

**Town of Gorham
Planning Board Minutes
January 15, 2014**

Members Present: Michael Guay, Paul Robitaille, Reuben Rajala, Mike Waddell, Wayne Flynn, Barney Valliere, Dan Buteau, Earl McGillicuddy

Members Absent: John Losier

Others: Robin Frost, John Scarinza

Members of the Public Present: Jan Eichler

Call to order: The meeting was called to order at 7:05 by Chairman Guay

Acceptance of Minutes of December 19, 2013: On a motion from Mike Waddell with a second from Reuben, all members voted to accept the minutes as presented. Dan, Barney, Wayne & Earl abstained as they were not present at the December 19, 2013 meeting.

Suggestion was made to Chairman Guay to move to the Continuation of the Eichler Lot Merger portion of the meeting first. The board members were all in favor. **Continuation of Erroneous Eichler Lot Merger** –Mr. Eichler was present for this portion of the meeting. Chairman Guay went on to brief the board members of the situation at hand regarding the erroneous lot merger. He explained the two lots were merged in error and the Planning Board did not have jurisdiction to approve the merger of two non-contiguous lots and therefore, the lot merger is void. Mr. Eichler is present tonight to discuss what can be done in this matter. The only possible solution that would allow the lots to be merged would be the discontinuation of the town road which the planning board cannot authorize. Paul Robitaille stated as a planning board member he would advise the town not to discontinue the road. Chairman Guay stated it would have to go on a warrant if anything was to be done. Chairman Guay read a letter from Austin Holmes, Public Works Director which stated that the town would need to be able to access the said property on Spruce Street even if the town does deed the property to the Eichlers. Dave Patry's letter stated he was concerned about a manhole cover that is present on the property and there is a sewer manhole cover inside the line that they would need to be able to access. Also suggested the property be surveyed with all utilities showing on the survey before anything was to happen. The Selectmen would need to deal with this. The board asked Mr. Eichler what his object is in merging the lots? He said the lot is useless and the evaluation is very high for such a small area, approximately \$12,800 square feet. He believes the lands valuation is approximately \$30,000.00. He was encouraged to speak with FEMA who may be able to help out with deeding, development rights, or an outright purchase of the land.

Paul's opinion is that it would be in the town's best interest to retain said access and not change it since the town already has it, we should not change it, it would be a mistake. We need to keep as much access to the

river as possible. Tonight the property needs to be revoked, null and void. The property approval is already void but it needs to state in the minutes of tonight's meeting that it is null and void. According to Section 676:4(1d). It was agreed on by the planning board to follow the Town's Attorneys' advice on how to proceed. A motion was made by Barney with a 2nd from Wayne. All were in favor. Next meeting will be scheduled for Thursday, February 20, 2014 at 7:00 pm, it will be a Public Hearing. Notices of this meeting date will be sent to the abutters and a notice will be placed in the paper.

PUBLIC HEARING ON PROPOSED ZONING CHANGES:

The public hearing opened at 7:20. There were no public present to make comment. The Chair closed the public meeting at 7:25.

ACTION ON PROPOSED ZONING CHANGES:

A Motion was made by Mike Waddell to accept the Warrant as presented and to post for the town meeting. Motion 2nd from Earl McGillicuddy. All were in favor.

REVIEW OF RULES AND PROCEDURE: Chairman Guay stated this was on the agenda because there is a problem with how plats are being recorded and the process. He stated there are various site plans that they have reviewed but have never been recorded with the Registry of Deeds and they are existing problems. He gave a couple of examples of problems that have never been recorded. The board agreed that there needs to be guidelines to have the documents recorded including fees charged for doing so. The Registry will not record a plat unless it has true dimensions on it (no napkins). There is state law language that pertains to fees that will need to be followed when deciding on the recording fees (91A). The board is looking for a recommendation from the Town Manager who was present at the meeting. TM Frost suggested reviewing the whole application fee to see if costs are being covered at this time and research the matter further. It was agreed upon by the board to put this on the agenda at the next meeting scheduled for February 20, 2014.

NEW BUSINESS: John Scarinza, Building Inspector was on hand to discuss with the board new developments in town. He stated building permits were recently obtained by Dagesse to demolish the two properties across from McDonalds. Walmart came in with a building permit application to do some major painting, patching, dressing things up and redefining the current property, nothing that will need to be approved other than through the building permit process. TopNotch is looking good with their property improvements. A question was asked of John regarding the old Label Shopper building and the lights being on their 24-7? John said he was not aware of anything going on at this time and that he will check into the matter. Nothing new with the old "Jay's Quick Lube?" Chairman Guay stated that John wrote his first Occupancy Permit the other day and in reviewing the permit they noticed a signature line for the Planning Board to sign off on it. Chairman Guay has no idea why they would have to sign off on said document? He is requesting the board vote at this time to have the signature line removed from any future Occupancy Permits. A Motion was made to ask the Selectmen to come up with a new Occupancy Permit which will not include the Planning Board was made by Mike Waddell with a 2nd from Earl McGillicuddy. All were in favor.

Next new business: Lot Merger between Van E. Chisholm and Kathy M. Lamarque of Mesa, AZ regarding Tax Map R6 Lot 13 & 14 with an address of 51 Jimtown Road. They are looking to merge Lot #13. The board does not see any reason why this merger could not be granted at this time. Chairman Guay signed off on the document on this date. A motion was made by Mike Waddell with a 2nd from Dan Buteau to approve lot merger. All were in favor.

Chairman Guay advised the board that they received a copy of a Wetlands Permit Application for the Edward Fenn Elementary School. Mike Waddell explained the Planning Board received a copy of the application just to make them aware of the future project. The School has petitioned DES to dredge Messenger Brook and wants the town to be aware of this.

OLD BUSINESS:

Proposed Zoning Changes: While reviewing Tara's updated document, it was decided that it was not finalized, it still contained highlighted areas that will need to be cleaned up and a new clean copy produced. Chairman Guay will contact Tara for a new "clean" copy.

UGLY SIGNS: John wanted to know if the board had any recommendations for him regarding abandoned signs in town. How does the board want him to proceed with this matter? Very lengthy discussion amongst the board members and Code Enforcement Officer Scarinza regarding ideas of how and who could help with this matter. Code Enforcement Officer Scarinza will do some research and contact other towns to see how they handle "problem signs" and then he will get back to the board. The town does have an ordinance regarding old signage, but it is not clear. Reference was made to RSA 676:17, but further research needs to be done.

Adjournment: A Motion to adjourn was made by Wayne which received a second from Barney. All were in favor. Meeting adjourned @ 8:25