

**TOWN OF GORHAM
BOARD OF APPEALS
MEETING MINUTES
SEPTEMBER 19, 2019**

The Gorham Zoning Board of Appeals held their monthly meeting on September 19, 2019 at 6:30 pm in the Council Chambers at the Gorham Municipal Center. Charles Haws, Board Member opened the meeting.

Present: Board Members; Kari Beaulieu, Chad Butts, Charles Haws, Christine Hume, Dede Perkins and Craig Stirling, Code Officer, Freeman Abbott and Deputy Town Clerk, Paula Nystrom. Absent was Mark Jones.

No one from the public present.

Moved by Christine Hume, seconded by Craig Stirling and VOTED to accept the September 20, 2018 meeting minutes as printed and distributed. VOTED 4 yeas, 2 abstain due to being new members as of June, 2019 – Dede Perkins and Craig Stirling

Nominations for Chair and Vice Chairperson.

Moved by Christine Hume, seconded by Dede Perkins and VOTED to nominate Charles Haws as Chairperson. VOTED 6 yeas

Moved by Charles Haws, seconded by Craig Stirling and VOTED to nominate Christine Hume as Vice Chairperson. VOTED 6 yeas

Appeal #19-01 Enlargement of a Non-Conforming Use or Structure. Joseph Wyman, property owner and petitioner of Wyman's Auto is seeking to enlarge a Non-Conforming Use located at 201 New Portland Road (Map 28 Lot 10). Mr. Wyman is seeking to construct an 8' x 17', 136 sq. foot addition to the right back side of the existing auto body shop for a new ADA accessible bathroom. The subject property is located in the Suburban Residential Zone District. Auto repair shop/body shop is not a permitted use in the SR Zone but this is a legal non-conforming use whereas the current use existed prior to zoning.

Chairperson Haws invited Mr. Matt Wyman to the podium to give a background on the appeal. Mr. Dan Grant from Village Builders represented Mr. Wyman and gave an overview on the appeal.

Public Hearing: Chairperson Haws opened the public hearing. There were no public in attendance to comment. Public hearing was closed.

Discussion: Chairperson Haws asked for comments/discussion from the Board. Code Officer Abbott reminded the Board that this appeal would have to go to Site Plan Review if they made any other changes to the property that was not in this appeal.

Findings of Facts:

The Board reviewed the following criteria for the appeal resulting in the following Finding of Facts:

1. The proposed structure will not have an adverse or additional impact on traffic, lighting, drainage or pedestrian traffic on the roads and sidewalks, both off-site and on-site. Nothing is changing other than a small addition on the back of the existing garage which will be a new ADA accessible bathroom for the business.

Moved by Christine Hume, Seconded by Dede Perkins and VOTED 6 yeas

2. The proposed structure is replacing impervious area (asphalt) with impervious area (roof). This equates to a net zero increase in impervious area therefore there is no additional impact of the storm water runoff.

Moved by Christine Hume, Seconded by Chad Butts and VOTED 6 yeas

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

Moved by Chad Butts, Seconded by Christine Hume and VOTED 6 yeas

4. The proposed use will not create nuisances to the 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. This proposed use new addition will not be seen from the abutting properties.

Moved by Chad Butts, Seconded by Dede Perkins and VOTED 6 yeas

5. The existing waste water sub-surface systems will not be affected by the addition. This is a replacement of an old bathroom.

Moved by Dede Perkins, Seconded by Craig Stirling and VOTED 6 yeas

6. The proposed use and structure will not have an adverse impact on fish or spawning grounds etc. because it does not increase the net impervious area of the site.

Moved by Christine Hume, Seconded by Kari Beaulieu and VOTED 6 yeas

Conclusions:

Moved on the basis of the above findings of fact and conclusions of law to grant the variance of an 8' x 17', 136 sq. foot addition to the right back side of the existing Wyman's Auto body shop for a new ADA accessible bathroom.

Moved by Chad Butts, Seconded by Craig Stirling and VOTED 6 yeas

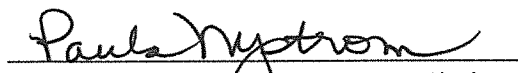
Motion to adjourn.

Moved by Craig Stirling, Seconded by Christine Hume and VOTED to Adjourn. 6 yeas

Time of adjournment 6:48 PM

A TRUE RECORD OF MEETING

Attest:


Paula Nystrom, Deputy Town Clerk