

Town of Gorham
Planning Board Minutes
August 28, 2014

Members Present: Mike Guay (Chairman), Mike Waddell, Earl McGillicuddy, Reuben Rajala, Jeff Schall, Wayne Flynn and Barney Valliere

Members Excused: Dan Buteau and Paul Robitaille

Members of the Public Present: John Scarinza (Code Enforcement), Normand Labonville, Burke York, Robin Frost (Town Manager) and Patrick Murphy

Call to order: The meeting was called to order at 7:04 by the Chairman

Appointments – The Chairman appointed Reuben Rajala to replace Dan Buteau as a full voting member.

Acceptance of Minutes of August 14, 2014 – As not enough members who were present at the previous meeting were in attendance at this meeting, the minutes were passed over and will be on the next agenda.

Preliminary Lot Line Adjustment – Labonville

Burke York presented preliminary plans for a minor lot line adjustment/subdivision for the Emilien J. Labonville Trust and Labonville, Inc. The Trust has been reorganized and Normand Labonville is now the sole trustee of the Trust. Due to a court order between the two parties, the stitching plant, which is owned by Labonville, Inc. and is located on land owned by the Trust, must be carved out. Therefore, a lot line adjustment between lots U11, L6 and L5A will cause Lot 5A to encompass just the stitching plant. The 4 mobile homes on the current lot 5A will become part of Lot 6. This is Commercial B zone and requires a 1 acre minimum and lot setbacks of 20' front and back and 10' on either side. In order to carve the stitching plant out of the Trust land, these requirements cannot be met. The acreage is considerably less than required. The front and side setbacks can be met but the proposed rear setback is only 5', the total square footage of the lot is 8154 sf (.19 acre). There is a small easement on the front of the newly shaped Lot 6 for the benefit of the stitching plant. Mike Waddell suggested adding the land that runs along the front of the current lot 5A from U11, L5 all the way to the stitching plant and have an easement across that for the mobile home park. That would make the stitching plant part of U11, L5 as one parcel and eliminate the acreage requirement. There is also a mobile home that sits on U10, L5 that is accessed through the mobile home park. Mike also felt that the lot line between U11, L6 and U10, L5 should move to encompass a mobile home that sits on what is marked as mobile home lot #12A that sits on U10, L5 thereby eliminating having two residences on one lot. That mobile home lot is accessed through the mobile home park. Mike Guay suggested moving the rear lot line to the area currently listed as mobile home lot #5 to increase the setback as there is no mobile home located there. Reuben Rajala felt that the recommended setbacks for that area may be ideal, but several properties don't have the required setbacks and felt it was not a big deal. Mike Waddell raised the concern that if someone proposed erecting a fence around

the stitching building could cause problems in the future with the mobile home park or vice versa. He also questioned fire safety if the Town cannot get equipment in there. Earl McGillicuddy felt that approving this would be causing problems in the future. Involved in the mediation between the two owners is that the current bank of mailboxes is to remain where it is currently located. Adding the stitching plant to the U11, L5 will mean that the mailboxes will be within that lot. All the mobile homes located on the current parcel U11, L5A will need to be renumbered as U11, L6. Luckily they are all numbered sequentially without any duplicates so this should not cause a problem with the assessing department. The board agreed that moving the westerly line of U11, L5 to encompass the stitching plant and granting easements for both parties as well as dissolving the mobile home lot #5 to move that lot line to meet the setbacks would alleviate most of the problems with this plan. The mobile home lot on U10, L5 listed as mobile home lot #12A is a grandfathered non-conforming lot but the board felt that a deeded ROW would fix that issue. It also needs to be on the plan as well as the mobile home located at lot #20 needs to be identified as a pre-existing non-conforming condition as it sits across the property lines. The board will hear this case at its October 2, 2014 meeting.

Planning Board Fees – This item was passed over and will be on the next agenda.

