



Town of Gorham
PLANNING BOARD WORKSHOP NOTES
November 2, 2009

A workshop meeting of the Gorham Planning Board was held on Monday, November 2, 2009, at 6:00 p.m. in the Municipal Center Council Chambers, 75 South Street, Gorham, Maine.

In attendance were Chairperson Susan Robie, Douglas Boyce, Vice Chairman, Thomas Hughes, Thomas Fickett, Michael Parker, Mark Stelmack, and Edward Zelmanow. Also present were Zoning Administrator Sandra Mowery, Town Planner Thomas Poirier and Planning Board Clerk Barbara Skinner.

1. APPROVAL OF THE OCTOBER 5, 2009 WORKSHOP NOTES

There were no comments or corrections to the October 5, 2009 Workshop Notes.

The Board discussed several applications that are either pending, have been withdrawn or are involved in enforcement issues.

2. CHAIRMAN'S REPORT

Ms. Robie reported on Code language proposed to the Town Council's Ordinance Committee involving the construction of principal buildings at the front of lots in the Urban Commercial and Village Center Districts. Language was forwarded directly to the Council to permit small parcels in the Development Transfer Overlay District subdivisions to be set aside for formal open space; language proposing that utility lots do not need a full sized lot but must meet setbacks and perhaps require buffering; language involving three administrative "sunset" laws on applications; and language involving modifications to the Sign Ordinance dealing with temporary signs, offsite signs and signs for buildings on corner lots.

In addition, Ms. Robie reported that at the Town Council's Ordinance Committee, the Planning Board was asked to assist in preparing language for the keeping of small animals in various zoning districts in the Town, to look at language involving rooming houses and discuss the issue of fraternities and their impact on neighborhoods, and review the sign ordinance impact on multi-occupant buildings when a new business occupies the building.

Ms. Robie asked if the Board's sign committee should continue with the review or should the entire Board conduct a review. Sandra Mowery, Zoning Administrator, came to the podium and told the Board that she would like to set up reviews of proposed ordinance changes in workshop format to track the changes more efficiently.

The Board had a brief discussion about the fraternities issue, with the consensus being that some of the fraternity houses may be grandfathered as they pre-date the zoning ordinance, and noting that input from the Code Officer will be required to determine whether he has permitted any new fraternity houses. In the Gorham Village District, fraternities used for residential uses are not allowed unless it falls under the definition of a rooming house. The question of ownership of a fraternity house was also discussed. The issue within the Code itself is limited; Ms. Mowery suggested that the Board look at possible noise ordinance violations involving fraternities. Ms. Robie said the Board's task is to review the permitted uses and determine if there are any appropriate remedies in the Land Use Code, with background information from the Code Enforcement Officer as to how he permits fraternities in the District.

3. Discuss proposed amendments to the Gorham Land use and Development Code, Chapter I, Zoning Regulations, Section I, General, G. Changes and Amendments and H. Contract Zoning; Chapter II, General Standards of Performance, Section I, Environmental, C. Mineral Exploration, Excavation and

Gravel Pits, Subsections 3 and 4; Chapter II, General Standards of Performance, Section I, Environmental, E, Shoreland Area Protection; Section V, Minimum Standards for the Design and Construction of Streets and Ways; H. Standards for Private Ways; I. Subdivision, Private Way and Site Construction of Public Improvements; and Section IX, Independent Consulting and Peer Review Fees; Chapter III, Subdivision, Section III, Preliminary Plan; and Section IV, Final Plan.; and Chapter VI, Wireless Telecommunications Facilities, Section 5, Approval Process.

Ms. Mowery introduced the item, noting that the proposed changes did go to the Council, who referred the proposed language to the Town Council's Finance Committee, who in concept approved of the changes, with the language being reviewed one more time before coming in its present form to the Board. Ms. Mowery described the new process to establish how escrows will be set up for field inspections and/or peer reviews, to be monitored by the Planning Department.

Changes suggested through the Board's discussion of the proposed language involved Chapter II – General Standards of Performance, Subdivision, Private Way and Site Construction Monitoring of Public Improvements, in which the Board suggested changing 1) as follows:

- 1) Grading or construction of roads, grading of land or lots, or construction of buildings which require a final plan as provided in Chapters II, III, or IV of this code, is prohibited until: such time as the final plan has been duly prepared, submitted, reviewed, approved and is prohibited until:
 - a) the final plan has been duly prepared, prepared, submitted, reviewed, approved and endorsed;

The remaining items in this section will be re-lettered accordingly.


Additionally, in that same section, the Board suggested the following changes:

Under 2), changing the phrase "... the Developer will be required ..." to "... the Developer is required..."

Under 3), adding the phrase "...receipt of as-built record drawings" at the end of the sentence.

The workshop adjourned at 6:55 p.m. to proceed to the regular Planning Board meeting.

Respectfully submitted,


Barbara C. Skinner, Clerk of the Board
November 2, 2009