

**TOWN OF GRAY**  
**GRAY TOWN COUNCIL**  
**AGENDA • OCTOBER 18, 2022**

**Gray Town  
Council Regular  
Meeting**

**Town Council Chambers**  
**24 Main Street, Gray, ME 04039**  
**<https://us06web.zoom.us/j/87540764216>**  
**Phone 646-558-8656 / Meeting ID: 875 4076 4216**

**7:00 PM**

**I. OPENING STATEMENT**

*This meeting will be held in person and online with the link provided in the agenda header. For the Public Hearings, residents can click in to participate or call in using the number provided during the Public Hearings as detailed in the agenda.*

**II. ROLL CALL**

**III. PLEDGE OF ALLEGIANCE TO THE FLAG**

**IV. MINUTES FROM PREVIOUS MEETINGS Â 5 MINS**

1. To review and approve the minutes from Town Council meeting September 20, 2022.

Proposed motion:

Ordered, Gray Town Council approves the Town Council meeting minutes from September 20, 2022

2. To review and approve the minutes from Town Council meeting October 4, 2022.

Proposed motion:

Ordered, Gray Town Council approves the Town Council meeting minutes from October 4, 2022.

**V. PUBLIC COMMENTS OF NON-AGENDA ITEMS (LIMIT 3 MINS PER PERSON) 10 MINS**

*Comments are intended for information sharing, not discussion. Comments in excess of three minutes are welcome at the end of the agenda prior to adjournment. Call 646-558-8656 / Meeting ID: 815 3196 0312*

**VI. ADJUSTMENTS TO THE AGENDA 5 MINS**

**VII. PRESENTATION(S) 7:20PM**

1. Senator Cathy Breen - Legislative Review **15 MINS** & Q & A **15 MINS**

## **VIII. PUBLIC HEARING(S)**

1. To hold a Public Hearing to consider and act upon amendments to the Mobile Home Park Ordinance (Chapter 402A) regarding Mobile Home Park Registration **5 MINS**

Proposed motion:

Be it Ordained, the Gray Town Council approves the amendments to the Mobile Home Park Ordinance Ch. 402 A

2. To hold a Public Hearing to consider incorporating Ch 501 Vehicular Use Ordinance into Ch 298 Vehicle Weight Restrictions on Posted Town Ways and to schedule a second Reading and Public Hearing for November 15, 2022. **10 MINS**

Proposed motion:

Ordered, the Gray Town Council approves a Second Reading/Public Hearing on November 15, 2022 to consider incorporating Ch 501 Vehicular Use Ordinance into Ch 298 Vehicle Weight Restrictions on Posted Town Ways.

3. To hold a Public Hearing to consider proposed Zoning Ordinance (Chapter 402) amendments with regards to Self-Storage Facilities and the schedule a second Public Hearing for November 15, 2022. **10 MINS**

Proposed motion:

Ordered, the Gray Town Council approves a Second Reading/Public Hearing on November 15, 2022 to consider proposed Zoning Ordinance (Chapter 402) amendments with regards to Self-Storage Facilities.

## **IX. ACTION ITEMS - None**

## **X. REPORT FROM THE COUNCIL CHAIR 15 MINS**

## **XI. REPORT FROM THE TOWN MANAGER 5 MINS**

## **XII. COMMITTEE REPORTS 10 MINS**

## **XIII. COUNCIL CORRESPONDENCE/ACTIVITIES 5 MINS**

## **XIV. ADJOURNMENT 8:50PM**

*\* The Town of Gray is an equal opportunity employer and complies with all applicable equal access to public accommodations law. If you are planning to attend a Town Council or Town committee or board meeting and need assistance with a physical disability, please contact the Town Manager's office at least 48 hours in advance of the meeting to have the Town assist you. 657-3339. TTY 657-3931.*

**TOWN GRAY**  
**GRAY TOWN COUNCIL EXECUTIVE SESSION**  
**MINUTES • SEPTEMBER 20, 2022**

**Town Council  
 Executive Session**

**Town Council Chambers**  
 24 Main Street, Gray, ME 04039  
<https://us06web.zoom.us/j/88358486565>

**6:00 PM**

**I. OPENING STATEMENT**

*This meeting will be held in person and online with the link provided in the agenda header. For the Public Hearings, residents can click in to participate or call in using the number provided during the Public Hearings as detailed in the agenda.*

**II. ROLL CALL**

Attendee Name	Title	Status
Sandra Carder	Chair	Present
Krista Chappell	Vice Chair	Present
Dan Maguire	Member	Present
Michael Curtis	Member	Present
Martin Meaney	Member	Present

**III. PLEDGE OF ALLEGIANCE TO THE FLAG**

**IV. MINUTES FROM PREVIOUS MEETINGS**

IV.1 Motion to approve the Minutes of the Town Council Meeting on September 6, 2022. Both set under one vote.

**MOTION:** by Councilor Curtis, 2<sup>nd</sup> Councilor Meaney

**Amendments: Councilor Chappell offers the following**

1. Pg. 4 under Roll Call – Councilor Maguire as Present but not Online
2. Pg. 4 under adjustment to the agenda: item 9.14 for ZBA should be 9.13
3. Pg. 5 under presentations: Didn't expand, what is the expectation. Chair Carder explains should include a summary of the topic but not a transcription. Send suggestions to Jenn to help her get the minutes to where we want them to be.
4. Nate suggests including the # of residents spoke in favor or opposed
5. Dan feels it should include the people who speak. The log should be attached to the minutes
6. Pg. 6 under action item #3, 4-1, Maguire, vote should be 3-1
7. Pg. 6 under action item # 5, 2 waste haulers, trash guys and almighty waste and two there that do not align with that.

**VOTE: 4-1, Carder abstained**

**V. PUBLIC COMMENTS OF NON-AGENDA ITEMS (LIMIT 3 MINS PER PERSON)**  
**NONE**

## **VI. ADJUSTMENTS TO THE AGENDA**

VI.1 Councilor Curtis moves to make an adjustment to the agenda to add confirming Jodie Kandel to the Finance Committee.

**Motion** to suspend council rules to add Action Item #7 to the agenda to confirm Jody Kandel to the Finance Committee, moved by Councilor Curtis, seconded by Councilor Chappell

**Vote:** 5-0

## **VII. PRESENTATIONS**

VII.1 Mobile Home Parks Ordinance amendment proposal - Code Enforcement Officer Tammy Munson, CEO reviews the proposed changes

Chair moves to first read and will schedule.

VII.2 Main Street Project final report - Principle Group

Presentation on updates to the Main Street project.

Public: Ann Gass, comments on project including loop trail, Chief Elkanich concerned that emergency vehicles able to access/traverse the roads.

## **VIII. ACTION ITEMS**

VIII.1 To Review and Act Upon Approving the National Suicide Prevention & Action Month Proclamation.

Ordered, the Gray Town Council approves the adoption of the National Suicide Prevention & Action Month Proclamation

**Motion:** Moved by Council Meaney, seconded by Councilor Maguire

**Vote:** 5-0

VIII.2 To Review and Act Upon Approving the Reappointment of Schelene Shevchenko as a regular member of the Community Economic Development Committee for a term expiring on August 31, 2025.

Ordered, the Gray Town Council approves the reappointment of Schelene Shevchenko as a regular member of the Community Economic Development Committee for a term expiring on August 31, 2025.

**Motion:** Moved by Council Meaney, seconded by Councilor Maguire

**Vote:** 5-0

VIII.3 To Review and Act Upon Approving the appointment of Derek Shirley as a regular member of the Ordinance Advisory Committee for a term expiring August 31, 2025.

Ordered, the Gray Town Council approves the appointment of Derek Shirley as a regular member of the Ordinance Advisory Committee for a term expiring August 31, 2025.

**Motion:** Moved by Council Meaney, seconded by Councilor Curtis

**Vote:** 5-0

VIII.4 To Review and Act Upon Approving the Appointment of Samantha Lee as a regular member of the Open Space Committee for a term expiring August 31, 2025.

Ordered, the Gray Town Council approves the appointment of Samantha Lee as a regular member of the Open Space Committee for a term expiring August 31, 2025.

**Motion:** Moved by Councilor Maguire, seconded by Councilor Meaney

**Vote:** 5-0

VIII.5 To Review and Act Upon an Amendment to the FOAA Policy.

Ordered, the Gray Town Council approves the proposed amendment to the FOAA Policy, which updates the FOAA officer information.

**Motion:** Moved by Councilor Chappell, seconded by Councilor Maguire; point of order if this is something that should be in front of the Council. Town Manager explains the fees are governed by the State Statute, this is administrative change, discussion followed concluding these administrative/clerical changes can be reported in the Town Managers report to the Council. There are 2 lines for FOAA requests – 1 hour vs. 2 hours needs to be updated. Should be deleted to see FOAA rules

**VOTE: 5-0**

VIII.6 To Review and Act Upon Approving the Return-to-Work Policy for Town employees.

Ordered, the Gray Town Council approves the Return-to-Work Policy, which is designed to assist injured workers in transitioning back to the workplace.

**Moved:** by Council Meaney, Seconded by Councilor Chappell  
Chair Carder 1<sup>st</sup> sentence of the 3<sup>rd</sup> paragraph, run on sentence, can be worded better.

**Motion:** to table the item by Councilor Meaney, second by Councilor Chappell

**Vote:** 5-0

Point of order – no discussion once motion to table

VIII.7 To Review and Act Upon Approving the Appointment of Jodie Kandel as a regular member of the Finance Committee for a term expiring August 31, 2025.

Ordered, the Gray Town Council approves the appointment of Jodie Kandel as a regular member of the Finance Committee for a term expiring August 31, 2025.

**Motion:** Moved by Councilor Maguire, seconded by Councilor Chappell

**Vote:** 5-0

## **IX. REPORT FROM THE COUNCIL CHAIR**

- **Comprehensive Plan Coordinators:** Krista and Dan set up a meeting on coordinators. Meeting to be set prior to next council meeting.

- **Council Retreat:** is set for Sat 10/1 and will be held at the Coolidge Chapel.
- **Committee Training/Forum:** Date, location, format and agenda to come. Requested Kyle to update Committee members on website. Zoom link will be provided. All committees their annual reports have been submitted.
- **Main Street Project:** Goal is to have fully agreed upon set of plans in one year, September 2023. Will give us the best funding opportunities. FMI review the 9/15 workshop meeting.
- **Schedule:** Sat Oct 1<sup>st</sup> – Council Retreat Tues Oct 4<sup>th</sup> WS/TC meeting W-T 10/5 & 10/6 MMA Summit Wed Oct 12<sup>th</sup>/Thurs 20<sup>th</sup> Committee training/forum Tues Oct 18<sup>th</sup> WS/TC meeting. Standalone workshop scheduled for Nov 1 @ 5PM – 7 pm.

## X. REPORT FROM THE TOWN MANAGER

- Community Engagement/Technology to make Town Hall a more engaging environment.
- HR challenges
- MMA voting delegates, Nate will attend and will serve as delegate if preferred. Council agrees this will work.
- Memo from Public Works regarding the increasing costs of everything has gone up since the Ukraine war.
- Thayer Brook trail head? Is it the intention of the Council to have this parking lot plowed. Yes
- Welcome you to attend the 10/11 Candidate forum
- 

## Y. XI. COMMITTEE REPORTS

- **Chair Carder – Recreation Committee:** Met on 9/12. Worked on the memorandum of understanding for the Gray / New Gloucester recreation collaboration. GNG Halloween event Sat 10/29, rain date 10/30, 2 members didn't reapply, looking for new members. Next meeting 10/3 at 6pm. Open Space met on 10/7, reviewed information from joint meeting with Planning Board. Finalized annual report, next meeting 10/5. DMS met yesterday, moved items for the new layout.
- **Councilor Chappell:** The OAC met 9/8. Worked on the Self Storage Facility. Agreement in changes and buffering needs more explicit guidelines and design standards for buildings. Concerned about environmental impact/clear cutting. The Resiliency Committee will meet 9/23 @ 4PM. GPCOG Ex. Committee – updated services brochure. Resiliency Fellows presentation. Moving forward for safe housing initiative. Revolving loan program – gap funding for local businesses.
- **Councilor Maguire:** Planning Board met. Discussed stipends for the Planning Board, consensus is to keep it simple. Similar to Council stipend. Discussed hybrid meeting policy, preference is in person. Planner will work on a draft. Similar to the Council policy. Next meeting 10/13. Finance Committee meeting 9/29, agenda to review quarterly reports and set planning for the next year.
- **Councilor Curtis:** GCTV will meet 9/28. CDEC moved to 9/28. Library trustees committee will set date soon.
- **Council Meaney:** Planning Board, Caswell Property proposing to build a commercial kitchen and enlarge farm stand. Zoning Board 9/28 next meeting. Blueberry Festival last meeting, attendance approximately 2,500. Talk of moving it to one of the schools.

## XII. COUNCIL CORRESPONDENCE/ACTIVITIES

- **Councilor Maguire** appreciates the reports from staff

- **Councilor Chappell:** Food Pantry ARPA funds awarded still not received, able to work with Katie Johnston, Finance Director, to get that to them this week. Sent notes to Alec Dodd and Kathy George to thank them for their service to the Town. Sent email to School Board and Superintendent regarding GPCOG event in Scarborough regarding electronic school bus demonstration.
- **Councilor Meaney:** MMA workshop on Local planning board of appeals
- **Chair Carder:** received communications from Deere Acres. Email for appreciation to Recreation Dept. for senior programming. Email from a resident appreciative to response to the Welcome to the Village sign blocking another sign. Email regarding permit fee process. Email for support for a dog park. Inquiry seeking assistance regarding our new playground to make a similar one in their town. Email about receiving funds form Opportunity Alliance for Seniors and an email from a former employee both deferred to Nate.

### **XIII.ADJOURNMENT**

**Motion** to Adjourn at 9:30PM by Councilor Curtis, seconded by Councilor Meaney

**Voted:** 5 - 0

**TOWN GRAY**  
**GRAY TOWN COUNCIL EXECUTIVE SESSION**  
**MINUTES • SEPTEMBER 20, 2022**

**Town Council  
Executive Session**

**Town Council Chambers**  
**24 Main Street, Gray, ME 04039**  
<https://us06web.zoom.us/j/88358486565>

**6:00 PM**

**II. ROLL CALL**

Attendee Name	Title	Status
Sandra Carder	Chair	Present
Krista Chappell	Vice Chair	Present
Dan Maguire	Member	Present
Michael Curtis	Member	Present
Martin Meaney	Member	Present

**EXECUTIVE SESSION**

The Council will enter an Executive Session under MRS Title 1 Chapter 13 Section 405.6.A for matters of Personnel to complete the Town Manager's six-month review.

Motion to enter into Executive Session under MRS Title 1 Chapter 13 Section 405.6.A made by Councilor Meaney, Second by Councilor Maguire, Vote 5-0

**ADJOURNMENT**



**TOWN GRAY**  
**GRAY TOWN COUNCIL**  
**MINUTES • OCTOBER 4, 2022**

**Gray Town  
Council Regular  
Meeting**

**Town Council Chambers  
24 Main Street, Gray, ME 04039  
<https://us06web.zoom.us/j/85042037800>**

**7:00 PM**

**I. OPENING STATEMENT**

*This meeting will be held in person and online with the link provided in the agenda header. For the Public Hearings, residents can click in to participate or call in using the number provided during the Public Hearings as detailed in the agenda.*

**II. ROLL CALL**

Attendee Name	Title	Status
Sandra Carder	Chair	Present
Krista Chappell	Vice Chair	Present
Dan Maguire	Member	Present
Michael Curtis	Member	Present
Martin Meaney	Member	Present

**III. PLEDGE OF ALLEGIANCE TO THE FLAG**

**IV. MINUTES FROM PREVIOUS MEETINGS – Not ready**

**V. PUBLIC COMMENTS OF NON-AGENDA ITEMS (LIMIT 3 MINS PER PERSON)**

*Comments are intended for information sharing, not discussion. Comments in excess of three minutes are welcome at the end of the agenda prior to adjournment. Call 646-558-8656 / Meeting ID: 850 4203 7800*

**VI. ADJUSTMENTS TO THE AGENDA**

**VII. PUBLIC HEARING(S)**

VII.1 Public Hearing and 1st Reading - To Review amendments and take Public Comment in regard to the Mobile Home Park Ordinance and Act Upon setting a Second Reading/Public Hearing for October 18, 2022, to consider the amendments to the Mobile Home Park Ordinance (Chapter 402A) regarding Mobile Home Park Registration

Be it Ordained, the Gray Town Council approves a second reading/public hearing on October 18, 2022, to consider amendments to the Mobile Home Park Ordinance (Chapter 402A).

**Motion:** Moved by Council Meaney, seconded by Councilor Maguire

**Vote:** 5-0

VII.2 Public Hearing - To Review and Act Upon amendments to the General Assistance Ordinance. Amendments to update Appendices D-G 2022 Maximums

Be it Ordained, the Gray Town Council approves the amendments to the General Assistance Ordinance replacing Appendices D, E, F, and G.

**Motion:** Moved by Council Meaney, seconded by Councilor Maguire

**Vote:** 5-0

VII.3 To Review and Act Upon Authorizing a Liquor License application for Catherine Caswell, d/b/a Barn & Table, located at 64 Lewiston Road.

Ordered, the Gray Town Council approves the Liquor License for Catherine Caswell, d/b/a Barn & Table, located at 64 Lewiston Road.

**Motion:** Moved by Council Meaney, seconded by Councilor Maguire

**Vote:** 5-0

## VIII. ACTION ITEMS

VIII.1 To Review and Act upon Appointment of Toby Bragdon as a regular member of the Community and Economic Development Committee with a term to expire August 31, 2023.

Ordered, the Gray Town Council approves the appointment of Toby Bragdon as a regular member of the Community and Economic Development Committee with a term to expire August 31, 2023.

**Motion:** Moved by Council Meaney, seconded by Councilor Maguire

**Vote:** 5-0

VIII.2 To Review and Act Upon approving the appointment of Andrew Patterson as a regular member of the Zoning Board of Appeals with a term expiring August 31, 2024

Ordered, the Gray Town Council appoints Andrew Patterson as a regular member of the Zoning Board of Appeals with a term expiring August 31, 2024

**Motion:** Moved by Council Meaney, seconded by Councilor Maguire

**Vote:** 5-0

VIII.3 To Review and Act upon Appointment of Anthony Grabarz as a regular member of the Zoning Board of Appeals with a term to expire August 31, 2025.

Ordered, the Gray Town Council approves the Appointment of Anthony Grabarz as a regular member of the Zoning Board of Appeals with a term to expire August 31, 2025.

**Motion:** Moved by Council Meaney, seconded by Councilor Maguire

**Vote:** 5-0

VIII.4 To Review and Act upon correcting the term expiration for Samantha Joyce-Klaper Lee as a regular member of the Open Space Committee. The original vote of September 20, 2022 indicated an expiration of 8/31/2025. The appointment is being corrected to a term expiring 8/31/2024.

Ordered, the Gray Town Council approves the correction of Samantha Joyce-Klaper Lee appointment to the Open Space Committee as a regular member for a term to expire August 31, 2024.

**Motion:** Moved by Council Meaney, seconded by Councilor Maguire  
**Vote:** 5-0

VIII.5 To Review and Act Upon Approving the Return to Work Policy for Town Employees.

Ordered, the Gray Town Council approves the Return-to-Work Policy, which is designated to assist injured workers in transitioning back to the workplace.

Ordered, the Gray Town Council removes the approval of the Return to Work Policy from the Table.

**Motion:** Moved by Council Meaney, seconded by Councilor Maguire  
**Vote:** 5-0

VIII.6 To Review and Act upon the revised Facility Use Policy

Ordered, the Gray Town Council approves the revised Facility Use Policy.

**Motion:** Moved by Council Meaney, seconded by Councilor Maguire  
**Vote:** 5-0

## **IX. REPORT FROM THE COUNCIL CHAIR**

- Council Retreat held 10/1. Council and Manager agreed to 5 goals for this session. Completed review of tracking sheet. Reviewed list of new laws passed in the last session. Focus will remain on the Main St/Yarmouth Rd infrastructure project. Continue to work on Ordinance backlog. Document shared with Council. At next meeting will make sure everyone in agreement on updates.
- Committee Training Forum on Oct. 20. 90 min. limit, remote option available. Notify your committees to let them know the date and time.
- Held joint leaders meeting on 9/22. New Gloucester could not attend.
- Reviewed Libby Hill trail system and budgets
- Reviewed pilot program for summer school program, using grant funding able to extend to an all-day hybrid. 111 student participants. Also freed up spots in the summer program. Program held in 3 schools. Town childcare program is maxed out. Staffed, location and other pieces need to be worked on. Next meeting 12/15 @ 9AM. Will invite new legislative team. Let her know additions to list.
- New Urgent Care coming to Gray. Near the Post Office. Opening in the fall according to their website.
- Libby Hill maintenance agreement. Final draft of agreement ready. Meeting with the Endowment and MSAD facilities committee. Bring back to Council in December
- Working with Mo & Karl continue to work on the policies and procedures document. Meeting with Fiddleheads Outdoor Curriculum Director next week. They use Libby Hill trails for some of their classes.
- Comprehensive Plan Coordinators – any update? Still have not formally set a meeting.

## **X. REPORT FROM THE TOWN MANAGER**

- Report is on page 61 of the packet materials. Councilor Chappell asked to have a little more information about the guided tour of Little Sebago Lake. Pam Wilkinson gave a boat tour of the lake, assisted by the Code Officer and Planner. Talked about water quality concerns and public access, different building types, camps/homes. Encourages others to take similar type of cruises to learn about the lake.
- Indigenous Peoples Day is 10/10 Town services will be closed, except essential services
- Brownfield Committee met today, well attended, some suggestions on vetting the applicants. The Committee will be giving candidate properties to look at / contact for the program. Next meeting will be approximately 3 months from now.
- Materials regarding certification with MTCMA. Appreciate your patience with my absence to attend these trainings to get certifications. Appreciate town staff that keep the wheels turning when I'm away. State certification makes me eligible for the ICMA.

## **Y. XI. COMMITTEE REPORTS**

### Councilor Meaney:

- Planning Board meeting 10/13
- Wild Blueberry Festival will be after the first of the year
- 9/28 Zoning Board of Appeals. 4 variances, 2 postponed (Bennett & Babbitt). Other 2 variances approved.
- Finance Committee met 9/29. Gary Robbins elected Chair. Nov 7<sup>th</sup> we will be audited. Katie asked Council to develop a form for tracking when the Town Manager to get estimates on travel costs and mileage to help track expenses. Next meeting is Nov 3 @ 4PM.

### Councilor Curtis:

- Library meeting moved to the 28<sup>th</sup> of this month

### Councilor Maguire:

- Finance Committee addition to Councilor Meaney's report. The Council is responsible for helping review the payroll and accounts payable warrants. Councilor Meaney and I will work with Katy to fulfill this responsibility. And add to the Finance Committees duties. Will send draft language to Chair Carder. The duties are just a second set of eyes.
- Our next meeting doesn't appear on the website. We should have place holders out there for our dates. Talk to Kyle about how meeting dates and times appear.

### Councilor Chappell:

- Resiliency committee met on 9/23. Learned about ways the committee can work with the library to get out information as well as GCTV.
- Rachel provided an update GNG high school leadership club. Presented to the curriculum committee and has been approved as an official club at the high school. Next meeting 10/28
- Ordinance Advisory Committee met on 9/29. Reviewed Weight Limit Ordinance, no changes recommended. Also reviewed Self Storage, buffering – maintain strict standards and vegetative buffers all sides of perimeter. Discussed solar panels on self-storage – consider reflective qualities on neighbors and cars going by. Chair Carder says they are built to absorb the light. Reviewed the OAC charge, noted in the workshop. Next meeting 10/27.
- GPCOG meeting 10/18

### Councilor Carder:

- The Dry Mills Committee held a private tour for Galen Morrison, Gray Historical Society, on 9/29 to review our plan and increase collaboration. Discussion about merging the groups into a Friends of the DMS, 501.3.c, more conversations to be had prior to a proposal to the council. Next meeting 10/7.
- Recreation met without a quorum. Discussed getting the word out to recruit members, reviewed upcoming holiday events, the GNG Halloween 10/29 1-3PM rain date 10/30 – looking for

volunteers to decorate their trunk and hand out candy. Candy donations should go to the Recreation Department. Tree Lighting will happen Sunday November 7<sup>th</sup>. Time to get the Christmas shoeboxes ready for Elections. Staff advise the salary adjustments made have helped them fully staff. Not the case with other rec dept. Next meeting is 11/7 @ 6pm.

- Open space meets tomorrow at 6PM.

## **XII. COUNCIL CORRESPONDENCE/ACTIVITIES**

Councilor Meaney:

- April Russell, 3 Rivers Edge Rd. Why was her road not taken over by the town? Researched and advised her to get a land use atty and make sure her title policy was up to date.
- Kathleen Schuman (?) wanted to make sure enough monies were budgeted for food and fuel assistance as she expects it to be cold.
- Candidate night 10/11 @ 6:30.

Councilor Curtis:

- Citizen would like easier access to the Post Office via Center Rd.

Councilor Maguire:

- Call from Chair of Maine Alliance of Road Associations. Appreciative of the letter from Nate. Ask me to speak at a board meeting and I did. The relationship between road associations and town. Working to lobby folks in Augusta to create some standardized legal definitions for roads that get used interchangeably.

Councilor Chappel:

- Email from Anne Gass requesting which properties in Gray have been exposed to PFAS, there is a state website where you can put information to find. The Town does not have this information, the website showed 2 properties off Thayer Brook. Will review and get back to her.

Chair Cardner:

- Exchanged messages with resident regarding the village plan, reservations resulting in bigger trucks getting back on the highway, lower the NG toll, reducing lane width, bump outs, trees, etc. Notified her MTA is autonomous entity, and we would be requesting again to them.
- Email from GNG Little League expressing disappointment the Village Plan did not include proposed relocation of the Douglas Field, the new Gateway Village property. Reassured him the plan was being updated to include the field. May have some grant opportunity to help assist with costs.
- Nate and I both interviewed by Lori Valegra from the BDN for a story that came out today about the Village Revitalization Plans.
- Resident reached out about a proposed community event.

## **XIII. ADJOURNMENT**

**Motion** to adjourn at 8:17 by Councilor Maguire, second Councilor Meaney

**Vote:** 5-0

# Legislative Review

SEN. CATHY BREEN

GRAY, MAINE — OCTOBER 18, 2022

# Gray by the Numbers

- ▶ In May of 2022, Gray was scheduled to receive its second tranche from the American Rescue Plan Act's Local Fiscal Relief Fund, or \$434,213.
- ▶ In FY2022, MSAD 15 received \$11.25 million from the state for K-12 education — \$360,285 more than in FY2021.
- ▶ In FY2022, Gray received \$1.13 million in Municipal Revenue Sharing — \$418,268 more than in FY2021.

# Economic Relief

- ▶ **We provided inflation relief checks.** More than 800,000 Eligible working Maine families and older Mainers received \$850 in direct relief. The cost to the state was \$729 million.
- ▶ **We provided property tax relief for working families and older Mainers.** We permanently expanded the Property Tax Fairness Credit to give eligible working families and older Mainers much-needed relief on property tax or rent. The maximum benefit is \$1,000 each year for those under 65 and \$1,500 for those over 65.
- ▶ **We provided tax credits for working families.** We permanently increased the Earned Income Tax Credit to help 100,000 Maine families make ends meet amid rising costs of electricity, gas, child care and more.
- ▶ **We passed cost of living adjustments for retired state workers.** We made critical cost of living adjustments to state pensions for retired workers, including teachers, who were the target of unfair budget cuts in 2011.
- ▶ **We reduced taxes for Maine retirees.** We increased the annual income tax pension deduction to \$25,000 – a \$15,000 increase.

# Property Tax Stabilization Program

- ▶ Property Tax Stabilization for Senior Citizens allows certain senior-citizen residents to freeze the property taxes on their homestead. An applicant:
  - ▶ Must be at least 65 years old,
  - ▶ Must be a permanent resident of the state, and
  - ▶ Must have owned a Maine homestead for at least ten years.
- ▶ As long as the individual files an application and qualifies each year, the tax billed to them for their homestead will continue to be fixed at the amount they were billed in the prior tax year.
- ▶ If taxes assessed on eligible property exceed the “stabilized” amount, the state must reimburse municipalities 100% of the difference.

# Property Tax Stabilization Program, continued: Application Process

- ▶ An individual must file a completed application, including any requested proof of qualification, with their local assessor by December 1.
- ▶ The assessor will determine if the applicant qualifies for the program and will notify the applicant whether they have been approved or denied.
- ▶ Participants must file a new application with the municipality each year in order to maintain their stabilized tax amount.
- ▶ As long as a participant continues to qualify and apply every year, their tax bill will remain the same as it was in the year an application was first submitted.

# Education

6

- ▶ **We created the Education Rainy Day Fund** to ensure the state continues to meet its obligation to fund public K-12 education at 55 percent as mandated by the voters in 2004.
- ▶ **We funded Career and Technical Education.** The budget allocates \$1.6 million for CTE programs to ensure they have materials and equipment.
- ▶ **We supported Jobs for Maine Graduates.** We invested critical funding in the JMG program, which supports middle and high schools students.
- ▶ **We extended free school meals,** ensuring all Maine students in public schools can continue to access healthy school meals at no cost.
- ▶ **We provided two years of free community college** for all students from the high school graduating classes of 2020 through 2023 who enroll in a community college full-time.
- ▶ **We froze in-state tuition at the UMaine System.**
- ▶ **We expanded the Opportunity Maine Tax Credit,** increasing the maximum annual individual benefit from \$2,000 to \$2,500, up to a \$25,000-lifetime benefit.

# LD 2003, a Bill to Increase Affordable Housing: Background

- ▶ **Maine faces a housing crisis.** Supply has not kept up with demand. We've built only 250 units of affordable housing annually on average. The need is 1,000 units per year. There are over 25,000 people on affordable housing waitlists statewide. The housing crunch is not going away. More people from other states are moving to Maine: 16,300 people moved here last year and only 6,800 building permits were awarded. 4 out of 5 permits were for single-family homes.
- ▶ **Local zoning matters.** This law preserves local dimensional requirements, setback requirements, base density requirements, minimum lot size requirements, shoreland zoning requirements, subdivision regulations, and any existing or future deed restrictions or neighborhood covenants. To build new units, builders must supply proof that there is sufficient capacity for drinking water and wastewater systems. This law is not one-size fits all because it relies on existing local rules which vary from town to town.
- ▶ **Thanks to this law, Maine will be able to tap into additional federal resources.** The White House has released a policy to reward jurisdictions that have reformed zoning policies with higher scores for certain federal grants.

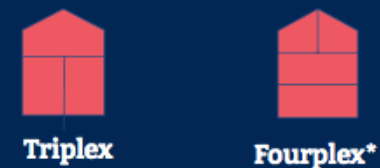
# LD 2003 will:

- ▶ **Make smaller, attainable homes more available in Maine, growing the supply of housing to tackle affordability.** Accessory dwelling units (ADUs) that meet local requirements will be allowed in all towns so homeowners can build a structure for a family member to live in or to rent. Under the new law, ADUs are excluded from counting towards municipal growth caps.
- ▶ **Maximize housing in areas where housing is already allowed.** In areas where single-family housing is already permitted, this law allows up to 2 dwelling units on lots where a home already exists. It allows up to 4 units on an empty single-family lot, so long as the fourplex is located within a municipal growth area or can be connected to public water and sewer if the town does not have a comprehensive plan. In all cases, local rules for dimensional requirements, minimum lot sizes, setbacks, etc. must be met. This means we'll still have single family homes, and we'll have more in-law apartments over garages, plus more duplexes and triplexes.
- ▶ **Answer the call of municipalities who've asked for technical and financial assistance from the state** so they can tackle other land use issues locally, such as climate resilience or solutions to short term rental challenges. It creates a statewide incentive program for reviewing how zoning and land use ordinances may impact the availability of housing.
- ▶ **Create a density bonus for affordable housing in town-designated growth areas and areas served by public water and sewer.** For projects that meet the affordability requirements, density can be 2.5 times the base density of the municipality.

## Residential Areas

Where Single-Family Homes Are Already Allowed

### EMPTY LOT

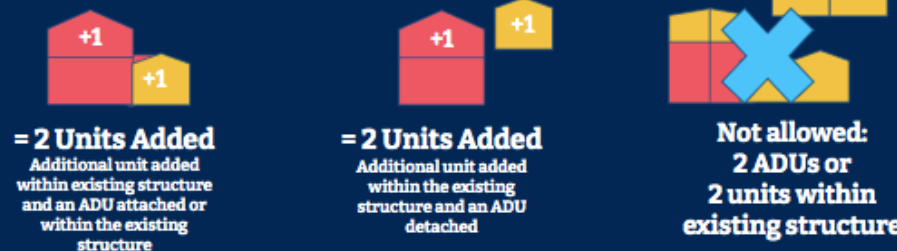
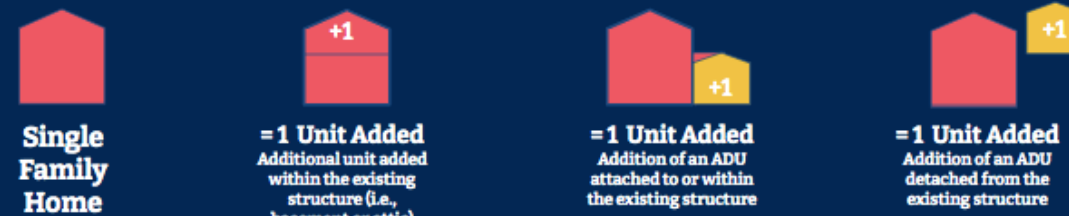


Only allowed if:  
-Located in "growth area" according to comprehensive plan  
OR  
-Located in area with existing water/sewer capabilities in towns without comprehensive plans

## Residential Areas

Where Single-Family Homes Are Already Allowed

### EXISTING HOME



# PFAS Remediation and Environmental Protection

10

- ▶ **We banned out-of-state waste.** We closed a loophole that still allowed trash from outside Maine to be shipped in and disposed of at the Juniper Ridge Landfill in Old Town.
- ▶ **We established a trust to address PFAS contamination.** We created a \$60 million fund to acknowledge the need to address PFAS in several new areas, including compensation to help relocate farm businesses when remediation is not possible, monitor health and support new research and removal.
- ▶ **We improved PFAS testing and abatement.** We took steps to help state and private labs build PFAS testing capacity to improve PFAS detection in Maine. We also provided critical funding to abate, clean up and mitigate threats or hazards posed by PFAS.
- ▶ **We protected Maine residents amid rising sea levels.** We passed a new law to help Maine residents living along the coast protect their homes and afford flood insurance in the wake of rising sea levels.

# Social Services/Health Care

11

- ▶ **We invested \$250,000 in Meals on Wheels**
- ▶ **We boosted in-home and community support services for older Mainers and other adults.** We reduced the waitlist for older Mainers eligible and waiting to receive in-home services to assist with day-to-day tasks.
- ▶ **We invested in long-term care.** We funded nursing homes, residential care facilities and other providers. We also provided cost-of-living adjustments and increased rates to support wages of at least 125 percent of minimum wage for direct care workers.
- ▶ **We funded Maine hospitals.** Lawmakers invested \$25 million in Maine's hospitals to keep these facilities open so Mainers all across the state can access care when they need it most.
- ▶ **We established the Hospital Loan Fund to help struggling hospitals repay loans.**
- ▶ **We created an EMS commission** to examine the structure, support and delivery of emergency medical services and make recommendations on how the state can better support and partner with our first responders.

