

REPORT OF THE
GORHAM TOWN COUNCIL
REGULAR MEETING
Burleigh Loveitt Council Chambers
February 6, 2024

Chairperson Phillips opened the meeting. There were 10 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 Pratt, seconded by Councilor Wilder Cross and VOTED to accept the Minutes of the January 2, 2024 Regular Town Council Meeting and the January 30, 2024 Special Town Council Meeting. **7 yeas**

Councilor Communications

Councilor Gagnon reported that the Robie Park Master Plan Steering Committee has finished up their work and will be presenting their results to the Council and public soon.

Councilor Wilder Cross attended the February Metro Region GPCOG meeting where they heard about the challenges and opportunities surrounding the municipal workforce and how the Maine Municipal Association is helping to recruit, train and retain all levels of municipal employees. They also learned that the second round of Economic Development grant applications for new and expanding businesses will be accepted this month. She suggested that businesses that applied in the first round of consideration are urged to re-submit their bids . Councilor Wilder Cross is still following the legislative activity surrounding general assistance reform. She noted that there is nothing new to report, except to say the Office of New Mainers will soon be up and running, which will most likely address the need for immediate attention to provide better GA for municipalities. Councilor Wilder Cross met with the Gorham Village Alliance and noted several positive updates including a new GVA committee member, Stacy Farrington, who will bring gardening expertise to the already committed team of alliance members. In addition, the South Street pedestrian lighting is getting ever closer to becoming a reality, and Way-Finding signs are moving up the list of coming improvements to the village.

Councilor Pratt attended the Jetport Noise Committee meeting on January 25th and reported that the Jetport will have some runway closures this summer, which will decrease the air traffic over Gorham temporarily. He also reminded residents to give blood, if possible, to help with the shortage of blood supply.

Councilor Simms stopped by the high school last week and heard an explosion of cheering coming from the gymnasium. He was surprised to see the whole school cheering on the Unified Basketball Team during a pep rally for the winter sports teams. He encourages residents to attend the many sporting events taking place this winter and come together to support the kids.

Councilor Lavoie noted that the Finance Committee will meet on February 15th at 5:30pm.

Councilor Siegel reported that the Ordinance Committee met last month and discussed zoning and ordinance changes for the purpose of economic development to make it easier for business to come to

town. The next meeting will be on February 27th at 10:00am. Councilor Siegel noted that the Appointments Committee met last week to interview citizens for the Fiscal Sustainability Committee and thanked everyone who applied. Councilor Siegel pointed out that the High School Musical Mama Mia will be performing this weekend and urged all to attend and support the kids.

Chairperson Phillips attended the GEDC meeting last month and noted that there will be a workshop next Tuesday with the Town Council where they will be discussing goals and how to have better communication between the GEDC and Council. There will also be a presentation from METRO and an update on the bus service in Gorham.

Town Manager Report

Town Manager Paraschak reported that the road construction has started in the Gorham Industrial West Park and also the pedestrian street lighting project is beginning on Main Street, where the 1st phase should be done by next month. He thanked Public Works for all of their hard work throughout the winter months and reminded residents that winter sand is available at Public Works, 80 Huston Road. Town Manager Paraschak noted that the Maine Turnpike Association has gone public with the new Gorham Corridor plans and there will be a public input session sometime in March.

School Committee Report

Sara Perkins, Chair reported the following:

Code of Conduct: The Gorham Schools will be hosting two community conversations regarding our Code of Conduct. One is happening as I speak, and a second meeting will be held on Feb. 26 at 6:30 p.m. at the GMS library. We are looking to "refresh" our Code of Conduct to make sure it lasts another 20 years in our schools and remains as relevant then as it is today. Please see the Superintendent's blog post of Feb. 2 which is linked to our district website for details.

Anti-Racism and Equity: The Gorham Schools' Anti-Racism & Equity Committee will be hosting an "Eat and Learn" event on March 12 at 5:30 p.m. The theme of this event will be the importance of advocacy. The event will be structured as a gallery walk of artistic submissions of our students on the topic of advocacy. Participants will review the artwork presented by students and then have an opportunity to share feedback and themes from the artwork. More details to come.

Remote Learning Day: A reminder that March 5 will be a remote learning day for students attending Gorham Middle School and Great Falls Elementary School, due to the use of these schools as polling locations that day. Information will be sent home to families from each school with specific expectations for remote learning on this day. All other students attending GHS, Village, and Narragansett will attend school as usual.

Budget: The School Committee will begin Budget workshop meetings soon and will plan to share summaries following each meeting, to help members of the Town Council and the public to follow along as easily as possible. Here's a reminder of key dates in the budget process. Those in bold directly involve the Town Council as well.

- **Friday, February 16, 2024-** Superintendent delivers proposed budget to School Committee

- Monday, March 4, 2024 - SC Budget Workshop Mtg. #1
- Monday, March 11, 2024 - SC Budget Workshop Mtg. #2
- Monday, March 18, 2024 - SC Budget Workshop Mtg. #3
- Monday, March 25, 2024 -SC Budget Workshop Mtg. #4
- Monday, April 1, 2024 - SC Budget Workshop Mtg. #5
- Wednesday, April 10, 2024 - School Committee votes to approve FY 25 Budget
- **Wednesday, April 17, 2024 - FY 25 Proposed School Budget Delivered to Town Manager**
- **Tuesday, April 23, 2024 - FY 25 Budget Workshop with Town Council, 6:30 p.m. in Council Chambers**
- **Tuesday, May 7, 2024 - FY 25 Budget Workshop follow up with Town Council, 5:30 p.m. - IF NEEDED**
- **Tuesday, May 14, 2024 — Public Hearing on FY 25 Municipal Budget (Including School Budget) and Town Council Vote, 6:30 p.m. in Council Chambers**
- Tuesday, June 11, 2024 — Public Referendum on FY 25 School Budget

As a reminder, all school budget workshops are open to the public.

