

TOWN OF GRAY
GRAY TOWN COUNCIL
AGENDA • OCTOBER 17, 2023

**Gray Town
Council Regular
Meeting**

Town Council Chambers
24 Main Street, Gray, ME 04039
<https://us06web.zoom.us/j/Town Council Chambers>
24 Main Street, Gray, ME 04039
<https://us06web.zoom.us/j/86557385274>
Phone 646-558-8656 / Meeting ID: 86557385274

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. CONSENT AGENDA 5 MINS

1. Minutes from the Town Council Meeting on October 3, 2023

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: 86557385274

VI. ADJUSTMENTS TO THE AGENDA 5 MINS

VII. PUBLIC HEARINGS 7:20PM

1. To Remove from the Table the Second Reading and Public Hearing for changes to the Zoning Ordinance (Chapter 402) including the addition of a new section for self-storage facility standards and amendment of the Village Center Design Standards. **5 MINS**

Proposed motion:

Ordered, the Gray Town Council removes from the table the Second Reading and Public Hearing for amendments to the Zoning Ordinance (Chapter 402) including the addition of a new section for self-storage facility standards and amendment of the Village Center Design Standards.

2. Second Reading and Public Hearing - To Review proposed changes to the Self Storage Ordinance (Chapter 402) including the addition of a new section for self-storage facility standards and amendment of the Village Center Design Standards. **15 MINS**

Proposed motion:

Be it Ordained, the Gray Town Council approves the proposed changes to the Self Storage Ordinance (Chapter 402) including the addition of a new section for self-storage facility standards and amendment of the Village Center Design Standards.

3. Second Reading and Public Hearing - To Review proposed amendments to the Zoning Ordinance (Chapter 402) and the Village Center/VC Proper Design Standards related to State law 30-A MRSA Sections 4364 and 4364-A, regarding affordable housing projects and housing density. **15 MINS**

Proposed motion:

Be it Ordained, the Gray Town Council approves the proposed amendments to the Zoning Ordinance (Chapter 402) and the Village Center/VC Proper Design Standards related to State law 30-A MRSA Sections 4364 and 4364-A, regarding affordable housing projects and housing density.

4. Public Hearing - To Review proposed changes to the municipal General Assistance Ordinance repealing and replacing appendices A through H of the existing ordinance, which shall be in effect from October 1, 2023 through September 30, 2024. **15 MINS**

Proposed motion:

Be it Ordained, the Gray Town Council amends the municipal General Assistance Ordinance by repealing and replacing appendices A through H of the existing ordinance, which shall be in effect from October 1, 2023 through September 30, 2024.

VIII. REPORT FROM THE COUNCIL CHAIR 5 MINS - 8:10PM

IX. REPORT FROM THE TOWN MANAGER 5 MINS

X. COMMITTEE REPORTS 10 MINS

XI. COUNCIL CORRESPONDENCE/ACTIVITIES 10 MINS

XII. ADJOURNMENT 8:40PM

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TOWN OF GRAY
GRAY TOWN COUNCIL
MINUTES • October 3, 2023

Gray Town Council
Regular Meeting



Town Council Chambers

7:00 PM

24 Main Street, Gray, ME 04039

<https://us06web.zoom.us/j/82834438876>

Phone 646-558-8656 / Meeting ID: 828 3443 8876

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
Krista Chappell	Chair	Present
Matthew Hight	Council Member	Present
Anne Gass	Council Member	Present
Dan Maguire	Vice Chair	Present
Martin Meaney	Council Member	Present

III. PLEDGE OF ALLEGIANCE TO THE FLAG

IV. CONSENT AGENDA

IV.1 Minutes from the Town Council Meeting on September 19, 2023

MOTION: Ordered, the Gray Town Council approves the consent agenda except for the minutes from the Town Council Meeting on September 19, 2023

RESULT:	PASSED 5-0
MOTION BY:	Matthew Hight
SECOND BY:	Dan Maguire
AYES:	Krista Chappell, Dan Maguire, Martin Meaney, Anne Gass, Matthew Hight

MOTION: Ordered, the Gray Town Council approves the minutes from the Town Council Meeting on September 19, 2023

Council gave clerical edits for the minutes.

RESULT:	PASSED 5-0
MOTION BY:	Matthew Hight
SECOND BY:	Dan Maguire
AYES:	Krista Chappell, Dan Maguire, Martin Meaney, Anne Gass, Matthew Hight

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

The Public Comment period was opened at 7:08 PM.

Brandon Pollard of Mayall Rd. discussed cannabis and opening a retail store, he would like an ordinance change.

Brad Pollard of Grape Island Trail discussed retail cannabis and zoning issues.

The Public Comment period was closed at 7:20 PM.

VI. ADJUSTMENTS TO THE AGENDA

None.

VII. PRESENTATIONS

VII.1 Principle Group Progress Update - Vanessa Farr

The Principle Group was not able to provide an update because their meeting with MEDOT was pushed later.

VIII. PUBLIC HEARING

VIII.1 First Reading and Public Hearing - To Review proposed amendments to the Zoning Ordinance (Chapter 402) and the Village Center/VC Proper Design Standards related to State law 30-A MRSA Sections 4364 and 4364-A, regarding affordable housing projects and housing density.

Public Hearing opened at 7:31 PM

There were no public comments.

Public Hearing closed at 7:31 PM

Doug Webster discussed the changes to be made. They are State mandated changes.

MOTION: Ordered, the Gray Town Council approves a public hearing at the October 16, 2023 Planning Board meeting and a Second Reading and Public Hearing at the Town Council meeting on October 17, 2023 to review and approve proposed changes to the Zoning Ordinance (Chapter 402).

RESULT:	PASSED 5-0
MOTION BY:	Dan Maguire
SECOND BY:	Martin Meaney
AYES:	Krista Chappell, Dan Maguire, Martin Meaney, Anne Gass, Matthew Hight

IX. ACTION ITEMS

IX.1 To Review and Act Upon Approving a Bid from Simard and Sons, Inc. for the purchase and installation of new fuel pumps and a new fuel management system at the fuel station for an amount not to exceed \$39,400.24.

Councilor Chappell provided some background information about the budget for this item.

MOTION: Ordered, the Gray Town Council authorizes the Town Manager to sign the proposed contract with Simard and Sons, Inc. for new fuel pumps and a new fuel management system at the fuel station for an amount not to exceed \$39,400.24.

RESULT:	PASSED 5-0
MOTION BY:	Dan Maguire
SECOND BY:	Martin Meaney
AYES:	Krista Chappell, Dan Maguire, Martin Meaney, Anne Gass, Matthew Hight

IX.2 To Review and Act Upon Approving the Appointment of Sandra Carder as a regular member of the Resiliency Committee with a term expiring on August 31, 2025.

Council discussed some points of process.

MOTION: Ordered, the Gray Town Council appoints Sandra Carder as a regular member of the Resiliency Committee with a term expiring on August 31, 2025.

RESULT:	PASSED 5-0
MOTION BY:	Martin Meaney
SECOND BY:	Matthew Hight
AYES:	Krista Chappell, Dan Maguire, Martin Meaney, Anne Gass, Matthew Hight

IX.3 To Review and Act Upon Approving the Appointment of Robert Coleman as a member of the Finance Committee with a term expiring on August 31, 2026.

MOTION: Ordered, the Gray Town Council appoints Robert Coleman as a member of the Finance Committee with a term expiring on August 31, 2026.

RESULT:	PASSED 5-0
MOTION BY:	Martin Meaney
SECOND BY:	Anne Gass
AYES:	Krista Chappell, Dan Maguire, Martin Meaney, Anne Gass, Matthew Hight

IX.4 To Review and Reauthorize the Town's MainePERS Consolidated Participating Local District Plan effective October 1, 2023 to include an open enrollment provision for future employees.

MOTION: Ordered, the Gray Town Council authorizes the proposed open enrollment provision to be included in the Town's MainePERS Consolidated Participating Local District Plan effective October 1, 2023.

RESULT:	PASSED 5-0
MOTION BY:	Martin Meaney
SECOND BY:	Anne Gass
AYES:	Krista Chappell, Dan Maguire, Martin Meaney, Anne Gass, Matthew Hight

X. REPORT FROM THE COUNCIL CHAIR

Chair Chappell reminds Council of a 10/5 5:30pm workshop and upcoming workshop with Don Gerrish. Joint Leaders meeting was postponed to the week of 10/16. Some people reached out to her for an update about the search for a Town Manager.

XI. REPORT FROM THE TOWN MANAGER

Josh Tiffany discussed changes to a few job descriptions. He requested a workshop with Council about packets of information provided by staff. He mentioned that multiple committee members were behind receiving their letters for re-appointment but he apologized and said they will be working to improve on this. The lunch break for the clerks office is no longer going to happen, so they will be open during lunch.

XII. COMMITTEE REPORTS

Councilor Chappell:

- Ordinance Advisory Committee met 9/28 and discussed ADU permits in subdivisions, open space in Subdivisions, road frontage, ownership of open space in subdivisions, etc.
- GPCOG Executive Committee meets 10/17

Councilor Maguire:

Councilor Gass:

- Open Space Committee will meet next week, they have three vacancies for members.
- Resiliency Committee received a new member tonight. There may be a third member soon.
- CEDC does not have a quorum. She is working on meeting with the CEDC Chair.

Councilor Meaney:

- Zoning Board of Appeals met 9/26
- Finance Committee met 9/21, meets 10/19 4 PM
- Planning Board met 9/14 and they meet again on 10/16 7 PM
- Wild Blueberry Festival met 9/26

Councilor Hight

- GCTV met 9/27 and discussed the Town Meeting Video which is online.
- Recreation Committee met 10/2 discussed school bus safety in the Pennell Parking Lot, Halloween planning 10/28 Trunk or Treat at New Gloucester Fairgrounds. Hocus Pocus movie night 10/20 to raise money for candy.
- 10/16 Dry Mills Schoolhouse Committee Meets

XIII. COUNCIL CORRESPONDENCE/ACTIVITIES

Councilor Chappell: Met with Josh Tiffany for lunch yesterday. Received emails, but is behind on responding. Many inquiries about the Veteran's Exemption and the Cannabis Ordinance. She also received an email from Ernie Martin of MEDOT.

Councilor Maguire: Received a letter from Bill Chapman about a zoning ordinance question. He received feedback about a moratorium for zoning. Had a conversation with Scott Liberty about uses for a property he owns. Discussed affordable housing with Gene Semino.

Councilor Gass: Received the same communication with Bill Chapman about the cannabis ordinance. Ernie Martin MEDOT would like a public hearing about road improvements at Route 100 North. GPCOG appointed her to Vision Zero Advisory Panel. She worked on the RAISE Grant to address improvements in the Village. Met with Vanessa Farr of the Principle Group. Meets with MEDOT on Thursday with Josh Tiffany.

Councilor Meaney: None

Councilor Hight: Received emails but is a bit behind on them. He scheduled a meeting with the GPCOG director.

Council discussed the possibility of a referendum about the cannabis ordinance.

XIV. ADJOURNMENT

MOTION: to Adjourn at 8:55 PM

RESULT:	PASSED 5-0
MOTION BY:	Anne Gass
SECOND BY:	Martin Meaney
AYES:	Krista Chappell, Dan Maguire, Martin Meaney, Anne Gass, Matthew Hight

CLZ

MEMO

August 25, 2023

TO: Town Council, Town Manager Nate Rudy

FROM: Community Development

RE: Updated amendments to proposed self-storage ordinance; self-storage design standards; village design standards amendment for parking

In response to input from the July 18 Town Council workshop discussion, herein is an updated version of the proposed ordinance, 402.8.11 Self-Storage Facility Standards for council discussion and review, including the associated self-storage facility design standards.

Also included for your review is an amendment to the Village Design Standards, to add a requirement for locating parking spaces in the rear of the building. This amendment was proposed during the June 12, 2023 workshop.

These items are before you for consideration at the September 5, 2023 Town Council meeting for a public hearing and first reading. The Planning Board will also host a public hearing at their regular meeting Sept. 14, 2023.

Notably, the council has extended the moratorium on self-storage developments through Dec. 27, 2023, with a view toward getting the amendments in place prior to the moratorium's expiry.

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 (March 1, 2023) are required to comply with requirements in this section and the associated design standards. This includes any self-storage facility that was previously approved but did not meet the Time Limit on Approval requirements of the zoning ordinance, and is thus considered a new application.
2. Expansion: Any self-storage facility that is proposed to be expanded 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 and design standards, as determined by the Planning Board, for the expanded portion of the development and associated infrastructure. No expansion or additional buildings will be permitted within the 300' setback 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.
3. Repairs/Replacement/Rebuilding: The Code Enforcement Officer shall have the authority to issue building permit(s) for the repair, replacement or rebuilding of one or more building(s) in a Self-Storage Facility for the same size, height and location as the original structure(s). Such repair, replacement or rebuilding shall be subject to all practically achievable self-storage performance standards and design standards, as determined by the Code Enforcement Officer in consultation with the Town Planner.
4. Outdoor storage is not permitted as a standalone use and must be integral to a self-storage facility and comply with all standards established in this section and in Article 10.
5. 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” entitled “Perimeter Buffer Requirements.”

2. A perimeter buffer 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, such as level lip spreaders, detention basins and similar stormwater infrastructure involving clearing of vegetation. Pipes that may need to pass through the area are permitted.
3. 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 perimeter buffer as established in this subsection “F,” entitled “Perimeter Buffer Requirements” and subsection “G” entitled “Outdoor Self-Storage Standards.”

D. Building Requirements

1. One-story self-storage building footprint standards:
 - a. Maximum length: two-hundred (200) feet
 - b. Maximum width: forty (40) feet.
 - c. Maximum height (to the highest point of the structure): twenty-five (25) feet.
2. Two-story self-storage building footprint standards:
 - a. Maximum footprint of any one structure: seventy-five hundred (7,500) square feet
 - b. Maximum height (to the highest point of the structure): 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 to the plans that are consistent with the purpose and intent of the design standards and these performance standards.
6. In the event that a different or future non-residential use is proposed for the front portion of a parcel and self-storage facility use is proposed for the rear portion, the minimum separation between such structures shall be designed to meet currently applicable setbacks to allow for each use to be located on a separate parcel and must meet the Lot Frontage Development

Standards herein.

7. Buildings existing as of March 1, 2023 shall be eligible for re-use as a self-storage facility subject to all of the following standards:

- a. The building for re-use must have a footprint no greater than ten thousand (10,000) square feet and be located on the same parcel or a directly abutting parcel containing a self-storage facility existing as of March 1, 2023, and
- b. The building for re-use must be within one-hundred-and-fifty (150) feet, irrespective of any property line, of a building in a self-storage facility existing as of March 1, 2023, as measured from building to building, and
- c. Any building proposed for re-use shall require Planning Board review and approval, for the purposes of complying with design standards as much as practicable. The Planning Board shall have the authority to require non-structural changes to the building in accordance with design standards as practicable, and
- d. Any increases in the volume and/or footprint of a building for re-use, including overhangs, shall require Planning Board review and approval. Such increases shall conform to design standards, as practicable, and
- e. In no event shall any increase in volume and/or footprint of a building for re-use purposes be extended to utilize or occupy any additional frontage on a road or right-of-way that is either publicly owned or has a public easement for winter maintenance, other than the portion of frontage occupied by the building that existed as of March 1, 2023, and
- f. Increases in volume and/or footprint of a building for re-use, including overhangs that extend towards/closer to a road or right-of-way that is either publicly owned or has a public easement for winter maintenance, shall not be allowed unless the entirety of the building, including the increased volume and/or footprint of the building is at least three hundred (300) feet from the edge of the road or right-of-way, whichever is greater.

E. General Standards

1. Review and approval by the Planning Board is required for any new or expanded self-storage facility. The Planning Board shall review the proposed development under Site Plan Review and design standards, as applicable, and shall ensure that the performance standards in this section are met.
2. Any self-storage facility may consist of one or more combined developed footprint area(s).
3. Each combined developed footprint area shall not exceed three (3) acres/ 130,680 sf. This combined development footprint area 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. Within a lot with a self-storage facility, site-internal buffers are required to separate each combined developed footprint area. These site-internal buffers shall be a minimum depth of fifty (50) feet and shall conform to the perimeter buffer requirements of Section F, Perimeter

Buffer Requirements. 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.

5. 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 on one parcel be transferred to separate parties/entities.
6. 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. The operator of the facility shall be required to disclose this information to all parties utilizing the self-storage facility and report any instances of fluid leaks to Gray Public Safety within thirty (30) days of becoming aware of any fluid contamination.
7. 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.
8. 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. Chain-link fencing is not permissible in areas of the site that are visible from the road.
9. One (1) 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 within the immediate vicinity of such office area shall be required that do not block access to any accessway or self-storage unit(s).
10. 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. All new, or expanded, self-storage facilities shall comply with all of the following perimeter buffer requirements. Any building(s) existing as of March 1, 2023 that is proposed for re-use as a self-storage facility shall comply with the perimeter buffer requirements to the maximum extend practicable as determined by the Planning Board.