# Social Services/Health Care, cont.

12

- ▶ **We strengthened health care for new mothers.** A new law will require insurers to provide coverage for 12 months of postpartum care.
- ▶ **We strengthened fertility care coverage.** Another bill requires state-regulated health insurance plans to cover fertility care for Mainers struggling to start a family.
- ▶ **We improved health care coverage for Maine kids.** We expanded the Children's Health Insurance Program to ensure an additional 40,000 Maine kids can receive care.
- ▶ **We mandated testing for Cytomegalovirus (CMV) in infants.** CMV is a little-known, but preventable, virus. A new law ensures more Maine kids can be screened and treated.
- ▶ **We rebuilt Maine's oral health care program.** Lawmakers provided funding to rebuild this vital program in the CDC so children can access dental care during elementary school
- ▶ **We pursued long-term strategies to lower health care costs** by directing the state to study barriers to affordable health care and develop improvements

# Prescription Drug Reform

13

- ▶ **We improved contraceptive coverage.** A new law requires all state-regulated health care plans to cover all prescription contraceptive medications approved by the FDA
- ▶ **We provided emergency access to lifesaving chronic medication.** Another new law will allow pharmacists to dispense an emergency supply of a chronic maintenance medication used to treat long-term conditions without a current, valid prescription from a health care provider. This will reduce hospital visits and save lives.
- ▶ **We clamped down on double-billing practices.** LD 1783 will ensure patients get the full value of their insurance premiums and protect patients from shady double-dipping practices that often fly under the radar. The new law targets copay accumulator programs that allow Pharmacy Benefit Managers, otherwise known as middlemen, to essentially double-bill policyholders, increasing profits for PBMs and insurers at the expense of the patient.
- ▶ **We studied long-term solutions to prescription drug reform.** We passed a law this year to study how much consumers could save if we adopted international reference rates for the most expensive and most common drugs in Maine. It's a key step towards long-term relief.

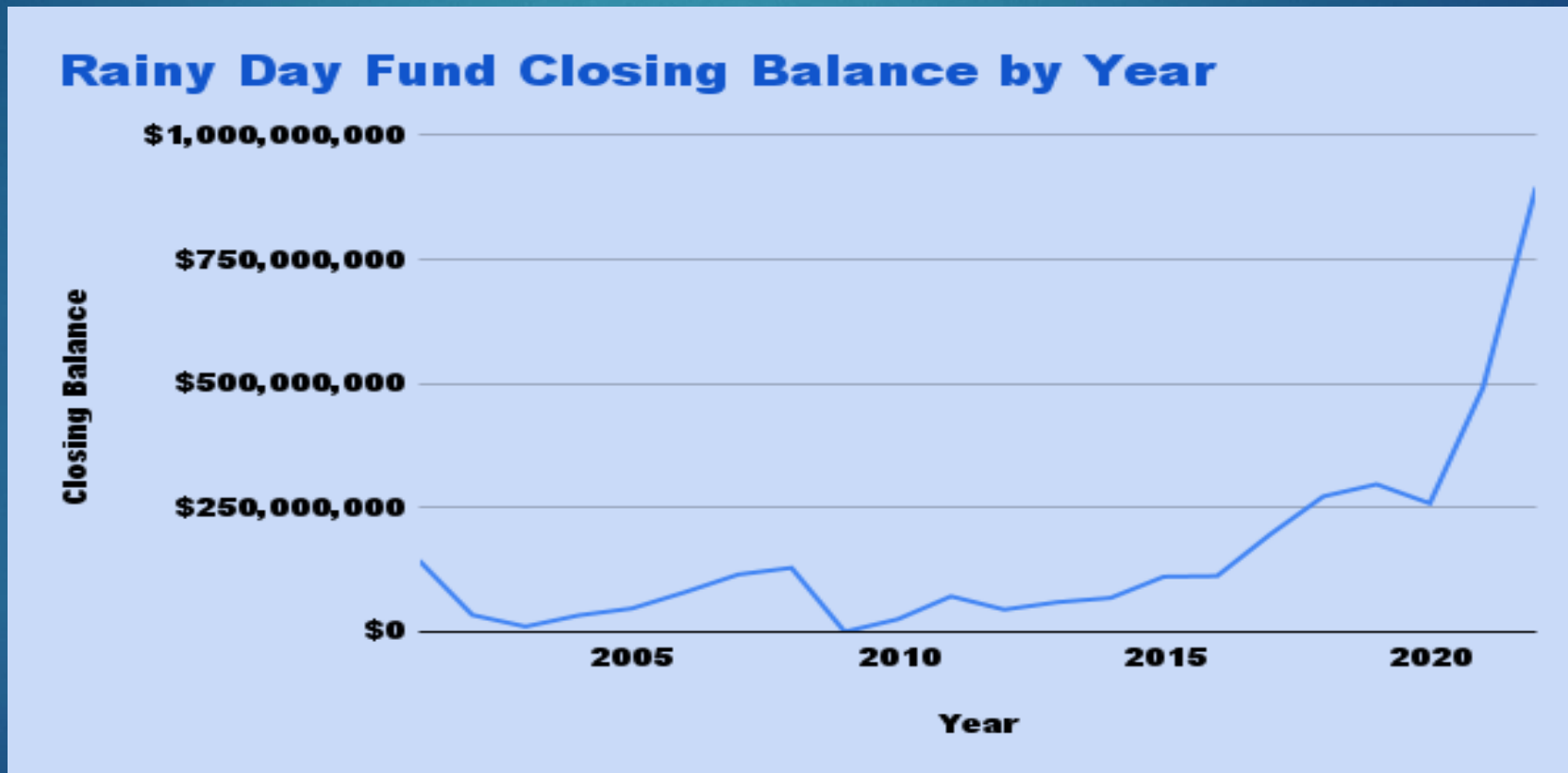
# Help for Children and Working Families

14

- ▶ **We bolstered the child care workforce.** We passed a new law to help child care providers recruit and retain workers, keeping their doors open and preparing Maine children for kindergarten.
- ▶ **We improved access to affordable housing** with a historic law that helps towns and cities expand their housing options. We also extended the Historic Property Rehabilitation Tax Credit, which protects the character of our downtowns while expanding housing options.
- ▶ **We funded lead poisoning prevention.** One-time funding in the budget supports the overhaul of the case management system for the lead poisoning prevention program.
- ▶ **We took steps to better prevent child abuse.** We funded the homebuilders' program and home visiting evidenced-based programs proven to improve child outcomes and support parents.
- ▶ **We took steps toward Paid Family Medical Leave.** Lawmakers provided funding for an actuarial study to determine the feasibility of implementing a Paid Family and Medical Leave program in Maine.
- ▶ **We strengthened the Child Welfare Ombudsman.** We improved staffing, funding and employment benefits for the Child Welfare Services' Ombudsman program. This ensures that the Ombudsman can provide input and recommendations to both the Department and Legislature.
- ▶ **We sought justice for Maine children.** We required the Attorney General to formally request that the courts prioritize the scheduling of homicide cases in which the victim is under the age of 18. The new law aims to reduce the backlog of cases caused by the pandemic and better protect children from abuse in similar situations.

# Rainy Day Fund

- ▶ The Budget Stabilization Fund balance is \$896 million, the highest level in its history by far.



# New Election Laws

16

- ▶ **We protected ballot security.** To further ensure the security of our ballots, this year we passed a law to strengthen Maine's chain of custody laws to guard against outside political interference in election administration.
- ▶ **We established open primaries.** This session, we passed a law to create semi-open primaries, allowing unenrolled voters to participate in either the Democratic or Republican primary each election cycle, without changing their party affiliation. The new law takes effect in 2024.
- ▶ **We provided funds for election transparency and audits.** The Supplemental Budget funds election training for town clerks, creates a process for citizens to report concerns about election security and directs the Secretary of State to conduct post-election audits.

# Energy Relief

17

- ▶ **We provided electric rate relief for small businesses.** This new law creates a tiered credit worth up to \$3,000 for eligible small businesses to help with high energy costs.
- ▶ **We improved access to the Home Energy Assistance Program.** We partnered with Maine Housing and Maine's Community Action Programs to cut red tape and ensure that Mainers can apply for home-heating assistance online beginning next winter.
- ▶ **We empowered Maine rate-payers.** This new law creates a stakeholder group with a diverse membership, including working Mainers, to review price-setting decisions in order to bring greater accountability and consumer input to the electric rate-setting process.
- ▶ **We held utility companies accountable.** LD1959 makes sure utility companies put the needs of their customers first or face steep penalties. It also strengthens whistleblower protections.

# Other

18

- ▶ **We funded a tick lab at the UMaine Cooperative Extension**
- ▶ **We created a lobster legal defense fund** to support Maine lobster harvesters in the wake of harmful and unfounded regulations from the federal government.
- ▶ **We outfitted State Police with body cameras**
- ▶ **We provided veterans with property tax relief** One law expands the Veterans' Property Tax Exemption to include those who served in the Armed Forces of the United States during the period from February 1, 1955 to February 27, 1961. The second law doubles the amount of relief for permanently disabled veterans.
- ▶ **We funded county jail operations**
- ▶ **We invested in electric vehicle rebate programs**
- ▶ **We supported CASH Maine—free volunteer tax assistance**
- ▶ **We helped Marine Resources with climate adaptation and assessment of coastal fisheries**

# Other

19

- ▶ **We increased access to justice.** LD 1696 made “protection from abuse” statutes more accessible to the lawyers, judges and most importantly, the general public.
- ▶ **We supported survivors of sexual violence on campus.** A new law will improve prevention efforts, invest in long-term resources to support survivors and gather comprehensive data on campus sexual violence.
- ▶ **We helped municipal broadband programs.** LD 1894 will help municipalities come up with the capital necessary to leverage grants and other resources to get connected.
- ▶ **We supported our hospitality industry.** We passed a new law making the sale of to-go beverages permanent. We also cut red tape to allow outdoor stadiums to sell spirits on top of wine and beer, and allow wine retailers to transfer bottles between locations.
- ▶ **We extended lobstering hours during peak season.** A new law will extend lobstering hours for the month of September. This will give lobster harvesters more time to fish during the peak season.

**Thank you for listening.**

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Please let me know if you have any  
questions!



## TOWN OF GRAY

Henry Pennell Municipal Complex  
24 Main St, Gray Maine 04039  
www.graymaine.org

CODE ENFORCEMENT OFFICE

*Tammy Munson, Lead Code Enforcement Officer*  
ceo@graymaine.org

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# MEMORANDUM

Date: 09/13/2022

To: Members of the Town Council

From: Tammy Munson, Lead Code Enforcement Officer

Re: Chapter 402A Mobile Home Park Ordinance Town of Gray Maine  
Enacted December 5, 1989 & Amended April 3, 1992

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It has come to our attention there is a requirement in our local Mobile Home Ordinance for trailer parks to register with the Town on an annual basis. After discussing this at length with staff, we cannot find any documentation of this being done over the years. The Ordinance has not been amended since 1992 which leads me to believe this is an unnecessary process. Since the Town does not license any other private homeowners' associations, such as condominiums associations, homeowner associations, etc., we feel this requirement should be removed from the Ordinance.

I have attached a redlined for your approval. Please let me know if you need any other information.

**CHAPTER 402A  
MOBILE HOME PARK ORDINANCE  
TOWN OF GRAY MAINE**

*Enacted December 5, 1989  
Amended April 3, 1992*

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#### SECTION 402A.1 – TITLE

This ordinance shall be known and may be cited as the “Mobile Home Park Ordinance of the Town of Gray, Maine.”

#### SECTION 402A.2 – AUTHORITY

This ordinance is adopted under the authority of the Constitution and laws of the State of Maine.

Regulation of the development, construction, expansion and/or alteration of mobile home parks and the attachments of reasonable conditions to such activities are exercise of valid police powers. These regulations for design, construction, and administrative review of mobile home parks are established to ensure the health, safety, and general welfare of the park residents and the community at large.

#### SECTION 402A.3 – SCOPE AND PURPOSE

This ordinance shall govern the location, establishment, expansion, and operation of all mobile home parks within the corporate limits of the Town of Gray, Maine.

It is the intent of this Ordinance to establish a Mobile Home Park Overlay Zone. This zone applies to all lands identified as mobile home park overlay zones on the Town of Gray, Maine Zoning Map.

Where the boundaries of the MHPOZ as delineated on the zoning map are in dispute, the Planning Board, with the advice from the town staff and the Gray Water District, shall interpret the intent and purpose of the zoning map to determine their location.

In the event of approval of a proposed mobile home park, these regulations shall take precedence over the zoning underlying the specific tract proposed for development.

In determining the suitability of a tract of land for use as a mobile home park, the factors to be considered shall include as a minimum:

- A. Soil suitability for high-density residential uses;
- B. Safe and adequate access to the public street system;
- C. The capacity of the public street to be accessed;
- D. Public water shall be provided;
- E. Tracts adjacent to developed areas, especially higher density areas, shall be preferred to tracts which “leap-frog” vacant tracts.

#### SECTION 402A.4 – DEFINITIONS

~~A. **Accessory Buildings:** Any building customarily incidental to the principal buildings which may include a garage, porch, storage, tool or work shed.~~

~~B. **Health Authority:** The Town Health Officer or State Department of Human Services.~~

~~C. **License:** [RESERVED] An authorization, or written evidence thereof, issued by the Town of Gray, to maintain and operate a mobile home park.~~

~~D. **Manufactured Housing:** As defined by State Statute- (30-A.M.R.S.A. Sec. 4358 (1)(A)).~~

~~E. **Mobile Home Park:** A parcel of land under unified ownership approved by the municipality for the placement of 3 or more manufactured homes.~~

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**F. Mobile Home Park Lot:** The area of land on which an individual home is situated within a mobile home park and which is reserved for use by the occupants of that home. A municipality may require a lot to be designated on a mobile home park plan.

**G. Mobile Home Stand:** That part of a mobile home park which has been improved of the placement of one mobile home including all required appurtenant structures and having provisions for available utility connections.

**H. Non-Conformities:** Lots, structures, uses of land and structures and characteristics of uses, which are prohibited under the term of this Ordinance but permitted to continue unless there is a compelling reason, such as imminent danger to health, to eliminate the non-conformity.

**I. Parking Space:** A minimum of nine (9) feet in width by eighteen (18) feet in length.

**J. Park Management:** The person who owns or has charge, care, or control of the mobile home park.

**K. Permanent Buildings:** Buildings or structures permanently affixed to foundations and not including mobile homes or their accessory buildings on mobile home park lots.

**L. Permit:** An authorization, and written evidence thereof, issued by the Town of Gray, to: construct, alter, and extend a mobile home park; or, to move or relocate a mobile home.

**M. Person:** Any individual, firm, trust, partnership, public or private association or corporation.

**N. Pitched, Shingled Roof:** A roof with a pitch of two or more vertical units for every twelve horizontal units of measurement and which is covered with asphalt or fiberglass composition shingles or other materials, but specifically excludes corrugated metal roofing materials.

**O. Public Water Supply:** Services, facilities and resource supply provided exclusively by the Gray Water District.

**P. Recreational Vehicle:** A vehicle type portable structure without a permanent foundation, which can be towed, hauled, or driven and primarily designed as temporary living accommodation for recreational, camping, and travel use and including but not limited to travel trailers, truck campers, camping trailers, and self-propelled motor homes.

**Q. Sewer Connection:** All pipes, fitting, and appurtenances from the drain outlet of the mobile home to the inlet of the corresponding sewer riser pipe of the sewage system serving the manufactured/mobile home park.

**R. Septic System:** An underground system with a septic tank used for the decomposition of domestic wastes.

**S. Sewer System and Treatment:** Man-made devices for the collection, treatment, and disposal of sewage.

**T. Street:** Any street, area, avenue, boulevard, drive, public place, or highway designed for or commonly used for the purpose of travel by vehicles within the corporate limits of the Town. Distinctions are made in this Ordinance between public streets, which are those outside the boundaries of the mobile home park, and private streets, which are those within the mobile home park.

**U. Trailer:** A structure standing on wheels, towed or hauled by another vehicle and used for short-term human occupancy, carrying materials, goods, or objects, or as a temporary office.

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~~V~~ **Travel Trailer:** A recreational vehicle that is towed by a car or a truck.

~~W~~ **Water Connection:** The connection consisting of all pipes, fitting, and appurtenances from the water riser pipe to the water inlet pipe of the distribution system within the mobile home.

~~X~~ **Water Riser Pipe:** That portion of the water supply system servicing the mobile home park which extends vertically to the ground elevation and terminates at a designated point at each mobile home lot.

#### SECTION 402A.5 – MOBILE HOME PARK USE

A. Mobile home parks shall be located within the Mobile Home Park Overlay Zone as adopted by the Town of Gray.

No portion of the Park shall be located closer than fifty (50) feet to any public way.

The placement of recreational vehicles and trailers is specifically prohibited by this Ordinance.

B. It shall be unlawful for any person to connect utilities to or to occupy a mobile home in a mobile home park within the Town of Gray unless the park is duly ~~licensed-permitted~~ under the terms of this ordinance.

C. Permitted Uses

1. Manufactured Housing as defined by State Statute (30 – A.M.R.S.A. Sec. 4358 (1)(A)).
2. Open Space in the park for recreational use of park residents only.
3. Specifically recognized accessory uses:
  - a. Park Management Office
  - b. Community or recreation building within the park provided for use by park residents only.
  - c. Laundry building provided for use by park residents only.
  - d. Service equipment building for storage of park maintenance equipment only
  - e. Storage facilities for use by park residents only.

D. Conditional Use: Home Occupations

E. Non-Conformities

1. Any mobile home park in existence in the municipality prior to adoption of this ordinance that complies with all applicable legal requirements then in effect is deemed to be legal non-conforming and is not subject to the provisions of this chapter except those concerning use of gas, fuel, and fire protection.
2. An individual mobile home may be replaced or relocated within a legally non-conforming mobile home park if such mobile home is blocked and anchored in compliance with the requirements of the Town of Gray, and if connections are made in compliance with the requirements of the Town of Gray.

#### SECTION 402A.6 – UTILITY SERVICE

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Utility services (water, sewer system, septic system, solid waste, electric) shall be provided only to mobile home parks ~~licensed-permitted~~ in accordance with this ordinance.

All utility services shall be provided in accordance with applicable codes and regulations adopted by the Town of Gray and the State of Maine and which are in force at the time of park plan approval.

#### SECTION 402A.7 – PERMIT FOR A PARK

A. It shall be unlawful for any person to place, construct, or extend any mobile home park within the limits of Gray unless a plan for the park has been approved by the Planning Board and unless that person holds a valid permit issued by the Town of Gray in the name of such person for the specific construction, alteration, or extension proposed.

B. All applications shall be accompanied by the deposit of an application fee of one hundred and fifty dollars (\$150)

C. When, upon review of the application, the Planning Board is satisfied that the proposed plan meets the requirements of this ordinance, it shall authorize the Code Enforcement Officer to issue a permit.

#### SECTION 402A.8 – MOBILE HOME PARK DEVELOPMENT

##### A. Master Plan

Plan required – It shall be unlawful for any person to place, construct, expand, or operate any mobile home park within the limits of the Town of Gray, unless a plan for the park has been approved by the Planning Board.

Pre-application – Generally, prior to the official filing of a mobile home park plan, the developer shall consult with the Town Planner for briefing and advice on the procedures, policies, specifications, and standards required by the Town for mobile home park development.

A sketch plan, or concept plan, shall be submitted to save the developer time and expense in reaching general agreement with the Town as to the form of the plan and the objectives of these regulations.

Ten copies of the Sketch Plan, or concept plan, shall be submitted to the Town Planner at least 10 days prior to the date of the next Planning Board meeting.

Form and Content – Concept plan or pre-application shall show the following:

General Park Plan Information

Site conditions (i.e. existing buildings; treed areas; deer yards; etc.)

Proposed development;

Data on land characteristics (i.e.: dimensions; legal description);

Existing and proposed facilities with utilities;

Number and size of lots;

Areas and uses adjacent to the subject tract;

Proposed physical improvements.

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Location Map

Relationship to existing community with a one (1) mile radius.

Development name, location, scale, north arrow, and date.

Plan

Proposed layout

Streets

Lots

Other features (i.e.: Laundromat; open space; office; landscaping; etc.)

May be made directly on a print of the topographic survey, if available.

The Planning Board shall review the sketch plan, or concept plan, and notify the developer of any changes, modifications, or amendments prior to the submission of the final park plan.

Application and Processing of Final Park Plan – The developer shall comply with all applicable requirements and regulations as stated in all applicable State and local regulations.

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The developer/owner shall submit twenty (20) copies of the final plan with all required items, including all fees, to the Town Planner at least seventeen (17) working days prior to the date on which proper consideration is to be given by the Planning Board. No incomplete final plan application shall be accepted by the Town Planner.

The Planner shall review the park plan as to its conformity with the Comprehensive Plan, the recorded plan and the standards and specifications set forth herein or referred to herein.

The park plan shall also be reviewed by the Town Manager, Town Engineer, Director of Public Works, Director of Parks and Recreation, Law Enforcement, Fire Chief, Rescue, Unit, Post Office, Code Enforcement Officer, Superintendent of the Gray Water District, and the Superintendent of Schools. They shall convey their recommendations concerning the plan to the Town Planner at least 10 days prior to the date on which proper consideration is to be given by the Planning Board. The Town Planner shall relate the comments to the Planning Board at the meeting for which such plan is scheduled for consideration.

The planner shall present the park plan to the Planning Board with comments and recommendations of staff of any other person or agency.

The Planning Board shall study the plan and all recommendations, taking into consideration the requirements of these regulations. Particular attention will be given to the health, safety, and welfare of the park occupants, the arrangement, location, and width of streets, their relation to the topography of the land, sewage disposal, drainage, lot sizes and arrangements, the further development of adjoining lands as yet unsubdivided, and the requirements of other ordinances, policies, and plans as adopted by the Town of Gray.

Within thirty (30) days from the date on which the Planning Board first reviews the Mobile Home Park, the Planning Board shall approve, conditionally approve, or disapprove such plan. In the event of disapproval, the Board will advise the applicant of the specific changes or additions it will require

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in the layout, and the character and extent of required improvements and reservations which it will require as a prerequisite to the approval of the plan.

#### Form and Content

The plan shall be drawn on sheets twenty-four (24) inches wide and thirty six (36) inches long. It shall be drawn to a minimum scale of 100 feet to one inch. The plan shall also show the following:

Name and address of the record owner; owner's representative, if applicable; and the project engineer or surveyor.

Present name of the mobile home park and any other names under which the park has been reviewed, if any.

Mobile home park boundary, indicated by heavy lines, and its computed acreage.

Location, on the site and adjacent to the site, of all existing and proposed:

Buildings and structures.

Streets and other rights-of-way and easements.

Locations and sizes of utilities.

Street paving widths.

Curb return radii.

Parking areas.

Screening.

Natural and environmental features including wetlands, streams, water bodies, etc.

#### Present tract designation

Description by metes and bounds of the perimeter of the mobile home park and its location with respect to an original survey of which it is a part.

Primary control points or descriptions and ties to such control points to which all dimensions, and angle, bearings, lot numbers and similar data shall be referred.

Exact location, dimensions, tract designation, and name of existing and proposed residential lots, parks, public areas, and other related sites within the mobile home park.

The location, dimensions, and flow line or existing water courses and drainage structures on the site or adjacent to it.

Date of survey, scale, and north arrow.

Key map, drawn at a satisfactory scale to show the relationship of the property to adjacent existing streets and identifying features for a distance of at least one-half mile.

Contour lines on a basis of five vertical feet in terrain with a slope of two percent (2%) or less, and on a basis of two vertical feet in terrain with a slope of more than two percent (2%).

A number or letter to identify each lot, or site, and each block.

Front setback lines shown graphically on all lots and sites. Rear and side yard lines shall be described either graphically or as a note on the plan.

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Location of corporate limit line if it traverses the mobile home park or forms part of its boundary.

Other conditions on the site, both physical and technical, when deemed necessary for complete review, and to evaluate impacts on groundwater and adjacent properties (i.e. hydrogeologic studies, erosion control plans).

Index sheet if site plan is drawn on more than one sheet showing the entire mobile home park at a scale determined by the Town Planner.

**B. REVISION OF PLAN AFTER APPROVAL**

No changes, erasures, modifications, or revisions shall be made in any plan of a mobile home park after approval has been given by the Planning Board, unless said changes, erasures, modifications, or revisions are first submitted to and approved by the Planning Board.

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**C. RESPONSIBILITIES OF THE PARK MANAGEMENT**

The person to whom a ~~license for permit for~~ a mobile home park is issued shall operate the park in compliance with this ordinance and shall provide adequate supervision to maintain the park.

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The park management shall supervise the placement of each mobile home on its mobile home stand in accordance with this ordinance.

The park management shall maintain a register containing the names of all mobile home owners identified by lot number or street address. Such register shall be available to any herein authorized person inspecting the park.

**D. RESPONSIBILITY OF PARK OCCUPANT**

The park occupant shall comply with a applicable requirements of this ordinance and shall maintain his mobile home lot, its facilities, and equipment in good repair and in a clean and sanitary condition.

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The park occupant shall be responsible for proper placement of his mobile home and accessory structures on its mobile home stand and proper installation of all utility connections in accordance with the instructions of the park management and State and Town codes.

**SECTION 402.A.9 – PERMITS FOR MOBILE HOME UNITS IN PARKS**

~~A.~~ **A.** It shall be unlawful for any person to place, construct, or extend a mobile home in a mobile home park unless that person holds a valid permit issued by the Code Enforcement Officer in the name of such person for the specific placement, construction alteration, or extension proposed.

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~~B.~~ **B.** All applications for permits shall be made on a form provided by the Town and shall be accompanied by or have already on file with the Town approved master plans and ~~license permits~~ as provided for in this ordinance.

The Code Enforcement Officer shall review permit applications and inspect the premises to determine that the same complies with this ordinance and any other applicable codes and ordinances relative to the location, construction, arrangement, safety, and sanitary facilities of the mobile home.

**SECTION 402A.10 – LICENSES**

**[RESERVED]**

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#### ~~A. APPLICATION AND RENEWAL~~

~~It shall be unlawful for any person to operate any mobile home park within the limits of the Town of Gray unless he holds a valid license issued annually by the Town Council in the name of such person for the specific mobile home park. All applications for licenses shall be made to the Town Manager. After inspection by the CEO and by other Town staff and agencies as required by the CEO, and recommendation to the Town Council, the Council shall issue a license upon compliance by the applicant with provisions of this ordinance.~~

~~Application for original licenses shall be in writing, signed by the applicant, accompanied by an affidavit of the applicant as to the truth of the application and by the deposit of a fee and shall contain at a minimum: the name and address of the applicant; the location and legal description of the mobile home park; and a master plan of the mobile home park.~~

~~Applicants for renewals of licenses shall be made in writing by the holders of the licenses, shall be accompanied by the deposit fee of one hundred fifty dollars (\$150.00), and shall contain any change in the information submitted since the original license was issued or the latest renewal granted.~~

~~B. A license issued to any person for park operation shall not be transferrable in any way should the park be sold, transferred, given away, or otherwise disposed of in interest or control. The unused portion of the license renewal fee shall be pro-rated and refunded to the license holder. A new application for license must be applied for by any new owner or holder of interest in any park in accordance with Section 10.A of this ordinance.~~

#### ~~C. DENIAL OR SUSPENSION~~

~~In the event that the Code Enforcement Officer recommends denial of a renewal of a park license or suspends a license in effect, notice of such decision shall be sent to the applicant. At its earliest possible convenience, the Town Council shall conduct a public hearing regarding the denial or suspension. Notice of such hearing shall be sent to the park owner, park manager, and all residents of the park.~~

~~In conducting its hearing, the Town Council shall review the issues which pertain to the specific situation. The Council shall review:~~

- ~~1. Park compliance with state and local regulations~~
- ~~2. Health, safety, and general welfare issues~~
- ~~3. Water and sewage facilities~~
- ~~4. Compliance of the park with its approved plan~~
- ~~5. Other issues which may be deemed relevant~~

~~The Town Council shall either approve, approve with conditions, or support the denial of the park license. If the applicant should disagree with the action of the Town Council, he may appeal by filing a civil action in Superior Court.~~

### **SECTION 402A.11 – INSPECTION OF MOBILE HOME PARKS**

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The Code Enforcement Officer or his agent is hereby authorized to make such inspections as are necessary to determine satisfactory compliance with this Ordinance and shall have the power to enter at a reasonable time upon any mobile home park property for the purpose of inspecting and investigating conditions relating to the enforcement of this Ordinance.

It shall be the duty of park management to give access to the park register and to all lots during normal business hours to the Code Enforcement Officer or his agent for the purpose of inspection.

#### SECTION 402A.12 – COMPLIANCE

##### ~~A.~~ A. NOTICES

Whenever the Code Enforcement Officer or his agent determines that there are reasonable grounds to believe that there has been a violation of any provision of this Ordinance; he shall give notice of such alleged violation to the person to whom the permit ~~or license~~ was issued as hereinafter provided. Such notice shall:

- ~~1.~~ Be in writing
- ~~2.~~ Include a statement of the reasons for its issuance
- ~~3.~~ Allow a reasonable time for the performance of any act it requires
- ~~4.~~ Be served upon the owner or his agent as the case may require, provided that such notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been sent by certified return receipt to his last known address, or when he has been served with such notice by any method authorized by the laws of this state.

##### ~~B.~~ B. EMERGENCIES

Whenever the Code Enforcement Office finds that an emergency exists which requires immediate action to protect the public health, he may without notice or hearing issue an order reciting the existence of such an emergency and requiring that certain action be taken as he may deem necessary to meet the emergency. Notwithstanding any other provision of this Ordinance, such order shall be effective immediately. Any person to whom such an order is directed shall comply immediately, but shall be afforded a hearing before the Town Council as soon as possible. The provision of this Ordinance shall be applicable to such hearing and the order issued thereafter.

#### SECTION 402A.13 – STANDARDS AND SPECIFICATIONS

##### ~~A.~~ A. DRAINAGE, STORMWATER MANAGEMENT, AND EROSION CONTROL

A storm drainage study and a proposed drainage system plan bot certified by a registered professional engineer, for surface and subsurface runoff, showing measures proposed to prevent pollution of surface or ground water, soil erosion, increased runoff, changes in ground water level and flooding. The storm drainage study shall document post vs. pre-development runoff conditions for the two (2) and twenty-five (25) year, twenty-four (24) hour storms. Drainage improvements shall be designed to control the rate of runoffs for the twenty-four (24) hour storm such that the rate of post development runoff will not exceed that of the pre-development condition.

Soil erosion and the sedimentation control plans prepared according to the specifications of the Cumberland County Soil and Water Conservation District (CCS&WCD), including a letter of plan approval by the CCS&WCD.

##### STREET SYSTEM

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Interior park streets shall intersect adjoining public streets at approximately ninety degrees (90°) and at locations which will eliminate or minimize interference with traffic on those public streets. Access shall be in compliance with acceptable engineering standards and with a professional engineer's seal as required by the Manufactured Housing Board.

**Parking:** All parking shall be off-street. Each mobile home unit shall be provided with two (2) on-site parking spaces. Each space shall have minimum dimensions of nine feet (9') width and eighteen feet (18') length.

**Guest Parking:** Guest parking shall be provided at a rate of one space for each four (4) mobile home units. Guest parking shall be located such that no mobile home is farther than two hundred feet (200') (walking distance) from guest parking.

Minimum pavement widths of park streets shall be twenty feet (20') for two-way traffic; fourteen feet (14') for one-way traffic, and at least seven feet (7') shall be added for each parking lane if provided. In addition to the minimum pavement width, all streets in a mobile home park shall have a cleared area (no vegetation or appurtenances over three feet high) of forty feet (40') within the right-of-way to provide for maneuvering of mobile homes.

The park street system shall have direct connection to a public street.

Street grades may not be more than eight percent (8%). Short runs with a maximum grade of twelve percent (12%) may be permitted, provided traffic safety is assured.

All mobile home parks shall be provided with safe and convenient vehicular access from abutting public streets to each mobile home lot. Such access shall be provided by private park streets.

Entrances to mobile home parks shall be designed to minimize congestion and hazards and allow free movement of traffic on adjacent streets. No parking shall be permitted on the mobile home park entrance street for a distance of one hundred feet (100') from its point of beginning.

Park streets shall be built and designed according to acceptable engineering standards and with a professional engineer's seal as required by the Manufactured Housing Board. In the event the developer intends to offer the streets to the Town for acceptance as town ways, park streets shall be built and designed to those standards as set forth in the Town of Gray Subdivision Ordinance.

Park entrance streets must be able to accommodate all vehicle types having occasion to enter the park, including delivery vehicles and emergency vehicles.

All connections to the public street system shall be paved and shall meet the following standards:

Separation of park streets: four hundred feet (400') along the public road frontage.

Corner clearance is determined by the functional classification of the street as follows:

Arterials: eighty feet (80')

Collectors: forty feet (40')

Minor: thirty feet (30')

Specifications for access aprons shall be equal to the specifications for the existing street and shall be built according to acceptable engineering standards and with a professional engineer's seal as required by the Manufactured Housing Board.

A common walk system shall be provided and maintained between locations where pedestrian traffic is concentrated and is not separated from automobile traffic. Such common walks shall have a minimum width of three and one half feet (3 1/2'). If the slope of a walk is greater than five percent (5%) (1 in. rise in a 20 in. run), a handrail should be provided. The slope of a walk shall not exceed 8.33 percent (8.33%) (1 in. rise in a 12 in. run). Walks shall have a continuous common surface, not interrupted by steps or abrupt changes in level greater than 1/2 in. Where walks cross driveways or parking lots, they shall blend to a common level by means of curb cuts, ramps, or other means. Curb cuts shall have a textured nonslip surface (such as broom-finish concrete). Walks shall be provided with a level area no less than five feet (5') by five feet (5') where they terminate at the doors; in no case shall such walks extend less than one foot (1') beyond the side from which the door opens.

A performance bond or similar financial guarantee acceptable to the Town Manager to secure completion of all improvements required by the Board and written evidence that the Municipal Officers are satisfied with the sufficiency of such bond shall be submitted.

No part of any park shall be used for non-residential purposes except such uses that are required for the direct servicing and well-being of park residents and for the management and maintenance of the park, except for recreation.

Nothing contained in this section shall be deemed as prohibiting the sale of a mobile home located on a mobile home lot and connected to the pertinent utilities.

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The storage, collection, and disposal of refuse in the mobile home park shall be so conducted as to comply with the Town of Gray laws.

Community facilities for the residents of each park should be provided. Facilities should meet the expected indoor and outdoor leisure time needs and may include common laundry facilities and office space for management. Facilities, when provided, shall be safely accessible to all residents. Such structures shall meet all applicable Town and State codes including those for buildings, utilities, occupancy, and handicap accessibility.

Accessory structures or permanent structures within the park shall meet all construction standards for building, plumbing, electrical, and fire protection as adopted by the Town of Gray and the State of Maine.

Each lot shall be marked for identification, easily readable from the park street.

All mobile home parks subject to this Ordinance will connect to the public water system provided by the Gray Water District.

Individual water riser pipes shall be located within the confined area of the mobile home stand at a point where the water connection will approximate a vertical position and shall include a cut-off valve before entering the mobile home.

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An adequate and safe septic system or sewer system shall be provided in all mobile home parks for conveying and disposing of all sewage. Such system shall be designed, constructed, and maintained in accordance with state and local laws. Cluster septic systems shall be limited to a maximum of four dwelling units.

#### LOT LAYOUT AND STANDS

Each mobile home lot shall contain a minimum area of 20,000 square feet. Units may be clustered on a 12,500 square foot lot when serviced by a central on-site subsurface waste water disposal

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system approved by the Maine Department of Human Services provided that a total of 20,000 square feet per unit is provided. Lot areas are exclusive of park streets.

