

AGENDA & PROPOSED ORDERS
GORHAM TOWN COUNCIL
REGULAR MEETING

February 1, 2011 – 7:00 p.m.

Gorham Municipal Center – Burleigh H. Loveitt Council Chambers

Pledge of Allegiance to the Flag

Roll Call of the Town Council

Acceptance of the minutes of the January 4, 2011 Regular Town Council Meeting and the January 25, 2011 Special Town Council Meeting.

Open Public Communications

Councilor Communications

Chairman's Report

Town Manager's Report

School Committee Report

New Business

Public Hearing #1 Public Hearing on a proposal to amend the Land Use and Development Code to allow the keeping of farm animals in the Urban Residential District.

Item #7956 Action to consider a proposal to amend the Land Use and Development Code, Chapter I, Section VI, to allow farm animals in the Urban Residential District. (Adm. Spon.)

Proposed Order #7956 **WHEREAS**, the Land Use and Development Code currently requires a minimum lot size of 6 acres to keep farm animals in the Urban Residential Zone; and,

WHEREAS, 6 acres is a relatively large lot for the Urban Residential Zone and is a burdensome requirement to meet,

WHEREAS, the Town Council would like to accommodate citizens who live in the Urban Residential Zone and want to keep small quantities of farm animals in a responsible manner that does not create unreasonable problems for their neighborhood ; and,

NOW, THEREFORE BE IT ORDAINED that the Town Council of the Town of Gorham, Maine, in Town Council assembled amend the Land Use and Development Code, Chapter I, Section VI, as follows:

Proposed amendments to Chapter I, Section VI – Urban Residential District (additions are underlined, deletions are ~~struck through~~.)

B. PERMITTED USES

15) The keeping of Livestock, as defined by Title 17, MRSA Section 1011 (18-A), Subject to the following conditions:

a. All livestock must be secured on the property of the owner of the livestock. The owner shall be any person, firm, partnership, association for corporation owning, keeping or harboring livestock.

1. Any structure must comply with the setbacks of the zone where the animals are located.
- b. All livestock must be kept in a safe and humane environment pursuant to Title 17, MRSA, Section 1011-1046.
- c. Livestock shall not cause a nuisance to neighbors or the Town.

**Public
Hearing #2**

Public Hearing on a proposal to amend the Land Use and Development Code to prohibit street frontage on the Bernard P. Rines limited access highway being used to meet street frontage requirements.

Item #7957

Action to consider a proposal to amend the Land Use and Development Code, Chapter I, Section V, to prevent street frontage on the Bernard P. Rines limited access highway being used to meet street frontage requirements. (Adm. Spon.)

**Proposed
Order #7957**

WHEREAS, the current Land Use and Development Code recognizes street frontage from any public street; and,

WHEREAS, the amount of street frontage is a primary component of access to a parcel of land; and,

WHEREAS, the Bernard P. Rines Highway is a limited access road, with no access onto abutting land from this road,

NOW, THEREFORE BE IT ORDAINED that the Town Council of the Town of Gorham, Maine, in Town Council assembled amend the Land Use and Development Code, Chapter I, Section V, as follows:

Proposed amendments to Chapter I, Section V, definitions (**Note:** Additions are underlined, deletions are ~~struck through~~).

Street Frontage The width of a lot measured along ~~the~~ a street line, provided that access to the lot is possible from that street. Limited access roads, including but not limited to the Bernard P. Rines Highway section of Route 112, that cannot be used for access onto abutting lots, shall not be used to meet street frontage requirements. When a lot abuts more than one street that is not a limited access road, any one of them, but only one, may be designated by the owner as the street that will meet the street frontage requirements, provided that the lot meets the street frontage requirements on that street, the lot meets the front, side and rear yard setback requirements and that the principal building is numbered on that street.

**Public
Hearing #3**

Public Hearing on a proposal to consolidate the Ordinance Restricting Vehicle Weight on Posted Roads into the Streets and Sidewalks Ordinance.

Item #7958

Action to consider a proposal to consolidate the Ordinance Restricting Vehicle Weight on Posted Roads into the Streets and Sidewalks Ordinance. (Adm. Spon.)

**Proposed
Order #7958**

WHEREAS, the Town has an ordinance on Streets and Sidewalks and a separate Ordinance Restricting Vehicle Weight on Posted Roads; and,

WHEREAS, it would be administratively more efficient to consolidate the Ordinance Restricting Vehicle Weight on Posted Roads into the Streets and Sidewalks Ordinance,

NOW, THEREFORE BE IT ORDAINED that the Town Council of the Town of Gorham, Maine, in Town Council assembled consolidate the Ordinance

Restricting Vehicle Weight on Posted Roads into the Streets and Sidewalks Ordinance.

Item #7959 Action to consider a request from Robert Frazier, on behalf of Gorham Trails Land Trust, to approve the concept of a cross-town bicycle / pedestrian trail. (Capital Improvements Committee Spon. 3-0)

Proposed Order #7959 **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled approve the concept of a cross-town bicycle / pedestrian trail, starting at the roundabout at the intersection of Narragansett Street (Route 202) and the Bernard P. Rines Highway (Route 112) and following, where practical, the former Sanford and Eastern Railroad right-of-way to the Westbrook city line.

