

AGENDA AND PROPOSED ORDERS
GORHAM TOWN COUNCIL
REGULAR MEETING
January 6, 2015
Burleigh H Loveitt Council Chambers

Pledge of Allegiance to the Flag

Roll Call of the 2014-2015 Council

Acceptance of the minutes of the December 2, 2014 Town Council Regular Meeting

Open Public Communications

Councilor Communications

Town Manager Report

School Committee Report

Old Business

Item #8534 Action to consider accepting a bid for a property acquired through a foreclosure Tax lien. (Admin Spon.)

Proposed

Order #8534 Ordered, that the Town Council accept the bid of Mike Fowler for a parcel of land approximately 2.9 acres, off Deering Road (Tax Map 14, Lot 6.101), in the amount of \$15,688.

New Business

Public

Hearing #1

On

Item #8854 A Public Hearing to consider issuing a Special Amusement Permit to Spire 29 located at 29 School Street. (Admin Spon.)

Proposed

Order #8854 Ordered that the Town Council approve a Special Amusement Permit for Spire 29 located at 29 School Street.

Public
Hearing #2
on

Item #8855 A Public Hearing on a proposal to amend Chapter 1 and Section II of the Land Use & Development Code to allow Airstirps, including runways and landing strips. (Admin Spon.)

Proposed
Order #8855

WHEREAS, the Town of Gorham has a Land Use Ordinance that does not define airstrips, and
WHEREAS, the Towns Staff has relied on a prior interpretation made by the Code Enforcement Office to determine airstrips are allowed as an ancillary use, and
WHEREAS, the Town Council has not established a policy on this subject, and
WHEREAS, it is in the best intent of the community for a clear policy to be established by the Town Council, now
Therefore Be It Ordered that the Town Council approve the following amendment:

Chapter I: Zoning Regulations, Section V – Definitions:

Airstrip (includes Runways and Landing Strips): An area of land ~~prepared or used that is used or intended to be used~~ for the landing and takeoff of aircraft. ~~Airstrips, Runways, and Landing Strips~~ shall not be allowed or considered an accessory use to ~~any permitted or special exception~~ other use and shall only be allowed in those zoning districts where they are listed as a permitted or special exception use and shall be subject to the performance standards in Chapter II, Section XIV.

Runways: See Airstrips.

Amend Chapter I, Section VII – Suburban Residential District, B. Permitted Uses

17) Airstrip

Amend Chapter I, Section VIII – Rural District, B. Permitted Uses

22) Airstrip

Chapter II: General Standards of Performance, Section XIV – Airstrip: ~~Any A~~ airstrip ~~for personal~~ use shall meet the following standards and limitations:

- 1) Site plan ~~review~~ approval by the Planning Board is required prior to the construction of an airstrip and start of the airstrip use.
- 2) Only one airstrip is permitted per lot and ~~T~~the airstrip surface shall be limited to grass only and there shall be no exposed gravel or paving.
- 3) The maximum length shall be a minimum of 500' and a maximum of ~~1,500~~ 2,000'.
- 4) The edges of the airstrip shall ~~be located at least 1,000' from any abutting property line.~~ meet the following setbacks from abutting property lines:
 - a. The ends of the airstrip shall be set back at least 250' from the property line.
 - b. The sides of the airstrip shall be set back at least 50' from the property line.
- 5) Planes using the airstrip shall be limited to visual flight operations and shall only operate between 7 a.m. and 8 p.m.
- 6) There shall be no lighting of the airstrip or any control tower, except for low intensity landscape lighting utilized to identify the perimeter of the airstrip, and which is activated only for approach and take-off.
- 7) ~~That t~~ Touch and go landings are prohibited on the airstrip.
- 8) ~~That t~~ The use of the airstrip is ~~for~~ limited to personal use by the owner of the property and shall not be used for any commercial uses including but not limited to, sky-diving, flying lessons, rental of aircraft or landing rights, or commercial maintenance or repair of aircraft.
- 9) There shall be no more than one airstrip per property. The airstrip may not serve more than one lot or owner nor shall deeded rights be granted in the airstrip to ~~others~~ non-property owners.
- 10) ~~That t~~ Only the lot owner's aircrafts are allowed to be stored on the lot for longer than 72 hours. ~~That t~~ A maximum of three (3) aircraft can be stored on a lot at any one time. The storage of aircraft can either be outdoors or in an airplane hanger.
- 11) ~~That t~~ The aircraft storage area shall be adequately buffered from abutting residential properties meeting the requirements of the Planning Board. **(Note: you will need to establish some standards for the Planning Board to apply as to the buffer requirements.)**
- 12) ~~That t~~ The airstrip shall receive all necessary Federal Aviation Administration approvals prior to final site plan approval by the Planning Board.
- 13) ~~That t~~ The storage of airplane fuel shall be limited to not more than 500 gallons and the applicant shall receive all required State and Federal permits prior to final site plan approval by the Planning Board.