Mobile home stands shall occupy no more than twenty percent (20%) of the respective lot area. The accumulated floor area of the mobile home and its accessory structures shall not exceed fifty percent (50%) of the total area of the lot.

Each mobile home shall be anchored to a six inch (6") thick reinforced concrete slab, the horizontal dimensions of which are the same or larger than the mobile home unit. The concrete slab shall be placed on not less than a 12" layer of well graded compacted gravel on a stripped subgrade. Suitable masonry piers shall be placed from the concrete slab to the girders and hold-down wires, chain, or cable shall be anchored into the slab. A suitable attached skirt extending from the concrete slab to the mobile home shall be provided.

The lots within any mobile home park shall not all be of the same size and shape if mobile homes of different sizes are to be accommodated and if effective use is to be made of the available space.

Buildings, mobile homes, or any structures shall be set back at least ten feet (10') from side and rear lot lines and twenty-five feet (25') from any park street. There shall be no variances of these setbacks.

Buildings and mobile homes shall be set back at least fifty feet (50') from any abutting property.

Placement of mobile homes within a park which appear to be perpendicular to a public road outside of the park is prohibited.

The site, including mobile home stand, patio, structures, and all site improvements shall be harmoniously and efficiently organized in relation to topography, the shape of the lot and the shape, size, and position of structures. Full attention shall be paid to use, appearance, and livability. Special attention shall be given to new mobile home designs and to common appurtenances that are available.

The mobile home unit shall be fitted to the terrain with a minimum disturbance to the land. Existing trees, rock formations and other natural site features shall be preserved to the extent practical.

The distance between mobile homes or mobile home stands shall not be less than twenty feet (20'). If structural additions to the mobile home are to be allowed, design distances must take the additional space required into account.

The site shall provide for a desirable residential environment which is an asset to the community. Innovative and imaginative designs shall be developed.

Visual buffers shall be provided within the property boundary perimeter setback area.

Screen planting shall consist of a mixture of evergreen and deciduous trees or shrubs which will be at least six feet (6') in height and seventy percent (70%) solid within three (3) years of planting.

Screen fences shall be visually attractive structures and constructed of durable weather resistant materials.

Earth mounds shall be limited to slopes which can be easily maintained (3 to 1 for grassed slopes) and be used preferably in combination with screen planting.

A variety of lot and home orientations within each site plan shall be encouraged to:

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- Eliminate monotony and repetitive unit siting;
- Ensure compatibility and specific site shapes and harmony with topography;
- Encourage individual mobile home site privacy;
- Create siting variety and improve appearance; and
- Take advantage of solar siting.

Each mobile home lot shall be designed to be occupied by one mobile home and uses thereto.

Each park shall provide either a recreation area or a fee-in-lieu of provision of such an area.

Recreation areas shall be not less than 2,500 square feet of area, or 100 square feet of area per space, whichever is greater. Suitable separations or other safeguards shall be provided if the recreation area abuts upon a railroad, a public street, a steep slope, or other similar hazard. Land reserved for recreation areas shall be developed, suitable, and usable for such use.

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A fee in lieu of provision of land shall be made in conformance with the Town of Gray Subdivision Ordinance.

#### **SECTION 402A.14 – SEPTIC SYSTEMS**

All septic systems shall comply at a minimum with the State of Maine Plumbing Code.

#### **SECTION 402A.15 – ELECTRICAL DISTRIBUTION SYSTEM**

- A. Every mobile home park and every mobile home shall contain an electrical wiring system consisting of wiring, fixtures, equipment, and appurtenances which shall be installed and maintained in accordance with the Town of Gray Electrical Code and current edition of the National Electric Code governing such systems and approved by the Code Enforcement Officer.
- B. All electrical service to the park shall be installed to comply with standards acceptable to the service provided (Central Maine Power, etc.)

#### **SECTION 402A.16 – FIRE PROTECTION**

Mobile home parks shall be kept free of litter, rubbish, and other flammable materials.

Portable fire extinguishers rated for classes A, B, and C fires shall be kept in Community Facilities Bldg. and maintained in good operating condition. Their rating shall not be less than 1A10BC (Underwriters Laboratory Rating). Mobile homes shall conform to the requirements of the N.F.P.A. 101 Life Safety Code as amended where applicable.

#### **SECTION 402A.17 – ENFORCEMENT**

On behalf of the Town, the Town Attorney shall, when directed by the Town Council, institute appropriate action in a court of competent jurisdiction to enforce the provisions of this ordinance or the standards referred to herein with respect to any violation thereof which occurs.

#### **SECTION 402A.18 – APPEALS**

If the applicant should disagree with the action of the Planning Board, he may further appeal by filing a civil action in Superior Court.

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**SECTION 402A.19 – VARIANCES**

A. Except as provided in subsection 19A-1, the Zoning Board of Appeals may authorize a variance from the bulk and space requirements of these regulations when, in its opinion, undue hardship will result from strict compliance. A variance shall not be authorized from Section five (5) of these regulations.

**A-1 Disability Variance**

The Board may grant a variance to a property owner for the purpose of making that property accessible to a person with a disability who is living on the property. The Board shall restrict any variance granted under this subsection solely to the installation of equipment or the construction of structures necessary for access to or egress from the property by the person with the disability. The Board may impose conditions on the variance, including limiting the variance to the duration of the disability or to the time that the person with the disability lives on the property. For the purposes of this subsection, disability has the same meaning as a physical or mental handicap under Title 5, MRSA Section 4553.

B. The term “undue hardship” shall mean:

1. The land in question cannot yield a reasonable return unless a variance is granted; and;
2. The need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood; and;
3. The granting of a variance will not alter the essential character of the locality; and;
4. The hardship is not the result of action taken by the applicant or a prior owner.

C. All requests for variance from the ordinance shall be submitted in writing. The decision of the Board of Zoning Appeal shall be rendered prior to application for Mobile Home Park approval. Written decision shall be forwarded from the ZBA to the Town Planner.

**SECTION 402A.20 – REPEALING CLAUSE**

All ordinances in conflict with the provisions of this Ordinance are hereby expressly repealed to the extent of said conflict with mobile home park development requirements.

**SECTION 402A.21 – SEVERABILITY CLAUSE**

Should any portion or part of this Ordinance be held by a court of competent jurisdiction for any reason invalid or unenforceable, the same shall not be construed to affect any other portion hereof, but all other portions hereof shall remain in full force and effect.

# MEMO

Wednesday, Oct. 5, 2022

TO: Gray Town Council  
Town Manager Nathaniel Rudy

FROM: Planning Department

RE: Chapter 501 Vehicular Use and Weight Restriction Ordinance

ENCL: Draft Chapter 501 Ordinance; strike-through/underline edit from attorney; current Chapters 501 and 298

Before you tonight is a revised ordinance that combines Chapter 501, the “Vehicular Use Ordinance,” with Chapter 298 “Vehicle Weight Restrictions on Posted Town Ways.”

## Purpose/Background:

Chapter 501 was enacted in 1983 under former State of Maine law Titles 30 and 29 (now replaced with 30-A and 29-A). Our town attorney has advised that, effectively, Chapter 501 became obsolete many years ago, and serves no independent purpose now that Chapter 298 has been enacted. Combining them allows for some housekeeping, to incorporate legal updates and gather the vehicle restrictions in one ordinance. It also includes an update to add part of Shaker Road to the weight restrictions.

## Updates/changes:

There are several changes throughout that incorporate input from Public Works, MDOT and council. The proposed version includes all edits from our town attorney as well.

The changes include:

1. Updating terms and references from the old titles of Maine law throughout.
2. Increasing the maximum weight limit for exempt trucks, from 10,000 pounds to 26,000 pounds. The 26,000 lb. figure is based on the State definition of commercial vehicle, Title 29-A, §101: Definitions (maine.gov) and is supported by our public works director, in an effort to provide consistency throughout the ordinance.

Notably, this is 3,000 pounds higher than the standard MDOT weight limit for posted state roads (23,000), though it is unclear what law or rule that limit is based on. Our attorney has confirmed that the Town does have the authority to set a limit that is higher than the state standard.

She advises, “I think setting a limit that’s consistent with MDOT may be helpful from a practical perspective, as truck drivers in Gray won’t need to be aware of two separate

standards between state and local roads. If the difference between the two weights is not material to the Town, that would be my suggestion.”

3. Per the new ordinance language, all vehicles would be subject to seasonal road postings except those specifically exempted in state law or those issued a local permit per Section 501.7.

The list of exempt vehicles mirrors state law, which explicitly exempts vehicles carrying home heating fuel, animal bedding, or well-drilling equipment during a declared drought emergency (Section 501.6(B), (E)(i), (E)(vii)) from any state or local road restrictions, so long as those trucks are operating in accordance with a DOT permit. *See* 29-A M.R.S. § 2395(4), (4-A).

Our attorney has advised that she “reads this to mean that the Town does not have the authority to bar these types of trucks from travelling over a posted road, even during mud season.”

Additionally, she advises:

“The remainder of the exemptions in Section 501.6 are taken directly from State regulation. However, there’s no statute or regulation that requires a municipality to exempt such vehicles from local road restrictions as well. In other words, you could remove these from the exemptions list. As with the weight limit, these exemptions mirror exempt vehicles on state and county roads. They’re included in the ordinance to promote uniformity across all types of roads in Gray – state, county, or local.

With that said, should the Town wish to remove such exemptions during seasonal road postings, that would be legally acceptable. To the extent a truck operator still needed to travel over a posted road, Section 501.7 lays out a permitting process that would allow the Town to review the specific need and grant access subject to reasonable bonding or other restrictions.”

4. The proposed ordinance, in Section 501.11, names three specific roads that are subject to permanent restrictions and allows that any additional roads can be added to this section via the ordinance amendment process.
  - Marie Street (formerly Florence Road) is designated as “no through-trucks” in the current ordinance. That language is struck in this proposed ordinance, simply applying the 26,000-lb. weight restriction (with allowance for exemptions).
  - Mayall Road from Depot Road to Yarmouth Road, which is also in the current ordinance, is proposed to retain a restriction on vehicles of more than 10,000 lbs.
  - Shaker Road, between Main Street and the north end of the Maine Wildlife Parkway, is proposed to be added, applying the 26,000-lb. weight restriction (with allowance for exemptions).

5. Per Section 501.6, in addition to standard exemptions, the proposed ordinance would also allow passage of 26,000 lb.+ vehicles for the “purpose of making deliveries or otherwise performing activities related to the vehicle owner’s business” as well as for those vehicles “owned or operated by parties living on or operating a business” on a restricted road/road segment that is listed in 501.11. This is intended to eliminate the need for permitting for business owners and residential homes conducting regular business.

Per the Town Charter, the council is asked to:

- Consider the attached draft language for this new ordinance
- Host the public hearing on the draft language at the Oct. 18 council meeting (as publicly noticed in the Oct. 7, 2022 edition of the Lakes Region Weekly newspaper)
- Add the ordinance to the Nov. 15, 2022 council agenda for second read/public hearing/acceptance (as written or as amended)

**CHAPTER 501**  
**VEHICULAR USE ORDINANCE**  
**TOWN OF GRAY MAINE**  
*Adopted July 13, 1982*

**SECTION 501.1 – TITLE**

This ordinance shall be known and may be cited as the Vehicular Use Ordinance of the Town of Gray, Maine.

**SECTION 501.2 – PURPOSE**

The purpose of this ordinance is to regulate the use of certain vehicles on certain town ways within the Town of Gray. The restrictions imposed prevent safety hazards and damage which damage has been or will be caused by the passage of vehicles which are too heavy for the designated town ways. Preventing safety hazards and damage to the roads reduces the cost of maintenance, reduces the danger of injury to the traveling public, and generally improves the use of roads by the public.

**SECTION 501.3 – AUTHORITY**

This ordinance is enacted pursuant to Title 30, MSRA §1917 and 2151 and Title 29 MRSA §902, 1702, 1703 and 1611.

**SECTION 501.4 – DEFINITIONS**

- A. Restricted Vehicle - a vehicle with dual wheel axles and over sixteen (16) feet in length including any attached trailer or semitrailer. Vehicles used to make residential deliveries or rented on an occasional basis shall not be considered restricted vehicles.
- B. Town Way - an area or strip of land designated and held by a municipality for the passage and use of the general public by motor vehicle and all town or county ways not discontinued or abandoned before the effective date of this ordinance.
- C. Other Words - the definitions contained in Title 29, Section 1 or the Maine Revised Statutes Annotated shall govern the construction of other words contained in this ordinance.

**SECTION 501.5 – RULES OF CONSTRUCTION**

Any reference to a Title and Section of the Maine Revised Statutes Annotated shall include any amendments, whenever enacted, to the referenced Title and Section unless the amendments support a result which is inconsistent with the purposes of this ordinance, in which case the amendments shall be disregarded.

**SECTION 501.8 – PENALTIES**

- A. Any person found guilty of violating any provisions of this ordinance shall be subject to a fine of not more than one hundred (100) dollars. Each violation shall be considered a separate offense and violation of this ordinance. All fines imposed pursuant to this ordinance shall accrue to the Town of Gray.
- B. In addition to any fines imposed pursuant to Section S01.8.A, any person violating this ordinance shall be responsible for all damage which said town way may sustain as a result thereof and the amount may be recovered in a civil action brought by the municipality. Any amount so recovered shall be used for repair of the ways so damaged. This section shall not be construed to limit the amount that may be recovered by the Town in a civil action. Any amount recovered in excess of the

amount needed to repair the damaged way shall accrue to the Town. If the Town prevails in a civil action brought pursuant to this section, it shall be entitled to an award of reasonable attorney's fees in addition to any damages awarded.

**SCHEDULE A**

<b>Name of Street</b>	<b>Restriction</b>
Florence Road	No Thru Trucks

**CHAPTER 501**  
**VEHICULAR USE AND WEIGHT RESTRICTION ORDINANCE ~~ORDINANCE~~**  
**TOWN OF GRAY MAINE**

*Adopted July 13, 1982*

*Amended XXXX, 2022 to incorporate Chapter 298*

**SECTION 501.1 – TITLE**

This ~~Chapter ordinance~~ shall be known and may be cited as the Vehicular Use and Weight Restriction Ordinance of the Town of Gray, Maine.

**SECTION 501.2 – PURPOSE**

The purpose of this ~~Chapter ordinance~~ is to regulate the use of certain vehicles on certain town ways within the Town of Gray. The restrictions imposed herein are intended to prevent safety hazards and damage to town ways and bridges. Preventing safety hazards and damage to the roads reduces the cost of maintenance, reduces the danger of injury to the traveling public, and generally improves the use of roads by the public.

**SECTION 501.3 – AUTHORITY**

This ~~Chapter ordinance~~ is enacted pursuant to ~~Title 30-A, MSRA M.R.S. §3701-3009~~ and ~~Title 29-A MRSA M.R.S. §§ 2395 and 2388, as amended.~~

**SECTION 501.4 – DEFINITIONS**

- ~~1. Except as otherwise provided herein, the definitions contained in 29-A M.R.S. § 101 shall govern the construction of words contained in this Chapter. Any words not defined therein shall be given their common and ordinary meaning. Restricted Vehicle—a vehicle with dual wheel axles and more than sixteen (16) feet in length including any attached trailer or semitrailer. Vehicles used to make residential deliveries or rented on an occasional basis shall not be considered restricted vehicles.~~
- ~~2. Thru trucks—vehicles with a gross vehicle weight of 26,000 or greater that are not specifically listed as exempt~~
- ~~3. Commercial motor vehicle—a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property that has a gross combination weight rating of 26,000 or more pounds, inclusive of a towed unit or units with a gross weight rating of more than 10,000 pounds; is a bus; is of any size and is used in the transportation of any materials that have been designated as hazardous under 49 United States Code, Section 5103 and required placarding under the federal Hazardous Materials Transportation Act and related regulations in 49 Code of Federal Regulations, Part 172, Subpart F or any quantity o a material listed as a select agent or toxin in 42 Code of Federal Regulations, Part 73.~~
- ~~4. Town Way—an area or strip of land designated and held by a municipality for the passage and use of the general public by motor vehicle and all town or county ways not discontinued or abandoned before the effective date of this ordinance.~~
- ~~5. Title 29 A, Section 1 of the Maine Revised Statutes Annotated shall govern the construction of other words contained in this ordinance.~~

## SECTION 501.5 – RULES OF CONSTRUCTION

~~Any reference to a Title and Section of the Maine Revised Statutes Annotated shall include any amendments, whenever enacted, to the referenced Title and Section unless the amendments support a result which is inconsistent with the purposes of this ordinance, in which case the amendments shall be disregarded.~~

## SECTION 501.56 – WEIGHT RESTRICTIONS AND NOTICE

- ~~6.A.~~ The Gray Town Council may, either permanently or seasonally, impose such restrictions on the gross registered weight of vehicles as may, in its judgment, be necessary to protect the traveling public and prevent abuse of the highways. In doing so, the Town Council may, in its sole and reasonable discretion, designate the town ways and bridges to which such restrictions shall apply. **Regardless of exemptions listed in ~~Section 501.67~~, but subject to any permit issued by the Town pursuant to Section 501.7 of this Chapter, or issued to the vehicle owner or operator by the Maine Department of Transportation, all vehicles must adhere to applicable standards required for seasonal road postings, for the period of March 15 to May 1 of each year.**
- ~~7.B.~~ Subject to all applicable ~~exceptions-exemptions~~ in this ~~OrdinanceChapter~~, or the issuance of a permit by the Town Council or its designee, the operation of any motor vehicle with a gross registered weight in excess of 26,000 pounds shall be prohibited on a particular town way or portion of a town way, effective upon the posting of such restrictions at both ends of said town way or portion of said town way, following an affirmative vote of the Town Council (the “Notice”).
- ~~8.C.~~ Pursuant to 29-A M.R.S. § 2395, the Notice shall contain, at a minimum, the following information: the name of the town way or bridge, the gross registered weight limit, the time period during which the restriction applies, or in the case of roads where the gross registered weights of vehicles is permanently restricted, a note that such restriction is permanent.
- ~~9.D.~~ Per the Notice, the restriction information shall be conspicuously posted at each end of the portion of the way or bridge, in a location clearly visible from the traveled way and shall include the weight limit, ~~ordinance-Chapter~~ reference and time period of the restriction (if not permanent).
- ~~10.E.~~ Whenever a restriction expires or is lifted, the road posting shall be removed wherever posted. Whenever a restriction is revised or extended, existing postings shall be removed and replaced with the updated information.
- ~~11.F.~~ No person may remove, obscure or otherwise tamper with any posting except as provided herein.

## SECTION 501.67 – EXEMPTIONS

The following vehicles are exempt from all gross weight restrictions imposed by this ~~OrdinanceChapter~~:

- A. Any vehicle or combination of vehicles registered for a gross weight of **26,000** pounds or less;
- B. Any vehicle transporting well-drilling equipment for the purpose of drilling a replacement water well, or for improving an existing water well on property where that well is no longer supplying sufficient water for residents or agricultural purposes, provided that such vehicles comply with all

conditions stated in 29-A M.R.S. § 2395(4-A) (A) – (C), as amended;

- C. MaineDOT vehicles or other vehicles authorized by MaineDOT, a municipality or county to maintain the roads under their authority;
- D. “Authorized emergency vehicles” as defined in 29-A M.R.S.A. § 2054(1)(B), as amended, including but not limited to, school buses, a wrecker towing a disabled vehicle of legal weight from a posted highway, and vehicles with three axles or fewer under the direction of a public utility and engaged in utility infrastructure maintenance or repair;
- E. Any two-axle vehicles registered for a gross weight in excess of 26,000 pounds that is carrying any of the following:
  - i. Home delivered heating fuel (oil, gas, coal, stove size wood that is fewer than 36” in length, propane and wood pellets);
  - ii. Petroleum products;
  - iii. Groceries;
  - iv. Bulk milk;
  - v. Bulk feed;
  - vi. Solid waste;
  - vii. Organic animal bedding;
  - viii. Returnable beverage containers;
  - ix. Sewage from private septic tanks or porta-potties; or
  - x. Medical gases;
- F. Vehicles owned or /operated by parties habituating-living on, and/or operating a business within/on/on a specific road or road segment as identified-listed in 501.4211 of this Chapter; or;
- G. Vehicles accessing properties or /businesses located on a specific road or road segment as identified-listed in 501.4211 of this Chapter, for the purpose of making deliveries/transactions or otherwise performing activities related to the vehicle owner’s business.

Regardless of exemptions listed in this section, but subject to any permit issued by the Town pursuant to Section 501.7 of this Chapter, or issued to the vehicle owner or operator by the Maine Department of Transportation, all vehicles must adhere to applicable standards required for seasonal road postings, for the period of March 15 to May 1 of each year, as required in Section 501.6-5(A).

## SECTION 501.8-7 – PERMITS

- A. The owner or operator of any vehicle not otherwise exempt from the gross registered weight restrictions imposed by this ~~Ordinance~~Chapter, pursuant to Section 501.45, above, may apply in writing to the Town Council or its designee for a permit to operate on a posted town way or bridge notwithstanding the restriction. The Town Council or designee may issue a permit only upon all of the following findings:

- i. no other route is reasonably available to the applicant;
  - ii. it is a matter of economic necessity and not mere convenience that the applicant use the restricted way or bridge; and
  - iii. the applicant has tendered cash, a bond or other suitable security running to the Town of Gray, in an amount sufficient, in their judgment, to repair any damage to the way or bridge which may reasonably result from the applicant's use of same.
- B. Even if the Town Council or its designee makes the foregoing findings, they need not issue a permit if they determine the applicant's use of the way or bridge could reasonably be expected to create or aggravate a safety hazard or cause substantial damage to a way or bridge maintained by the municipality. They may also limit the number of permits issued or outstanding as may, in their judgment, be necessary to preserve and protect the highways and bridges.
- C. In determining whether to issue a permit, the Town Council (or its designee) shall consider the following factors:
- i. the gross registered weight of the vehicle;
  - ii. the current and anticipated condition of the town way or bridge;
  - iv. the number and frequency of vehicle trips proposed;
  - iv. the cost and availability of materials and equipment for repairs;
  - v. the extent of use by other exempt vehicles; and
  - vi. such other circumstances as may, in their judgment, be relevant.
- D. The ~~Public Works Director~~ Town Council or its designee may issue permits subject to reasonable conditions, including but not limited to restrictions on the actual load weight and the number or frequency of vehicle trips, which shall be clearly noted on the permit.

**SECTION 501.9-8 – ADMINISTRATION AND ENFORCEMENT**

This ~~Ordinance~~ Chapter shall be administered and enforced by the Town Council or its designee.

In enacting this ~~ordinance~~ Chapter, the Town of Gray agrees to conspicuously erect signs meeting MUTCD standards on both ends of all town ways on which weight restrictions are in effect, per Section 501.65. ~~Enforcement of this ordinance shall not be done indiscriminately.~~

**SECTION 501.10-9 – APPEALS**

An applicant for a permit to operate on a posted town way or bridge who is denied said permit is entitled to appeal the decision to the Maine Department of Transportation, pursuant to er-29-A M.R.S. MRSA 29-A-§2388.

**SECTION 501.101 – PENALTIES**

- A. Any violation of this ~~Ordinance-Chapter~~ shall be a civil violation subject to a fine of not less than \$250.00 nor more than \$1,000.00. Each violation shall be deemed a separate offense.
- B. In addition to any fine, the Town of Gray may seek restitution for the cost of repairs to any damaged way or bridge and reasonable attorney fees and costs. Prosecution shall be in the name of the Town of Gray and shall be brought in the Maine District Court. Any amount so recovered shall be used for repair of the ways so damaged. This section shall not be construed to limit the amount that may be recovered by the Town in a civil action. Any amount recovered in excess of the amount needed to repair the damaged way shall accrue to the Town. If the Town prevails in a civil action brought pursuant to this section, it shall be entitled to an award of reasonable attorney's fees in addition to any damages awarded.

**SECTION 501.12-11 – SPECIFIC ROADS WHERE EXCESSIVE WEIGHT PROHIBITED**

The operation of any vehicle with a registered gross weight in excess of 26,000 pounds (or such lesser weight as indicated below), which: (1) does not fall under any exemption listed in Section ~~298.4~~501.6 of this ~~OrdinanceChapter~~, and (2) has not received a permit from the Town of Gray pursuant to Section ~~298.5~~501.7 of this ~~OrdinanceChapter~~, on the following town ways, or sections of town ways is **permanently** prohibited:

- 1. Marie Street (Formerly Florence Road);
- 1- 2. Shaker Road, between Main Street and the north end of the Maine Wildlife Parkway.

Additionally, the following roads have specific restrictions, as listed:

- 2- 3. Mayall Road from Depot Road to Yarmouth Road: No vehicles of more than 10,000 pounds.
- 3- ~~Marie Street (Formerly Florence Road): No thru-trucks~~

**SECTION 501.13-12 – AMENDMENTS**

This ~~Ordinance-Chapter~~ may be amended by the Town Council at any properly noticed meeting.

**SECTION 501.14-13 – SEVERABILITY; EFFECTIVE DATE**

In the event any portion of this ~~Ordinance-Chapter~~ is declared invalid by a court of competent jurisdiction, the remaining portions shall continue in full force and effect. This ~~OrdinanceChapter~~, and any amendments thereto, shall take effect thirty (30) days after adoption by the Town Council, pursuant to Section 14(C) of the Charter of the Town of Gray.

**CHAPTER 501**  
**VEHICULAR USE AND WEIGHT RESTRICTION ORDINANCE**  
**TOWN OF GRAY MAINE**

*Adopted July 13, 1982*

*Amended XXXX, 2022 to incorporate Chapter 298*

**SECTION 501.1 – TITLE**

This Chapter shall be known and may be cited as the Vehicular Use and Weight Restriction Ordinance of the Town of Gray, Maine.

**SECTION 501.2 – PURPOSE**

The purpose of this Chapter is to regulate the use of certain vehicles on certain town ways within the Town of Gray. The restrictions imposed herein are intended to prevent safety hazards and damage to town ways and bridges. Preventing safety hazards and damage to the roads reduces the cost of maintenance, reduces the danger of injury to the traveling public, and generally improves the use of roads by the public.

**SECTION 501.3 – AUTHORITY**

This Chapter is enacted pursuant to 30-A M.R.S. §3009 and 29-A M.R.S. §§ 2395 and 2388, as amended.

**SECTION 501.4 – DEFINITIONS**

Except as otherwise provided herein, the definitions contained in 29-A M.R.S. § 101 shall govern the construction of words contained in this Chapter. Any words not defined therein shall be given their common and ordinary meaning.

**SECTION 501.5 – WEIGHT RESTRICTIONS AND NOTICE**

- A. The Gray Town Council may, either permanently or seasonally, impose such restrictions on the gross registered weight of vehicles as may, in its judgment, be necessary to protect the traveling public and prevent abuse of the highways. In doing so, the Town Council may, in its sole and reasonable discretion, designate the town ways and bridges to which such restrictions shall apply. Regardless of exemptions listed in Section 501.6, but subject to any permit issued by the Town pursuant to Section 501.7 of this Chapter, or issued to the vehicle owner or operator by the Maine Department of Transportation, all vehicles must adhere to applicable standards required for seasonal road postings, for the period of March 15 to May 1 of each year.
- B. Subject to all applicable exemptions in this Chapter, or the issuance of a permit by the Town Council or its designee, the operation of any motor vehicle with a gross registered weight in excess of 26,000 pounds shall be prohibited on a particular town way or portion of a town way, effective upon the posting of such restrictions at both ends of said town way or portion of said town way, following an affirmative vote of the Town Council (the “Notice”).
- C. Pursuant to 29-A M.R.S. § 2395, the Notice shall contain, at a minimum, the following information: the name of the town way or bridge, the gross registered weight limit, the time period during which the restriction applies, or in the case of roads where the gross registered weights of vehicles is permanently restricted, a note that such restriction is permanent.

- D. Per the Notice, the restriction information shall be conspicuously posted at each end of the portion of the way or bridge, in a location clearly visible from the traveled way and shall include the weight limit, Chapter reference and time period of the restriction (if not permanent).
- E. Whenever a restriction expires or is lifted, the road posting shall be removed wherever posted. Whenever a restriction is revised or extended, existing postings shall be removed and replaced with the updated information.
- F. No person may remove, obscure or otherwise tamper with any posting except as provided herein.

## SECTION 501.6 – EXEMPTIONS

The following vehicles are exempt from all gross weight restrictions imposed by this Chapter:

- A. Any vehicle or combination of vehicles registered for a gross weight of 26,000 pounds or less;
- B. Any vehicle transporting well-drilling equipment for the purpose of drilling a replacement water well, or for improving an existing water well on property where that well is no longer supplying sufficient water for residents or agricultural purposes, provided that such vehicles comply with all conditions stated in 29-A M.R.S. § 2395(4-A) (A) – (C), as amended;
- C. MaineDOT vehicles or other vehicles authorized by MaineDOT, a municipality or county to maintain the roads under their authority;
- D. “Authorized emergency vehicles” as defined in 29-A M.R.S.A. § 2054(1)(B), as amended, including but not limited to, school buses, a wrecker towing a disabled vehicle of legal weight from a posted highway, and vehicles with three axles or fewer under the direction of a public utility and engaged in utility infrastructure maintenance or repair;
- E. Any two-axle vehicles registered for a gross weight in excess of 26,000 pounds that is carrying any of the following:
  - i. Home delivered heating fuel (oil, gas, coal, stove size wood that is fewer than 36” in length, propane and wood pellets);
  - ii. Petroleum products;
  - iii. Groceries;
  - iv. Bulk milk;
  - v. Bulk feed;
  - vi. Solid waste;
  - vii. Organic animal bedding;
  - viii. Returnable beverage containers;
  - ix. Sewage from private septic tanks or porta-potties; or
  - x. Medical gases;
- F. Vehicles owned or operated by parties living on, and/or operating a business on a specific road or road segment listed in 501.11 of this Chapter; or

G. Vehicles accessing properties or businesses located on a specific road or road segment listed in 501.11 of this Chapter, for the purpose of making deliveries or otherwise performing activities related to the vehicle owner's business.

Regardless of exemptions listed in this section, but subject to any permit issued by the Town pursuant to Section 501.7 of this Chapter, or issued to the vehicle owner or operator by the Maine Department of Transportation, all vehicles must adhere to applicable standards required for seasonal road postings, for the period of March 15 to May 1 of each year, as required in Section 501.5(A).

## SECTION 501.7 – PERMITS

- A. The owner or operator of any vehicle not otherwise exempt from the gross registered weight restrictions imposed by this Chapter, pursuant to Section 501.5, above, may apply in writing to the Town Council or its designee for a permit to operate on a posted town way or bridge notwithstanding the restriction. The Town Council or designee may issue a permit only upon all of the following findings:
- i. no other route is reasonably available to the applicant;
  - ii. it is a matter of economic necessity and not mere convenience that the applicant use the restricted way or bridge; and
  - iii. the applicant has tendered cash, a bond or other suitable security running to the Town of Gray, in an amount sufficient, in their judgment, to repair any damage to the way or bridge which may reasonably result from the applicant's use of same.
- B. Even if the Town Council or its designee makes the foregoing findings, they need not issue a permit if they determine the applicant's use of the way or bridge could reasonably be expected to create or aggravate a safety hazard or cause substantial damage to a way or bridge maintained by the municipality. They may also limit the number of permits issued or outstanding as may, in their judgment, be necessary to preserve and protect the highways and bridges.
- C. In determining whether to issue a permit, the Town Council (or its designee) shall consider the following factors:
- i. the gross registered weight of the vehicle;
  - ii. the current and anticipated condition of the town way or bridge;
  - iv. the number and frequency of vehicle trips proposed;
  - iv. the cost and availability of materials and equipment for repairs;
  - v. the extent of use by other exempt vehicles; and
  - vi. such other circumstances as may, in their judgment, be relevant.

- D. The Town Council or its designee may issue permits subject to reasonable conditions, including but not limited to restrictions on the actual load weight and the number or frequency of vehicle trips, which shall be clearly noted on the permit.

## SECTION 501.8 – ADMINISTRATION AND ENFORCEMENT

This Chapter shall be administered and enforced by the Town Council or its designee.

In enacting this Chapter, the Town of Gray agrees to conspicuously erect signs meeting MUTCD standards on both ends of all town ways on which weight restrictions are in effect, per Section 501.5.

## SECTION 501.9 – APPEALS

An applicant for a permit to operate on a posted town way or bridge who is denied said permit is entitled to appeal the decision to the Maine Department of Transportation, pursuant to 29-A M.R.S. §2388.

## SECTION 501.10 – PENALTIES

- A. Any violation of this Chapter shall be a civil violation subject to a fine of not less than \$250.00 nor more than \$1,000.00. Each violation shall be deemed a separate offense.
- B. In addition to any fine, the Town of Gray may seek restitution for the cost of repairs to any damaged way or bridge and reasonable attorney fees and costs. Prosecution shall be in the name of the Town of Gray and shall be brought in the Maine District Court. Any amount so recovered shall be used for repair of the ways so damaged. This section shall not be construed to limit the amount that may be recovered by the Town in a civil action. Any amount recovered in excess of the amount needed to repair the damaged way shall accrue to the Town. If the Town prevails in a civil action brought pursuant to this section, it shall be entitled to an award of reasonable attorney's fees in addition to any damages awarded.

## SECTION 501.11 – SPECIFIC ROADS WHERE EXCESSIVE WEIGHT PROHIBITED

The operation of any vehicle with a registered gross weight in excess of 26,000 pounds (or such lesser weight as indicated below), which: (1) does not fall under any exemption listed in Section 501.6 of this Chapter, and (2) has not received a permit from the Town of Gray pursuant to Section 501.7 of this Chapter, on the following town ways, or sections of town ways is **permanently** prohibited:

1. Marie Street (Formerly Florence Road);
2. Shaker Road, between Main Street and the north end of the Maine Wildlife Parkway.

Additionally, the following roads have specific restrictions, as listed:

3. Mayall Road from Depot Road to Yarmouth Road: No vehicles of more than 10,000 pounds.

## SECTION 501.12 – AMENDMENTS

This Chapter may be amended by the Town Council at any properly noticed meeting.

**SECTION 501.13 – SEVERABILITY; EFFECTIVE DATE**

In the event any portion of this Chapter is declared invalid by a court of competent jurisdiction, the remaining portions shall continue in full force and effect. This Chapter, and any amendments thereto, shall take effect thirty (30) days after adoption by the Town Council, pursuant to Section 14(C) of the Charter of the Town of Gray.

**CHAPTER 298**  
**VEHICLE WEIGHT RESTRICTIONS ON POSTED TOWN WAYS ORDINANCE**  
**TOWN OF GRAY**

*Adopted October 5, 2021*

**SECTION 298.1 – PURPOSE AND AUTHORITY**

The purpose of this “Vehicle Weight Restrictions on Posted Town Ways Ordinance” (the “Ordinance”) is to prevent damage to town ways and bridges in the Town of Gray, which may be caused by vehicles of excessive weight; to lessen safety hazards and the risk of injury to the traveling public; to extend the life expectancy of town ways and bridges; and to reduce the Town's expense of their maintenance and repair.

This Ordinance is adopted pursuant to 30-A M.R.S. § 3009 and 29-A M.R.S. §§ 2395 and 2388, as amended.

**SECTION 298.2 – DEFINITIONS**

Except as otherwise provided herein, the definitions contained in 29-A M.R.S. § 101 shall govern the construction of words contained in this Ordinance. Any words not defined therein shall be given their common and ordinary meaning.

