

TOWN OF GORHAM

Minutes

Town of Gorham Zoning board of appeals

January 18, 2024

Present: Mr. M. Bentley Mr. S. Coriddi
Mr. C. Goodwin Mr. V. Lonsberry
Mr. A. Bishop Mr. R. Morris

Excused: Mr. T. Amato Mrs. M. Oliver

Guest: Mark Tolbert, Muriel Burkhart, John and Joeleen Lacrosse, Mike Otieutana, Mike Kubarek

Virtual Attendance:

Call to order and Approval of Minutes:

Chairperson Bentley called the meeting to order at 7:00 PM and explained the process. Mr. Lonsberry made a motion to approve the December 21, 2023 minutes as presented. Mr. Bishop seconded the motion, which was carried unanimously.

Public Hearings:

The public hearing notice was read as it appeared in the official newspaper of the town. Application #ZBA 45-2023, Mark Tolbert, owner of property tax map #98.19-3-6.00 located at Otetiana Pt., requests a variance to add a single-family home that does not meet required setbacks and exceeds the maximum allowed coverage of 30%.

The neighbor notifications were sent out 1 was returned and the application was sent to the County Planning Board. The County Planning Board referred it back to the town with the following comments.

1. Only 1 of the 4 new driveway segments is long enough to accommodate a parked vehicle. What is the purpose of these impervious areas?
Mr. Tolbert Answer – Add garage doors to allow for pass through and minimize the amount of pavement, that is how designer came up
2. Will the existing tree that is currently above the garage have to be removed for second story?
Mr. Tolbert Answer – I don't know yet,
3. What type of soil erosion / stormwater management measures are being taken to protect the lake, what type?
Mr. Tolbert Answer – There is a water problem there now and it will be corrected

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4. What is the proposed use of the new building? Is it still just a garage, or will it be used as a living space? Any utilities being added?

Mr. Tolbert Answer - The goal is to put a house on the property instead of a secondary structure, to do this we would like to expand the current footprint of the garage and add a second story for our own personal use as our family gets larger. Which will be used a recreational area.

Board member– You have a residence on the other side, correct? Answer – YES

Mr. Tolbert - The passthrough garage will also help with addressing issues and lot lines.

Board member– With the passthrough onto Acciari DR do you have access to this road?

Mr. Tolbert – Yes, the property line goes right to it.

The board and Mr. Tolbert discussed if the property actually went to Acciari Dr.

Board member– Looking at this the property does not go right to the road.

Mr. Tolbert – On all of the survey maps we have it does.

Board member - Does anyone own the adjacent property?

Mr. Tolbert - Yes, the Otetiana Cove Homeowners association

Board member- It looks as though the Homeowners association ends about 15ft from Otetiana Coves property and you would have to have a deeded easement right of way to access this

Mr. Tolbert stated that it was a understanding and shown on some survey maps that the properties on Otetianta Pt that were adjacent to Accari Dr had access to that drive.

Board member– If in fact the association does own the 15 ft on the other side of the rd then the following questions should be answered:

- Do you have right to use it when it is not on your property?
- If you do have access it and where is it deeded?

A discussion of how many variances Mr. Tolbert was looking for and if there was a way to reduce the number of variances.

Board members brought up some concerns:

- Lot coverage – making house out of pavement
- Putting a house in garage row- is a concern – if you do one then they will be more.

Do you have any set floor plans?

Mr. Tolbert - We do not have set floors plans yet, we were thinking open floorplan, garage on first floor, create a stairwell that goes upstairs. Basic floor plan will be open at this point.

Board and Mr. Tolbert discussed the amount of variances

There would be 6 variances, includes front and back
4 variances and 3 area

Mr. Bentley stated the Public hearing is open – floor is open-

Mike Burke Otetianta cove – stormwater management concerns – I am not sure where the line is but I do know the rd. is private and not maintained.

Public hearing is closed

Board member-

I have a lot of concerns – I would not feel comfortable voting on it as is, we need more information on the Acciari Dr, if the HOH has maintained the rd. for a period of time so

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they have claimed ownership to it? If that is the case would you still be able to do the drive through as you are proposing.

- If you approve it as is and he does not have access would there be repercussions to the town?
- I do not think it would make it through the Planning board as it is.
- We think about what would happen 10 -15 yrs down the rd. when you may not own the property, I for see and Air B and B waiting to happen.
- Another thing we think about is does it change the character of the neighborhood, I believe it does.
- The one that concerns me the most is the area variance. I think in the spirit of what you are trying to do is minimize the variances you are at 44 and 48. I would like to see it come down since you are removing the pavement.

Hypothetical rearrange to 3 variances at 44%

1 – do you have access to Accari Dr

2 – is it to the eves/ awnings

3- Elevation of heating unit – where is it going to be located

We can adjourn till next month or we can vote tonight

Mr. Tolbert - I am happy to get those answers and wait until next month. We had brought design plans whirl the thought it would blend all the things together I am open to the options to impervious surface.

Motion made by Bentley and seconded by Vie in favor 6, Opposed 0, Abstentions 0. Motion Passed.

Miscellaneous:

Date change to 2/22/24

Motion made to adjourn the meeting at : PM by Vie and seconded by Bentley which was carried 5 Yes, 0 No, 0 Abstained



Michael Bentley, Chairperson