Code Enforcement –

- 1) Paradise Park MH Park addition was addressed. There have been two mobile homes that have applied for a permit to construct a deck. The issue is that if the mobile home lot lines are looked at as the property lines, there is not enough room to allow a building permit for decks or porches on the back side of the mobile homes. John remembers discussing this issue with the property owner (Clermont Drouin) during the site plan process. At that time Clermont said they would require both exit doors to be on one side. The problem is that there are now 2 mobile homes already installed without the doors on both sides and another one on the way so it is clear that Clermont is not passing this information along. One of the mobile homes already has one deck permit issued in error. John asked the board if he was interpreting their intent of having each mobile home lot having setbacks as opposed to using the entire mobile home park lot lines to determine the setbacks. The board agreed that he was interpreting their intent correctly. The board agreed that Section 5.10E of the Town's Zoning Ordinance was established to allow small decks no larger than 48 sq ft in case someone had a door on their building that opened into the setback and needed to get a wheelchair into the building, this would allow them to do so. Mike Waddell suggested that Clermont be cautioned by the Board that he was warned about this.
- 2) Moose Meadow Mini Golf – A concern was raised about propane tanks being cut open at the Mini Golf location. Apparently the owner is picking up old Munce's Propane tanks and is cutting them to make fireplaces. This could be an expansion of a business without application to the Town or going through Site Plan Review. John stopped to talk to the owner but he was not there. He will try to contact him again.
- 3) Signs –
 - a) Auto North – There is a large banner on the side of a bus at the Auto North location. A permit has been submitted but the fees have not yet been paid.
 - b) 97 Lancaster Road property has applied for a permit to reface the existing sign for Berlin City's used cars which was approved

- c) 590 Main Street – The existing sign was refaced without a permit. This is a property John visited once before when it first appeared in the paper that there was a new business. When he spoke to the new owner they told him that they would be installing high performance after-market parts. John informed him then that he needed to come in once he had a business plan, but as of yet, he has not come in. John will try to contact him.
- d) 117 Main Street – Mike Waddell questioned the status of the sign at this location. John sent a letter to the property owner back in June giving them 30 days to come up with a plan to either repair or remove the sign. He was assured by the owner that they would do something with the sign. As of today, nothing has been done. John will follow up with the owner to find out where they stand.

New Business: None

OLD BUSINESS:

Losier – Gravel Pit – The board previously requested that the Code Enforcement Officer visit the site of the former gravel pit to verify the information provided by Mary Pinkham-Langer of DRA and give a report to the board. Mike Guay informed the board that he visited the site himself and took pictures. The road has washed out so badly that you could not get a truck up there without completely redoing that road. Mike Waddell questioned why the Code Enforcement Officer had not gone out to visit the site as requested. The Town Manager informed the board that she needs to make sure that we are utilizing John's time as cost effectively as possible and that Mary Pinkham-Langer of DRA had already visited the site and gave a recommendation to the board so it would have been a waste of time to send John out there again. Also, the Board is the regulator of gravel pits not the Code Enforcement Officer. On a motion from Jeff Schall with a second from Barney Valliere, the board voted to accept the pit as sufficiently reclaimed. There was much discussion regarding what role Mary would play in the future, ie what if a pit is considered closed and now gravel is being removed what is the process. Typically if someone/anyone has a concern with something concerning gravel excavation, a phone call is made to DRA and Mary acts on it to be sure that it is complying with at least RSA 155E. The board will discuss this with her when she visits with the board on September 18th.

Sign Ordinance – Barney presented a copy of a sign ordinance from Ohio. The Secretary will scan and email to all the members.

Next Meeting: The next meeting is scheduled for September 18, 2014 as a work session with Mary Pinkham-Langer

Adjournment: On a motion from Barney Valliere with a second from Wayne Flynn, the board voted to adjourn at 8:36 pm.

Respectfully submitted,
Michelle M. Lutz
September 2, 2014