2. The entirety of the perimeter buffer shall consist of dense, mature, natural vegetation meeting and maintaining standards as established in this section.
3. 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 and stormwater infrastructure.
4. 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.
5. 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 final decision.
6. The full depth of the perimeter buffer shall consist of dense, mature, natural, non-invasive vegetation, consisting of predominantly evergreen trees, as determined by the Planning Board. In order for the Planning Board to determine the specifications for the buffer 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.
7. In the event that existing conditions do not meet the requirements of this section 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.
8. In order to ensure that the perimeter buffer meets and maintains standards, or will meet standards per above in this section, 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 surety 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.

9. 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(s), including road(s) 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.

10. The Planning Board will have the authority to consider reductions to the depth of the vegetated perimeter buffer or alter the nature of the buffer as herein, at different depths for each of the different buffer areas (front, side, rear) as well as different depths along one or more such buffers, taking into account existing conditions, the essential character and proximity of other uses on adjacent properties along the perimeter buffer.

a. In considering whether to approve a perimeter buffer reduction or alteration, the Planning Board should consider the treatment of the area and adhere to the following standards:

i. In no case shall any portion of the perimeter buffer be less than twenty-five (25) feet in width, except as permitted in section 10.b. below.

ii. Structures in self-storage facilities that do not exceed twenty (20) feet in height and buildings converted to self-storage facilities, per Section D above entitled Building Requirements, may be permitted to use solid fencing (not chain-link) with a reduced vegetated buffer to meet the perimeter buffer requirements.

b. In considering whether to approve a perimeter buffer reduction or alteration, the Planning Board should consider the treatment of the area and adhere to the following principles:

i. Within areas that are densely developed with non-residential uses when the application for a self-storage facility is submitted, a buffer with dense plantings, fencing, and or changes in grade may be a minimum of twenty-five (25) feet.

ii. For self-storage buildings on a parcel(s) located wholly within a Commercial/Industrial zoning district, that do not directly abut any properties outside of a Commercial/Industrial zoning district, the Planning Board will have the authority to approve a reduced buffer to a minimum of

fifteen (15) feet.

- iii. A buffer with moderate levels of vegetative screening should be thirty (30) to forty (40) feet in width.
- iv. In suburban and rural settings, the minimum width of the densely vegetated buffer should be twenty-five (25) feet. Plantings should be predominantly evergreen shrubs and trees designed to provide year-round screening.
- v. For areas adjacent to service, loading, or outdoor storage areas, a minimum buffer width of fifty (50) feet screened by a combination of berms, fencing, and dense plantings (preferably evergreens).
- vi. The Planning Board shall have the authority to reduce the depth of those portions of the proposed Self Storage Facility perimeter buffer that directly abut property owned by the Maine Turnpike Authority to a minimum of fifty (50) feet, provided that the intent of this ordinance and applicable standards, specifically including but not limited to buffering, are met and maintained.

G. Outdoor Self-Storage Standards

1. 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 in this section.
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. All stormwater sheet-flow from such areas shall be directed in water-tight drainage piping into 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. For outdoor storage areas on a parcel(s) located wholly within a Commercial/Industrial zoning district, that do not directly abut any properties outside of a Commercial/Industrial zoning district, per 10.b., the Planning Board will have the authority to approve a reduced buffer to a minimum of fifty (50) feet provided it is at least one hundred (100) feet to the property line.

5. If an outdoor storage area is located adjacent to the perimeter of the facility abutting a property line(s), the minimum depth of the perimeter buffer, in accordance with standards specified below in this section, must be seventy-five (75) feet provided it is at least one hundred (100) feet to the property line.
6. 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 for potential contaminants associated with the stored items, 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. In the event of a spill or test results that show the presence of any contaminant(s), the owner/operator shall report these findings to the Gray Code Enforcement Officer within five business days of receiving the test results.
7. 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" in this section entitled "General Standards," the maximum size of an outdoor storage area is .75 of an acre/32,670 sq. ft.

H. Lot Frontage Development Standards

Lot frontage is the portion of a lot directly abutting the main road. Development of the lot frontage within the three-hundred (300) foot road or right-of-way (ROW) setback of a self-storage facility parcel, for a separate permitted or conditionally permitted use in the zoning district, is subject to the following conditions:

1. The setback between the structure in the lot frontage development area and the nearest self-storage facility structure, measured building to building, shall be double the applicable rear setback for the zoning district, to allow for conformance in the case of future lot division. Otherwise, applicable setbacks for the zoning district will apply.
2. Development on the lot frontage of a self-storage facility will be subject to performance standards and design standards, as applicable.
3. The Planning Board shall have the authority to reduce the perimeter buffer between the lot frontage development and the self-storage facility, per Section F above, entitled Perimeter Buffer Requirements.
4. Parking areas for the lot frontage development must be located in the rear of the building(s) and shall not be directly visible from a public street.
5. The lot frontage development must be designed to provide for the safe movement of pedestrians and vehicles both internally and in connection with the self-storage development and/or other structures, lots or uses located further from the main road from development within the lot frontage development.

402.6.2 D

D. Only One Principal Building per Lot

No more than one (1) principal structure and its accessory buildings as regulated in this Ordinance may be located on any one lot, except in the case of a multi-building Self-Storage Facility, lot frontage development on a lot with a self-storage facility, as established in Section 402.8.11. Planned Unit Development and Multi-Family Housing, unless all applicable space and dimensional standards are met separately for each principal structure or use on the lot, subject to the following:

1. Where a lot has more than one existing principal structure or use, any new principal structure or use proposed for the lot, or any proposed division of the lot, shall meet all applicable space and dimensional standards for the new lot or principal structure or use; provided, however, before creation of a new principal structure or use on the lot or division of the lot, the property owner shall provide the Code Enforcement Officer with a sketch plan, drawn to scale, in sufficient detail to satisfy the Code Enforcement Officer that it accurately represents the current conditions in the field; and
2. The creation of a new lot or new principal use or structure must satisfy current space or dimensional standards established for the zone in which the lot is located. Where an existing principal structure is legally nonconforming as to any applicable space or dimensional standard, the creation of a new lot or principal use or structure shall not increase the degree of such nonconformity.
3. For lots located in the Business Development 2 Zoning District, the number of uses per principal structure shall be determined by standards established in Section 402.8.8 of this Ordinance.
4. No variances are allowed from the provisions of the preceding paragraphs of this section.

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.

Solar Panels: Fixed solar panels that are flush-mounted to the roof and/or walls, not more than 8 (eight) inches above the roof plane and/or walls of a self-storage facility building are permitted, provided that they do not significantly change the orientation/appearance of the roofline and the necessary permits are obtained. Panels that are installed at a different orientation than the roof plane, or installed/angled to be more than 8 (eight) inches above the roof plane require Planning Board review and approval with the intent of maximizing compliance with design standards.

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.

		RRA	LD *	MD	BD-1	BD-2	C	VC *	VCP *	BT-1 *	BT-2 *	WH-1 *	WH-2 *	LMOD
1.	Personal Services				C	C	C	C	C	C				
2.	Planned Unit Development ‡				C	C	C	C	C	C				
3.	Places for Public Assembly, Indoor and Outdoor	C	C		C	C		P	P					
4.	Private Assembly				C	C	C	C	C					
5.	Private Landing Strips for Personal Aircraft ‡	C			C	C								
6.	Public Utilities	C	C	C	C	C	C	C	C	C	C	C	C	
7.	Redemption Center						C			C			P	
8.	Registered Caregiver*				C	C	C	C						
9.	Registered Caregiver Cultivation Area*				C	C	C	C						
10.	Repair Service				P	P	C	P	P		C		C	
11.	Research Facility				C	C		C	C					
12.	Residential Open Space Subdivisions	P	P	P										
13.	Restaurant				P	P	C	P	P	C	C			
14.	Retail Trade				P	P	C	P	P	C	C		C	
15.	School	P	P	P		C	C	C	C	C	C		C	
16.	Self-Storage Facility				€	€	€			€				€
17.	Single-Family Dwelling	P	P	P	P	P	P	P	P	P	P	P	P	
18.	Similar Uses	C	C	C	C	C	C	C	C	C	C	C	C	
19.	Tavern					C	C	C	C					
20.	Trucking Terminal				C	C								
21.	Two-Family Dwelling	P	P	P	P	P	P	P	P	P	P		P	
22.	Warehousing				P	P								P/C
23.	Wholesale Trade				C	C		P	P					
24.														

Village Center/Village Center Proper Design Standards EXCERPTS

use of an arcade system, trellis, colonnade or other open structures.

- D. Provide Useable Open Spaces – Wherever practical, open space areas shall be grouped into useable, prominent landscaped areas so as to provide useable open space within a complex of buildings or project; however, this provision does not require that every building or project or all areas surrounding buildings to provide useable open space.
- E. Provide Outdoor Seating Areas – Buildings shall be placed in a manner that allows space for outdoor seating areas. Spaces between buildings that offer clear, useable shapes may be used for this purpose; however, this does not require that all spaces between buildings be designed for use as outdoor seating areas.

COLOR STANDARDS

- A. Use Compatible Colors – Colors used on buildings shall be compatible with colors of the surrounding area.

TRASH LOADING/STORAGE/~~PARKING~~ AREAS

- A. Enclose Dumpsters in Attractive & Durable Enclosures – Trash and garbage containers shall be stored in an enclosure that is architecturally compatible with the project or building and which includes concrete pads or appropriately designed asphalt surfaces. Trash enclosure gates shall be constructed of durable materials that obscure view by a minimum of eighty (80) percent.

~~E.B.~~ Locate Such Service Areas Away from Abutting Residences – Non-residential buildings adjacent to residential properties shall be designed or positioned so that loading and delivery activities occur on the side of a building opposite the side facing residential property, and shall not be located within the required setback.

~~F.C.~~ Provide Loading Areas for Restaurants – Every free-standing restaurant site shall include a loading area or arrangement for other accommodations.

~~G.D.~~ Loading Docks not to be Visible from the Street – Loading docks shall not be directly visible from a public street. Complete screening matching the building design or a landscape buffer achieving eighty (80) percent screening within three (3) years shall be installed where necessary to meet this requirement.

~~H.E.~~ No Standing & Idling Trucks – Trucks are prohibited from parking and idling in maneuvering or circulation areas that are adjacent to residential properties, except for approved loading or dock areas.

~~I.F.~~ Carefully Locate & Screen Outdoor Storage Areas – Outdoor storage shall be located within approved storage areas that are permanently screened from view. Outdoor storage shall not be allowed in required parking or loading areas.

~~J.G.~~ Parking areas to be located in rear – Parking areas are to be located in the rear of the building(s) and shall not be directly visible from a public street.

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PART 4 – RESIDENTIAL DESIGN STANDARDS AND ADMINISTRATIVE PROCEDURES

I. PURPOSE

The purpose of these Design Standards for the construction of single-family residential buildings, two-family residential buildings, three-family residential buildings, accessory dwelling units, and all detached accessory structures in the Village Center (VC) and Village Center Proper (VCP) Districts is to promote the construction of such buildings in a manner that is calculated to allow for adaptive re-use of the site for either commercial or residential purposes in the future. The objective is to grant the Town of Gray increased flexibility in meeting its current goals under the Comprehensive Plan, including promoting growth in the VC and VCP districts.

II. APPLICABILITY

These Design Standards apply to all single-family residential buildings, two-family residential buildings, three-family residential buildings, accessory dwelling units, and all detached accessory structures newly constructed or reconstructed in the VC or VCP Districts, as well as those that have been substantially altered, repaired, or moved.

For the purposes of applicability of these standards, “substantially altered, repaired, or moved” shall mean any one or more of the following:

- 1. requires a building permit for construction that affects greater than fifty percent (50%) of the floor area of the existing structure
- 2. requires a building permit for exterior renovations which involve structural alterations to the building.

III. AESTHETIC STANDARDS

Newly constructed or reconstructed single-family residential buildings, two-family residential buildings, three-family residential buildings, accessory dwelling units, and all detached accessory structures in the VC or VCP Districts, as well as existing buildings (used for that purpose) and their appurtenances, which have been substantially altered, repaired or moved, shall be visually compatible with the buildings and terrain to which they are visually related and specifically with nearby and/or adjacent buildings in terms of the following factors:

A. Overall Style: The building’s architectural style shall be consistent throughout, with all sides matching or complementing the style of those with the greatest visibility from the public street(s).

- 1. To prevent long, visually monotonous building façades, design features shall be added to the building, such as but not limited to, wall plane projections, recesses, widows, roof elevation variations, and variations in siding materials and orientations.
- 2. Accessory or auxiliary structures, including garages



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and sheds, shall be architecturally consistent with the primary structures in the use of color, material, and detailing.

B. Relationship of Façade Materials: The façades of a building, particularly the front façade, should be visually compatible with surrounding buildings.

1. Use of traditional wood clapboard or cedar shake siding is the basic standard. Synthetic, composite, or other siding materials are acceptable if they are substantially identical in appearance to natural materials and of equal or greater durability.



2. Brick or stone masonry is also acceptable.

a. Brick material shall be of New England character, normally red to reddish brown in color, and shall be laid with three courses in eight inches. Normal brick size shall be 2 3/8 x 3 5/8 x 7 5/8.



b. Use of economy shape, square, or elongated brick is not permitted.

c. Multi-color brick products or patterns composed of different colors of bricks are prohibited, and any pattern in the brick masonry shall be muted with all patterns composed of brick of the same color. Alternatively, bricks may be painted, provided they are painted a single, solid color.

3. Concrete block, split face block, multicolored brick, asphalt shingles, T-111, plywood, diagonal siding, industrial metal siding, standing seam metal siding, synthetic brick, and synthetic stone are prohibited; however, use of stucco is permissible.

4. Concrete block chimneys and exposed metal chimney flues on the side of the house facing the street are prohibited. Exposed metal chimney flues on the sides of houses shall be enclosed and sided with the same or similar siding as the house.

5. Full height walls surrounding porches are not permitted. Screens in the warmer months and storm windows in the cold months are permitted, this does not include installation of combination storm and screen windows.



C. Roof Shapes and Materials: The shape and proportion of the roof should be visually compatible with the architectural style of the building and with those of

neighboring buildings. Flat roofs are discouraged.

1. Roof forms such as gable, hipped, or slight variations are acceptable.
2. Buildings shall have a roof pitch in the ranges of 6:12 to 12:12. Porch roofs are permitted to have a pitch of 4:12 provided that the porch does not exceed 20% of the building's cumulative footprint.



3. Preferred materials are asphalt shingle, fire-treated wood shingles, natural slate, rubber, composite material made to resemble slate, and/or metal.

4. Buildings that are more than forty feet (40') in length, face a public street, and have a symmetrical gabled pitched roof are encouraged to break up the roof with multiple dormers proportioned and coordinated with the overall façade design.



5. Roof colors shall be those commonly found on residential buildings within the VC and VCP Districts, including but not limited to brown, black, grey, and green, and shall be of a dark hue.
6. Roof dormers with pitched or shed roof forms are permitted, and skylights within the roof plane are acceptable. Shed roofs that are integrated with the building form are also acceptable.
7. Exposed roof vents such as turbines or power roof ventilators are discouraged.

D. Proportionality and Placement: The building's overall size; mass in relationship to the open space around it; and door, window, porch, and balcony sizes shall be visually compatible with its site and with its neighborhood.

1. The height of the building shall be visually compatible with the heights of buildings in the neighborhood, with particular attention paid to the height of principal structures on adjacent lots, so as not to dramatically change the street's appearance or to unduly shade neighbors and/or the street.

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Compliant:



Noncompliant:



2. The rhythm of open spaces around buildings to the buildings themselves should be considered when determining visual compatibility, whether it is between buildings or between buildings and the street (setbacks).

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Compliant:



Noncompliant:



3. The size and spacing of the building's windows and doors shall be proportional and visually compatible with those of its neighbors.

Compliant:



Noncompliant:



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E. Access Features: The features of a building that allow for access to the interior shall meet certain minimal design standards that ensure both their functionality and visual compatibility with others in the neighborhood.

1. The incorporation of one, and not more than one, recognizable front door facing the street is required.

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2. Buildings shall not have more than one exterior stairway leading to a second or higher story, and the design of such exterior stairway shall be visually compatible with the design of the building as a whole and with any exterior stairways on neighboring buildings.

F. Site Features: The size, placement, and materials of walls, fences, driveways, and landscaping features should be visually compatible with the building, the property's terrain, neighboring buildings, and the terrain of abutting properties, as well as provide adequate privacy between lots.

