

Town of Gorham
Planning Board Minutes
April 5, 2016

Members Present: Wayne Flynn (Chair), Reuben Rajala, Mike Waddell (Alt), Paul Robitaille, Dan Buteau, Dennis Arguin and Patrick LeFebvre (Ex-Officio)

Members Excused: Earl McGillicuddy

Members Absent: Barney Valliere

Members of the Public Present: John Scarinza (Code Enforcement Officer), Robin Frost (Town Manager), Tara Bamford (North Country Council)

Call to order: The meeting was called to order at 7:03 by Chairman Flynn

The Chairman appointed Mike Waddell to replace board member Barney Valliere.

Acceptance of Minutes of March 31, 2016 – On a motion from Paul Robitaille with a second from Patrick LeFebvre, the board voted to approve the minutes as presented with the exception of Dan Buteau who abstained.

Work Session

Shoreland Exemption - The board met with Tara Bamford of NCC to review maps of Town to determine areas that were eligible for a shoreland exemption. To qualify, the area seeking exemption must have at least 50% impermeable surface. The only area in the downtown that could potentially qualify is the area from McDonald's Restaurant (Map U6, Lot 38 [222 Main Street]) to Gorham Middle/High School (Map U5, L66 [122 Main Street]). It would only be worth applying for the exemption if the buildings in that area were built prior to 1971. It must be documented that these buildings existed in 1971. Tara will give the Secretary a list of properties and the secretary will review the property tax cards to see what dates buildings were constructed. Mike Waddell questioned how the FERC permit for the hydro-electric dams effected the shoreland exemption as he believes the permit for the PSNH dam covers properties between the Shelburne Town line and McDonalds Restaurant. Tara will look into this. The board identified potential areas along the Berlin-Gorham road that may qualify but it does not appear that the lower village would qualify as it is not densely populated enough (it would need roughly 10 buildings per acre). The other question is if the properties across the street from qualifying properties would qualify or not (Post Office, Burger King, Ed Fenn School). Tara will also research this.

Master Plan – The board discussed how to proceed with updating the Master Plan. Tara will need some guidance in order to draft an agreement with a scope of work. Wayne questioned if an entire re-write was necessary. Tara suggested meeting with the board to review sections of the existing plan to see what needs to be redone and what doesn't. It would be helpful to review the results of the Town-wide survey that was completed for the 2005 Master Plan. Questions arose about when houses on Fieldstone Road were constructed. Tara would like a copy of the 2005 Master Plan. The secretary will search for the survey tabulations, check for construction dates for Fieldstone Road and will get a copy of the 2005 Master Plan to Tara. The board also discussed developing a Capital Improvements Plan to begin to deal with roads in Town. This should not be a part of the master plan but should come after the master plan is finalized. Currently there is no overall CIP in place. It is department by department and nothing works cohesively. A CIP will need approval from Town Meeting and will need to identify if this will be a Planning Board or Board of Selectmen project. Tara will send some information to the board.

Code Enforcement -

- 1) John asked the board for some guidance on a Home Occupation Permit application he received from a resident on Jimtown Road who has applied for a permit for a guiding service. The Guide Service would be for hunters during hunting season and ATVers during the ATV season. The application states no more than 6 people per day. The applicant will need access to the Rail Trail from the end of Jimtown Road in order to get to the ATVers to the trails. That section of the Rail Trail is not approved for ATV access at this time. John questioned if it could be a home occupation as the ordinance states that a home occupation is “carried on wholly within the principal or accessory structures”. None of the guiding will be done onsite. Currently hunters meet at the property and then leave with their guide and return at night. ATVers meet the guides at the parking area on Route 2. The permit would allow for customers to arrive and then will leave on ATV's, drive down Jimtown Road to the trails and then return when done. Dan felt it did not meet the criteria as it was not carried on within the structures. Wayne felt having a home office for the guide service qualified but using the property as a staging area did not qualify. He also questioned if it would qualify under the section of ordinance that states “no objectionable effects, such as but not limited to: noise, excessive traffic, vibrations, smoke dust, odors”. Paul reminded the board that the home occupation section of the ordinance was created to allow hairdressers/lawyers/notaries/accountants, etc to work out of their homes. He felt this was more of a business than a home occupation. Mike walked the board through how he believes this home occupation would work. Clients arrive around 5 am, park their vehicles there, have a briefing then get in vehicles and leave around 5:30 which means that nothing goes on there until the vehicles return at night. He did feel that there needed to be some parameters set. Wayne cautioned if the applicant has multiple people working for him it could potentially allow for 6 people per guide per day. Town Manager Frost stated that she has heard from the Bureau of Trails who has indicated that they will not open the

Rail Trail for ATV access from Jimtown Road to the current parking area and will close the portion of Jimtown Road that is State owned and currently open to ATV use. Patrick LeFebvre stated that the Board of Selectmen plan to meet with Commissioner Rose as they are in favor of opening the rail trail. Mike suggested John issue a home occupation permit for what is currently happening and inform the applicant that he will need to apply for an expansion if the rail trail is opened.

New Business – None

Old Business – Wayne informed the board that the meeting on April 21, 2016 will now hear two cases that night. Jay Holmes site plan review and Steve Grones minor subdivision. He also reminded the board members about the spring conference on June 4, 2016 and that applications are now available. The planning board has set money aside in its budget to pay for members who wish to attend. John informed the board that Bernie Waugh will be meeting with the Randolph Planning Board on Thursday night at 7 pm and invited the planning board members to attend.

Next Meeting – The board has a meeting scheduled on April 21, 2016.

Adjournment: On a motion from Mike Waddell with a second from Patrick LeFebvre, the board voted to adjourn at 8:30.

Respectfully submitted,



Michelle M. Lutz
April 6, 2016

Approved April 21, 2016