

Town of Gorham
Planning Board Minutes
April 11, 2013

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

Absent: Bruno Janicki (Alt)

Excused: Earl McGillicuddy, John Losier (Alt)

Others: Robin Frost, Town Manager, John Scarinza, Building Inspector, Burke York, Ron McCauley, OC Nails representative “brother”.

Meeting called to order: 7:05 pm by Chairman, Wayne Flynn. Wayne appointed Reuben to sit in place of Earl McGillicuddy as a full voting member for tonight’s meeting.

ROLL CALL:

Election of Officers: Motion made by Wayne Flynn to nominate Mike Guay as Chairman, 2nd by Mike Waddell, all were in favor. Motion made by Mike Waddell to nominate Wayne Flynn as Vice Chairman, 2nd by Paul Robitaille, all were in favor. Motion made by Mike Waddell to have Barney Valliere remain in the secretary position, 2nd by Mike Guay, all were in favor.

Acceptance of Minutes: Newly appointed Chairman, Mike Guay now took over the meeting. A motion was made by Mike Waddell to accept the Minutes of March 21, 2013 as presented, 2nd by Wayne, all were in favor. Barney & Mike Guay abstained as they were not present at the meeting.

CASE #03-2013 – Lot Line Adjustment – Lot Merger:

Brouillette/Boisclair/Kelley & Munce. Presentation made by Burke York on behalf of the parties involved. Burke presented letters to Chairman Guay on behalf of Dana Brouillette, Pat & Mark Boisclair and Mike Kelley authorizing Burke to represent them at this meeting. Mr. York handed out the site plan for review by the Board members explaining the Lot Line adjustment. Mr. York explained to the board members that he was before the board tonight looking for conditional approval of the Lot Line Adjustment. The Planning Board members then reviewed the Major Subdivision, Minor Subdivision, or Lot Line Adjustment Checklist.

After review of the Checklist, the Board members agreed to conditionally approve the Lot Line Adjustment as long as the following conditions are met: 1. A new application must be submitted to the board which including Dana & Luc as well as Mike Kelley. 2. Four copies of the conditionally approved Lot Line Adjustment and the Mylar need to be submitted to the Planning Board for signatures. 3. The new owners of record for Lot U12 6B will become Michael Kelley and enlarged U13 49 will become Dana Brouillette & Luc Dube. The board members agreed to give the parties involved a time limit of six months to meet the listed conditions, this will give the parties until October 31, 2013. These conditions will be acted on at a continuance of this meeting. A motion was made by Mike Waddell and 2nd by Barney to accept the plat with the conditions as written. All were in favor. It was also noted that there is no need to present this case before the TRC as there is no change in use.

Preliminary Site Plan – OC Nails/Ron McCauley, property owner of the units at 299 Main Street. Proposed Nail /Pedicure Salon. Ron McCauley, property owner & John Scarinza, Building Inspector were both on hand to help with questions/answers for the proposed owners of OC Nails as there is a definite language barrier. John explained to the board members that approximately 4-5 weeks ago he had received a request for an Occupancy Permit to open a manicure facility @ 299 Main Street. John met with the proposed owners to see what they

were looking to do. It was at that time he recommended to the parties involved that they needed to come before the Planning Board to present their site plan and inform the board of their objective before anything else could be done. They present before the board tonight looking for guidance from the planning board as to what recommendations the Planning Board may have so that they may obtain a building permit.

John had done some research on his own as to what the State of N.H. requirements are to operate such a said nail facility. The states requirements included running water, a restroom for patrons, and a clean air exchange unit that would have to meet safety requirements. One of the concerns the board raised was the capacity of water & sewer, and parking. Paul suggested requesting written approval from the Water & Sewer Department and the State. John stated that the individuals who will be working at the facility will need to be licensed. Also, the State will be performing a walk-through inspection of the building before any license would be given. The footprint of the building will not be changing. John has received the application for sign permits for the existing sign pedestal that is out front of the building and a proposed sign on the building. The Board members all agreed that this case would not need a full site plan review as the bases have been covered regarding any issues. The board did agree that Rick Eichler, Fire Chief and Dave Patry, Superintendent of the Water & Sewer Department need to be on board with this proposal. Paul asked if there is an RSA that pertains to what the State regulations are. John will look into this and get back to the board. John explained to the board that his intentions are to meet with David Patry regarding any water/sewer issues that he may have and Rick Eichler to be sure the building is up to code. John will contact Ron McCauley after he has met with the above individuals to inform him of any recommendations they may have and see if a Building Permit can be obtained at that time. A motion was made by Mike Waddell stating the Board does not see this as being worthy of a full site plan review, but that they would like the Fire Chief and the water Department to be aware of the proposal. Motion was 2nd by Dan. All were in favor.