1. Fences, if installed, shall be post-and-rail type with wood, wood composite, stone, or masonry posts with wood top and bottom rails. Infill between rails shall be vertical pickets or other patterns consistent with older residences within the district. Fences shall not exceed forty-two (42) inches in height.



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2. Preservation of existing mature trees and planting or preservation of masses of shrubs in the setback is encouraged. Landscaping should include planting of new trees and shrubs if none presently exist.



a. An effort shall be made to use indigenous species that are insect and disease resistant. Invasive species of plants are prohibited.

b. Any trees that are planted shall be a minimum of five (5') feet from the edge of the right-of-way (ROW). The mature form and height of plant materials shall be considered so they will not create unsafe conditions, such as protrusion into power lines, or blockage of pedestrians, bicyclists, or motorists' sight lines on the road.

3. The front, side, and rear yards abutting residential properties shall maintain the district boundary in its natural state to provide a buffer of at least 10 feet. When natural features (i.e., slopes, gullies, trees, shrubs, rocks) do not exist or are insufficient to provide a buffer, the developer is encouraged to landscape, or where not feasible, provide fencing or screening. The buffer shall not be expected to completely hide the building from abutting properties.



4. Site walls (retaining walls), if installed, should be a natural stone, pre-cast concrete made to resemble stone, or brick masonry. The use of other modular concrete material is not permitted for the wall face. Site walls shall not exceed forty-two (42") inches in height unless functionally necessary due to the grades existing on the property, shall be located no closer than two (2') feet from the sidewalk, and shall be constructed to allow for proper drainage.



5. All new construction and development shall be designed to minimize storm water runoff from the site in excess of the natural predevelopment conditions. Where possible, existing natural runoff control features, such as berms, swales, terraces, and wooded areas shall be retained or added in order to reduce runoff and encourage infiltration of storm waters. All storm water must be treated underground.



6. All parking for new construction and development shall be located behind the building, not visible from the street.

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IV. SITE LAYOUT STANDARDS

A. The location of structures and site improvements on the parcel shall be designed and built to accommodate either residential or commercial uses. The applicant/developer shall provide a conceptual scaled plan of the parcel depicting all site components necessary to practically allow the parcel to be utilized for commercial purposes including:

1. Vehicular access (ingress and egress);
2. On-site vehicular circulation;
3. Pedestrian access and internal circulation;
4. Parking layout and design;
5. ADA parking and access;

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MEMO

September 26, 2023

TO: Town Council, Interim Town Manager Josh Tiffany
FROM: Community Development
RE: LD2003 compliance proposed ordinance amendments

Introduction:

The Town of Gray is working toward compliance with LD2003 “An Act to Implement the Recommendations of the Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions,” which became Public Law 672 in April 2022. The law originally was to become effective as of July 1, 2023. The effective date was changed to January 1, 2024 in the last session of the Legislature, along with some other amendments to the original legislation.

The Town Council passed Zoning Ordinance amendments related to Accessory Dwelling Units on May 16, 2023 and those became effective June 15, 2023.

Staff are actively working to implement the changes related specifically to the sections of the law that address affordable housing and housing density, *30-A MRSA Sections 4364 and 4364-A*.

The council discussed these changes at a workshop in June 2023 and provided input on the elements of the law that allow for municipal discretion. That input is included in the changes presented to you herein. Notably, nearly all of the amendments are statutorily required to implement the State law.

At this time, we propose making changes land use regulations in the Town of Gray Zoning Ordinance Chapter 402 sections as per below:

- Definitions 402.2.2
- Lots 402.6.2
- Back lot access easements 402.7.5
- Village Center District Standards 402.8.3
- Village Design Standards (as referenced in 402.8.3)
- 402.10.14 Standards for Multi-Family Housing
- Table of permitted uses, 402.5.3
- 402.10.11 Table 3- Parking Minimums
- New Section: 402.7.22 Two or More Dwelling Units on One Lot

Please note that additional amendments will be necessary for full compliance, but require additional discussion and will be submitted as a second phase of implementation **at a later date**, to include:

- Bringing the town’s Subdivision Ordinance, Chapter 401, into compliance – specifically the Residential Open Space subdivisions section, which was written explicitly for single-family home development and does not allow accessory dwelling units. Staff will present these revisions to the

town council at a later date, to incorporate input from the Open Space Committee on other changes to this part of the ordinance.

- Updating the multi-family development requirements, both inside and outside of the growth district, to include specifics related to structures, setbacks and buffers.
- Potential addition of a growth overlay district to the Zoning Districts as a first step to implementing new zoning districts in line with the future land use in the Comprehensive Plan.

Proposed Amendments at this time:

Definitions 402.2.2

Affordable Housing:

a. For rental housing, a development in which a household whose income that does not exceed 80% of median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford 51% or more of the units in the development without spending more than 30% of the household's monthly income on housing costs.

b. For owned housing, a development in which a household whose income does not exceed 120% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford 51% or more of the units in the development without spending more than 30% of the household's monthly income on housing costs.

Residential Open Space Subdivision: A form of ~~single family~~ residential development that provides flexibility in design and promotes creating open space by reducing lot area and bulk requirements for individually owned lots, provided that the allowed number of lots does not exceed the required zoning density standards for the respective district.

Multi-Family Dwelling: a building containing three or more dwelling units, such buildings being designed for residential use and occupancy by three (3) or more families living independently of one another, with the number of families not exceeding the number of dwelling units.

Multifamily Development: A lot which contains one or more multifamily dwellings, two or more ~~duplex~~ two-family dwellings, three or more single family dwellings, or any combination of buildings ~~-containing more than four (4) dwelling units on a single lot.~~ An affordable housing development is considered to be a type of multifamily development if the subject parcel contains

the requisite number of dwelling units per this definition. ~~containing three or more dwelling units.~~

Short-term rental unit: Living quarters offered for rental through a transient rental platform as defined by 36 M.R.S.A. Section 1752 (20-C), at which one or more overnight accommodations are available to rent for a tenancy of less than thirty (30) consecutive calendar days, excluding campgrounds, motels, hotels, and bed and breakfasts.

Designated growth area: An area that is delineated as suitable for orderly residential, commercial, or industrial development, or any combination of those types of development, and into which most development projected over ten (10) years is directed. The Village Center and Village Center Proper zoning districts are the Designated growth areas.

Centrally managed water system. A water system that provides water for human consumption through pipes or other constructed conveyances to at least 15 service connections or serves an average of at least 25 people for at least 60 days a year as regulated by 10-144 C.M.R. Ch. 231, Rules Relating to Drinking Water. This water system may be privately owned.

Comparable sewer system. “Comparable sewer system” means any subsurface wastewater disposal system that discharges more than 2,000 gallons of wastewater per day as regulated by 10-144 C.M.R. Ch. 241, Subsurface Wastewater Disposal Rules.

402.6.2 Lots

A. Lots with Multiple Street Frontages

Lots which abut on more than one street shall provide the required front setbacks along every street.

B. Developable Areas

No structure or other impervious surface may be constructed on land with sustained slopes of twenty-five (25%) percent or greater, nor in any wetland. Subsurface wastewater disposal systems may not be located where soils are unsuitable for septic systems according to the Maine State Plumbing code, as amended.

C. Building Extensions to Meet Setbacks

All structures, whether attached to the principal structure or not, and whether open or enclosed, including porches, carports, balconies, or platforms above normal grade level, shall not project into any required minimum front, side or rear setback.

D. Only One Principal Building per Lot

1. No more than one (1) principal structure and its accessory buildings, including an Accessory Dwelling Unit, as regulated in this Ordinance may be located on any one lot, unless all applicable space and dimensional standards are met separately for each principal structure or use on the lot, except in the case of for the following uses, which shall be exempt from this standard provided that all applicable standards are met:

- -A multi-building Self-Storage Facility;
- A Planned Unit Development
- A Multi-Family Development,

~~unless all applicable space and dimensional standards are met separately for each principal structure or use on the lot,~~

2. In no event shall one lot contain any non-residential use and any residential use(s).

3. Accessory residential uses shall be permitted on a lot used primarily for residential use provided that applicable standards are met and maintained.

4. All developments not listed in the exceptions above in this section shall be subject to the following:

a. Where a lot has more than one existing principal structure or use, any new principal structure or use proposed for the lot, or any proposed division of the lot, shall meet all applicable space and dimensional standards for the new lot or principal structure or use; provided, however, before creation of a new principal structure or use on the lot or division of the lot, the property owner shall provide the Code Enforcement Officer with a

sketch plan, drawn to scale, in sufficient detail to satisfy the Code Enforcement Officer that it accurately represents the current conditions in the field; and

b. The creation of a new lot or new principal use or structure must satisfy current space or dimensional standards established for the zone in which the lot is located. Where an existing principal structure is legally nonconforming as to any applicable space or dimensional standard, the creation of a new lot or principal use or structure shall not increase the degree of such nonconformity.

c. For lots located in the Business Development Zoning District, the number of uses per principal structure shall be determined by standards established in Section 402.8.8 of this Ordinance.

d. No variances are allowed from the provisions of the preceding paragraphs of this section.

402.7.5 Back Lot Access Easements

Back lots ~~used for single family purposes~~ shall be permitted, provided they meet the following standards:

A. Access Requirements

1. A fifty (50 ft.) foot wide access shall be provided for back lots.
2. Said access shall be owned either in fee or by permanent easement and maintained by the back lot users.
3. Record of said access way shall be recorded as part of the deed of each back lot and shall be filed with the County Register of Deeds.
4. The access way entrance to a street shall conform to standards of the Subdivision Ordinance and shall be approved by the Code Enforcement Officer.
5. The issuance of a building permit for one or more dwelling unit(s) ~~a single family dwelling~~ on a back lot shall in no way be construed to imply the acceptance of any access way for the purpose of maintenance, improvements or snow removal by the Town of Gray.
6. Creation of a subdivision requires compliance with the provisions of the Gray Subdivision Ordinance.

B. Lot Frontage Requirements

Frontage equal to the street frontage required for the zoning district shall be required along the access way.

C. Lot Size Requirements

1. Any back lot shall be equal to or greater than the minimum lot size required for the zoning district. Computation of minimum lot size area shall not include any portion of the area devoted to an access way for the lot across which the easement crosses and for the lot served by the easement.

2. The side lot line nearest and generally parallel to the road to which the back lot access way leads shall be equal to the street frontage required for the zoning district.

402.7.6 Residential Open Space Subdivisions and Multi-family ~~housing~~ development

A. Purposes of Residential Open Space Subdivision:

The purpose of Residential Open Space Subdivision standards is to encourage greater flexibility and more creative design for the development of residential ~~single-family~~ projects. It is intended to encourage a pattern of residential development which will result in the following attributes:

1. Preservation of Gray's rural character by retention of open space and its natural resource values as determined by the Planning Board with input from appropriate organizations, other Town staff, and State departments.
2. To the greatest practical extent, preservation of existing landscape features and the utilization of such features in a harmonious fashion.
3. Protection of environmentally sensitive areas.
4. Economical and efficient building arrangement, traffic circulation, and utility construction.
5. Outdoor recreational facilities that may be better utilized and located than would otherwise be provided under more conventional land development.

B. Residential Open Space Subdivisions standards are contained in the Town of Gray Subdivision Ordinance, Chapter 401, in Section 401.13.13.

C. Section 401.13.13.I establishes the purposes of locating individually owned lots in relation to the configuration of the open space. Parties must pay particular attention to this section to ensure that the overall layout of land development is consistent with these standards.

D. Space, bulk, and dimensional standards for Residential Open Space Subdivisions shall be subject to the following:

1. The Planning Board shall have the authority to reduce setbacks to those stated in Table 401.13.13.B.1 of the Town of Gray Subdivision Ordinance.
2. Neither the Planning Board nor the Zoning Board of Appeals shall have the authority to further reduce the setbacks for the entirety of a project.

3. The Planning Board's ability to change setbacks within the project as detailed in Table 401.13.13.B.1 of the Subdivision Ordinance shall not be construed as granting variances to relieve hardship, and the action of the Zoning Board of Appeals shall not be required.

4. All other space standards except those specifically allowed in Table 401.13.13.B.1 of the Subdivision Ordinance for the respective district shall apply to the Residential Open Space Subdivision. Chapter 402 Gray Zoning Ordinance

E. Provisions for Multi-Family Development: Provisions for multi-family development are contained in Section 402.10.14 of Site Plan Review. For the purposes of this Ordinance, multi-family development is not considered to be a Residential Open Space subdivision.

402.7.9 ACCESSORY DWELLING UNITS

A. General Standards:

1. For any lot located fully or partially in a Shoreland Zoning district, Accessory Dwelling Units must independently comply with all Shoreland Zoning requirements.

2. Except as established above in this section for lots partially or fully in the Shoreland Zoning District, Accessory Dwelling Units shall be permitted in all zoning districts where single-family housing is permitted, on the same lot as a single-family dwelling, constructed only:

- Within an existing single-family dwelling unit on the lot;
- Attached to, or sharing a wall with, a single-family dwelling unit;
- As a new structure on a lot for the primary purpose of creating an Accessory Dwelling Unit;
- Within an existing detached accessory structure on the same lot as a single-family dwelling

1. *Accessory dwelling units are specifically prohibited in, on, or within any of the following:*

- a. any two-family or multi-family dwelling;
- b. any lot that contains one (1) or more principal commercial use(s) either on the parcel or in any structure located on such lot; or
- c. any lot that does not have a single-family dwelling as its principal use

4. Only one (1) Accessory Dwelling Unit is allowed per lot, and only on a lot on which the CEO has determined the primary use to be a single-family dwelling.

5. The minimum square footage of finished living area for Accessory Dwelling Units is one-hundred-and-ninety (190) square feet.

6. The maximum footprint for any Accessory Dwelling Unit is seven-hundred-fifty (750) square feet and shall not exceed the footprint of the primary dwelling unit. If the footprint of the primary dwelling is 750 sf or less, the maximum footprint of the Accessory Dwelling Unit shall not exceed 90% of the primary dwelling's footprint. The Zoning Board of Appeals shall not have the authority to increase this footprint by variance or otherwise.

7. Although an existing single-family dwelling may be expanded or utilized for the purposes of creating an Accessory Dwelling Unit, no portion of an Accessory Dwelling Unit shall be located within minimum lot line setbacks, including non-conforming structures of record.

8. Accessory Dwelling Units must comply with applicable building and fire safety codes.

9. Accessory dwelling units must have shared common utilities, such as water and wastewater disposal, with the single-family dwelling, except as required by applicable codes.

10. One Accessory Dwelling Units must be allowed on any lot where a single-family dwelling is the principal structure. In the event that one (1) Accessory Dwelling Unit has been duly permitted and constructed on a lot utilizing this exemption from zoning density requirements for minimum area per dwelling unit, as established in Table 402.5.4.A, any additional dwelling unit, including any Accessory Dwelling Units, must comply with all dimensional standards established in Tables 402.5.4 A and B, regardless of whether the lot conforms to current dimensional requirements as established in this ordinance. Any new structure constructed on the lot to be an Accessory Dwelling Unit must meet the current applicable dimensional requirements for a structure.

11. An Accessory Dwelling Unit shall be permitted only as one (1) floor of living space, such as a one-story structure or a single floor above a garage.

12. Accessory Dwelling Units are intended to be accessed via the existing driveway and curb cut for the principal single-family dwelling, and must meet the standards established in the Street Ordinance, Chapter 400.

13. An accessory dwelling unit shall not be considered a separate dwelling unit when calculating lot area per dwelling unit for this Ordinance.

14. In accordance with Section 6 30-A M.R.S.A. §4364-B, an Accessory Dwelling Unit is not required to provide any additional parking requirements beyond the minimum number of off-street parking spaces established in Table 3 of Article 10 for the single-family dwelling unit located on the same lot as the Accessory Dwelling Unit.

B. Ownership Standards:

1. Ownership of the existing single-family dwelling and the Accessory Dwelling Unit must be held by the same person(s).

2. Either the existing single-family dwelling or the Accessory Dwelling Unit must be owner-occupied. "Owner-occupied" means that either the existing single-family dwelling or the Accessory Dwelling Unit must be occupied by a person(s) who has a legal ownership and bears risk of decline in value of the property and who receives any

payment from the lease or rental of the property.

