

Town of Gorham
Planning Board Minutes
July 9, 2015

Members Present: Mike Guay (Chairman), Wayne Flynn, Reuben Rajala, Dan Buteau, Barney Valliere (left at 7:59) and Paul Robitaille (Alt)

Members Excused: Earl McGillicuddy, Jeff Schall and Mike Waddell

Members of the Public Present: John Scarinza (Code Enforcement), Tim Bernier, Burke York and Dan Taillon

Call to order: The meeting was called to order at 7:04 by Chairman Guay

Appointment of Alternates – Chairman Guay appointed Paul Robitaille to replace Jeff Schall as a full voting member.

Acceptance of Minutes of June 18, 2015 – On a motion from Dan Buteau with a second from Paul Robitaille, all members voted to accept the minutes as presented except Barney Valliere who abstained.

Case #08-2015 – Taillon – Site Plan Review

Burke York presented the plans to the board. The Taillon's had previously received approval from the board for a self-storage facility on their property at 36 Glen Road. The original plan called for 1- 45' wide temperature controlled building and 2 – 30' wide non-temp controlled buildings, the new plan calls for 2 – 45' x 200 temperature controlled buildings and one future 20' by 200' non-temp controlled building. The building locations have shifted 10' off the Promenade Street side and 25' closer to Route 16. Mike Guay questioned why the 1000 gallon propane tank wouldn't be moved closer to the two temperature controlled buildings. The tank has to be at least 15' from the buildings so it is better if it remains where it is. There are no other changes on the plan. As there were minimal changes to the plan, Paul Robitaille made a motion to forego completing the Site Plan Review checklist which received a second from Wayne Flynn. All members agreed. Wayne made a motion to approve the plan as presented with the same conditions as the previous approved. The motion received a second from Dan Buteau and all members voted in favor.

Code Enforcement – CEO Scarinza updated the board on the following:

- 1) Walmart – A building permit application has been received from Service Credit Union to install a small branch office inside the Walmart store.
- 2) Lydia's Salon – John has checked out the spot lights that the board has been discussing for quite some time. They were blinding to traffic on the Berlin Gorham Road at night. The lights are no longer there, but John will keep an eye out to see if they are back on this winter.
- 3) Body Shop on Lancaster Road - John has not seen any activity there, but he will follow up on it.

- 4) P& L Cote – The unmanned fuel pumps are now open and are credit/debit card operated only. However, there is no signage indicating they are open at this time.
- 5) Eden Drive – The layout of the concrete pads in the new section of the MH park do not appear to be located where they were proposed on the approved plan. Burke assured the board that they are located exactly where they were indicated on the plan. John will take a drive by just to take a look.

New Business

Driveway Permit – The board reviewed a Driveway permit application from Timothy & Alison Bernier for property at 46 Mill Street. The driveway will be on the hill on Mill Street. The driveway will be 27' wide with a garage 24' from Mill Street. There is 100' site distance from the driveway to Glen Road. John Scarinza cautioned that the Town Driveway regulations require 150' unobstructed view in either direction and that the apron where the driveway meets the road will need to be paved. Burke York stated that the sight distance from that driveway was at least 150' because from the driveway, you can see the DES building that sits on the opposite side of Route 16. Paul Robitaille made a motion to approve the permit with the condition that the applicant understands the driveway must be built to Town specifications. The motion received a second from Wayne Flynn. All members voted in favor.

Spring Road – Hayley Catani and Rick Catani came to talk to the board about a property off Spring Road (Map U24, Lot 38H) that they would like to purchase to build a home on. Hayley had stopped into the Assessing Office a few days before and found out that they would not be issued a building permit as that property does not have frontage on a public street as required by the Zoning Ordinance. Mr. Catani is in the business and has the equipment to put a road down through there. The other issues that came up were that the deed for the property indicates that the property has a ROW in Common with Others, but it does not indicate the actual location of the ROW. Discussion also ensued regarding the fact that it was found in the past that many of the properties deeds convey the same pieces of property which could also complicate things. Reuben remarked that there are other houses in that subdivision. Paul reminded the board that the subdivision was built illegally. Burke York al stated that the Catani's could seek a variance from the Zoning Board. Mr. Catani is willing to do the legwork to research the deeds, as well as build a road from the end of the Town owned portion of Spring Road all the way down to this property to make that and other lots in that area buildable. He was informed that the "road" would also need to be accepted by the Town which would not happen until Town Meeting next March. He will come to the Assessing Office to get the contact information for all the surrounding properties to begin the process of moving this project forward.

Board member residency – Mike Guay informed the board that he had been the target of a Facebook question regarding his residency. He sold his house a couple of months ago and moved in with family but has been spending the summer at a local campground in Shelburne. The Facebook posts question how he can be a member of the board if he is not "living" in Gorham. The board discussed this and as #1) this is temporary for the summer, it is not his residence, #2) his legal address is Gorham, #3) his mail is delivered in Gorham, he is a Gorham resident and no further discussion is warranted.

Old Business –

- 1) Car Sum – The board questioned if an updated plat had been received which it has not. The secretary will contact Don Bouchard of Horizons Engineering to check the status.

- 2) Steel Elements – At the last meeting the board had received information that Steel Elements had set up shop inside the old Currier Trucking building. As this project is only supposed to be short term and is contained within the building, the board asked for a letter from Mr. McDevitt stating this. However, no letter has been received. John will contact them.
- 3) Gorham Historical Society – The Historical society is still waiting for permission in writing from the Railroad to allow them to install the old Pony Truss Bridge next to the Historical Society building.
- 4) Labonville (Case #01-2015) – When this case was approved, one of the conditions was to move MH #20 as it sits across the boundary line between the Labonville Trust land and Labonville Inc land. The board received a letter from the Labonville Trust attorney (Peter Malia) stating that that he spoke to the Labonville Inc attorney (Bill Pribis) to see if they would agree to allow the mobile home to remain in its current location. Mr. Pribis replied “Labonville, Inc assents with the understanding that the Trust will not base any claim upon Labonville, Inc.’s willingness to have the trailer at lot 20 remain where it is until substantial renovations or replacement occurs.” As there are extenuating circumstances which cause a hardship to the owner and resident to move the mobile home, Paul Robitaille made a motion to grant relief from this condition until the mobile home is substantially renovated or a new mobile home is proposed for that location at which time it would need to meet the current zoning ordinance. The motion received a second from Wayne Flynn and all members voted in favor.
- 5) Tara Bamford – Mike Guay informed the board that Mike Waddell had contacted Tara regarding the Urban Exemption and that DES would not give the information to Tara. Town Manager Frost has contacted DES and received the information and has forwarded it to Tara.
- 6) Punch list items – The board reviewed their punch list from 2014. The only thing still on it is Gravel Pits. The secretary reviewed the minutes from previous meetings and found that the board had voted to use the applications and regulations given to the board by DRA. However, the minutes state that the board had planned to add that to their public hearing which was never done. The board asked the secretary to contact DRA to see if it required to hold a public hearing before adopting those regulations.
- 7) Private Roads – The board again talked about building on private roads. The board questions if they should deal with a different attorney for this discussion as opposed to using the Towns attorney

Public Comment: None

Next Meeting: The next meeting is scheduled for August 13, 2015.

Adjournment: On a motion from Wayne Flynn with a second from Paul Robitaille, the board voted to adjourn at 8:35 pm.

Respectfully submitted,



Michelle M. Lutz

July 14, 2015