**SECTION 298.3 – RESTRICTIONS AND NOTICE**

- A. The Gray Town Council may, either permanently or seasonally, impose such restrictions on the gross registered weight of vehicles as may, in its judgment, be necessary to protect the traveling public and prevent abuse of the highways. In doing so, the Town Council may, in its sole and reasonable discretion, designate the town ways and bridges to which such restrictions shall apply.
- B. Subject to all applicable exceptions in this Ordinance, or the issuance of a permit by the Town Council or its designee, the operation of any motor vehicle with a gross registered weight in excess of 10,000 pounds shall be prohibited on a particular town way or portion of a town way upon the posting of a notice on both ends of said town way or portion of said town way, following an affirmative vote of the Town Council (the “Notice”).
- C. Pursuant to 29-A M.R.S. § 2395, the Notice shall contain, at a minimum, the following information: the name of the town way or bridge, the gross registered weight limit, the time period during which the restriction applies, or in the case of roads where the gross registered weights of vehicles is permanently restricted, a note that such restriction is permanent as noted in Chapter 298. The Notice shall be conspicuously posted at each end of the restricted portion of the way or bridge in a location clearly visible from the traveled way.
- D. Whenever a restriction expires or is lifted, the Notices shall be removed wherever posted. Whenever a restriction is revised or extended, existing Notices shall be removed and replaced with new Notices.
- E. No person may remove, obscure or otherwise tamper with any notice so posted except as provided herein.

## SECTION 298.4 – EXEMPTIONS

The following vehicles are exempt from all gross weight restrictions imposed by this Ordinance:

- A. Any vehicle or combination of vehicles registered for a gross weight of 10,000 pounds or less.
- B. Any vehicle transporting well-drilling equipment for the purpose of drilling a replacement water well, or for improving an existing water well on property where that well is no longer supplying sufficient water for residents or agricultural purposes, provided that such vehicles comply with all conditions stated in 29-A M.R.S. § 2395(4-A) (A) – (C), as amended.
- C. MaineDOT vehicles or other vehicles authorized by MaineDOT or a municipality or county to maintain the roads under their authority.
- D. “Authorized emergency vehicles” as defined in 29-A M.R.S.A. § 2054(1)(B), as amended, including but not limited to, school buses, a wrecker towing a disabled vehicle of legal weight from a posted highway, and vehicles with three axles or fewer under the direction of a public utility and engaged in utility infrastructure maintenance or repair.
- E. Any two axle vehicles registered for a gross weight in excess of 10,000 pounds and less than or equal to 34,000 pounds that is carrying any of the following:
  - i. Home delivered heating fuel (oil, gas, coal, stove size wood that is fewer than 36” in length, propane and wood pellets);
  - ii. Petroleum products;
  - iii. Groceries;
  - iv. Bulk milk;
  - v. Bulk feed;
  - vi. Solid waste;
  - vii. Organic animal bedding;
  - viii. Returnable beverage containers;
  - ix. Sewage from private septic tanks or porta-potties; or
  - x. Medical gases.

## SECTION 298.5 – PERMITS

- A. The owner or operator of any vehicle not otherwise exempt from the gross registered weight restrictions imposed by this Ordinance, pursuant to Section 4, above, may apply in writing to the Town Council for a permit to operate on a posted town way or bridge notwithstanding the restriction. The Town Council, or its designee may issue a permit only upon all of the following findings:
  - i. no other route is reasonably available to the applicant;
  - ii. it is a matter of economic necessity and not mere convenience that the applicant use the way or bridge; and

- iii. the applicant has tendered cash, a bond or other suitable security running to the Town of Gray, in an amount sufficient, in their judgment, to repair any damage to the way or bridge which may reasonably result from the applicant's use of same.
- B. Even if the Town Council, or its designee makes the foregoing findings, they need not issue a permit if they determine the applicant's use of the way or bridge could reasonably be expected to create or aggravate a safety hazard or cause substantial damage to a way or bridge maintained by the municipality. They may also limit the number of permits issued or outstanding as may, in their judgment, be necessary to preserve and protect the highways and bridges.
- C. In determining whether to issue a permit, the Town Council, or its designee shall consider the following factors:
- i. the gross registered weight of the vehicle;
  - ii. the current and anticipated condition of the town way or bridge;
  - iv. the number and frequency of vehicle trips proposed;
  - iv. the cost and availability of materials and equipment for repairs;
  - v. the extent of use by other exempt vehicles; and
  - vi. such other circumstances as may, in their judgment, be relevant.
- D. The Town Council, or its designee may issue permits subject to reasonable conditions, including but not limited to restrictions on the actual load weight and the number or frequency of vehicle trips, which shall be clearly noted on the permit.

**SECTION 298.6 – ADMINISTRATION AND ENFORCEMENT**

This Ordinance shall be administered and may be enforced by the Town Council or its designee.

**SECTION 298.7 – SPECIFIC ROADS WHERE EXCESSIVE WEIGHT PROHIBITED**

The operation of any vehicle with a registered gross weight in excess of 10,000 pounds, which: (1) does not fall under any exemption listed in Section 298.4 of this Ordinance, and (2) has not received a permit from the Town of Gray pursuant to Section 298.5 of this Ordinance, on the following town ways, or sections of town ways is **permanently** prohibited:

- i. Mayall Road from Depot Road to Yarmouth Road.

**SECTION 298.8 – PENALTIES**

Any violation of this Ordinance shall be a civil violation subject to a fine of not less than \$250.00 nor more than \$1000.00. Each violation shall be deemed a separate offense. In addition to any fine, the Town of Gray may seek restitution for the cost of repairs to any damaged way or bridge and reasonable

attorney fees and costs. Prosecution shall be in the name of the Town of Gray and shall be brought in the Maine District Court.

#### **SECTION 298.9 – AMENDMENTS**

This Ordinance may be amended by the Town Council at any properly noticed meeting.

#### **SECTION 298.10 – SEVERABILITY; EFFECTIVE DATE**

In the event any portion of this Ordinance is declared invalid by a court of competent jurisdiction, the remaining portions shall continue in full force and effect. This Ordinance, and any amendments thereto, shall take effect thirty (30) days after adoption by the Town Council, pursuant to Section 14(C) of the Charter of the Town of Gray.

October 5, 2022

**TO:** Gray Town Council  
Nate Rudy, Town Manager

**FROM:** Doug Webster

**RE:** Zoning Amendments regarding self-storage facilities  
TC first reading at 10-18-22 meeting/PB hearing on 11-10-22

**Introduction**

In accordance with input from the Ordinance Advisory Committee and the Town Council, including the 9-6-22 Council meeting, below please find proposed amendments to the Zoning Ordinance (Chapter 402) regarding self-storage facilities. In addition to allowing new facilities only in the Light Manufacturing Overlay District (LMO), there are a host of new performance standards in a new section 402.8.11. In line with the currently in place moratorium, the timeline for first reading, PB hearing, and second reading/ adoption has an effective date of December 15th.

**Proposed Zoning Ordinance Amendment #1:**

As shown on the attached excerpt from the uses table in the Zoning Ordinance (Table 402.5.3), *remove* Self-Storage Facilities as a conditionally permitted use from the following zoning districts: Business Development-1, Business Development-2, Commercial, and Business Transition-1.

**Proposed Zoning Ordinance Amendment #2:**

Also as shown on the attached excerpt from the uses table in the Zoning Ordinance (Table 402.5.3), add Self-Storage Facilities as a conditionally permitted use in the Light Manufacturing Overlay District.

**Proposed Zoning Ordinance Amendment #3: Add Design Standards for Self-Storage Facilities**

(Please see attached)

**Proposed Zoning Ordinance Amendment #4: New Section 402.8.11: Self-storage facility standards:**

A. Purpose: The purpose of these standards for Self-Storage is to maximize the use and value of commercial uses for road frontage properties and minimize adverse aesthetic impacts of self-storage facilities on abutting and neighboring properties.

B. Applicability

1. In addition to applicable review standards established in Article 10 (Site Plan Review), all self-storage facilities proposed after the adoption of these standards are required to comply with requirements in this section.

2. Any self-storage facility that is proposed to be expanded, or undertakes rebuilding of one or more buildings (greater than 50% of the value of the respective structure/s) after the adoption of these standards shall be required to obtain Planning Board approval and shall be subject to all practically achievable self-storage performance standards as determined by the planning board.
3. Notwithstanding Planning Board approval required above, the Code Enforcement Officer shall have the authority to issue building permit(s) for the repair or rebuilding of a building in a Self-Storage Facility existing as of the adoption of these standards if a building is unintentionally damaged. This allowance shall not be valid if more than one (1) building in the Self-Storage Facility is rebuilt.
4. Any outdoor storage, including if added to an existing facility, must comply with all outdoor storage standards as specified in this section and as required in Article 10.

#### C. Minimum Setbacks

1. Any portion of any element of a self-storage facility must be at least three-hundred (300) feet from the edge of a road or right-of-way (ROW), whichever is greater, that is either publicly owned or has a public easement for winter maintenance. No component of a self-storage facility other than one access/driveway may be located within this three-hundred (300) foot setback. All other components of any self-storage facility must respect this minimum three-hundred (300) foot setback specifically including all fill extensions, buildings, outdoor storage areas, drainage ditches, stormwater infrastructure, and perimeter buffer as specified in section "F" below entitled "Perimeter Buffer Requirements."
2. A perimeter buffer of at least seventy-five (75) feet, in accordance with standards specified below in section "F" below entitled "Perimeter Buffer Requirements," is required around the entirety of the facility. Stormwater infrastructure is specifically prohibited from this buffer.
3. Any outdoor storage shall be located at least one-hundred (100) feet from any property line and shall be subject to additional standards as detailed below in this section.
4. Neither the Zoning Board of Appeals nor the Planning Board shall have the authority to reduce any of the minimum setbacks established above in this section "C" entitled "Minimum Setbacks" except for the rear portion of the perimeter buffer as established below in this section.
5. The Planning Board shall have the authority to reduce the depth of the rear portion of the perimeter buffer for parcels that abut property owned by the Maine Turnpike Authority provided that the intent of this ordinance and applicable standards, specifically including but not limited to buffering, are met and maintained.

#### D. Building Requirements

1. One-story self-storage building standards:
  - a. Maximum length: two-hundred (200) feet
  - b. Maximum width: forty (40) feet.
  - c. Maximum height: twenty-five (25) feet.
2. Two-story self-storage building standards:
  - a. Maximum footprint of any one structure: seventy-five hundred (7,500) feet
  - b. Maximum height: thirty (30) feet
3. Minimum separation between buildings/minimum drive aisle width: twenty-five (25) feet
4. All buildings/structures utilized for self-storage purposes that face the perimeter buffer shall be completely enclosed with permanent sides/siding. In no event shall such buildings/structures have one or more open sides. Seasonal installation and/or removal of temporary sides, such as fabric or similar, shall not be permitted and shall not be considered permanent sides/siding.
5. All buildings/structures shall comply with Town of Gray Design Standards for self-storage facilities (attached). The applicant shall submit scaled color renderings of all proposed buildings/structures as part of the submittal and the planning board will review these as an integral part of their review. The Planning Board shall have the authority to interpret the design standards and require changes consistent with the purpose and intent of the design standards and these performance standards.

#### E. General Standards

1. Review and approval by the Planning Board is required for any new self-storage facility. The Planning Board shall review the proposed development under Site Plan Review, as applicable, and shall ensure that the performance standards in this section are met.
2. The size of the portion of the parcel utilized for the self-storage facility use must be a minimum of eighty thousand (80,000) sq. ft. Any portion of the parcel located less than three-hundred (300) feet setback from the road/ROW as required herein shall not be utilized for determining if this eighty thousand (80,000) sq. ft. minimum parcel size standard is met.
3. The maximum combined footprint of any developed portion of a self-storage facility consisting of buildings, accessways, and outdoor storage shall not exceed three (3) acres/130,680 sq. ft. (approximately a 350' x 350' area). Calculation of this maximum combined footprint developed portion shall include all buildings, outdoor storage areas, all stormwater infrastructure, fill extensions, all vehicular accessways, all non-vegetated areas, and similar such areas that are not in their natural state. This calculation shall not include the perimeter buffer and/or buffer areas complying with standards herein.
4. All standards for the self-storage facility, excluding the perimeter buffer, as detailed below herein, must be met and maintained on a parcel owned in fee by one (1) owner/party/entity.

In no event shall the ownership of one or more buildings be transferred to separate parties/entities.

5. In the event that two or more self-storage areas are proposed in the same development, each of which contains a maximum of three (3) acres of a combined developed footprint as required above, each two (2) such areas shall be required to be separated by the seventy-five (75) foot perimeter buffer requirement as detailed in this section.
6. In the event that the developed portion of a self-storage facility in excess of three (3) acres is proposed, the Planning Board shall require appropriately placed buffers within the parcel to separate the developed areas to the maximum extent practically feasible given site conditions. Such site-internal buffers separating two (2) developed self-storage facilities that contain a maximum developed portion of three (3) acres, per above, shall be a minimum depth of fifty (50) feet and shall conform to the perimeter buffer requirements below. As determined by the Planning Board, limited portions of such internal fifty (50) foot buffers may contain stormwater infrastructure provided that the aesthetic separation between the two areas is maximized.
7. No maintenance and/or repair work of any type shall be allowed on any vehicle and/or equipment that contains any type of fluid that potentially contaminates soil and/or groundwater if leaked. In the event that maintenance and/or repair is proposed, all applicable standards for the additional use(s) must be met and maintained specifically including provisions in Article 6 of this ordinance which addresses lot(s) and use(s). The operator of the facility shall be required to disclose this information to all parties utilizing the self-storage facility.
8. All self-storage facilities shall be gated with security provisions sufficient to ensure access to the site only by patrons, owners, and those persons needing to access for operations and/or maintenance.
9. The entire perimeter, except the gated entry, of all self-storage facilities areas shall have a sufficient fence, as determined by the Planning Board as part of their review, to discourage/prevent access. Fence details shall be shown on planning board submittals.
10. One office area to provide administrative services solely serving the self-storage facility may be permitted provided that the cumulative area devoted to this use does not exceed two hundred (200) square feet. In the event that such space is part of a facility, a minimum of two (2) dedicated parking spaces shall be required that do not block access to any accessway or self-storage unit(s).
11. In addition to applicable lighting requirements established in Article 10, Site Plan Review, all self-storage facilities shall be required to comply with standards in the USA Pattern Lighting Code in the International Dark Sky Association Outdoor Lighting Code Handbook version 1.14.2002 dated December 2000/September 2002 or subsequent update. The Planning Board shall review compliance with such standards, with peer review as necessary at applicant expense, as an integral part of reviewing a proposed facility.

## F. Perimeter Buffer Requirements

1. The entirety of the perimeter buffer shall consist of dense, mature, natural vegetation meeting and maintaining standards as established in this section.
2. Any of the following site components shall not be located or considered part of the minimum perimeter buffer: driveways, buildings, parking areas, fencing, vehicular accessways, outdoor storage areas, retaining walls, fill extensions for vehicular accessways and/or buildings, drainage ditches, stormwater infrastructure.
3. Only one vehicular accessway shall be allowed in this perimeter buffer unless the planning board determines that through-traffic is necessary to allow a second accessway. Multiple accessways through the buffer are specifically prohibited. The width of any such accessway through the perimeter buffer shall be limited to the practical functionality necessary as determined by the planning board.
4. In the event that applicable standards for the perimeter buffer are met and maintained via an easement, all applicable perimeter buffer standards shall be included in the description of easement language, as determined by the Code Enforcement Officer with input from the Planner, that is recorded at the registry of deeds prior to the issuance of a building permit for the project. A condition of approval memorializing this requirement shall be part of the Planning Board approval.
5. The full depth of the perimeter buffer shall consist of dense mature natural vegetation as determined by the Planning Board. In order for the Planning Board to determine the specifications for the dense mature natural vegetation, the Board shall require applying the point system standards as the minimum standards for any 25 foot by 50 foot for the first one-hundred (100) feet established for a "Shoreland Buffer Strip" contained in Section 15 of the Gray Shoreland Zoning Ordinance (Chapter 403) entitled "Clearing or Removal of Vegetation for Development Activities other than Timber Harvesting" be met and maintained. In accordance with the purpose of maintaining the perimeter buffer, all standards for the "Shoreland Buffer Strip" in Section 15 of Chapter 403 that allow for the removal of vegetation, pruning of branches on the lower one-third of a tree, clearing of vegetation for development, and existing cleared openings shall not be applicable for this Section 402.8.11, Self-Storage Facility Standards.
6. In the event that existing conditions do not meet this requirement at the time the application is before the Planning Board, the Board shall have the authority to require the applicant to plant native species trees (predominantly evergreens) and other appropriate native vegetation to establish a buffer meeting standards established in this section within a reasonable time period as determined by the Planning Board. Ideally, a sufficient buffer should be achieved within five (5) years.
7. In order to ensure that the perimeter buffer meets and maintains standards, the Planning Board shall have the authority for a peer review, at the applicant's expense, and shall also have the

authority to require that the applicant post a sufficient financial performance bond for any necessary replanting per Section 402.10.17 in accordance with professionally accepted practices such as an eighty (80) percent survival rate for a five (5) year period.

8. The Planning Board shall be authorized to require additional buffering and screening, including additional plantings, to maximize the density of the mature natural vegetation, emphasizing the use of evergreen species, for any portion of a proposed self-storage facility located within one or more viewshed(s) from a public road, including roads that have a public easement for winter maintenance. The Planning Board shall have the authority to require the applicant to submit photographs of existing conditions from various vantages and accurate renderings of the anticipated proposed buffer at periodic time intervals, including at maturity.

#### G. Outdoor Self-Storage Standards

1. If an outdoor storage area is located adjacent to the perimeter of the facility abutting a property line(s), the depth of the perimeter buffer, in accordance with standards specified below in this section, shall be increased from seventy-five (75) to one-hundred (100) feet.
2. All outdoor storage areas that are storing any vehicles and/or equipment that use or contain any type of petroleum-based fluid, or any fluid that potentially contaminates soil if leaked, shall be impervious with pavement or concrete. Stormwater sheet-flow from such areas shall be directed in water-tight drainage piping to oil/water separators in accordance with professionally accepted practices. Stormwater discharge from the separators shall be daylighted to a readily accessible location that allows for the soil adjacent to stormwater daylighting to be tested in the event of leaks from such vehicles and/or equipment.
3. As part of the Planning Board's review, with input from qualified consultants at applicants' expense, the Board shall determine an appropriate stormwater maintenance schedule including periodic testing of soil at the stormwater daylight location and/or where the stormwater from the outdoor storage is absorbed into the ground.
4. As part of the final approval of the project, the Planning Board shall impose a condition of approval that requires the owner and/or operator (as appropriate) of the facility to submit an annual report containing information that summarizes the condition of the stormwater measures, testing results, and any corrective measures that have been completed for the previous year to verify that the stormwater from the outdoor storage is not contaminating the soil and/or adversely affecting groundwater in the vicinity of the facility. This report should be due by January 31st of each year.
5. In accordance with standards established herein, in the event that maintenance and/or repair is proposed, all applicable standards for the additional use(s) must be met and maintained specifically including provisions in Article 6 of this ordinance which addresses lot(s) and use(s). The operator of the facility shall be required to disclose this information to all parties utilizing the self-storage facility.

6. The maximum cumulative footprint of all area(s) utilized for outdoor self-storage shall not exceed twenty-five (25) percent of the developed portion of the self-storage facility consisting of buildings, accessways, etc. Based on the three (3) acre maximum footprint of the developed portion of the facility specified in "E" above in this section entitled "General Standards," the maximum size of an outdoor storage area is .75 of an acre/32,670 sq. ft.

Excerpt of Table 402.5.3 (Zoning Ord.) Table of permitted uses & conditionally permitted uses  
 Chapter 402 Gray Zoning Ordinance

		RRA	LD*	MD	BD-1	BD-2	C	VC*	VCP*	BT-1*	BT-2*	WH-1*	WH-2*	LMOD
45.	Personal Services				C	C	C	C	C	C				
46.	Planned Unit Development ‡				C	C	C	C	C	C				
47.	Places for Public Assembly, Indoor and Outdoor	C	C		C	C		P	P					
48.	Private Assembly				C	C	C	C	C					
49.	Private Landing Strips for Personal Aircraft ‡	C			C	C								
50.	Public Utilities	C	C	C	C	C	C	C	C	C	C	C	C	
51.	Redemption Center						C			C			P	
52.	Registered Caregiver*				C	C	C	C						
53.	Registered Caregiver Cultivation Area*				C	C	C	C						
54.	Repair Service				P	P	C	P	P		C		C	
55.	Research Facility				C	C		C	C					
56.	Residential Open Space Subdivisions	P	P	P										
57.	Restaurant				P	P	C	P	P	C	C			
58.	Retail Trade				P	P	C	P	P	C	C		C	
59.	School	P	P	P		C	C	C	C	C	C		C	
60.	Self-Storage Facility				<del>C</del>	<del>C</del>	<del>C</del>			<del>C</del>				<u>C</u>
61.	Single-Family Dwelling	P	P	P	P	P	P	P	P	P	P	P	P	
62.	Similar Uses	C	C	C	C	C	C	C	C	C	C	C	C	
63.	Tavern					C	C	C	C					
64.	Trucking Terminal				C	C								
65.	Two-Family Dwelling	P	P	P	P	P	P	P	P	P	P		P	
66.	Warehousing				P	P								P/C
67.	Wholesale Trade				C	C		P	P					
68.														

# Town of Gray Design Standards for self-storage facilities

## *Use- specific performance standards to become: 402.8.11*

These design standards apply to all self-storage facilities, as defined in the Town of Gray Land Use Ordinance.

### **PURPOSE:**

The Town has set these standards in response to increased interest in development of self-storage facilities, both within the Town and in surrounding towns. This use has historically seen the installation of multiple long, single-story metal buildings, which can be visually monotonous and unattractive, detracting from the community's desired image. Variations in roofline elements and façade treatments are proposed herein to break up the scale of such buildings and add visual interest.

These standards seek to promote an aesthetically pleasing appearance for self-storage facilities, in the interest of retaining Gray's rural character, and protecting property values within the town and specifically within the districts in which the self-storage use is conditionally permitted.

Photographs and captions included herein are meant to provide visualizations of the intended design effect.

### **APPLICABILITY:**

These standards apply to all developments defined as "self-storage" use per the Gray Zoning Ordinance, presented to town staff, Staff Review Committee or Planning Board as of the effective date of these standards, and are meant to supplement the existing standards of the Gray Zoning Ordinance.

### **DESIGN ELEMENTS:**

The architectural design elements outlined below are options that can be combined to meet the stated purpose of improving the appearance of self-storage facilities, particularly by breaking up long, monotonous facades.

**Materials:** The Town recognizes that many self-storage facilities are metal buildings with metal roofs. For complementary architectural design elements to such buildings, such as the façade treatments listed below, a traditional Northern New England appearance is preferred, such as brick, clapboard and shingles. Contemporary materials with similar appearance, such as veneers, composites, vinyl and dyed concrete can be used to achieve this end on all or part of metal buildings.

**Roofs:** Pitched roofs are required, with a minimal pitch of at least 5/12. Buildings with projecting rooflines should be designed to create strong patterns of shade and shadow.

**Façade treatments:** Blank, unadorned or unscreened walls facing public roads, residential neighborhoods, or the front or side of abutting properties should be avoided. In addition to landscape buffering, façade treatments such as those listed below should be added to provide depth and visual interest on extended walls.

- wall plane projections and recesses,
- roof elevation variations,
- Faux windows, with or without shutters
- Decorative lighting
- Exterior artwork (i.e., building murals)
- canopies
- variations in siding materials and orientations, such as patterns or a combination of vertical and horizontal siding
- wainscoting
- awnings
- decorative dormers



Clockwise from top: Brick façade; pitched roof with appropriate colors and stone wainscoting; decorative canopy; faux windows with stone brick façade; overhang canopy; dormer.

**Buffering:** The reviewing authority shall have the ability to require buffering and screening of self-storage facility building(s) sufficient to minimize the impact on abutting properties and any publicly maintained road from which the development is visible.

These buffers/screens can include, but are not limited to: plantings, hedges, fencing, berms, walling, and combinations thereof.

New plantings must be tolerant species of sufficient height and blend with existing vegetation, which should also be retained as buffering whenever possible. Long term, plantings must be maintained or replaced to continue to serve as buffers. Fencing should be in colors compatible with the building and with the rural image of the town.

**Colors:** Building colors should be compatible with surrounding properties, to include earth tones and neutral colors, compatible with traditional New England construction. Roof colors shall be those commonly found on residential buildings, including but not limited to brown, black, gray and green, and shall be of a dark hue.

**Lighting:** All building and site lighting must be directed downward to minimize light pollution. Lights should be aimed and shielded to avoid any light directed onto the road, sidewalks or abutting properties. Lights should be directed only onto the building or the site. Light fixtures should be considered to highlight design elements as well as illuminate entry points and improve site security.

#### **ADMINISTRATIVE PROCEDURE:**

The Planning Board shall administer these standards as part of the site plan review process for a self-storage development, per Article 10 of the Gray Zoning Ordinance. Appeals of the Planning Board's decisions are to be made according to the provisions of site plan review, 402.10.17.

**Council/Manger Goals – June 2022 – 2023 Session:**

- (1) Complete agreed upon (Town and Maine Dept. of Transportation MDOT) engineered plans for Main Street (Route 100) project by September 2023.
- (2) Make solid progress for Yarmouth Road/Route 115 Project including (a) holding Public Forum with impacted residents in Nov 2022 to review draft plans, easement options and introduce Consultant handling easement (b) review easement progress reports starting in March 2023 and quarterly thereafter to determine impact to timelines (c) clarify timeline for Municipal Partnership Initiative application with MDOT to ensure funding is expended within required timeframe (may mean pushing application) (d) finalize engineered plans accordingly.
- (3) Establish new formal zones and definitions for each zone as dictated by the Comprehensive Plan and review subzone proposals based on new zone parameter lines. Using zones and Main Street project plans, implement ordinance and design standards changes identified in Village Master plan (Principle Group) by Feb 2023. Expand the review of all ordinances/design standards for remaining zones with recommendations presented to Council by May 2023.
- (4) Establish new processes to ensure backlog of other outstanding ordinance work (identified on tracking spreadsheet) is resolved, as well as, to create a streamlined approach for reviewing the results of ordinance changes as they become available to allow for corrections via a surgical, focused, and expedited timeline.
- (5) Working in collaboration with MSAD15 representatives, complete engineered plans for the Libby Hill Road project including the reconstruction of the road, addition of sidewalks and crosswalks, updates to any required drainage, formalizing the 2<sup>nd</sup> emergency egress, extension of the Shaker Rd (route 26) sidewalk from Hannaford to Spruce Street, installation of crosswalk from Spruce Street to 2<sup>nd</sup> egress path, and the extension of trails/walking paths to facilitate movement between High School, Middle School and Libby Hill Trail system by March 2023.

**Council/Manager goal setting process:**

- |                               |  |
|-------------------------------|--|
| 3 <sup>rd</sup> Sat in Sept:  | Council/Manager Retreat  |
| End of Sept:                  | Manager meeting with Department Heads  |
| 3 <sup>rd</sup> Thurs of Oct: | Committee Training/Forum   |
| Nov:                          | Council Workshop to review feedback/finalize plans & formal Dept Head goals. |

No	Items Label	Cost Est.	Task No.	Description	Comments
1	Education Funds	\$5,250 per semester - \$0 in 2020	N/A	New <b>continuing education fund policy</b> was approved allowing for up to \$5,250 per semester in reimbursements per qualified employee studies. Benefit is dependent on available funds.	Policy includes request for submissions to allow for proper budgeting. Deb advised deadline for submissions is January. She will provide info on any budget requirements. <b>Employees had until Jan 19th - request included in individual budgets.</b> (10/28) Deb advised no employees have submitted request - thus no funds needed this year. (1/19) Deb verified there are no requests for this cycle. (1/13/22) Nate adv he has no requests for teh 22-23 budget.
2	Employee Vacation/ <b>Sick Fund</b>	(2020) \$35,000 (2021) \$25,000 (2022) \$35,000	N/A	As of June 30, 2017 the <b>Town's Liability for compensated absences</b> - this is an unfunded liability and comes into play when an employee retires or leaves and requires a payout of <b>accumulated vacation/sick time</b> .	There is no designated fund for total \$245,419. Deb advised Town spent \$18,000 on retirements last year (unfunded). Council discussed setting aside 10% (\$25k) or 15% (\$37k) annually to start. Council is looking at \$25,000 Manager Contingency fund as first step in this funding. (10/28/19) Council agreed further payments to close gap should be considered. (2/18) Deb advised she is seeking \$25,000 for this fund - separately from the Contingency fund as with pending retirements, it is likely the \$25,000 will be exceeded. (2/28) Katy advised she added another \$10,000 and stated we cannot reduce as it will all be spent next year plus likely the contingency fund. (12/15) Council wants to review & possibly update sick time accumulation policy - currently unlimited. (1/19) Katy confirmed there are anticipated retirements & Council agreed for this cycle, the focus will be funding to cover. The goal long term is to build up the fund. Deb will provide summary of benefit packages in other Towns - Council will review a possible change in 'pay out' cap which may include a change in carry forward policy. (2/11) Katy adv there are no known planned retirements this year, thus the reduction in amount to \$25K. If that holds, we will be able to establish a separate account to offset the liability. Sandy also adv she will be recommending that the Council log the policy discussion on the master list at the next TC meeting. (3/22) Katy has asked Alyssa if we need to have a separate warrant article to establish this fund. (3/24) Katy has verified this will need a separate question but is below the LD1 limit. (1/13/22) Nate compiled data from other towns & drafted a starting point change to the policy. Council made add'l info requests. (1/31) Nate prov more info/Council discussed again, but briefly. Nate conf \$25k in budget as placeholder. Council req Nate/Katy to adv on any known upcoming retirements. (3/15) Council discussed options & agreed on parameters requesting more info from Nate. Will discuss again at 3/22 WS. (3/22) Council agreed to increase to \$35,000 this year & set up designated account (via TC meet) & finalize changes at upcoming TC meeting. (5/19) Council agreed to changes, will be voted on at 6/7 meeting. (6/7) Council approved changes & will need to continue to work to close the gap in unfunded liability with next budget cycle.

No	Items Label	Cost Est.	Task No.	Description	Comments
3	CIP Payment	\$2,455,000	N/A	2018 CIP Bond package was put together to allow Town to make <b>payments to the CIP fund</b> over a 5 year period. The \$100,000 remainga outstanding from the 3/12ths rainy day fund is being logged separately - see below.	<p>Need to determine the status of the \$500,000 repayment to rainy day fund. Need to determine what the annual payment is based on CIP 15 year projections over the 5 year period. Deb will have more info on repayment after new year. Council identified as top priority &amp; Sandy expressed desire to ensure CIP has everything included before the calculated payment is worked on. Mo advised there was some equipment missing which has now been added. Discussed approaches to payment calculation including using an inflation rate of 4%. Council identified the possible \$100K gained from resale of old ladder truck as CIP payment - as voted on by residents. In addition, Council agreed to move \$100k into CIP from the \$500k payment into the 3/12ths - to use projected overage next year to finalize the \$500K re-payment. (10/28) Old ladder truck is now for sale. Council agreed to ask Finance Committee to come up with "fully funded" number to better understand the gap between current \$100K - for discussion purposes. (12/17) Deb adv \$85,000 rec'd from sale of old ladder truck and \$10,000 rec'd for sale of retired equip for total of \$95,000 for CIP fund. (2/13) Deb &amp; Katy provided updated CIP information to Council. (4/2) Council agreed need to review/update fiscal policy after budget season to look at bonding larger, long term equipment items - will change CIP funding. \$42,570 interest going into CIP from bond, but will be used for paving. Agreed to keep funding at 1,850,000 with final review after final numbers provided. (4/28) Sandy re-raised the option presented by Deb/Katy to reduce the CIP payment by the \$42k interest payment as a way to reduce the overall increase on the operations side. The addt'l paving could be pushed off or could be done with the result being the CIP end balance would be reduced by \$42k. Majority of Council wanted to stay the course &amp; not pursue this option. (3/24) Katy prov 3 scenarios with payments - Council agreed to lower payment based on target to stay "neutral" with starting balance. Katy adv approx \$250K will flow into the debt serv payment from bond savings even after appr proposed usage. This will bring us up over 'neutral'. Council to make final adjs at 4/12 meeting. (3/22) Council agreed to increase payment by \$455,000 as overlay is proj to be \$749,000 and recommended amount is \$300,000.</p>

No	Items Label	Cost Est.	Task No.	Description	Comments
4	Watershed Plans	\$18,000 (2018) \$5,000 (2019) \$7,000 (2020) \$5,000 (2021) \$5,000 (2022)	N/A	\$12k for Thayer Brook & \$6k for Cole Brook were approved in last year's budget. Cumberland County Soil & Water Conservation District has identified other <b>watersheds that need surveys and/or protection plans.</b>	Doug advised contracts have been signed & surveys will be underway shortly. Some discussion was made about what other watersheds need attention. Doug will reach out to CCS&WC to ask for input and estimated costs for next steps. Awaiting report back from initial watershed study for next steps and costs. (8/6/19) CCS&W will be doing a presentation in Sept to provide an update & next steps. (10/28) Presentation has been pushed to December. Council asked if CCS&W would provide feedback on other necessary watershed studies and estimates - in addition to any monetary impacts from completed studies. (12/17) CCSWD presented results of study to Council along with recommendations. Council asked for est. for each task (ballpark), as well as, ISWG fees. (12/18) Katy provided the Watershed estimate document to the Council which is set to discuss it at the 3/26 workshop. (3/26/20) Council reviewed and would like Doug & CCS&WC to prioritize top tasks & resubmit lower budget. (4/2) Doug provided update - split in two piece with each about \$13k. Council would like tasks (1) from each proposal for this year & then the rest for next year to balance addressing current water quality issues and preparing for future impacts - revised cost \$7,200. (4/9) Kathy advised after re-reading proposals she better understands why Heather is recommending items 1-3 first before doing ordinance work. Will get clarification & bring to 4/16 meeting. No impact to bottom line as part of CIP. (4/21) Kathy rev with Council, and Council agreed to go back to the original 2 tasks - but only do task #1. With the grant funding the remaining tasks would be done the following year & after Task #1 is complete, the Council will have a better handle on when task #2 should be done. (3/9/21) Doug adv that the reg grant requires \$10k commitment, but will be split over 2 years (\$5k each). There is also another request for 2 monitoring stations for \$2k this year & \$1k annually. (3/3) Doug adv add'l \$5k is being req for previous \$10K commitment - needs to be added to CIP. He is also working with CCSW on scope of work for funding in this year's budget.
5	Sidewalks - Libby Hill	\$500,000 + cost of 2nd entrance & trail - \$50,000 for planning	#103 H5	MSAD15 has expressed interest in a joint effort in developing project plans for new <b>sidewalks between Middle &amp; High Schools on Libby Hill Road</b> for possible grant application/approval for outside funding.	Council discussing top priorities from Public Works, included in Bike/Ped Plan and from MSAD15 standpoint. State grant programs require an approved project plan and as specific % of the funding approved & set aside before applying for remainder of funding. Joint leaders meeting with MSAD15 being worked on again. Steve included the Russell School piece in his engineering request for Shaker RD (see item 25B). Dan also recommended a 'standard' be derived for all future sidewalks - covering things like width, grade, ADA requirements, etc. Steve advised he could work with Will to create a standard. Council will budget for engineering & roll this into the Shaker Rd project - see 25B below. 20% of funding would be considered in future budget once total cost is known. (10/28/19) Council asked to have Will provide estimate for engineering costs. (03/12/20) Council agreed because we are expending substantial funds for the Shaker Rd sidewalk project, this one will need to be deferred. Alec also advised the existing sidewalk would need to be redone as it is not ADA compliant. (3/2/21) Council combined this item with the sidewalk ext from Hannaford to Spruce, paving LH road, add a crosswalk to the new possible emergency exit from school - into one project and submit to GPCOG as a shovel ready project for possible state/fed funding. Will not know if there is funding until likely April/May. (12/9) Council to set up WS with MSAD15. (1/31) WS set for 3/28 (3/28) Town/MSAD15 ironed out high level scope. Alec prov updated figures. School will provide figures for 2nd emergency exit & trail. Anne will check into earmark application to submit for federal funds. Council added \$50k to budget to do engineering in case we do not get federal money. (5/19) Gray was not selected - Anne work to set up meetings

No	Items Label	Cost Est.	Task No.	Description	Comments
6	Skateboard Park	(2020) \$15,000 (2021) \$10,000 (2022) \$10,000	N/A	A GNG Student reached out to the Town asking for consideration of a <b>Community Skateboard Park</b> . Partner with school?	Dean was working on pulling together information from other Towns with skateboard parks to provide cost estimates. May be funded by the recreational enterprise fund. Dan advised Mike L. at HS has a group of students working on this and he has given them the timeline for budget season. He expects they will reach out after the new year to come in for a presentation. \$25,000 estimate provided - but could be more - Council agreed need more advance work, possible Community group & fundraising before included in Town's budget. (10/28/19) Dan advised this is still be worked on. Council agreed until they are ready to present a plan both for the park and the fundraising piece, this will not be considered. (1/21) Officer Chadler will present at the 2/4 Council meeting. (2/4) Presentation made to Council, majority supports project, requested a full blown proposal with estimated budget before next steps could be determine. The funding will need to be grants, fundraising & the Town. Location will be critical. (2/27) Rec dept is requesting \$15,000 (out of estimated \$125,000-130,000) to start the ball rolling on planning & fundraising. (2/18) Brought Nate up to speed, Dean was unsure if there was any recent activity on community side. (3/22) Sandy suggested we maintain the \$15k fund established last year, but forgo adding an addt'l \$15k this year - due to lack of activity on the project. This will give Community effort time to regroup after covid and we can consider next year. Council agreed. (2/14/22) Dan & Nate advised there is renewed interest in this effort from the School and some residents. Will likely be rolled into the discussion about Village Gateway/Pennell Recreational footprint. Staff recommending another payment into 'seed' money as total costs is likely well over \$100,000. Grants/fundraising will need to be done. (2/24) This issue came up during the Rec Dept review & Nate adv a new meeting was set which Anthony will join as well as Dan to determine the level of support and interest. (3/22) amount remains the same.
7	Land Acquisition Fund	(2019) \$50,000 (2020) \$25,000 (2021) \$50,000 (2022) \$50,000	N/A	Continue to build <b>Land Acquisition Fund</b>	May be funded by the recreational enterprise fund. Recently notified of 2 residents (Carrie Carter & Steve Morse) who have obtained a license from the state and are looking at setting up a Committee. This is tied to both the Comprehensive Plan and item 13B as a review & input from residents in needed to determine need, size, location, priority, etc. Deb did advise that Newbegin is in need of substantial upgrades to make it more efficient and capacity has been breached. See 32 below - would roll into Land Acquisition fund. (8/6/18) The Council asked Deb to reach out to the owner of the Hamilton property to inquire about options for the Town - whether that is a community center with municipal parking, fields, or housing - or a combination of them - is unknown at this point & will require further discussion. (10/28) Council has this on their workshop list. (3/12/19) Council has set a workshop on 3/31 to discuss the status of the Hamilton Property and Land Acquisition funding. (3/31) Council discussed and agreed it is a great opportunity and Town should move to engage owners in an option contract to give us time to collaborate with GNGLL, Royal River, etc. to develop plan, seek resident input & approval and create a funding plan. (4/2) Council was provided with valuation info & will discuss land acquisition fund at 4/9 meeting. (4/9) Council discussed tentative steps for Hamilton property is to identify funding in this year's budget, then between now & possibly Nov election, working on more details for concept plans and identify funding options which could be used to seek residents feed and a vote with Nov election. Council agreed to set \$50,000 again as separate question. (4/28/20) Council agreed to reduce to \$25k and to list as part of the CIP warrant article. (3/9/21) Council will start with \$50k to see impact before making full decision. (3/22) keeping amount the same (3/29) Council discussed changing approach to spend the money to allow more flexibility during a fiscal year as real estate deals are usually private and with Land Trusts deals can require quick responses. Katy will check to see if this will require a charter change.

