

**TOWN OF GORHAM
BOARD OF APPEALS
MEETING MINUTES
SEPTEMBER 15, 2005**

The Gorham Board of Appeals held its regular meeting on September 15, 2005 at the Gorham High School Auditorium.

Present; Vice Chair, Joe Gwozdz, Board members, Lauren Carrier, David McCullough, Clinton Pearson and Cressey Mollison. Town Attorney, Bill Dale, Code Enforcement Officer Clint Cushman and Deputy Town Clerk, Jennifer Elliott.

Absent; Audrey Gerry and Thomas Fickett.

Moved, Seconded and VOTED to approve the August 18, 2005 meeting minutes and printed and distributed. 5 Yeas.

The Code Enforcement Officer made notice that on the write up for the appeal it should be 37.5 feet not 34.5 feet frontage variance.

Appeal # 05-193. The appeal of Mahlon & Meadow Welch requesting two frontage variances of 37.5 feet each and two lot area variances: a 6500 square foot variance for the home on sewer and a 11,500 square foot variance for the home on septic. They wish to divide a lot down the middle; this now contains two legally grand fathered single-family dwelling on one 17,000 square foot lot that has 85 feet of road frontage, that is located at 64 & 64A State Street (Map 102, Lot 35), which is in the Village Urban Residential District. Note: This appeal was granted in 1994, but never acted upon, so therefore it had lapsed.

Meadow Welch appeared on her own behalf and stated that in 1994 they had filed the appeal at the registry of Deeds but never started the project within the time frame of the 12 months. They rent these homes out, they have tried to sell them together but have had no luck. They are asking for the same permissions and conditions as the appeal from 1994.

There were no public comments and the hearing was closed.

The Board discussed criteria and the time frame issue of starting and completing projects.

Bill Dale stated that under State law a variance has to have a certificate filed at the registry of deeds, and under the Gorham Code the work must start within 6 months. The letter to the applicant in 1994 did not state the time frame for starting and completing this project, so the approval lapsed. They are not asking to do something new. The Board discussed the size of the variance and the decisions of the Board not being precedents and being consistent.

Moved, Seconded and VOTED to grant the appeal with the following conditions:

1. Both houses will be hooked up to the Town Sewer.
 2. A common driveway be granted in the deeds with a maintenance agreement
 3. This work shall be implemented by starting in 6 months of September 15, 2005 and finished within 12 months of September 15, 2005.
- 5 Yeas.

The findings of facts as read aloud were Moved, Seconded and VOTED. 5 Yeas.

Moved, Seconded and VOTED to adjourn. 5 Yeas.
Time of adjournment 7:30 p.m.

A true record of meeting.
Jennifer Elliott
Deputy Town Clerk