

REPORT OF THE REGULAR MEETING OF THE GORHAM TOWN COUNCIL August 5, 2008 - 7:00 p.m.

Chairman Loveitt opened the meeting at 7:02 pm.

Roll Call: Present: Chairman Loveitt, Councilors Caldwell, Csoros, Knapp, Moulton, Phinney, & Robinson, Town Manager, David Cole and Town Clerk, Christina Silberman.

Moved by Councilor Phinney, seconded by Councilor Knapp and **VOTED** to accept the minutes of the July 1, 2008 Regular Town Council meeting, the July 15, 2008 Special Town Council meeting and the July 22, 2008 Special Town Council meeting. **7 yeas.**

Open Public Communications

Jack McGraw, 58 South Street, remarked that he has gone by four cemeteries in town and some of the gates and fences need repair.

Councilor Communications

Councilor Robinson reported on the Car Show held by the Gorham Lions on July 26th and thanked Norman Wedge and all the Lion members and volunteers. He also reported that the Taste of Gorham, also held on July 26th, had an estimated 300 people at the event. Special thanks go to Matt & Amy Mattingly and Chef Mo who worked hard on this event along with other volunteers. Businesses that participated in the event are Amatos, Gorham House of Pizza, Gorham Diner, Gorham Grind, Hannaford, Lucky Thai, Mr. Bagel, Sebago Brewing, Treehouse Café, and the University of Southern Maine. The Golden Spoon award went to the Treehouse Café. Susan Robie won the bake off. This was a great day in Gorham.

Councilor Caldwell agreed that the Taste of Gorham was great. She reported that on July 18th there was a severe storm and electricity was out for nearly 24 hours. The Police Department, Fire Department, Public Works and Dispatch are all to be commended. Everyone worked together and Councilor Caldwell publicly thanked them.

Councilor Moulton reported that the Finance Committee met July 9th and reviewed the fee schedule that is on the agenda tonight, the next meeting is August 20th at 8 am. Councilor Moulton congratulated the Lions Club for the great car show. The Taste Walk was a huge success. Councilor Moulton thanked the audience here tonight for attending. It is nice to see people come out and be involved in government.

Chairman's Report

Chairman Loveitt congratulated Moody's Body shop for their industry award.

He reported that citizens have remarked on the storm clean up and say they are proud to live in the Town of Gorham. The municipal employees went out of their way to do their duty in an exemplary fashion.

Chairman Loveitt reported on a letter from Mr. VanVoorhis relative to the condition of Hillside Cemetery. The Town Manager is aware of the issue.

There is some question about the design of the bypass. The Department of Transportation is solely responsible for the design of the bypass and they assure the town that it is state of the art

Town Manager's Report

Mr. Cole publicly thanked all of the employees that performed emergency work as a result of the microburst on July 18th. They performed superbly and did a wonderful job and got us back up and going very quickly.

Mr. Cole reported that he recently issued 20 service pins to Deb Buker and Carol Robinson of the Baxter Memorial Library and a 15 year service pin to Larry Irish of Public Works. He thanked these employees for their many years of dedicated service.

Road work will soon begin on Osborn Road. They are close to finishing work on Plummer Road.

Nomination papers for two positions on the Town Council and for three positions on the School Board will be available on August 11th.

Mr. Cole explained the town's responsibility for cemeteries. The town is responsible for filling in sunken graves and mowing the grass. The Town Council has plans to discuss cemetery issues.

School Committee Report

School Committee Chairman, Jim Hager, reported on the following;

- Referendum vote on Tuesday, September 16th for a new elementary school with a public hearing to be held on Tuesday, September 2nd at 7 pm.
- The Gorham School Committee has 3 candidates up this year. Nomination papers are available at the Town Clerk's office on August 11th and need to be submitted no later than September 19th. The School Department will be scheduling a candidate's orientation night to provide information for potential candidates.
- White Rock Project Committee will not meet tomorrow, August 6th, but will meet on September 3rd
- School starting dates are August 27th for K-9 and August 28th for 10-12

New Business

Public Hearing #1 Chairman Loveitt opened the Public Hearing on a proposal to amend the Land Use and Development Code, Chapter II, Section III regulating signs. Susan Robie, Chairman of the Planning Board, addressed the Council regarding the proposed changes. Chairman Loveitt closed the public hearing.

Item #7601 was moved by Councilor Robinson and seconded by Councilor Csoros. Moved by Councilor Caldwell, seconded by Councilor Moulton and **VOTED** to amend the proposed order to add "by the Town Council of the Town of Gorham, Maine, in Town Council assembled" after the word "Ordained" **7 yeas**. Moved by Councilor Phinney, seconded by Councilor Moulton to amend the proposed order to include the recommendations made in the memo from Deb Fossum dated July 28th in paragraph K. **7 yeas**.

WHEREAS, the town has a Land use and Development Code that regulates signs; and,
WHEREAS, the use of signs, the materials used to construct signs, and the technology used in signs has changed over the years; and,

WHEREAS, the town wishes to have signs that reasonably balance the facilitation of commerce with the need to be attractive, without adversely impacting safety,

NOW, THEREFORE BE IT ORDAINED by the Town Council of the Town of Gorham, Maine, in Town Council assembled that the Land Use and Development Code be amended as presented. **7 yeas.**

**Recommended Amendments to the Land Use and Development Code
Relative to Non-Residential Signs**

Note: Proposed additions to the Code are underlined; - proposed deletions are ~~struck through~~.

1. Amend CHAPTER II SECTION III – SIGNS to read as follows:

SECTION III – SIGNS

A. APPLICABILITY

The provisions of this section apply to all signs placed or erected on private property, signs located on or overhanging public property that relate to adjacent private property, and signs on public property that relate to a governmental use of that property unless specifically exempted by the provisions of this section. Signs and other advertising displays not specifically allowed by this section are hereby prohibited.

For the purposes of this section, occupant means any distinct use that occupies a separate and identifiable space within a building. Any activity that involves at least two of the following characteristics shall be considered to be an occupant for the purposes of these provisions:

1. Separate cash registers or checkout/payment/service facilities that serve the use exclusively
2. Employees that work exclusively for the use
3. Occupancy of an area that is physically separated by walls, door, and hallways from other occupants
4. A lease on or ownership of an identifiable space
5. A separate entrance and identifiable building frontage associated with the occupant

When a property is occupied by a single occupant, the sign provisions for a single-occupant property shall apply. When a property has more than one occupant, the sign provisions for a multi-occupant property shall apply.

