

MINUTES
TOWN OF GORHAM ZONING BOARD OF APPEALS
December 17, 2020

PRESENT: Chairman Bentley Mr. Bishop
 Mr. Coriddi Mr. Amato
 Mr. Morris Mr. Goodwin-Alternate

EXCUSED: Mr. Lonsberry Mrs. Oliver

Chairman Bentley called the meeting to order at 7:00 PM and explained the process. Mr. Goodwin-Alternate will participate and vote on all decisions tonight. Mr. Bishop made a motion to approve the minutes of the November 19, 2020, meeting. Mr. Morris seconded the motion, which carried unanimously.

PUBLIC HEARINGS:

Application #20-199, Mike & Anne Shea, owners of property at 4626 Lake Drive, requests an area variance to build a single family home & garage. Proposed home & garage exceeds lot coverage of 25%.

Chairman Bentley opened the public hearing and the notice as it appeared in the official newspaper of the Town was read.

Mike & Anne Shea and Chuck Smith, Architect were present and presented the application to the board.

Mr. Shea stated that the existing home was built in 1929 and structurally it leaves a lot to be desired. The floors are not level. In one of the bedrooms there is blocks under the bed to make it level. They have owned the property for nine years and have spent a lot of money to keep it up and it is to the point where they are putting good money into bad. Their desire is to build a year around home.

Mr. Smith stated that they are reducing the lot coverage by about 1.2%. Their existing lot area coverage is 3924 square feet counting overhangs. The proposed is 3864 square feet. The allowable is 3009 square feet. The existing home does not meet the setback requirements from the lake and on the north side. With the proposed home they are going to meet all the setback requirements.

Chairman Bentley stated that he feels the lot coverage can be reduced if the existing garage is removed, since there is going to be a garage attached to the home.

Mr. Shea stated that the existing garage gives them the ability to store things like kayaks and other things associated with living on the lake. They plan on using the proposed garage for their cars. The existing garage was built in the 70's and is still in very good shape.

Mr. Smith stated that the proposed home can't have a basement, so they don't have that area for storage. Part of the first floor is going to be occupied by mechanicals. They are also going to place a certain amount of the roof drainage into a detention structure underground so they can decrease the amount of surface runoff from this property.

Mr. Amato stated that he noticed that there was no walkways shown on the plan and asked if they plan on leaving it lawn area forever.

Mr. Shea stated that at some point he would probably put in some walking stones.

Mr. Morris stated that eventually you plan on putting some sort of walkway in which will then exceed any variance that may be granted. He explained that they need to show on the plan all that they plan on doing to the site as an end factor.

Mr. Goodwin asked if the proposed home was going to be on a slab or crawlspace.

Mr. Shea stated that the proposed home will be on a crawlspace.

Mr. Goodwin stated that they probably could store things in the crawlspace.

Mr. Smith stated that they can't have mechanicals in the crawlspace, but it can be used as storage.

Mr. Smith stated to answer the question about the walkway. If a walkway were to be put in it would add about 100 more square feet to the coverage.

Chairman Bentley stated that he respects what they are trying to do but feels there is still room to minimize the requested variance.

Mrs. Shea stated that they are one of the few properties that doesn't have property across the street, so they have no place for all of their things.

Chairman Bentley asked how big the proposed home was going to be.

Mr. Smith stated that the first floor is 1504 square feet, the garage is 440 square feet.

Chairman Bentley stated that it appears that they are removing existing hardscape to maximize the footprint of the house.

Mr. Amato asked if the second story was the same size as the first floor.

Mr. Smith stated no because the rooms on the second floor are tucked into the roof so it's like a 1 ½ story house. He was unsure what the square footage of the second floor was going to be.

Chairman Bentley asked if there were any comments from the public. Three e-mails were received in the Zoning Office and were read. These e-mails will be kept in the file.

Hearing no other comments Chairman Bentley closed the public hearing.