Chapter IV: SITE PLAN REVIEW

SECTION II – APPLICABILITY

11) The establishment of an airstrip use.

SECTION III – CLASSIFICATION OF PROJECTS

2) Major Development –

- a. The establishment of an airstrip use.

Public
Hearing #3
on
Item #8856

Public Hearing and Item on a proposal to amend Chapter I, Section V Definitions, and add new language to Chapter II, Section XIV, to the Land Use & Development Code to allow Dog Kennels as a permitted use in the Rural District and to add Performance standards for Dog Kennels. (Ordinance Com. Spon. 3-0)

Proposed
Order #8856

WHEREAS, at the request of Amy Beckwith, the Town Council reviewed the language in the Land Use and Development Code regarding dog kennels and concluded that the language needed to be clarified with more appropriate performance standards,
and

WHEREAS, after a proposal was developed by the Town Councils Ordinance Committee, the Council forwarded it to the Planning board,
and

WHEREAS, after having the Planning Board recommend approval with some changes to the proposed language which was approved by the Town Council on May 6, 2014, sent the proposal back to the Ordinance Committee who unanimously recommended that the Town Council approve the amendment with the changes recommended by the Planning Board.

Now, therefore be it ordered by the Town Council assembled that the following amendment is approved:

CHAPTER I – ZONING REGULATIONS
SECTION V - DEFINITIONS

Dog Kennels _____ A facility for the boarding and / or daycare of dogs including accessory activities such as grooming or training.

SECTION VIII - RURAL DISTRICT

B. PERMITTED USES

22) _____ Dog Kennels

CHAPTER II – GENERAL STANDARDS OF PERFORMANCE
SECTION XIV – DOG KENNEL STANDARDS

The purpose of this section is to provide standards to ensure that Dog Kennels are safe and maintained in a clean and sanitary manner and do not create a nuisance to surrounding properties. The Dog Kennel

owner shall submit a fully dimensioned and detailed plan illustrating all structures and areas that will be used in the operation of the Dog Kennel showing compliance with the Town's Land Use and Development Code. The Code Enforcement Officer may conduct an inspection as needed to verify that the Dog Kennel is operating as approved and in conformance with this Land Use and Development Code. A Dog Kennel shall meet the following standards:

- 1) Shall be located on lots not less than three (3) acres in area.
- 2) Shall not have more than ten (10) dogs at any given time.
- 3) Dogs shall be housed within a permanent structure / outbuilding between the hours of 7:00 p.m. and 7:00 a.m.
- 4) Any structure used for housing the dogs and/or containment area shall be:
 - a) Designed, constructed and located on the lot in a manner that will minimize the negative impact upon abutting properties.
 - b) Set back a minimum of one hundred (100) feet from all property lines. The Town's Planning Board or Administrative Review Committee may grant a waiver from this setback requirement provided the structure or containment area is adjacent to a dedicated open space or conservation area which may be used towards meeting the minimum one hundred (100) foot setback requirement based upon a finding that a negative impact to abutting properties will not be created.
 - c) Structurally sound and maintained in good repair at all times.
 - d) Well ventilated so as to provide constant fresh air.
 - e) Maintained at a comfortable temperature.
 - f) Maintained in a clean and sanitary condition at all times. Any animal excrement shall be removed at least twice daily from the dog pens and runs. Each pen shall be washed down with water and disinfectant cleaner as often as necessary to maintain a safe and sanitary condition for the dogs, but in no event less than once each day.
- 5) Any structure used for housing the dogs shall have its floor constructed of cement, asphalt or a similar material.
- 6) Outside containment areas shall be enclosed with fencing with a height of no less than eight (8) feet.
- 7) All dog pens shall provide sufficient room for the dogs housed therein to turn about freely, to stand erect, and to lie down in a natural position.
- 8) Any storage container used for holding waste that includes animal excrement shall be kept tightly covered at all times and emptied at least once every two (2) days. Such container shall be located in accordance with the setback requirements for structures as stated in this section.
- 9) All dogs shall have access to shelter to protect them from the weather.

