

MINUTES
TOWN OF GORHAM ZONING BOARD OF APPEALS
July 27, 2023

PRESENT: Chairman Bentley Mr. Lonsberry
 Mr. Goodwin Mr. Morris
 Mr. Coriddi Mr. Amato

EXCUSED: Mr. Bishop

Chairman Bentley called the meeting to order at 7:00 PM and explained the process. Mr. Coriddi made a motion to approve the June 15, 2023, minutes as presented. Mr. Goodwin seconded the motion, which carried unanimously.

PUBLIC HEARING:

Application #23-041, Jason & Katharyn Grover, owners of property at 3720 Thorndale Beach, requests an area variance to build a single family home. The proposed single family home does not meet the side yard setbacks, rear yard setbacks and exceeds lot coverage.

Chairman Bentley re-opened the public hearing that was adjourned on June 15, 2023.

Scott Powell, Architect, Brennan Marks, Engineer and Jason & Karey Grover were present and presented the application to the board.

Mr. Marks stated that what they have reduced since the last meeting is the overhangs on the building. They have been reduced to 6 inches instead of 12 inches. They have reduced the size of the patio on the south side and reduced the walkway on the rear. They are now looking for a 6.5 foot north side setback variance, a 4.3 foot south side setback variance a 4.8 foot variance on the rear setback and a 6.9% on the lot coverage. The new building being proposed is similar in size as the existing building however it has been turned so that it is parallel with the property line and fits the site better than the existing building that is there.

Mr. Lonsberry asked what the lot coverage was on the lakeside of the property.

Mr. Marks stated that the current lakeside coverage is 38.4% and 42.8% is the proposed lot coverage on the lakeside.

Chairman Bentley stated that they are removing a lot of hardscapes to increase the size of the house correct?

Mr. Marks stated that is a correct. There is not a significant amount of hardscapes with the existing plan. They are removing the concrete pad in the front and a stone retaining wall that surrounds the house on three sides and a paver walkway that connects to the driveway.

Mr. Amato asked what the size of the existing house is.

Mr. Marks stated that the existing house is 1556 square feet. That is the existing house with overhangs.

Chairman Bentley stated that they are doubling the size of the existing home.

Mr. Marks stated that they are going from a footprint of 1556 to 2022.

Mr. Powell stated that the proposed home will cover about two thirds of the first floor as it does existing.

Mr. Goodwin asked what is the total square footage of the proposed home.

Mr. Powell stated 3016 square feet.

Chairman Bentley asked what the square footage was on the existing homes second floor.

Mr. Powell stated that he would have to measure his plans. He estimated the second floor to be 24'x 32'.

Mr. Bentley stated that the setback is to the chimney but the patio is closer to the lot line than the chimney.

Mr. Powell stated that it is their understanding that the patio does not get included in the structure.

Chairman Bentley asked if the patio was 6 feet wide.

Mr. Marks stated that the patio is 6 feet wide.

Chairman Bentley asked James Morse, Code Enforcement Officer if the setback would be to the air conditioner and generator.

Mr. Morse stated that is iffy. He suggested that they address it in their comments that it goes no closer than proposed. This has been challenged in the past.

Mr. Coriddi asked what the height of the proposed home was going to be.

Mr. Powell stated that they are within a few inches of the maximum that they are allowed from the roof peak to average grade.

Mrs. Grover stated that the property has been in her family for almost 70 years. "I know there are concerns about how big the house is going to be. We are not trying to build a mansion just for the two of us. We just adopted a little girl we have three children and we are just trying to make it comfortable for us to live in. Neighbors on both sides have all written letters saying that they are comfortable with everything.

I just wanted to state that because I know it is a much bigger house but it's really just trying to fit a family of five in there."

Chairman Bentley asked if there were any comments from the public.

A letter of support was read that was received from Charles & Mary Lou Wyckoff and there was 3 letters of support that were read at previous meetings. All letters will be kept with the file.

Brennan Marks presented a document of supporting information with the application. Chairman Bentley stated for the record that he doesn't know what relevance that information has and gave the document back to them.

Mr. Powell stated that he understands that this building fits in with the neighborhood and is one of the key considerations and the list that Brennan came up with shows that.