Road Standards from H.E. Bergeron. Mike Guay asked to be brought up to date on the situation as he was not present at the last meeting. Mike Waddell explained what he had missed. Mike stated he spoke with Jay Poulin of H.E.Bergeron Engineers and handed out copies of a letter he had recently received with Jay's recommendations for the board members to review. The letter has been sent to Tara Bamford for her review. Mike recommended that the board members review the letter at a later time as it is very lengthy and detailed and will take some time to review. Mike suggested Mike Guay, Chair, communicate with Tara and find out what her concerns are. Jay is willing to come to a meeting with Tara to discuss the letter in person. At this time Tara is not scheduled to come before the board. Mike will check with Tara to confirm a date that she can come before the board for review and get back to the members. New Zoning Ordinances were handed out. All members have copies.

10-Year-Master Plan: It was brought to the boards' attention by Barney that the 10-year-Master Plan deadline was approaching and the board should look into this sooner than later. Mike Waddell suggested mentioning this to the North Country Council to see if any grant money is available to help defer the costs of this evaluation. Mike Guay will check into this and get back to the board.

Review of Commercial Building Permits: John updated the board regarding the property located @ 433 Main Street formerly the old Munce's Quick Stop/Jay's Quick lube. The owners of the property are trying to reevaluate what they actually want to do, this is why nothing further has been presented to the board. The Lavigne project has been started and moving quickly. John thanked the board for hearing the OC Nails review and went on to explain their situation and his recommendation to go before the board for site plan review.

New Business: Application has been received for the old "Icy Gulch building". Todd Ross from Randolph is looking to rent the restaurant and put in a wood fire pizza oven and have a pizza shop. He is looking into getting the permit now. The only change would be the wood fire oven. John stated Fire Chief Eichler has

already approved his portion. The building is still currently owned by Chapman at this time.

Old Business: Traffic lights at Shaw's. Barney asked Town Manager Frost if the lights were going to be turned off and if she had any new information on this. Town Manager Frost stated she called the State previously and they still have not made a determination. She will get back to the board when she has an answer. Mike Guay brought up a situation from long ago of a request which was brought to the attention of the last town manager, which he never received an answer on. His question was regarding the Plat that got approved for Wal-Mart years ago, regarding the turning lane towards Berlin coming out of the Wal-Mart access road which is two lanes wide. The plan shows a dotted two lane line; the line is not there, it has never been put there and why not? Paul stated this is under the State of N.H.'s provisions and he will look into this and get back to the board.

Joele Losier: Joele dropped off a folder to Mike Guay prior to the meeting regarding her Lot Line Adjustment paperwork. Mike stated Joele has a letter in the file addressed to the board which Mike read to the board. The letter was regarding a message she received from Burke York regarding what the board was waiting for to approve her lot line adjustment. She stated that regarding the home owners association documents and documentation from the rail road, this was information that was previously submitted to the town and they should have said documents in their possession. She stated that she believes the six conditions have been met and are listed on the plot plan and enclosed documentation for the board to review. Mike asked the board what they wished to do with this information. Wayne suggested if the document contains the items the board is looking for with proof then the board can move on and finally approve the lot line adjustment. The board reviewed the proposed plan again and the six conditions. The board recommended that Building Inspector, John Scarinza contact Joele to help guide her with the railroad requirements and see if he can find out what actually happened to the home owners association documentation. Mike suggested having Joele send a certified letter, signed return receipt requested, to the rail road giving them 30 days to

respond and if they do not respond, they have been notified . The Town of Gorham will then get a copy showing Joele tried to contact the rail road. A certified copy will also be given to the new buyer of the lots in question. The board wishes to have documentation drawn up by the town's Attorney, Ed Boutin stating the town shall be held harmless in case of a catastrophic event. The Board asked for suggestions from Town Manager Frost. Town Manager Frost stated that the Town's Attorney, Ed Boutin does need to review the document before any suggestions can be made and he can then inform the board of his recommendations. The board would also like to amend the wording **driveway to read street** in the documentation that he is reviewing. John will contact Joele Losier. The board also made note regarding condition #6, they suggested this could be written listing John Losier & Joele Losier with an agreement to maintain the driveway from the town street at the edge of John Losier's property.

Reminder: Wayne reminded the board members of the Office of State Planning Conference being held in Manchester, NH for any board members who are interested in attending.

Next Meeting is scheduled for May 16, 2013. Continuation will be heard on Case #03-2013.

Motion to adjourn was made by Barney and 2nd by Wayne. All were in favor.

Meeting adjourned @ 9:00 pm