

Town of Gorham

Planning Board Minutes

March 11, 2021

Members Present by Remote Connection: Paul Robitaille (Chairman), Abby Evankow, Michael Waddell (Ex-Officio), Reuben Rajala, Peter Gagnon, Brian Ruel, Dan Buteau, Wayne Flynn and Earl McGillicuddy

Members Excused: Barney Valliere and Jeff Schall

Members Absent: None

Members of the Public Present by Remote Connection: Tara Bamford, Burke York (York Land Services), Biron Bedard, Terry MacGillivray, Donna Theriault, Diane Holmes, Denise Vallee, Arthur Cunningham, Jesse Lutz, Mike Pelchat, Phil Cloutier (Fire/EMS), Henry Sanschagrin, Marybeth Smith, Michael Scotsas, Judy LeBlanc, Lindsay Swanson, Edith Tucker, Victoria McGillicuddy and Michelle Lutz (Board Secretary)

Due to the COVID-19 Pandemic and per Emergency Order #12 issued by Governor Sununu on March 23, 2020 and by Executive Order 2020-04, all members listed as present attended the meeting electronically with both video and audio capability. The public was able to attend the meeting in the same manner. All votes were taken by roll call as required.

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

Election of Officers:

Chairman – Mike Waddell nominated Paul Robitaille as Chairman which received a second from Dan Buteau. Paul turned the meeting over to Dan Buteau for the roll call and all members voted in favor

Vice Chairman – Mike Waddell nominated Barney Valliere as Vice Chair which received a second from Abby Evankow and Chairman Robitaille called for a roll call vote and all members voted in favor.

Secretary – Mike Waddell nominated Dan Buteau as secretary. Chairman Robitaille called for a roll call vote and all members voted in favor

Appointment of Alternates –

Abby Evankow nominated Wayne Flynn as an alternate for a three-year term. The motion received a second from Mike Waddell and all members voted in favor by roll call vote

Mike Waddell nominated Earl McGillicuddy as an alternate for a three-year term. The motion received a second from Dan Buteau. All members voted in favor by roll call vote.

Appointments to Zoning Board of Adjustment - Chairman Robitaille explained to the board that there are multiple vacant positions on the zoning board and one member of the Planning Board can be a member of the ZBA. Wayne indicated that he would be willing to serve another term on the ZBA. The BOS will need to appoint him.

Review & Accept Minutes of February 18, 2021: On a motion from Reuben with a second from Mike, the board voted to accept the minutes as presented by roll call vote with all members voting in favor.

Review and Accept Minutes of March 4, 2021 – On a motion from Peter with a second from Mike, the board voted to accept the minutes as presented by roll call vote with all members voting in favor.

New Business –

TAP Grant Letter of Support – chairman Robitaille asked Town Manager Vallee to explain what the TAP Grant was. This grant is to add sidewalks along Lancaster road. The Town has applied for the grant previously but was denied and they are trying again and are asking for a letter of support from the planning board. The grant would be

approximately \$800,000 with a 20% match which would come from the Road Resurfacing Capital Reserve Fund. On a motion from Abby with a second from Mike, the board voted by roll call vote to send a letter of support for the grant.

Appointments – Chairman Robitaille appointed Peter as a full voting member. Previously appointed members who remain appointed for Case #02-2021 were Earl, and Reuben.

Case #02-2021 – Summer Fun – Site Plan Review (Cont)

Tara explained that she had gotten estimates for a noise study as previously requested by the board. She heard from 2 engineers, Mark Bannon of Bannon Engineering who said it would cost \$6,000 to \$12,000 and RSG who said they could give some guidance for about \$7,500 for which they could do site work to get ambient noise levels around the site and use that to do some modeling.

Terry had questions about the noise studies and asked what decibel level he should be looking to meet? Traffic going by has a decibel level of 80 db and idling machines are 60 db, therefore he was asking what the allowable db level would be that he should try to get to.

Tara felt it would be reasonable for the board to ask a traffic engineer what type of fencing would be needed so the 250 rentals per day in and out of the site wouldn't create more impact than the traffic from the previous Burger King did. Normal traffic db can be 70 to 80 and ATV's can be in the 90's which is actually a big difference.

Tara stated that during her conversations with the applicant, she had encouraged them to look into acoustic fencing which they have not done but instead came back with a proposal to install stockade fencing which doesn't count in a noise model. Also, not being acoustic engineers, none of the board can say how tall a fence would need to be.

Terry again asked what was the db level that they needed to aim for? Polaris did a study and showed that at 125' away the level was 60 db which is conversation level and the highway out front was 80 db and asked what is the tolerance level?

Burke felt it was unfair to say they haven't done anything. Part of what was asked of them was to keep people out of Messenger brook and off of Union Street and to do some noise mitigation which they thought a stockade fence would be a reasonable solution to deal with all of that. He reached out to Charlie at Resource Systems Engineering who confirmed that stockade fencing was not sufficient, which they were unaware of, and that sound would permeate through the cracks in stockade fencing.

Tara cautioned that the ATV's would generate more than 60db as that was the level at idle and not what they would produce when leaving and entering the site.

Paul asked the board how they wanted to proceed. Reuben felt his preference would be for the town to hire an engineer and that it was going to be hard for anybody to understand what the sound of multiple machines idling, leaving and entering the site would cause as the level couldn't be determined by 1 machine but needed to be cumulative. Tara was confident an engineer could determine that.

Earl felt that it was not up to the board to determine the noise level they should aim for and that was what they needed to hire an engineer to do as they would be able to predict what happens when provided a certain set of circumstances. At that point, Terry requested that the board continue their application to November 2021. Given the number of things the board was asking them to study, he did not feel they would be able to get it all done and be able to open in a professional way in time for the summer riding season. Delaying the application would allow them to develop additional information they felt the board would find helpful to render a decision and it would give them time to better understand the costs involved. He also felt that the Town didn't want his business here and this would give him time to look into developing a site in Berlin.

On a motion from Mike with a second from Reuben, the board voted by roll call vote to continue the discussion to November 18, 2021 and to extend the deadline to January 30, 2022 and requested that the applicant submit the request in writing.

Code Enforcement Update – This item was passed over

New Business –Paul attended the Transportation Advisory Committee meeting. One of the projects they were looking at was to upgrade the sidewalks in town as part of the 10-year plan. There were 4 projects being looked at. One project was disqualified as not being ready and the funding is not available to complete all 3 of the other projects. They are waiting to see if additional funding may become available.

Old Business – None

Next Meeting – The board scheduled its next meeting for April 15, 2021.

Adjournment – On a motion from Jeff with a second from Peter, the board voted unanimously to adjourn at 7:32 pm by roll call vote.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Michelle M. Lutz".

Michelle M. Lutz

Approved as Amended April 15, 2021