10) The dogs shall be provided with sufficient fresh water and wholesome food so as to maintain their health. Food and water containers shall be kept clean and sanitized.

Public

Hearing #4

On

Item #8857 A Public Hearing on a proposal for a contract zone at 99 School Street (tax map 101, Lots 18 and 19) for Avesta housing to develop 24 affordable rental housing units for the elderly and disabled. (Admin Spon.)

Proposed

Order #8857 Ordered that the Town Council approve a proposal for a contract zone at 99 School Street (tax map 101, lots 18 and 19) for Avesta housing to develop 24 affordable rental housing units for the elderly and disabled, as follows:

**CONTRACT ZONING AGREEMENT
AMONG
AVESTA HOUSING DEVELOPMENT CORPORATION, AVESTA
SCHOOL STREET LP, AND TOWN OF GORHAM**

This Contract Zoning Agreement, made this _____ day of _____, 2015, by and among the TOWN OF GORHAM, a body corporate and politic, located in the County of Cumberland and State of Maine, with a mailing address of 75 South Street, Suite 1, Gorham, ME 04038 (hereinafter “the Town”), AVESTA HOUSING DEVELOPMENT CORPORATION, a Maine nonprofit corporation with a place of business and mailing address of 307 Cumberland Avenue, Portland, Maine 04101 (“Avesta”) and AVESTA SCHOOL STREET LP, a Maine limited partnership with a place of business and mailing address of 307 Cumberland Avenue, Portland, Maine 04101 (the “Partnership”)

WITNESSETH:

WHEREAS, Avesta owns land and buildings at 99 School Street, identified in the Town tax maps as Map 101, Lots 18 and 19, pursuant to deeds recorded in the Cumberland County Registry of Deeds in Book 6286, Page 38 and Book 6574, Page 327 (collectively the “Property”); and

WHEREAS, Avesta intends to record herewith in said Registry of Deeds a Declaration of Condominium for Ridgewood Seniors Housing Condominium (the “Declaration”) providing for the further development and use of the Property and certain common amenities; and

WHEREAS, Avesta built a 20 unit affordable multifamily rental housing project on Map 101, Lot 18 of the Property (the “Ridgewood Project”), shown as Unit 1 on the Condominium Plat for Ridgewood Seniors Housing Condominium to be recorded herewith at said Registry of Deeds (the “Plat”); and

WHEREAS, the Partnership proposes to further develop Map 101, Lot 18 of the Property by construction of a 24 unit affordable multifamily rental housing project for the elderly and disabled (the “Ridgewood II Project”), shown as Unit 2 on the Plat; and

WHEREAS, Avesta intends to develop a service center for senior citizens, including residents of the Ridgewood Project and Ridgewood II Project, within Unit 3 as shown on the Plat (the “Service Center”), and Avesta may at a future date elect to develop additional affordable multifamily rental housing units on the undeveloped portion of Unit 3 (the “Future Housing”); and

WHEREAS, Unit 1 (the Ridgewood Project) and Unit 3 (the Service Center) are located within the same building and will share a common wall, as shown on the Plat; and

WHEREAS, certain areas of the Property are dedicated for common use by the Ridgewood Project, the Ridgewood II Project and the Service Center as provided in the Declaration, including but not limited to parking, ingress and egress and utilities; such areas are labelled on the Plat as “Common Elements;” and