GHS Theater Production: GHS Theater is performing Mamma Mia! Remaining shows are Feb. 9th and 10th at 7:00 p.m. and February 11 at 2:00 p.m. at GHS performing arts center. Again, check out the Superintendent's blog post for Feb. 2 for details on how to get tickets online - or you can also purchase at the door!

Unified Basketball: If you haven't seen a game, we highly recommend checking out this great athletic event. Upcoming games are:

- Thursday February 8 HOME vs Bonny Eagle 3:30 PM
- Thursday February 15 AT Scarborough 3:30 PM
- Tuesday February 27 AT Windham 3:30 PM
- Thursday February 29 HOME vs Deering 3:30 PM
- Thursday March 5 AT Westbrook 3:30 PM

National School Counselor Appreciation Week: Our school counselors are part of the glue that holds us all together. They work to help families and children navigate some of the most difficult and challenging experiences in their lives. They care passionately for the children they serve, and Gorham has some of the BEST IN THE BUSINESS!

THANK YOU...

- Betsy Anastasoff, Trisha Cherry, Kate Stevens and Samantha Teixeira (GHS)
- Emma Ambrose and Heather Richards (GMS)
- Debra Leone and Sawyer (PK-5), Ellen Berry (GF), Rachel Dunbar (Nar.), and Becky Hayward (Village).

Bill Morano, Chair of the Conservation Commission, gave a report of their happenings.

Public hearing #1

On Item #2024-2-1

Public hearing to hear comments on a proposal to issue a renewal Adult Use Marijuana License to Harrison Otterbein, Calendar Islands Cannabis Co., 289 New Portland Road. Property owned by 789 Development LLC. (Admin. Spon.)

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

Proposed

Order #24-11

Moved by Counselor Pratt, seconded by Councilor Simms and Ordered, that the Town Council issue a renewal Adult Use Marijuana License to Harrison Otterbein, Calendar Islands Cannabis Co., 289 New Portland Road. Property owned by 789 Development LLC.

Order #24-11 was VOTED 7 yeas.

Public hearing #2
On Item #2024-2-2

Public hearing to hear comments on a proposal to issue a renewal Medical Marijuana License to Michael Barris, B's Trees LLC, 7 County Road, Unit A/B. Property owned by 7 County Road LLC. (Admin. Spon.)

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

Proposed
Order #24-12

Moved by Councilor Pratt, seconded by Councilor Simms and Ordered, that the Town Council issue a renewal Medical Marijuana License to Michael Barris, B's Trees LLC, 7 County Road, Unit A/B. Property owned by 7 County Road LLC.

Order #24-12 was VOTED 7 yeas.

Public hearing #3
On Item #2024-2-3

Public hearing to hear comments on a proposal to issue a new Liquor License to Miller's Market, 29 School Street. (Admin. Spon.)

Chairperson Phillips opened public hearing #3. There were no comments from the public and the hearing was closed.

Proposed
Order #24-13

Moved by Councilor Pratt, seconded by Councilor Simms and Ordered, that the Town Council issue a new Liquor License to Miller's Market, 29 School Street.

Order #24-13 was VOTED 7 yeas.

Public hearing #4
On Item #2024-2-4

Public hearing to hear comments on a proposal to issue a renewal Liquor License to JBN1, LLC, dba Junction Bowl, 7 Railroad Avenue. (Admin. Spon.)

Chairperson Phillips opened public hearing #4. There were no comments from the public and the hearing was closed.

**Proposed
Order #24-14**

Moved by Councilor Wilder Cross, seconded by Councilor Lavoie and Ordered, that the Town Council issue a renewal Liquor License to JBN1, LLC, dba Junction Bowl, 7 Railroad Avenue.

Order #24-14 was VOTED 7 yeas.

**Public hearing #5
On Item #2024-2-5**

Public hearing to hear comments on a proposal to issue a renewal Special Amusement License to JBN1, LLC, dba Junction Bowl, 7 Railroad Avenue. (Admin. Spon.)

Chairperson Phillips opened public hearing #5. There were no comments from the public and the hearing was closed.

**Proposed
Order #24-15**

Moved by Councilor Lavoie, seconded by Councilor Wilder Cross and Ordered, that the Town Council issue a renewal Special Amusement License to JBN1, LLC, dba Junction Bowl, 7 Railroad Avenue.

Order #24-15 was VOTED 7 yeas.

**Public hearing #6
On Item #2024-2-6**

Public hearing to hear comment on a proposal to issue renewal Massage Licenses to Elizabeth Berks, Rhonda Lodgek and Natalie Bagley, and a new Massage License to April Morrell and Luyi Song. (Admin. Spon.)

Chairperson Phillips opened public hearing #6. There were no comments from the public and the hearing was closed.

Moved by Councilor Wilder Cross, seconded by Councilor Pratt and VOTED to let Councilor Lavoie recuse himself from discussion and vote on Order #24-16 due to conflict of interest. 6 yeas

**Proposed
Order #24-16**

Moved by Councilor Wilder Cross, seconded by Councilor Pratt and Ordered, that the Town Council issue renewal Massage Licenses to Elizabeth Berks, Rhonda Lodgek and Natalie Bagley, and a new Massage License to April Morrell and Luyi Song.

Order #24-16 was VOTED 6 yeas, 1 abstention (Lavoie).

Public hearing #7
On Item #2022-08-02

Public hearing to hear comments on amendments to the Land Use & Development Code regarding Access Management. (Admin. Spon.)