C. Aesthetics:

1. Accessory Dwelling Units shall retain and respect the existing streetscape and character of the neighborhood, and preserve the single-family dwelling appearance, architectural style, and character of the dwelling.
2. Any exterior modifications to the single-family dwelling associated with the construction or installation of an Accessory Dwelling Unit must be consistent with architectural style and character of the single-family dwelling in terms of exterior materials, roof pitch/form, and window type/spacing.
3. Any exterior alteration of the single-family dwelling associated with the construction or installation of an Accessory Dwelling Unit must preserve the formal, front entrance of the building in order to maintain the single-family dwelling appearance and architectural style of the building, as determined by the Code Enforcement Officer with input from the Town Planner as appropriate.
4. Exterior stairs more than five (5) feet above final finished grade shall be enclosed and are restricted to the rear and sides of the accessory dwelling unit or the single-family dwelling in which it is located or to which it is attached, wherever practicable provided that that they are integrated into and consistent with the architecture of the building.
5. In the event that the Code Enforcement Officer and the applicant for the Accessory Dwelling Unit cannot agree on the aesthetic standards contained in this Section 402.7.9.C, the applicant may appeal to the Planning Board within thirty (30) days of the CEO's written decision.
6. All Accessory Dwelling Units in the Village Center and Village Center Proper zoning districts are subject to the Village Design Standards as referenced in the Village Center District Standards section of this Zoning Ordinance.

B. Wastewater Disposal:

1. An Accessory Dwelling Unit may be served by one of the following subsurface wastewater disposal (SSWD) systems that maintain standards established in the Maine Subsurface Wastewater Disposal Rule:
 - a) an existing SSWD system,
 - b) an upgraded SSWD system, or
 - c) a new SSWD system, designed by a licensed site evaluator, all as otherwise allowed by law.

2. In all cases, the SSWD system serving the Accessory Dwelling Unit must meet First Time System criteria as established in the Maine SSWD Rule. Utilizing Replacement System or Expanded System criteria per 10-144 CMR 241 is prohibited.
3. If an existing SSWD system is proposed to serve the Accessory Dwelling Unit without being upgraded, as may be allowed in the Maine SSWD Rule, the LPI shall require the applicant to submit sufficient documentation from a Maine licensed site evaluator showing the SSWD system meets First Time System criteria.
4. If a new SSWD system is proposed to serve the Accessory Dwelling Unit, the local plumbing inspector (LPI) shall have the authority to require the design be recorded at the CCRD if it does not need to be installed, as may be allowed in the Maine SSWD Rule.
5. The owner of the Accessory Dwelling Unit must provide written verification that the unit is connected to adequate wastewater services prior to receiving a Certificate of Occupancy. Written verification must include the following:
 - a. If an Accessory Dwelling Unit is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by a local plumbing inspector, based on sufficient information provided to the LPI by the applicant or their consultant, pursuant to 30-A M.R.S. § 4221. Plans for a subsurface wastewater disposal system must be prepared by a licensed site evaluator in accordance with 10-144 C.M.R. Ch. 241, Subsurface Wastewater Disposal Rule; 19-100 Chapter 5 page 10.

E. Potable Water Supply Standards

1. The owner of the Accessory Dwelling Unit must provide written verification that the unit is connected to adequate potable water services prior to receiving a Certificate of Occupancy. Written verification must include the following:
 - a. If an Accessory Dwelling Unit is connected to a public, special district or other centrally managed water system, proof of adequate service to support any additional flow created by the unit, proof of payment for the connection and the volume and supply of water required for the unit; and
 - b. If an Accessory Dwelling Unit is connected to a well, proof of access to potable water, including the standards outlined in 01-672 C.M.R. Ch. 10, section 10.25(J), Land Use Districts and Standards. Any test of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.

A. Discontinuance:

If any of the applicable ordinance standards are no longer being met, use of the Accessory Dwelling Unit must be discontinued, and the single-family dwelling must revert to single-family

use by removing the eating and cooking facilities/equipment support system(s) from the Accessory Dwelling Unit as established in the definition of "Dwelling Unit" contained in the version of the International Residential Building Code most recently in effect.

402.8.3 Village Center District Standards

A. Replacement of Existing Buildings and Structures

Existing buildings or other structures in the Village Center and Village Center Proper Districts are allowed to be rebuilt or replaced with new construction [subject to the minimum area per dwelling unit or similar standards in effect at the time of the permit application submittal](#), provided that the existing “footprint” is not exceeded unless in conformance with the standards in Section 402.5.4 for the Village Center and Village Center Proper Districts, as well as the applicable portions of the Gray Village Center and Village Center Proper Design Standards.

1. Replacement of Destroyed or Damaged Building: The owner of a building or structure in the Village Center or Village Center Proper Districts that is destroyed or damaged by any means beyond the control of the owner shall have the option of rebuilding or restoring the building or structure Chapter 402 Gray Zoning Ordinance [subject to the minimum area per dwelling unit or similar standards in effect at the time of the permit application submittal](#), either on the same “footprint” or in accordance with the space standards of Section 402.5.4 within a period of one (1) year from the date of destruction or damage. The Code Enforcement Officer may issue a permit for one additional one (1) year period if reasonable progress is being made and nuisance conditions do not exist.

2. Voluntary Replacement: A building or structure in the Village Center or Village Center Proper Districts may be voluntarily replaced provided that the existing “footprint” is not exceeded, [subject to the minimum area per dwelling unit or similar standards in effect at the time of the permit application submittal](#). The construction of the replacement building or structure must be completed in accordance with a building permit drawn within one (1) year of the demolition of the prior building or structure and construction must be completed within a period of two (2) years from the date of the building permit. The building permit shall expire if the work or change involved is not commenced within one (1) year of the date on which the permit is issued, and if the work or change is not substantially completed within the two (2) years.

The Code Enforcement Officer may ~~is~~ issue a permit for one additional one (1) year period if reasonable progress is being made and if nuisance conditions do not exist. Before a building or structure is voluntarily replaced to the existing “footprint” under this paragraph, the owner must provide the Code Enforcement Officer with a Class D survey, conducted before demolition of the building or structure showing its exact location on the lot unless the replacement building or structure is proposed to be in accordance with the space standards of Section 402.5.4.

B. Special Performance Standards: The following standards apply in the Village Center and Village Center Proper Districts:

1. All developments requiring site plan review, subdivision review, conditional use review, or which otherwise involve multi-family development by the Planning Board shall conform to Parts 1-4 of the Town's Village Center and Village Center Proper District Design Standards, Parts 1-3 adopted December 18, 2007 and amended September 21, 2021; and Part 4 adopted September 21, 2021. The Planning Board shall be the reviewing authority for Gray Village Center and Village Center Proper Design Standards for all such development proposals that require Planning Board approval.

2. All of the following buildings, ~~or~~ structures or uses, whether newly constructed or pre-existing, substantially altered as defined below, in the Village Center or Village Center Proper Districts shall conform to Part 4 of the Gray Village Center and Village Center Proper Design Standards:

a. ~~single family homes, single-family dwellings;~~

b. two-family dwellings,

c. ~~and multi-family three family~~ dwellings,

d. multi-family developments,

~~bee.~~ accessory dwelling units,

~~ef.~~ all accessory structures regardless of size

3. For the purposes of this Section 402.8.3, substantially altered shall specifically include any building or structure that is repaired, altered or moved to the extent that a building permit is required in accordance with Article 9 of this Zoning Ordinance and/or a building code administered by the Town of Gray

402.10.14 Standards for Multi-Family Development Housing

In addition to the prior provisions of Section 10 for Site Plan Review, multi-family housing developments in all Districts shall meet the following standards:

A. Perimeter Buffer Strip

A buffer strip of at least fifty (50) feet in width shall be required around the perimeter of the land area for which the multi-family project is proposed. The required buffer strip shall consist of undisturbed vegetation provided that the existing vegetation consists of mature trees and acts as an effective screen. If existing vegetation provides a poor visual screen, a mix of new landscaping including trees, shrubs and grasses shall be planted.

B. Driveways and Parking

The scale and surface area of parking areas, driveways and paved areas shall:

- be compatible with adjacent structures, ~~must and~~;
- be located in the rear of the property, and;
- be properly screened from the roadway as applicable, and;
- ~~and must~~ provide for parking in accordance with the requirements of the Site Development Standards for Site Plan Review (Section 402.10.11).~~B.~~

C. Internal Road Access to all Units

Access to all housing units within the multi-family development shall be located on the new interior road system constructed as part of the development.

D. Orientation and Scale of Buildings

Buildings shall be oriented with respect to scenic vistas, natural landscape features, topography and natural drainage areas, in accordance with an overall plan for site development. Buildings shall be compatible in terms of physical size, visual impact, intensity of use, proximity to other structures and density of development with other permitted uses within the District, as practically achievable based on the Planning Board's determination. In addition:

1. Individual lots, buildings, streets and parking areas shall be designed and situated:
 - a. To minimize alterations of the natural site;
 - b. To avoid the adverse effects of shadows, noise and traffic on the residents of the site;
 - c. To relate to surrounding properties, to improve the view from and of a building;
 - d. So that all dwelling units may take advantage of points of solar access.
2. Diversity and originality in lot layout and individual building, street, parking and lot layout shall be encouraged.

E. Number of Units per Building and Minimum Separation

1. In the Village Center zoning district, the maximum number of attached dwelling units per structure shall be thirty (30) for multi-family developments sited on lots of 14 acres or larger provided that the footprint of the multi-family development structure is less than 15,000 square feet.
2. For multi-family developments in all other zoning districts and in the Village Center zoning district on lots less than 14 acres, the maximum number of attached dwelling units per structure shall be ~~six (6)~~ten (10). ~~and the average number of attached dwelling units shall be four (4)~~.
3. For all multi-family developments, the distance between the foundations of any two principal structures shall be no less than the height of the taller of the two buildings, but in no event shall a building separation of less than thirty (30) feet be permitted.

4. Multi-family dwellings shall also be subject to the provisions of 402.7.22, entitled “Two or More Dwelling Units on One Lot.”

F. Utilities

All dwelling units in the development shall be connected to a common water supply and distribution system (either public or private) in accordance with any policies of the Gray Water District, unless the developer shall clearly demonstrate to the Planning Board that such a system is not feasible and, in addition:

1. That the costs of providing a common water supply and distribution system are prohibitive;
2. That adequate ground water is available at all locations proposed for individual water systems;
3. That the ground water source(s) proposed for individual water systems is safe from both on-site contamination; and
4. That the source proposed is adequate for installation of life-safety sprinkler systems for the entire development.

5. Water and wastewater. The owner of a multi-family housing development shall provide written verification to the Town of Gray that each unit of the housing development is connected to adequate supply of potable water and wastewater services before the Town of Gray Town may certify the development for occupancy. Written verification under this subsection must include:

a. Wastewater Disposal

i. If a housing unit is connected to a public, special district or other comparable sewer system, proof of adequate service to support any additional flow created by the unit and proof of payment for the connection to the sewer system;

ii. If a housing unit is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. Plans for subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with subsurface wastewater disposal rule adopted under 22 M.R.S.A. Section 42; The septic system must be verified as adequate by the local plumbing inspector under 30-A M.R.S.A. Section 4221.

iii. In all cases, the subsurface wastewater disposal system serving the Multi-Family Development must meet First Time System criteria as established in the Maine Subsurface Wastewater Disposal Rule. Utilizing Replacement System or Expanded System criteria ~~per as set forth in 10-144 CMR 241~~ is prohibited.

b. Water Supply

i. If a housing unit is connected to a public, special district or other centrally managed water system, proof of adequate service to support any additional flow

created by the unit, proof of payment for the connection and the volume and supply of water required for the unit; and

ii. If a housing unit is connected to a well, the owner of the property must provide written verification that the unit is connected to adequate potable water services prior to receiving a Certificate of Occupancy. Written verification must include the following: proof of access to potable water, including the standards outlined in 01-672 C.M.R. Ch. 10, section 10.25(J), Land Use Districts and Standards. Any test of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.

G. Shoreland zoning requirements

A multi-family housing development must comply with shoreland zoning requirements established by the Department of Environmental Protection under 38 M.R.S.A. Chapter 3 and the Town of Gray's Shoreland Zoning Ordinance, Chapter 403.

H. Subdivision requirements

This section may not be construed to exempt a subdivider from the requirements for division of a tract or parcel of land in accordance with the requirements of 30-A M.R.S.A. Section 4401-4408 regarding subdivisions.

J. Affordable Housing Developments

1. Affordable housing shall ~~be identified per the definition in this ordinance~~ meet one of the requirements set forth below:

a. For rental housing, a development in which a household whose income that does not exceed 80% of median income for the area as ~~defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended,~~ can afford 51% or more of the units in the development without spending more than 30% of the household's monthly income on housing costs.

b. For owned housing, a development in which a household whose income does not exceed 120% of the median income for the area as ~~defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended,~~ can afford 51% or more of the units in the development without spending more than 30% of the household's monthly income on housing costs.

2. Affordable Housing Developments are subject to the standards in this section, and permitted in all zoning districts where multi-family housing is conditionally permitted, subject to the provisions of Section 10 for Site Plan Review, Standards for Multi-family Development, and the following standards:

a. More than half of the proposed and existing units on the same lot must meet the definition of affordable housing. In determining affordability under this ordinance, “housing costs” are to include, but are not limited to:

i. for a rental unit, the cost of rent and any utilities (electric, heat, water, sewer and/or trash) that the household pays separately from the rent;

ii. for an owned unit, the cost of mortgage principal and interest, real estate taxes (including assessments), private mortgage insurance, homeowner’s insurance, condominium fees, and homeowners’ association fees.

3. A multi-family development that meets the definition of an affordable housing development is permitted a density of 2 ½ times greater than the maximum number of units allowed on a lot based on dimensional requirements in this Ordinance and the Net Residential Area/Net Residential Density requirements (as applicable) in the Subdivision Ordinance, and if located within a designated growth area, or if served by a public, special district or other centrally managed water system and a public, special district or other comparable sewer system. The development must comply with minimum lot size requirements in accordance with 12 M.R.S.A. Chapter 423-A as applicable.

4. A multi-family development that meets the definition of an affordable housing development is not required to provide more than two (2) off-street parking spaces for every three (3) units.

5. Long-term affordability. Before granting final approval of an affordable housing development, including but not limited to issuing an occupancy permit, the Town of Gray shall require that the owner of the affordable housing development have executed a restrictive covenant, recorded in the Cumberland County Registry of Deeds, for the benefit of and enforceable by a third party acceptable to the municipality, to ensure that for at least 30 years after completion of construction, the development meets the following minimum standards:

A. For rental housing, occupancy of all of the units designated affordable in the development will remain limited to households at or below 80% of the local area median income at the time of initial occupancy; and

B. For owned housing, occupancy of all of the units designated affordable in the development will remain limited to households at or below 120% of the local area median income at the time of initial occupancy.

402.7.22 Two or More Dwelling Units on One Lot

1. Subdivision approval is required as applicable.
2. For any property located partially or wholly within the Shoreland Zoning District, compliance with the standards established in Gray's Shoreland Zoning Ordinance, Chapter 403, is required.
3. Compliance with State of Maine Subsurface Wastewater Disposal Rule (10-144 CMR 241) is required and in all cases, the SSWD system serving the dwelling units must meet First Time System criteria as established in the Maine SSWD Rule. Utilizing Replacement System or Expanded System criteria per 10-144 CMR 241 is prohibited.
4. Any one parcel containing two or more multifamily dwellings, two or more two-family dwellings, or any combination of buildings containing more than four dwelling units is a multifamily development and must be reviewed and approved in accordance with the Multifamily Development Standards, established in 402.10.14.
5. Accessory dwelling units, as established in Section 402.7.9, are permitted provided that applicable standards are met and maintained.
6. One Accessory Dwelling Unit per lot, as permitted per 402.7.9, shall be exempt from zoning density requirements as established in Table 402.5.4.A but shall be considered a dwelling unit for the purposes of the maximum number of dwelling units on a lot, per below.
7. If more than one accessory dwelling unit has been constructed on a lot, the lot is not eligible for any additional increases in density.
8. For parcels that do not contain an existing dwelling unit, a maximum of four dwelling units may be allowed in a designated growth area, or a maximum of two dwelling units may be allowed outside of a designated growth area, provided that all applicable dimensional standards are maintained, specifically including the minimum lot area per dwelling unit, impervious cover and setbacks, as established in Tables 402.5.4 A and B.
9. In any district where housing is permitted, a maximum of two (2) additional dwelling units may be allowed on a lot with one existing dwelling. The two (2) additional dwelling units may be comprised of one (1) additional dwelling unit within or attached to an existing structure or one (1) additional detached dwelling unit, or one of each. If the maximum of two dwelling units have been constructed on a lot as a result of the density allowance provisions of this section, the lot is not eligible for any additional increases in density unless all applicable dimensional standards are maintained, specifically including the minimum area per dwelling unit, impervious cover and setbacks, as established in Tables 402.5.4 A and B herein, provisions of this section and of 402.7.9 Accessory Dwelling Units.
10. In the event that the one additional dwelling unit has been duly permitted and constructed on a lot utilizing this exemption from zoning density requirements for minimum area per dwelling

unit, as established in Table 402.5.4 A, any additional dwelling unit must comply with all dimensional standards established in Tables 402.5.4. A and B.

