in black and underlined with the Planning Board Ordinance Committee's recommended changes shown in **black, bolded, underlined, and struck through.**

**Order #24-1 was VOTED 7 yeas.**

**Public hearing #2**

**On Item #2024-1-1**

Public hearing to hear comments on a proposal to issue a new Medical Marijuana License to Anthony Digilio, DL Farms, 36 Bartlett Road, Unit 2. Property owned by Hinks Realty. (Admin. Spon.)

Chairperson Phillips opened public hearing #2. There were no comments from the public and the hearing was closed.

**Proposed**

**Order #24-2**

Moved by Councilor Pratt, seconded by Councilor Simms and Ordered, that the Town Council issue a new Medical Marijuana License to Anthony Digilio, DL Farms, 36 Bartlett Road, Unit 2. Property owned by Hinks Realty.

**Order #24-2 was VOTED 7 yeas.**

**Public hearing #3**

**On Item #2022-12-1**

Public hearing to hear comments on a request for a contract zone to allow for a recreational, agricultural, educational and social gatherings facility at 239 County Road (M15/L25-1). (Admin. Spon.)

Chairperson Phillips opened public hearing #3.

Brandon Mazer, attorney for Ryan Chicoine commented that he had a presentation that he would like to give to the Council.

Amber Stewart, Small Pond Road voiced her opinion on the impact the project would have on her neighborhood.

Evlyn Doyle, County Road sent the following email to be included in the minutes:

I have lived at 255 County Road for 28 years. Previously my family and I lived at 97 Weeks Road for 14 years. So, I have lived in Gorham for over 40 years. I am one of the abutters to the project.

I am strongly opposed to this entire development for several reasons. I am living in a rural zone for a reason. I do not like the idea of more people coming into my area for any reason, whether it is a subdivision at the end of Small Pond Road or an event center or other activities as proposed. County Road is heavily travelled and the increase in traffic would be a bigger nightmare than it is. Over the years, I have “gotten used to it” if you will. But I certainly do not want changes that will impact increased traffic on County Road. For me, increased traffic/people means: more people parking in my parking lot/driveway (trespassing) for whatever reason, more people turning around there, more people doing illegal activity there, more calls to the police (mine) and on and on. And a rise in traffic will certainly bring more traffic accidents. I live on a straight portion of County Road. My fence has been hit twice and the pole in front of my house has been totaled twice, most recently in October, 2023. I would hope that due diligence would have you check with DOT regarding traffic and accident rates.

I would ask that you all carefully review this entire proposal and deem it not in the best interest of the town and especially to the people who live on County Road and in the surrounding area. Even if I was not an abutter or Small Pond Road was not a factor, I would still oppose this project.

Thank you for your attention.

Lyn Doyle

The hearing was closed.

**Proposed**

**Order #24-3**

Moved by Councilor Lavoie, seconded by Councilor Gagnon and Ordered, that the Town Council approve a request for a contract zone to allow for a recreational, agricultural, educational and social gatherings facility at 239 County Road (M15/L25.1) as follows:

**Moved by Councilor Lavoie, seconded by Councilor Gagnon and VOTED to waive the reading of Order #24-3 due to length. 7 years**

**CONTRACT ZONING AGREEMENT  
BETWEEN  
WILLIAM CHICOINE, KATHLEEN CHICOINE, RYAN CHICOINE,  
AND TOWN OF GORHAM**

THIS CONTRACT ZONING AGREEMENT, (the “Agreement”), made **this \_\_\_\_ day of \_\_\_\_\_ 2023**, by and between the TOWN OF GORHAM, a body corporate and politic, located in the County of Cumberland and State of Maine (hereinafter the “Town”), and WILLIAM CHICOINE, KATHLEEN CHICOINE, and RYAN CHICOINE, their successors in interest to the Property (collectively, the “Chicoines”) with a mailing address of 4 Dolphin Ave, Old Orchard Beach, Maine 04064.