Chairperson Phillips opened public hearing #7. There were no comments from the public and the hearing was closed.

Proposed
Order #24-17

Moved by Councilor Wilder Cross, seconded by Councilor Siegel and Ordered, that the Town Council amend the Land Use & Development Code regarding Access Management as follows:

Moved by Councilor Lavoie, seconded by Councilor Wilder Cross and VOTED to waive the reading of Order #24-17 due to length. 6 yeas, 1 nay (Gagnon).

2. PROPOSED ACCESS MANAGEMENT TECHNICAL STANDARDS

The original Town Council Ordinance Committee version is underlined: deletions are ~~Struck Out~~; **Planning Board changes are bold**.

Section 2-5 Minimum Standards for the Design and Construction of Streets and Ways

D. DEFINITIONS

Access: A public or private point of entry or exit from land adjacent to a public highway or roadway utilized by motorized vehicles, typically described as an entrance or driveway depending on the land use and/or volume of traffic generated by the use.

Access Point: The intersection of an existing or proposed access with the public right-of-way.

Access Management: Access Management is the proactive management of vehicular access points to land parcels adjacent to all manner of roadways. Good access management promotes safe and efficient use of the transportation network and maintains the posted speed limit on Arterial and Collector Roadways.

Corner Clearance: The minimum distance measured parallel to a highway, between the nearest curb, pavement or shoulder line of an intersecting public way and the nearest edge of an entrance excluding its radii.

Double Frontage Lots: A double frontage lot is a parcel of land that has sufficient frontage on two public streets; whereby, minimum corner clearance standards to the parcel can be met based upon Town of Gorham Access Management Standards.

Intersection/Entrance Spacing: Intersection/entrance or driveway spacing is the measured distance between access facilities on a roadway. The separation distance is measured from the edge of the proposed street/entrance or driveway to the edge of the existing street/entrance, excluding the corner radii.

Shared Entrances: A single entrance or driveway serving two or more developable parcels. A shared driveway may cross a lot line or be on the parcel line, and the owners may have an easement for the shared use.

Parcel Interconnectivity: The ability to enter or exit adjacent properties or parcels without entering or exiting the public highway or roadway system via internal connections between two or more properties or parcels. This can be accomplished by use of “frontage or backage” roads as well as direct connections between adjacent properties or parcels.

Number of Entrances: Access to and from the public right-of-way to a proposed development shall be via a formal entrance. Entrances shall be designed and constructed to accommodate the appropriate level of traffic volumes and design vehicle, and provide for safe and efficient connection to arterials, collectors, and local roads.

State Highway: All the right-of-way that may have been laid out by the State, county or town as defined by MRS Title 23.

Corner clearance: The minimum distance, measured parallel to a highway, between the nearest curb, pavement or shoulder line of an intersecting public way and the nearest edge of a driveway excluding its radii as defined in Chapter 299 Highway Driveway and Entrance Rules.

Maine DOT Defined Compact Area: A section of the highway where structures are nearer than 200 feet apart for 1/4 of a mile, unless otherwise defined in MRS Title 23.

Backage road: Roadways or connections that accommodate entering/exiting traffic at the rear of parcels and provides parcel interconnectivity that reduces entering and exiting traffic from the main street.

H. Standards for Access Management

a) Corner Clearance

The minimum corner clearance for all streets, entrances and/or driveways on Compact Classified Arterials and both major and minor collector roadways must be 100-feet for un-signalized intersections and 125-feet at signalized intersections except at no time will a street, entrance or driveway be located on the radius of the two intersecting roadways. The minimum corner clearance on all local (both private and public roadways) shall be 75-feet.

b) Double Frontage Lots

The preference is for access to be provided at the lower classified roadway. In addition, the following shall be confirmed:

Where a site has frontage on two or more streets on all Compact Area Arterial, Major and Minor Collector roads, access to the proposed site will be from the lower classification of street unless the higher classification of street has less potential for traffic congestion and for hazards to both vehicle traffic and pedestrians. A traffic analysis, whose scope is defined by Town Staff, will be required to determine the preferred frontage for access. For developments with significant traffic volumes of 50 or more peak hour trips, access to both frontages will be considered based upon a detailed traffic study clearly demonstrating traffic safety and congestion benefits will result.

Maine DOT’s Entrance and Driveway rules apply to all Non-Compact Roadways; Maine DOT’s Region 1 office shall be consulted for these classified roadways.

c) Intersection/Entrance Spacing

Any street, entrance or driveway located on all arterial and major collector roads shall be separated from any other existing or proposed street, entrance, or driveway in accordance with the following table. (The proposed access shall also consider the existing location of streets, entrances and driveways across a road or highway and meet the same standards)

<u>POSTED SPEED IN (MPH)</u>	<u>SEPARATION DISTANCE (FEET)</u>
<u>25 OR LESS</u>	<u>90</u>
<u>30</u>	<u>105</u>
<u>35</u>	<u>130</u>
<u>40</u>	<u>175</u>
<u>45</u>	<u>265</u>
<u>50</u>	<u>350</u>

The Planning Board may relax these standards only upon finding, based upon a traffic study, that the location of the street, entrance or driveway closer than these minimum standards is necessary for effective utilization of the site or provides an opportunity for sharing access with an adjacent parcel reducing the total number of required site access openings and will not cause unreasonable congestion and safety hazards.

d) Shared Entrances

The Planning Board shall consider, where feasible, opportunities for shared entrances and driveways between adjacent parcels on all arterial and major collector roadways. The Planning Board may require the performance of a traffic study to determine if the proposed single entrance or driveway access serving two or more parcels improves roadway safety and congestion.

e) Parcel Interconnectivity

The Planning Board shall consider, where feasible, opportunities for direct connections between parcels or the use of “frontage or backage” roads between adjacent parcels on all arterial and major collector roadways. The Planning Board may require the performance of a traffic study to determine if the proposed interconnection of two or more parcels improves roadway safety and congestion.