TABLE 402.5.3 TABLE OF PERMITTED USES AND CONDITIONAL PERMITTED USES

		RRA	LD *	MD	BD-1	BD-2	C	VC *	VCP *	BT-1 *	BT-2 *	WH-1 *	WH-2 *	LMOD	CSES OD
1.	Accessory Dwelling Unit ‡	P	P	P	P	P	P	P	P	P	P	P	P		
2.	Accessory Uses and Structures	P	P	P	P	P	P	P	P	P	P	P	P		
3.	Adult Business*						C								
4.	Agritourism Center*	C													
5.	Agritourism Facility*	C													
6.	Animal Husbandry	P	P		C	C	C				C		C		
7.	Auto Body Shop				C	C	C								
8.	Auto Repair Garage						C								
9.	Auto Service Station				C	C									
10.	Bed and Breakfast ‡	C	C	C	P	P	P	P	P	P	C		C		
11.	Building Trades Occupations – 1	P	P	P	P	P	P	P	P	P	P	C	P		
12.	Campground ‡	C	C												
13.	Cemetery	P					C								
14.	Church	P	P	P	P	P		C	C		C		C		
15.	Commercial Recreation - Indoor or Outdoor	C	C		C	C	C	C	C	C	C		C		
16.	Community Living Arrangement	P	P	P	P	P	P	P	P	P	P	P	P		
17.	Construction Services				P	P					C		C		
18.	Day Care Facility for Five (5) or fewer clients.	P	P	P	P	P	P	P	P	P	P		P		
19.	Day Care Facility for Six (6) or more	C	C	C	C	C	C			C	C		C		
20.	Drive Through and Drive in Facility					1C	C			C	C		C		
21.	Expansion of Nonconforming Uses	C	C	C	C	C	C	C	C	C	C	C	C		

		RRA	LD *	MD	BD-1	BD-2	C	VC *	VCP *	BT-1 *	BT-2 *	WH-1 *	WH-2 *	LMOD	CSES OD
22.	Farm Stand ‡	P	P	P	P	P	P	P	P	P	P		P		
23.	Farmers' Market ++	P	P	P	P	P	P	P	P	P	P		P		
24.	Flea Market, Open Air Market ‡	C	C	C	C		C	P	P						
25.	Garage Sale	P	P	P	P	P	P	P	P	P	P	P	P		
26.	General Agriculture	P		P	P	P	P				C		C		
27.	Headquarters for a Contracting Business	C	C	C	P	P					C		C		
28.	Heliport	C	C		C	C									
29.	Home Occupation ‡	P	P	P	P	P	P	P	P	P	P	C	P		
30.	Hotel and Motel				C	C	C			C					
31.	In-Home Offices‡	P	P	P	P	P	P	P	P	P	P	P	P		
32.	Kennels	C	C				C						C		
33.	Light Manufacturing				P	P								P/C	
34.	Manufacturing and Processing				C	C									
35.	Mechanical Repair Garages	C			P	P	C								
36.	Medium and Large-scale Solar Energy Systems														C
37.	Medical Facility	C	C	C		C	C	C	C	C					
38.	Mineral Excavation	P	P	P	P	P	P								
39.	Mineral Exploration	C			P	P		P	P		P	P	P		
40.	Mobile Vendor	P	P	P	P	P	P	P	P	P					
41.	Motel (< 11 rooms)	C	C			C									
42.	Multi-family Development#	C	C	C	C	C	C	C	C	C	C	C	C		
43.	Multi-family Dwelling	C	C	C	C	C	C	C	C	C	C	C	C		
44.	Municipal Uses	C	C		C	C	C	C	C	C	C		C		
45.	Nursing and Convalescent Home	C	C	C	C	C	C			C					
46.	Office			C	P	P	P	P	P	C	C		C		

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

++ Subject to performance standards in Article 7 [Subject to performance standards in 402.10.14, 402.7.22, 402.7.9 as applicable](#)

TABLE 3 – MINIMUM NUMBER OF OFF-STREET PARKING SPACES

Residential	
Dwelling: Single Family, Duplex	2 per dwelling unit
Multifamily:	
Studio	1.25 per dwelling unit
One Bedroom	1.5 per dwelling unit
Two or More Bedrooms	2 per dwelling unit
Affordable Housing Development	2 per every 3 dwelling units (maximum requirement)
Hotel/Motel	1.25 per guest room, plus 10 per 1000 sq. ft. restaurant/lounge, plus 30 per 1000 sq. ft. meeting/banquet room.
Senior Citizen Housing, Independent Living	0.6 per dwelling unit
Senior Citizen Housing, Assisted Living	0.4 per dwelling unit
Boarding Homes for Sheltered Care and Nursing Homes	1 per room
Rooming House:	
Single-Occupancy Unit	1 per dwelling unit
Double-Occupancy Unit	2 per dwelling unit
Employees	1 per employee
Visitors	As needed
Day Care, Facility (any type)	.35 per client of licensed capacity plus staff
Hospital/Medical Center	0.4 per employee, plus 1 per 3 beds, plus 1 per 5 average daily outpatient visits, plus 1 per 4 medical staff, plus 1 per student/faculty/staff
Retail/Service	
Retail Sales (not in shopping center)	3.5 per 1000 sq. ft. of gross floor area (GFA)
Supermarket (Freestanding)	4.5 per 1000 sq. ft. of GFA
Discount Superstore/Clubs	3.5 per 1000 sq. ft. of GFA
Home Improvement Superstore	2.5 per 1000 sq. ft. of GFA
Other Heavy/Hard Goods (Furniture, Appliances, Buildings Materials, etc.)	3.0 per 1000 sq. ft. of GFA
Shopping Centers	4.0 per 1000 sq. ft. of GFA,
Service Business, Personal	
Beauty Shops/Barber Shops	2 per treatment station, but not less than 4.3 per 1000 sq. ft. customer service area.
Coin-Operated Laundry/Dry Cleaning Services	3.5 per 1000 sq. ft. of GFA
Other	3.5 per 1000 sq. ft. of GFA

Fitness Center/Health Club	1 per 3 persons of permitted capacity
Retail Sales, Automobile Sales	2.7 per 1000 sq. ft. of interior sales area GFA, plus 1.5 per 1000 sq. ft. of interior area
Automobile Repair Services, Major or Minor	4 per service bay
Convenience Store	.25 per pump plus 1 per employee plus 4 per 1000 sq. ft.
Food and Beverage	
Restaurant	1 per 3 seats
Office and Business Services	
Business and Professional Office	4.5 per 1000 sq. ft. of GFA
Service Business, Commercial	4 per 1000 sq. ft. of GFA
Medical Office Building	5.5 per 1000 sq. ft. of GFA
Bank	5.5 per 1000 sq. ft. of GFA
Industry, Heavy	2 per 1000 sq. ft. of GFA
Industry, Light	1.5 per 1000 sq. ft.
Warehouse	0.7 per 1000 sq. ft. of GFA
Other Retail, Commercial or Business	4 per 1000 sq. ft. of GFA
Education	
Preschool/Nursery Schools	.35 per student plus 1 per employee
Elementary and Middle Schools	Per parking study specific to institution
High Schools	Per parking study specific to institution
College and University	Per parking study specific to institution
Cultural/Recreational/Entertainment	
Convention Center	0.25 per person of permitted capacity
Library	4.5 per 1000 sq. ft. of GFA
Place of Worship	1 for every 3 seats
Theater	1 for every 3 seats

Village Center/VCP Design Standards EXCERPT:

PART 4 – RESIDENTIAL DESIGN STANDARDS AND ADMINISTRATIVE PROCEDURES

I. PURPOSE

The purpose of these Design Standards for the construction of ~~single-family residential buildings, two-family residential buildings, three-family residential buildings,~~ single-family dwellings, two-family dwellings, multi-family dwellings, multi-family developments, accessory dwelling units and all detached accessory structures in the Village Center (VC) and Village Center Proper (VCP) Districts is to promote the construction of such buildings in a manner that is calculated to allow for adaptive re-use of the site for either commercial or residential purposes in the future. The objective is to grant the Town of Gray increased flexibility in meeting its current goals under the Comprehensive Plan, including promoting growth in the VC and VCP districts.

II. APPLICABILITY

A. These Design Standards apply to all ~~single-family residential buildings, two-family residential buildings, three-family residential buildings,~~ single-family dwellings, two-family dwellings, multi-family dwellings, multi-family developments, accessory dwelling units, and all detached accessory structures newly constructed or reconstructed in the VC or VCP Districts, as well as those that have been substantially altered, repaired, or moved. For the purposes of applicability of these standards, “substantially altered, repaired, or moved” shall mean any one or more of the following:

1. requires a building permit for construction that affects greater than fifty percent (50%) of the floor area of the existing structure
2. requires a building permit for exterior renovations which involve structural alterations to the building.

III. AESTHETIC STANDARDS

Newly constructed or reconstructed single-family dwellings, two-family dwellings, multi-family dwellings, multi-family developments, accessory dwelling units, ~~single-family residential buildings, two-family residential buildings, three-family residential buildings, accessory dwelling units, multi-family dwellings, multi-family developments~~ and all detached accessory structures in the VC or VCP Districts, as well as existing buildings (used for that purpose) and their appurtenances, which have been substantially altered, repaired or moved, shall be visually compatible with the buildings and terrain to which they are visually related and specifically with nearby and/or adjacent buildings in terms of the following factors:

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-TWO

—
H.P. 1489 - L.D. 2003

**An Act To Implement the Recommendations of the Commission To Increase
Housing Opportunities in Maine by Studying Zoning and Land Use
Restrictions**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §13056, sub-§7, as amended by PL 2003, c. 159, §3, is further amended to read:

7. Contract for services. When contracting for services, to the maximum extent feasible, seek to use the State's private sector resources in conducting studies, providing services and preparing publications; ~~and~~

Sec. 2. 5 MRSA §13056, sub-§8, as enacted by PL 2003, c. 159, §4, is amended to read:

8. Lead agency for business assistance in response to certain events. Be the lead agency for the State to provide information and business assistance to employers and businesses as part of the State's response to an event that causes the Department of Labor to carry out rapid-response activities as described in 29 United States Code, Sections 2801 to 2872 (2002); ~~and~~

Sec. 3. 5 MRSA §13056, sub-§9 is enacted to read:

9. Establish statewide housing production goals. Establish, in coordination with the Maine State Housing Authority, a statewide housing production goal that increases the availability and affordability of all types of housing in all parts of the State. The department shall establish regional housing production goals based on the statewide housing production goal. In establishing these goals, the department shall:

- A. Establish measurable standards and benchmarks for success of the goals;
- B. Consider information submitted to the department from municipalities about current or prospective housing developments and permits issued for the construction of housing; and
- C. Consider any other information as necessary to meet the goals pursuant to this subsection.

Sec. 4. 30-A MRSA §4364 is enacted to read:

§4364. Affordable housing density

For an affordable housing development approved on or after July 1, 2023, a municipality with density requirements shall apply density requirements in accordance with this section.

1. Definition. For the purposes of this section, "affordable housing development" means:

A. For rental housing, a development in which a household whose income does not exceed 80% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford a majority of the units that the developer designates as affordable without spending more than 30% of the household's monthly income on housing costs; and

B. For owned housing, a development in which a household whose income does not exceed 120% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford a majority of the units that the developer designates as affordable without spending more than 30% of the household's monthly income on housing costs.

2. Density requirements. A municipality shall allow an affordable housing development where multifamily dwellings are allowed to have a dwelling unit density of at least 2 1/2 times the base density that is otherwise allowed in that location and may not require more than 2 off-street parking spaces for every 3 units. The development must be in a designated growth area of a municipality consistent with section 4349-A, subsection 1, paragraph A or B or the development must be served by a public, special district or other centrally managed water system and a public, special district or other comparable sewer system. The development must comply with minimum lot size requirements in accordance with Title 12, chapter 423- A, as applicable.

3. Long-term affordability. Before approving an affordable housing development, a municipality shall require that the owner of the affordable housing development have executed a restrictive covenant, recorded in the appropriate registry of deeds, for the benefit of and enforceable by a party acceptable to the municipality, to ensure that for at least 30 years after completion of construction:

A. For rental housing, occupancy of all of the units designated affordable in the development will remain limited to households at or below 80% of the local area median income at the time of initial occupancy; and

B. For owned housing, occupancy of all of the units designated affordable in the development will remain limited to households at or below 120% of the local area median income at the time of initial occupancy.

4. Shoreland zoning. An affordable housing development must comply with shoreland zoning requirements established by the Department of Environmental Protection under Title 38, chapter 3 and municipal shoreland zoning ordinances.

5. Water and wastewater. The owner of an affordable housing development shall provide written verification to the municipality that each unit of the housing development is connected to adequate water and wastewater services before the municipality may certify the development for occupancy. Written verification under this subsection must include:

A. If a housing unit is connected to a public, special district or other comparable sewer system, proof of adequate service to support any additional flow created by the unit and proof of payment for the connection to the sewer system;

B. If a housing unit is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by a local plumbing inspector under section 4221. Plans for subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with subsurface wastewater disposal rules adopted under Title 22, section 42;

C. If a housing unit is connected to a public, special district or other centrally managed water system, proof of adequate service to support any additional flow created by the unit, proof of payment for the connection and the volume and supply of water required for the unit; and

D. If a housing unit is connected to a well, proof of access to potable water. Any tests of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.

6. Subdivision requirements. This section may not be construed to exempt a subdivider from the requirements for division of a tract or parcel of land in accordance with subchapter 4.

7. Restrictive covenants. This section may not be construed to interfere with, abrogate or annul the validity or enforceability of any valid and enforceable easement, covenant, deed restriction or other agreement or instrument between private parties that imposes greater restrictions than those provided in this section, as long as the agreement does not abrogate rights under the United States Constitution or the Constitution of Maine.

8. Rules. The Department of Economic and Community Development shall adopt rules to administer and enforce this section. The department shall consult with the Department of Agriculture, Conservation and Forestry in adopting rules pursuant to this subsection. The rules must include criteria for a municipality to use in calculating housing costs. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 5. 30-A MRS §4364-A is enacted to read:

§4364-A. Residential areas, generally; up to 4 dwelling units allowed

1. Use allowed. Notwithstanding any provision of law to the contrary, except as provided in Title 12, chapter 423-A, for any area in which housing is allowed, a municipality shall allow structures with up to 2 dwelling units per lot if that lot does not contain an existing dwelling unit, except that a municipality shall allow up to 4 dwelling units per lot if that lot does not contain an existing dwelling unit and the lot is located in a designated growth area within a municipality consistent with section 4349-A, subsection 1, paragraph A or B or if the lot is served by a public, special district or other centrally managed water system and a public, special district or other comparable sewer system in a municipality without a comprehensive plan.

A municipality shall allow on a lot with one existing dwelling unit the addition of up to 2 dwelling units: one additional dwelling unit within or attached to an existing structure or one additional detached dwelling unit, or one of each.

A municipality may allow more units than the number required to be allowed by this subsection.

2. Zoning requirements. With respect to dwelling units allowed under this section, municipal zoning ordinances must comply with the following conditions.

A. If more than one dwelling unit has been constructed on a lot as a result of the allowance under this section or section 4364-B, the lot is not eligible for any additional increases in density except as allowed by the municipality.

B. A municipal zoning ordinance may establish a prohibition or an allowance for lots where a dwelling unit in existence after July 1, 2023 is torn down and an empty lot results.

3. General requirements. A municipal ordinance may not establish dimensional requirements or setback requirements for dwelling units allowed under this section that are greater than dimensional requirements or setback requirements for single-family housing units, except that a municipal ordinance may establish requirements for a lot area per dwelling unit as long as the required lot area for subsequent units on a lot is not greater than the required lot area for the first unit.

4. Water and wastewater. The owner of a housing structure must provide written verification to the municipality that the structure is connected to adequate water and wastewater services before the municipality may certify the structure for occupancy. Written verification under this subsection must include:

A. If a housing structure is connected to a public, special district or other comparable sewer system, proof of adequate service to support any additional flow created by the structure and proof of payment for the connection to the sewer system;

B. If a housing structure is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by a local plumbing inspector under section 4221. Plans for subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with subsurface wastewater disposal rules adopted under Title 22, section 42;

C. If a housing structure is connected to a public, special district or other centrally managed water system, proof of adequate service to support any additional flow created by the structure, proof of payment for the connection and the volume and supply of water required for the structure; and

D. If a housing structure is connected to a well, proof of access to potable water. Any tests of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.

5. Municipal implementation. In adopting an ordinance, a municipality may:

A. Establish an application and permitting process for housing structures;

B. Impose fines for violations of building, zoning and utility requirements for housing structures; and

C. Establish alternative criteria that are less restrictive than the requirements of subsection 4 for the approval of a housing structure only in circumstances in which the municipality would be able to provide a variance under section 4353, subsection 4, 4-A, 4-B or 4-C.