B. COMPUTATION OF SIGN AREA AND HEIGHT

The following principles shall be used to determine the area and/or height of signs:

- 1) **Area of Wall Signs:** The area of a wall sign that is painted onto a building or structure or in which the letters or elements of the sign are attached directly to a building or structure shall be the area of the smallest square, rectangle, triangle, or circle that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color that forms an integral part of the background of the display or that is used to differentiate the sign from the building or structure on which it is placed. The area of a wall sign does not include any border

- or framing around the display area provided that the area of the border or framing is less than fifty percent (50%) of the area of the sign and does not contain any graphics, logos, or other advertising features. In general, the area of a wall sign shall include the entire graphic representation as a single sign unless there are clearly discrete and separate elements such as a name and logo/graphic in which case the sign area of each may be calculated separately. In this case, each area that is calculated separately shall be considered to be a sign with respect to limits on the number of signs on the property.
- 2) **Area of All Other Signs:** The area of all other signs shall be the area of the sign face but not including any supporting framework or bracing or any base or pedestal for supporting the sign face that does not contain any advertising features, lettering, logos, or distinctive color scheme associated with the subject of the sign as a brand identification. If the sign is irregularly shaped, contains openings in the sign face, or is a “constructed” sign made up of separate, attached pieces or components, the area of the sign shall be the area of the smallest square, rectangle, triangle, or circle that will encompass the extreme limits of the writing, representation, emblem or other display.
 - 3) **Area of Double Faced or Multi-Faceted Signs:** The area of a double faced or multi-faceted sign shall be the area of one sign face provided that the other sign faces are identical, cannot be viewed from any point at the same time, and are part of the same structure.
 - 4) **Height of Sign:** The intention of this limitation is to allow signs that can be seen from the street(s) from which the property has vehicle access but to prevent signs that are designed or located so as to be able to be seen from streets from which the property does not have vehicle access. The height of a freestanding sign shall be the distance from the normal grade of the site under the sign to the highest point on the sign face. Normal grade means the established grade after construction of the portion of the site where the sign will be located but shall not include any mounding, berming, or base done for the location of the sign.
 - 5) **Address Exclusion/Inclusion.** The inclusion of the address of the property as part of a sign is encouraged. If a sign includes the address of the property (221 Overland Street), the address area is excluded from the calculation of the area of the sign unless the address is a part of the occupant’s or project’s name (i.e. 14 Main Restaurant or 400 Main Plaza).

C. EXEMPT SIGNS

The provisions of this section shall not apply to the following types of non-illuminated signs: public safety and information, political, traffic control and directional that contain no advertising, no trespassing, real estate development or site signs during the period of construction, real estate sale and rental signs except as limited in this section, building markers, signs required by law or court order, gasoline price signs attached to or part of a pump for the dispensing of gasoline or other fuels having less than one square foot of sign area, signs displaying only the address of the property, and temporary signs in conjunction with a yard sale or community event.

D. PROHIBITED SIGNS, DISPLAYS, AND RELATED MATERIALS

- 1) The following are prohibited anywhere in the Town unless specifically allowed under Sub-Sections E. or F.:
 - a) **Signs with Moving or Rotating Pieces or Parts:** Any sign that has any moving or rotating pieces or parts that creates the appearance of motion. If there is

uncertainty as to whether this restriction applies to a specific sign, the Planning Board shall make the determination. Readerboard signs including electronic message boards with interchangeable or moveable lettering that comply with the performance standards of section E. are excepted from this limitation. This restriction also does not apply to clocks, thermometers, and similar displays that change in response to the information being monitored provided that the display does not flash.

- b) **Illuminated Signs:** Any sign that is illuminated by flashing or blinking lights or in which the illumination changes color.
- c) **Inflatable Signs/Displays:** Inflatable signs or advertising displays except in conjunction with special events not more than two times in a calendar year for no more than thirty (30) consecutive days provided such periods of use are separated by at least thirty (30) days. Temporary inflatable signs or displays are allowed only with a sign permit issued by the Code Enforcement Officer.
- d) **Awning Signs:** Signs on an awning or the use of the awning as an advertising feature to draw attention to the premises. Awnings may not contain any color scheme or graphic treatment that is used to identify a particular business or brand, may not be made out of reflective, florescent, or translucent materials, may not be back lit, and must be primarily a solid color that is not intended to draw attention to the property.
- e) **Canopy Signs:** Signs on a canopy (such as a canopy over a fueling island or drive-through facility). Canopies located in a village environment may not include any color scheme or graphic treatment that is used to identify a particular business or brand. Canopies in a roadside or industrial/business park environment may include a brand related color scheme or graphic treatment but may not include the name of the product or business.
- f) **Pennants, Banners, Streamers, etc.:** Pennants, banners, streamers, advertising flags other than one (1) "open" flag per business or occupant, whirligigs, and similar devices intended to draw attention to a specific property except in conjunction with special events not more than two times in a calendar year for no more than thirty (30) consecutive days provided such periods of use are separated by at least thirty (30) days. Temporary displays are allowed only with a sign permit issued by the Code Enforcement Officer.
- g) **Strings of Lights or Lighted Tubing:** Strings of lights or lighted tubing that outlines a sign or a building or its major features such as roof lines, windows, or doors or that are used as an advertising feature to draw attention to the premises except for temporary holiday lighting and decorations.
- h) **Temporary Signs:** Plastic, fabric, cardboard, wooden, paper or similar signs that are not part of the permanent signage of the premises including those advertising products or services available on the premises except in conjunction with special events not more than two times in a calendar year for no more than thirty (30) consecutive days provided such periods of use are separated by at least thirty (30) days. Temporary signs are allowed only with a sign permit issued by the Code Enforcement Officer. The date upon which the sign permit expires and the sign permit number must be affixed to the sign in a way that allows this information to be easily read. Any sign that is a part of the permanent signage of the premises is subject to the sign requirements and limits of the environment in which it is located.
- i) **Reflective or Luminous Surface Materials:** Any sign with reflective or luminous surface materials including luminous paint.
- j) **Signs Prohibited by State Law:** Any sign prohibited by state law or regulation.

- k) **Appendages to Signs:** Any extensions or additions to a sign or appendages that hang or extend from a sign or its supporting structure that is not an integral part of the design of the sign unless approved by the Town of Gorham Planning Board as part of the site plan review for the project.
- l) **Building or Roofing Materials as Signs:** The exterior materials of a building including the roofing materials may not be used as a sign or a brand specific advertising element except for "roof art" approved in accordance with E.6). The color or ornamentation of the building or the roof may not have the effect of the building or roof functioning as a sign as a result of its distinctive appearance.
- m) **Prohibited Content:** Signs that contain hate speech as defined by the criminal statutes of the State of Maine or that express an obscene message.
- n) **Sandwichboard Signs:** Freestanding signs that meet the definition of a sandwichboard sign are prohibited both within street rights-of-way and on private property.

E. PERFORMANCE STANDARDS

In addition to the standards set forth in the preceding sub-sections, signs shall conform to the following performance standards as applicable:

- 1) **Readerboard Signs:** A readerboard may be incorporated into a new project or business sign. The area of the readerboard shall be less than seventy-five percent (75%) of the total sign area of the sign and shall be counted in both the size of the sign and the total allowed sign area for the property. The readerboard must be integrated into and be compatible with the overall design of the sign. A readerboard may not be added to an existing sign. The message on the readerboard may not change more than once in any twelve (12) hour period. If the readerboard includes an electronic time or temperature display, that display is exempt from this requirement. A readerboard that alternates a time or temperature display with other information is not permitted unless the change frequency conforms to the twelve (12) hour interval. An electronic readerboard that incorporates a time or temperature display may not be located within two thousand (2,000) feet, as measured along the same street, of any other electronic readerboard with a time or temperature display.