New developments shall consider and plan their sites to allow for future parcel interconnectivity via one of the methods described above and can be required to provide parcel interconnectivity with an adjacent existing parcel via an easement. Planning Board shall consider requiring a new development to provide their half of a direct parcel connection if an agreement to complete a full connection cannot be made with the adjacent parcel, or money can be held in escrow to make the improvement in the future.

A detailed traffic study ~~will~~ **may** be required to determine the appropriate type of parcel interconnectivity and design that will provide optimal traffic operations and safety.

f) Number of Entrances

New developments **with connections to applicable roadways in section “g”** will be allowed one primary entrance that meets the Town Standards. The Planning Board shall consider opportunities for shared entrances and parcel interconnectivity where feasible to reduce the number of curb-cuts on arterial and collector roadways. New developments generating 50 or more peak hour trips may be allowed a secondary entrance, or two one-way entrances. A formal traffic study, defined by the Planning Board and Town Staff, shall determine justification for the additional entrance(s).

The Planning Board shall consider restrictions of movements to proposed entrances where it can be shown through a traffic study that safety concerns warrant it.

g) Access Management Applicable Roadways

The Access Management Regulations for the Town of Gorham shall apply to the following roadways:

Route 114 (Arterial)

Route 25 (Arterial)

Route 202 (Arterial)

Route 22 (Arterial)

Route 237 (Arterial)

Route 112 (Arterial)

Brackett Rd. (Collector)

New Portland Rd. (Arterial)

Day Rd. (Collector)

McLellan Rd. (Collector)

Flaggy Meadow Rd. (Collector)

North Gorham Road (Collector)

Wilson Road (Rural Sub-Collector)

Dunlap/Plummer Road (Rural Sub-Collector/Collector)

Libby Ave (Collector), Excluding Libby Ave from Rte. 202 to end.

Huston Road (Collector)

Wescott Road (Rural Sub-Collector), Between Rte. 114 and Plummer Road

Spiller Road (Collector)

Dingley Spring Road (Collector)

Wood Road (Rural Sub-Collector)

Deering Road (Collector)

Burnham Road (Collector)

Mitchell Hill Road (Collector)

Saco Street (Collector)

Bartlett Road (Industrial/Commercial)

Middle Jam Road (Rural Sub-Collector)

Queen Street (Rural Sub-Collector), Between Rte. 202 & Rte. 237

H.I. STANDARDS FOR PRIVATE WAYS

I. J. SUBDIVISION, PRIVATE WAY, AND SITE CONSTRUCTION MONITORING OF PUBLIC IMPROVEMENTS

SECTION 2-4 - RESIDENTIAL

A. CLUSTERED RESIDENTIAL DEVELOPMENT

6. b) 2. 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.

Driveways shall be located on to interior road networks to the greatest extent practical. ~~No more than one driveway per 500² of road frontage shall be allowed~~ **Curb cuts for driveways and new streets** on any collector roads, arterial roads, or Maine State DOT number routes **shall meet standards for access management as specified in the Land Use and Development Code, Section 2-5, H**

Order #24-17 was VOTED 7 yeas.

Item #2024-2-7

Action regarding the March 5, 2024 State Presidential Primary Election. (Admin. Spon.)

Proposed

Order #24-18

Moved by Councilor Siegel, seconded by Councilor Lavoie and Ordered, that the Town Council authorize the Town Clerk to issue the warrant for the March 5, 2024 State Presidential Primary Election; and

Be It Further Ordered, that the polls be open from 7:00am until 8:00pm; and

Be It Further Ordered, that the Town Council appoints the following persons for the designated voting districts and if any of the following should fail to serve, the Town Council hereby authorizes the Town Clerk to appoint substitutes:

District 1-1 – Susan Emerson, Warden and Laurel Smith, Ward Clerk

District 1-2 – Katherine Corbett, Warden and Marie Plummer, Ward Clerk

District 2 – Martha Towle, Warden and Carol Wyman, Ward Clerk

Central – Kim Getchell, Warden and Paula Nystrom, Ward Clerk

Be It Further Ordered, that the Registrar of Voters be in session during the hours of 7:00am-5:00pm Monday, February 26th through Thursday, February 29th and Monday, March 4th, and

Be it Further Ordered, that the Town Clerk be authorized to process absentee ballots on Tuesday, February 27th through Thursday, February 29th starting at 8:00am; and Monday, March 4th and Tuesday March 5th starting at 8:00am.

Order #24-18 was VOTED 7 yeas.

Item #2024-2-8 Action to consider an abatement on property taxes for Map 47, Lot 3, Libby Avenue, in the amount of \$341.72 plus interest for the FY23 taxes. (Admin. Spon.)

Proposed Order #24-19 Moved by Councilor Lavoie, seconded by Councilor Siegel and Ordered, that the Town Council abate the FY23 taxes on Libby Avenue, Map 47, Lot 3 in the amount of \$341.72 plus interest.

Order #24-19 was VOTED 7 yeas.

Item #2024-2-9 Action to consider an abatement on property taxes for Map 2, Lot 1, Hemlock Drive, in the amount of \$1,384.55 plus interest for the FY21-23 taxes. (Admin. Spon.)

Proposed Order #24-20 Moved by Councilor Simms, seconded by Councilor Pratt and Ordered, that the Town Council abate the FY21-FY23 taxes on Hemlock Drive, Map 2, Lot 1 in the amount of \$1,384.55 plus interest.