6. Shoreland zoning. A housing structure must comply with shoreland zoning requirements established by the Department of Environmental Protection under Title 38, chapter 3 and municipal shoreland zoning ordinances.

7. Subdivision requirements. This section may not be construed to exempt a subdivider from the requirements for division of a tract or parcel of land in accordance with subchapter 4.

8. Restrictive covenants. This section may not be construed to interfere with, abrogate or annul the validity or enforceability of any valid and enforceable easement, covenant, deed restriction or other agreement or instrument between private parties that imposes greater restrictions than those provided in this section, as long as the agreement does not abrogate rights under the United States Constitution or the Constitution of Maine.

9. Rules. The Department of Economic and Community Development may adopt rules to administer and enforce this section. The department shall consult with the Department of Agriculture, Conservation and Forestry in adopting rules pursuant to this subsection. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

10. Implementation. A municipality is not required to implement the requirements of this section until July 1, 2023.

Sec. 6. 30-A MRSA §4364-B is enacted to read:

§4364-B. Accessory dwelling units

1. Use permitted. Except as provided in Title 12, chapter 423-A, a municipality shall allow an accessory dwelling unit to be located on the same lot as a single-family dwelling unit in any area in which housing is permitted.

2. Restrictions. An accessory dwelling unit may be constructed only:

A. Within an existing dwelling unit on the lot;

B. Attached to or sharing a wall with a single-family dwelling unit; or

C. As a new structure on the lot for the primary purpose of creating an accessory dwelling unit.

This subsection does not restrict the construction or permitting of accessory dwelling units constructed and certified for occupancy prior to July 1, 2023.

3. Zoning requirements. With respect to accessory dwelling units, municipal zoning ordinances must comply with the following conditions:

A. At least one accessory dwelling unit must be allowed on any lot where a single-family dwelling unit is the principal structure; and

B. If more than one accessory dwelling unit has been constructed on a lot as a result of the allowance under this section or section 4364-A, the lot is not eligible for any additional increases in density except as allowed by the municipality.

4. General requirements. With respect to accessory dwelling units, municipalities shall comply with the following conditions.

A. A municipality shall exempt an accessory dwelling unit from any density requirements or calculations related to the area in which the accessory dwelling unit is constructed.

B. For an accessory dwelling unit located within the same structure as a single-family dwelling unit or attached to or sharing a wall with a single-family dwelling unit, the setback requirements and dimensional requirements must be the same as the setback requirements and dimensional requirements of the single-family dwelling unit, except for an accessory dwelling unit permitted in an existing accessory building or secondary building or garage as of July 1, 2023, in which case the requisite setback requirements for such a structure apply. A municipality may establish more permissive dimensional and set back requirements for an accessory dwelling unit.

C. An accessory dwelling unit may not be subject to any additional parking requirements beyond the parking requirements of the single-family dwelling unit on the lot where the accessory dwelling unit is located.

5. Shoreland zoning. An accessory dwelling unit must comply with shoreland zoning requirements established by the Department of Environmental Protection under Title 38, chapter 3 and municipal shoreland zoning ordinances.

6. Size requirements. An accessory dwelling unit must meet a minimum size of 190 square feet. If the Technical Building Codes and Standards Board under Title 10, section 9722 adopts a different minimum size, that standard applies. A municipality may impose a maximum size for an accessory dwelling unit.

7. Water and wastewater. The owner of an accessory dwelling unit must provide written verification to the municipality that the accessory dwelling unit is connected to adequate water and wastewater services before the municipality may certify the accessory dwelling unit for occupancy. Written verification under this subsection must include:

A. If an accessory dwelling unit is connected to a public, special district or other comparable sewer system, proof of adequate service to support any additional flow created by the accessory dwelling unit and proof of payment for the connection to the sewer system;

B. If an accessory dwelling unit is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by a local plumbing inspector under section 4221. Plans for subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with subsurface wastewater disposal rules adopted under Title 22, section 42;

C. If an accessory dwelling unit is connected to a public, special district or other centrally managed water system, proof of adequate service to support any additional flow created by the accessory dwelling unit, proof of payment for the connection and the volume and supply of water required for the accessory dwelling unit; and

D. If an accessory dwelling unit is connected to a well, proof of access to potable water. Any tests of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.

8. Municipal implementation. In adopting an ordinance under this section, a municipality may:

- A. Establish an application and permitting process for accessory dwelling units;
- B. Impose fines for violations of building, zoning and utility requirements for accessory dwelling units; and
- C. Establish alternative criteria that are less restrictive than the requirements of subsections 4, 5, 6 and 7 for the approval of an accessory dwelling unit only in circumstances in which the municipality would be able to provide a variance under section 4353, subsection 4, 4-A, 4-B or 4-C.

9. Rate of growth ordinance. A permit issued by a municipality for an accessory dwelling unit does not count as a permit issued toward a municipality's rate of growth ordinance as described in section 4360.

10. Subdivision requirements. This section may not be construed to exempt a subdivider from the requirements for division of a tract or parcel of land in accordance with subchapter 4.

11. Restrictive covenants. This section may not be construed to interfere with, abrogate or annul the validity or enforceability of any valid or enforceable easement, covenant, deed restriction or other agreement or instrument between private parties that imposes greater restrictions than those provided in this section, as long as the agreement does not abrogate rights under the United States Constitution or the Constitution of Maine.

12. Rules. The Department of Economic and Community Development may adopt rules to administer and enforce this section. The department shall consult with the Department of Agriculture, Conservation and Forestry in adopting rules pursuant to this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

13. Implementation. A municipality is not required to implement the requirements of this section until July 1, 2023.

Sec. 7. 30-A MRSA §4364-C is enacted to read:

§4364-C. Municipal role in statewide housing production goals

This section governs the responsibilities and roles of municipalities in achieving the statewide and regional housing production goals set by the Department of Economic and Community Development in Title 5, section 13056, subsection 9.

1. Fair housing and nondiscrimination. A municipality shall ensure that ordinances and regulations are designed to affirmatively further the purposes of the federal Fair Housing Act, 42 United States Code, Chapter 45, as amended, and the Maine Human Rights Act to achieve the statewide or regional housing production goal.

2. Municipalities may regulate short-term rentals. A municipality may establish and enforce regulations regarding short-term rental units in order to achieve the statewide or regional housing production goal. For the purposes of this subsection, "short-term rental unit" means living quarters offered for rental through a transient rental platform as defined by Title 36, section 1752, subsection 20-C.

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-THREE

—
H.P. 1095 - L.D. 1706

**An Act to Clarify Statewide Laws Regarding Affordable Housing and
Accessory Dwelling Units**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, current law requires, beginning July 1, 2023, all municipalities to allow a certain number of dwelling units under certain circumstances and the construction of accessory dwelling units on the same lot as a single-family dwelling unit and to comply with certain other zoning requirements; and

Whereas, it is the intent of this legislation to extend the implementation date for certain municipalities; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 30-A MRSA §4364, first ¶, as enacted by PL 2021, c. 672, §4, is amended to read:

For an affordable housing development approved on or after ~~July 1, 2023~~ the implementation date, a municipality with density requirements shall apply density requirements in accordance with this section.

Sec. 2. 30-A MRSA §4364, sub-§1, as enacted by PL 2021, c. 672, §4, is amended to read:

1. Definition. For the purposes of this section, "affordable housing development" means:

A. For rental housing, a development in which a household whose income does not exceed 80% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford a majority

51% or more of the units that the developer designates as affordable in the development without spending more than 30% of the household's monthly income on housing costs; and

B. For owned housing, a development in which a household whose income does not exceed 120% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford ~~a majority~~ 51% or more of the units that the developer designates as affordable in the development without spending more than 30% of the household's monthly income on housing costs.

Sec. 3. 30-A MRSA §4364, sub-§1-A is enacted to read:

1-A. Implementation date. For purposes of this section, "implementation date" means:

A. January 1, 2024 for municipalities for which ordinances may be enacted by the municipal officers without further action or approval by the voters of the municipality; and

B. July 1, 2024 for all other municipalities.

Sec. 4. 30-A MRSA §4364, sub-§3, as enacted by PL 2021, c. 672, §4, is amended to read:

3. Long-term affordability. Before ~~approving~~ granting final approval of an affordable housing development, including but not limited to issuing an occupancy permit, a municipality shall require that the owner of the affordable housing development have executed a restrictive covenant, recorded in the appropriate registry of deeds, for the benefit of and enforceable by a party acceptable to the municipality, to ensure that for at least 30 years after completion of construction:

A. For rental housing, occupancy of all of the units designated affordable in the development will remain limited to households at or below 80% of the local area median income at the time of initial occupancy; and

B. For owned housing, occupancy of all of the units designated affordable in the development will remain limited to households at or below 120% of the local area median income at the time of initial occupancy.

Sec. 5. 30-A MRSA §4364, sub-§6, as enacted by PL 2021, c. 672, §4, is amended to read:

6. Subdivision requirements. This section may not be construed to exempt a subdivider from the requirements ~~for division of a tract or parcel of land in accordance with~~ subchapter 4.

Sec. 6. 30-A MRSA §4364-A, sub-§1, as enacted by PL 2021, c. 672, §5, is amended to read:

1. Use allowed. Notwithstanding any provision of law to the contrary, except as provided in Title 12, chapter 423-A, for any area in which ~~housing is residential uses are~~ allowed, including as a conditional use, a municipality shall allow structures with up to 2 dwelling units per lot if that lot does not contain an existing dwelling unit, except that a municipality shall allow up to 4 dwelling units per lot if that lot does not contain an existing

dwelling unit and the lot is located in a designated growth area within a municipality consistent with section 4349-A, subsection 1, paragraph A or B or if the lot is served by a public, special district or other centrally managed water system and a public, special district or other comparable sewer system in a municipality without a comprehensive plan.

A municipality shall allow on a lot with one existing dwelling unit the addition of up to 2 dwelling units: one additional dwelling unit within or attached to an existing structure or one additional detached dwelling unit, or one of each.

A municipality may allow more units than the number required to be allowed by this subsection.

Sec. 7. 30-A MRSA §4364-A, sub-§1-A is enacted to read:

1-A. Implementation date. For purposes of this section, "implementation date" has the same meaning as in section 4364, subsection 1-A.

Sec. 8. 30-A MRSA §4364-A, sub-§2, ¶B, as enacted by PL 2021, c. 672, §5, is amended to read:

B. A municipal zoning ordinance may establish a prohibition or an allowance for lots where a dwelling unit in existence after ~~July 1, 2023~~ the implementation date is torn down and an empty lot results.

Sec. 9. 30-A MRSA §4364-A, sub-§3, as enacted by PL 2021, c. 672, §5, is amended to read:

3. General requirements. A municipal ordinance may not establish dimensional requirements ~~or, including but not limited to~~ setback requirements, for dwelling units allowed under this section that are greater than dimensional requirements ~~or, including but not limited to~~ setback requirements, for single-family housing units, except that a municipal ordinance may establish requirements for a lot area per dwelling unit as long as the required lot area for subsequent units on a lot is not greater than the required lot area for the first unit.

Sec. 10. 30-A MRSA §4364-A, sub-§7, as enacted by PL 2021, c. 672, §5, is amended to read:

7. Subdivision requirements. This section may not be construed to exempt a subdivider from the requirements ~~for division of a tract or parcel of land in accordance with~~ subchapter 4.

Sec. 11. 30-A MRSA §4364-A, sub-§10, as enacted by PL 2021, c. 672, §5, is amended to read:

10. Implementation. A municipality is not required to implement the requirements of this section until ~~July 1, 2023~~ the implementation date.

Sec. 12. 30-A MRSA §4364-B, sub-§1, as enacted by PL 2021, c. 672, §6, is amended to read:

1. Use permitted. Except as provided in Title 12, chapter 423-A, a municipality shall allow an accessory dwelling unit to be located on the same lot as a single-family dwelling unit in any area in which ~~housing is~~ residential uses are permitted, including as a conditional use.

Sec. 13. 30-A MRSA §4364-B, sub-§1-A is enacted to read:

1-A. Implementation date. For purposes of this section, "implementation date" has the same meaning as in section 4364, subsection 1-A.

Sec. 14. 30-A MRSA §4364-B, sub-§2, as enacted by PL 2021, c. 672, §6, is amended by amending the first blocked paragraph to read:

This subsection does not restrict the construction or permitting of accessory dwelling units constructed and certified for occupancy prior to ~~July 1, 2023~~ the implementation date.

Sec. 15. 30-A MRSA §4364-B, sub-§3, as enacted by PL 2021, c. 672, §6, is amended to read:

3. Zoning requirements. With respect to accessory dwelling units, municipal zoning ordinances must comply with the following conditions:

A. At least one accessory dwelling unit must be allowed on any lot where a single-family dwelling unit is the principal structure; ~~and~~

B. If more than one accessory dwelling unit has been constructed on a lot as a result of the allowance under this section ~~or section 4364-A~~, the lot is not eligible for any additional increases in density except as allowed by the municipality; ~~and~~

C. An accessory dwelling unit is allowed on a lot that does not conform to the municipal zoning ordinance if the accessory dwelling unit does not further increase the nonconformity.

Sec. 16. 30-A MRSA §4364-B, sub-§4, ¶B, as corrected by RR 2021, c. 2, Pt. A, §110, is amended to read:

B. For an accessory dwelling unit located within the same structure as a single-family dwelling unit or attached to or sharing a wall with a single-family dwelling unit, the setback requirements and dimensional requirements must be the same as the setback requirements and dimensional requirements of the single-family dwelling unit, except for an accessory dwelling unit permitted in an existing accessory building or secondary building or garage as of ~~July 1, 2023~~ the implementation date, in which case the requisite setback requirements for such a structure apply. A municipality may establish more permissive dimensional and setback requirements for an accessory dwelling unit.

Sec. 17. 30-A MRSA §4364-B, sub-§4, ¶D is enacted to read:

D. An accessory dwelling unit that was not built with municipal approval must be allowed if the accessory dwelling unit otherwise meets the requirements for accessory dwelling units of the municipality and under this section.

Sec. 18. 30-A MRSA §4364-B, sub-§5, as enacted by PL 2021, c. 672, §6, is amended to read:

5. Shoreland zoning. An accessory dwelling unit must comply with shoreland zoning requirements established by the Department of Environmental Protection under Title 38, chapter 3 and municipal shoreland zoning ordinances, except that a municipality may not categorically prohibit accessory dwelling units in the shoreland zone that would otherwise meet requirements established by the Department of Environmental Protection under Title 38, chapter 3 and municipal shoreland zoning ordinances.

Sec. 19. 30-A MRSA §4364-B, sub-§8, ¶A, as enacted by PL 2021, c. 672, §6, is amended to read:

A. Establish an application and permitting process for accessory dwelling units that does not require planning board approval;

Sec. 20. 30-A MRSA §4364-B, sub-§10, as enacted by PL 2021, c. 672, §6, is amended to read:

10. Subdivision requirements. This section may not be construed to exempt a subdivider from the requirements ~~for division of a tract or parcel of land in accordance with~~ subchapter 4.

Sec. 21. 30-A MRSA §4364-B, sub-§13, as enacted by PL 2021, c. 672, §6, is amended to read:

13. Implementation. A municipality is not required to implement the requirements of this section until ~~July 1, 2023~~ the implementation date.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Janet T. Mills
Governor

Jeanne M. Lambrew, Ph.D.
Commissioner



Maine Department of Health and Human Services
Office for Family Independence
109 Capitol St.
11 State House Station
Augusta, Maine 04333-0011
Tel.: (207) 624-4168; Toll-Free: (800) 442-6003
TTY: Dial 711 (Maine Relay); Fax: (207) 287-3455

To: Welfare Officials and Contracted Agents
From: Sara Denson, Program Manager, General Assistance
Date: August 28, 2023
Subject: New GA Maximums for October 1, 2023

Enclosed please find the following items:

- MMA's new (October 1, 2023–September 30, 2024) “**General Assistance Ordinance Appendices**” (A – H).
- Recovery Residence Housing Maximums (October 1, 2023-September 30, 2024)
- “**GA Ordinance Adoption Form**” which was developed so that municipalities may easily send DHHS proof of the adoption of any updated or changed GA Ordinance. Once the selectpersons or council adopts the new ordinance, the enclosed form should be signed and submitted to DHHS. (*see “Filing of GA Ordinance and/or Appendices” below for further information*).
- “**GA Maximums Adoption Form**” which was developed so that municipalities may easily send DHHS proof of GA maximums adoption. Once the selectpersons or council adopts the new maximums, the enclosed form should be signed and submitted to DHHS. (*see “Filing of GA Ordinance and/or Appendices” below for further information*).

