

Town of Gorham
Planning Board Minutes
October 15, 2015

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

Members Excused: Jeff Schall and Earl McGillicuddy

Members of the Public Present: John Scarinza, Code Enforcement Officer, Burke York (York Land Services), Tom Hilbert (McLane Law) Steve Slovenski (McLane Law), Jacob Therriault, Paul Stream (Libby House), Mike Lapete and Allen Rodgers

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

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

Acceptance of Minutes of September 17, 2015 – On a motion from Mike Waddell with a second from Wayne Flynn, all members voted to accept the minutes as presented with the exception of Reuben Rajala and Varney Valliere who abstained.

Case #09-2015 – McCauley/Mengel/Lessard – Minor Lot Line Adjustment

Burke York explained that the proposal is for two lot lines to be adjusted between the McCauley/Mengel and Mengel/Lessard properties conveying two small pieces of property from Mr. Mengel to his abutters. There has been some small erroneous usage of Mr. Mengel's land which this would correct. There was no public in attendance to speak in favor or against the application. On a motion from Mike Waddell with a second from Wayne Flynn, all members voted in favor of the plan as presented.

Case #10-2015 – Northeast Snowmobile Rental – Site Plan Review

Burke York presented the plan to the board for an ATV/Snowmobile rental. The existing building was previously used for light manufacturing on the first floor with two rental units on the second floor. There is a firestop between floors. The plan is for retail space inside the building for sale of ATV/Snowmobile apparel and related items along with rental paperwork. No ATV's or Snowmobiles will be stored inside the building. ATV's & Snowmobiles will be stored on the south side of the building. The TRC minutes were reviewed and are made a part of the record. Wayne questioned how machines would be exiting the property. The building sits directly on the ATV trail and the snowmobile trail currently runs along Bellevue Place which is just beside the property with currently existing access over Town & State property. Paul Robitaille had concerns with traffic and training of ATV renters. He cautioned that signs and lighting must go through the permitting process with downward facing lights and be dark skies compliant. Mike Guay questioned where repairs would be completed. Burke assured the board that repairs would not be done inside the main building. All repairs would

be done for in-house units only in the existing garage. Mike Guay questioned trailer storage. Currently there is an agreement with the Irving Store just up the street, however, there is no signed agreement. No trailers will be stored onsite. There are 24 parking spaces with 4 spaces reserved for the upstairs apartments. Barney Valliere felt this was a perfect location for this type of business. There was no one from the public who wished to speak in favor or against the application. On a motion from Mike Waddell with a second from Reuben Rajala to approve the plan as presented, all members voted in favor.

Case #11-2015 – Verizon Wireless – Site Plan Review

Tom Hilbert of McLane Law Firm presented the case to the board. The proposal is to install a 30 KW generator on a concrete slab surrounded by an 8' stockade fence on the property located at 15 Glen Road to support a wireless antenna in the church steeple located at 13 Glen Road. The conduit will be run underground between the two properties. The generator will start up 1 day per week and run for about 20 minutes each time for maintenance. Typically this is done midday – midweek. Mike Waddell questioned the decibel level of the generator. Atty Hilbert stated they had installed a similar generator at another property and he believed it was 55 DB @ 25feet and 6' high or roughly the same sound energy as a window air conditioner. The board reviewed the TRC minutes which are made part of the record. During the TRC meeting, Dave Patry had concerns about the location of the concrete slab possibly interfering with the Sewer Pipe. His department mapped the lines and the concrete slab will not interfere with the layout of the lines. However, he did caution that the proposed conduit will be laid directly over the water lines. He did not feel the conduit would be buried deeply enough to interfere with the water lines but wanted to be sure the applicant used caution when digging the trench for the conduit. The chairman asked if there was anyone present who wished to speak in favor or opposition to the application. Jacob Therriault owns property located behind the proposed plan and is concerned with noise from the generator as well as the aesthetics of the proposed plan. Though the attorney stated an 8' fence would be installed, the plan shows only a 6' fence, however the zoning ordinance specifically requires an 8' fence with a 5' vegetative buffer. He is concerned that more than 75% of the existing trees will have to be cut to install the concrete pad. He also questioned how the bank at the rear of the property will be stabilized as it drops rather steeply between the 15 Glen Road property and the abutting properties to the rear. He felt that the generator would be louder than an air conditioner and more like a lawn mower. He also understood from the landowner that she was considering installing the generator in the church basement or inside the garage to minimize the impact to the neighbors. Abutter Paul Stream who owns the Libby House is concerned with the stone wall between the properties and how the backfill would affect that wall. He was also concerned with how the weight of the concrete pad, stockade fence and generator would affect the structure of the wall as well as what the runoff from the pad would do to the wall. He felt a better retaining wall was needed. Abutter Mike Lapete who lives on the property that sits behind the proposed generator is concerned with how it will look sitting up on the hill as it will sit above his house. He is concerned with how it will affect the resale value of his home. He also felt that 50 decibels was quite loud even if it did run only one day per week. Abutter Allen Rodgers is concerned with the aesthetics as well as the stone wall. Mike Guay reviewed Page A1 of the proposed plan which shows a 10' difference in height between the properties but no stone wall was identified on the plan. A review of a York Land Services plan from 2002 shows a stone wall directly on the property line. Reuben Rajala felt the concrete pad would not affect the stone wall. Jacob Therriault also questioned if a stockade fence was needed or if they could install white vinyl fencing so it would blend in better. During review of the plan, it was determined that there were several deficiencies that needed to be