In the Roadside and Industrial/Business Park Environments, the readerboard may be an "electronic message board" illuminated by LEDs or other similar light sources provided the electronic message board conforms to all of the following requirements:

- a) The message shall be limited to alpha-numeric characters but the background of the message board may include graphics, pictures, or other visual features
- b) The LEDs or other light elements that make up the message board shall be a single color in the amber or red spectrums
- c) The intensity of the illumination shall be consistent for the entire board and shall be constant during the daytime and nighttime periods unless the intensity of illumination is programmed to adjust to ambient light levels
- d) When the message on the board is changed, all changes to any of the elements on the face of the sign, including any background graphics or pictures, shall occur simultaneously. This provision does not preclude keeping some elements of the sign, including background graphics or pictures constant, while other elements are changed

- e) The display, including time or temperature displays and background graphics or pictures, may not flash, scroll, or appear to move
 - f) The numbers or letters shall consist of a single row of pixels
 - g) The illumination level or brightness of the face of the sign shall not exceed 500 nits from the period from one-half hour before sunset to one-half hour after sunrise and 3,500 nits from one-half hour after sunrise to one-half hour before sunset. The Planning Board may allow an increase in the daytime illumination level to not more than 5,000 nits if the applicant demonstrates during site plan review that the higher level is necessary for the sign to be readable in anticipated ambient light levels
 - h) The message board shall be equipped with an automatic dimmer to control the changes from the daytime illumination levels to the nighttime levels
 - i) The owner of the sign shall provide a written certification from the supplier or installer of the message board that the sign conforms to the standards for maximum illumination levels
 - j) The system shall not allow the owner of the sign to independently change the illumination levels.
- 2) **Projecting Signs:** A projecting sign may be located over a public sidewalk or other public space only with the approval of the Town Council and proof of liability insurance to protect the Town. A projecting sign located over a sidewalk or pedestrian way or space must provide a minimum of 8 (eight) feet of clearance beneath the lowest element or component of the sign including the supporting structure.
- 3) **Business Identification Signs:** A business identification sign may be attached to or hung from the underside of a canopy over a pedestrian walkway that provides access to the occupants of the building. Each sign must be located immediately adjacent to the entrance to the occupant to which it applies.
- 4) **Illumination of Signs:** Illuminated signs in the Roadside Environment and the Industrial/Business Park Environment may be either internally or externally illuminated. Illuminated signs in the Village Environment and Residential Environment may only be externally illuminated. Signs in the Residential Environment may only be illuminated during the normal hours of operation of the occupant(s). The source of the illumination for externally illuminated signs must be shielded so that the bulb, reflector, or other light source is not directly visible from public streets. The use of visible lights or light emitters such as LED's as part of the sign is prohibited except as part of a readerboard meeting the requirements of 1) above. If a sign is internally illuminated, the use of white or light colored background should be avoided or minimized, but if white or a light color is used in the background, not more than forty percent (40%) of the internally illuminated area of the sign face may be of such color.
- 5) **Orientation of Signs:** The intention of this limitation is to allow signs that can be seen from the street(s) or access roads on which the building fronts or from which the property has vehicular access but to prevent signs that are designed or located so as to be able to be seen from streets on which the property does not front or from which it does not have vehicular access. Therefore, signs must be placed so that they can be seen from streets or private access drives that the property has vehicular access from and/or to which the front of the building is oriented. Signs on corner lots may be orientated to both streets. Signs may not be placed in locations where they are intended to be seen from streets from which the property does not have access nor which the front of the building does not face.

- 6) **Signs on Roofs:** Signs on roofs are generally not permitted for residential or non-residential uses. The Planning Board may permit the installation of a vertical wall sign on a mansard or similar roof which essentially serves as the exterior wall of a portion of the building or on a pitched roof if the board finds as part of the site plan review for the project that there is no other reasonable location for the sign on the wall of the building. Any sign placed on a roof must not extend above the peak or ridge of the roof surface upon which it is placed. The Planning Board may allow the installation of “roof art” in which a sign or advertising feature is incorporated into the roof or roofing material if the Board finds that the roof art is thematically or historically appropriate for the building and the environment in which it is located.
- 7) **Location of Additional Signs on Properties with Vehicle Access from More than One Street:** If a property is permitted to have additional signs because it has vehicular access from more than one street, not more than one sign of any type (project, directory, business) may be placed adjacent to any access. The additional signs must be located adjacent to the access points from the other streets.
- 8) **Location of Additional Signs on Properties with Multiple Vehicle Accesses from One Street:** If a property is permitted to have additional signs because it has more than one vehicular access from a street, not more than one sign of any type (project, directory, business) may be placed adjacent to any access. The additional signs must be located adjacent to other accesses.
- 9) **Master Sign Plan:** For a new multi-occupant, non-residential building or the renovation or expansion of an existing multi-occupant building that requires major or minor site plan review, the owner shall submit a master sign plan as part of the application for site plan review. The master sign plan shall identify the proposed location and size of signs to be allowed on the site including provisions for how individual business signs will be treated. The master sign plan should demonstrate how the signs on the property will be coordinated in conformance with the requirements of this section to create a harmonious visual environment. This plan must specify any conditions or limits that will be applied to future signs or changes in signs to conform to these requirements. Once a master sign plan has been approved for a building, all future signs including the replacement of existing signs, shall conform to the approved plan. The approved master sign plan may be revised with the approval of the Planning Board.
- 10) **Interior Window Signs or Displays:** Interior window signs or displays may be visible from outside of the building through not more than forty percent (40%) of the glazed area of the window. If a permanent sign is painted on the window, the area of that sign must be included in the forty percent limit. Signs or displays may not be illuminated except for “open” signs or signs indicating the operating hours of the occupant. The area of each sign or display shall be calculated in accordance with Section III. B.2. and the area of the individual signs and displays aggregated to determine the total sign area.
- 11) **Location of Freestanding Signs:** Freestanding signs including any supporting structures, bases, or related landscaping must be located so that they do not encroach on street rights-of-ways or other parcels. The signs must be located so they do not obstruct the vision of drivers on public streets or private driveways or access roads or the visibility of pedestrians. The location of a freestanding sign must be shown on the sign permit and is subject to review by the Town after installation to determine if this standard is met. If the Code Enforcement Officer determines that the sign obstructs the visibility of drivers or pedestrians or

otherwise creates a safety concern, the sign must be relocated to a location consistent with this requirement.

FA. PERMITTED RESIDENTIAL SIGNS

Residential uses
. . . to a fee.

GB. PERMITTED NON-RESIDENTIAL SIGNS

~~Non residential uses may display attached, detached, or projecting signs, single or double faced, identifying uses or goods sold or services rendered on the premises. The area of neon or similar signs per nonresidential use or business shall not exceed 24 square feet per side, nor shall the total sign area exceed 72 square feet. The Planning Board may allow an increase in the maximum size of any sign or the total sign area of up to 50% if the Board finds that such increase:~~

- ~~1) is needed to provide appropriate visibility for the business,~~
- ~~2) will not detract from the value of nearby properties, and~~
- ~~3) will result in signs of an appropriate scale for the location of the project. For signs in the Village Centers or Urban Commercial Districts, the signs shall be compatible with a village character.⁺~~

~~Detached signs shall not extend to an elevation greater than 20 feet above the level of the ground upon which they are erected. Projecting signs shall not extend more than 5 feet beyond the street line. No attached sign or supporting structure shall extend more than 10 feet above the level of a flat roof or the level of the eaves on other types of roofs.~~

Signs in conjunction with non-residential occupants including non-residential uses in residential zones shall conform to the following maximum standards. The standards for the maximum number of signs, maximum size and height of signs, and maximum sign area per occupant vary depending on the environment within which the property and sign are located. There are four different environments each with different standards. The four environments are:

Village Environment – These standards apply to signs that are located in the Village Centers District, Urban Commercial District, and Office-Residential District.

Roadside Environment – These standards apply to signs that are located in the Rural District, Roadside Commercial District, Commercial/Office District, Narragansett Development District, and those portions of the Industrial District located outside of an industrial or business park.

Industrial/Business Park Environment – These standards apply to signs that are located in or are associated with an industrial or business park in an Industrial District that has been approved by the Planning Board as a coordinated development.