Updates

Please note that updates have been made to Appendix A (overall maximums), Appendix B (food maximums), and Appendix C (housing maximums) of the General Assistance Ordinance. There is also a new Recovery Residence Housing Maximums guide. You can find information about the MMA Model Ordinance on the Maine Welfare Director’s Association (MWDA) website at www.mainewelfaredirectors.org.

Appendix A – H

The enclosed Appendices A – H have been revised for your municipality’s General Assistance Ordinance. These new Appendices, **once adopted**, should replace the existing Appendices A – G. Even if you are not updating your GA Ordinance, **the municipal officers must approve/adopt the new Appendices yearly.**

The Adoption Process

The **municipal officers (i.e., selectpersons/council)** adopt the local **General Assistance Ordinance and yearly Appendices**, even in town meeting communities. The law requires that the municipal officers conduct a **notice and hearing** prior to the adoption of the Ordinance and/or Appendices. Seven days posted notice is recommended, unless local law (or practice) provides otherwise.

At the hearing, the municipal officers should:

- 1) Allow all interested members of the public an opportunity to comment on the proposed ordinance;
- 2) End public discussion, close the hearing; and
- 3) Move and vote to adopt the ordinance and/or appendices either in its posted form or as amended in light of public discussion.

Municipalities May Establish Their Own Maximums

Municipalities may establish their own maximum levels of assistance provided that the proposed levels of assistance are reasonable and meet adequate standards sufficient to maintain the health and safety of applicants in the municipality. The municipality must submit to the Department documentation to justify these levels of assistance and verify that the figures developed are appropriate to maintain health and decency.

A municipality's maximum assistance level for Food may not be below the Department provided figures which are issued by the USDA and published annually following a study of cost of food for various family sizes. A market basket survey may be used to establish food maximums if the maximums provided by the USDA are insufficient to maintain health in the municipality. (C.M.R. 10-144, Chapter 323, Section V).

Filing of GA Ordinance and/or Appendices

Please remember that General Assistance law requires each municipality to send DHHS a copy of its ordinance once adopted, should that ordinance differ from the MMA Model. Any changes or amendments, such as new Appendices, must also be submitted to DHHS. DHHS will accept the enclosed "adoption sheet" as proof that your Municipal Officers have adopted the current MMA Model GA maximums and/or ordinance. If you are not making changes to your adopted ordinance, you are only required to submit verification that the new Appendices have been adopted.

2023-2024 GA Overall Maximums

Metropolitan Areas

Persons in Household

COUNTY	1	2	3	4	5*
Bangor HMFA: Bangor, Brewer, Eddington, Glenburn, Hampden, Hermon, Holden, Kenduskeag, Milford, Old Town, Orono, Orrington, Penobscot Indian Island Reservation, Veazie	886	1,029	1,316	1,638	2,241
Cumberland County HMFA: Baldwin, Bridgton, Brunswick, Harpswell, Harrison, Naples, New Gloucester, Pownal, Sebago	1,103	1,235	1,626	2,049	2,215
Lewiston/Auburn MSA: Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	853	925	1,186	1,543	1,870
Penobscot County HMFA: Alton, Argyle UT, Bradford, Bradley, Burlington, Carmel, Carroll plantation, Charleston, Chester, Clifton, Corinna, Corinth, Dexter, Dixmont, Drew plantation, East Central Penobscot UT, East Millinocket, Edinburg, Enfield, Etna, Exeter, Garland, Greenbush, Howland, Hudson, Kingman UT, Lagrange, Lakeville, Lee, Levant, Lincoln, Lowell town, Mattawamkeag, Maxfield, Medway, Millinocket, Mount Chase, Newburgh Newport, North Penobscot UT, Passadumkeag, Patten, Plymouth, Prentiss UT, Seboeis plantation, Springfield, Stacyville, Stetson, Twombly UT, Webster plantation, Whitney UT, Winn, Woodville	846	853	1,126	1,408	1,537
Portland HMFA: Cape Elizabeth, Casco, Chebeague Island, Cumberland, Falmouth, Freeport, Frye Island, Gorham, Gray, Long Island, North Yarmouth, Portland, Raymond, Scarborough, South Portland, Standish, Westbrook, Windham, Yarmouth; Buxton, Hollis, Limington, Old Orchard Beach	1,367	1,593	2,045	2,611	3,201
Sagadahoc HMFA: Arrowsic, Bath, Bowdoin, Bowdoinham, Georgetown, Perkins UT, Phippsburg, Richmond, Topsham, West Bath, Woolwich	938	1,118	1,360	1,857	2,219

Appendix A

Effective: 10/01/23-09/30/24

COUNTY	1	2	3	4	5*
York County HMFA: Acton, Alfred, Arundel, Biddeford, Cornish, Dayton, Kennebunk, Kennebunkport, Lebanon, Limerick, Lyman, Newfield, North Berwick, Ogunquit, Parsonsfield, Saco, Sanford, Shapleigh, Waterboro, Wells	1,154	1,217	1,509	1,961	2,207
York/Kittery/S.Berwick HMFA: Berwick, Eliot, Kittery, South Berwick, York	1,327	1,393	1,834	2,489	3,175

*Note: Add \$75 for each additional person.

Non-Metropolitan Areas

Persons in Household

COUNTY	1	2	3	4	5*
Aroostook County	742	812	951	1,281	1,464
Franklin County	781	834	1,033	1,383	1,695
Hancock County	965	996	1,198	1,521	1,655
Kennebec County	879	899	1,120	1,470	1,587
Knox County	905	913	1,120	1,490	1,592
Lincoln County	1,004	1,013	1,282	1,582	2,069
Oxford County	873	878	1,072	1,514	1,761
Piscataquis County	752	810	1,000	1,326	1,598
Somerset County	810	851	1,098	1,430	1,532
Waldo County	1,041	1,047	1,256	1,558	2,132
Washington County	811	816	1,060	1,328	1,453

* Please Note: Add \$75 for each additional person.

Appendix B

Effective: 10/01/23 to 09/30/24

2023-2024 Food Maximums

Please Note: The maximum amounts allowed for food are established in accordance with the [U.S.D.A. Thrifty Food Plan](#). As of October 1, 2023, those amounts are:

Number in Household	Weekly Maximum	Monthly Maximum
1	\$ 67.67	\$ 291.00
2	124.42	535.00
3	178.14	766.00
4	226.28	973.00
5	268.60	1,155.00
6	322.33	1,386.00
7	356.28	1,532.00
8	407.21	1,751.00

Note: For each additional person add \$219 per month.

2023-2024 GA Housing Maximums (Heated & Unheated Rents)

NOTE: NOT ALL MUNICIPALITIES SHOULD ADOPT THESE SUGGESTED HOUSING MAXIMUMS! ONLY consider adopting the following numbers if these figures are consistent with local rent values. If not, a market survey should be conducted, and the figures altered accordingly. The results of any such survey must be presented to DHHS prior to adoption. **Or, no housing maximums should be adopted and eligibility should be analyzed in terms of the Overall Maximum—Appendix A. (See Instruction Memo for further guidance.)**

Non-Metropolitan FMR Areas

<u>Aroostook County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	134	577	169	726	
1	139	598	185	794	
2	156	672	216	929	
3	218	940	292	1,256	
4	243	1,044	333	1,434	
<u>Franklin County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	143	616	178	765	
1	144	620	190	816	
2	175	754	235	1,011	
3	242	1,042	316	1,358	
4	296	1,275	387	1,665	
<u>Hancock County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	191	821	221	950	
1	191	821	228	979	
2	222	956	274	1,177	
3	285	1,227	348	1,496	
4	301	1,293	378	1,625	
<u>Kennebec County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	171	735	201	864	
1	171	735	205	882	
2	204	878	256	1,099	
3	274	1,176	336	1,445	
4	285	1,225	362	1,557	

Non-Metropolitan FMR Areas

<u>Knox County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	<u>Weekly</u>	<u>Monthly</u>	<u>Weekly</u>	<u>Monthly</u>
0	177	761	207	890
1	177	761	208	896
2	204	878	256	1,099
3	278	1,196	341	1,465
4	286	1,230	363	1,562
<u>Lincoln County</u>				
	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	<u>Weekly</u>	<u>Monthly</u>	<u>Weekly</u>	<u>Monthly</u>
0	200	860	230	989
1	200	860	232	996
2	242	1,040	293	1,261
3	300	1,288	362	1,557
4	397	1,707	474	2,039
<u>Oxford County</u>				
	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	<u>Weekly</u>	<u>Monthly</u>	<u>Weekly</u>	<u>Monthly</u>
0	169	729	200	858
1	169	729	200	861
2	193	830	244	1,051
3	284	1,220	346	1,489
4	325	1,399	403	1,731
<u>Piscataquis County</u>				
	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	<u>Weekly</u>	<u>Monthly</u>	<u>Weekly</u>	<u>Monthly</u>
0	136	587	171	736
1	139	596	184	792
2	168	721	227	978
3	229	985	302	1,301
4	274	1,178	365	1,568
<u>Somerset County</u>				
	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	<u>Weekly</u>	<u>Monthly</u>	<u>Weekly</u>	<u>Monthly</u>
0	155	666	185	795
1	155	666	194	834
2	199	856	250	1,077
3	264	1,136	327	1,405
4	272	1,170	349	1,502

Non-Metropolitan FMR Areas

<u>Waldo County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	209	897	239	1,026
1	209	897	239	1,030
2	236	1,014	287	1,235
3	294	1,264	357	1,533
4	412	1,770	489	2,102

<u>Washington County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	155	667	185	796
1	155	667	186	799
2	190	818	242	1,036
3	241	1,034	303	1,303
4	254	1,091	331	1,423

Metropolitan FMR Areas

<u>Bangor HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	172	742	203	871
1	196	841	235	1,012
2	250	1,074	301	1,295
3	313	1,344	375	1,613
4	437	1,879	514	2,211

<u>Cumberland Cty. HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	223	959	253	1,088
1	244	1,047	283	1,218
2	322	1,384	373	1,605
3	408	1,755	471	2,024
4	431	1,853	508	2,185

<u>Lewiston/Auburn MSA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	165	709	195	838
1	171	737	211	908
2	220	944	271	1,165
3	291	1,249	353	1,518
4	351	1,508	428	1,840

Metropolitan FMR Areas

<u>Penobscot Cty. HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	163	702	193	831
1	163	702	194	836
2	206	884	257	1,105
3	259	1,114	322	1,383
4	273	1,175	351	1,507
<u>Portland HMFA</u>				
	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	284	1,223	314	1,352
1	327	1,405	366	1,576
2	419	1,803	471	2,024
3	539	2,317	601	2,586
4	660	2,839	738	3,171
<u>Sagadahoc Cty. HMFA</u>				
	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	185	794	215	923
1	216	930	256	1,101
2	260	1,118	311	1,339
3	364	1,563	426	1,832
4	432	1,857	509	2,189
<u>York Cty. HMFA</u>				
	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	235	1,010	265	1,139
1	239	1,029	279	1,200
2	295	1,267	346	1,488
3	388	1,667	450	1,936
4	429	1,845	506	2,177
<u>York/Kittery/S. Berwick HMFA</u>				
	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	275	1,183	305	1,312
1	280	1,205	320	1,376
2	370	1,592	422	1,813
3	511	2,195	573	2,464
4	654	2,813	731	3,145

2023-2024 GA MAXIMUMS SUMMARY SHEET

Note: The overall maximums found in *Appendices A, B, C, D, E, and F* are effective from **October 1, 2023 to September 30, 2024.**

APPENDIX A - OVERALL MAXIMUMS

<u>County</u>	<u>Persons in Household</u>					
	1	2	3	4	5	6
NOTE: For each additional person add \$75 per month.						
(The applicable figures from Appendix A, <i>once adopted</i>, should be inserted here.)						

APPENDIX B - FOOD MAXIMUMS

<u>Number in Household</u>	<u>Weekly Maximum</u>	<u>Monthly Maximum</u>
1	\$ 67.67	\$ 291.00
2	124.42	535.00
3	178.14	766.00
4	226.28	973.00
5	268.60	1,155.00
6	322.33	1,386.00
7	356.28	1,532.00
8	407.21	1,751.00

NOTE: For each additional person add \$219 per month.

APPENDIX C - HOUSING MAXIMUMS

Number of Bedrooms	<u>Unheated</u>		<u>Heated</u>	
	Weekly	Monthly	Weekly	Monthly
0				
1				
2				
3				
4				

(The applicable figures from Appendix C, *once adopted*, should be inserted here.)

FOR MUNICIPAL USE ONLY

APPENDIX D - UTILITIES

ELECTRIC

NOTE: For an electrically heated dwelling also see “Heating Fuel” maximums below. But remember, an applicant is *not automatically* entitled to the “maximums” established—applicants must demonstrate need.

1) **Electricity Maximums for Households Without Electric Hot Water:** The maximum amounts allowed for utilities, for lights, cooking and other electric uses *excluding* electric hot water and heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$19.95	\$ 85.50
2	\$22.52	\$ 96.50
3	\$24.97	\$107.00
4	\$27.53	\$118.00
5	\$29.88	\$128.50
6	\$32.55	\$139.50

NOTE: For each additional person add \$10.50 per month.

2) **Electricity Maximums for Households With Electrically Heated Hot Water:** The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses *excluding* heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$29.63	\$127.00
2	\$34.07	\$146.00
3	\$39.67	\$170.00
4	\$46.32	\$198.50
5	\$55.65	\$238.50
6	\$58.68	\$251.50

NOTE: For each additional person add \$14.50 per month.

NOTE: For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below.

APPENDIX E - HEATING FUEL

<u>Month</u>	<u>Gallons</u>	<u>Month</u>	<u>Gallons</u>
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

FOR MUNICIPAL USE ONLY

NOTE: When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

APPENDIX F - PERSONAL CARE & HOUSEHOLD SUPPLIES

<u>Number in Household</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

NOTE: For each additional person add \$1.25 per week or \$5.00 per month.

SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

<u>Number of Children</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1	\$12.80	\$55.00
2	\$17.40	\$75.00
3	\$23.30	\$100.00
4	\$27.90	\$120.00

FOR MUNICIPAL USE ONLY

2023-2024 Mileage Rate

This municipality adopts the State of Maine travel expense reimbursement rate as set by the Office of the State Comptroller. The current rate for approved employment and necessary medical travel etc. is 46 cents (46¢) per mile.

Please refer to the Office of the State Controller for changes to this rate at 626-8420 or visit <http://www.state.me.us/osc/>



TOWN OF GRAY

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

OFFICE OF THE TOWN MANAGER

Joshua Tiffany, Interim Town Manager
jtiffany@graymaine.org
(207) 657-3339

October 17 2023 Town Manager Report Notes

- Creation of post-meeting graphic with updates for distribution via website and social media
- FY25 Budget timeline request
- Update on establishing communication processes around Town Committee Members
- Update on Council packet process and timelines
- Public reminder of upcoming holidays
- Staff thanks

Highlights from the October 3rd Town Council Meeting

- **New Committee Members:** Sandy Carder (Resiliency Committee) and Robert Coleman (Finance Committee)
- Town Council **approved** contract for new fuel pumps and a fuel management system
- Town Council **approved** public hearing and second reading/public hearing for proposed changes to Zoning Ordinance.

Next Town Council
Meeting:

Oct. 10



Josh Tiffany

From: Josh Tiffany
Sent: Thursday, October 12, 2023 5:27 PM
To: Department Heads
Subject: Deadlines for Agenda Items + Packet Materials for Town Council meetings

Good afternoon, everyone,

For a variety of reasons, we will be proceeding with a pivot on how staff can request to add agenda items to Town Council meetings, and the timelines for such requests and submission of packet materials.

Starting now:

- 1) All requests to have items added to the agenda for a Town Council meeting will be submitted directly to me. I will coordinate with Council Chair to determine the agenda, and notify you as to the status of your request.
 - a. Requests for additions to the agenda will be submitted no later than 13-days prior to the Council Meeting
- 2) All packet materials related to the agenda will be submitted directly to me.
 - a. All materials must be received no later than 7-days prior to Council Meeting

While it is understood that emergency situations can arise and will be dealt with on a case-by-case basis, having staff abide by these timelines will help us ensure the Council has complete packets for review ahead of the meetings, allow for easier coordination of the agenda, ensure timely posting of necessary agendas and packets, and ensure the public is thoroughly informed of what is being discussed and reviewed at Council Meetings.

To view the rest of the Town Council meetings in FY24, plus related due dates, please visit:

 [2023-2024 Agenda Schedule REVISED by Council 20230620.xlsx](#)

Please let me know any questions or concerns you may have on this process. I know this may be a trying adjustment and we will work to have it be as smooth as possible. Your cooperation in this effort is greatly appreciated.