WHEREAS, the Property is located in Gorham Village in close proximity to services for the elderly; and

WHEREAS, the Code permits the use of the Property as multifamily housing; and

WHEREAS, the Property, if developed further, can offer comprehensive housing and other services not available in the community for low income elderly persons, and providing such services at the Property would reduce traffic due to the proximity of several housing projects including those existing and proposed on the Property; 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 Chapter I, Section I, Subsection H, as amended, 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, Chapter V, Section A of the 2013 Gorham Comprehensive Plan (“the Comprehensive Plan”) provides: “The Town should support efforts by the community groups and private developers to create additional affordable housing when there is a clear, demonstrated need for those units;” and

WHEREAS, Chapter I, Section A of the Comprehensive Plan provides that the goals of the town include: "Facilitating the availability of affordable housing including removing impediments in the Town's ordinances and providing density bonuses" and

WHEREAS, Chapter 5, Section A of the Comprehensive Plan provides that: "The Town should allow more intense utilization of the land in the areas of the community where public sewerage is or can be available while assuring that this higher density is balanced by protecting open space in rural areas." and

WHEREAS, the re-zoning would be consistent with the goals set forth in the Comprehensive Plan to provide additional subsidized housing units for very low income elderly, and consistent with both existing and permitted uses in the zoning district; and

WHEREAS, the Town, by and through its Town Council, has determined that said rezoning will be pursuant to and consistent with the Comprehensive Plan and has authorized the execution of this Contract Zoning Agreement on _____, 2015;

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 in the Land Use and Development Code, Chapter I, Section I, Subsection C, by adopting the map change amendment shown on Attachment 1.

2. Permitted Uses. Avesta is authorized to continue the use of the Ridgewood Project within Unit 1 as shown on the Plat as 20 units of affordable multifamily rental housing for the elderly. The Partnership is authorized to establish on the Property the Ridgewood II Project within Unit 2 as shown on the Plat as 24 units of affordable multifamily rental housing for the elderly and disabled. Avesta is authorized to establish on the Property within Unit 3 as shown on the Plat a service center for senior citizens, including professional offices, Personal Services as defined in the Code, and related accessory uses allowed under the Code, as well as the Future Housing.

3. Performance Standards. All development and uses shall be subject to all applicable performance standards set forth in Chapter II of the Code, except as follows:

- a. The Planning Board may approve a site plan with a smaller number of parking spaces than would otherwise be required under the Code, if the Board finds that such reduction will not detract from neighborhood values, inconvenience the public or increase congestion in the streets. Such reduction in number of parking spaces shall not require or be construed as the granting of a variance.
- b. The development proposal shall include plans for all proposed exterior lighting. The style of the light and light standard shall be consistent with the architectural style of the principal buildings. Where lights along the property lines will be visible to

adjacent residents, the lights shall be appropriately shielded. Parking and lighting shall be shielded and located and maintained so as not to create or constitute a hazard or nuisance to the traveling public or neighbors.

- c. The development shall not be required to meet the performance standards for multi-family housing set forth in Chapter II, Section IV.B of the Code but will instead comply with the specific standards established by this Agreement.
- d. Existing and future development on the Property will provide parking at a ratio of .70 parking spaces per dwelling unit unless the Planning Board reduces the required parking based on supporting data which demonstrates a reduction in resident vehicles.

4. Dimensional Requirements. All development on the Property 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 on each condominium unit:

- a. Minimum lot size: 15,000 square feet on public water and sewer.
- b. Minimum lot area per dwelling unit: 3,000 square feet.
- c. Minimum street frontage: 80 feet.
- d. Minimum side and rear setbacks from adjoining properties not part of the condominium: 15 feet, except none between Unit 1 and Unit 3 as shown on the Plat.
- e. Minimum front setback from adjoining properties not part of the condominium: 15 feet.
- f. Minimum setback from School Street: 15 feet.
- g. Maximum building height: None, except that buildings higher than 40 feet shall have side and rear yards not less than 50% of building height.
- h. Maximum Building Coverage: 25%.

5. Other Requirements. All development on the Property shall comply with the following requirements:

- a. There shall be no material amendment of the Declaration or the Plat without Planning Board approval.

6. Agreement to Be Recorded. Avesta and/or the Partnership shall record this Contract Zoning 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 Contract Zoning 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, the Partnership and Avesta and their respective successors in interest to the Property.

8. Site Plan and Subdivision Review. Approval of this Agreement will not serve as a waiver of site plan or subdivision review if otherwise required under the Code.

9. Property Taxes or Payment in Lieu of Property Taxes. The owner(s) of the portion(s) of the property subject to this Agreement identified on the Ridgewood Condominium Plan as Units 2 and 3 shall pay normally assessed property taxes or, if the property is otherwise exempt from property taxes, shall make a payment in lieu of property taxes that is equal to 100% of the amount that would have been paid if the property was not exempt from property taxes. The owner(s) of property in Unit 3 shall only be subject to this payment obligation if Unit 3 is developed.

The above stated restrictions, provisions, and conditions, are an essential part of the rezoning, shall run with the Property, shall bind and benefit the Partnership and Avesta, any entity affiliated with either of them that takes title to the Property, their successors and assigns, 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 representatives. The provisions of this Agreement, including the permitted uses listed in Sections 2 and 3 and the dimensional requirements in Section 4, are intended to replace the uses and dimensional requirements of the existing Urban Residential District. 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. This conditional rezoning 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 Court or 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 Partnership fails to develop the Ridgewood II Project in accordance with this Agreement, or in the event of any other breach of any condition 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 a termination of the 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; provided however, that no such enforcement action shall result in a disallowance of the use of the Ridgewood Project as affordable multifamily rental housing for the elderly as it has been used prior to the date of this Agreement.

WITNESS:

TOWN OF GORHAM

Public

Hearing #5

On

Item #8858 A Public Hearing on a proposal to amend Chapter 1, Section V of the Land Use and Development Code to remove Patios from the definition of structure. (Admin Spon.)

Proposed

Order #8858 WHEREAS, The Town Land Use & Development Code currently defines patios as a structure that needs to meet the setback requirements within the zoning district that it is located in, and
WHEREAS, Patios are generally attractive and do not cause problems that many other structures may cause, and
WHEREAS, Defining Patios as a structure that must meet setback requirements is unreasonable,
Now Therefore Be It Ordered by the Town Council that the following amendment is approved:

CHAPTER 1: ZONING REGULATIONS

Street Frontage

The width of the lot measured along a street line, provided that access to the lot is possible from that street. Limited access roads, which cannot be used for access onto abutting lots, shall not be used to meet street frontage requirements, including but not limited to the Bernard P. Rines Highway section of Route 112.¹

Structure

Anything built for (i) use or occupancy by or (ii) support shelter or enclosure of persons, animal, goods or property of any kind. For the purpose of this ordinance, the term "structure" shall not include:²

1. boundary walls, fences;
2. retractable awnings;
3. paving of driveways or sidewalks, except in the Shoreland Overlay District;
4. doghouses (pet shelters) provided the foot print does not exceed twelve sq. ft. and the height is less than five feet; and
5. mailboxes and lamp posts.
6. patios except in the Shoreland Zone

For the purposes of this ordinance, the term "structure" shall include, without limitation:

1. swimming pools; and
2. ~~patios~~, terraces and decks
3. patios within the Shoreland Zone

¹ Amended February 1, 2011

² Amended January 7, 1997

Subdivision

The division of a tract or parcel of land into three (3) or more lots as defined by the Maine Revised Statutes Annotated, Title 30, Sec. 4956, as amended, within any five (5) year period.

Public

Hearing #6

On

Item #8859 A Public Hearing on a proposal to amend Chapter 1, Section IX of the land Use and Development Code to allow creative parking solutions in the Village Center's District. (Admin Spon.)