No	Items Label	Cost Est.	Task No.	Description	Comments
8	Planning /Engineering	Route 100 South TIF Funds - \$176K appx + \$240K for Water District (2022) \$500,000	#4 M3	TIF Projects (Main Street, Village Shaker Rd, <b>Route 115</b> ), Sidewalk projects, and other projects (Wilkie Beach) require <b>engineering work to develop plans</b> before funding can be sought (or to have more pull with MDOT/MTA).	Steve projected \$75K for engineering work for the Route 115 project, but Will advised that the engineering costs need to be included into the project request - if we go with MPI program - where MDOT would pick up 50% of costs - up to \$500k. Project is estimated at 1 million. Therefore, no budget impact for this fiscal year. Gorrill Palmer provided \$91,000 design fee & \$62,000 full time construction inspection fee as estimates - but would provide a new proposal when the Town decides to proceed. Given item 25B will likely use up TIF funds for this year, this will be considered in a future budget (with evaluating the intersection at the same time). (12/17/19) Public forum held on 12/5 - Council to set workshop. (3/26/20) Council is working to amend Route 100 South TIF to allow for funds to be used on this project. (4/21) Council set public hearing for 6/2 to put out to voters at 7/14 election. (1/19/21) Workshop held with Staff/Water District/Engineer to create general plan for starting this project. Route 100 South TIF funds are available - with expiration of 2028. Will will work on providing estimates for (1) complete 'ledge' profile of road using ground penetrating radar (2) updating and completing full survey of area - Main street to 59 Yarmouth Rd (3) create a high level plan to include parameters agreed to in workshop - working with the Water District to include their piece and including Brown Street reconfiguration/parking analysis. The goal will be to use the starting plan to schedule more public forums and have some idea of overall costs as we progress. (3/9/21) Will rev proposal for services. Council asked that (1) meet with Water District (1) meet with MDOT be added, Doug asked that add'l boaring be added to ensure ledge identified properly on slope, Council adv Church needs to be pulled into discussion on Brown Street intersection, and agreed to remove "inspection/post project" services be removed for now as those decisions will be made at a later date, but we have an estimate of \$101,590 for full time inspection services. (4/12) WD submitted est for rt 115 which is over the \$495,000 total. \$40k is needed in coming year for engineering/legal. Further disc is needed on total cost. Nate will verify number. (5/4) WD req more funds for materials. (3/15/22) Council dis need for easement funds in coming year. Nate will try to obtain est from Will. (3/22) Council agreed to move \$500,000 - current est for easment is \$200,000 but there will also likely be add'l engineering work and possibly preparation work. Nate needs to obtain info on WD portion.
9	Construction Costs	\$88,400 / GPCOG grant?	#103 H5	Extending sidewalk from <b>Hannaford - Spruce Street - Sidewalk projects</b> , and other projects (Wilkie Beach) require <b>engineering work to develop plans</b> before funding can be sought (or to have more pull with MDOT/MTA).	Steve is requesting \$13,770 for construction costs to extend the sidewalk from Hannaford to Spruce street (engineering has already been done). (2/13) Alec provided estimate which includes engineering, construction, crosswalk from Spruce to School walking path, tree removal/stonewall relocation & possibly drywell = \$88,400. Council set to discuss at 3/12 workshop. (03/12) Council agreed because we are expending substantial funds for the Shaker Rd sidewalk project, this one will need to be deferred. Alec also advised the existing sidewalk would need to be redone as it is not ADA compliant. Alec also advised work new the pathway would like need to be added to this project due to stormwater issues. (3/2) Council discussed this in Council meetings as GPCOG was seeking shovel ready/worthy project to use to obtain grant funding from State/Federal programs. Council agreed to roll this into Libby Hill paving, LH sidewalks reconstruction & extension and a crosswalk to the MSAD15 ROW path which may become an emergency 2nd exit for the schools. Alec/Deb submitted to GPCOG. (12/9) Council to set up workshop with MSAD15. (1/31) WS set for 3/28

No	Items Label	Cost Est.	Task No.	Description	Comments
10	Contingency Fund	Manager \$25,000 Build/Grds \$15,000	N/A	Many Towns (and most companies) incorporate a <b>Contingency Fund</b> into their budget planning to cover unforeseen expenses.	<p>Deb provided (2) examples - \$18K for unfunded vacation/sick time for retirees and \$10K for the stormwater video work on Main Street. She has to cut from other parts of the budget which means other tasks go undone &amp; must be refunded in subsequent budgets. Many municipalities have these funds to address unexpected or emergency situation. Another one is storm clean up for Public Works. Council discussed between \$20-30K. Council agreed to tentative \$25,000 amount to cover projected retirement and have some left over. (10/28/19) Council funded this as a combination of employee time &amp; contingency - agreed we need to continue working on this fund. (2/18/20) Deb advised she is requested \$25,000 for this fund separate from vacation/sick time outstanding liability. (2/27) Katy advised we will likely spend this to supplement the vaca/sick time fund. (4/2) Deb advised it could cost up to \$10k for an addtl election if we miss the 6/9 election. Katy advised the money in this year's budget for that election would flow into the unassigned but would not be accessible until the following year's budget cycle after the audit was completed. Council needs to consider adding \$10K to contingency. Katy advised that contingency is set aside to help with transition to new Manager. (4/9) Governor will be moving election to July 14th - we will move local to coincide. Ballot printing, machine programming will be in current buget, there may be some money needed for staff time. Council agreed to keep contingency fund at \$25,000. Election change is another example of why a contingecy fund is needed. (2/11) Deb adv that this was sufficient. (2/18) Council discussed need for fund for buildings &amp; grounds. Will have follow-up discussion on amount &amp; how to set up. (3/22) Council disc separate funds vs. one fund &amp; opted for one fund; however, Katy pointed out moving it out from B&amp;G will impact the total amount towards LD1 - Council may reconsider. (4/12) Council discussed again &amp; agreed to move to CIP &amp; increase CIP payment by equal \$15k to keep neutral on LD1/CIP reserve. This will make the use clearly &amp; will allow it to roll over. (2/14/22) Recommendation is same payments as last year.</p>
11	Paving	(2020) \$469,250 (2021) \$449,225 (2022) \$511,650	N/A	Need to review <b>Paving budget</b> process to ensure projected & actual are closer	<p>Paving has been increasing in costs the last several years with 'asphalt escalation fees' built into the contracts. This means projected jobs (4 roads) may not match what actually is paved (3 roads) as money runs out during the season. Either need to increase paving budget or need to identify 'definite' vs. 'maybe' roads in the process or select fewer roads. Need to keep engineering report in mind to ensure Town stays ahead of failing road projections. (10/28/19) Steve will adjust request - to ensure we get 'caught up' on our paving - as a starting point. (2/27/20) Figure excludes \$13,500 being requested for pavement condition study. (3/12) Council discussed request for study. There is no industry standard - and last study was done 2017. Alec said roads that have been paved in last 3 years would need a study to determine their updated status. Council asked for est to do just those roads vs. a full study. (3/26) Alec checked into reducing study &amp; only option is to break down into districts to do one each year - but that will likely cost more overall. Council agreed it needs to be done by next year at latest, but need to push this year. (3/2/2021) Alec adv only one overlay was done last fall after the budget vote, but he felt the 2020 paving would be done before June. Confirmed that at \$500k a year could clear the backlog in 8 years. This does include parking lots, but not sidewalks. (3/8) Alec rev new paving study &amp; proposed paving plan for this cycle. Alec also adv he will keep GP up to date on newly paved roads &amp; Council agreed new study every 5 years is a good timeline. Dan suggested it be started earlier, but Alec adv it is started as soon as the budget is approved (July) it just takes a long time.</p>

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12	Libby Hill	(2020) \$13,579	#27 H1	Need to determine long term obligation and budget funding for <b>Libby Hill maintenance</b> for Town's portion of acreage	<p>Work has begun on the Libby Hill deed review. That will include work on a maintenance agreement between the Town, MSAD15 and the Community Endowment. An informational meeting between the 3 parties is being scheduled. Need to determine how much annual funding will be needed for Town piece and what changes need to be made to CIP schedule. (10/28) Dan was assigned as liaison and the first meeting is set to work on identifying the costs. (12/3) Council discussed again &amp; agreed should be on list. (2/27) Increased by \$2,527 for total of \$4,027 plus tractor in Mo's budget to assist. (3/12) \$4752 winter operations plus \$4800 spring operations = \$9,552. Requested Pavillion budgetting will likely be deferred until MSAD15 identifies their funding. (2/18/21) With reorganization of Rec Build/Grounds under Maintenance - per diem for LH was moved as well. Amount based on projected figures available. (12/7) Council supported MOU. Mo to work up figures for this year's budget with GCE assistance. MSAD15 reviewing with proposal to contribute \$5,000. (2/14/22) Mo has rolled budgetting for LH into his regular process/accounts &amp; identified CIP needs. This includes \$7k for legal work on conservation documents. MSAD will contribute \$5k to operations budget &amp; will handle legal fees for maintenance agreement. (3/3) Mo has rolled costs into the Building &amp; Grounds budget and CIP. (3/22) Sandy adv MSAD15 will be remitting \$5,000 in FY22. Will set up designated fund after budget approval.</p>
13	Traffic Calming Measures	??	N/A	Add <b>traffic calming measures</b> as part of the project planning & designs	<p>(10/28/19) Bicycle Coalition of Maine provides these items free of charge for testing; however, if Gray does decide to proceed with formal measures, equipment and/or construction costs may be incurred. (3/12/20) Anne advised it will take through the summer to set up tests and to identify what, if any, traffic calming measures will be recommended and then to determine costs. Will be considered in next year's budget. (3/2/21) Council agrees there are many options and there are many areas that could use them. Would like to engage organizations that can help us test lost cost or no cost options. Need to engage residents and MDOT as we move forward. (3/16) Council agreed to add add'l striping to Village Shaker Rd - sharrows and more narrow lanes to test out the results. Alec to provide add't'l costs. (3/23) Nate spoke with Patrick Adam (MDOT) and they will donate the signs. He provided requirements for sharrows and he will make sure Alec provides increased striping line to Katy. (3/24) Alec adv sharrows will not work on Shaker due to MDOT stand. Council agreed to hold off on add funds and will pull this into the Route 100 discussion. (3/8) Council/Staff had good discussion on options and agreed we should roll this into the larger infrastructure projects being planned - working with the Bicycle Coalition of Maine to set up testing options in the coming summer/fall.</p>

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14	Fencing	?	N/A	Need to <b>add Fencing to CIP schedule</b> - applicable departments	<p>(4/9) Dan pointed out that existing Town owned fencing does not appear to be included in any of the CIP department schedules. Council agreed it should be added before next budget cycle. (1/19) Katy advised this may be split between budgets (Build/grounds &amp; Rec), but they will work to pick up the fencing for future planning. (2/18) Mo adv he is in the process of collecting data - Pennel &amp; Library Station fencing has been measured. They will be measure Transfer Station fencing (which is substantial around the landfill) next. Once the dimensions are cataloged, the next step will be to grade the condition of the fencing &amp; set up replacement schedule in CIP. Target to complete for next budget cycle. (2/14/22) Mo has begun work on this effort by cataloging current fencing. Goal is to come up with a per foot cost for budgeting purposes, but this is complicated by the height and type of various fencing. Long term, trying to streamline those options may be useful. Fencing around solar array is under owners responsibilities, but would transfer if Town purchases array in year 6. Mo will continue the effort for next budget cycle.</p>
15	Existing Sidewalks	\$4,400 (condition study)	N/A	Need to <b>add all Existing Sidewalks to CIP schedules</b>	<p>(4/9/20) Sandy pointed out that existing sidewalks are also not listed in the CIP schedule for maintenance/reconstruction work. Town has been only addressing when applicable roads come up for paving - usually nothing is done when overlay paving is done - creating a situation where they are only being addressed when a road is reconstructed. By that time, sidewalks are in bad shape and add considerable costs to the road budget. Need to put money aside to ensure existing sidewalks are maintained and funded when reconstruction is needed. (1/19/21) Alec updated the council on this as part of the paving catch up plan. He will be asking for the road study again this year. He is working to pick up the existing sidewalks and parking lots. Pending the study and updated information, he feels if we maintain our current \$450k annual paving budget, we could be caught up in about 7 years without accounting for sidewalks/parking lots which may then need attention. He is working with data from Stevie &amp; his own to compile a list/conditions. We also need to make sure we understand any 'new' sidewalks being built need to be added (extension on Shaker Rd - planned Rt 115 sidewalks). (3/2) Council has asked Alec to obtain cost est to add sidewalks to paving condition study (3/15) Alec adv addt'l \$4,400 is needed to add sidewalks to condition study. He also clarified that "maintenance" is not the same for sidewalks - there is limited options because of curbing, ramps, landings, etc. It is more about tracking for full replacement. (3/8) Alec rev sidewalk study and Council agreed for this cycle - work will be rolled into the larger infrastructure projects being planned. It was note that the paved VALT trail sections should be added to the sidewalk list to ensure long term maintenance &amp; budgeting.</p>

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16	LD1	N/A	N/A	Discuss impacts of <b>LD1</b>	<p>(9/15/20) Council agreed to log to ensure discussion on how to mitigate issues with LD1. (3/23/21) Katy advised that we are currently \$4,500 over LD1, but with some of the changes requested that number will go up. Council agreed we MUST come in below LD1 this year. Discussions on how to accomplish that will be held at 3/24 WS. Katy pointed out that separate questions would be outside the LD1 for operations/CIP. But then would require individual LD1 questions to go with them (ie Senior Tax Rebate - IF Council proceeds or accrued time off fund). (3/24) After the changes made - the budget is \$1,502 under LD1 incl employee accrued time fund. The Senior Tax rebate will be over the limit &amp; set up as a separate question. (3/22/22) Town was in LD1 territory as soon as the State increased their share of revenue sharing. The MIL rate is not increasing, but residents will need to vote the LD1 question to approve the budget. (3/29) Katy rev calculations and Council agreed trying to add some additional information to flyer, in Nate's presentation and perhaps in the videos is a good idea.</p>
17	Communications	\$18,910 in owed fees / \$102,000 in annual fees	N/A	Consider proposal from Community Communications Committee to use <b>Franchise Fees for Equipment</b>	<p>(10/6) Anne advised the new Committee would like to see the newly discovered underpayment of franchise fees (\$18,910 for 2 years - more to follow?) put towards purchasing new/more equipment to improve the use of the Community Television Station and other platforms. (2/11) Council agreed until this money is rec'd, it will not be considered. There was a good conversation about how best to utilize the funding with everyone agreeing increasing communication was a high priority &amp; it would be helpful for the Committee to make a proposal for specific needs/equipment/plans which require funding. Council could then consider best approach. Deb adv current revenue is estimated at \$102,000 and that the new contract will not be done until at least June. Spectrum is currently disputing the 'unpaid' past fees. No timeline on when that issue will be resolved. (2/24) Council discussed and Spectrum is currently paying the 5% fee from previous contract. Council will consider new Cable Ordinance at 3/1 meeting &amp; will further discuss the PEG fee (up to 2%) vs. setting aside a portion of the 5% for PEG. Katy needs to advise if a separate fund for equipment can be established. (3/8) Katy prov info in e-mail - council to discuss again. (3/17) Council appr ordinance update. Equipment needs included in budget. separate PEG fund will be discussed once negotiated contract is obtained.</p>

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18	Electric Vehicle Transition	?	N/A	Transition Municipal vehicles to electric versions	<p>(12/1) Sandy advised she would be bringing this forward given the new solar array will be going online. Long term, if Town buys the array, converting as many vehicles as possible to electric will save more costs. (3/23) Council discussed plan for this - GPCOG has a loaner available for Towns to try out - Kathy adv they have used it before. Staff feels that having one 'shared' EV car would be beneficial - could be used by Code, Assessor, Admin, Planning, etc. and would charge overnight so the level 2 would work. Nate pointed out the question is which vehicle would it replace? Trucks make up more of our fleet and availability is an issue right now. Council asked if we could use the add'l bond savings to transition to one EV vehicle in the coming year. Of course, the EV charging station would be installed &amp; wonder if we can use bond savings for that work? All would need to be done by Aug 31st. (3/24) Katy verified bond savings can be used. (4/12) Council agreed we need to more analysis on which vehicle makes sense to convert and options (lease, rebates, group purchases, grants, etc.). Highly unlikely this could be pulled together in time for the bond savings deadline, but Nate has the option to bring this before the Council, if it does work out. Otherwise, it will flow into next year's budget discussion. (2/14/22) Issues with stock availability &amp; the fact that the charging station is not available yet has delayed this review. The hope is to be able to do the review and make proposals in next year's budget. Leasing options may be a good way to go as well. Mo provided an update on the EV Charging station - awaiting estimate on station model - rebates changing weekly. (10/) LD1579 requires this by 2035.</p>
19	TIF Funds	\$365,147 / \$75,000 (2021) \$50,000 (2022)	N/A	Determine available funds from Village TIF	<p>(3/9/21) Katy advised \$365,147 is currently in the Village TIF fund. (4/12) Council agreed to pull \$75,000 forward to have available in next year for planning work on Main St / Route 100 MDOT project and Village master plan planning. Verified that Nate will bring forward any spending to the Council before money is actually expended. If no money is pulled forward, if there is a need, then a special Town meeting would need to be set up. The voters have already approved the use of this TIF funding for this type of work. (2/10/22) Katy prov spreadsheet - total South 100 TIF = 1,362,995 includes \$495,000 for WD (minus anything that has been distributed to them). Village = \$476,428. (3/15) Council agreed more than \$35K should be set aside - perhaps some for land acquisition as part of infrastructure work. Nate to give it some thought &amp; provide figure. Defining how money will be spent will need to be done as we move forward. (3/22) Council agreed to increase this to \$50,000 as a cushion for the planning &amp; infrastructure work.</p>

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20	Septic System	\$5,000 (2020) plus \$5,000 (2021) \$50,000 (2022)	N/A	Create <b>replacement plan for Pennell septic system</b>	<p>(2/18/21) Mo identified the Pennell Septic system as an example of a pending critical issue that is not included in any planning/budgeting for the proposed Buildings Condition Assessment. There are currently 4 systems - Pennell ('58), Gym ('32), Maintenance ('52) and Science (??) which are extremely old. Combining and replacing the systems, as well as, addressing the status of the fields (reclaiming/reconstructing) should be done - sooner rather than later as there is no way to know if/when one or more would fail. Council agreed we need to log and add to CIP planning.</p> <p>(3/22) Sandy brought up this issue to ask Council if we want to start putting some money away. Anne suggested at least money to do some testing/engineering on a replacement system so we have a figure we can budget towards. More to be discussed at 3/24 WS. (4/12) Council rec'd feedback from Dean/Mo related to the "reclaim fields" CIP item - which was originally set to redo the fields at Pennell - may no longer be as critical because the soccer organization is no longer using the field and the field will need to be ripped up to deal with the septic so any redoing of the field will be tied to that project. Based on that, Council will rename this fund to the "Pennell Septic Fund" to allow Mo access to \$10k in funds to hire someone to analyze and come up with costs to address replacement. This will allow the Council to add the project to the CIP. (4/14/22) Mo reviewed recommendations from facilities study and estimated costs. GP is working on an engineered design - using the \$10k budgeted. (3/22) a hydro engineer specialist is needed to do the proper planning and given delays, Mo is proposing we budget \$50,000 to complete the evaluation &amp; design work - but pull in the full footprint. That will inform the total costs and allow for savings overall. (3/29) Council agreed to fund first payment using ARPA funds.</p>

No	Items Label	Cost Est.	Task No.	Description	Comments
21	Boat Ramp	\$62,000 total @ 25% = \$15,500 - \$2,000 leftover + \$16,500 from sub D for match	N/A	Determine if <b>Grant funding</b> is available for <b>Boat Ramp</b> replacement	<p>(2/18/21) Last year's grant fund was frozen due to COVID. Sandy to reach out to State to find out if there will be funding this year. Last year, State provided some concrete planks to assist with repairs in lieu of grant funding. (3/2) Tom Linscott (Director of Boat Ramp Facilities) advised they do not have funding as of right now, but are hopeful that will change shortly. Forwarded note to Heather Seiders who manages the grant fund. Sandy will tag for follow-up. (3/9) Mo adv that further repairs will require professional services and a DEP permit. Nate to work with Staff to determine if ramp can go another year or not. Town would prefer to apply for grant but may not be able to wait if grant funding is not available in the coming year. Sandy to follow up with Heather on grant status. (3/22) Mo adv the ramp should last 1 more season - because it has to - there is no way to do add'l repairs. Dean has sub pre-application for the grant money which is available this year. A site walk is planned in April and the hope is the water line is low enough to see full condition. Mo adv that standards are 12 feet - the ramp is 10 feet - Dan pointed out we may not want to increase width given CL is very small - it would allow for larger boats which could be a problem. Doug asked if add'l riprap could be provided to prevent boats from damaging area at end of ramp. Planks are around \$205 each and at least 20-25 will be needed - so that alone is \$5,100. Town must budget for 25% - State pays for 75% up to \$15,000. If the total cost of the replacement is higher - then the Town needs to budget more. Nate/Mo/Dean will work to obtain a better estimate for a total replacement. This will also need to go into the CIP for future maintenance and replacement. It is unlikely we can use bond savings as the work will need to be done by end of Aug - and Mo is advising we put 'cash' in for the 25% match not 'in kind' as the work is specialized. (3/24) Mo verified it is up to a \$150K match &amp; est is \$62,000 for a 10 ft ramp - 25% would be \$15,500 - Katy adv \$2,000 is leftover from last year for repairs &amp; will add \$13,500 to budget. (4/12) Council agreed to move match to Sub D. (2/24) Mo adv we did not rec grant. He is seeking more info &amp; info on this year's cycle. He also believes the \$62K is high. Council to make decision on status before end of budget process. (3/17) Mo adv grant prog will accept new apps &amp; State contact will rev to provide feedback on increasing our score. Council agreed \$2K in current budget should be used to address erosion issues now. \$16,500 from Sub D will be tagged for grant match. If grant is not awarded, next year, Town will fix ramp directly. <a href="#">(9/20) grant was approved!</a></p>
22	Stripping Bid	N/A	N/A	Determine if it is possible to <b>allow HOA to participate</b> in Town <b>Stripping Bid</b>	<p>(3/2/21) Dan asked if it would be possible to allow HOA to jump on the Town's stripping bid to reduce overall costs and ensure regular stripping. Katy pointed out there may be an issue because the Town is tax exempt and HOA are not. Further research is needed.</p>
23	Town Brand	?	N/A	Create a <b>Town Brand</b> for <b>Communications</b>	<p>(3/15/2021) Council has made a substantial effort to increase communications with residents, we have a new Communications Committee and various Committees are communicating directly to residents. It was agreed the Town should create a "town brand" to be used in all communications, along with a protocol and maybe a checklist to ensure consistency of messaging. (12/9) Council agreed this is a priority but we cannot create a campaign until we are ready to deliver on that campaign. (2/24) Council discussed when CEDC presented budget and felt it was too early to do a full fledge campaign as we cannot deliver what we promises to new businesses; however, Nate advised in subsequent budget workshop that Jon, Kyle and him are working on a new standard which will be used in all official communication - font, header, format so everyone can identify an official communication. This will be roled out in the coming months.</p>

No	Items Label	Cost Est.	Task No.	Description	Comments
24	State Revenue Sharing	N/A	N/A	Move <b>State Revenue Sharing</b> figures <b>outside of Budget</b> for voters	(3/24) Dan proposed we move State Revenue Sharing out of the budget we present to Residents. This year, it would look like an 'increase' but going forward, it could make it easier for them to see year over year totals without the volatility of Revenue Sharing changes at the State level. Concerns with the LD1 question situation last year, and misunderstanding that taxes make up just a portion of revenues to cover expenses were discussed as well as not having enough time to explain the change to residents. The Council agreed it may be valuable to do, but need more time to discuss and figure out communication strategy to Residents.
25	School Timeline	N/A	N/A	Work with <b>School</b> to account for <b>absentee ballots timeline</b>	(4/12) Each year the Council needs approve the School Warrant. In the past, there has been no dollar amount so they have been able to submit for consideration prior to their final budget vote. However, due to CARES act funding, they have been required to include a figure last year AND this year. Their budget vote is not set until 4/28 with their warrant article vote not set until 5/3 so the earliest agenda Council can take up action is 5/18. Absentee ballots can be requested starting at the beginning of May - thus Town needs to mail out municipal with note saying school will be available later and then track as a separate election. This increases costs for the Town and is inefficient for voters. There appears to be no statute requiring the School meet the absentee ballot schedule (as there is for Towns with referendum votes). Need to add this as a topic for the Joint Leaders meeting to resolve next year. (9/9) Sandy & Nate reviewed with Craig/Sam at Joint Leaders meeting - they will work to adjust timeline. Will follow up after first of year. (1/18) Sandy adv this will not be an issue as MSAD15 will use a yes/no only question - no figures.
26	Public Safety Strategic Plan	\$225K (radio hardware) + ???	N/A	Identify and Plan for <b>budgetary items</b> from <b>Public Safety Strategic Plan</b>	(6/15/21) Chief/Nate presented Public Safety Strategic Plan at TC meeting. Plan identifies needs in several areas (1) increase in full time EMT personnel (2) change in per diem schedule to 12 hour shifts (3) upgrade radio hardware which will be obsolete within 3 years - \$100k plus \$30 per radio for digital chip (4) review of building conditions (Port City will complete this year). Anne pointed out that perhaps some stimulus money could be used (grants) for the radio upgrades. There was also discussion about training needs and facilities - Association has raised money to help build new training apparatus but does not cover "fire" training. Regionalization was also discussed - possibly in the area of training/communication - recognizing that shared equipment is a big opportunity but also a political issue. (10/19) Chief presented updated proposal for radio work as it qualifies for ARPA funding and a possible Cumberland County Grant. Vendor will come before the Council to provide more detail on solutions. (12/7) Vendor provided detailed presentation to Council. Chief adv County is not focused on this type of application - but it was submitted on time. (3/8) Nate adv he has been working with Chief to implement some changes and set up metrics which already show improvement. Dan suggested having a summary of that work may be a good item for the flyer. (3/29) Council agreed to fund in this year's CIP with ARPA funds.

No	Items Label	Cost Est.	Task No.	Description	Comments
27	Facilities Study	Maint move \$64,400 + other safety items	N/A	Review <b>Facilities Study Report</b> to Identify items for this cycle	(11/16/2021) Nate has provided the summary of the Facilities Study done by Port City to Councilors. There are quite a few recommendations and all carry budget lines. Council will review full report once available and determine priorities and which items to include in this year's budget based on Nate/Staff recommendations. (4/14/22) Mo reviewed proposed items from study for this year's budget. Big decision is whether or not Maintenance will be relocated to Village Station. Est is \$100k - \$35,600 in Maint building costs = \$64,400 with the possible fencing \$13,565 as an item that could be reduced or put off. (3/22) Council agreed to move Maintenance to Village Station - appropriate CIP changes will be made.
28	Grant	TBD	N/A	Review and apply for <b>Recreation Economy for Rural Communities Planning Assistance Grant</b>	(11/16/2021) Anne shared an e-mail related to this grant program with the Council. We may have missed this year's deadline, but given the level of planning going on in Village which has a strong connection to Recreational activity in Town as well as the Libby Hill Trail System agreement, it is possible we qualify. (3/3) Will keep this program in mind as continue work on Village planning.
29	Speed Signs	TBD	N/A	Consider the purchase of <b>fixed Speed Signs</b> to be placed in strategic locations	(12/07/21) Alec advised the best results come from a mobile sign left for about 2 weeks. Add'l signs could assist by flashing "slow down" or the vehicles speed - being used in other towns. (3/8) Council/Staff discussed. Anne provided some info from research \$2,800-3k, but Alec checked locally and found it to be in the \$5,600 range - with the mobile ones around \$9,600. Council liked idea of solar power signs, maybe around the Village area to start. Decided more research is needed and location/usage testing could be rolled into the traffic calming work planned for the larger infrastructure project planning. There was also a discussion of maintaining the data collected by our existing sign - Alec advised a better laptop is needed, but is in the budget this year.
30	Data Set	TBD	N/A	<b>Identify</b> set of <b>Towns</b> to be used going forward for <b>data sets</b>	(1/13/2022) Nate provided extensive data information for several budget discussion. Council has long struggled with finding similar Towns to use as a data set to do comparisons for various discussions/proposals. Council would like to evaluate data presented and come to agreement on which Towns will be in the data set moving forward to bring consistency to discussions.
31	Legal Services / Engineering Services	\$4,525 increase (legal)	N/A	Prepare <b>Request for Proposals</b> for <b>(1) Legal Services (2) Engineering Services</b>	(2/10/22) Nate advise Jensen & Baird is increasing their hourly rate. Council had discussion on when the last time an RFP (request for proposals) was posted for Legal Services. It has been well over a decade - same goes for Engineering Services. Nate advised that standard practice is to put out an RFP every 3-5 years to ensure best options for Town. It is no reflection on services, but due diligence from a financial standpoint. The issue of our Auditing Services also came up - but Katy advised we have a 9 year contract with them. Nate will work up an RFP for the legal services as soon as feasible. (3/22) Nate issued RFP for legal services. (3/29) Dan & Marty will help with interviews - Krista is back up if Dan is unavailable during the day - vacation week. (5/19) Council agreed to go with Nate's recommendation to stay with Jensen & Baird - Krista & Marty agreed they had the highest score.

No	Items Label	Cost Est.	Task No.	Description	Comments
32	Science Building	\$375,000	N/A	Determine Needs & Uses for <b>Science Building</b>	(2/14/22) Mo presented the results of the feasibility study for the Science Building. The recommendations is best use if for open space (2nd floor) and then conference room, kitchenette, ADA bathroom (1st floor). ADA accessibility must be addressed by either (1) ramp - not approved by State Historical Agency (2) lift - most economical and user friendly to historical building (3) elevator. Costs to convert building to usable = \$375k. Mo advised asbestos and lead paint have been addressed both inside & outside building. Council agreed we need to have conversations with residents, recreation department, and others (library, local organizations, etc.) before deciding on best use. Should roll this into the Village Gateway/Village master plan outreach efforts. It is likely a bond package will be the best option to move forward - possibly rolling it into Village Gateway work/infrastructure project - funding.
33	Town Seal	TBD	N/A	Consider possible update of <b>Town Seal</b>	(2/24/22) While discussing the Town Brand item, the issue of the Town Seal came up. Could/should it be redesigned to refresh it? Make it more relevant? How much would it cost? Something to consider for next year's cycle.
34	Recreation Transportation	TBD	N/A	Evaluate options for <b>Recreation Dept Transportation</b>	(2/24/22) Right now, Rec is dependent on School bus availability which has been greatly hampered due to covid and driver shortage. There are insurance issues related to Gray renting their buses, but perhaps we could contract their services. Nate pointed out that some of the driving would be done at peak School times or when School is not in session so it may not be feasible. Another option would be to work with NG to do a joint purchase of a van or small bus that could be shared. Anthony/Nate will work on collecting data and coming up with options for the next budget cycle.
35	Transfer Station	TBD	N/A	Track & evaluate impact on <b>Transfer Station budget</b> created by new <b>Packaging Legislation</b>	(3/3/22) The Legislature passed a bill to require producers to fund the costs of recycling packaging material they create. The fees will be based on how much they produce and are supposed to be used to offset municipal waste costs. Nate will need to research and track the new policies as they come on line and work with Randy to update costs next year. <a href="#">(10/1/22) LD1467 expands on this to create a circular economy for post consumer recycled plastics.</a>
36	Driveway Inspections	TBD	N/A	Evaluate which Dept should do <b>Driveway Inspections</b>	(3/3/22) Scott advised that he has limited experience with driveway standards and inspection as the Town's he worked in previously had Public Works do the inspections in lieu of Code Enforcement. That seems to be a better alignment given the expertise in Public Works and the need for them to inspect other aspects of permits/plans. Nate to research in the coming year and make recommendation to Council.
37	PFAS	TBD	N/A	Investigate State Level <b>PFAS testing/resources</b>	(3/3/22) Staff will ask Cumberland County Water & Soil if they can add testing to include PFAS screening to their upcoming work. They may also have some guidance on the State level options. Staff will work to obtain more information on what is available to residents via State resources as Gray has 2 sites identified and residents should test their wells depending on where they are located.
38	Planning Fund	TBD	N/A	Create a <b>CIP fund</b> for <b>Planning/Engineering</b>	(3/3/22) Sandy pointed out there have been a few situations where we would like to move from shovel worthy to shovel ready, but do not have access to funds until the next fiscal year. Or have run into situation (like the stormwater collaspes) which are urgent and need engineering or professional planning/review. Council is willing to consider setting up a fund which would allow us to put away money, but need to make sure we clearly define the parameters of the fund and how the money could be used.
39	Stormwater	TBD	N/A	Reach agreement with MDOT for <b>Stormwater replacement on Portland Rd (South)</b>	(3/8) Alec adv the Council of his concerns related to the status of the stormwater infrastructure on Portland Rd from around NAPA/Dollar Store to the ditch (around the B&R Dairy). There are 4/5 catch basins. MDOT has advised they want similar video work done to demonstrate the need for replacement. Alec working on costs.

