

Town of Gorham

Planning Board Minutes

January 24, 2019

Members Present: Mike Waddell (Ex-Officio), Barney Valliere, Dan Buteau, Abby Evankow, Wayne Flynn and Paul Robitaille

Members Excused: Dennis Arguin, Earl McGillicuddy and Jeff Schall

Members Absent: Brian Ruel

Members of the Public: Burke York, Ron Marquis and Code Enforcement Officer John Scarinza

Call to order: The meeting was called to order at 5:36 by Chairman Robitaille

Approve & Accept Minutes of January 10, 2019 – On a motion from Abby with a second from Dan, the board voted to accept the minutes with the following amendment: Under the Code Enforcement section add “Abby asked about the status of non-conforming signs. All voted in favor with Paul and Wayne abstaining.

Case #02-2019 – Reichert (R4, L6)/Gorham Land Company (R4, L7) – Minor Lot Line Adjustment

Burke York presented plans to the board for properties off the end of Union Street and Promenade Street. The Reichert property was originally the Peters Estate and had a farm crossing over the railroad to access the property from Union Street. That crossing has since been removed. The property line would be adjusted between the properties and moved to be parallel to Portland Pipeline and would give the smaller property access from Promenade Street. Burke has researched the layout of Promenade Street and cannot find anything confirming it as Town road in that area. The Town claims the area from Church Street for a length of 0.065 mile as Class V road for Block Aid funding and the Town maintains it to that length and beyond. The public has used it for many years and there are 4 house lots that are along that street, 3 of which are newer lots and there is also water & sewer in the roadway that ends at U4, Lot 41. There are also 3 “doglegs” that go into the cemetery which are used by the public. The Town plows the road just beyond the last gravel driveway that accesses U4, Lot 44 and maintains the road to the end of the pavement which is just after the last “dogleg” into the cemetery. Currently the lot known as R4, Lot 6 does not have frontage on any Town road as required by zoning. This would correct that issue. The secretary and Town Manager spoke to the Town Attorney on the boards behalf who has suggested that the Town claim the portion of Promenade Street in question all the way back to where the pavement ends and identified the procedure to accomplish this. This would allow the Town to apply for more Block Aid funding, eliminate the need for the Town to have easements for snow storage on private property and would also eliminate the need for the owners of U4, L44 to obtain an easement across the property for their driveway. Paul questioned if anyone has spoken to the Gorham Land Company or the Reicherts in reference to the location of the property line. Mike Waddell spoke with the Gorham Land Company POC, Howie Wemyss, and Tobey Reichert to see if they would have any issues with the Town laying out the road as described in the plan and taking possession of it to the end of the paved way. They have no issues or concerns. Paul questioned if anyone has spoken to the railroad about reestablishing the farm crossing. Burke spoke to them and was told that the owners needed to be prepared to spend lots of money in order to reestablish that crossing. Mike Waddell made a motion to approve the plan with the following conditions 1) that the plan be adjusted to reflect the Town clearing up of ownership of the road as described, 2) ownership be determined by a separate drawing and 3) that the action of the Board of Selectmen be noted on the plan and 4) when the BOS sign off on the road portion then the plan is accepted. The motion received a second from Abby and Paul called for a Roll Call vote: Barney – No Dan – No Abby – Abstain Wayne – No

Paul – No Mike – Yes. The motion failed. Barney made a motion to continue the case to 2/21/2019 at 6:30. Mike Waddell requested that the conditions in the previous motion be carried forward to this motion. The amended motion received a second from Dan Buteau and the board voted in favor.