Residential Environment – These standards apply to signs related to a non-residential use in the Urban Residential District and Suburban Residential District.

The sign standards of the underlying environment shall apply to a contract zone unless the provisions of the contract zone specifically modify the sign requirements. The requirements for the type, number, size, and height of signs or total sign area may be modified as part of the contract zone provisions.

The following maximum standards apply to the four environments:

⁺Amended April 6, 1999

1) Village Environment

a) Single-Occupant Property

(1) Allowed Freestanding Signs

- (a) **Ground-Mounted Business Signs:** One ground-mounted business sign having not more than twenty-four (24) square feet (SF) of sign area and being not more than eight (8) feet high for each street frontage from which the property has vehicular access

(2) Allowed Building Signs

- (a) **Wall Business Signs:** Any number of wall business signs having a maximum total area of the greater of: 1) thirty-six (36) SF of sign area, or 2) 0.75 SF of sign area for each foot of width of the primary front façade of the principal building facing the primary adjacent street as measured on the building footprint to a maximum of one hundred (100) SF. If the property does not have either a freestanding ground-mounted business sign or a projecting sign, the maximum total area of wall business signs may be increased by twenty-four (24) SF. If the property has a projecting sign and does not have a freestanding ground-mounted business sign, the maximum total area of wall business signs may be increased by fourteen (14) SF. In accordance with the standards of sub-section L, the Planning Board, upon written request of the applicant, may waive or modify the one hundred (100) SF cap on wall sign area up to the maximum sign area that would be allowed without the cap, and may increase the maximum total area of wall signs for buildings that have frontage on two or more streets or private accessways by up to fifty percent (50%) provided that no façade may have more than the base amount of sign area. Each façade of the building may have a maximum of two (2) wall signs, not including signs permanently painted on windows, unless a greater number is approved by the Planning Board in accordance with sub-section L.

- (b) **Projecting Signs:** One projecting sign having not more than ten (10) SF of sign area but only if the property does not have a freestanding ground-mounted business sign

(3) Allowed Interior Window Signs or Displays

- (a) Interior window signs or displays in any window that does not directly face an adjacent property in residential use in a residential zone subject to the performance standards of E.10)

b) Multi-Occupant Property

(1) Allowed Freestanding Signs

- (a) **Ground-Mounted Project Signs:** One ground-mounted project sign having not more than twenty-four (24) SF of sign area and being not more than eight (8) feet high for each frontage from which the property has vehicular access

- (b) **Ground-Mounted Directory Signs:** One ground-mounted directory sign having not more than twenty-four (24) SF of sign area and being not more than eight (8) feet high for each frontage from which the property has vehicular access

- (c) **Combination Ground-Mounted Project/Directory Signs:** One combination ground-mounted project/directory sign having not more than forty-eight (48) SF of sign area and being not more than eight (8) feet high for each frontage from which the property has vehicular access but only if the property has no other freestanding project or directory signs

(2) Allowed Building Signs

- (a) **Project Signs:** One project sign having a maximum area of the greater of: 1) eighteen (18) SF of sign area, or 2) 0.5 SF of sign area for each foot of width of the primary front façade of the principal building facing the primary adjacent street as measured on the building footprint
- (b) **Directory Signs:** One directory sign having not more than six (6) SF of sign area at each public entry to the building that provides access to more than one occupant
- (c) **Wall Business Signs (First Floor Occupants):** Any number of wall business signs having a maximum total sign area of the greater of: 1) thirty-six (36) SF of sign area, or 2) 0.75 SF of sign area for each foot of width of the primary front façade occupied by the occupant to which the sign relates (or width of the front façade of the occupied space if the space faces a parking area or internal roadway), for each occupant on the first floor in accordance with an approved master sign plan if applicable. If the property does not have a freestanding ground-mounted project sign and an occupant does not have a projecting sign, the maximum total area of wall business signs permitted for the occupant may be increased by twenty-four (24) SF. If the occupant has a projecting sign and the property does not have a freestanding ground-mounted project sign, the maximum total area of wall business signs for an occupant may be increased by fourteen (14) SF. Not more than two (2) wall signs for any occupant may be located on each façade of the building, not including signs permanently painted on windows, unless a greater number is approved by the Planning Board in accordance with sub-section L.
- (d) **Wall Business Signs (Upper Floor Occupants):** Any number of wall business signs having not more than thirty-six (36) SF of total sign area for each occupant on upper floors in accordance with an approved master sign plan if applicable. If the property does not have a freestanding ground-mounted project sign and an occupant does not have a projecting sign, the maximum total area of wall business signs permitted for the occupant may be increased by twenty-four (24) SF. If the occupant has a projecting sign and the property does not have a freestanding ground-mounted project sign, the maximum total area of wall business signs for an occupant may be increased by fourteen (14) SF. Not more than two (2) wall signs for any occupant may be located on each façade of the building, not including signs permanently painted on windows, unless a greater number is approved by the Planning Board in accordance with sub-section L.
- (e) **Projecting Business Signs:** One projecting business sign having not more than ten (10) SF of sign area for each occupant in accordance with an approved master sign plan if applicable
- (f) **Business Identification Signs:** One business identification sign having not more than three (3) SF of sign area for each occupant in accordance with an approved master sign plan if applicable but only if the property has a canopy over a pedestrian walkway providing access to the occupants
- (3) Allowed Interior Window Signs or Displays
- (a) Interior window signs or displays in any window that does not directly face an adjacent property in residential use in a residential zone subject to the performance standards of E.10)

2) Roadside Environment

a) Single-Occupant Property

(1) Allowed Freestanding Signs

(a) **Ground or Pole-Mounted Business Signs:** One ground-mounted or pole-mounted business sign having not more than thirty-six (36) square feet (SF) of sign area and being not more than sixteen (16) feet high for each frontage from which the property has vehicular access

(b) **Additional Ground or Pole-Mounted Business Signs:** One additional ground-mounted or pole-mounted business sign having not more than thirty-six (36) SF of sign area and being not more than sixteen (16) feet high for any property with more than one hundred fifty (150) feet of street frontage that has two or more separate vehicular points of access

(2) Allowed Building Signs

(a) **Wall Business Signs:** Any number of wall business signs having a maximum total area of the greater of: 1) forty-eight (48) SF of sign area, or 2) one (1) SF of sign area for each foot of width of the primary front façade of the principal building facing the primary adjacent street as measured on the building footprint to a maximum of two hundred (200) SF. In accordance with the standards of sub-section L, the Planning Board, upon written request of the applicant, may increase the maximum total area of wall signs for buildings that have frontage on two or more streets or private accessways by up to fifty percent (50%) provided that no façade may have more than the base amount of sign area. Each façade of the building may have a maximum of two (2) wall signs, not including signs permanently painted on windows, unless a greater number is approved by the Planning Board in accordance with sub-section L.