Chairman Bentley stated that the applicant has stated that they will add a walkway of about 60 square feet. Which will take the lot coverage back to 32.6% as it is today. The structure is getting bigger and the hardscapes are getting smaller.

Board members were in agreement that lot coverage could be reduced by removing the detached garage since there is a garage being proposed with the home.

After discussing the application and reviewing the questions on the back of the application the following motion was made: Mr. Bishop made a motion to grant a variance of 7.6% for a lot coverage of 32.6%. Mr. Coriddi seconded the motion. Roll call was read with Bishop, Goodwin, & Coriddi voting AYE. Bentley, Amato & Morris voting NAY. (3-3). Motion did not carry.

Mr. Amato made a motion[attached hereto]to grant a variance of 3.77% for a lot coverage of 28.77%. Mr. Bishop seconded the motion, which carried unanimously.

MISCELLANEOUS:

Application #20-160, John & Christine Thomann, owners of property at 4546 Lake Drive, request an area variance to build a single family home and detached garage. Proposed single family home does not meet the front yard setback. Proposed garage does not meet the rear and side yard setback and exceed the height requirement. Proposed home and garage exceeds 25% lot coverage.

Mark & John Thomann were present and presented their plan to the board.

Mark Thomann stated that when they were in front of the board in October they were requesting three variances for the detached garage. They were also asking for a front yard variance and a variance for lot coverage.

Based on the comments they received from that meeting they eliminated the variances on the garage and now the garage is attached to the house. On the house they have changed the basement and put it entirely under the house but are still showing an entrance from the lake level into the basement. That requires an 8.74' variance from the 30' lake setback. They have eliminated all the variances needed for the garage and reduced lot coverage from 42% to 36%.

Mr. Bishop questioned how the view for the people across the street was going to be impacted with the proposed two story garage.

Mark Thomann stated that they have changed some of there view from when they were in front of the board last time. The last proposal was to keep the garage detached in the existing location.

Mr. Bishop stated that they could build a one story garage to help with the neighbor's view.

Mark Thomann stated that for them to have space for the family during the summer they would prefer to have the second floor.

Mr. Morris expressed that he thinks the proposal is excessive for the neighborhood and what the original intent of the lots are designed for.

Chairman Bentley stated that in his opinion the project is very excessive. They are taking out hardscape and adding that space to the house. There is a lot of area that can be minimized immensely to get the lot coverage down.

Mark Thomann ask if they were to eliminate the access out to the lake side and that variance, he is just looking at and trying to understand what the board is asking for.

Chairman Bentley stated that there are many ways to minimize variances on this parcel. Looking at this project there is about 8 bedrooms on the first and second floors plus an additional two to three bedrooms or sleeping areas in the garage. There is ample space to minimize. He explained that the board can't tell them how to do this.

Mark Thomann stated that they could just continue living there as it is at 42% lot coverage. They are actively trying to bring the lot coverage down. They could take the patios away and just have lawn space. Which might bring them down to 25%.

Mr. Morris stated then they wouldn't need to be in front of this board.

Chairman Bentley stated if they took the hardscapes away and built a new home on the same footprint of the existing they would not be having this conversation. But they are eliminating the hardscapes and then maximizing the home.

Mark Thomann stated that once they take away the basement entrance and put it back to slope and take the patio away they probably would be within the 25%.

Chairman Bentley disagreed and stated that they would be nowhere close.

Mark Thomann questioned if they could get the lot coverage to 25% would the board have a problem with how the house is laid out.

Chairman Bentley stated that he personally doesn't like granting a variance closer to the lake. He also explained he doesn't like the magnitude of the house and the garage.

After discussing the application and reviewing the questions on the back of the application the following motion was made [attached hereto]: Chairman Bentley made a motion to deny the application. Mr. Bishop seconded the motion, which carried unanimously.

Mr. Amato made a motion to adjourn the meeting at 8:43PM. Mr. Morris seconded the motion, which carried unanimously.

Michael Bentley, Chairman

Sue Yarger, Secretary