Chairman Bentley explained that each property is unique. The board reviews each property as it's own unique entity.

Hearing no other comments Chairman Bentley closed the public hearing.

Mr. Amato stated that he sees that there are stairs to the crawl space. He asked how tall the crawl space was going to be.

Mr. Powell stated that the crawl space would be at most 4 feet.

Mr. Amato stated that the proposed is a substantial increase.

Mr. Grover stated that it is a substantial increase but it is still within the character of the neighborhood.

Chairman Bentley stated that his concern is that they are removing hardscapes and increasing house coverage. He believes that there is some room to get the coverage down a little bit more.

Mr. Lonsberry stated that he still has a concern with the overall size of the house.

Mr. Morris stated that he also has a concern with the size of the house and decreasing hardscapes to increase the size of the house. These lots were never met for year around homes they were designed for seasonal cottages.

Mrs. Grover stated that on the north setback they are improving the front they are keeping the same.

Mr. Marks stated that from existing conditions they are improving all the side setbacks.

Mr. Powell stated that this is not a grand house. The master bedroom is 13' x 14'. The bedrooms upstairs fit two twin beds a dresser or two with no room to spare.

Mr. Morris asked if they plan on doing anything from the front of the home to the lakefront down the road.

Mrs. Grover stated no that is why they put the porch on the side because it blocks the view. They like the grass in the front.

Chairman Bentley stated that there are a lot of improvements that have been made. However having said that he thinks that there is room to bring it down a bit.

Mr. Powell stated that they have already decreased the size of things to give a reasonable presentation.

After discussing the application and reviewing the questions on the back of the application the following motion [attached hereto] was made: Chairman Bentley made a motion to grant a rear yard variance of 4.8 feet for a setback of 25.2 feet. A north side yard variance of 6.5 feet for a setback of 8.5 feet. A south side yard variance of 3.3 feet for a setback of 11.7 feet. A 6% variance for a lot coverage of 31%. The generator and A/C unit must remain as presented and cannot go any closer to the neighboring property. Mr. Coriddi seconded the motion which carried unanimously.

Application #23-102, Kelly Bateman, owner of property at 4263 Co Rd 18, requests an area variance to subdivide parcel into three lots. Two lots do not meet the required road frontage.

Kelly Bateman was present and presented her application to the board.

Ms. Bateman stated that she has lived here for 18 years and she really loves the area. However her house is getting to big for her and she is looking forward to what is her next steps. She would love to be able to stay in the neighborhood. One idea that she has is subdividing and putting a house further down the property away from the main house. She is looking at dividing the property giving some more land to the present house and then selling it. Then she would like to build something further down the property. She is proposing a private drive that comes off an existing curb cut. The curb cut was there before she was there.

Chairman Bentley asked James Morse to give them the zoning code on this request.

James Morse, Code Enforcement Officer stated that lots without public sewer the minimum size is 2 acres and 200 feet frontage.

The distance between curb cuts was discussed. It appears that they can't get 440 feet between curb cuts.

Ms. Bateman stated that they would not be able to share the present driveway because of the placement of the barn and the septic system. And because there is an existing curb cut the thought was to make a private drive and have the frontage for the lots off the private drive.

Chairman Bentley stated this is beyond his scope. This is more for the Planning Board.

It was suggested that the Zoning Board of Appeals send this to the Planning Board for a recommendation.

Mr. Morris stated that he does not understand why the 60 foot right of way has to go so far down into the third lot. That is opening it up to creating more lots back there.

Mr. Morse, Code Enforcement Officer stated to the board that they are only here to discuss the road frontage. This board has to decide if they want to grant a variance for two lots with 60 feet of road frontage.

Chairman Bentley asked if there were any comments from the public.

Nate Stahl stated that the road frontage is a less concerned with him as opposed to where the driveways are going to come down and how close they would be to his property line.

Hearing no more comments Chairman Bentley adjourned the public hearing.

Chairman Bentley made a motion to send this to the Planning Board for a recommendation back to the Zoning Board of Appeals on this application. Tom seconded the motion which carried unanimously.

Mr. Amato made a motion to adjourn the meeting at 8:25PM. Mr. Lonsberry seconded the motion which carried unanimously.

Mike Bentley, Chairman

Sue Yarger, Secretary