**WHEREAS**, the Chicoines are the owners of property located at 239 County Road, Gorham, Maine 04038 as recorded in the Cumberland County Registry of Deeds at Book 37902 and Page 155 (hereinafter “the Property”); and

**WHEREAS**, the Property is shown on the Town of Gorham Tax Map 15, Lot 25-1 and 24-203; and

**WHEREAS**, the Property is currently located in a portion of one of the Town of Gorham’s Rural Districts and is approximately 124 acres in total area; and

**WHEREAS**, the Chicoines’ intended development of the Property (“the Project”) would include a great number of agricultural uses permitted in the Rural District, including the production and on-site sale of apples, strawberries, blueberries, raspberries, cranberries, pumpkins, hops, honey, maple syrup, flowers, and Christmas trees; the keeping of farm animals; and provision to the public of educational opportunities on topics including, but not limited to, tree cultivation, beekeeping, and wreath making; and

**WHEREAS**, the Project would include certain ancillary recreational uses not currently permitted in the Rural District, including the construction and operation of commercial outdoor recreational facilities such as curling rinks, pickle ball courts, a disc golf course, and a trail system for walking, snowshoeing, and cross-country skiing; and

**WHEREAS**, the Project would include certain ancillary commercial uses not currently permitted in the Rural District, including the construction and operation of a conference center/banquet hall for community, social, and charitable events, such as cornhole tournaments, craft fairs, dances, and weddings; a retail store in the form of a restaurant; a facility for brewing in the form of a microbrewery/tasting room; a performing arts center/amphitheater; and a campground comprised of yurts and a tree house; and

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

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

**WHEREAS**, the Project is consistent with the Rural District’s purpose of securing for the Town’s residents the “economic, recreational, and scenic benefit[s]” of continued agricultural use; and

**WHEREAS**, the rezoning will be consistent with the goals of the Gorham Comprehensive Plan Update of 2016, as amended in 2021, by “protecting the State’s rural character,” “continu[ing] to diversify the business base to build a stronger community,” “promot[ing] and protect[ing] the availability of outdoor recreation opportunities,” and “[p]romot[ing] a working rural landscape including a wide range of agricultural . . . activities in the designated rural and resource areas”; and

**WHEREAS**, the Town, by and through its Town Council, has determined that said rezoning will be pursuant to and consistent with the Town’s Comprehensive Plan and has authorized the execution of this Agreement on , 2023;

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

1. **Amendment of Zoning Map.** The Town will amend the Zoning Map of the Town of Gorham, as amended, a copy of which is on file at the Gorham Municipal Offices and which is incorporated by reference into Code Section 1-1(C), by adopting the map change amendment shown on Attachment 1.

2. **Definitions and Permitted Uses.** The Chicoines are authorized to conduct any of the following uses on the Property without additional Town Council authorization. Except where specifically defined herein, all Permitted Uses shall be defined pursuant to Chapter 1 of the Code.

a. All Permitted Uses and Special Exceptions allowed in the Rural District

- b. Campground
- c. Commercial Outdoor Facilities
- d. Commercial School
- e. Conference Center or Banquet Hall
- f. Recreational and Performing Arts Facility: An indoor or outdoor facility where private parties may hold weddings, receptions, reunions, performances, sporting events and other special gatherings.
- g. Light Industrial Use
- h. Mobile Vending Unit
- i. Retail Store
- j. Tree House: A cabin or similar structure suspended off the ground maintained for occupancy as temporary living quarters for recreation, education, or vacation purposes and which has no plumbing or sewage disposal hookup.
- k. Yurts: A round, domed shelter of cloth or canvas on a collapsible frame with no plumbing or sewage disposal hookup that does not exceed 850 square feet.
- l. Other Uses found by Town Staff to be accessory to existing allowed Uses
- m. Additional Uses allowed with Town Council approval

3. **Consistency.** After conducting a public hearing on \_\_\_\_\_, 2023, with public notice as required by 30-A M.R.S. § 4352(8), the Planning Board has determined that the contract rezoning hereunder is consistent with the Comprehensive Plan, which is a “growth management” plan, and establishes a rezoned area consistent with existing and permitted uses with the original Rural District.

4. **Performance Standards.** All development and uses shall be subject to all applicable performance standards set forth in Chapters 1 and 2 of the Code, except as follows:

- a. The development shall provide a minimum of 250 total parking spaces.
- b. Building locations shall be as generally shown on the provided concept plan appended to this document. Modifications to the locations of any buildings may be made as part of the Planning Board review process without requiring a modification of this Agreement, as long as such modifications do not result in a substantial change to the building massing as shown on Exhibit A.