Item #7960 Action to consider accepting “Great Falls Elementary School” as the name of the new elementary school. (Adm. Spon.)

Proposed Order #7960 **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled, pursuant to the recommendation of the New Elementary School Naming Committee, name the new elementary school the “Great Falls Elementary School”.

Item #7961 Action to authorize the Town to participate in a joint application for a Community Development Block Grant with the Towns of Cape Elizabeth, Scarborough, Standish and Naples for a grant to support a joint Enhanced Police Intervention Collaboration program through Family Crisis Services Agency. (Adm. Spon.)

Proposed Order #7961 **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled authorize the Town of Gorham to participate in a joint application for a Community Development Block Grant with the Towns of Cape Elizabeth, Scarborough, Standish and Naples for a grant to support a staff person from the Family Crisis Services Agency to provide a joint enhanced Police Intervention Collaboration program. joint Enhanced Police Intervention Collaboration program for domestic abuse; and,

BE IT FURTHER ORDERED that no local funds are needed for this grant.

Item #7962 Action to consider asking the Portland Area Comprehensive Transportation Study (PACTS) to provide funds that would provide technical assistance to communities participating in the Phase 2 Action Plan of the Gorham East-West Corridor Study. (Adm. Spon.)

Proposed Order #7962 **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled authorize the Town to submit a request to the Portland Area Comprehensive Transportation Study (PACTS) to provide \$60,000 to provide technical assistance for communities participating in the Phase 2 Action Plan of the Gorham East-West Corridor Study with participating Communities eligible for \$8,000 in federal funds with a \$2,000 local fund matching requirement.

Item #7963 Action to consider asking the Ordinance Committee to review a proposal to

change the Cable TV Committee from a standing committee to a committee appointed by the Town Council as needed and make corresponding adjustments in the Cable TV Policy adopted by the Town Council on September 1, 2009. (Councilor Caldwell Spon.)

**Proposed
Order #7963**

ORDERED that the Town Council of the Town of Gorham, Maine, in Town Council assembled refer a proposal to amend Article XV of the Administrative Code that would change the Cable TV Committee from a standing committee to a committee appointed as needed, to the Ordinance Committee for review; and,

BE IT FURTHER ORDERED that the Ordinance Committee also review the Cable TV Policy adopted by the Town Council on September 1, 2009 to recommend adjustments to said policy for the purpose of making it consistent with any changes recommended to the Administrative Code.

Item #7964

Action to consider a resolution supporting a recent position of the Gorham School Board seeking more competition in Health Insurance for School employees to lower costs for the employees and for the School Department while maintaining quality health care. (Councilor Mattingly Spon.)

**Proposed
Order #7964**

ORDERED that the Town Council of the Town of Gorham, Maine, in Town Council assembled endorse the position of the Gorham School Board, voted at their meeting of November 10, 2010 and corresponded in a letter dated November 12, 2010 from the Gorham School Department to the Maine School Board Association, supporting more competition in providing health insurance to school systems in Maine as a way to lower costs to the employees and to the School Department while maintaining quality health care in the system; and,

BE IT FURTHER ORDERED that the Town notify the Town's State Senator and Representatives and urge them to support any effort that would implement the School Board and the Town Council's position.

Item #7965

Action to consider accepting perpetual care funds.

**Proposed
Order #7965**

ORDERED that the Town Council of the Town of Gorham, Maine, in Town Council assembled accept perpetual care funds as presented.

Abbiati, David Hillside Cemetery, section R, lot 39 A & B (2 gravesites)	\$700.00
Almeida, Laura Hillside Cemetery, section R, lot 29 D (1 gravesites)	\$400.00
Cousins, Christy L. Eastern Cemetery, section H, lot 370 A & B (2 gravesites)	\$300.00
Davis, Marian Hillside Cemetery, section R, lot 42 C & D (2 gravesites)	\$700.00
Hagerman, Roy W. & Mary L. Hillside Cemetery, section R, lot 40 D (1 gravesite)	\$400.00
Hinkley, Priscilla Hillside Cemetery, section R lot 27 C & D (2 gravesites)	\$700.00
Hubbard, Eugene Hillside Cemetery, section R, lot 42 A & B (2 gravesites)	\$700.00
Nelson, Cathy Hillside Cemetery, section R, lot 22 B (1 gravesite)	\$400.00
Sanville, Paul Eastern Cemetery, section H, lot 369 B & C (2 gravesites)	\$300.00
Sanville, Peter Eastern Cemetery, section H, lot 369 A and lot 370 C & D (3 gravesites)	\$400.00
Strout, Ronald F. & Deborah P. Eastern Cemetery, section H, lot 369 D	\$400.00

UPDATES TO PERPETUAL CARE

Beever, John & Jane Hillside Cemetery, section N, lots 5, 6, 12, & 13 A-D (12 gravesites) lots 7 & 14 exchanged for lots 5 & 12 paid in 5/13/99.

Paulin, Kim & Roberts, Steven W. Eastern Cemetery, section H, Lot 351 A-D and lot 351 C & D (6 gravesites) funds accepted February 2009, correction to lot numbers.

ADJOURN