Order #24-20 was VOTED 7 yeas.

Item #2024-2-10 Action to consider appointing members to the Fiscal Sustainability Committee. (Appointments Committee Spon.)

Proposed Order #24-21 Moved by Councilor Siegel, seconded by Councilor Lavoie and Ordered, that the Town Council appoint individuals to the Fiscal Sustainability

Committee as recommended by the Appointments Committee at their meeting February 1, 2024.

The Appointments Committee recommended George Fox and Susan Coyne to be appointed to the Fiscal Sustainability Committee.

Order #24-21 was VOTED 7 yeas.

Item #2024-2-11 Action to consider adopting a revised emergency operations plan for the Town of Gorham. (Admin. Spon.)

Proposed

Order #24-22 Moved by Councilor Lavoie, seconded by Councilor Wilder Cross and Ordered, that the Town Council approves required updates to the Town's Emergency Operations Plan as recommended by the public safety staff.

Order #24-22 was VOTED 7 yeas.

Item #2024-2-12 Action to consider reviewing ways to preserve the rural character of Gorham. (Councilor Siegel Spon.)

Proposed

Item #24-23 Moved by Councilor Siegel, seconded by Councilor Pratt and Ordered, that the Town Council instructs staff to bring back several recommendations on modifications to the Land Use & Development Code that would help preserve the rural nature of Gorham for further review and action by the Town Council.

Order #24-23 was VOTED 7 yeas.

Item #2024-2-13 Action to consider setting the March Town Council Workshop as a discussion on preserving farms and farmland in Gorham. (Councilor Siegel Spon.)

Proposed

Order #24-24 Moved by Councilor Siegel, seconded by Councilor Simms and Ordered, that the Town Council sets March 19, 2024 as a workshop to discuss preserving farms in Gorham.

Order #24-24 was VOTED 7 yeas.

Item #2024-2-14

Action to consider instructing staff to review the feasibility of selling or leasing property at 668 Gray Road "Old Robie School". (Councilor Lavoie Spon.)

Proposed

Order #24-25

Moved by Councilor Lavoie, seconded by Councilor Gagnon and Ordered, that the Town Council instructs staff to report back on a recommended course of action to sell or lease the Old Robie School in Little Falls for private business development and/or use; and

Be It Further Ordered, that the Town Council instructs staff to report on any potential impacts to municipal services and recommendations to mitigate said impacts if the property is sold or leased for private use.

Moved by Councilor Gagnon, seconded by Councilor Pratt and VOTED to amend the order to send to Finance Committee for discussion and their recommendations. 6 yeas, 1 nay (Lavoie)

Order #24-25 was VOTED as amended. 6 yeas, 1 nay (Siegel).

Item #2024-2-15

Action to consider instructing the Planning Board to review required changes to the Town's Floodplain Management Ordinance. (Admin. Spon.)

Proposed

Order #24-26

Moved by Councilor Lavoie, seconded by Councilor Siegel and Ordered, that the Town Council instructs staff and the Planning Board to modify and review for public hearings, required amendments to the Town's Floodplain Management Ordinance to comply with new federal requirements of the National Flood Insurance Program and return for final adoption by the Council before the June program deadline.

Order #24-26 was VOTED 7 yeas.

Item #2021-9-11

Action to forward to the Planning Board proposed amendments to the Land Use & Development Code to promote effective multi-family development. (Ordinance Committee Spon.)

Proposed

Order #24-27

Moved by Councilor Siegel, seconded by Councilor Wilder Cross and Ordered, that the Town Council forward to the Planning Board for public

hearing and recommendations, amendments to the Town's Land Use & Development Code for affordable housing to comply with LD 2003 as follows:

Moved by Councilor Lavoie, seconded by Councilor Wilder Cross and VOTED to waive the reading of Order #24-27 due to length. 6 yeas, 1 nay (Gagnon).

Proposed Amendments to Chapter 1 Zoning Regulations Section 1-1

Additions are underlined; deletions are struck out

Chapter 1 Zoning Regulations

Section 1-1 General

B. ESTABLISHMENT OF ZONES

To implement the provisions of this Chapter, the Town of Gorham is hereby divided into the following classes of Districts:

Affordable Housing Overlay District

Proposed Amendments to Chapter 1 Zoning Regulations Section 1-5

Additions are underlined; deletions are struck out

Chapter 1 Zoning Regulations

Section 1-5 Definitions

Affordable housing development. “Affordable housing development” means

1. For rental housing, a development in which a household whose income does not exceed 80% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford 51% or more of the units in the development without spending more than 30% of the households monthly income on housing costs; and
2. For owned housing, a development in which a household whose income does not exceed 120% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford 51% or more of the units in the development without spending more than 30% of the households monthly income on housing costs.
3. For purposes of this definition, “housing costs” include, but are not limited to:

a) For a rental unit, the cost of rent and any utilities (electric, heat, water, sewer, and/or trash) that the household pays separately from the rent; and

b) For an ownership unit, the cost of mortgage principal and interest, real estate taxes (including assessments), private mortgage insurance, homeowner's insurance, condominium fees, and homeowners' association fees.

Area median income. "Area median income" means the midpoint of a region's income distribution calculated on an annual basis by the U.S. Department of Housing and Urban Development.

Base density. "Base density" means the maximum number of units allowed on a lot not used for affordable housing based on dimensional requirements contained within this Code.

Density requirements. "Density requirements" mean the maximum number of dwelling units allowed on a lot, subject to any existing dimensional requirements, such as the minimum amount of lot area required for each dwelling unit, otherwise established in this Code.