No	Items Label	Cost Est.	Task No.	Description	Comments
40	Stripping	TBD	N/A	Conduct outreach to <b>Mayberry Residents</b> on possible <b>new stripping</b>	(3/8) Council discussed need to improve safety on roads outside the Village like Mayberry and whether stripping like on Hancock may work on that road. Alec pointed out it does have a yellow double line so we would have to account for that in our discussions. Sandy pointed out there has been a request over the years to lay down seasonal speed bumps - at least in the area of Wilkie's Beach - but no consensus from residents. Anne adv when Hancock was done it was a process - starting with forums with the residents. Council agreed that is the way to begin.
41	Law Enforcement	TBD	N/A	<b>Obtain addt'l information</b> for future <b>Law Enforcement costs</b>	(03/17/2022) Council discussed possibility of obtaining addt'l information from the Sheriff's office regarding costs for continued contracts - for example - when do union contracts come up for renegotiation. Nate will research. (9/20) Also have a comprehensive discussion on what services are being provided, how that work is scheduled, what, if any community engagement work is done, and how metrics can be provided.
42	EV Charger	\$25,000	N/A	Install (2) <b>EV Chargers at Pennell Complex</b>	(03/17/2022) Mo went over analysis & location for 2 EV chargers at the Pennell Complex which will require a new service - to avoid overtaxing existing services. Given the work necessary for the sewer update - Mo is looking to roll all changes - conduit for new electrical, burying propane tanks, laying new water lines, etc - into that project to save costs and disruptions. Estimated cost for EV Charger is around \$30,000 if we increase to 400amp service at the same time. There are rebates available - but limited. The new infrastructure funding have funds set aside for EV chargers in "rural" areas - may or may not qualify. Council set up account which has \$5,000 from last year - so addt'l \$25,000 is needed. (3/22) This work will be rolled into the larger Pennell footprint plan (Pennell septic).
43	GCTV Usage	N/A	N/A	Create <b>Metrics</b> to measure <b>GCTV Usage</b>	(03/17/2022) Council agreed to realignment of staff in hopes that Library Director will have more capacity (with Asst. Director added) to engage Community and increase programming on GCTV. Council would like some baseline metrics created and then used to check back next year on progress.
44	Cemetery	N/A	N/A	Review <b>Lanes in Cemetery</b> for repairs	(03/17/2022) Cemetery budget letter included a statement indicating the group would like to meet with Town Staff to review the status of the lanes and discuss long term repairs and upkeep in coming year.
45	County	N/A	N/A	Identify impact from <b>County budget</b> move to <b>Fiscal year</b>	(3/22/22) Council agreed to opt into the 5 year payment plan with the County and if we have the ability to pay forward faster we will. Katy advised we have until Dec to let them know. Katy is checking on flexibility available.
46	Chatbot	N/A	N/A	Research <b>Chatbot</b> feature futher	(3/22/22) Generally Council agrees an AI assistant could bring value - but only if it is efficient in the assistance. More research needed on this option and vendors.
47	Northbrook TIF	N/A	N/A	Determine impact of <b>Northbrook TIF expiration</b> on budget	(3/29/2022) Council discussed the fact that Northbrook TIF is expiring in 2027. Need to analyze how that closure will increase tax revenue while accounting for increase in Town's valuation which will reduce State revenue sharing amounts for both Town and School District.
48	Budget Flyer	N/A	N/A	Add <b>Salary Adjustment</b> total vs. individual dept budget	(05/19/22) Dan pointed out there is a difference in how the total salary adjustment figure is shown in the budget vs. the allocation moving into dept budgets between documents. Try to create an explanatory note for next year's flyer.
49	Loan Program	N/A	N/A	Use ARPA funds/or other to create <b>revolving Loan Program</b> for <b>Water Quality upgrades/issues</b>	(5/19/22) Dan suggested if the Town had a revolving no interest or low interest (with admin fee to cover costs of processing) for residents to tap to upgrade septic systems, address erosions issues or other water quality improvements, more residents may agree to complete these upgrades to protect our water shed. Other towns have these programs. Could possibly use ARPA funds or other funds to start. (10/1) Michael suggested adding residential solar as a option for <a href="#">this loan program to assist with climate action goals.</a>

No	Items Label	Cost Est.	Task No.	Description	Comments
50	Employee Benefits	N/A	N/A	Review & <b>provide recommendations</b> for changes to the <b>Retirement benefit</b>	(06/07/22) As part of the changes made to the sick time payout policy, the Council committed to considering changes to the retirement package for employees. The sick time payout was being used as a way to save for retirement which is not appropriate. Providing a more robust retirement option will offset the sick time pay out elimination. Nate will work with Staff to bring forward a recommendation for the next budget cycle.
51	Scholarship	N/A	N/A	Review status of <b>Charles Barker Scholarship &amp; replace funds</b>	(6/7/22) Sandy rec'd a request from a resident regarding the status of this scholarship fund. Katy researched it & it appears a portion of the principle was paid out inadvertently. Until that money is replaced, the interest cannot be used for scholarships. Based on the small amount of interest, that could be 30+ years. Council to consider replacing principle to make account whole & also whether an outside organization would be better suited to manage the scholarship. The Grange 41 scholarship should be reviewed as well.
52	Boat Ramp	N/A	N/A	Make addt'l <b>ADA upgrades</b> around <b>boat ramp</b>	(7/5/22) Companion to item 21 above - Town is reapplying for boat ramp grant. Mo advised the lack of ADA accessibility to the boat ramp reduced our score. Council agreed we should add to the project as Mo believes there is minimal impact to the shoreline, there is room away from the public beach and minimal impact to vegetation. He will add "contingent on local/state approval" to the application. If the grant is not approved or the amount is too low to do the ADA piece, Council is committed to handling as addt'l project to boat ramp.
53	Sub Division Roads	N/A	N/A	Review impact of <b>making Private Sub Division Rds Public</b>	(8/2/22) Dan asked Council to consider requesting more specific budget data for public maintenance of current private sub division roads which currently have winter maintenance already provided at a workshop. His thought is if they Town is going to mandate specific standards and Sub Divisions meet the standard, the road should be public. If not, then consider changing the standards. Council agreed to discuss as part of upcoming budget cycle.
54	Senior Tax Rebate	N/A	N/A	Review impact of <b>LD290 Property Tax Stabilization Act</b> on Local program	(8/2/2022) Legislature passed LD290 which freezes property taxes for any resident 65 years & older who has lived in a homestead for at least 10 years. The State is indicating it will reimburse Towns for the last revenue 100%. There is no means testing, no asset testing and residents can own other properties (such as rentals). Provide feedback to our Legislative Team to add means/asset testing to match our local program. Consider changes to our local program as this now gives them a double benefit in addition to the tax deferral option also provided at the State level.
55	Town's Website	N/A	N/A	Review options for <b>Town's Website</b>	(9/14/2022) Dan points out the search feature on the website brings back results in no logical way - they are all intermixed. Kyle advises there is no option to improve it on the current platform. Council to discuss with Staff options for moving forward including the possible conversion to a new platform.
56	Stream crossings	N/A	N/A	Identify & review status of <b>stream crossings</b>	(9/14/2022) There is some DEP grant money available for replacing/upgrading stream crossings. Dan has asked for a status update on Gray's stream crossings if any.
<a href="#">57</a>	<a href="#">Bonding</a>	<a href="#">N/A</a>	<a href="#">N/A</a>	<a href="#">Review Bond rating, Bond status and Bond options</a>	<a href="#">(10/1/22) Council agreed bonding will be a consideration this coming Budget cycle and could encompass various items - land purchases, facilities study items, LH road project, etc. and the Main Street project will likely include bonding. Agree Katy to provide an overview of the Town's bond rating, current bonds and bond options in Jan before budget season.</a>
<a href="#">58</a>	<a href="#">Ecomaine</a>	<a href="#">N/A</a>	<a href="#">N/A</a>	<a href="#">Identify impact of fee increase for using ash landfill</a>	<a href="#">(10/1/22) LD259 allows increases. Nate to have Katy check into this. Nate also advised Ecomaine is creating plan to discommission/close ash landfill including costs for users.</a>
<a href="#">59</a>	<a href="#">Assessor</a>	<a href="#">N/A</a>	<a href="#">N/A</a>	<a href="#">Review impact from LD1129 highest use in valuation &amp; revaluation impacts</a>	<a href="#">(10/1/22) LD1129 requires a change to use the highest use for valuation consideration. In addition, last year the Town had a reevaluation due to the home market. Meet with Lauren to ensure understanding of changes and projected changes as we approach June &amp; MIL rate calculations.</a>

No	Items Label	Cost Est.	Task No.	Description	Comments
60	<a href="#">Building &amp; Grounds</a>	N/A	N/A	<a href="#">Develop plan to relocate Douglas Field to Village Gateway Property</a>	<a href="#">(9/20/22) Council asked Principle Group to update their report to show the 2 field recreational space originally proposed on the Village Gateway Property and move some of the possible housing to the Douglas Field location. The Douglas field does not fully sit on the Town's property - fencing, the concession stand and parking are all on private property. The parcel was donated to the Town under the condition it remain recreational in nature in perpetuity. The field will be relocated to the Village Gateway and paired with a 2nd field to create a multipurpose field from the two outfields. This will allow the Town to sell the current parcel &amp; repurpose the use of space at Pennell. During the August workshops, the Council asked Doug to work with Will to do a more thorough review of the parcel's condition to help determine the cost for relocating Douglas. GNG LL will be involved and may be able to apply for grant money to assist with the relocation.</a>
61	<a href="#">Travel Expenses</a>	N/A	N/A	<a href="#">Review the current overnight travel expense policy to consider change to Per Diem Federal policy</a>	<a href="#">(10/4/22) Katy J has created a new expense report form and is setting up a new process to ensure review &amp; approval is sought by employees prior to submitting for reimbursement. She would also like to have another method for approving the Town Manager's expenses (right now - he approves his own). Nate also asked that the Council consider switching the reimbursement approach to mirro the Federal per diem approach.</a>
62	<a href="#">Public Works Director</a>	N/A	N/A	<a href="#">Consider changes to PWD job description and convert existing job to Asst. PWD</a>	<a href="#">(10/4/22) Nate presented some options for consideration to elevate the current Public Works Director position to an engineering/manager position that may also eventually encompass the Transfer Station. That is would require upgrading an existing foreman position to an Asst. to the Public Works Director to take over much of the day to day supervision and planning. The PWD would then only be in a "truck" to plow when there was an emergency need for it. This may require hiring another truck operator. Council agreed to the discussion and requested budget figures to make the changes. The hire would not initial be responsible for the Transfer Station but would start cross training to cover when the Transfer Station Director is out/unavailable.</a>



## TOWN OF GRAY

Henry Pennell Municipal Complex  
24 Main St, Gray Maine 04039  
www.graymaine.org

OFFICE OF THE TOWN MANAGER

*Nate Rudy, Town Manager*  
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October 13, 2022

### **Town Manager (TM) Report to Town Council (9/28/2022 – 10/13/2022):**

- 10/1: The Gray Town Council Retreat was held at Coolidge Chapel, 16 Shaker Road.
- 10/3: TM was invited by MMA to testify at the Maine Legislature Commission on Short Term Rentals
- 10/4: Town hosted a Brownfields Advisory Committee meeting attended by voting residents, non-voting ex-officio members representing regional, state, and federal entities, Town staff, and Councilor Maguire.
- 10/4: Town hosted a staff-level planning meeting about Yarmouth Road and Main Street road construction projects with the Maine Department of Transportation.
- 10/5-6: TM attended the Maine Municipal Association Convention in Bangor and represented Gray at the MMA Annual Meeting.
- 10/11: The Town of Gray hosted a GCTV televised Candidate Forum for State House and Senate candidates. The forum was moderated by former Gray Town Manager and Gray resident Mitch Berkowitz and Gray resident and noted volunteer leader Brad Fogg.

#### Upcoming:

- 10/17: TM will attend Maine Council on Aging board meeting in Hallowell.
- 10/25: TM will attend annual MMA Labor and Employment Law update training in Portland.
- 11/1: TM will attend Greater Portland Council of Governments Comprehensive Economic Development Strategy (CEDS) meeting in Portland.

#### Other activities:

- The Brownfields Advisory Committee provided scoring on submitted Requests for Qualifications for Qualified Environmental Professionals, and a subcommittee review panel will interview the two finalists on Friday, October 14. I intend to submit a recommendation to Council at your meeting and ask that it be added to the agenda as an Action Item. The qualifications from the two finalist firms are included as addendums to my report.

*GRAY COMMUNITY FOOD PANTRY*

*5 Brown St.*

*Gray, ME 04039*

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9-20-2022

Nathaniel Rudy, Town Manager

Members of the Town Council

Town of Gray Maine

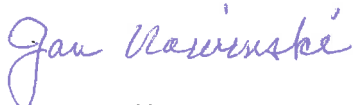
24 Main Street

Gray, ME 04039

Dear Mr. Rudy and Town Council Members,

Thank you all for designating the very generous donation of \$2500 from The American Rescue Plan Act that the Gray Community Food Pantry has just received from our Town of Gray. It is an amazing donation and will go a very long way in helping out our neighbors in need in Gray and surrounding communities. Please be assured that all of it will be put to good use.

Sincerely,



Jan Nowinski

Pantry Volunteer Financial Secretary



400 Commercial Street, Suite 404  
Portland, ME 04101  
207.772.2891

September 30, 2022

Mr. Nate Rudy  
Town Manager, Town of Gray  
Henry Pennell Municipal Complex  
24 Main Street  
Gray, Maine 04039  
Sent Via Email: [nrudy@graymaine.org](mailto:nrudy@graymaine.org)

Re: EPA Brownfields Assessment - QEP

Dear Mr. Rudy:

Ransom Consulting, LLC (Ransom) is pleased to submit our qualification package to provide Qualified Environmental Professional (QEP) Services for the Town of Gray's FY2022 Brownfields Assessment Program. We congratulate the Town on receiving this \$500,000 United States Environmental Protection Agency (U.S. EPA) Assessment Grant. Ransom appreciates the opportunity to have worked with the Town of Gray on the grant application and we are extremely excited about the possibility of continuing to work with the Town, U.S. EPA, Maine Department of Environmental Protection (MEDEP), and other stakeholders on the assessment, cleanup, redevelopment, and revitalization of key sites throughout the Town. ***We believe Ransom is the right fit as the Town's QEP, stakeholder, and partner on this project. Our experienced and professional team will help make this project a success!***

Having worked with you on municipal Brownfields Programs in Gardiner and Hallowell, we feel privileged to leverage off that experience and bring it to Gray. As part of the preparation to assist the Town with this Assessment Grant application, Ransom worked with the Town to identify and assess how a Brownfields Program could benefit Gray and at the same time identify potential sites throughout Town. Ransom has completed this same type of work on behalf of municipalities across the State ranging from EPA Assessments and Cleanups in Cities and Towns like Portland, South Portland, Brunswick, Bath, Wiscasset, Rockland, Camden, Gardiner, Hallowell, Waterville, Wilton, Dover Foxcroft, and Lincoln, to name a few. Often our environmental work associated with the assessments and cleanups including Phase I Environmental Site Assessments (ESA), Site Specific Quality Assurance Project Plans (SSQAPP), Phase II Subsurface Investigations, Analysis of Brownfields Cleanup Alternatives (ABCA), cleanup planning, has been presented to City Councils and Town Select Boards.

Through our grant preparation and site inventorying work in Gray, Ransom has established an intimate knowledge of the Town and understands how to efficiently get sites into the program such that they can be thoroughly assessed and ultimately cleaned up. ***We understand Gray's Target Areas and are prepared to immediately engage with site owners and focus on getting your priority sites assessed, cleaned up, and positioned for successful redevelopment.***

Attached to this cover letter is a brief overview of Ransom's qualifications and experience in support of the Town's Brownfields Assessment Program with the intent of answering this question: ***Why should the Town of Gray select Ransom?*** Here are our reasons:

1. **Ransom has Successfully Completed More Brownfields Assessment Projects than any Other Firm in Maine:** Ransom is currently or has previously worked with more U.S. EPA-funded Brownfield programs in Maine than any other firm. Having worked

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Mr. Nate Rudy  
Town of Gray

with many Brownfields grantees, we understand the dynamics of managing and conducting successful Brownfields and environmental programs. Within the past five years, we have completed or are in the process of completing, U.S. EPA-funded Brownfields Assessment projects on behalf of the communities/organizations of the Androscoggin Valley Council of Governments (AVCOG), Bath, Belfast, Lincoln, Lincoln Regional planning Commission (LCRPC), Old Town, Our Katahdin (Millinocket), Portland, South Portland, along with several projects on behalf Southern Maine Planning and Development Commission's (SMPDC's), and the Maine Department of Economic and Community Development's (MEDECD's) Brownfields Cleanup Revolving Loan Fund (RLF) Programs. *We have helped our clients create successful assessments, and sustainable resilient cleanups, and are proud to have observed meaningful redevelopment on Brownfields sites throughout Maine.*

2. **We've Done This Before:** Ransom has previously provided this exact kind of Brownfields technical support to other municipalities, non-profits, regional planning commissions, MEDEP, and for-profit entities including developers. We understand the U.S. EPA and MEDEP environmental assessment and cleanup process and the needs of those parties administering the regulatory programs.
3. **Brownfields Revitalization is a Core Service:** Over the last 15 years, Ransom has expanded our services with a specific focus on Brownfields assessment/cleanup and redevelopment. We've fine-tuned our staff to provide capabilities in all aspects of Brownfields redevelopment including due diligence; site investigation; site remediation; redevelopment and reuse planning; historic preservation planning; hazardous materials inventories; site civil engineering, planning, and permitting; and geotechnical engineering.
4. **Nick Sabatine is our Project Manager:** Nick has worked as Ransom's Project Manager assisting the Town write this successful assessment grant application. Additionally, you should feel confident that Nick and his team will provide the same high level of service you received during your time in Gardiner and Hallowell. He will continue to be Gray's point of contact and will ensure that this project will be a success. Similar to point No. 2 above, Nick has done this before. His resume is included with this package.

We believe our qualification provide the information requested in the Town of Gray's Request for Qualifications. Ransom is eager to continue to offer our experience and expertise to Gray and we appreciate the opportunity to submit our qualifications. If you have any questions or require additional information, please contact us at (207) 772-2891 or by e-mail ([nsabatine@ransomenv.com](mailto:nsabatine@ransomenv.com)).

Sincerely,

RANSOM CONSULTING, LLC



Nicholas O. Sabatine, P.G.  
Vice President / Principal / Senior Geologist



Stephen J. Dyer, P.E.  
Principal & Senior Engineer

## QUALIFICATIONS AND EXPERIENCE

Stephen Ransom founded Ransom in 1988 with a vision of providing extraordinary service in environmental consulting and engineering, which continues to this day. ***Since our founding over 30 years ago, Ransom has realized steady growth both in professional staff, geographic reach and service areas.*** Ransom has grown to 70 environmental/engineering professionals working out of six regional offices in Maine, New Hampshire, Massachusetts, Rhode Island, and two New Jersey offices. Our Portland, Maine office has our largest population of technical staff with 20 employees. Since 1988, Ransom has completed more than 7,000 environmental projects for clients located throughout the eastern United States. Our clients have included municipalities, regional planning commissions, council of governments, and other governmental agencies, utilities, attorneys, real estate developers, large and small industrial companies, and hazardous waste contractors, among others. Our clients' satisfaction with our services has resulted in a large volume of repeat and referral business, which has been a significant contribution to our sustained growth.

Since our founding, our service offerings have expanded, both in type and geographic reach, from a single office, focusing on environmental due diligence and regulatory compliance, into a multi-disciplinary environmental and engineering consulting firm with a strong northeast regional presence. We have expanded our core services to include the following:

- U.S. EPA-funded Brownfields Assessments, Cleanup, & Revolving Loan Fund (RLF) Programs
- Environmental Risk Characterizations / Risk Assessments
- Site Cleanup / Remediation Planning
- Construction Oversight and Management
- Site Civil Engineering
- Environmental Compliance Auditing
- Geotechnical Engineering
- Wastewater Systems Design/Upgrades
- Stormwater Management
- Water Supply Investigation/Planning
- Geographic Information Systems (GIS)
- In-plant Environmental & Engineering Services
- Industrial Hygiene, Occupational Safety and Health Administration (OSHA) Compliance Services, and Training
- Hazardous Materials Inventories, Assessments and Surveys (Asbestos, Lead, Radon, Hazardous Wastes [RCRA], Universal Wastes, and Mold)
- Environmental Resource Protection and Permitting (National Resource Protection Act (NRPA), United States Army Corp of Engineers (USACOE), Clean Water Act (CWA), Shoreland Zoning, etc.)
- Historical and Archeological Surveys (National Historic Preservation Act (NHPA) and Maine Historic Preservation Commission (MHPC) / Maine State Historical Preservation Office (ME SHPO))

Ransom focuses on providing practical and creative solutions to environmental and engineering challenges. We recognize there are sometimes numerous solutions to any given problem and are committed to remaining open-minded and working with our clients to develop the approach which will best meet their needs. Our success is a direct result of our dedication to the fundamental values of honesty, integrity, and loyalty in all our relationships and to the highest standards of excellence in all our work.

***Ransom's successes have been the result of "going above and beyond" for our clients and by building a relationship of trust. We recognize that, through our commitments to service and professional growth, we distinguish ourselves from our competition. We recognize that building and maintaining relationships is what business is all about!***

Providing environmental consulting and engineering services on Brownfield Sites is Ransom’s core service, and as such, is an area in which our team members have exceptional expertise. Our team members have worked collaboratively with groups including municipal and state officials, regional planning and development commissions, developers, financial institutions, special interest groups, community groups, various review and approval agencies, as well as other environmental consultants. The Ransom team members tasked to the proposed assessment project have extensive experience working with United States Environmental Protection Agency (U.S. EPA)-funded Brownfields projects, privately funded Brownfields projects, and other environmental projects throughout Maine.

***Ransom has over thirty years of experience working in the State of Maine and with U.S. EPA and (MEDEP regulatory requirements. This experience has included Brownfields Phase I, II, and III Environmental Site Assessments (ESAs), developing Quality Assurance Project Plans (QAPPs) and Site Specific QAPPs (SSQAPPS), developing site remediation strategies, feasibility studies, and Remedial Action Plans (RAPs), conducting cleanup actions for municipalities, as well as evaluating and proposing financially feasible redevelopment options that fit the site conditions, the needs of the community, and/or the owner’s desired outcomes for their sites.***

Ransom staff members consist of Professional Engineers, Professional/Certified Geologists and Hydrogeologists, Environmental Scientists, GIS Specialists, CAD Operators and Technicians, Hazardous Materials Specialists (Building Materials), Industrial Hygienists, Construction Managers and Supervisors, and other support staff. Our professional staff has strong relationships with a broad range of MEDEP and U.S. EPA Brownfields and environmental regulatory staff. These relationships will ensure that the Town of Gray will be provided with the highest quality service possible.

*“There are many good environmental firms in Maine, and I’ve used several of them over the years. But when I have a complicated environmental problem or an especially tight timeline, I can always count on Ransom. I appreciate their responsiveness and balance between the health and safety of the future users of the project on one hand, and the need for certainty and sensible solutions on the part of the developer.”*

**Kevin Bunker, Partner  
Developers Collaborative-  
developed the TW Dick Site**

Ransom team members have conducted hundreds of Phase I and Phase II ESAs, remediation and abatement planning and design, redevelopment and reuse planning, smart growth initiative planning, local and state permitting, geophysical investigations, risk assessments, feasibility studies, cost estimates and cost control, quality management plans, sustainable development planning, and public education and outreach programs. All Ransom assessment personnel, identified as members of this project team, greatly exceed the definition of an Environmental Professional, as defined in the All-Appropriate Inquiry (AAI) Standards (40 CFR 312), and have the expertise and experience to confidently identify, assess, evaluate, plan, and conduct cleanup actions for typical Brownfields sites.

***Ransom is fully capable of performing the work outlined as part of the Town of Grays’s Request for Qualifications (RFQ) for the FY2022 Community-Wide Brownfields Assessment. Our proposed project organization and management are designed to meet a few key objectives, including responsiveness, commitment, Town of Gray familiarity, and value.*** Ransom is committed to being responsive to the program’s needs and project demands.

#### Similar U.S. EPA. Funded Brownfields Assessment Projects

**City of Gardiner, Maine:** Ransom has been working with the City of Gardiner as their Qualified Environmental Professional (QEP) since 2013. In 2013, Ransom assisted Gardiner in writing a successful \$400,000 Assessment Grant and selected Ransom as their partner in establishing a sustainable Community-wide Brownfields Program. Early in the program, Ransom worked with the City who teamed with the University of Maine in establishing four charrettes to engage the community in a process that established site priorities and provided the program with the required focus to embark on site assessments. Historic manufacturing/industrial sites located along the Cobbossee Stream that runs through the center of the City were given priority.



The former TW Dick steel fabrication site which overlooked Gardiner’s downtown became the priority site. Ransom worked with the City to gain site access and completed a Phase I ESA, a SSQAPP Phase II, Hazardous Building Materials Inventory (HBMI) and an Analysis of Brownfield Cleanup Alternatives (ABCA). Technical documents were reviewed by U.S. EPA and the MEDEP. Ransom’s work quantified not only the identified contamination, but the potential costs associated with site abatement and cleanup. Utilizing this information, the City created a Request for Proposals from interested developers. The City with Ransom’s assistance held a pre-bid walk to show developers the properties that comprise the site and discussed the cleanup. After a developer was selected Ransom worked with the development plans to develop a cost-effective remedial approach for the site.

In the fall of 2015, Ransom assisted Gardiner in their applications for Revolving Loan Fund (RLF) to the Kennebec Valley Council of Governments (KVCOG) and the Maine Department of Economic and Community Development (MEDECD) programs. Gardiner was granted a total of \$405,000 and at the same time, Ransom supported the City in writing a \$200,000 Cleanup Grant directly from the U.S. EPA. The U.S. EPA Cleanup Grant was awarded to the City in the Spring of 2016. Ransom completed the engineering Cleanup Design, put the project out to contractor bid, held a pre-bid conference, held two public meetings and made recommendation to the City for contractor selection. Building abatement and demolition were completed at the end of 2016 and site restoration began in the Spring of 2017. A medical office building was constructed on a portion of the site and opened in the fall of 2018. Two workforce housing units were constructed on another portion of the site and were open for occupancy in 2020. In 2021, the TW Dick site was written up as a U.S. EPA Success Story.

**City of Hallowell, Maine:** Ransom assisted the City of Hallowell write and receive a successful \$300,000 FY2017 community-wide Brownfields Assessment Grant (\$200,000 haz/\$100,000 petro). Assessment funds were utilized to create a petroleum site inventory, assess an area to be utilized as a pocket park on Water Street, assess a large quarry site that has housing development potential as well as potential to expand the City’s trail system. The Central Building at the historic Steven’s Campus was assessed and reused by Community Housing of Maine to create senior housing.

**City of Old Town, Maine:** Ransom has been the City of Old Town’s QEP since 2012. Prior to assisting the City with the creation of three successful U.S. EPA-funded Cleanup Grants for the former Old Town Canoe Factory Site, Ransom conducted Brownfields Assessments on the property under contract to the Maine Department of Environmental Protection in 2010 and 2011 through their Brownfields Assessment Program.

As Old Town’s QEP on the City’s FY2016 \$400,000 and FY2019 \$300,000 U.S. EPA-funded Assessment Grants, Ransom has assisted the City assess the former MFG/Experia/Old Town Fuel & Fiber/Georgia Pacific Pulp and Paper Mill. This approximate 200-acre site is located directly adjacent to the Penobscot River and includes a hydroelectric plant, rail yard, bulk fuel storage area, chip storage yard, wastewater treatment facility, and all the supporting infrastructure of a large-scale pulp and paper mill. Upon completion of the assessment work, ND Paper purchased the site and has since restarted the mill making over \$150,000,000 in investment and is employing over 150 staff. ND Paper was highlighted as a U.S. EPA Success Story.

*“Ransom did an outstanding job helping us through every step of the Brownfields process, from grant application to cleanup. There has been a lot of positive feedback from people who are glad to see the site cleaned up and are looking forward to seeing it reused. We [City of Old Town] couldn’t be happier with the work done by Ransom.”*

**Bill Mayo, City Manager, City of Old Town, Maine**

**Town of Gray, Maine Project Experience:** Ransom completed a Phase I for the Town of Gray for three parcels of land, identified as Lots 27, 28 and 29 on Block 403 of Tax Map 35, located along Main Street and Lewiston Road, in 2021. The Site consisted of three irregularly shaped parcels of land, which encompass approximately 7.38 total acres located along the northwestern side of Main Street and Lewiston Road.

Ransom completed Phase I/II environmental site assessments as well as geotechnical and civil engineering services at Avesta's 16 Hancock Street site.

**The Androscoggin Valley Council of Governments (AVCOG), the City of Bath, Belfast, Lincoln County Regional Planning Commission (LCRPC), Lincoln, Midcoast Economic Development District, Our Katahdin (Millinocket,) Piscataquis County Economic Development Council (PCEDC), Portland, Portland Housing Authority, Rockland, South Portland, Maine:** Ransom has or is currently the QEP for all of these organizations and their successful U.S. EPA funded Brownfields Assessment Programs.

### Proposed Project Management Team

*Providing environmental consulting and engineering services on Brownfield Sites is Ransom's core service, and as such, is an area in which our team members have exceptional expertise. Detailed resumes of the project team members can also be provided upon request.*

Ransom team members have successfully completed hundreds of Brownfields Assessment projects. Beyond Phase I/II assessments our work has included, remediation and abatement planning and design, reuse and redevelopment planning, smart growth initiative planning, local and state permitting, geophysical investigations, risk assessments, feasibility studies, cost estimates and cost control, quality management plans, sustainable development planning, and public education and outreach programs. All Ransom Brownfields Assessment personnel, identified as members of this project team, greatly exceed the definition of an Environmental Professional, as defined in the AAI Standards (40 CFR 312), and have the expertise and experience to confidently identify, assess, evaluate, plan, and conduct cleanup actions for typical Brownfields sites.

Our proposed team is comprised of the following individuals:

**Nick Sabatine, P.G.** will be the Principal-In-Charge (PIC) and overall Program Manager for Ransom, oversee coordination of resources, project schedules, staff, and will attend community meetings. Nick will be one of the primary contacts with Gray regarding the implementation of program tasks to ensure the goals of the project are met efficiently and effectively. As Office Leader for our Portland, Maine office, Nick will also provide management support on project staffing and other project needs, as necessary. Nick is a Principal/Vice President and Senior Project Manager at Ransom with 30 years of professional experience in environmental consulting in Maine. Nick serves or has served as Principal-In-Charge, Quality Assurance (QA) Officer, and/or Senior Technical Reviewer for Ransom's Belfast, Rockland, LCRPC, Midcoast Economic District (MCEDD), Bath, Southern Maine Planning and Development Council (SMPDC), Greater Portland Council of Governments (GPCOG), MEDEP, and PCEDC's Brownfield Assessment programs and the Town of Dover-Foxcroft's Cleanup of the former Maine Leathers Tannery Site, Central Hall, and former Moosehead Mill projects. He currently serves as the Program Manager for the City of Gardiner's, Hallowell's, and Old Town's Assessment programs and he was responsible for the U.S. EPA-funded Cleanup of the former TW Dick site in Gardiner, Old Town Canoe Factory site in Old Town, the Brindis Leathers Site in Canton, Old Tannery in Saco, and the Wilton Tannery and Forster Mill sites in Wilton. Nick has conducted senior review on over 50 Brownfield projects in the past five years.

**Steve Dyer, P.E.** will serve as the QA Officer and Senior Technical Reviewer, providing senior technical oversight on remedial plans and assessment documents. Steve is Ransom's Environmental Engineering Practice Lead and has over 30 years of consulting experience. Much of his experience has been working on Brownfield Assessment, Cleanup, and managing U.S. EPA funded RLF Programs. Steve will be responsible for review technical documents such as the as our SSQAPPs and our ABCAs as well as assisting the team with site cleanup planning.

**Aaron Martin, L.G.** will be the Project Manager and Senior Geologist and will manage day-to-day project activities, be in frequent communication with Gray regarding the implementation and coordination of the tasks identified in the RFQ to ensure the goals of the assessment program are met efficiently and effectively; ensure the



project is on schedule; and ensure that Ransom's staff are involved and invested in the project. Aaron has over 18 years of environmental consulting experience in Maine. He is a Maine Licensed Geologist. Aaron has been heavily involved with Ransom's Brownfield assessment and cleanup projects throughout Maine. He has been a project manager and geologists involved in Brownfield programs with AVCOG, City of Belfast, Lincoln, LCRPC, MCEDD, Bath, Rockland, Gardiner, Hallowell, and SMPDC.

**Jaime Madore, P.E.** Jaime Madore will serve as Senior Cleanup Design Engineer and has 20 years of professional experience working on a variety of environmental, Brownfields, civil and water/wastewater engineering projects. She has experience conducting Brownfield assessments, investigations, and cleanups; Phase I and Phase II environmental assessments and investigations; remedial investigations and system designs for impacted soil, soil vapor, and groundwater; construction phase engineering services, including contract administration, bid preparation and assistance, and construction oversight.

**Patrick Brown** is an Associate Project Manager at Ransom with over 7 years of experience. Patrick will also serve as a contact during the assessment projects and will assist with performance and coordination of day-to-day assessment tasks. As a Project Geologist, Patrick assists multi-disciplinary project teams responsible for conducting Brownfields and private environmental assessments and cleanups for municipalities and regional planning commissions throughout Maine, including AVCOG, MEDEP, PCEDC, and the communities of Lewiston and Belfast. He has experience performing and managing numerous environmental and geotechnical projects. Patrick has conducted numerous Brownfields environmental sampling programs, including soil and groundwater sampling, sediment and soil gas sampling, indoor air sampling, and surveying groundwater elevations.