(3) Allowed Interior Window Signs or Displays

(a) Interior window signs or displays in any window that does not directly face an adjacent property in residential use in a residential zone subject to the performance standards of E.10)

b) Multi-Occupant Property

(1) Allowed Freestanding Signs

(a) **Ground or Pole-Mounted Project Signs:** One ground-mounted or pole-mounted project sign having not more than thirty-six (36) SF of sign area and being not more than sixteen (16) feet high for each frontage from which the property has vehicular access

(b) **Ground-Mounted Directory Signs:** One ground-mounted directory sign having not more than twenty-four (24) SF of sign area and being not more than eight (8) feet high for each frontage from which the property has vehicular access provided that the sign is located to be read from an internal access drive or parking lot

(c) **Combination Ground or Pole-Mounted Project/Directory Signs:** One combination ground-mounted or pole-mounted project/directory sign having not more than forty-eight (48) SF of sign area and being not more than sixteen (16) feet high for each frontage from which the property has vehicular access but only if the property does not have a freestanding project or directory sign

(d) **Ground or Pole-Mounted Business Signs:** One ground-mounted or pole-mounted business sign having not more than thirty-six (36) SF of sign area and being not more than sixteen (16) feet high for each frontage from which the property has vehicular access for the primary occupant of the project

(e) **Additional Ground or Pole-Mounted Business Signs:** One additional ground-mounted or pole-mounted business sign having not more than thirty-six (36) SF of sign area and being not more than sixteen (16) feet high for the primary occupant of the property for any property with more than one hundred fifty (150) feet of street frontage that has two or more separate vehicular points of access from that street

2) Allowed Building Signs

(a) **Project Signs:** One project sign having a maximum area of the greater of: 1) thirty-six (36) SF of sign area, or 2) one (1) SF of sign area for each foot of width of the primary front façade of the principal building facing the primary adjacent street as measured on the building footprint

(b) **Directory Signs:** One directory sign having not more than six (6) SF of sign area at each public entry to the building that provides access to more than one occupant

(c) **Wall Business Signs (First Floor Occupants):** Any number of wall business sign having a maximum total sign area of the greater of: 1) forty-eight (48) SF of sign area, or 2) 1.0 SF of sign area for each foot of width of the primary front façade occupied by the occupant to which the sign relates (or width of the front façade of the occupied space if the space faces a parking area or internal roadway) for each occupant on the first floor in accordance with an approved master sign plan if applicable. Not more than two (2) wall signs for any occupant may be located on each façade of the building, not including signs permanently painted on windows, unless a greater number is approved by the Planning Board in accordance with sub-section L.

(d) **Wall Business Signs (Upper Floor Occupants):** Any number of wall business signs having not more than thirty-six (36) SF of total sign area for each occupant on upper floors in accordance with an approved master sign plan if applicable. Not more than two (2) wall signs for any occupant may be located on each façade of the building, not including signs permanently painted on windows, unless a greater number is approved by the Planning Board in accordance with sub-section L.

(e) **Business Identification Signs:** One business identification sign having not more than three (3) SF of sign area for each occupant in accordance with an approved master sign plan if applicable but only if the property has a canopy over a pedestrian walkway providing access to the occupants

(3) Allowed Interior Window Signs or Displays

(a) Interior window signs or displays in any window that does not directly face an adjacent property in residential use in a residential zone subject to the performance standards of E.10)

3) Industrial/Business Park Environment

a) Single-Occupant Property within an Industrial/Business Park

(1) Allowed Freestanding Signs

(a) **Ground or Pole-Mounted Business Signs:** One ground-mounted or pole-mounted business sign having not more than thirty-six (36) square feet (SF) of sign area and being not more than sixteen (16) feet high for each frontage from which the property has vehicular access

(2) Allowed Building Signs

(a) **Wall Business Signs:** Any number of wall business signs having a maximum total area of the greater of: 1) forty-eight (48) SF of sign area, or

2) 1.5 SF of sign area for each foot of width of the primary front façade of the principal building facing the primary adjacent street as measured on the building footprint to a maximum of two hundred fifty (250) SF. Each façade of the building may have a maximum of two (2) wall signs, not including signs permanently painted on windows

b) Multi-Occupant Property within an Industrial/Business Park

(1) Allowed Freestanding Signs

- (a) **Ground or Pole-Mounted Project Signs:** One ground-mounted or pole-mounted project sign having not more than thirty-six (36) SF of sign area and being not more than sixteen (16) feet high for each frontage from which the property has vehicular access
- (b) **Ground-Mounted Directory Signs:** One ground-mounted directory sign having not more than twenty-four (24) SF of sign area and being not more than eight (8) feet high for each frontage from which the property has vehicular access provided that each sign is located to be read from an internal access drive or parking lot
- (c) **Combination Ground or Pole-Mounted Project/Directory Signs:** One combination ground or pole-mounted project/directory sign having not more than forty-eight (48) SF of sign area and being not more than sixteen (16) feet high for each frontage from which the property has vehicular access but only if the property has no other freestanding project or directory signs
- (d) **Ground or Pole-Mounted Business Signs:** One ground-mounted or pole-mounted business sign having not more than thirty-six (36) SF of sign area and being not more than sixteen (16) feet high for the primary occupant of the property for each frontage from which the property has vehicular access

(2) Allowed Building Signs

- (a) **Project Signs:** One project sign having a maximum area of the greater of 1) thirty-six (36) SF of sign area, or 2) one (1) SF of sign area for each foot of width of the primary front façade of the principal building facing the primary adjacent street as measured on the building footprint
- (b) **Directory Signs:** One directory sign having not more than six (6) SF of sign area at each public entry to the building that provides access to more than one occupant
- (c) **Wall Business Signs:** Any number of wall business signs having not more than seventy-two (72) SF of total sign area for each occupant in accordance with an approved master sign plan if applicable. Each façade of the building may have a maximum of two (2) wall signs, not including signs permanently painted on windows

4) Residential Environment

a) Single-Occupant Non-Residential Property

(1) Allowed Freestanding Signs

- (a) **Ground-Mounted Business Signs:** One ground-mounted business sign having not more than twenty-four (24) square feet (SF) of sign area and being not more than eight (8) feet high for each street frontage from which the property has vehicular access

(2) Allowed Building Signs

- (a) **Wall Business Signs:** Any number of wall business signs having a maximum total area of the greater of: 1) thirty-six (36) SF of sign area, or 2) 0.75 SF of sign area for each foot of width of the primary front façade of the principal building facing the primary adjacent street as measured on the

building footprint to a maximum of sixty (60) SF. In accordance with the standards of sub-section L, the Planning Board, upon written request of the applicant, may increase the maximum total area of wall signs for buildings that have frontage on two or more streets or private accessways by up to fifty percent (50%) provided that no façade may have more than the base amount of sign area. Each façade of the building may have a maximum of two (2) wall signs, not including signs permanently painted on windows, unless a greater number is approved by the Planning Board in accordance with sub-section L.

b) Multi-Occupant Non-Residential or Mixed-Use Property

(1) Allowed Freestanding Signs

- (a) **Ground-Mounted Project Signs:** One ground-mounted project sign having not more than twenty-four (24) SF of sign area and being not more than eight (8) feet high for each frontage from which the property has vehicular access
- (b) **Ground-Mounted Directory Signs:** One ground-mounted directory sign having not more than twenty-four (24) SF of sign area and being not more than eight (8) feet high for each frontage from which the property has vehicular access
- (c) **Combination Ground-Mounted Project/Directory Signs:** One combination ground-mounted project/directory sign having not more than forty-eight (48) SF of sign area and being not more than eight (8) feet high for each frontage from which the property has vehicular access but only if the property has no other freestanding project or directory signs

(2) Allowed Building Signs

- (a) **Project Signs:** One project sign having a maximum area of the greater of: 1) eighteen (18) SF of sign area, or 2) 0.5 SF of sign area for each foot of width of the primary front façade of the principal building facing the primary adjacent street as measured on the building footprint
- (b) **Directory Signs:** One directory sign having not more than six (6) SF of sign area at each public entry to the building that provides access to more than one non-residential occupant
- (c) **Wall Business Signs (First Floor Non-Residential Occupants):** Any number of wall business signs having a maximum total sign area of the greater of: 1) thirty-six (36) SF of sign area, or 2) 0.75 SF of sign area for each foot of width of the primary front façade occupied by the non-residential occupant to which the sign relates (or width of the front façade of the occupied space if the space faces a parking area or internal roadway), for each non-residential occupant on the first floor in accordance with an approved master sign plan if applicable. Not more than two (2) wall signs for any occupant may be located on each façade of the building, not including signs permanently painted on windows, unless a greater number is approved by the Planning Board in accordance with sub-section L.
- (d) **Wall Business Signs (Upper Floor Non-Residential Occupants):** Any number of wall business signs having not more than twenty-four (24) SF of total sign area for each non-residential occupant on upper floors in accordance with an approved master sign plan if applicable. Not more than two (2) wall signs for any occupant may be located on each façade of the building, not including signs permanently painted on windows, unless a

greater number is approved by the Planning Board in accordance with sub-section L.

HG. OFFICIAL BUSINESS DIRECTIONAL SIGNS

Official Business

ID. INDUSTRIAL PARK IDENTIFICATION SIGNS

Gorham Industrial Park . . .

JE. PORTABLE SIGNS

- 1) Except as otherwise
- 2) Portable signs
- 3) Signs otherwise . . . in accordance with the applicable provisions of this section for the type and location of the sign~~Subsection B.~~

F. GENERAL

- ~~1) All signs may be illuminated only by non-flashing lights shielded from view in the public way or in residential districts nearby.~~
- ~~2) All signs shall comply with Article 14, "Signs", of The BOCA Basic Building Code/1984 as amended.~~
- ~~3) Billboards shall not be permitted in the Town of Gorham.~~

K. CONTINUATION AND TERMINATION OF NONCONFORMING SIGNS

- 1) **Removal of Illegal Signs:** Signs that were previously installed without a permit from the Town or that are not legally nonconforming must be removed within ninety (90) days of the adoption of this provision.
- 2) **Continued Use of Legally Nonconforming Signs:** Legally existing nonconforming signs may continue to be used in accordance with this sub-section. Legally nonconforming signs may be repaired but the sign may not be otherwise altered, enlarged, relocated, or replaced.
- 3) **Discontinuation/Replacement of Nonconforming Signs:** Any legally existing nonconforming sign as of the date of adoption of this section shall be removed or brought into conformance with the applicable provisions of this Section:
 - a) Prior to the issuance of a certificate of occupancy for a building or premises that is substantially changed or altered in a manner that requires major site plan review,
 - b) Within thirty (30) days of a change of the Occupant of the building or space,
 - c) Within thirty (30) days if a building is demolished, destroyed, or moved from the parcel,
 - d) Within thirty (30) days if the sign is demolished, destroyed, or moved from the parcel, and the extent of the repairs exceeds 90% of the cost of replacing the sign with a conforming sign or the sign is moved from the parcel.

L. ALLOWANCE OF ADDITIONAL WALL SIGNS OR WALL SIGN AREA

The Planning Board may permit more than two wall business signs per façade or an increase the total allowed wall sign area for properties that front on two or more streets or access roads upon the written request of the property owner if the Planning Board finds that the additional signs or sign area:

- 1) Are needed to provide appropriate visibility for the business,
- 2) Will be within the maximum area of wall business signs allowed for the property including the allowed additional area,
- 3) Will not detract from the value of nearby properties,

- 4) Will result in signs of an appropriate scale for the location of the project, and
- 5) If the project is located in the Village Centers or Urban Commercial Districts, the signs are compatible with the village character.

The applicant shall be responsible for demonstrating to the Planning Board's satisfaction that all of these conditions are met.

2. Amend CHAPTER I, SECTION V – DEFINITIONS by adding the following definitions in proper alphabetical order:

<u>Building footprint</u>	<u>The total area of the ground surface enclosed within the downward projection of the exterior walls of a building or the vertical planes created by the exterior surface of the vertical support members of a building or portion of a building without exterior walls.</u>
<u>Interior window sign or display</u>	<u>A sign or display located inside a window so that it is intended to be seen from the outside through the window. A sign permanently attached to or permanently painted on the inside of the window is a wall sign.</u>
<u>Luminous surface material or paint</u>	<u>A surface material or paint that contains a phosphorescent or fluorescent substance that makes it glow in the dark.</u>
<u>Nit</u>	<u>A measure of the brightness or lighting intensity of a LED sign equal to 1 candela per square meter.</u>
<u>Occupant</u>	<u>For the purposes of the sign provisions of Chapter II Section III Signs, any distinct use that occupies a separate and identifiable space within a building.</u>
<u>Primary front façade</u>	<u>The apparent or dominant front wall of a building as seen from the adjacent street or property including projections or recessed sections of the front wall but not including parts of the building that are located significantly behind the apparent front wall or that are designed so that they do not appear to be part of the front wall.</u>
<u>Sign, building</u>	<u>A sign that is painted directly onto a wall or window or that is permanently attached to and supported by the building or structure to which it is attached.</u>
<u>Sign, business</u>	<u>A sign displaying the name of the business or other occupant of the building or structure to which the sign applies or information about the business/occupant.</u>
<u>Sign, business identification</u>	<u>A small sign attached to the underside or hanging from a canopy over a pedestrian walkway identifying the entrance to the building or a use within the building.</u>
<u>Sign, directory</u>	<u>A freestanding or building sign that lists the tenants or occupants of a building, project, or development.</u>
<u>Sign, freestanding</u>	<u>A sign that is permanently attached to the ground and is not attached to a building or structure.</u>
<u>Sign, ground-mounted</u>	<u>A freestanding sign that is supported by a base or pedestal, or by vertical supporting members such that the width of the base or pedestal or the distance between the supporting members is at least seventy-five percent (75%) of the width of the sign face.</u>

<u>Sign, project</u>	<u>A permanent sign identifying a project, building, or development that contains the name of the facility. In addition to the name of the project, the sign may include the name of the primary occupant of the project provided that this is less than forty percent of the sign area (40%).</u>
<u>Sign, pole or pylon</u>	<u>A freestanding sign that is supported by a single vertical supporting member or base that is less than seventy-five percent (75%) of the width of the sign face.</u>
<u>Sign, projecting</u>	<u>A building sign that extends from the supporting wall so that the sign face(s) is at a right angle to the wall on which it is mounted.</u>
<u>Sign, readerboard</u>	<u>A portion of a permanent sign with moveable or interchangeable letters or other characters or symbols including signs with electronic changeable letters, characters, or symbols that identifies a business/occupant or provides information about the business/occupant.</u>
<u>Sign, sandwichboard</u>	<u>A small, non-illuminated, moveable sign that may include a space for changeable messages that identifies a business/occupant or provides information about the business/occupant that is placed on a sidewalk or other pedestrian area.</u>
<u>Sign, site</u>	<u>A temporary sign at a construction site or development project that identifies the project and the firms involved with the design, construction, and financing of the project.</u>
<u>Sign, wall</u>	<u>A building sign that is applied to, painted on, or attached to a wall, window, or other vertical surface so that the sign face is essentially parallel to the wall. A wall sign includes signs placed on pitched roofs so that the sign face is in a vertical orientation.</u>
<u>Sign face</u>	<u>The area of the surface of a sign upon which the words, symbols, or graphics appear.</u>

Public Hearing #2 Chairman Loveitt opened the public hearing on adjusting user fees. There were no comments from the public. Chairman Loveitt closed the public hearing.

