

AGENDA AND PROPOSED ORDERS
GORHAM TOWN COUNCIL
April 2, 2013
BURLEIGH H, LOVEITT COUNCIL CHAMBERS

Pledge of Allegiance to the Flag

Roll Call

Acceptance of the minutes of the March 5, 2013 Town Council Regular Meeting.

Open Public Communications

Councilor Communications

Town Manager Report

School Committee Report

Presentation by Tom Ellsworth – Annual Report of Gorham Economic Development Corporation

Presentation by Neil Allen on behalf of Greater Portland Council of Governments

Old Business

Item #8276 Action to consider approval of a renewal Liquor License in the name of PineCrest Bed & Breakfast Inn LLC. (Adm. Spon.)

Proposed

Order #8276 Ordered, that the Town Council approve a renewal Liquor License in the name of PineCrest Bed & Breakfast Inn LLC, doing business at 91 South Street.

Item #8277 Action to consider approval of a renewal Class III Special Amusement Permit in the name of PineCrest Bed & Breakfast Inn LLC (Adm. Spon.)

Proposed

Order #8277 Ordered, that the Town Council approve a renewal Class III Special Amusement Permit in the name of PineCrest Bed Breakfast Inn LLC, doing business at 91 South Street.

New Business

Public

Hearing #1 Public hearing on an application for a renewal Liquor License in the name of Harold Hawkes d/b/a Gorham Country Club, doing business at 93 McLellan Road.

Item #8287 Action to consider a renewal Liquor License for Gorham Country Club. (Adm. Spon.)

Proposed

Order #8287 Ordered that the Town Council approve a renewal Liquor License in the name of Harold Hawkes d/b/a Gorham Country Club located at 93 McLellan Road.

Public

Hearing #2 Public hearing on a proposal to amend the Land Use and Development Code by reducing some of the setbacks in the Industrial Zone.

Item #8288 Action to consider a proposal to amend the Land Use and Development Code by reducing some of the setbacks in the Industrial Zone. (Ordinance Comm. Spon. 3-0)

Proposed
Order #8288

Whereas, the Town has a Land Use and Development Code that includes an Industrial Zone which establishes standards for development in the Industrial Zone, and

Whereas, some of those standards regulate the minimum amount that a structure must be setback from lot lines, and

Whereas, in some instances, those setback requirements have made it more difficult for a new development or expansion of existing structures, without providing any significant public benefit, and

Whereas, in some instances the minimum set back can be reduced without harming the health, safety or welfare of the public, and

Whereas, the Planning Board, after hearing has recommended that the Town Council approve this proposal,

Now Therefore, Be It Ordered, that the Town Council amend Chapter I Section XI (D) of the Land Use and Development Code to reduce setbacks in the Industrial Zone as recommended by the Planning Board.

Public
Hearing #3

Public Hearing on a proposal to rezone various lots in Gorham Village, that are currently located in more than one zoning district, to allow those lots to be located within a single zoning district.

Item #8289 Action to consider a proposal to rezone various individual lots in Gorham Village, that are currently located in more than one zoning district, to allow those lots to be located in a single zoning district. (Ordinance Comm. Spon. 3-0)

Proposed
Order #8289

Whereas, in Gorham Village, there are various lots that are partly located in more than one zoning district, needlessly complicating the property owners' ability to make improvements on their property, and

Whereas, moving the boundary line of a zone to allow an individual lot to be completely located within a single zone will reduce the complication for those property owners who wish to make improvements without adversely affecting the public interest, and

Whereas, the Planning Board after hearing, has recommended that the Town Council approve this proposal,

Now Therefore, Be It Ordered, that the Town Council rezone various lots located in Gorham Village to allow those lots to be located within a single zone as proposed.

Public
Hearing #4

Public Hearing on a proposal to amend the Streets and Sidewalks Ordinance by limiting parking in the Town's parking spaces located on the North Side of Robie Gym and the parking spaces located in front of Robie Gym to two (2) hours.

Item #8290 Action to consider a proposal to amend the Streets and Sidewalks Ordinance by limiting parking in the Town's parking spaces located on the North Side of Robie Gym and the parking spaces located in front of Robie Gym. (Ordinance Comm. Spon 3-0)

Proposed
Order #8290

Whereas, the Town has a Streets and Sidewalks Ordinance that regulates parking in certain

instances, and

Whereas, Gorham Village has limited parking available to the public, that hinders business activity near the intersection of Route 114/25, and

Whereas, vehicles that park in a parking lot for an extended amount of time limit the number of customers visiting business in Gorham Village, and

Whereas, allowing people to have 2 hours of free parking is a reasonable amount of time,

Now Therefore, Be It Ordained that the Town Council amend Chapter 1, Schedule B, Section 3, (two Hour Limit 7 am – 7 pm) by adding the Town's parking spaces in front of Robie Gym and the Town's parking spaces on the North Side of Robie Gym.