**Wes Harden** is a Hazardous Materials Specialist, Licensed Geologist, and Project Geologist with over 15 years of environmental consulting experience. He is an EPA-certified and MEDEP-licensed asbestos and lead inspector and has conducted Phase I and Phase II ESAs and HBMs of numerous Brownfields sites, including several facilities under the City of Belfast, Bath, AVCOG, GPCOG, and SMPDC Brownfields Assessment Programs.

**Sarah Mazerolle** Sarah is a Project Engineer and will support Patrick and Wes on the assessment work as she will assist Jaime on engineering cleanup designs. Sarah has two years of experience and has been engaged in the Brownfields Cleanup of the Apollo Tannery site in Camden and has worked on several municipal Brownfield Assessment projects (Lincoln County, South Portland, among others).

**Additional technical team members** are experienced in Brownfields cleanups and are prepared to support the project, as necessary. They include, but are not limited to civil, environmental, and/or geotechnical engineers; geologists and hydrogeologists; as well as other environmental scientists, construction inspectors, CAD technicians, GIS specialists, word processing personnel, and administrative assistance. Each of the technical and field staff that will be working on this project have completed and maintain OSHA 40-hour Hazardous Waste Operator (HAZWOPER) training.

**Subcontractors** to be utilized as part of this project will likely include analytical laboratories for waste characterization and confirmatory samples. We have established long-standing relationships with several laboratories and can assure each are exceptionally well-qualified and that each have the appropriate training and certifications for the anticipated parameters. For this project, Ransom will likely use **Alpha Analytical Laboratory (ALPHA)**, Westborough, Massachusetts. Alpha has provided quality laboratory analytical services to Ransom for the majority of our previous Brownfield projects and are listed in our MEDEP and EPA-approved Quality Assurance Project Plan for the State of Maine. Full subcontractor qualifications can be provided upon request.

Ransom works closely with **Environmental Projects, Inc.** (EPI) located in Auburn, Maine. EPI is a locally owned and operated company that has a team of environmental contractors who manage hazardous materials/waste, operate excavation and drilling equipment and support many of our projects throughout Maine and the northeast.

They are located very close to Gray and will be an asset to our team while bringing value to the Town of Gray.

Ransom will use Minority Owned Business Enterprises (MBEs) and Woman Owned Business Enterprises (WBEs) whenever practical (i.e., the asbestos laboratory, Optimum Laboratory, that we typically use is a certified WBE). We see no reason that we will not exceed DBE goals.

The table below provides Ransom's hour rates for the staff proposed to work on your project:

Staff	Position	Hourly Rate	Estimated Percentage of Time on Projects
Nick Sabatine, P.G.	Principal-In-Charge	\$170	10%
Steve Dyer, P.E.	QA/QC Senior Tech Review	\$165	5%
Jaime Madore, P.E.	Senior Engineer	\$130	5%
Aaron Martin, L.G.	Senior Geologist and Project Manager	\$130	20%
Patrick Brown	Associate Project Manger	\$120	15%
Wes Harden	Project Geologist/Haz Building Materials Specialist	\$105	15%
Sarah Mazerolle	Project Engineer	\$95	20%
Field Technician		\$85	10%
	Average Bill Rate and Average Bill Rate Based on %	\$125	80% of Projects @ \$107/hour

**Billing Notes:** The above rates are what will be billed to Gray – we have no fringe rates. Subcontractors are typically marked up by 10% to cover our professional liability insurance and our overhead (accounting) to process their invoices. Mileage is billed at the prevailing federal rate. We anticipate efficiencies in our travel time billed to the Town as some of our staff who will be assigned to your project live in proximity of Gray. As an example, our staff that live in the Auburn area will not bill their travel time or mileage to Gray when working in the field as commuting to a project site in Gray is a shorter distance than they would travel to our offices in Portland.



## EDUCATION

M.S. in Environmental Law, Vermont Law School, 1992  
B.A. in Geology/Political Science, University of Maine at Farmington, 1991

## PROFESSIONAL REGISTRATIONS

- › Certified Geologist, New Hampshire

## GENERAL BACKGROUND

Nick Sabatine is a Vice President, Principal and Senior Geologist with over 30 years of environmental consulting experience. Nick has worked in a variety of industries on numerous project work scopes. His diverse work experience provides a unique perspective to his technical work. Since 2013, he has been Ransom's Program Manager for Gardiner's U.S. EPA funded Brownfields Assessment Programs and has been responsible for all of the assessment work completed at the TW Dick site. Nick prides himself in offering our clients technical cost-effective solutions that meet their schedules.

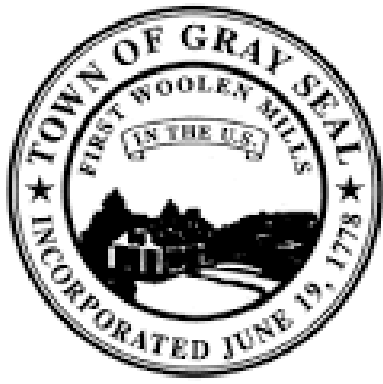
## REPRESENTATIVE BROWNFIELD EXPERIENCE

- › **The City of Gardiner – City-Wide U.S. EPA Brownfields Assessment Project and TW Dick Cleanup, Gardiner Maine.** Nick served as Gardiner's Program Manager on the 2013 \$400,000 EPA Assessment Program. In 2016, an additional \$200,000 of Hazardous Assessment funds were awarded to the City. During the kickoff of the Assessment Program in 2013/14, Nick worked with the City to plan and create four charrettes that occurred around the City to help create a vision for a trail system around and through the Cobbossee Stream area. Several of these sessions were conducted along the Cobbossee Stream such that participants gained first-hand knowledge of site conditions. This project had tremendous support and participation from Gardiner's citizens, businesses, and the municipality. It resulted in a plan to begin construction on a portion of the trail system and the identification of Brownfield sites that if assessed and cleaned up, will lead to the successful completion of the trail.

Gardiner has utilized their Hazardous and Petroleum funds to assess sites throughout the City including the TW Dick site. Following the Assessment of this site, Ransom assisted the City in writing a \$100,000 grant through the Kennebec Council of Governments (KVCOG), a \$305,000 grant through the Maine Department of Economic and Community Development (DECD), and a \$200,000 grant direct to the EPA. In total, \$605,000 of Cleanup funds were awarded to this site and site cleanup and redevelopment was completed in 2020. A medical office building was constructed on a portion of the site and opened in the fall of 2018. Two workforce housing units were constructed on another portion of the site and were open for occupancy in 2020. Nick has been Gardiner's point of contact since program initiation and has attended and presented at all Brownfield Advisory Meetings and often presents before Gardiner's City Council.

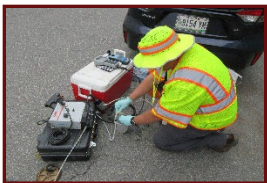
- › **City of Hallowell Brownfield Assessment Program, Hallowell, Maine.** Program Manager for the City-wide U.S. EPA-funded Brownfields Assessment Program. Sites assessed include one that has been redeveloped into a much-needed parking lot on Water Street, a former auto garage that has been purchased to house a business expansion, as well as conducting environmental due diligence of one of the former Stevens Campus buildings that was converted to senior housing in 2020.
- › **City of Old Town, Brownfields Assessment Program, Old Town, Maine** Program Manager for two (FY2014 and FY2016) City-wide EPA funded Brownfields Assessment Programs. The largest/most complex site assessed was the former 200+ acre MFGR former pulp mill which was purchased by NP Paper. Under NP Paper's ownership, more than \$150,000,000 of private funds have been invested in the site that has been re-opened and put back into pulp production and is employing more than 150 staff.





# TOWN OF GRAY, MAINE BROWNFIELDS ASSESSMENT PROGRAM

## PROPOSAL FOR QEP SERVICES TO PERFORM BROWNFIELDS ASSESSMENT



September 29, 2022

SUBMITTED TO:  
NATE RUDY  
TOWN MANAGER  
TOWN OF GRAY, MAINE



SUBMITTED BY:

**CREDERE ASSOCIATES, LLC**

776 MAIN STREET  
WESTBROOK, ME 04092  
(207) 828-1272





# CREDERE ASSOCIATES, LLC

776 Main Street  
Westbrook, Maine 04092  
Phone: 207-828-1272  
Fax: 207-887-1051

September 29, 2022

Nate Rudy, Town Manager  
Town of Gray  
Via Email: [nrudy@graymaine.org](mailto:nrudy@graymaine.org)

## **Subject: QEP Services to Perform Brownfields Assessment**

Dear Mr. Rudy,

Underutilized brownfields properties located within the region, and specifically within the Town of Gray present unique challenges, but also present significant opportunity. If leveraged properly, Gray's Brownfields Program can not only address contaminated or blighted properties within the Town, it can also help stimulate economic and community development, and increase greenspace.

Credere is Italian for "to believe," and at Credere Associates, LLC (Credere) we believe the path to true prosperity is realized when you combine community revitalization, economic development, environmental remediation and engineering. Credere is an SBA certified **woman-owned small business (WOSB)** that specializes in the development and execution of local and regional Brownfields Programs that specifically create community and economic development as it is Credere's mission to positively affect the communities in which we live and work. Credere is currently implementing or has successfully implemented over **seventy (70)** EPA-funded Brownfields Assessment, Cleanup, and Revolving Loan Fund Cooperative Agreements (i.e., grants) for **six (6) municipalities and three (3) regional planning commissions in Maine. This is in addition to the fourteen (14) municipalities or local authorities/non-profits and eleven (11) regional planning commissions in other New England states.** In particular, Credere has been a QEP for the Greater Portland Council of Governments (GPCOG) since 2006 and conducted over 20 Phase I Environmental Site Assessments (ESA), 15 Phase II ESAs, cleanup planning at numerous sites, and has performed over \$2M in cleanup that has leveraged over \$100M in development in Cumberland County. Further, through GPCOG, Credere has already performed Brownfields assessments at six sites in Gray that have or are being redeveloped to help revitalize the Village including the former Post Office and Town Offices (currently the Morrison Center), Stimson Hall (future community even space), the Main Street Fire Station (current Historical Society), Gray's Interurban Railroad (proposed Maine Narrow Gauge Railroad in Gray Plaza), and the Greater Maine Auto Auction (currently Copart), and we look forward to continuing Brownfields successes in Gray.

Credere is committed to performing all of the services described in our proposal. If you have any questions or request any additional information on any element of the attached qualifications statement, please contact me at [rpatten@credere.com](mailto:rpatten@credere.com) or at (207) 730-1039. The undersigned is an officer of Credere and can bind Credere to all the commitments in the proposal.

Sincerely,

CREDERE ASSOCIATES, LLC

Rip Patten, PE, LSP, LEED-AP  
Vice President/Principal in Charge/Environmental Engineer



PROPOSAL FOR QEP SERVICES TO PERFORM  
BROWNFIELD ASSESSMENTS  
CREDERE ASSOCIATES, LLC



**SECTION 1 CREDERE TEAM DESCRIPTION AND QUALIFICATIONS**

Underutilized brownfields properties located within the Town of Gray present unique challenges, but also present significant opportunity. If leveraged properly, Gray’s Brownfields Assessment Program can not only address contaminated properties within the Town, it can also help stimulate economic and community development, and increase greenspace. Credere is Italian for “to believe,” and at Credere Associates, LLC (Credere) we believe the path to true prosperity is realized when you combine community revitalization, economic development, environmental remediation, and engineering. Credere specializes in developing and executing local and regional Brownfields Assessment Programs that create community and economic development as it is Credere’s mission to positively affect the communities in which we live and work.

**Credere Associates, LLC Company Profile & Firm History**

- Nature:** Brownfields Engineers and Scientists
- Location:** 776 Main Street  
Westbrook, ME 04092
- Size:** 30 Employees (19 Dedicated to Brownfields)
- Years in Business:** 15 Years



Credere was formed in 2007 by Theresa and Rip Patten when they acquired the Portland, Maine, office of Jacobs Edwards and Kelcey with a mission to positively affect the communities in which we live and work. Credere moved to neighboring Westbrook in the spring of 2010. **Credere is a SAB certified woman-owned small business (WOSB).**

**SECTION 2 RELEVANT EXPERIENCE**

Credere is currently implementing or has successfully completed U.S. EPA-funded Brownfields Assessment Programs in Maine for the **Greater Portland Council of Governments (GPCOG), Southern Maine Planning and Development Commission (SMPDC), the City of Brewer, City of Bangor, Eastern Maine Development Corporation (EMDC), Maine Department of Environmental Protection (DEP), and the City of Westbrook.** In addition, Credere is implementing or completed Brownfields Assessment Programs outside of Maine for the **Town of Jaffrey, Nashua Regional Planning Commission (NRPC), Strafford Regional Planning Commissions (SRPC), Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC), North Country Council Regional Planning Commission (NCCRPC), Central New Hampshire Reginal Planning Commission (CNHRPC), Rockingham Planning Commission (RPC), Southern New Hampshire Planning Commission (SNHPC), and Lakes Region Planning Commission (LRPC), Merrimack Valley Planning Commission (MVPC), City of New Bedford, Windham Region Commission (WRC) and Mount Ascutney Regional Commission.** In each of these assessment programs, Credere completed the required U.S. EPA reporting; implemented a community outreach program to educate the public; completed a thorough inventory of Brownfields sites in





PROPOSAL FOR QEP SERVICES TO PERFORM BROWNFIELD ASSESSMENTS CREDERE ASSOCIATES, LLC



the program target area(s); developed a site nomination mechanism and site selection criteria unique to the needs of each individual community; completed Phase I and/or Phase II Investigations, cleanup planning, and/or cleanups, and implemented site-specific and area-wide reuse planning on over 300 Brownfields sites. Thus, Credere maintains a very thorough understanding of the Brownfields process, is familiar with the technical approach and methods that have contributed to successful projects in New England and knows how to apply this knowledge and expertise within Gray.



Redeveloped Eastern Fine Paper Site for Modular Fabrication, Brewer, ME

Credere’s redevelopment-based approach successfully helps municipalities and planning commissions transition projects beyond the assessment phase of Brownfields and into actual cleanup and redevelopment. Brownfields projects that Credere are/were involved in are leveraging over \$350 million in private investment and over \$75 million in other public funding. A brief list of key municipal projects and leveraged cleanup and redevelopment funds are:

- Prime Tanning, Berwick, ME - \$100M
Sanford Mill, Sanford, ME - \$11M
Eastern Fine Paper, Brewer, ME - \$20M
State Street School, Brewer, ME - \$9.5M
Middle School, Brewer, ME – \$8M
Mason’s Brewing, Brewer, ME - \$2M
Thompson’s Point, Portland, ME - \$20M
Thornton Heights Commons, S. Portland, ME - \$12M
N. Berwick Woolen Mill, N. Berwick, ME - \$9M
Southgate House, Scarborough, ME - \$6M
Marble Block, Biddeford, ME - \$2M

- Seton Hospital, Waterville, ME - \$11M (in Progress)
Riverdam Mill, Biddeford, ME - \$11M
Emery School, Biddeford, ME - \$7M
Lincoln Mill, Biddeford, ME - \$50M (in Progress)
Webster School, Auburn, ME – \$12M
Adams School, Portland, ME - \$5M
Unity Grammar School, Unity, ME - \$2M
Railroad Square Development, Keene, NH - \$75M
Nashua Boiler House, Nashua, NH - \$2M
Cleanup; \$80M Broad St. Pkwy



In recognition of exemplary brownfields redevelopment, the City of Brewer’s Eastern Fine Paper project, the Caleb Foundation’s North Berwick Woolen Mill project, and the City of Sanford’s Sanford Mill project won the U.S. EPA Region 1 Phoenix Award for excellence in Brownfields Redevelopment. We believe our technical approach, understanding of the U.S. EPA-funded Brownfields Assessment Programs, and demonstrated redevelopment successes within the State of Maine and the remainder of the New England are unmatched and we would welcome the opportunity to continue to provide these services to Gray.





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In addition to Brownfields Assessment Grants, Credere has successfully transitioned a multitude of projects into cleanup and has provided QEP services for the following EPA-funded Brownfields Cleanup Grant or Brownfields Revolving Loan Fund (RLF) Grantees:

<b>Cleanup Grant Program Management</b>	<b>Revolving Loan Fund QEP</b>	<b>State or Other Revolving Loan Fund Subgrant QEP</b>
City of Sanford, ME	City of Brewer, ME	City of Bangor, ME – Building 487
Children’s Museum, Portland, ME	Greater Portland Council of Governments, ME	City of Sanford, ME – Sanford Mill
S. Portland Housing Authority, ME	City of Portland, ME	Town of Berwick, ME – Prime Tanning
S. Brewer Redevelopment, LLC	Southern ME Planning and Development Commission	The Caleb Foundation (MA) – North Berwick (ME) Woolen Mill
Brewer Redevelopment, LLC	Kennebec Valley Council of Governments, ME	City of Claremont, NH – Claremont National Bank
City of S. Portland, ME	Capital Regional Development Council, NH	City of Somersworth, NH – Breton Cleaners
Avesta Housing (ME)	Regional Economic Development Center, NH	City of Somersworth, NH – Old Police Department
City of Biddeford, ME	City of Nashua, NH	City of Franklin, NH – Macosko Foundry
Town of Pittsfield, ME	Merrimack Valley Planning Commission, MA	City of Nashua – Nashua Boiler House
Town of Berwick, ME	City of New Bedford, MA	Monadnock Economic Development Corp. – Monadnock Food Coop.
Marble Block Redevelop., LLC (ME)		
Community Library, LLC (ME)		
City of Somersworth, NH		
City of Nashua, NH		
Town of Tilton, NH		
DevelopSpringfield, MA		
City of Holyoke, MA		
City of Pittsfield, MA		
The Caleb Foundation, MA		
Monadnock Economic Development Corp.		

**Summaries of Similar Brownfields Assessment Grant Programs**

Credere’s approach to implementing long-term, sustainable, redevelopment-based solutions for addressing Brownfields has produced significant results over the years. Summaries of example similar Brownfields Assessment Programs are included below:

**Greater Portland Council of Governments**

Credere was originally selected as GPCOG’s QEP in 2006 and has assisted GPCOG in the implementation of five Assessment, two RLFs, and one Area-Wide Planning Brownfields grants totaling \$7.9M in funds, with the most recent Assessment grant being completed in 2022 (RLF ongoing). Through GPCOG’s Brownfields Program, Credere has conducted over 20 Phase I ESAs, 15 Phase II ESAs, cleanup planning at numerous sites, and has performed over \$2M in cleanup that has leveraged over \$100M in redevelopment at Brownfields sites within Cumberland County. Through GPCOG’s/Credere’s Brownfields inventory process, Credere already has an inventory of many potential sites within Gray’s village. Most notably this includes the Thompson’s Point/Children’s Museum site in Portland, and several sites located in Gray’s Brownfields assessment target area that have already assisted in revitalizing the village including:





**PROPOSAL FOR QEP SERVICES TO PERFORM  
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- **The Former Post Office and Gray Town Office properties that were redeveloped into the Morrison Center**
- **Stimson Hall, which was recently acquired by Loon Island, LLC to be restored into a community event space**
- **Main Street Fire Station, which was rehabilitated/converted into the Historical Society**
- **Gray's Interurban Railroad, which was the proposed Maine Narrow Gauge Railroad Museum relocation site within Gray Plaza**
- **Greater Maine Auto Auction, which was rehabilitated into a Copart auto parts facility**

**City of Bangor**

Bangor selected Credere as their Brownfields QEP for Assessment Grants in FY14 and FY18 (completed 2022). Through Bangor's program, Credere conducted thirteen Phase I ESAs, nine Phase II ESAs, and three cleanup plans, and two reuse plans for sites ranging from dilapidated lead contaminated residential properties to large former military facilities in and around Bangor's International Airport. Bangor's program resulted in the cleanup of two residential properties, the rehabilitation of a facility into an incubator food kitchen and farmer's market, demolition of a military building and expansion of a GE aerospace facility, and the City plans to acquire a riverfront Brownfield in order to extend the waterfront park and trail system. Credere was able to assist Bangor in leveraging approx. \$300K in DECD cleanup funds, and due to historical DoD operations, transitioned a site into the US Army Corps. of Engineering Formerly Used Defense Sites (FUDS) program that has leveraged approx. \$3M of additional investigation and cleanup planning funding, and Credere is assisting Bangor in applying for an additional \$500K in cleanup funds to facilitate the demolition of a facility to make way for the construction of a new international customs shipping facility at the International Airport.

**Nashua Regional Planning Commission**

Credere was selected as NRPC's QEP and has assisted NRPC in the execution of two Brownfields Assessment grants with the most recent grant completed in 2022. To date, Credere has completed nine Phase I ESAs, seven Phase II ESAs, cleanup planning on two sites ranging from residential/junkyards to large mills, and facilitated the demolition and cleanup of the Nashua Manufacturing Company Boiler House, which allowed for the construction of the Broad Street Parkway, which has been a catalyst for the revitalization of Nashua's Mill District. NRPC was recently awarded a FY2023 Assessment Grant and NRPC/Credere plan to continue the assessment and revitalization of the Mill District through assessing numerous small and large scale commercial/industrial buildings in order for the City of Nashua to solicit an RFP for mixed-use development on an approximate 5-acre waterfront parcel. With our regional knowledge of the Brownfields programs, Credere was also able to leverage \$40K of the City of Nashua's closed Brownfields RLF Program Income funding and approximately \$20K of the New Hampshire Department of Environmental Services Petroleum Reimbursement Program funds to further the assessment of two sites. Credere anticipates a similar strategy can be used in Gray and that





GPCOG’s and DEP/DECD’s RLFs can be utilized on certain properties to facilitate supplemental assessment and/or cleanups.

**SECTION 3 CREDERE’S PROJECT MANAGEMENT TEAM**

To address the demands and complexities of Gray’s Brownfields program, Credere has assembled a project management team based on their specific experience and knowledge of the various components of the Brownfields community outreach, assessment, and redevelopment processes. The following project management team has been selected because they have direct experience working with successful U.S. EPA-funded Brownfields assessment and cleanup projects and are appropriately experienced and/or licensed to provide engineering and geological services in the State of Maine while delivering excellent client-focused service:

**Rip Patten, PE, LSP, LEED-AP – Principal in Charge / Professional Engineer/QEP:** Mr. Patten will serve as the Principal in Charge and will oversee all aspects of the implementation of the Brownfields Program including overall project coordination and implementation, inventory and site selection, community outreach, public presentations, and technical reviews. He is well qualified for this role as Mr. Patten holds a BS degree in Environmental Engineering from Rensselaer Polytechnic Institute and has over 28 years of experience performing Brownfields Assessments and Cleanups. In addition, he has coordinated, performed, and reviewed over 600 ASTM Phase I ESAs, environmental compliance audits, subsurface investigations, and remedial projects for a wide range of public and private sector clients.

Mr. Patten currently serves as the Principal in Charge for the Greater Portland Council of Governments (GPCOG), City of Bangor, Town of Berwick, Town of Jaffrey, Nashua Regional Planning Commission (NRPC),

*“Rip brings incredible enthusiasm to his work, and a determination to make difficult projects a reality even if it means going beyond the normal scope of an environmental engineer. He is a constant source of new ideas. Beyond his skill as an engineer, Rip’s friendly disposition, good-nature and ultra-quick responsiveness make him a joy to work with.”*  
*-Sam Spencer, Spencer Monks Development*

Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC), North Country Council Regional Planning Commission (NCCRPC), Central NH Regional Planning Commission (CNHRPC), Capital Region Development Corporation (CRDC), and Merrimack Valley Planning Commission (MVPC) EPA-funded Brownfields Programs. Mr. Patten previously served as Principal in Charge / project manager for the Southern Maine Planning and Development Commission (SMPDC), Eastern Maine Development Corporation (EMDC), Brewer, Sanford, Westbrook, Lewiston, Maine DEP, Strafford Regional Planning Commission (SRPC), Southern NH Regional Planning Commission (SNHPC), Lakes Region Planning Commission (LRPC), Rockingham Planning Commission (RPC), Rockingham Economic Development Corporation (REDC), Nashua, and Tilton Brownfields Programs. Mr. Patten has the ability to develop strong working relationships with site developers and site owners and has extensive experience and knowledge in the Brownfields funding, site eligibility, and inventory processes. In addition, Mr. Patten has developed an unparalleled level of expertise in the selection of sites that will maximize economic development potential for a community. He is a Professional Engineer (PE) in the States of Maine, New





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Hampshire, and Massachusetts, and a LEED-accredited professional by the U.S. Green Building Council.

**Judd Newcomb, LG, PG – Project Manager / Professional Geologist/QEP:** Mr. Newcomb will serve as the Project Manager and oversee all community outreach activities and technical aspects for the implementation of assessments on each of the individual sites, including implementation of Phase I and Phase II assessment work, contractor coordination, and technical reviews of reports. He will also be responsible for EPA quarterly reporting, annual MBE/WBE reporting, and maintaining the Assessment Cleanup and Redevelopment Exchange System (ACRES) database for the program. He is well qualified for this role as Mr. Newcomb is a Licensed Geologist and asbestos inspector in Maine, holds a BS degree in Geology from University of Maine at Orono and is a geologist with over 21 years of experience in Brownfields, ASTM compliant environmental assessments, subsurface investigations, remediation and disposal of petroleum and hazardous wastes, hazardous building materials surveys and abatement, and PCB cleanup projects for a great number of Brownfields Programs throughout Maine and New England including the GPCOG, City of Bangor, SMPDC, Portland, Lewiston, Berwick, Sanford, Bath, Brewer, Jaffrey, New Bedford, SRPC, UVLSRPC, NCCRPC, CNHRPC, RPC, CRDC, SNHPC, NRPC, LRPC, Tilton, Somersworth, REDC, MVPC, EMDC, and Maine DEP Brownfields projects. In addition, Mr. Newcomb was Gray resident for a decade (relocated 2016) so is intimately familiar with the Town.

**Rick Vandenberg, LG, PG – QC Manager / Professional Geologist/QEP:** Mr. Vandenberg will serve as the QC Manager responsible for the quality assurance and quality control of all work products being generated for the program. He is well qualified for this role as he holds a BS degree in Geology/Chemistry from University of Maine at Farmington, completed master’s degree coursework in Geology at Fort Hays State University and has over 31 years of experience in ASTM compliant environmental assessments, subsurface investigations, remediation and disposal of petroleum and hazardous wastes, and drinking water related projects. Mr. Vandenberg has been technical lead and managed over 400 compliance, assessment, investigation, and remediation projects including Phase I and Phase II ESAs, remedial investigations, remedial action planning, 3-D groundwater flow and contaminant transport modeling, groundwater extraction and treatment system design, soil vapor extraction design, soil removals, and in-situ chemical oxidation projects for clients across New England. He is currently and/or was formerly the QC Manager or Project Manager for the NRPC, LRPC, Berwick, Sanford, MVPC, RPC, and Westbrook U.S. EPA-funded Brownfields Assessment programs. Mr. Vandenberg is also a member of ASTM’s “E-50” Subcommittee and the E1572 Task Group that recently reshaped the ASTM 1527-13 (currently 1527-21) Phase I ESA Standard. Mr. Vandenberg is a Professional/Certified geologist in the states of Maine and New Hampshire.

**Grant Kern, PE – Field Lead/Engineer/Hazardous Building Materials Specialist:** Mr. Kern is a Professional Engineer with over 6 years’ experience in Brownfields Assessments, Hazardous Building Materials Surveys, and design engineering. He will assist in all aspects of the Phase I and II assessments and cleanup planning including leading the performance of field work and the





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generation of reports. Mr. Kern holds a Bachelor of Science degree in Civil and Environmental Engineering from the University of Maine at Orono and is trained in both AutoCAD and GIS. He has supported several Brownfields Programs including GPCOG, City of Bangor, NRPC, UVLSRPC, and the City of Somersworth.

**Staffing Capacity and Availability**

Crederes staff are cross-trained and include three Maine Licensed Geologists, three Maine Professional Engineers, eight Maine lead inspectors, nine Maine asbestos inspectors, appropriately trained radon in air and water testers, and have thorough experience in the characterization of other building materials including PCB-containing materials. We review 12-month workload projections and staffing on a quarterly basis. Based on the most recent 12-month projections, Crederes currently has ample staffing and capacity to effectively complete the scope of work for this project. This has led to a consistent team of professionals who provide long term continuity for complex multiyear sustainable projects.

**Rate Schedule for Staff**

Work will be billed on a time and materials basis in accordance with Crederes 2022 Standard Unit Rates provided below:

<u>Name</u>	<u>Rate</u>
Principal-in-Charge / Community Relations Manager, Rip Patten PE.....	\$160/hour
Senior Project Manager, Judd Newcomb, PG .....	\$140/hour
QC Manager, Rick Vandenberg, PG .....	\$140/hour
Engineer/Field Lead, Grant Kern, PE .....	\$105/hour
Other Field Engineer/Geologist.....	\$85/hour
CAD/GIS Technician .....	\$75/hour
Administrative Support .....	\$55/hour

The rates above for personnel cover all fringe benefits, insurance, overhead rate, fees, and profit. Travel time and mileage will be billed from Crederes office in Westbrook to and from the project.

**Rate Sheet for Other Direct Costs and Subcontractors**

Mileage .....	Current IRS Rate (\$0.625 in 2022)
Copies .....	\$0.20 per copy
Large Plots .....	\$10.00 per copy
Level C Field Supplies .....	\$125/day
Level D Field Supplies .....	\$25/day
Decontamination Supplies .....	\$10/day
Soil Sampling Supplies .....	\$15/day
XRF.....	\$500/day; \$1,500/week
GPS.....	\$50/day; \$150/week
Metal Detector .....	\$25/day





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Table with 2 columns: Item and Cost. Items include GPR Surveys, Communication Fee, SubConsultant/SubContractor/Laboratory Expenses, Other Reimbursable Equipment Expenses, and Direct Expenses.

SECTION 4 CREDERE’S BROWNFIELDS APPROACH

Our Brownfields Assessment Approach doesn’t just quantify environmental liabilities at Brownfields sites, it leverages additional services that ensure our sites move beyond assessment and into actual cleanup and redevelopment creating community and economic development, the primary goal of the Brownfields Program. This approach has leveraged over \$350 million in private investment and over \$75 million in other public funding for our grantee’s Sites. The following presents the key tenants of Credere’s Brownfields Approach.

- 1. Conduct Outreach and Brownfields Inventory That Includes Redevelopment Potential & Interviews Key Stakeholders – Our approach to outreach and inventory will not just focus on identifying sites and documenting environmental liabilities, but also focus on determining a site’s redevelopment potential by interviewing key local and regional stakeholders to understand the high redevelopment potential sites they see within Gray. Utilizing the strategies employed in our other grantees municipalities and regions, Credere plans to expand/update our existing inventory of Brownfields in Gray developed through GPCOG, focusing on the Village Center and Route 100/Portland Road corridors to develop a list of priority sites for assessment in addition to the priority Copp Equipment and 80 Whitney Rd. sites, and build off the prior assessment and successes discussed above.
2. Prioritize Site Selection Based on Redevelopment Potential - Sites selected to participate in the program should focus first on sites that are a municipal priority for community or economic development, but that also have developer interest for redevelopment. The majority of resources for the Program should be committed to ensuring these sites move forward before taking on other sites with lower development potential.
3. Streamline the Brownfields Timeframe - Many unsuccessful Brownfields Programs or individual projects are hampered by long timeframes to complete environmental assessments (as opposed to the private market) due to regulatory requirements and review processes (i.e., each deliverable can take up to 30 days for Maine DEP/EPA to review). Credere will leverage our vast Brownfields experience and existing report templates to streamline the process and minimize review times of regulators.
4. Utilize Market Research to Determine Redevelopment Potential – The best means to attract a developer to a site is to present them with the current real estate market conditions and needs of the community so they understand the highest and best use of a site. A market study is an eligible Brownfield Assessment task and can be conducted to

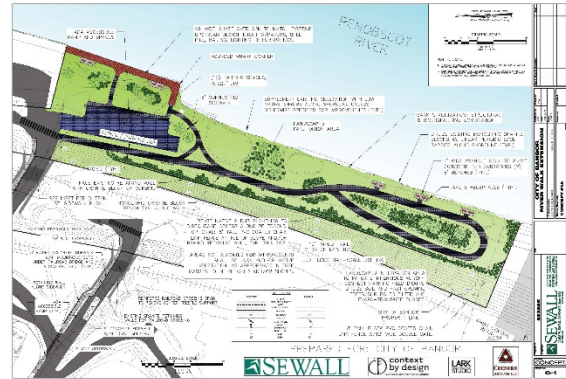




provide potential developers with the market realities and opportunities of redeveloping the site. This can be done focusing on both regional needs and community specific needs.

5. Increase Marketability of Sites Through Providing Reuse Analysis/Visioning/Permitting

Beyond understanding the environmental liabilities and market potential, another means of increasing marketability of a site is to evaluate the other roadblocks to redevelopment. This may be in form of structural analysis (determining if a building can be reused or demolished), site master planning (determining where various buildings, parking areas, and uses can be located), visioning (to provide developer an idea of future potential) and permitting (to help determine any regulatory roadblocks) can all be completed as eligible Brownfields expenses. This work will be utilized to inform the remedial action plan as well as help move a project closer to cleanup and redevelopment.



6. Public Outreach to Highlight Opportunities – The current public perception of the Brownfields sites within Gray is that they are all highly contaminated. As the Brownfields Program progresses and environmental liabilities are better understood, our team will work with Gray to implement a public outreach campaign to communicate the opportunities for redevelopment within the target area.

7. Assist in Obtaining Additional Funding – Once the roadmap to redevelopment is established, the final key component of our Brownfields Assessment Approach is to obtain funding to implement the cleanup and/or redevelopment through other Brownfields grants (i.e., cleanup and RLF), and other private and public funding sources. The ability to obtain additional cleanup funding is an integral part of the Brownfields Program and retaining a consultant that understands how to successfully obtain these funds should not be overlooked. Credere has assisted our clients obtain over \$35M in various Brownfields funding sources. We have a 3.5 to 1 ratio of leveraging cleanup funds to assessment funds and have a 95% success rate for Brownfields cleanup grant applications. For example, the Prime Tanning Site in Berwick has obtained over \$3M in cleanup funding that was integral to getting the site in a position for redevelopment by a private developer.





