

**Town of Gorham**  
**Planning Board Minutes**  
**January 20, 2016**

**Members Present:** Mike Waddell (Chair), Paul Robitaille, Dan Buteau and Reuben Rajala)

**Members Excused:** Wayne Flynn and Barney Valliere

**Members Absent:** Jeff Schall and Earl McGillicuddy

**Members of the Public Present:** John Scarinza (Code Enforcement Officer), Jennifer Stewart, Carol Porter and Mr. & Mrs Mike Conley

**Call to order:** The meeting was called to order at 7:05 by Chairman Waddell

**Acceptance of Minutes of December 17, 2015** – On a motion from Reuben Rajala with a second from Paul Robitaille, the board voted to accept the minutes as presented. Dan Buteau abstained.

**Public Hearing on Proposed Zoning Changes**

The Chairman opened the public hearing at 7:06 and asked if there was anyone present who wished to speak in favor or opposition to the proposed zoning changes. As there was no one present who wished to speak on the articles, the chairman closed the public hearing at 7:30. Paul Robitaille made a motion to add the proposed zoning changes to the Town Warrant as presented. The motion received a second from Reuben Rajala and all members present voted in favor.

**New Business**

**Lot Merge Application** – The board reviewed a lot merge application that would merge property owned by Edwin & Victoria Giron at 4, 6 & 8 Evergreen Drive (Map U30, Lots 21, 22 & 23) into one lot which will become 6 Evergreen Drive, (Map &30, Lot 22). On a motion from Dan Buteau with a second from Reuben Rajala, the board voted to approve the application and the chairman signed the application.

**Lot Merge Application** – The board reviewed a lot merge application that would merge property owned by Peter & Kelly Gagnon at 13 & 15 Marion's Way (Map R1, Lots 2K & 2J) into one lot which will become 15 Marion's Way (Map R1, Lot 2J). On a motion from Dan Buteau with a second from Reuben Rajala, the board voted to approve the application and the chairman signed the application.

**Lot Line Adjustment Revocation** – The secretary brought to the boards attention that the board had previously approved a lot line adjustment between properties owned by Leprechaun Properties and Dana Brouillette located at Tax Map U12, Lot 6B and U13, Lots 49 & 50. This lot line adjustment never took place and an application to merge the lots at U13, Lots 49 & 50 was subsequently submitted and approved by the board. In order to make the records clear at the Coos County Registry of Deeds, it would be best for the board to revoke the Minor Lot Line Adjustment approval per RSA 676:4a. The board asked that this be placed on the February 18, 2016 agenda and that all parties be notified as required per statute.

**Old Business** – Lights at Lydia’s Salon - It is noted that the lights on the sign at Lydia’s salon have been directed away from Route 16 and are no longer blinding traffic.

**Public Comment:**

Mike & Ellen Conley asked to speak to the board regarding property at 21 – 23 Main Street. They are considering purchasing the property to operate a small luncheonette with soups, sandwiches, salads and ice cream with only about 30 seats. There wouldn’t be a fryer or grill. The lot has a multi-unit residential structure as well as a building that once housed Cuba’s Ski Shop that has been vacant for more than 2 years. Due to the fact that this property is located in a Residential Zone and has not been used commercially for more than 2 years, the Code Enforcement Officer recommended the Conley’s approach the Planning Board for guidance. Carol Porter gave a brief history of the property. The secondary building was a ski shop and still has ski equipment in the basement. The property is currently assessed as Commercial and the building has never been used as a residential structure. Paul Robitaille remembers that the property never came to the planning board as the Board of Selectmen gave the owners a building permit just before zoning was voted in so it is a grandfathered, non-conforming use. Code Enforcement Officer Scarinza explained that the zoning ordinance states that “any non-conforming use which has been discontinued for a period of two years shall not thereafter be resumed.” Mike Waddell stated that the building is configured as a commercial building and is not a residential structure. Also, even as a residential structure, it would be non-conforming as you cannot have two residential structures on one lot so the property would need a variance for either residential or commercial use. Paul Robitaille reminded the board that the assessment and taxation of the property has no bearing on planning issues. However, Dan Buteau felt that it was hard not to consider how it is taxed. The secretary informed the board that the property owner never requested the building be changed to residential and that the Town’s Assessor (KRT Appraisal) was unable to gain access during the reval to change the status. Paul Robitaille suggested going to the zoning board for a special exception. John commented that there were some things that needed to be addressed like parking and fire suppression and abutter notification which could be handled with Site Plan Review. Paul also remarked that during the Master Plan process, it was determined that the residents in that area wanted the area to go back to being residential and keep the commercial area in the center of Town. Mike suggested that because this was not an expansion of a non-conforming use that the project could go through the Site Plan Review and Change of Use process and felt that the requirement for a survey could be waived. Paul wanted it on record that he was opposed to this because it meant that the board was going against its own zoning ordinance. Carol Porter interjected that she felt Paul’s “heartburn” with the project was that the property was in Residential A zone but wanted to remind the board that in that general area there are several commercial/industrial uses such as the Town’s Public Works department with waste sorting, the Town Water & Sewer Department, a golf course and a Tax Service (though Mike pointed out this is a home occupation). The board agreed that a Site Plan Review could be heard at the February 18, 2016 meeting. John questioned what level of detail the board wanted on this plan. Mike stated that, though the board could waive a full site plan review as parking and the building are existing and grandfathered, some sort of plan still needs to be submitted. John reminded the board that this project would also have to go through the TRC meeting process

**Adjournment** – On a motion from Reuben Rajala with a second from Dan Buteau, the board voted to adjourn at 7:57 pm

Respectfully submitted,



Michelle M. Lutz  
January 27, 2016

Approved February 18, 2016