addressed. The board recommended the applicant have the plan redrawn and the following items addressed: 1) Review the site plan review checklist and be sure all items are addressed, 2) Identify the stone wall on the plan, 3) Identify everything within 200' of the project, 4) show the vegetative buffer, 5) indicate the fence and height (though the ordinance requires an 8' fence, the abutters all preferred a 6' fence), 6) show the grade and landscaping. Other items to address was the decibel level and the board would like to see the location staked out so they and/or the abutters can visualize where the generator will be situated. On a motion from Mike Waddell with a second from Barney Valliere, the board voted to continue this case to the 11/17/2015 meeting.

Code Enforcement:

Code Enforcement Officer Scarinza briefed the board on the following:

- 1) Body Shop on Lancaster Road – Though the property owner has not contacted the secretary to be on the boards agenda, work at this property has appeared to quiet down. CO Scarinza will keep an eye on it.
- 2) Lead Mtn – The owner of this property had previously stated that the building was temporarily being occupied by Steelelements for metal fabrication for a period of about 6 months and that the owner did not have a final plan for this building but would come before the board for a Site Plan Review after that time period. This would allow them time to develop a long term plan for the site. CO Scarinza will contact them as this has been more than 6 months with no updates.
- 3) Driveway on Lancaster Road – CO Scarinza spoke to the DOT Commissioner in Lancaster who was unaware of an unapproved driveway. He was going to look into it.
- 4) Spring Road – Previously the board spoke to a potential buyer of property located on Proposed Mountain View Road. The purchaser was informed that there would be issues with obtaining a building permit for the property and that one of the issues would be that the lot has no frontage on a public street and would need a road built to Town specifications. The potential buyer has purchased the property.
- 5) Barney Valliere questioned building on 9 Gorham Heights Road. The board had previously issued a driveway permit for this lot but as of yet no building permits have been obtained. CO Scarinza will look into this.
- 6) Logging on Mt Carter Drive – The secretary contacted Jason Huter of Division of Forest and Lands to have him check into it. This logging was done for land conversion and is complete. No further action is required.

New Business:

- 1) Barney Valliere reminded the board that they need to look into updating the 10 year plan. The secretary will contact both June Garneau and North Country Council for proposals.
- 2) Lot Merge – An application to merge lots located at U12, Lot 6B and U13, L50, both owned by Leprechaun Properties, has been received. These parcels were previously approved for a lot line adjustment with an abutting property but that plan fell through so the owner would like to merge these two lots. On a motion from Mike Waddell with a second from Wayne Flynn, all members voted to approve the lot merger.
- 3) Chairman Guay informed the board that at the close of the 11/12/2015 meeting, he will be resigning as the chairman as well as a member of the board. He may be willing to return as an alternate during the

summer months if a position is open. The board thanked him for his service and commended him on his chairmanship. Conversation turned to who would fill the chairman position at the 11/17/2015 meeting. Chairman Guay, knowing that Vice Chairman Mike Waddell already chairs two other boards, recommended Wayne Flynn or Dan Buteau for the chairman position. This will be the first item on the agenda for the 11/17/2015 meeting. The vacant position will also need to be filled.

- 4) A wetlands permit for Pike Industries was reviewed. The stream bank between Pike Industries and Bertrand & Tracey Drouin's property is eroding the bank and needs to be repaired.

Old Business:

- 1) Private Roads – TM Frost did not send this to Bernie Waugh as he has been busy with the Balsam's project so she sent it to another attorney. Chairman Guay will contact her to find out the status.

Public Comment:

None.

Adjournment:

On a motion from Dan Buteau with a second from Wayne Flynn, the board voted to adjourn at 8:40 pm.

Respectfully submitted,



Michelle M. Lutz
October 19, 2015

Approved as Amended November 12, 2015