Add the following zoning overlay district to the Zoning Ordinance:

Section 1-27: Affordable Housing Overlay District (AHOD)

Applicability

The provisions of the AHOD shall apply in all areas identified in a certain map entitled Affordable Housing Overlay District, as approved by the Town Council and maintained by the Community Development Office.

Performance Standards to be added into Chapter 2 for AHOD:

SECTION 2-19 – AFFORDABLE HOUSING DEVELOPMENTS

a. Density Bonus

Affordable housing developments may have a dwelling unit density of 2.5 times the base density that is otherwise allowed in the base zone, as set forth in Chapter 1 of this Code.

b. Wastewater Disposal

1) Affordable housing developments on a lot with the ability to connect to public sewer shall be served by public sewer unless the Portland Water District (PWD) determines that there is not capacity in the sewer main or treatment facility. The PWD sewer connections shall meet the following requirements.

2) For an affordable housing development without the ability to connect to public sewer, the septic systems on the lot in question shall be functioning properly at the time of application and shall be sufficiently designed to meet the new anticipated capacity required under all State and local regulations for septic systems. Clustered systems are prohibited as set forth in the Town of Gorham Waste Water Ordinance, Article IV – Private Wastewater Disposal Systems, Section 7 – Cluster Systems Prohibited.

c. Drinking Water Supply

1) Affordable housing developments on a lot with the ability to connect to a public water main shall be connected into the public water main unless the Portland Water District determines that there is not capacity in the PWD water main to serve the lot and shall provide a PWD ability to serve letter prior to any approval of any site plan.

2) For a lot served by private wells the owner(s) must show evidence that water is potable and acceptable for domestic use prior to issuance of approval of any site plan.

d. Long-Term Affordability

1) Prior to the issuance of a building permit for the construction of any dwelling unit within an affordable housing development, the owner shall execute and record in the Cumberland County Registry of Deeds, a declaration of covenants encumbering the entire affordable housing development, in a form that has been reviewed and approved by the Town Attorney. This declaration of covenants must provide that for a period of at least 30 years after completion of construction of an affordable housing development, the occupancy of at least 51% of the dwelling units therein shall remain limited to households whose taxable income is at or below 80% of local area median income for rental housing (or 120% of local area median income for owned housing), at the time of initial occupancy. Such restrictive covenants shall be enforceable by the Town of Gorham or its designee.

2) For any affordable housing development where not all units are “affordable” the developer shall designate which units are “affordable” and which are “market rate”.

e. Shoreland Zoning

Notwithstanding the foregoing, an affordable housing development must comply with all shoreland zoning requirements imposed by this Code and by the Maine Department of Environmental Protection.

f. Subdivision

This section shall not be construed to exempt affordable housing developments from the subdivision requirements imposed by Chapter 3 of this Code.

g. Board of Appeals

The Board of Appeals may not grant any variance from the density bonus or minimum off-street parking standards set forth by this Code.

Add the following to parking standards in Chapter 2:

Section 2-2 – Parking, Loading, and Traffic

A. OFF-STREET PARKING STANDARDS

- 1) Off-street parking, in addition to being a permitted use, shall be considered as an accessory use when required or provided to serve conforming uses located in any district.
- 2) The following minimum and maximum off-street parking and loading requirements shall be provided and maintained in case of new construction, alterations and changes of use. Such parking may be provided in the open air in spaces each nine (9) feet wide by eighteen (18) feet long, or in garages. All spaces shall be accessible from lanes of adequate size and location.

<u>Affordable Housing Developments</u>	<u>Maximum of two (2) for every three (3) dwelling units (Fractional results shall be rounded down)</u>
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3. State Requirements for Affordable Housing Density Bonus

The state guidelines for the density bonus are as follows:

1. For purposes of this section, a municipality shall verify that the development:
 - a) Is an affordable housing development as defined in this chapter, which includes the requirement that a majority of the total units on the lot are affordable;
 - b) Is in a designated growth area pursuant to 30-A M.R.S. §4349-A(1)(A) or (B) or served by a public, special district or other centrally managed water system and a public, special district or other comparable sewer system;
 - c) Is located in an area in which multifamily dwellings are allowed per municipal ordinance;

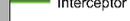
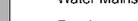
- d) Complies with minimum lot size requirements in accordance with Title 12 Chapter 423-A; and
- e) Owner provides written verification that each unit of the housing development is proposed to be connected to adequate water and wastewater services prior to certification of the development for occupancy or similar type of approval process. Written verification must include the following:
 - i. If a housing unit is connected to a public, special district or other comparable sewer system, proof of adequate service to support any additional flow created by the unit and proof of payment for the connection to the sewer system;
 - ii. If a housing unit is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by a local plumbing inspector pursuant to 30-A M.R.S. §4221. Plans for a subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with 10-144 C.M.R. Ch. 241, *Subsurface Wastewater Disposal Rules*.
 - iii. If a housing unit is connected to a public, special district or other centrally managed water system, proof of adequate service to support any additional flow created by the unit, proof of payment for the connection and the volume and supply of water required for the unit; and
 - iv. If a housing unit is connected to a well, proof of access to potable water, including the standards outlined in 01-672 C.M.R. Ch. 10 section 10.25(J), *Land Use Districts and Standards*. Any test of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.

