

Town of Gorham
Planning Board Minutes
June 19, 2014

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

Members Excused: Jeff Schall and Earl McGillicuddy

Members of the Public Present: Ron Dube, Laurier Letarte, Mark Taillon, Clermont & Gracienne Drouin, Burke York (York Land Services), Don Laroche & Ron Dagesse

Call to order: The meeting was called to order at 7:00 by Chairman Guay

In the absence of Jeff Schall, the Chairman appointed Reuben Rajala as a full voting member in his place and Paul Robitaille in Earl McGillicuddy's place.

Acceptance of Minutes of May 22, 2014: On a motion from Wayne Flynn with a second from Mike Waddell, the board voted to approve the minutes as presented with all members voting in favor except Barney Valliere who abstained.

Case #01-2014 – Clermont Drouin – Site Plan Review

Burke York presented updated plans for the proposed Paradise Park MH Park expansion. The expansion of the MH park was nearing completion when the neighbors across the street from what would become Lot 19F had concerns regarding the aesthetics of the plan and brought those concerns to the board's secretary. The board had previously approved the expansion of the MH park with one MH on Lot 19F being accessed by Mill Street. After the neighbors brought their concerns to the board, the board asked for an updated plan that would show a new 12' rock wall extending from the existing wall all the way to the corner of Mill & Libby Streets and showing how Lot 19F would now be accessed from Eden Drive. The new wall was then filled with bank run gravel and compacted. John Scarinza (Code Enforcement) had spoken to the contractor building the wall, Don Doucette, regarding building a tiered wall. Mr. Doucette felt that having a tiered wall could cause a failure. The retaining wall that has been at the lower end of the slope for many years was buried in the fill and now sits under the new lot and the MH proposed to be on Lot 19F which actually sits ½ way on top of that wall and backfill. Building the wall and backfilling it allowed Lot 19F to be raised up parallel with the remainder of the MH park. Rock sizes are shown on the plat to be between 6" and 6' in diameter and create an interlocking foundation. Weeping drains were installed behind the rocks with 1 ½ stone and hay in layers at 5' and 8' depths and are 10' off Mill Street. The rock wall is 8' from the water lines that run along Mill Street. Dave Patry (Water & Sewer Superintendent) met at the site and signed off on the plan. A chain link fence will be installed at the top of the wall along with trees for safety and privacy. Chairman Guay received a letter from Allen Pike stating he was in favor of the modifications. All abutters present were in favor of the changes with none present in opposition. On a motion from Mike Waddell to approve the plan as changed and presented with a second

from Reuben Rajala, the board voted in favor with the exception of Wayne Flynn and Paul Robitaille who voted against. Wayne stated he had concerns with an un-engineered wall. Paul also had the same concerns and felt that the board needed to protect the citizens of Gorham and not having the wall engineered did not do that.

New Business:

Irving - Chairman Guay explained to the board that he received an email from Town Manager Frost for the Board of Selectmen asking the Planning Board to review a Site Plan from 1989 for the Irving Store at 346 Main Street regarding overnight parking of trucks at that location. Chairman Guay reviewed Planning Board Minutes to see if there was anything pertaining to the Irving Store. There was nothing. In 1989, Site Plan Regulations had not yet been adopted so there would not have been a requirement for the plan to be approved by the Board and there would not have been a change of use as it was already a fuel station. Mr. Dagesse, who owns the Mt. Madison Motel across the street, says he reviewed the plans which he believes were only plans for a convenience store with gas pumps and not a 24 hour store with diesel pumps and truck parking. The plan shows “future” diesel pumps and “future” truck parking. Between 1989 and now, nothing has been presented to the board to change that use. He says that there are now over 100 trucks throughout the night entering and leaving the Irving facility that has only happened since the Munce’s Kwik Stop on the Berlin-Gorham road closed. He claims he is losing business and revenue as the truck noise resonates throughout the motel. He claims that there are 20 – 30 trucks parked there on any given night and that they all leave between 2 a.m. and 3 a.m. He has hired an attorney who suggested he talk to the board first. Chairman Guay remembers when Irving opened its doors that it was a 24 hour store. Paul Robitaille remembers being on the board when the plan was first shown to the Planning Board. Though there were no Site Plan regulations at that time, the plan was still presented to the board and it was clear at that time that the site would be a 24 hour truck stop with diesel pumps as well as gasoline pumps. Mr. Dagesse felt that the business has grown since 1989 and wanted documentation to show when the pumps were put in and when overnight parking of trucks was allowed. Chairman Guay informed him that there was a permit in the file from December 1992 to install 2 Gas tanks and 1 Diesel Pump. Mike Waddell asked what part of the zoning ordinance would the board use to say the business was not in compliance? There needs to be some form of an enforcement mechanism. “What is Irving in violation of? Increase in business is not a violation of the ordinance.” Chairman Guay and Paul Robitaille will attend the next selectmen’s meeting to discuss this with them.

OLD BUSINESS:

A contract with North Country Council for Tara Bamford to work with the board was forwarded to Chairman Guay from Town Manager Frost. TM Frost had made some amendments to the contract. On a motion from Wayne Flynn with a second from Paul Robitaille, the board voted to approve the contract with the amendments made by TM Frost. All members voted in favor with Mike Waddell abstained.

Next Meeting: The next meeting is scheduled for July 17, 2014

Agenda Items:

Fee Schedules:

North Country Council Survey:

Drouin: Possible preliminary Site Plan Review

Adjournment: A motion to adjourn was made by Barney Valliere which received a second from Dan Buteau. All were in favor. Meeting adjourned @ 8:25 p.m.

Respectfully submitted,
Michelle M. Lutz
June 24, 2014

Approved July 17, 2014