- c. An Event Center event may not exceed a capacity of 500 attendees. Notwithstanding the foregoing, an Event Center may hold up to 6 events per calendar year that exceeds such capacity. When calculating capacity, event staff (including any third party caterers), shall not count towards the capacity cap.
- d. A Mobile Vending Unit shall not be required to be removed from the Property every day and may remain on the Property for up to seven (7) consecutive days, provided that such Mobile Vending Unit is located in defined parking areas constructed for that purpose.
- e. There shall be no more than ten (10) Yurts located on the Property. A Yurt shall not be considered a Dwelling Unit for building code purposes but shall be considered a structure requiring a building permit prior to construction; provided, however, that as conditions of permitting, the Chicoines shall (i) provide structural plans for the Yurts satisfactory to the CEO; (ii) provide evidence of liability insurance sufficient to cover any third-party claims relating to the structural failure of any Yurt and (iii) equip each Yurt with a monitored fire alarm system in lieu of any sprinkler or other fire suppression system that may otherwise be required under any applicable building codes.
- f. Building permits will not be issued for any Yurt or Tree House on the Property unless the Chicoines or their successors in interest submit plans for such Yurt or Tree House, bearing the stamp of a professional engineer licensed to practice in the State of Maine, to the Code Division of the Town of Gorham's Community Development Department.
- g. Any Yurt or Tree House on the Property built or placed on the Property shall be built in such a way as to comply with any applicable provisions of the Americans with Disabilities Act (12 U.S.C. § 12101 et seq.).

**5. Dimensional Standards.** All development on the Property, except for any residential development, shall comply with the following dimensional requirements, which shall apply to the Property as a whole (as if the Property were a single lot) and not to individual buildings, except for maximum building height:

- a. Minimum lot size: None
- b. Minimum lot area per dwelling unit: N/A
- c. Minimum street frontage: 200 ft.
- d. Minimum front yard setback: 70 ft.
- e. Minimum side and rear setbacks: 50 ft.
- f. Maximum building height: 65 ft. (excluding the Tree House)

Any residential development shall comply with the following dimensional requirements, with such calculations being performed based on the dimensions of the specific lot the development takes place on, rather than the Property as a whole.

- |  |        |     |     |
|--|--------|-----|-----|
| a. Minimum lot size:                   | 40,000 | sq. | ft. |
| b. Minimum lot area per dwelling unit: | None.  |     |     |
| c. Minimum street frontage:            | 100    |     | ft. |
| d. Minimum front yard setback:         | 50     |     | ft. |
| e. Minimum side and rear setbacks:     | 20     |     | ft. |
| f. Maximum building height:            | None.  |     |     |

6. **Agreement to Be Recorded.** The Chicoines shall record this Agreement in the Cumberland County Registry of Deeds and shall submit proof of recording to the Gorham Code Enforcement Officer and the Town Planner before any site work is undertaken or any building permits are issued.

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

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

The above stated restrictions, provisions, and conditions, are an essential part of the rezoning, shall run with the Property, shall bind and benefit the Chicoines, any entity affiliated with the Chicoines, and any party in possession or occupancy of the Property or any part thereof, and shall inure to the benefit of and be enforceable by the Town, by and through its duly authorized officials and employees. The provisions of this Agreement, including the permitted uses listed in Section 2, the performance standards described in Section 4, and the dimensional requirements listed in Section 5, are intended to replace the uses and dimensional restrictions of the Rural District standards set forth in Section 1-8 of the Code. The above restrictions, provisions and conditions are an essential part this Agreement, shall run with the Property, shall bind the Chicoines, their successors in interest and any assigns of said Property or any part thereof, and shall inure to the benefit of and be enforceable by the Town of Gorham. If any of the restrictions, provisions, conditions, or portions of this Agreement is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such determination shall not affect the validity of the remaining portions hereof.

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

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

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

WITNESS:

TOWN OF GORHAM

\_\_\_\_\_

By: \_\_\_\_\_  
Ephrem Paraschak, Its Town Manager  
(Duly authorized by vote of the Gorham  
Town Council on \_\_\_\_\_, 2023)

WITNESS:

\_\_\_\_\_

\_\_\_\_\_  
William Chicoine

WITNESS:

\_\_\_\_\_

\_\_\_\_\_  
Kathleen Chicoine

WITNESS:

\_\_\_\_\_

\_\_\_\_\_  
Ryan Chicoine

STATE OF MAINE  
CUMBERLAND, ss.

\_\_\_\_\_, 2023

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

Before Me,

\_\_\_\_\_  
Notary Public: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

STATE OF MAINE  
CUMBERLAND, ss.

\_\_\_\_\_, 2023

Personally appeared the above-named William Chicoine and acknowledged the foregoing to be his free act and deed.

Before Me,

\_\_\_\_\_  
Notary Public: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

STATE OF MAINE  
CUMBERLAND, ss.

\_\_\_\_\_, 2023

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

Before Me,

\_\_\_\_\_  
Notary Public: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

STATE OF MAINE  
CUMBERLAND, ss.