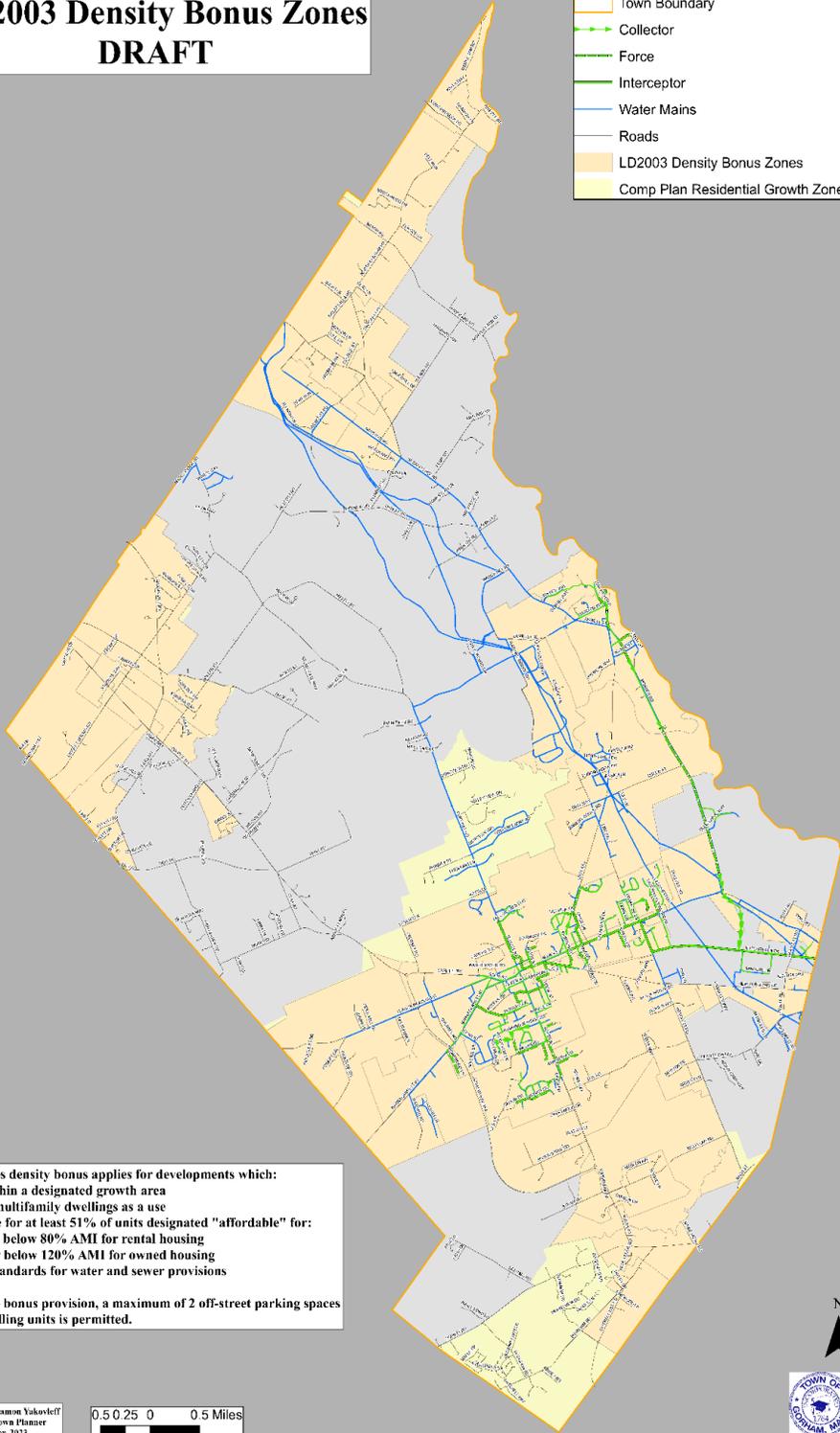
2. Long-Term Affordability

Prior to granting final approval of an affordable housing development, including but not limited to issuing an occupancy permit, a municipality must require that the owner of the affordable housing development (1) execute a restrictive covenant that is enforceable by a party acceptable to the municipality; and (2) record the restrictive covenant in the appropriate registry of deeds to ensure that for at least thirty (30) years after completion of construction:

- a) For rental housing, occupancy of all the units designated affordable in the development will remain limited to households at or below 80% of the local area median income at the time of initial occupancy; and
- b) For owned housing, occupancy of all the units designated affordable in the development will remain limited to households at or below 120% of the local area median income at the time of initial occupancy.

LD2003 Density Bonus Zones DRAFT

-  Town Boundary
-  Collector
-  Force
-  Interceptor
-  Water Mains
-  Roads
-  LD2003 Density Bonus Zones
-  Comp Plan Residential Growth Zones



A 2.5 times density bonus applies for developments which:

- 1) Are within a designated growth area
- 2) Allow multifamily dwellings as a use
- 3) Provide for at least 51% of units designated "affordable" for:
 - a) At or below 80% AMI for rental housing
 - b) At or below 120% AMI for owned housing
- 4) Meet standards for water and sewer provisions

Under the bonus provision, a maximum of 2 off-street parking spaces per 3 dwelling units is permitted.

Produced by Damon Yakovlev
Assistant Town Planner
October, 2023

0.5 0.25 0 0.5 Miles



Order #24-27 was VOTED 6 yeas, 1 nay (Pratt).

