

**TOWN OF GORHAM
BOARD OF APPEALS
MEETING MINUTES
OCTOBER 11, 2007**

The Gorham Board of Appeals held its regular meeting on October 11, 2007 at 7:00 P.M. at the Gorham Municipal Center.

Present; Chairman, Joe Gwozdz, Board members, Cressey Mollison, David McCullough, Lauren Carrier, Melinda Shain, Alton Shurtleff and Mark Curtis.

Code Enforcement Officer Clint Cuhsmen, Town Attorney, Bill Dale and Deputy Town Clerk, Jennifer Elliott.

Moved, Seconded and VOTED to approve the August 16, 2007 meeting minutes as printed and distributed. 7 Yeas.

Chairman Gwozdz introduced new Board member Mark Curtis and welcomed him to the meeting.

Appeal # 07-214. The appeal of Peter Realı Jr. requesting to replace and expand a non-conforming structure, namely a duplex that was demolished by the owner because it had sustained considerable damage from a fire. The proposed expansion would be 29.4% larger than the original building on property he owns at 34 Whipple Road (Map 97, Lot 23.005) in the Suburban Residential/Shore-land Zone. This appeal had been tabled from the August 16 meeting and due to a lack of a quorum for the September meeting; it was tabled to the October meeting.

The Code Enforcement Officer stated that at the August meeting a neighbor thought the applicant had already had a 30% expansion the past, after researching the tax cards, it turned out to be false and the building's footprint has been the same since the tax card from 1977.

The Board briefly discussed not having the applicant speak before them, because all the information was the same.

There was no comment from the public and the hearing was closed.

Moved, Seconded and VOTED to grant the appeal. 6 Yeas (Curtis abstained)

The findings of fact as read aloud by the Code Enforcement Officer were Moved, Seconded and VOTED. 7 Yeas.

Appeal # 07-217. The appeal of Bedford Falls Associates LLC requesting an 8 foot variance to relocate a dumpster on a cement pad that had been constructed without a permit. The pad/foundation is 2 feet from a property line that requires a 10-foot setback. The planning Board had approved a commercial operation at this location and called for a dumpster to be located under a deck attached to the building at property the applicants own at 29 School Street. (Map 102, Lot 83) which is in the Village Center district.

The Code Enforcement Officer stated that several commercial entities will be going into the building, and the Planning Board had told them where the dumpster was to be located, but the building inspector found that they have constructed a pad in the wrong place and this affects the setback.

Michael Salvaggio Jr., President of Bedford Falls LLC appeared on his own behalf and explained that he did not know at the time that he need to meet setback and he apologized to the Board and handed out color copies of photos to them of the area where the cement pad is located.

The Code Officer stated that if the pad was taken out and crushed stone was used under the dumpster, this would be a moot issue.

Bill Dale explained that they would need planning Board approval if the dumpster is moved to a different location from the original plan.

The public hearing was opened and Wendy Bowler of 14 Main Street spoke on behalf of the dumpster staying there with the cement pad because she is putting up a fence that will be right on her property line. She would only be opposed if the dumpster ever became enclosed or became a building at any point.

There were no other comments and the hearing was closed.

The Board discussed a cement pad verses crushed stone and the placement of the dumpster in regard to the type of businesses that may be located in the building.

Moved, Seconded and VOTED to grant the 8 foot variance with the conditions that it shall be fenced and the concrete pad shall never be enclosed with a building or other structure. 7 Yeas.

The findings of fact as read aloud by Bill Dale were Moved, Seconded and VOTED. 7 Yeas.

Moved, Seconded and VOTED to adjourn. 7 Yeas. Time of adjournment 7:55 P.M.

A True Record of Meeting.

ATTEST:

Jennifer Elliott, Deputy Town Clerk