\_\_\_\_\_, 2023

Personally appeared the above-named Ryan Chicoine and acknowledged the foregoing to be his free act and deed.

Before Me,

\_\_\_\_\_  
Notary Public: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_



**Item #2024-1-2** Action to consider instructing the Ordinance Committee to review standards for private leach fields. (Councilor Pratt Spon.)

**Proposed  
Order #24-4** Moved by Councilor Pratt, seconded by Councilor Wilder Cross and Ordered, that the Town Council instruct the Ordinance Committee to review the Town's Waste Water Ordinance to allow for private clustered waste water systems.

**Order #24-4 was VOTED 7 yeas.**

**Item #2024-1-3** Action to consider appointing the Town Council Chair as liaison with the University of Southern Maine. (Councilor Gagnon Spon.)

**Proposed  
Order #24-5** Moved by Councilor Gagnon, seconded by Councilor Lavoie and Ordered, that the Town Council designates the Council Chair as a liaison with the University of Southern Maine.

**Order #24-5 was VOTED 7 yeas.**

**Item #2024-1-4** Action to consider instructing Public Works to conduct drainage and ground improvements at the Little Falls Recreation Complex. (Councilor Gagnon Spon.)

**Proposed  
Order #24-6** Moved by Councilor Gagnon, seconded by Councilor Simms and Ordered, that Public Works improves the drainage and ground areas around Little Falls, with work directed around the baseball fields first.

Be it further ordered that Public works contacts Little League to help facilitate any improvements to the site.

**Order #24-6 was VOTED 7 yeas.**

**Item #2024-1-5**

Action to consider authorizing the expenditure of funds to renovate the Robie Softball Field. (Councilor Gagnon Spon.)

**Proposed**

**Order #24-7**

Moved by Councilor Gagnon, seconded by Chairperson Phillips and Ordered, that the Town Council authorize the Recreation Department to spend \$55,000 to renovate the Robie Softball field.

Be it further ordered that the funding come from the contingency account (or other account designated by the Town Manager).

Be it further ordered that the Recreation Department work with the School Athletic Department.

**Moved by Councilor Gagnon, seconded by Councilor Wilder Cross and VOTED to amend the order to send to read: Be it further ordered to send to the Finance Committee after getting engineering information. 7 years**

**Order #24-7 was VOTED as amended 7 years.**

**Item #2024-1-6**

Action to consider setting a Town Council workshop to discuss METRO membership and economic goals with the Gorham Economic Development Corporation. (Councilor Philips Spon.)

**Proposed**

**Order #24-8**

Moved by Councilor Lavoie, seconded by Councilor Siegel and Ordered, that the Town Council sets February 20, 2024 as a workshop date to discuss METRO membership and goals for the GEDC.

**Moved by Councilor Pratt, seconded by Councilor Simms and VOTED to amend the order to change the meeting date to February 13, 2024. 7 years**

**Order #24-8 was VOTED as amended 7 years.**

**Item #2024-1-7**

Action to consider authorizing the release of funding in Capital Part II for the Gorham School Department. (Councilor Philips Spon.)

**Proposed**

**Order #24-9**

Moved by Councilor Simms, seconded by Councilor Siegel and Ordered, that the Town Council authorizes the release of \$75,000 previously designated in the Capital Part II FY 2024 Town budget for the Gorham School Department for capital projects.

**Order #24-9 was VOTED 7 yeas.**

**Item #2024-1-8**

Action to consider recommendations for awarding allocations of the Capital Expenditure matching grant program. (Admin. Spon.)

**Proposed**

**Order #24-10**

Moved by Councilor Wilder Cross, seconded by Councilor Lavoie and Ordered, that the Town Council authorizes the recommended allocation amounts to eight (8) Gorham businesses and farms (Green Growth Lawn Care, Jotul North America, The Montalvo Corporation, Sebago Brewing Co., Azul Tequila Restaurant, Iaia Brazil, LLC, Orchard Ridge Farm, and Rustic Farm Holdings, LLC.) as outlined by the Gorham Economic Development's review committee for a total of \$45,000 in grant funding

**Order #24-10 was VOTED 7 yeas.**

**Adjourn.**

**Moved by Councilor Pratt, seconded by Councilor Simms and VOTED to adjourn. 7 yeas**

**Time of adjournment: 8:00pm.**

A True Record of Meeting

01-02-2024



ATTEST

Laurie Nordfors, Town Clerk

01-03-2024







