



TOWN OF GORHAM
BOARD OF APPEALS
MEETING MINUTES
AUGUST 16, 2012

The Gorham Board of Appeals met on August 16, 2012 at the Gorham municipal center at 7 P.M.

Present; Chairman Mark Curtis, Board members; Joshua Kaufman, Jared Clark (7:07), Charles Haws, Rachel Sunnell and Alton Shurtleff. Deputy Town Clerk, Jennifer Elliott and Code Enforcement Officer, Freeman Abbott.
Absent; Stephen Scontras.

Moved, Seconded and VOTED to accept the May 17, 2012 meeting minutes as printed and distributed. 4 yeas, 1 abstain (Sunnell)

Chairman Curtis read aloud a letter from James Katsiaficas, Counsel for IAAI, Inc. stating that due to weather conditions in the Midwest, he would not be able to attend this evenings meeting and was asking for the Board to postpone appeal # 12-03.
Moved, Seconded and VOTED to postpone appeal # 12-03. 6 yeas.

Appeal # 12-02. The appeal of Carl Phillips requesting a variance to expand a non-conforming use by constructing a 25 foot by 30 foot arch type building for storage and sandblasting for his truck body shop and towing company that he owns at 133 Gray Road (map 46, lot 2) which is located in the Suburban Residential district. Mr. Phillips spoke on his own behalf and stated that he would like this Quonset hut style building so that he can have protection in the winter for his equipment and also for sandblasting. He currently does sandblasting outdoors. The Code Enforcement Officer referenced the property map that showed a small office as well. In response to questions from the Board, the applicant stated that there would be a pit in the building that would collect debris from the sandblasting, that this would be an improvement on how the materials are handled and this would provide storage for parts, equipment and vehicles.
The Board reviewed and discussed the 6 special exception criteria;

1. The proposed use will not create or aggravate hazards to vehicular or pedestrian traffic on the roads and sidewalks, both off-site and on-site, serving the proposed use determined by size and condition of such roads and sidewalks, lighting, drainage, and the visibility afforded to pedestrians and the operators of motor vehicles on such roads.

The proposed use will not create or aggravate hazards to vehicular or pedestrian traffic both off-site and on-site because the proposed use is behind the building and no roads or sidewalks are needed, and no pedestrians are allowed behind the building. Moved, Seconded and VOTED 6 years

2. The proposed use will not cause water pollution, sedimentation, erosion, contaminate any water supply nor reduce the capacity of the land to hold water so that a dangerous or unhealthy condition results.

The proposed use will not cause water pollution, sedimentation, erosion, contaminate any other water supply nor reduce the capacity of the land to hold water because auto body use is regulated by the DEP. The conditions of the appeal will be an improvement. Moved, Seconded and VOTED 6 years.

3. The proposed use will not create unhealthful conditions because of smoke, dust, or other airborne contaminants.

The proposed development will not create unhealthful conditions because of smoke, dust or other airborne contaminants because the building will be provided with a dust collector and equipment for sandblasting will be maintained in a good working order. Moved, Seconded and VOTED 6 years.

4. The proposed use will not create nuisances to neighboring properties because of odors, fumes, glare, hours of operation, noise, vibration or fire hazard or unreasonably restrict access of light and air to neighboring properties.

The proposed use will not create nuisances to neighboring properties because of odors, fumes, glare, hours of operation, noise, vibration or fire hazard or unreasonably restrict access of light and air to neighboring properties because the sandblasting will take place inside the new building. Moved, Seconded and VOTED 6 years.

5. The proposed waste disposal systems are adequate for all solid and liquid wastes generated by the use.

The existing waste disposal system is adequate for all solid and liquid wastes generated by the proposed development because no change is proposed to the waste disposal system. Moved, Seconded and VOTED 6 years.

6. The proposed use will not result in damage to spawning grounds, fish, aquatic life, bird or other wildlife habitat, and, if located in a shore land zone, will conserve (a) shore land vegetation (b) visual points of access to waters as viewed from public facilities; (c) actual points of access to waters; and (d) natural beauty.

The proposed development will not result in damage to spawning grounds, fish, aquatic life, and bird or other wildlife habitat and natural beauty because the site is not located in the Town's Shore land zoning district. Moved, Seconded and VOTED 6 years.

Moved, Seconded and VOTED that the findings of fact are sufficient to find that the applicant has met the Special Exception Standards as written and distributed by the Code Enforcement Officer (as amended by the Zoning Board) and therefore the Board of Appeals grants the applicant's request for special exception approval. 6 years.

Moved, Seconded and VOTED to adjourn. 6 years.
Time of adjournment 7:40 p.m.

ATTEST

A True Record of Meeting