**PROPOSAL FOR QEP SERVICES TO PERFORM  
BROWNFIELD ASSESSMENTS  
CREDERE ASSOCIATES, LLC**

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**Attachment A**

**Certificate of Insurance**







## TOWN OF GRAY

Henry Pennell Municipal Complex  
24 Main St, Gray Maine 04039  
www.graymaine.org

OFFICE OF THE ASSESSOR

*Lauren Asselin, Assessor*  
lasselin@graymaine.org  
(207) 657-3339 ex. 112

October 13, 2022

Assessing Department Report to Town Manager (8/25/2022 – 9/22/2022):

- 8/29 to 8/30 - Attended IAAO Annual Conference
- 9/8 and 9/15 - Attended Sebago Lakes Region Rotary Club meeting
- 9/8 – Attended Cloudpermit meeting

Other Activities/Accomplishments:

- Reviewed Property Tax Stabilization application process
- Completed property inspections and associated data input
- Reviewed preliminary 2023 State Valuation
- Worked on the 2<sup>nd</sup> annual “Thanks for Giving” food drive to be held on Election Day
- Started training the new Assessing Assistant – Cynthia Schaeffer

Challenges / Obstacles:

- Conversion to Trio Web Outstanding Issues:
  1. Picture and sketch reports not processing
  2. Several search functions are not working
  3. Addresses for condo units not appearing
  4. Printing error in Personal Property module
  5. Data input tab function error
  6. Sketches redisplaying in picture tab
  7. Text alignment issues
  8. Central Party Report errors



## TOWN OF GRAY

Henry Pennell Municipal Complex  
24 Main St, Gray Maine 04039  
www.graymaine.org

## DEPARTMENT OF BUILDING AND GROUNDS

*Mo Russo III, Director*  
*mrusso@graymaine.org*  
*207-657-3339 ext.131*

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September 26, 2022

### Department of Buildings and Grounds Report to Town Manager 8/24-9/25/2022

- 8/23 Wilkies Beach Closed due to ecoli
- 8/24 Carpets at Newbegin and Public Safety were cleaned
- 8/25 Wilkies Beach Reopened
- 8/25 Floors in Newbegin Lower Level were stripped and waxed
- 8/29 Department Staff was split into two crews, one crew that performs Custodial Duties on all Town Buildings and a crew that performs Building and Grounds Maintenance on all buildings and grounds/parks.
- 8/29 Met with Councilor Carder to discuss remaining items at Dry Mills Schoolhouse
- 8/30 Freedom Fire performed Annual Sprinkler testing on systems at the Library, Central Station and Pennell. Quarterly Inspections were performed on systems at Newbegin and Public Works
- 8/30 Met with Gorrill Palmer to discuss water usage for Pennell Septic Design
- 8/31 Department staff assisted with items pertaining to the closure of Pennell
- 9/08 Met with Town Manager for 1:1
- 9/09 Libby Hill Trail Mowing in advance of Cross Country meet
- 9/13 MMA performed Risk Assessment for Property Loss on Rec Storage Building
- 9/13 Assisted GCE with equipment malfunction on Libby Hill mountain bike trail
- 9/14 Delivered culverts to Libby Hill for trail work project
- 9/14 Tested new tractor/mower mountable leaf blower on various trails at Libby Hill. Leaf blower was successful in clearing trails with debris that had accumulated
- 9/12-16 Staff worked on Painting at Dry Mills Schoolhouse Interior
- 9/23 was Carol Browns last day. I would like to Thank her for her service over the past three years and wish her the best.

#### Town Council Tracking Worksheet Items:

- None at this time.

#### Other Activities / Accomplishments:

- 28 Requests for Service for the period of 8/24-9/25 outside of normal daily routine.
- Planning Department files moved to Lower Level of Pennell as work to convert an office space and reconfigure the Assistants area begins.

- Work has begun on the Conversion of Village Station to Buildings and Grounds Facility

Challenges / Obstacles Requiring Assistance Outside of the Department:

- Alec assisted with helping on Libby Hill with the equipment malfunction.



## TOWN OF GRAY

Henry Pennell Municipal Complex  
24 Main St, Gray Maine 04039  
www.graymaine.org

### CODE ENFORCEMENT OFFICE

Tammy Munson, Lead Code Enforcement Officer  
ceo@graymaine.org

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# MEMORANDUM

October 3, 2022

To: Nate Rudy, Town Manager

From: Tammy Munson, Lead Code Enforcement Officer

RE: Code Office Monthly Report (September 1, 2022– September 30, 2022)

Please find the attached information below.

#### Inspections Performed:

Building Foundations - 3  
Building Rough-in\*- 15  
Building Insulation - 4  
Building Final\*\*- 20  
Electrical – 16  
Plumbing/Septic – 12  
Tree Inspection – 8  
In Office and Site meetings\*\*\*17

#### Permits Issued:

Building - 15  
Plumbing - 10  
Electrical - 19  
Dock - 0  
Pool - 1  
Tree Removal - 3  
Signage - 1

\*Rough-In Inspection may consist of framing, electrical, and plumbing inspections all done at the same time.

\*\*Building Final may consist of final inspection of a new single-family dwellings including final building, plumbing and electrical. This also includes finals for new business, decks, sheds, etc.

\*\*\*This would include Town Manager meetings, licensing inspections, potential violations, land use investigations, assisting in office with shoreland zoning permits.

#### Monthly Accomplishments:

One Notice of Violation went out regarding an illegal business. Our permit review and processing time was less than a week.

#### Monthly Appeals:

The Board heard two appeals which both were granted.

#### Town Council Tracking Worksheet Items and Ongoing Goals:

To improve permitting and daily communications with the public. We will continue to strive to improve this and hope to become a sought-out resource within the Community. As we enter our fall and winter months, we plan to pursue various dangerous buildings around Town. We are also in the process of implementing a new Code and Permitting software program.



# COMSTAR



(Computer Oriented Mapping, Utilizing Statistical Tracking, Accountability and Response)

## Cumberland County Sheriff's Office

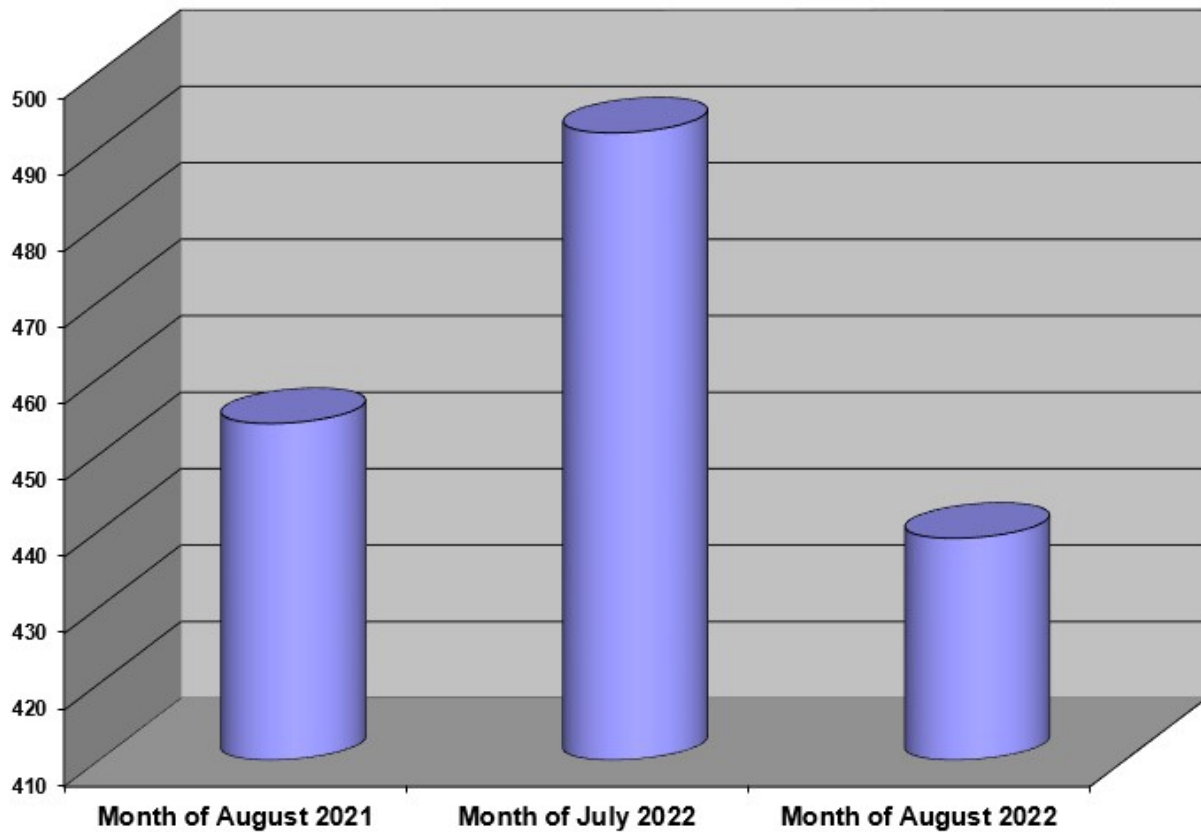
### Town of Gray

Month of August 2022

Prepared by Crime Analyst Wendy Clark-Tarbox

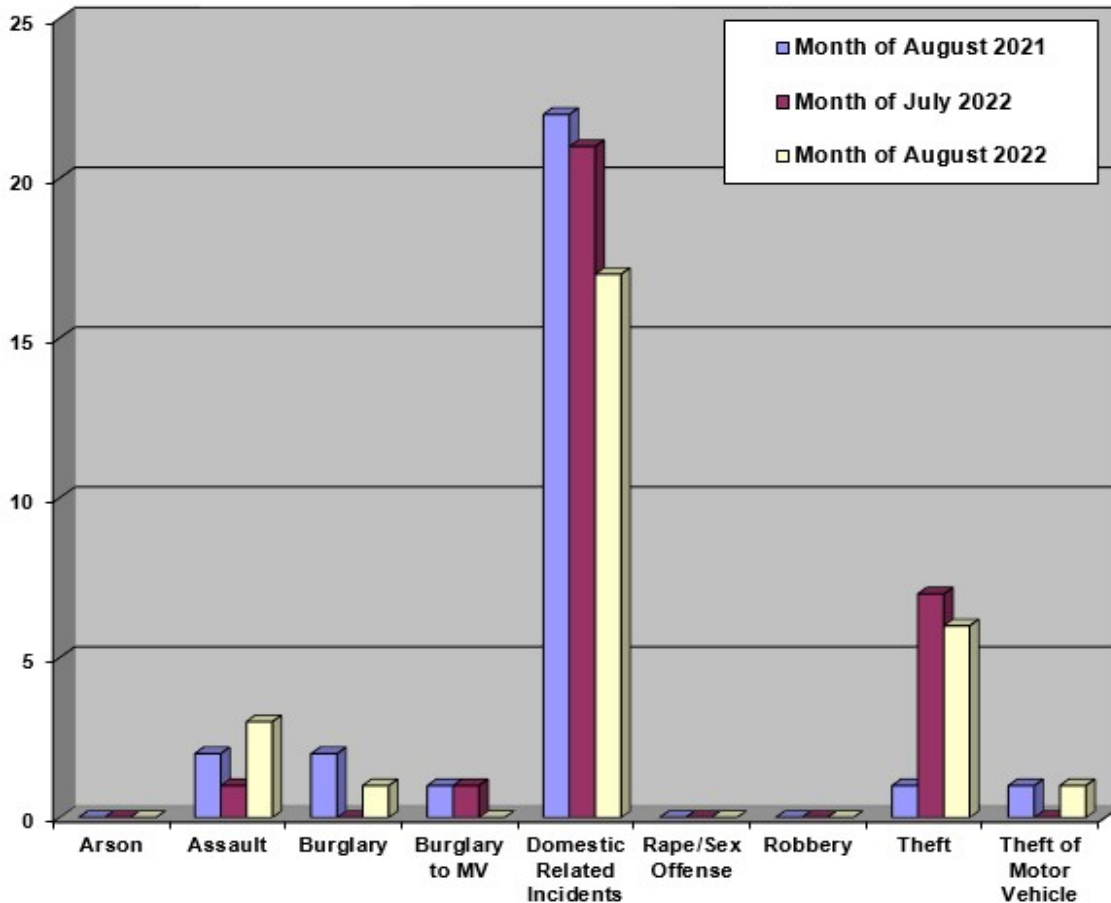
### Calls for Service

<u>August 2021</u>	<u>July 2022</u>	<u>August 2022</u>	<u>2022 Difference</u>	<u>2022 % Change</u>
454	492	439	-53	-10.8%



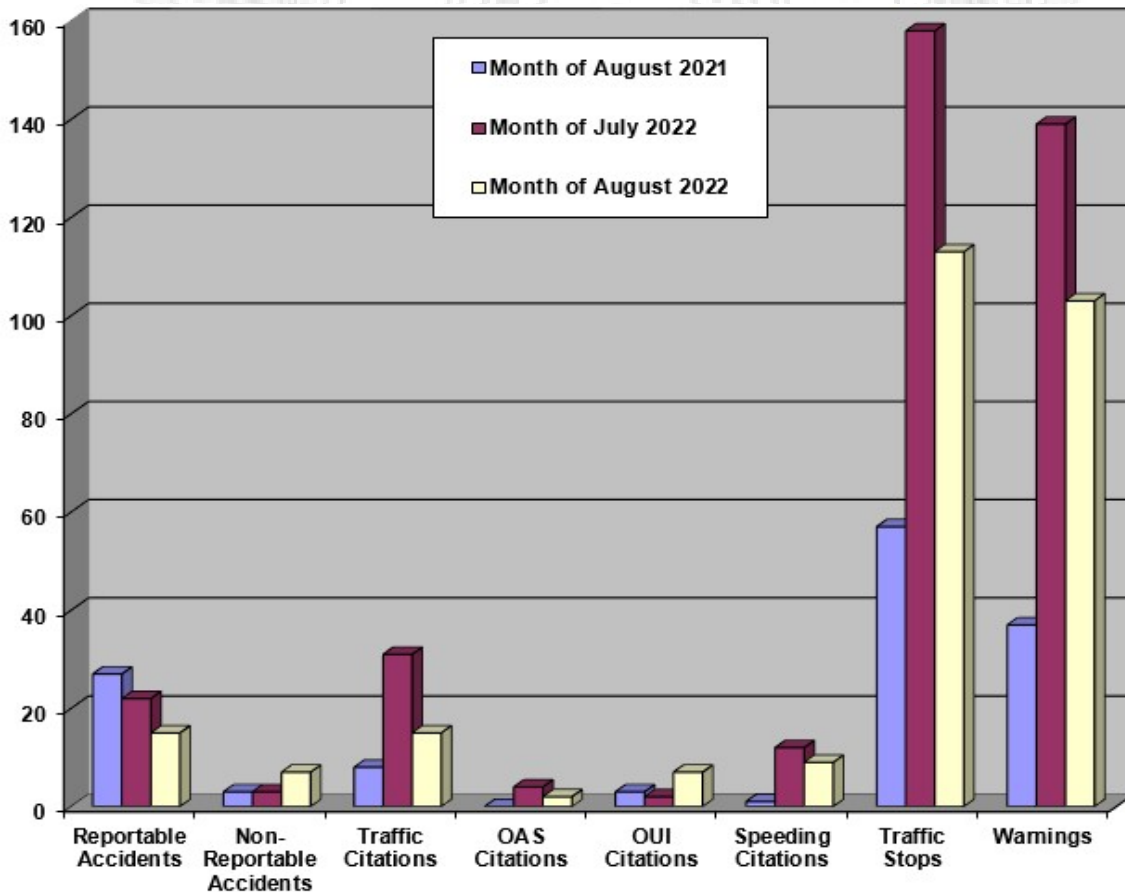
## Crime Totals -

	<u>August 2021</u>	<u>July 2022</u>	<u>August 2022</u>	<u>2022 Difference</u>	<u>2022 % Change</u>
Arson	0	0	0	n/c	n/c
Assault	2	1	3	+2	+200%
Burglary	2	0	1	+1	undefined
Burglary to MV	1	1	0	-1	-100%
Domestic Related Incidents (from Calls for Service)	22	21	17	-4	-19.0%
Rape/Sex Offense	0	0	0	n/c	n/c
Robbery	0	0	0	n/c	n/c
Theft	1	7	6	-1	-14.3%
Theft of Motor Vehicle	1	0	1	+1	undefined



## Traffic Totals -

	<u>August 2021</u>	<u>July 2022</u>	<u>August 2022</u>	<u>2022 Difference</u>	<u>2022 % Change</u>
Reportable Accidents	27	22	15	-7	-31.8%
Non-Reportable Accidents	3	3	7	+4	+133.3%
Traffic Related Citations Totals	8	31	15	-16	-51.6%
OAS Citations	0	4	2	-2	-50%
OUI	3	2	7	+5	+250%
Speeding Citations	1	12	9	-3	-25%
Traffic Stops	57	158	113	-45	-28.5%
Written Warnings	37	139	103	-36	-25.9%



## Quality of Life Incidents -

	<u>August 2021</u>	<u>July 2022</u>	<u>August 2022</u>	<u>2022 Difference</u>	<u>2022 % Change</u>
Agency Assists	16	10	15	+5	+50%
Alarms	15	11	13	+2	+18.2%
Animal Problem	3	2	3	+1	+50%
Attempt to Locate (i.e. vehicles operating erratically)	21	31	34	+3	+9.7%
Citizen Assists/ Disputes	32	30	40	+10	+33.3%
Concealed Firearms Investigations	7	3	4	+1	+33.3%
Court Services (Protection Orders and Summonses)	1	9	2	-7	-77.8%
Criminal Mischief	0	2	1	-1	-50%
Criminal Trespass	5	2	6	+4	+200%
Disabled Vehicles/ Assist Motorist	15	12	7	-5	-41.7%
Disturbances/Fights/ Loud Party	16	3	7	+4	+133.3%
Fraud	2	2	4	+2	+100%
Missing Persons	4	0	0	n/c	n/c
Pedestrian Checks	5	3	3	n/c	n/c
Property Checks	15	22	11	-11	-50%
Sex Offender Registry Investigations	6	0	4	+4	undefined
Suspicious Persons/ Circumstances	20	12	11	-1	-8.3%
Welfare Checks/ Suicide-Attempted Suicide/ Mental Health Event	25	17	23	+6	+35.3%



## TOWN OF GRAY

Henry Pennell Municipal Complex  
24 Main St, Gray Maine 04039  
www.graymaine.org

RECREATION DEPARTMENT

*Anthony Dahms, Director of Recreation*  
adahms@graymaine.org  
(207) 657-2323

September 27, 2022

### Recreation Department Report to Town Manager September 2022:

- 9.1.22 Department Head Meeting was attended by Recreation Director
- 9.2.22 Steve McPike presented to the Nordic Walking Club on the Libby Hill Trails and history, a future walk was planned
- 9.6.22 MDASH meeting was attended by Recreation Director
- 9.9.22 ACEs (Adverse Childhood Experiences) Training was attended by Childcare Services Coordinator
- 9.10.22 Recreational Soccer started with 230+ registrations
- 9.13.22 Outdoor recreation storage shed passed an inspection by MMA
- 9.15.22 Story Time at the Playground started Thursdays at 10:00AM
  - Kids Club staff meeting held
- 9.20.22 Pickleball gym times started
- 9.21.22 STEM time for 5 and under started Wednesdays at 10:00AM
- 9.27.22 SMART (Southern Maine Area Recreation Technicians) meeting was held at Scarborough Community Center the Recreation Department attended
- 9.27.22 MRPA (Maine Recreation Parks Assoc.) New Directors Meeting was attended by Recreation Director

### Other Activities / Accomplishments:

- After raising pay scale for Before/After School staff, staffing levels for that program have improved.
- 9.22.22 Intro to Libby Hill walk presented by Steve McPike and Recreation Director took place, 8 adult members were in attendance with a short walk option and a longer walking option.
- 9.28.22 Early release day fun run/walk will take place in after school. Tables will be set up with Maine seasonal foods like zucchini, cucumbers, apples, and pumpkin donuts for the kids to try.
- A Bridge playing club started on Mondays at 10:00AM upstairs in Pennell

Challenges / Obstacles Requiring Assistance Outside of the Department:

- Halloween Trunk or Treat event needs volunteer trunks and candy donations. Candy donations can be made at Gray or New Gloucester Town Hall. Volunteer trunks can sign up on the GNGRec.com website.



## TOWN OF GRAY

Henry Pennell Municipal Complex  
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LIBRARY, COMMUNICATIONS, IT

*Josh Tiffany, Director*  
jtiffany@graymaine.org  
(207) 657-4110

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### Communications, Libraries, and Information Technology Department Report to Town Manager September 23, 2022

#### Activities:

##### Communications Department

- On September 21<sup>st</sup>, hosted the first Community Media Night at the Gray Public Library, seeking to generate interest in promoting GCTV. While there were no attendees, the presenters were able to make use of the time to record some content that will be used to fill and promote Gray Community Television.
- On September 23, met with the Town of Gray Resiliency Committee to provide insight into the potential collaborative partnerships between the Committee, the Library, and GCTV. The interaction laid the groundwork for an incredible partnership that will help promote the work of the Resiliency Committee, increase awareness of the resources they are championing, and potentially recruit new members.
- On September 15, the Communications Department made an error during a Council workshop with the Maine Department of Transportation. Due to a Zoom scheduling conflict, the remote feed and recording of the Council workshop was interrupted prior to the end of the meeting. Based on the experience, best practices are being developed and implemented to prevent further Zoom booking conflicts, to create a clear hierarchy of broadcasting / remote meeting use so if there are conflicts it will be clear which group has preference, and to better understand the flow of responsibility. Draft policy revisions and best practices documents are currently being workshopped.
- On September 22, broadcast and recorded a program featuring Secretary of State Shenna Bellows giving a talk on Election Integrity. Nineteen people attended the event in person, and many expressed an interest in obtaining a copy of the talk so they could have it broadcast over their own local community access television stations. It was the first time an event was broadcast and recorded from the large meeting of the Library – a feat we are hoping to repeat often.
- The Digital Media Coordinator (DMC) helped Code Enforcement complete a thorough review/reorganization of the Shoreland Ordinance.
- Staff mounted a TV on a rolling mount so Councilors can view a Zoom room during a meeting. Feedback from the first use of this mount was positive.
- DMC created video training materials to ensure Communications Director/any future employees can learn how to broadcast meeting using GCTV equipment.

##### Information Technology

- On August 31<sup>st</sup>, a battery backup pack used in the Server Room at Town Hall had a critical malfunction, resulting in it literally melting down. While the incident did result in
-

staff being evacuated and Town Hall closing for an afternoon due to the chemical smell left lingering from the malfunction, a short-term power supply configuration was implemented until a permanent new battery could be installed.

- IT performed a major firewall upgrade from September 6 to September 16 for the Town Offices, Library, GCTV, and Public Safety.
- Performed a server update from September 13 to September 16
- Responded to a total of 49 IT Helpdesk tickets during the month
- Created an easy-to-follow guide that informs staff how to log into and utilize the Vigilance Alert System currently installed on all Town staff computers. It was clear that most staff were not logging into it and were unaware of how to best utilize it. With the guide, front-line staff are well aware of how to best use this resource.
- In collaboration with the Town Clerks Office, devised a plan on how to best manage and utilize the Shared drive for the Town of Gray. In its current state, it is difficult to identify where documents live, who has access to what, where updated files may be kept, and what the overall information architecture should look like. In its current state, the Shared drive is running at near capacity so making changes could result in a system crash. The drives are scheduled for replacement next fiscal year. With the next shared drive, the IT department will better segment the drive so each department will have access only to documents and folders necessary to their function, plus a universally shared drive where final policies and documents will live. Prior to the turn of the fiscal year, departments are identifying which folders in the current drive belong to them so the migration process to the new system will be more streamlined.

## Library

- On Saturday, September 17, SAD-15 students in the International Baccalaureate program had a field trip to the Gray Public Library. Head of Circulation Andrea Kazilionis gave a talk outlining the resources that were available at and through the Library, how the Library's goals coincided with those of the IB program and talked of future collaborations and service opportunities for the students at the Library. All who attended were registered for new library accounts. The students also had a scavenger hunt to better acquaint themselves with the collection and available spaces in the library. We believe that this is the beginning of a longer-term relationship between the IB students and the Gray Public Library.
- The Library was the meeting site for four Town of Gray meetings, and six meetings by outside organizations.
- During the month, the Library continued its popular MOVIE TIME! program, screening nine films with a total attendance of 34.
- To celebrate Maine author Stephen King's 75<sup>th</sup> birthday, the Library held a special Stephen King Trivia Day on Saturday, September 24<sup>th</sup>. Seven people participated and had a truly enjoyable experience. Most stated they were in favor of more weekend programming at the library, so we are exploring that possibility.
- Kathy George, after nearly a quarter century of service in the Youth Services Department of the Gray Public Library, decided to retire at the end of September. Kathy's service to generations of youth and families has been a prized aspect of Library service, and she will be greatly missed. During the month, Library Director and Assistant Director interviewed applicants, and selected Samantha Enters from Fairbanks, Alaska as the next

Head of Youth Services. She is expected to be working on October 11<sup>th</sup> and we are excited to see how she fills the shoes of Kathy George.

- Drafted minor changes to existing Facilities Use Policy to clarify the public accessibility of meeting spaces and Pennell.

Challenges / Obstacles Requiring Outside Assistance:

None to report at this time.

Town Council Tracking Worksheet Items:

None related.



## TOWN OF GRAY

Henry Pennell Municipal Complex  
24 Main St, Gray Maine 04039  
www.graymaine.org

PLANNING DEPARTMENT

*Doug Webster, Director of Planning*  
dwebster@graymaine.org  
(207) 657-3339

October 13, 2022

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Planning Department Report to Town Manager (7/28 – 8/29, 2022):

- Meet with parties re possible development projects on North Raymond Road
- Participate in Village visioning days 7-27 to 7-30 including block party coordination
- Open space committee meeting attendance & coordinate PB workshop
- Managing PB escrows including returning \$ to applicants for older projects
- Historical recon for past PB subdivision road for pending winter maintenance
- Extensive coordinating efforts for Blueberry Festival
- FY 22 Planning Board Annual report compilation
- Review PB escrows and coordinate returning \$ for completed projects

Town Council Tracking Worksheet Items:

- Prepare background memo & draft standards for self-storage facilities
- Continue coordination with Town consulting engineer re Village infrastructure
- Coordinate/implement with TM & consulting engineer re next steps for Yar. Rd.
- Continued outreach efforts regarding Yarmouth Road consultants for improvements
- Work with consulting engineer re traffic circle study & village planning information
- Main Street background memo for 8-9-22 Council workshop inc. underground utilities
- Continued communications/follow-up re LWCF conversion/congressional outreach
- Input and subsequent adjustments to Short Term Rental Ordinance for 8-2 TC first read
- Work with town representatives & committee volunteers re open space mapping
- Coordinating completing CDBG grant close-out

Other Activities / Accomplishments:

- Consult with town engineer re PB practices including pre-construction meetings
- Continued progress on resolving long-stand ISM surety matter
- Track down archival SD plans to help address stormwater for SD amendment
- Provide input & comments regarding groundwater data clearinghouse
- Coordinate with State re floodway maintenance options adjacent to W. Gray Rd.

Challenges / Obstacles Requiring Assistance Outside of the Department:

- Continuing to work with Kyle & Codes staff to finalize Shoreland Zoning Ord; running into extensive formatting challenges but very close to completion



## TOWN OF GRAY

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PLANNING DEPARTMENT

*Doug Webster, Director of Planning*  
dwebster@graymaine.org  
(207) 657-3339

October 13, 2022

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Planning Department Report to Town Manager (8/30 – 9/26, 2022):

- Facilitate contact info re possible future comm development
- Continued progress with staff training modules
- Help CEOs with coordination of driveway entrance permits per SD approval
- Provide background information to ensure final version of SZ is complete
- Coordinate neighborhood meeting (not attend) for pending subdivision app

Town Council Tracking Worksheet Items:

- Self-Storage ordinance work including Council and OAC input
- 9-20 call with possible Yar. Rd. consultant & assemble/scan/send information
- Refinements to short-term rental ordinance including legal input & draft form
- Attend 9-6 village planning meeting with town consultant/staff
- Correspondence with Open Space committee members re maps
- Re-con re lot at Main/Lewiston/Colley Hill re land needed
- Review & input on groundwater & monitoring wells for forthcoming study
- Review & comment on village plans compiled by Principle group
- Continued coordination with Town consulting engineer re Village infrastructure
- Continued communications/follow-up re LWCF conversion/congressional outreach
- Continued coordination of completing CDBG grant close-out

Other Activities / Accomplishments:

- Attend CEO training on 9-22 at fall MBOIA meeting
- Closing out ISM performance bond surety including finalizing inspections
- Track down archival SD plans/info./e-mail for winter maintenance acceptance
- Review revisions to committee charge for OAC to OAB
- Compile & send FY 22 Comm Dev report for town annual report
- Attend Brownfield conference (in-person, out of state) on 9-13 & 14
- Attend in-person MeDOT meeting re village/Main Street
- Interview candidates for planning assistant position

Challenges / Obstacles Requiring Assistance Outside of the Department:

- Work with PW Dir. re adjustments to weight limit ordinance
- Coordination of attendance at NNECAPA conf. 10-17 to 19





## TOWN OF GRAY

Henry Pennell Municipal Complex  
24 Main St, Gray Maine 04039  
www.graymaine.org

PUBLIC SAFETY DEPARTMENT

*Kurt Elkanich*  
*Kelkanich@graymaine.org*  
*(207) 657-3931*

*Submitted by: Peter Holmquist, Asst. Chief*

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**September 26, 2022**

### **Public Safety Report to Town Manager (8/25 – 9/26, 2022):**

- 8/25 – Inspection of Russell School and Superintendent’s office with MSAD15 Facilities
- 8/29 – Took delivery of new command vehicle from Darling Ford
- 8/29 – Meeting with Town Manager, Public Safety Check-In
- 8/30 – Annual Life Safety Inspection at Fisherman’s Net and Craft Curbside
- 8/30 – Chief and Assistant Chief met with shift officers and discussed scheduling, personnel, and training.
- 9/1 – Annual hose testing completed
- 9/1 – Assistant Chief attended monthly EMS Leadership meeting. Continued discussion on high call volumes and hospital diversions. Discussed plans for hurricane season with focus on nursing homes and patient relocation via mutual aid.
- 9/6 – Chief attended the MDASH Meeting
- 9/6 – Chief and Assistant Chief attended Town Council Meeting.
- 9/8 – Interviewed two candidates for FF/EMT per diem positions.
- **9/9 – We were notified by FEMA that we were awarded the grant for the SCBA FILL STATION!!**
- 9/9 – The Chief for a grant from MMA for a sit stand desk.
- 9/9 – RCM installed radios in new command vehicle.
- 9/12 – Annual Life Safety Inspection at Barn and Table.
- 9/16 – Posted open position for full-time Firefighter / EMT.
- 9/20 – Chief and Assistant Chief attended the Town Council meeting.

### **Town Council Tracking Worksheet Items:**

- The Chief attended the Council workshop with interest in the Town’s plans for Gray Corner.

### **Other Activities / Accomplishments:**

- 9/6 – Assistant Chief attended 6-hour Webinar on Pre-Hospital Treatment of Opioid patients.
  - 9/13 – Chief attended several online courses required to become a trainer for ICS classes.
  - 9/19 – Fire Training on Extrication tools attended by 9 members.
  - 9/20 – Telehealth webinar attended by Assistant Chief
  - 9/21 – Maine EMS Quality Improvement monthly meeting attended by Assistant Chief
  - 9/23 – EMS webinar on Trauma attended by on duty crew
  - 9/26 – EMS Training on Sports Injuries attended by 20 members.
  - The Chief complete the Service/Function Data Sheet for the Fire Department.
-

- We continue to train with New Gloucester to increase our mutual aid capabilities. Both Towns will be attending a live fire training at the Auburn Fire Departments training building. This is an annual requirement and training together with New Gloucester will make us more effective on an actual fire scene.
- Replaced Armor Panels in all body armor
- Recertified or trained 25 citizens in CPR
- Completed 2 Car Seat Inspections.

Challenges / Obstacles Requiring Assistance Outside of the Department:

- Ongoing consultation with HR in reference to Firefighter on extended leave.
- Per the Councils Tracking Worksheet item #107, we need help in identifying the current responsible parties for the subdivisions that have cisterns. We test them regularly and some have vegetation that hinders our use. The one on Garnett Drive seems to have some degradation or spalling because we have pulled up some concrete pieces with our pump. Luckily the screen on our intake stopped them from getting into our pump and causing damage. We will not be testing this cistern in the future because of the potential to a pump and have to take an engine out of service for repairs.
- We need Ordinance help for an up-to-date Fire Ordinance that shall include a Knox Box requirement for Commercial entities.



## TOWN OF GRAY

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24 Main St, Gray Maine 04039  
www.graymaine.org

### PUBLIC WORKS

Alec Dodd, Public Works Director  
adodd@graymaine.org  
(207) 657-3381

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October 13, 2022

### Public Works Monthly Report to Town Manager (8/22/2022-9/26/2022)

#### Activities:

- Yarmouth Rd site visit, evaluating drainage outfalls with GP 8/23.
- Met with Thayer Brook Preserve officials and TM to discuss parking lot on Ramsdell Rd 8/30.
- Summer road construction continues, drainage improvements and preparations for paving on Weymouth Rd.
- Assisting Historical Society with portions of building addition project.
- Catch basin failure at Main St/West Gray Rd, repaired 9/15.

#### Challenges / Obstacles Requiring Assistance Outside of the Department:

- Met with planning staff for proposed subdivision 8/31.
- Coordinate with Gorrill Palmer on multiple projects.
- McConkey Rd bridge repairs discussed with GP with FY24 implications.
- Totten Rd bridge/culvert replacement discussed with GP with approximate FY27 implications.
- Public Easement for Winter Maintenance application review for Gemstone Estates with planning staff and site visit.

#### Town Council Tracking Worksheet Items:

- Council workshop with staff to discuss village projects 8/29.
- Council workshop with DOT officials to discuss village projects 9/15.
- Review project areas for Yarmouth Rd with Gorrill Palmer and planning staff.
- Vehicle weight restriction ordinance review with planning staff.



## TOWN OF GRAY

Henry Pennell Municipal Complex  
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[www.graymaine.org](http://www.graymaine.org)

SOLID WASTE AND RECYCLING  
RANDY COOKSON, DIRECTOR  
[RCOOKSON@GRAYMAINE.ORG](mailto:RCOOKSON@GRAYMAINE.ORG)  
657.2343

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September 25, 2022

### Solid Waste Department Report to Town Manager (8/22 – 9/25/2022):

- 8/22 Established disposal account with Waste Management, Norridgewock, for the disposal of processed wood waste
- 8/22 through 8/26 Had 129 tons demo wood, 58 tons of brush, and +/- 150 cubic yards of yard waste processed
- 8/26 Attended Resiliency Committee meeting
- 8/27 Held Household Hazardous Waste collection with help from Krista Chappell and Resiliency Committee member Matthew Hight
- 9/1 Met with Town Manager
- 9/1 Attended Department head meeting
- 9/1 Shipped 42,000 pounds of mixed paper
- 9/15 Registered for Food Waste Diversion workshop
- 9/21 Cancelled attendance for Food Waste Diversion workshop due to staff outage

### Town Council Tracking Worksheet Items:

- A
- B

### Other Activities / Accomplishments:

Had court ordered community service worker  
During the period of August 22 through September 25, 2022, the following materials were baled:  
40,338 pounds of corrugated cardboard  
29,186 pounds of mixed paper  
17,002 pounds of plastics  
4,348 pounds of tin cans  
Plastic markets have collapsed. We have storage space to hold it while hoping for the market to regain strength.

### Challenges / Obstacles Requiring Assistance Outside of the Department:



## TOWN OF GRAY

Henry Pennell Municipal Complex  
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www.graymaine.org

OFFICE OF THE TOWN CLERK

Jenn Doten, CCM, Town Clerk/Registrar  
Townclerk@graymaine.org  
(207) 657-3339

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October 13, 2022

### Town Clerk report to Town Council - 8/01/2022 – 8/31/2022

- worked with the Blueberry Festival Committee by receipting payments and receiving applications.
- assisted with incoming Tax Stabilization applications
- wrapped up June Election
- Started accepting absentee ballot applications for November
- 107 Citizen Petitions verified
- 38 Vital record transactions (certified copies & marriage licenses issued or received)
- Server battery backup failure caused the offices to close early on 8/31

### 9/01/2022 – 9/30/2022

- Notary Services performed
- 116 Vital record transactions (certified copies & marriage licenses issued or received)
- 81 Citizen Petitions received
- Clerk attended De-Escalation session (via zoom) with Shenna Bellows and CISA-FBI
- Working on 5 FOAA requests

### Daily activities include:

- Registrations (MV,ATV,Boat)
- Voter Registration
- Notary Services
- Licensing (Hunt/Fish, DBA, Liquor License)
- Vital records
- Receipting tax payments/revenues from other departments
- Monthly reports submitted to Vital Records (DHHS), Animal Welfare and Inland Fisheries & Wildlife (IFW)

### Challenges / Obstacles Requiring Assistance Outside of the Department: