

Town of Gorham
Planning Board Minutes
November 21, 2013

Members Present: Michael Guay, Paul Robitaille, Reuben Rajala, Earl McGillicuddy, Michael Waddell and Wayne Flynn

Members Excused: Dan Buteau

Members Absent: John Losier

Members of the Public Present: Robin Frost (Town Manager), John Scarinza (Code Enforcement), Burke York, Robert & Suzanne Demers, J. Rodger Wood, Carolyn B. Drouin, Becky Theberge

Call to order: The meeting was called to order at 7:09 by Chairman Guay. The chairman appointed Reuben as a full voting member in place of Dan Buteau

Acceptance of Minutes of October 17, 2013: On a motion from Wayne with a second from Reuben, all members, except Barney Valliere who abstained, voted to accept the minutes as presented.

Continuation of Case #03-2013 – Lot Line Adjustment – Lot Merger: Brouillette/Boisclair/Kelley/Munce
This application received a conditional approval in April 2013 pending clearance from the Bankruptcy court and having a completed application to include all of the affected owners. Burke York informed the board that the bankruptcy court had approved the sale and the transfer of property ownership had been completed. An updated application was submitted. On a motion from Paul with a second from Wayne, the board voted to give a final approval to this application.

Case #07-2013 – Theberge – Minor Subdivision –

Burke presented plans showing the minor subdivision of the lots located at 37 Lancaster Road (U18, L4). There are presently two mobile homes on one parcel. The plan would divide the two mobile homes onto their own lots. Both lots would meet current frontage, lot size and setback requirements with the exception of one mobile home which is within the setback on the outer edge of the parcel and would not be affected by this subdivision. There are 3 sheds currently that would either be razed or moved out of the setbacks. During his investigation, there is a parcel of land approximately 30' wide that indicates it was purchased in 1893 by the Town of Gorham. There are no records indicating that it was ever sold by the town. However, both abutters to the property appear to use it. The Town Manager is looking into seeing if the Town can transfer ownership of the property without approval of Town Meeting. This also would not interfere with the subdivision as it is on the outer property line and would not be affected by the division of the property. The chairman asked if there was anyone who wished to speak in favor or against the application. Seeing none, Mike Waddell made a motion to approve the plan with the following conditions: 1) All sheds be razed or moved to meet setback requirements

and 2) all department heads sign off on the plan. The motion received a second from Reuben and all members voted in favor.

Case #08-2013 – Demers/Wood & Drouin – Minor Lot Line Adjustment

Sue Demers presented the plan to adjust the property line between the two properties located at 15 & 19 Pisani Street. Both properties would retain the minimum requirements for Residential A zone. Part of the reason to move the property line is because the Demers driveway is actually on the Wood/Drouin property and this would rectify that. Mike Guay informed the applicant that an abutter, Arthur Perry, had called because he could not attend. His concern was regarding one of the pins for the property was actually in the brook and he wanted to be sure the correct markers were used. Mr. Demers explained that the property was purchased in two phases. The original purchase was for property that was 75' in width and the second was 70' in width. The marker in the brook would not affect the lot line adjustment as it was part of the second parcel and was added at to the main parcel at a later date. On a motion from Barney with a second from Wayne the board voted to approve the minor lot line adjustment without conditions.

New Business: John Scarinza presented the following items to the board:

- 1) **Towle Driveway Permit** – John informed the board that on August 8, 2013, the board approved a 32' wide driveway at 16 Wilson Street on property owned by Laura & Sam Towle. The issue is that after the permit was approved and the Building Permit was issued the mobile home was changed to a larger home and a carport was added on the other side of the building. The front of the lot was covered with ledgepack from the proposed garage to the other side of the mobile home where the carport is so it appears the intent is to have two driveways on the lot. Discussion with the board ensued and it was the board consensus that a change to the approved plan should have come back to the board for review. The board asked the Code Enforcement Officer to approach the Towle's for a new plan.
- 2) **Proposed Mountain View Road** – John informed the board that he had received an email regarding property on this road. The property owner is trying to sell the property and a potential buyer contacted the Town Hall and was told they would not be able to obtain a building permit without a variance as the property does not have frontage on a public street. The property is approximately 1100 feet from the end of Spring Road which is the closest public street. Burke York informed the board that he had found some information in the Town Meeting minutes from the 1950's or 1960's that were relative to the "Pellerin Subdivision" while he was researching another project that might be useful. John wanted the boards input. The board discussed the issue and agreed that a variance would need to be obtained to allow a building on that lot.
- 3) **Berlin City Toyota** – Mike Guay questioned the new sign at Berlin City Toyota (basically a "wall of lights". He felt that the Site Plan only indicated that it would be background lighting and didn't believe what is there is what was approved. Robin informed the board that the lighting was discussed during the Technical Review Committee meeting. John said that he needed to contact the contractor as we have not received a complete sign package and the property exceeds the number of allowed signs.

Old Business:

- 1) **Eichler Lot Merge** – Robin informed the board that the attorney requested paperwork relative to the merger and has not heard back from them yet. Mr. Eichler has approached her questioning whether the Town would consider discontinuing the portion of Town road that is involved. This is a possibility but needs to be researched first. The selectmen would then need to decide if they want to put it on the warrant or whether it would need to be a petitioned article. However, it does appear that if the Eichlers want to keep the properties merged, there may be little the Town can do about it. This item will stay on the agenda for the next meeting.
- 2) **Proposed Zoning Changes** – The board discussed proposed changes to the zoning ordinance to include:
 - a) Changing the definition of Tourist Accommodation
 - b) Adding a definition for Hotel
 - c) Adding a definition for Motel
 - d) Removing Temporary Housing Units altogether.
- 3) **Driveways** – John suggested adding a clause to the Driveway Permit regarding paving of the apron as it is required in the driveway regulations but is not on the driveway permit application. Paul suggested allowing a second driveway only by special exception
- 4) **Temporary Housing Units** – The board would like to remove this from Article IV, Section 4.01 (B) (6) in its entirety.
- 5) **Accessory Structures** – Currently the zoning ordinance does not allow an accessory structure without a main dwelling. A property owner has questioned if they could build a garage first and then proceed to build a main dwelling at a later date. Mike Guay believes it is State law.

Next Meeting: The next meeting is scheduled for December 19, 2013. The following items need to be on the agenda: 1) Change Rules of Procedure regarding recording fees and 2) Eichler lot merge

Adjournment: A motion to adjourn was made by Mike Waddell which received a second from Barney. All were in favor. Meeting adjourned @ 9:00 p.m.

Respectfully submitted,

Michelle M. Lutz
November 24, 2013