Proposed

Order #8859 WHEREAS, parking in the Village Center District is currently not allowed in any front, side or rear yard setback, and
WHEREAS, adequate parking is needed to support business activity and reinforce the Village character, and
WHEREAS, in some instances, parking in side and rear yard setback areas, could be done to support businesses while reinforcing the Village Character.
Now Therefore Be It Ordered, that the Town Council approve the following amendment:

Section IX – Village Centers District

Subsection 2- Gorham Village Center District

E. Performance Standards

4. Parking Locations

Parking shall be designed to reinforce the “village character.” No off-street parking shall be located within any required front, side, or rear yard or setback. No portion of the lot in front of the front building line shall be used for off-street parking. **Parking may be located in the side and rear setbacks if the Planning Board determines that the proposed design constitutes a creative parking solution that maximizes parking, encourages shared parking and/or cross access with adjacent properties.**

Item #8860 Action to consider ratifying the Town Managers approval to resolve the Smith V Town Litigation over Phinney Street Extension and to authorize the Chair of the Town Council to execute and deliver such further documents as are necessary to implement the same. (Admin Spon.)

Proposed

Item #8860 Ordered , that the Town Manager's approval to resolve the Smith v. Town Litigation over Phinney Street Extension be, and hereby is, ratified; and

Be It Further Ordered, that the Chair of the Gorham Town Council be, and hereby is, authorized and directed to execute and deliver such further documents as are necessary to implement the same.

Item #8861 Action to consider hiring a Construction Manager to work with Port City Architecture and the Town to develop the Public Safety Project and become the General Contractor. (Admin Spon.)

Proposed

Order #8861 Ordered that the Town Council approve AlliedCook Construction as the Construction Manager to work with the Town and Port City Architecture to develop the Public Safety Project.

Item #8862 Action to consider selling Town Property at 21 Main Street to Dominic Reali Realty, LLC (DBA Amatos). (Admin Spon.)

Proposed

Order #8862 Ordered that, the Town Council accept an offer from Dominic Reali realty, LLC (DBA Amatos) to purchase property owned by the Town at 21 Main Street for \$155,000 subject to the following conditions:

1. That Dominic Reali Realty can develop a right-turn exit from the property onto Main Street, provided that a suitable design can be developed by a Traffic Engineer and that the Right-turn exit from the property can be done safely.
2. That should Dominic Reali realty, LLC decide to demolish the building at 21 Main Street, before demolishing the building, Dominic Reali Realty, LLC would advise the Town of Gorham in writing and first provide a reasonable period of time, at a minimum a 90 day period of time, for someone to obtain the building for free and relocate the building to a new location. Relocating the building would be at the expense of the person or party who acquired the building and not at the expense of Donimic Reali realty, LLC.

Item #8863 Action to consider a recommendation from the Presumpscot Regional Land trust to convert the McLellan/Sampson House on South Street to income producing, taxable property, to allow the owner to use State and Federal tax incentives to renovate the property.(Admin Spon.)

Proposed

Order #8863 Ordered, that the Town Council refer a recommendation from the Presumpscot Regional Land Trust, to convert the McLellan/Sampson House on South Street, to income producing, taxable property to allow the owner to use State and Federal tax incentives to renovate the property to a Town Council workshop.

Item #8864 Action to consider accepting a donation to Baxter Memorial Library from the Smith Family Charitable Trust. (Admin Spon.)

Proposed

Order #8864 Ordered, that the Town Council accept a donation of \$5000 to Baxter Memorial Library from the Smith Family Charitable Trust, and

Be It Further Ordered, that the Town Council, on behalf of the Gorham Community, expresses its sincere appreciation for the donation.

Item #8865 Action to go into Executive Session, pursuant to Title 1 MRSA, Section 405 (6) (A) to discuss the District Attorney's decision to not file a complaint regarding allegations of a forged signature on the Certificate of Taking Document from the Eminent Domain proceeding for Phinney Street Extension and pursuant to Title 36 MRSA, Section 841 (2) to review an application for an abatement of taxes based on poverty. (Admin Spon.)

Proposed

Order #8865 Ordered that the Town Council go into executive session, pursuant to Title 1 MRSA, Section 405(6) (A) to discuss the District Attorney's decision to not file a complaint regarding allegations of a forged signature on the Certificate of Taking Document from the Eminent Domain proceeding for Phinney Street Extension and pursuant to Title 36 MRSA, Section 841 (2) to review an application for an abatement of taxes based on poverty.

ADJOURN