Item #7602 was moved by Councilor Moulton and seconded by Councilor Knapp. Moved by Councilor Caldwell, seconded by Councilor Moulton and **VOTED** to amend the fee schedule under voter registration list and strike the next five lines so that it only reads Voter Registration List - State Mandated Fee Structure. **7 years**. The order as amended was then **VOTED. ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled adopt the fee schedule as recommended by the Finance Committee. **6 years, 1 nay (Robinson)**.

Items #7603 The proposed order was moved by Councilor Csoros and seconded by Councilor Phinney.

The following people spoke against the proposed parking area: Jack McGraw-58 South St., Ken O'Brien-1 Springbrook Ln., Erin Foley-20 Preble St., Sherrie Fontaine-36 Church St., Ann Murphy-1 Springbrook Ln, Kathy Kigin-12 Preble St., Noah Miner-32 Green St., Sherry Faber-112 Queen Street and owner of the Bookworm on Main St., Kathy Farrell-15 Phinney St., Lynn O'Leary-Main St., Peter Wentworth-17 Elm St., and Patrick Irish-13 Preble St. Some comments from these speakers included the following; lack of green space in the village, concern with ground water runoff, current parking not being used, need for signs and striping to show current parking available, traffic &

pedestrian issues, space used for recreational enjoyment by residents including children, wait until bypass is complete to see the effects on the village, need a comprehensive master plan for the village to address parking and pedestrian issues, create shared parking with other business parking lots, expense to the Town for developing and maintaining the lot, & appearance of the lot. Noah Miner showed a video clip of the area in question.

The following people spoke in favor of the proposed parking area: Donna Reinheimer-65 Deering Rd, president of Gorham Business & Civic Exchange, Ms. Reinheimer read a letter from Carson Lynch - owner of the Gorham Grind, Trish Moulton-265 Fort Hill Road and co-owner of Dance Studio of Maine, and Jeremy Greene-27 State Street and owner of The Artisan Shop. Some comments from these speakers included the following; the Board of Directors of the Gorham Business and Civic Exchange are unanimously in favor of the parking area, lack of centrally located parking, business has slowed down because of the economy, the banquet center will be opening soon adding to the lack of parking, building spaces are vacant and owners can not attract new businesses in this location because of the lack of parking, lack of parking is hurting small businesses, & something needs to be done to create more parking in the village.

The Chairman called a 5 minute recess. The Chairman resumed the meeting.

Councilor Moulton indicated that he is co-owner of the Dance Studio of Maine located downtown and he asked to be recused from this item.

Councilor Shonn Moulton (acting as a citizen)-265 Fort Hill Road & co-owner of the Dance Studio of Maine, and Robert Coppola-owner of the Masonic Building, spoke in favor of the proposed parking area.

Moved by Councilor Phinney, seconded by Councilor Csoros and **VOTED** to substitute the proposed order with the following “**ORDERED** that the Town Council forward to the Capital Improvements Committee a request to study parking in the Gorham Village Center District.” **6 yeas (1 recused, Moulton)**. The amended order was then **VOTED ORDERED** that the Town Council forward to the Capital Improvements Committee a request to study parking in the Gorham Village Center District. **6 yeas (1 recused, Moulton)**

Councilor Moulton now resumed his seat as a Councilor.

Item #7604 was moved by Councilor Moulton and seconded by Councilor Knapp. Jeremy Green, 27 State Street, agreed that these types of businesses need to be checked on but this may be a money issue for the town. The order was then voted. **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled refer a proposal to amend the Victualer’s Ordinance by requiring a safety inspection before issuing a license to the Ordinance Committee for their review and recommendation. **2 yeas (Moulton & Caldwell) , 5 nays - motion fails.**

Item #7605 Moved by Councilor Phinney, seconded by Councilor Knapp and **VOTED** to waive the Clerk reading of the proposed order. **7 yeas**. The proposed order was moved by Councilor Csoros and seconded by Councilor Caldwell. Matt Reed, 494 Ossipee Trail, asked about the per capita debt ratio. The proposed order was then **VOTED. ORDERED** that the Town Council of the Town of Gorham, Maine, in Town

Council assembled adopt a Debt Management Policy as presented and recommended by the Finance committee.

DEBT MANAGEMENT POLICY

The Gorham Town Council, understanding the importance of adequately managing its debt structure, hereby adopts a policy of debt management.

Management of the Town's debt and associated debt service costs is important to:

- ✓ Ensure that the Town's current rating of AA or equivalent is maintained or improved.
- ✓ Ensure that the amount of debt relative to the Town's State valuation and population are not excessive.
- ✓ Ensure that the life of debt issued does not exceed the useful life of the assets acquired with the debt proceeds.
- ✓ Provide necessary guidance during the development of the Town's Capital Improvement Program.

A. Purposes and Uses of Debt Financing

Debt financing shall only be used to purchase capital assets or pursue capital projects, including infrastructure improvements and additions, when current revenues or fund balance are insufficient. The useful life of the asset or project shall exceed the payout schedule of any debt the Town assumes. Debt financing shall include general obligation bonds, revenue bonds, lease/purchase agreements, and other obligations permitted to be issued or incurred under Maine law.

B. Debt Authorization

The Town Council can authorize and issue general obligation securities, provided that no such securities shall be issued to finance a proposed capital expenditure over \$250,000 unless such proposed expenditure shall first have been approved by referendum vote pursuant to section 901 of the Town Charter.

Statutory Debt Limits: The Legislature has established limits on the amount of debt that may be issued in 30-A MRSA, §5702. A municipality may further restrict the amount of the debt authorized by the Legislature.

Under §5702 and the exclusions in §5703, the following constitute the debt limits under statute as a percentage of the last full state valuation (the LFSV), 36 MRSA, §381, adjusted to 100%):

School purposes --	10.0% (LSFV)
Less state reimbursable portion, §5703	
Storm or sanitary sewers purposes --	7.5% (LSFV)
Energy facility purposes --	7.5% (LSFV)
Airport or special district purposes	3.0% (LSFV)
Total of all debt less exclusions --	15.0% (LSFV)

Amounts excluded from debt limitation:

The limitations on municipal debt in section 5702 shall not be construed as applying to any funds received in trust by any municipality, any loan which has been funded or refunded, notes issued in anticipation of federal or state aid or revenue

sharing money, tax anticipation loans, notes maturing in the current municipal year, indebtedness of entities other than municipalities, indebtedness of any municipality to the Maine School Building Authority, debt issued under chapter 213 and Title 10, chapter 110, subchapter IV, obligations payable from revenues of the current municipal year or from other revenues previously appropriated by or committed to the municipality, and the state reimbursable portion of school debt. The limitations on municipal debt set forth in section 5702 do not apply to obligations incurred by one or more municipalities pursuant to Title 38, section 1304-B, with respect to solid waste facilities, which obligations are regulated in the manner set forth in Title 38, section 1304-B.

C. Limitations on Indebtedness

The Town shall not assume more tax-supported general-purpose debt than it retires each year without conducting an objective analysis as to the community's ability to assume and support additional debt service payments. When appropriate, self-supporting revenue bonds shall be issued before general obligation bonds.