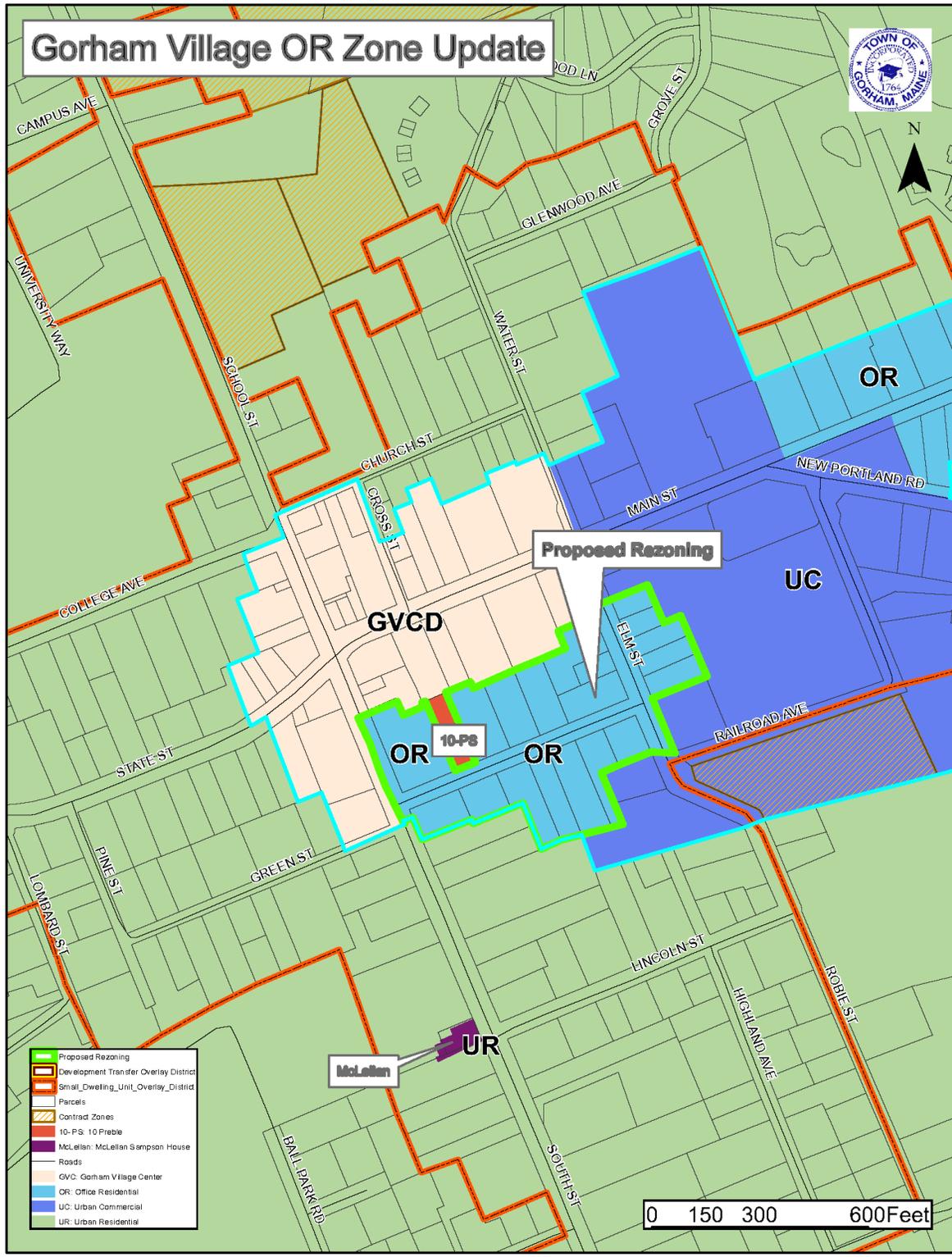
Item #2023-2-7

Action to forward to the Planning Board proposed amendments to the village zoning districts in the Land Use & Development Code to increase economic development opportunities (Ordinance Committee. Spon.)

**Proposed
Order #24-28**

Moved by Councilor Siegel, seconded by Councilor Gagnon and Ordered, that the Town Council forward to the Planning Board for public hearing and recommendations, amendments to the Gorham Land Use Map changing a section of the Gorham Village from Urban Residential to Office-Residential District.

Gorham Village OR Zone Update



- Proposed Rezoning
- Development Transfer Overlay District
- Small Dwelling Unit Overlay District
- Parcels
- Contract Zones
- 10-PS 10 Priebe
- McLellan: McLellan Sampson House
- Roads
- GVC: Gorham Village Center
- OR: Office Residential
- UC: Urban Commercial
- UR: Urban Residential

0 150 300 600 Feet

Item #2024-2-16

Action to consider endorsing a Community Development Block Grant Application for the Town of Gorham Little Falls Sewer Main Extension (Admin. Spon.)

Proposed

Order #24-29

Moved by Councilor Pratt, seconded by Councilor Siegel and Ordered, that the Town Council endorse a CDBG application by the Town of Gorham for funding of a sewer main extension project to serve a mixed-use development corridor in the Little Falls Village Area.

Order #24-29 was VOTED 6 yeas, 1 nay (Gagnon).

Item #2024-2-17

Action to consider authorizing the Town Manager to dispose of tax-acquired property at 155 Dow Road. (Admin. Spon.)

Proposed

Order #24-30

Moved by Councilor Pratt , seconded by Councilor Gagnon and Ordered, that the Town Council authorizes the Town Manager to sell to the highest offer tax-acquired property located at 155 Dow Road.

Moved by Councilor Pratt, seconded by Councilor Wilder Cross and VOTED to amend the order to read: Ordered, that the Town Council authorizes the Town Manager to sell to the highest bidder pending that they clean up the property within 90 days, if not accepted, to sell to the second highest bidder pending they clean up the property within 90 days. 7 yeas

Order #24-30 was VOTED as amended, 7 yeas.

**Moved by Councilor Lavoie, seconded by Councilor Pratt and VOTED to adjourn. 7 yeas
Time of adjournment: 8:10pm.**

A True Record of Meeting
02/06/2024

ATTEST 
Laurie Nordfors, Town Clerk
02/07/2024