Case #01-2019 – Arguin (U7, L89) / Marquis (U7, L88) – Minor Lot line Adjustment

Burke York presented a plan to the board for a minor lot line adjustment at the end of Broadway Street. The original subdivision plans show Broadway Street was originally laid out to go all the way to the river but was not developed that far. The pavement stops in front of the Arguin property. The Arguin's would grant an easement to the Town of Gorham for access and snow storage as the Highway Dept currently plows just beyond the end of the paved street which would be on the Arguin property. The secretary and town Manager spoke to the Town Attorney on the Boards behalf regarding the undeveloped portion of the street. There is a process to release the portion of undeveloped street. It would require an interested party to petition the Board of Selectmen to "release from servitude" the portion of the undeveloped street. This would require 30 day notice to the abutters and holders of interest and a public hearing by the BOS per RSA 231:52. Town Manager Shea questioned how an approval of this plan might affect the Town's ability to apply for FEMA grants should there be any reason for the Town to need to mitigate flood damage along that berm as it would now be on private property. Mike recommended the board ask the Arguin's for an easement to the river. CEO Scarinza cautioned that the Town previously ran into a similar issue on White Birch Lane where FEMA did not want to pay for repairs to that berm because it was on private property and does not believe an easement will take care of that though it may allow the Town to fix it, FEMA will not contribute. Mike made a motion to grant conditional approval on the following: 1) the BOS using RSA 231:52 and releasing its rights on the layout of the road and 2) that the BOS ask the parties for an easement on the undeveloped portion of the street. The motion received a second from Barney Valliere and Chairman Robitaille called for a roll call vote: Mike – Yes Barney – Yes Dan – Yes Abby – Abstain Wayne – Yes Paul - Yes.

Code Enforcement Update – Code Enforcement officer Scarinza briefed the board on the following projects:

- 1) Remodel at Berlin City Ford Garage – He has been coordinating with the Water Dept as the existing wash bay didn't have sand traps and the roof drains were emptying into the sewer system so they are working on correcting those issues.
- 2) Gorham Corner Market – Currently closed for minor remodel which appears to be mainly cosmetic.
- 3) P&L Cote property (formerly Qwik Stop) – There is a proposed 75 seat restaurant being planned for the area that previously housed a restaurant which did not previously have a grease trap so they are working with the contractor and W & S Superintendent Tennis to determine the best type to use there. They are also having to upgrade the sewer line as it is smaller than what is currently required. The old bays are currently being leased by a contractor who builds small sheds. The long term plan may be for that section to become a convenience store.
- 4) 10 – 14 Exchange Street – The building currently houses two commercial units (Gorham House Florist and Evolve hair Salon) with 2 residential units above. There is an 1100 sq ft addition to the back of the building that is being used for storage. CEO Scarinza met with the owners and a fire engineer about converting that space to an apartment and the requirement for a sprinkler system in that area which the Fire Engineer is preparing.
- 5) Abby questioned whether the box trucks parked in the storage unit facility on Lancaster Road are actually considered non-conforming signs. CEO Scarinza explained that a recent Supreme Court decision prohibits the Town from regulating signs based on content. Also, if the vehicles are registered and customarily used for business, there is little the Town can do to regulate those as signs.
- 6) Abby also questioned the banner for ATV parking on the lot across from McDonald's. CEO Scarinza will look into that one as it was originally supposed to be only temporary but appears that this may need to come in for site plan review. CEO Scarinza will send a letter to the owner of the property.

New Business – the board met with Tara Bamford to go over changes to Chapter 2 of the Master Plan based on previous discussions with the board. She would like the board to review this and email her with any questions. The board also discussed the Economic Development chapter changes based on the economic brainstorming session and prior discussions

with the board. She urged the board to populate the NH Economic database online soon as there are few business in Coos County on there now. This would be a great way to get Gorham “on the map.” The board scheduled another meeting with Tara for March 21, 2019 at 6:30 to continue updating the Master Plan.

Old Business – None

Public Comment – None

Next Meeting – The scheduled its next meeting for February 21, 2019 starting at 6:30 and another meeting on March 21, 2019 with Tara Bamford..

Adjournment: On a motion from Abby Evankow with a second from Barney Valliere, the board voted to adjourn at 7:37 pm.

Respectfully submitted,



Michelle M. Lutz
January 28, 2019

Approved February 21, 2019