The Town shall use an objective analytical approach to determine whether it can afford to assume new general-purpose debt beyond what it retires each year. This process shall compare generally accepted standards of affordability to the current values for the Town. These standards shall include: debt per capita, debt as a percent of State value, debt service payments as a percent of current revenues and current expenditures, and the level of overlapping net debt of all local taxing jurisdictions. The process shall also examine the direct costs and benefits of the proposed expenditures. The decision on whether or not to assume new debt shall be based on these costs and benefits, the current conditions of the municipal bond market, and the Town's ability to "afford" new debt as determined by the aforementioned standards.

Per Capita Debt:

Per capita debt is a ratio derived by dividing outstanding debt by municipal population. Per capita debt can be viewed in several different ways.

Direct debt per capita includes debt incurred directly by the municipality (excluding all overlapping debt such as the Town's share of county debt, water/sewer district debt, Regional Waste Systems debt, etc.)

Normal direct debt per capita should not exceed \$2,000.

Total debt per capita is a ratio derived by dividing the direct and overlapping debt of the Town by its population.

Gorham's goal/policy limit has been set at \$2,300 for total debt per capita.

Debt as a Percent of State Valuation:

The ratio of debt as a percent of State valuation is established by dividing outstanding debt by the most recently published State valuation for the Town. Any percentage under 4% is considered reasonable.

Gorham's goal/policy limit for ratio of direct debt to state value is 3%, while the ratio of total debt to state value is 3.5%.

Debt Service Payments as a Percent of Budget:

The ratio of annual debt service costs to budget is determined by dividing the sum of all principal and interest payments due in a fiscal year by the total appropriations. A percentage between 8 – 10% is reasonable.

Gorham's goal/policy limit for total debt service as percentage of budget is 10%, subsidy debt service as percentage of budget is 3.75%, user fee debt service as percentage of budget is 0.75%, and net tax based debt service as percentage of budget is 5.50%.

D. Types of Debt

Long Term Debt: The following are the types of long-term debt that can be issued by the Town of Gorham.

- a. General Obligation debt pledges the "full faith and credit" and the unlimited ad valorem taxing power of the Town of Gorham. While other revenue sources may be used for the payment of the debt, should those revenues not be sufficient, the Town pledges to use its power to tax to pay the debt service due.
- b. Limited Obligation debt, which may include revenue bonds, do not pledge the power of taxation but a particular revenue stream or revenue sources. The revenue pledge must be of sufficient amount to meet the debt service requirements of the bond.
- c. Refunding debt may be either General or Limited Obligation debt. The purpose of refunding debt is to take advantage of a reduction in interest rates and realize a savings covenants.

Short Term Debt: The following are the types of short-term debt which can be issued by the Town of Gorham – tax anticipation notes, bond anticipation notes, and revenue anticipation notes.

- a. Anticipation notes are issued as a bridge between the cash flow needs of the Town and the expectation of either a payment of taxes, a receipt of discrete revenue, or the issuance of permanent bonds. By their nature, notes are usually issued for up to one year, but the term may be longer than a year but not longer than three years (30 MRSA, §5772 (1) (b)). The notes may be issued as either General Obligation or Limited Obligation.

E. Debt Structure

Borrowings by the Town mature over a term that does not exceed the economic life of the improvements that they finance. Generally, the term will be between 15 and 20 years. The Town, working with its financial advisor, will attempt to structure level principal repayments on the bond. There shall be no debt structures, which include increasing debt service levels in subsequent years, with the exception being the first and second year of a bond payout schedule. There shall be no "balloon" bond repayment schedules, which consist of low annual payments and one large payment

of the balance due at the end of the term. There shall always be at least interest paid in the first fiscal year after a bond sale and principal starting no later than the second fiscal year after the bond issue.

F. Call Provisions

Call provisions for bond issues shall be made as short as possible consistent with the lowest interest cost to the Town. When possible, all bonds shall be callable only at par.

G. Sale Process

When the Town opts to go into the open market for its bond issues versus going through the Maine Municipal Bond Bank, the Town will use a financial advisor to assist in the sale of all municipal borrowings. The Town shall use a competitive bidding process in the sale of debt unless the nature of the issue warrants a negotiated sale. The Town shall attempt to award the bonds based on a true interest cost (TIC) basis. True Interest Cost is the rate, which when used to discount total debt service payments, results in the bond purchase price. However, the Town may award bonds based on a net interest cost (NIC) basis as long as the financial advisor agrees that the NIC basis can satisfactorily determine the lowest and best bid. The Net Interest Cost is a common method of computing interest expense of a bond issue, defined as Total Interest Payments + Discount or – Premium divided by Bond Years.

H. Bond Counsel

The Town will retain external bond counsel for all debt issues. All debt issued by the Town will include a written opinion by the bond counsel affirming that the Town is authorized to issue the debt, stating that the Town has met all state constitutional and statutory requirements necessary for issuance, and determining the debt's federal income tax status.

I. Rating Agencies

Full disclosure of operations and open lines of communication shall be made to the rating agencies. The Finance Director, with assistance of financial advisors, shall prepare the necessary materials and presentation to the rating agencies. Credit ratings will be sought from at least Moody's, Standard & Poor's, or Fitch or a combination thereof, as recommended by the Town's financial advisor.

J. Interest Earnings

Interest earnings received on the investment of bond proceeds shall be used to assist in paying the interest due on bond issues and any potential arbitrage costs.

K. Conduit Financings

Conduit financings are securities issued by a government agency to finance a project of a third party, such as a non-profit organization or other private entity. The Town may sponsor conduit financings for those activities (e.g., economic development, housing) that have a general public purpose and are consistent with the Town's overall service and policy objectives. Unless a compelling public policy

rationale exists, such conduit financings will not in any way pledge the Town's faith and credit.

L. Disclosure Practices and Arbitrage Compliance

The Town of Gorham will comply as required by federal regulations with respect to arbitrage and disclosure requirements. It will be the responsibility of the Town's Finance Director to supply each nationally recognized municipal securities information repository (NRMSIR) with annual financial information and any notices of material events. **7 years.**

Item #7606 Moved by Councilor Knapp, seconded by Councilor Csoros and **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled refer a proposal to amend the Land Use and Development Code, Chapter IV, Site Plan Review, Minor Site Review Process to the Planning Board for public hearing and their recommendation. **7 years.**

Item #7607 Moved by Councilor Robinson, seconded by Councilor Csoros and **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled refer a proposal to amend the Land Use and Development Code, Chapter II, Section V, I - Subdivision, Private Way and Site Construction Monitoring of Public Improvements (4) to the Planning Board for public hearing and their recommendation. **7 years.**

Item #7608 Moved by Councilor Csoros, seconded by Councilor Moulton, and **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled amend the Rules of the Gorham Town Council adopted on December 4, 2007 by adding a new section, 5, as follows;

Section 5. All Orders approved by the Town Council that ask the voters of Gorham, through a referendum vote, to approve an expenditure of funds, shall include a statement advising voters of the estimated impact on property taxes of said expenditure.

All current sections of the Rules of the Gorham Town Council, beginning with Section 5, shall be sequentially renumbered. **7 years.**

Item #7609 Moved by Councilor Phinney, seconded by Councilor Knapp and **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled vote for the slate of officers for Vice President and Executive Committee of the Maine Municipal Association as presented. **7 years.**

Item #7610 to recommend an appointment to the Recycling Committee was moved by Councilor Caldwell and seconded by Councilor Robinson. **VOTED** to postpone action on this item. **7 years.**

Moved by Councilor Phinney, seconded by Councilor Moulton and **VOTED** to adjourn the meeting at 10:22 pm. **7 years.**

A TRUE RECORD OF MEETING

Attest: _____
Christina Silberman, Town Clerk