Item #8291 Action to consider adopting a resolution to express the Town Council's opposition to proposals to shift the burden of funding State Government to local property Tax Payers. (Adm. Spon.)

Proposed

Order #8291

RESOLUTION EXPRESSING OPPOSITION TO PROPOSALS TO SHIFT THE BURDEN OF FUNDING STATE GOVERNMENT TO LOCAL PROPERTY TAX PAYERS!

Whereas, the State Administration has proposed a State Budget for the coming biennium that will dramatically shift the burden of funding state government to the property tax, and

Whereas, pursuant to Title 30-A MRSA Section 5681, the State Legislature sought to strengthen the partnership between the State and local government by providing 5% of sales tax revenue, known as State Revenue Sharing, to reduce the burden to the property tax and assist in financing municipal services, and

Whereas, the diversion of funds from the State Revenue Sharing program, as proposed in the State Budget, would cost the Town of Gorham approximately \$1,593,000 resulting in either an increase in the tax rate of \$1.21 or significant reduction in services or some combination of both, and

Whereas, the proposed biennial budget would redirect the Town of Gorham's excise tax paid on tractor trailers to fund State Government, and

Whereas, the State Legislature, pursuant to Title 36 MRAS Section 683, has previously granted a Homestead Exemption to all qualified Residents, to lower the burden of property taxes, which the biennial budget now proposes to eliminate in FY 15 for all residents under the age of 65 who currently qualify, and

Whereas, starting in the second year of the biennium, the business equipment tax reimbursement program, under which businesses are fully reimbursed for property taxes they pay on certain business equipment, will be eliminated with most qualifying property transferred to the business equipment tax exemption program; under this program, the Town will only be reimbursed by the state for 60% of the taxes due, further reducing Town revenues by an estimated \$105,000, or 19 cents on the tax rate, and

Whereas, if enacted, all of these changes would reduce revenues to the Town by at approximately \$1.9 million, not counting certain impacts on the School budget, and

Whereas, reducing Town expenditures of this magnitude would significantly undermine the Town's ability to provide basic public services,

Now Therefore Be It Resolved, that the Gorham Town Council hereby expresses its strong opposition to provisions included in the proposed state budget that would dramatically shift the burden of funding state government to the local property tax and undermine the Town of Gorham's ability to provide basic public services to its citizens, and

Be It Further Resolved, that the Town Clerk is hereby directed to provide copies to members of the Town of Gorham's Legislative delegation, members of the Appropriations Committee and the Governor.

Item #8292 Action to consider a proposal to establish a third voting district. (Ordinance Comm. Spon (3-0)

Proposed

Order #8292 Ordered, that the Town Council approve the following recommendations from the Ordinance Committee:

1. That the Town retain two (2) voting districts, and
2. That a room suitable for voting be constructed in the new Public Safety building to be located in Little Falls, and
3. That upon completion of the construction of the New Public Safety Building, the voting location for Ward 1, be moved from the Middle School and relocated to the Public Safety Building.

Item #8293 Action to consider a request from Barry King to rezone a parcel of land (Tax Map 6 lot 43.1) in South Gorham from Suburban Residential Zone to the Commercial Zone. (Adm. Spon)

Proposed

Order #8293 Ordered, that the Town Council refer a request from Barry King to rezone a parcel of land (Tax Map 6, lot 43.1 in South Gorham from Suburban Residential Zone to the Commercial Zone to the Ordinance Committee for their review and recommendation.

Item #8294 Action to consider a request from Amy Beckwith to amend the Land Use and Development Code, to allow small dog boarding kennels in the Rural Zone. (Adm. Spon.)

Proposed

Order #8294 Ordered, that the Town Council refer a request from Amy Beckwith, to amend the Land Use and Development Code, to allow small dog boarding kennels in the Rural Zone to the Planning Board for public hearing and their recommendation.

Item #8295 Action to consider making appointments to Town Board and Committees. (Appointments Comm. Spon. 3-0)

Proposed

Order #8295 Ordered, that the Town Council make the following appointments to Town Boards and Committees as presented.

Item #8296 Action to go consider going into Executive Session pursuant to Title 36, MRSA, Section 841 (2) for the purpose of considering one application for abatement of taxes and Title 1, MRSA, Section 405(6)(c) for the purpose of considering the condition, acquisition or use of school property. (Adm. Spon.)

Proposed

Order #8296 Ordered, that the Town Council go into Executive Session pursuant to Title 36, MRSA, Section 841 (2) for the purpose of considering one application for abatement of taxes based on poverty and pursuant to Title 1, MRSA, Section 405(6)(c) for the purpose of considering the condition, acquisition or use of school property.

Adjourn