

Town of Gorham

Planning Board Minutes

July 20, 2023

Members Present: Paul Robitaille (Chairman), Yves Zornio (Selectman), Robert Gargano, Abby Evankow, Earl McGillicuddy and Dennis Pednault.

Members Excused: Reuben Rajala, Brian Ruel and Dan Buteau.

Members Absent: none

Members of the Public: Victoria Hill (Board Secretary) Tara Bamford, (Consultant)(remote) and Burke York (York Land Services) Alex Stanton (remote), Carl Venezia (remote), Tom Cote (remote), Jason Montaro (remote) Phil Cloutier (Fire Chief) (CEO) Stephen Mysliwiec and Steve Grone.

Call to order: The meeting was called to order at by Chairman Robitaille at 6:30pm

Review and Accept Minutes: On a motion from Dennis Pednault with a second from Robert Gargano the board voted to approve minutes as presented from June 15, 2023. All members voted in favor.

New Business:

Case #11-2023: Minor Site Plan Application for property owned by Hathaway and Steven Perry located at 70 Main St. Tax Map U5-Lot 145. The applicants are proposing to convert two of the three allowed rental units into short term rentals. Submission of Minor Site Plan and public hearing if accepted as complete. Steven Perry spoke to the board about his proposal to change the use of two of his long-term rental units to short term rentals. After a short discussion Abby Evankow, with a second from Dennis Pednault, to accept the application as complete. All members voted in favor. Earl McGillicuddy made a motion with second from Abby Evankow to open the public hearing. Public hearing opened at 6:45 pm. No comments were made. Public Hearing was closed 6:48. Robert Gargano made a motion, with a second by Abby Evankow, for final approval. All members voted in favor.

Case #10-2023 Site Plan Application for property owned by Pine Stick, LLC located at 1 Exchange St Tax Map U5-7. The applicants are proposing to convert dwelling units into transient use. Submission of Site Plan and public hearing if accepted as complete. Burke York presented the Site Plan. Proposed use is 13 long term rentals and 1 short term rental. On site garbage collection, snow removal description, and fence. Fire safety plan has been updated. This will require ZBA approval. The applicants have applied for variance and is scheduled for July 24, 2023. Tara reminded the board that the previous application from 2022 was deemed incomplete. This plan has covered all these areas. With the caveat that the ZBA will need to approve the parking plan. Phil Cloutier the fire protection plan is deemed appropriate. They will need to submit a building permit. Abby Evankow made a motion, with a second by Robert Gargano, to accept the application as complete. All members voted in favor. Tara gave an overview of the areas of concern with the property. The board may issue a Conditional Use Permit to reduce side setback to 1.22 feet because it is zoned Commercial Compact. Dennis Pednault has concerns about the owners of Welch's to be offered a chance to respond to the fire escape drawing. He stated he will be abstaining from the vote because he feels he did not have all of the information sent to him. On a motion from Earl McGillicuddy, seconded by Robert Gargano, to open the public hearing at 7:11pm. Victoria Hill read the Public Hearing notice as published in the Berlin Sun July 6, 2023. Tom Cote (abutter) spoke about his concerns about the snow spilling onto his property and the missing portion of the chain link fence bordering 13 Exchange

St. Mr. Stanton representing Pine Stick, LLC confirmed he will replace the missing portion of the fence. Mr. Robitaille declared that the public hearing over at 7:15 pm. After a short discussion about snow storage and handicap parking. Phil is comfortable with the life safety conditions in the building. A lot of grandfathering has occurred with this project. Abby Evankow made a motion, with a second from Earl McGillicuddy, to approve the site plan with conditions. On July 20, 2023 at a properly noticed meeting of the Gorham Planning Board, it was voted to approve the site plan application, as summarized above, subject to the following conditions:

Condition Precedent: All fees associated with the site plan application must be paid including application fees, fees for public notices, reimbursement for consultant fees, and recording fees. Approved variance from ZBA 400 ft to 500ft distance for the parking. The applicant shall add North arrow to site plan for Pine Stick, LLC.

Conditions Subsequent: The applicant shall repair the chain link fence and attach dumpster screening to it. Board approval of Conditional Use Permit for reduction in side setback from 10 ft to 1.22 ft.

All members voted in favor except Dennis Pednault who abstained.

Driveway Permit Application: DR03-2023 Edward and Alison Van Kueren for property located at 9 Stony Brook Dr. Tax Map U28-2. After a short discussion Dennis Pednault made motion, with a second from Earl McGillicuddy, to approve the driveway permit as proposed. All members voted in favor.

Conceptual Consultation: Stephen Mysliwiec 95 Main St U5-19. Stephen just purchased the property and is interested in offering parking in the short term. He may want to put up a small structure. He is looking for guidance from the board. The board is recommending that he submit a site plan. He will need a driveway permit if there will be any parking. Burke York suggested he discuss his focused plans with the TRC.

Conceptual Consultation: Jason Montano Tax Map U30-18 Amendment of subdivision approval Imp Trail Heights. Jason is interested in purchasing the property but he wants to purchase it without the ROW over the property. He has spoken with the Chris Arnold who is the owner of the adjoining property with the ROW. Mr. Montano stated that the two parties have agreed to extinguish the ROW. After a sort discussion the board suggested that this agreement will need to be documented in a legal document and recorded at the county registry.

Old Business –

Paul Croteau- next steps from Conceptual Consultation January 19, 2023 meeting. The board requested that Phil Cloutier send a letter to Paul Croteau. The letter will notify the Mr. Croteau to submit a site plan application by August 31. The plan will be scheduled to be reviewed by the Planning Board at the September 21, 2023 meeting.

Patriot Hydro – Expedited Minimum Impact Wetland Permit Application, FYI for the board. Documentation is in the property file.

Discussion of Planning Board By-Laws and Procedures. Tara and Paul are working on updating the By-Laws and Procedures. They will work together prior to the next monthly meeting. The current by-laws are from 2009. Members of the board asked if deadlines could be stated in the by-laws. Tara will ask Steve Buckley if this is allowed by state law.

Public Comment: Next Meeting – August 17, 2023 6:30pm

Adjournment – On a motion from Earl McGillicuddy with a second from Abby Evankow, the board voted unanimously to adjourn at 8:25 pm by roll call vote.

Respectfully submitted,
Victoria Hill
Planning and Zoning Board Clerk

Approved August 17, 2023

Approved August 17, 2023