Be well,

Josh

Joshua Tiffany, MLIS (he/him)
Interim Town Manager - Town of Gray
(207) 657-3339
jtiffany@graymaine.org
www.graymaine.org

“We will transmit this city not only not less, but greater, better and more beautiful than it was transmitted to us.” Athenian Oath of Citizenship

This electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it, may be considered public records, and may therefore be subject to public record requests for review and copying under Maine's Right to Know Law (Title 1, 401-521 of the Maine Revised Statutes).



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 10, 2023

Assessing Department Report to the Town Manager (09/01/2023 – 09/25/2023):

- 9/6 – MEIAAO Education Committee meeting
- 9/13 and 9/14 – Conduct Interviews for Code Enforcement Administrative Position
- 9/14 – MEIAAO Board Meeting
- 9/25 – Maine Tax Portal Training Webinar

Other Activities/Accomplishments:

- Finalized FY2024 Commitment
 1. Finalized mil rate/overlay/tax due dates
 2. Verified TRIO account values
 3. Completed Municipal Valuation Return
 4. Submitted updated account data/tax cards to Viewshed
- Assisted Finance Officer with TRIO bill file verification
 1. Updated tax bill information to FY2024 values
 2. Submitted tax files to Hygrade Business Group
 3. Approved proof set
- Assisted Finance Director with Lien Notices/TRIO Updates



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

September 30, 2023

To: Josh Tiffany, Interim Town Manager
From: Tammy Munson, Lead Code Enforcement Officer
RE: Code Office Monthly Report (September 1, 2023 – September 30, 2023)

Please find the attached information below.

Inspections Performed:

Building Foundations - 13
Building Rough-in*- 12
Building Insulation - 3
Building Final**- 20
Electrical - 27
Plumbing/Septic - 24
Tree Inspection - 3
In Office and Site meetings***67

Permits Issued:

Building - 14
Plumbing - 22
Electrical - 7
Dock - 0
Pool - 0
Tree Removal - 6
Signage - 0
Driveway - 2

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

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

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

Monthly Accomplishments:

September was an extremely busy month with site meetings and follow-up on complaints. The new Deputy CEO has begun following up on my complaints and notices of violation. We plan on pursuing more violations throughout the Town going forward.

Monthly Appeals:

There was one sign appeal this month and the variance was 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.



TOWN OF GRAY

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

COMMUNICATIONS & IT DEPT

Kyle Hadyniak, Interim Director
khadyniak@graymaine.org
(207) 657-3339

September
2023 Monthly Report

Here are some highlights from the Communications and Information department.

1. Posted GCTV job position, currently reviewing initial candidates.
2. Helped Town Clerk get the word out about election worker applications being opened. CIT also created an online form to compliment the physical application.
3. Ordered new smartphones for Buildings and Grounds and IT Systems Administrator
4. Filmed, recorded, broadcast, and edited Town Meeting. Engagement online was surprisingly good.
5. Filmed and posted [Town Councilor profiles](#). Still need Matthew Hight
6. Desktop updates: 9/12/2023
7. Server Windows updates 9/13/2023
8. A new firewall was installed in the following locations:
 - a. Town Office
 - b. Library
 - c. GCTV
 - d. Village station
 - e. Fire department
9. New Backup Server was installed on 9/20/2023.
10. Implemented Online Fax to the HR department
11. Total Helpdesk calls 29



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ADMINISTRATION

Justine Hutchings, Finance Director
finance@graymaine.org
(207) 657-3339 x103

October 10, 2023

Finance Department Report to Town Manager (08/29 – 09/22, 2023):

- 9/5: Admin team meeting with Town Manager to discuss handoffs prior to Town Manager departure.
- 9/5-9/6: Finance Director prepared lien notices with assistance from the Assessor's office.
- 9/7: Finance Director placed liens prior to start of the business day and coordinated with the Assessor's office to have the liens delivered to the registry.
- 9/7: Attended Payroll Law class in Waterville. This is in preparation for the Finance Director to cross-train on payroll.
- 9/8: Finance Director met with the Town Manager to discuss the status of the Brownfields Grant
- 9/9: Attended Town Meeting to assist with the passing of the budget.
- 9/11: Began work with the Assessor's Department on finalizing tax bills, the Assessor led the process so that I could learn.
- 9/16: Attended Town Council Retreat, from 9-11am, to discuss potential changes to the Town's budget processes.
- 9/18: Tax bill proofs were approved.
- 9/20: Tax bills were mailed to taxpayers.
- 9/21: Held Finance Committee meeting to discuss the Town's ongoing search for an auditor, among other topics.



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GRAY PUBLIC LIBRARY

Darcel Devou, Interim Director
ddevou@graymaine.org
(207) 657-4110

General

The library continues to operate and provide exemplary resources and services in spite of persistent short staffing. Library Director, Josh Tiffany, accepted the Interim Town Manager position in the wake of Nate Rudy's departure. Assistant Library Director, Darcel Devou, has stepped into the role of Interim Library Director in Josh's absence.

The Library was closed on Saturday, September 9, 2023, due to short staffing related to the Town Meeting. This closure was communicated to the community both in print and electronically, resulting in a minimal disruption to Library patrons.

Library staff are planning for a robust fall and winter season and continue to plan exciting events for Gray residents of all ages.

Library Room Use

Gray Public Library meeting rooms were utilized 19 times between August 28, 2023 and September 25, 2023. 16 uses were by external groups, while 3 uses were by Town of Gray staff or Town of Gray Council.

Library Programming and Outreach

On August 26, GPL saw the end of our reinvigorated Summer Reading Program. The Youth Services Department held no programs or story times on the week of August 27th to allow for post-Summer Reading cleaning and reorganization of Youth Services spaces.

To better connect with MSAD15 and Homeschoolers in Gray, the Head of Youth Services has reached out to librarians, teachers, administrators, and homeschool organizations to begin conversations about how we can partner with local educators and meet their needs. The reception has been overwhelming. The Youth Services department is collaborating with the Library/Media Specialist at Gray-New Gloucester Middle School in an effort to ensure that every middle school student who would like a public library card will have one. A Library Open House for Homeschoolers has been planned for October.

Between the period of August 28, 2023 and September 25, 2023:

- 10 movies were shown to a total of 27 attendees
- 6 Toddler Storytimes were presented to a total of 110 attendees
- 3 Baby Storytimes were presented to a total of 40 attendees

Library Circulation

At the time of this report, there is an unfilled 40-hour Circulation Assistant position. Interviews have been completed and a new hire is expected to start on September 26, 2023. We hope that having a more consistent degree of staffing will allow the library to better serve its growing number of patrons.

- In the month of August, Gray Public Library circulated a total of 4,512 items.

- Of the aforementioned total, 3,864 were Gray Public Library materials, while 648 items were brought in from partner libraries through interlibrary loan.
- Gray Public Library sent 939 outgoing interlibrary loan items to partner libraries.
- 39 new patrons were registered in the month of August

Overheard at the Library

- Email from patron received August 31, 2023: "I'm not sure who to send this to but I just want to say thank you for the summer reading program. My daughter has told numerous people it was her favorite part of summer. We were not fortunate with weather this summer and the library was the one thing she could count on! Thank you so much!"
- September 14, 2023: "We went to storytime at another library. We'll definitely be sticking to yours."
- September 20, 2023: A patron requested that the Library carry Youth Activity Kits. When informed that we were working on a plan to add them, the patron said, "I should've known you all would be ahead of the curve!"

Youth Services Report

August 30, 2023 – September 21, 2023

In the time frame listed, we have had:

- 5 Toddler Storytimes with a total of 90 attendees
- 3 Baby Lap-Sit Storytimes with a total of 40 attendees

Happy Notes:

Email from patron received August 31, 2023: "I'm not sure who to send this to but I just want to say thank you for the summer reading program. My daughter has told numerous people it was her favorite part of summer. We were not fortunate with weather this summer and the library was the one thing she could count on! Thank you so much!"

September 14, 2023: "We went to storytime at another library. We'll definitely be sticking to your storytime."

September 20, 2023: A patron requested that the Library carry Youth Activity Kits. When informed that we were working on a plan to add them, the patron said, "I should've known you all would be ahead of the curve!"

Upcoming Events:

Wednesday, September 27th we will be hosting an early-release day boardgame event for school aged children.

Thursday, September 28th we will be giving a library tour to a new local homeschool association.

Saturday, September 30th we will be hosting an End-of-September Library Social for school aged children.

Tuesday, October 24th we will be hosting a Library Open House for homeschool families.

Tuesday, October 31st we will be hosting a Halloween Party for children of all ages and their families.



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PLANNING DEPARTMENT

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

Planning Department Report

To Town Manager for 9-6-23 to 9-27-23:

- On-going correspondence with developers keeping escrows & bond info current
- Compile annual planning report for FY 23; 7-1-22 to 6-30-23
- Continued recon on GIS to enable interactive layers for new zoning map
- Keep ZBA applicants apprised re status of August meeting inc. legal input
- Extensive time & legal recon on lot dividings with help from assessing re deeds
- 9-13 GIS meeting for future zoning map with consultant, assessing, and IT dept. reps

Town Council Tracking Worksheet Items:

- Complete revised language for self-storage standards
- Extensive time melding LD 2003 statute to work with Gray Zoning Ord.
- 9-7 meeting with State representatives re next steps for RAISE grant
- Correspondence with key village property owners
- Brownfields assessment coordination, meeting planning with DEP and consultant

Main Street/Yarmouth Road Improvement Project:

- Continued correspondence regarding Main St./Yar Rd. improvements & next steps
- Coordination with G-P re village next steps for stormwater & RAISE \$ estimate needs
- GWD outreach to ensure apprised of infrastructure implications of improvements
- Ensure Council apprised re status of contracts with village planning consultants

Other Activities / Accomplishments:

- Attend 9-9 Town Meeting
- Attend 9-16 Council retreat
- Research 1960s tax maps to assist surveyor
- Meet with property owners, realtors to discuss potential plans
- Provide Comp Plan process input to possible consultant for Standish Comp Plan
- Continued attempts for operational interactive GIS mapping for new zoning-getting close
- Review and meeting prep/participation for Planning Board meetings each month; participate in site walk for proposed subdivision
- Prepare and participate in Open Space Committee meeting, 9-13
- Attend Brownfields all-grantee EPA meeting, 9-14
- Participate in on-site visit with town engineer, facilities director, public works director to discuss CZA agreement/improvements



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PUBLIC SAFETY DEPARTMENT

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

September 2023

Public Safety Department Report to Town Manager 9/1/2023 – 9/27/2023:

- 8/30 – Attended a post award orientation for the AFG grant.
- 8/30 – Met with the Spencer sales rep for the upcoming Rescue Pumper purchase.
- 8/31 – Attended a workshop in preparation for teaching ICS 300 and 400 in October.
- 8/31 – Chaired the Regionalization Committee meeting.
- 9/7 – Attended the Blueberry Festival review.
- 9/11 – Attended the Gray Fire Rescue Association meeting.
- 9/13 – Attended the Bi-monthly Emergency Management Directors Meeting.
- 9/14 – Department Head Meeting.
- 9/18 – Attended a video meeting with DEP regarding 125 Maine Wildlife Parkway.
- 9/19 – Met with RCM regarding the radio upgrade project.
- Off 9/21 – 9/27.
-

Town Council Tracking Worksheet Items:

Other Activities / Accomplishments:

Challenges / Obstacles Requiring Assistance Outside of the Department:

- We have some ordinances that conflict with the State adopted NFPA requirements. We can have ordinances that are more restrictive than the State but not less restrictive.



TOWN OF GRAY

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PUBLIC WORKS

Tim Estes interim Public Works Director
testes@graymaine.org
(207) 657-3381

October 2, 2023

Public Works Monthly Report to Town Manager (08/29/2023- 09/25/2023)

Activities:

- Ditching and changing culverts on Two Rod Rd. (Ongoing)
- Stripers are here in town doing our long lines. (Finally)
- Ditched some on Center Rd.
- Paved in cross cuts on Two Rod Rd
- Finished up stripping.
- Sweeping and getting North Raymond Rd ready for paving from Circle K to Mayberry Rd.
- Clean-up of a few trees that came down during the remnants of Lee.
- Traffic Light issues at Hannaford on several occasions.
- Sent some equipment to the Touch a Truck event at the plaza.
-
-

Challenges / Obstacles Requiring Assistance Outside of the Department:

- Loaned an employee to Moe to help him out
- Assist FD with fire apparatus maintenance on several occasions.
- Assisted Moe with some trench work at Pennell.
-

Town Council Tracking Worksheet Items:

-
-



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RECREATION DEPARTMENT

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

September 26, 2023

Recreation Department Report to Town Manager September 2023:

- September 5th back to school, before/after care resumed. An all-day Kindergarten camp was held. (see pic below)
- September 7th Director attended MRPA Board Retreat at Falmouth.
- September 11th Recreation Committee met- Halloween event planning took place.
- September 13th Community Café was held, sandwiches and salads were served from a local restaurant.
- September 14th Kids Club Staff meeting- discussion about back to school was held
- September 19th Director ran Southern Maine MRPA meeting with Saco Rec. Older Adult Programming and Maine Mariners Group Tickets were the topics.
- September 26th a department staff development meeting was held.
- September 27th Eco Maine Recycling will provide fun and educational activities to our Kindergarten-1st grade after school groups.

Other Activities / Accomplishments:

- Fall programs that have started include youth soccer, flag football, pickleball, gymnastics and cheering.
- The Recreation Department set up a childcare option for Town Meeting, no children attended.
- 2 birthday parties were held in September.
- Discount ticket program ended, 249 Funtown Tickets, 63 Aquaboggan Tickets, and 10 York Wild Kingdom Zoo Tickets were sold to the Gray community through the Clerk's Office.

Challenges / Obstacles Requiring Assistance Outside of the Department:

- Collecting candy for the Trunk or Treat event in October. Candy can be dropped off in Newbegin, or monetary donations can be made online at www.gngrec.com that will go directly towards candy purchases. Candy will be distributed by volunteer trunks to children attending the event. There is no cost to attend.



After School Staff welcome kids back on the first day of school.



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OFFICE OF THE TOWN CLERK

Britt L. Barton
Town Clerk
Townclerk@graymaine.org
(207) 657-3339 ext: 104

October 10, 2023

September 24, 2023

Report to Town Manager (08/25/2023 – 09/22/2023):

- MV Reporting
 - Cars - 440
 - Commercial - 30
 - Motorcycles - 8
 - Motorhomes - 2
 - Trailers – 44

- IF&W
 - Boats - 4
 - ATV's - 28
 - Snow - 0
 - Hunt/Fish – 7

- Vital Records
 - Marriages
 - Certificates - 10
 - Licenses - 11
 - Deaths - 0
 - Births - 6

Other Activities / Accomplishments:

- 08/30/2023 – Special Town Meeting Discussion & Distribution of Warrant Articles
 - 09/04/2023 – Closed – Labor Day
 - 09/05/2023 – 09/06/2023 – Deputy Clerk BMV Training
 - 09/07/2023 – Special Town Meeting Follow-up Discussion/Prep
 - 09/09/2023 – Special Town Meeting Budget Vote, Voter Participation - 186
 - 09/11/2023 – New Deputy Clerk onboarding.
 - 09/12/2023 – TC attended annual MTCCA Meeting
 - 09/21/2023 – TC and DC attended Title 21-A
 - Beginning Absentee Voting process for November State Referendum Election
-

- 09/21/2023 - Election Worker Applications – Live Online

Challenges / Obstacles Requiring Assistance Outside of the Department:

- Increased call volume regarding; Special Town Meeting, Delayed Tax Billing, and Prior Year/Delinquent Tax Payments.

Town Council Tracking Worksheet Items:

- N/A



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SOLID WASTE AND RECYCLING
RANDY COOKSON, DIRECTOR
RCOOKSON@GRAYMAINE.ORG
657.2343

SEPTEMBER 27, 2023

Solid Waste Department Report to Town Manager (8/28/2023 – 9/24/2023):

I was out for my own personal medical reasons from 8/28 until 9/15. Staff did well during my absence, we are fortunate to have such dedicated employees! While I was out, I stayed in contact with staff, working them through required paperwork for outgoing shipments as well as taking care of the payroll requirements for the facility.

9/13 Shipped 42,000 pounds of mixed paper.
9/14 Attended Department Head meeting via Zoom.
9/20 Shipped 42,500 pounds of corrugated cardboard.

Town Council Tracking Worksheet Items:

- A
- B

Other Activities / Accomplishments:

During the period of August 28 through September 24th, the following materials were baled:

31,458 pounds of corrugated cardboard
26,208 pounds of mixed paper
11,592 pounds of plastics
3,038 pounds of tin cans

Paper and plastic prices remain very low, corrugated cardboard and metals are still strong.

Challenges / Obstacles Requiring Assistance Outside of the Department: