

**MINUTES
TOWN OF GORHAM
ORDINANCE COMMITTEE MEETING
Meeting of October 16, 2023- 8:30a.m.
Gorham Municipal Center, Conference Rm A**

Present: Councilors Virginia Wilder Cross – Chair, Ronald Shepard, Seven Siegel

Also Present: Town Manager Ephrem Paraschak; Assistant Town Planner Damon Yakovleff; Director of Community Development Tom Poirier; Assistant Town Clerk Kimberly Getchell

1. **Consideration of the minutes of the September 18, 2023 meeting**

A motion was MADE by Councilor Siegel SECONDED by Councilor Shepard and VOTED to approve. Unanimous vote.

2. **Current Business**

- A. Review revising parking ordinances and forward any recommendations to the Town Council for Consideration (referred by Ordinance Committee on January 17, 2023)

No Update at this meeting – continued discussion at a future meeting

- B. Discuss Aquifer Protection Zones, and send recommendations back to the Town Council (referred by the Town Council on March 7, 2023)

Tom Poirier began by stating he had talked to a State Geologist, and it was recommended this be applied to high yield aquifers. He referred to the map in the packet pointing out the yellow areas as proposed areas. He further stated that one aquifer abuts Scarborough, so this would be a continuation of the aquifer protection zone.

Councilor Wilder Cross wanted to know how big the aquifer was in Scarborough. Director Poirier said he didn't have that data. Councilor Wilder Cross also wanted to know why replacement tanks in section #2 had to be white or a light color?

Assistant Planner Yakovleff stated it was a low-tech way of seeing what and how much is in the tank.

Director Poirier said the Geologist suggested we go with the 50 Gallon Per Minute (GPM) protection zone.

Councilor Siegel asked how much does this change things?

Director Poirier said areas could have larger storage for outdoor tanks i.e., Friendly Village.

Councilor Siegel wanted clarification. If only a part of the area was touching the protection zone would the whole section, be included? Director Poirier answered yes.

Councilor Shepard wanted to know if Friendly Village would have to make changes right away.

Director Poirier stated that no they would not, because they would be grandfathered. However, upgrades would need to be made over time.

Councilor Siegel asked if the notes from the geologist could be sent to Town Council? Director Poirier said that it had been a phone conversation but yes that he could provide something.

Manager Paraschak said he would like background information sent to the Town Council.

Director Poirier said that if they proposed lower yield 10-50 GPM it would be for areas without public water. He would get a memo from the geologist and will show it on the map.

Manager Paraschak asked if he were a business owner in the 10-50 GPM zone and wanted to make a change such as more parking area, what would he need to do?

Director Poirier said they would need to make upgrades depending on the change. Such as drains in the floor, changes to tanks or lines.

Councilor Shepard wanted to know what the MS4 (Municipal Separate Stormwater Sewer System) area was, regarding section (5) in the Draft Ordinance

Director Poirier said it would be areas like the Village, Westbrook, Little Falls area.

Councilor Siegel MADE a motion to send to the Town Council, Councilor Shepard SECONDED and VOTED to approve. Unanimous vote.

- C. Review zoning in the Gorham Village Districts to increase economic development (referred by the Town Council on February 7, 2023)

The committee decided to table this discussion until the next meeting.

- D. Discuss LD2003 – Update for Affordable Housing

Councilor Wilder Cross wanted to know if the lots in the Robie Development were large enough for Accessory Dwelling Units (ADU).

Director Poirier said yes, they are that anyone can, however, they must have water and sewer to accommodate the unit. The synopsis is that the State sent down a certain number of homes that need to be built to address housing deficiencies by January 1, 2024. What is being proposed is an Affordable Housing overlay district in growth areas on the map (areas in beige) to resolve the issue. Other areas can be added at a later date. He also said that he is waiting for the lawyer to get back to him on any additional performance standards that can be allowed. Such as, requiring the building to fit in with the current neighborhood.

Councilor Siegel asked if this would have to go to the Planning Board. He also questioned the AMI for rental and housing.

This led to a discussion about buying density and could developers do this. No sure if it could happen; how would it be enforced? We wouldn't know people's income or rents or mortgage.

Assistant Planner Yakovleff stated that AMI (Area Median Income) is based on family members. For instance, a 1 bedroom = 2 people and a 2 Bedroom = 4 people.

Councilor Siegel asked Director Poirier if he saw this being used this way. Director Poirier said that developers were more apt to buy density and sell at regular rates. Affordable housing would be builders using rebates, etc.

The group went on to discuss areas of town with land and how that could be developed.

Councilor Shepard MADE a motion to have staff continue to work on the density bonus and bring back draft language for the committee to review Councilor Siegel SECONDED and VOTED to approve. Unanimous vote.

- E. Review Municipal Ordinances that would restrict access of dogs on public athletic fields, and send recommendations back to Town Council (referred by Town Council on June 6, 2023)

Councilor Wilder stated that a resident approached her at Walgreens to discuss a problem with waste in other areas of town. She also said that a person who spoke at the Town Council meeting opened her eyes about dogs. Not everyone is the problem.

Manager Paraschak stated that currently dogs are allowed on fields.

Director Poirier stated that with the new ordinance dogs would not be allowed on fields. Are there any other changes to be made?

Councilor Siegel brought up voice command; the group began a discussion about removing voice command from the ordinance. Councilor Siegel also talked about Dogs on a leash not on active fields but on the sidelines.

Manager Paraschak brought up the lease agreement the Town has with Cherry Hill for public use. Should this be included as leased property since Cherry Hill is private property. The group discussed this and decided to cross this bridge when they came to it.

Councilor Siegel brought up cats. The state excludes them regarding trespassing, should Gorham? This would be hard to enforce.

Director Poirier said to keep it in the ordinance in case of a future need. He then went on to confirm the changes – strike out voice control; dogs must be leashed; dogs are not allowed on playing fields when they are obviously marked for play; if the field is not marked for play then dogs may be on the field while leashed. He then asked the group if the length of the leash should be limited. The current ordinance has it at 30ft. The group decided this was fine.

Councilor Shepard MADE a motion to send to Town Council with the proposed changes, Councilor Siegel SECONDED and VOTED to approve. Unanimous vote.

3. **Items Referred for future Meetings/Action**

4. **Other Business**

5. **Schedule next meeting and discuss agenda items for next meeting**

Councilor Wilder Cross stated she would like to talk about the parking ordinances, zoning in the Gorham Village, and affordable housing.

6. **Adjournment**

Councilor Shepard MADE and motion to adjourn, and Councilor Siege SECONDED and voted to approve. Unanimous vote.

Respectfully Submitted
Kimberly Getchell