

Town of Gorham

4736 South Street
Gorham, New York 1461

ZONING BOARD OF APPEALS

Thursday, November 21, 2024 7:00 p.m.

MINUTES—Approved

The minutes are written as a summary of the main points that were made and are the official and permanent record of the actions taken by the Town of Gorham Zoning Board of Appeals. Remarks delivered during discussions are summarized and are not intended to be verbatim transcriptions.

Board Members Present: Mike Bentley, *Chairperson*
Alan Bishop
Charles Goodwin
Tom Amato
Steve Coriddi
Victor Lonsberry
Ed Kaiser, *Alternate*

Board Members Excused: Mary Ellen Oliver

Staff Present:
James Morse, Town of Gorham Code Enforcement Officer

Applicant Present:
Matthew Rischpater
Neil & Sandra Hellman, 4244 NYS Route 364
Dan & Judy Novak, 4773 County Road 11
Brennan Marks, Marks Engineering
Jim Capuano, Contractor 4124 Torrey Beach
Sandy Khurana, 4124 Torrey Beach
Vivek Kaul, 4124 Torrey Beach
Paul Morabito, Architect 4124 Torrey Beach
Scott Harter, Professional Engineer 4124 Torrey Beach

Others Present:
Gail Kaiser, 4202 State Route 364
Candace Feltman, 4767 County Road 11
Ocean Feltman, 4767 County Road 11
Kathy Baxter, 4780 County Road 11

Dick Hall, 4881 County Road 11
Linda & Mike Roche, 4785 County Road 11

Via Zoom:
Lynn Klotz
Jon Jones

1. MEETING OPENING

The meeting was called to order at 6:59 p.m. by Mr. Bentley.

Mr. Bentley stated I am the Chairperson for the Zoning Board of Appeals for the Town of Gorham. This is the meeting for the month of November 2024. Minutes of each meeting are recorded and the vote of every member is recorded as well. The jurisdiction of the ZBA is limited to appellate review only. Before we can make a decision or hear an application, there must be first determination made by the Zoning Officer. Town Law 267-B says that we can reverse, modify or affirm any decision of the Zoning Officer. There's five questions that each of you have submitted on your application that we will go over before any determination is made and just for the record that if four out of those five are a yes the application will be made for a motion for denial and the application will be denied based off of the Town law. The ZBA in the granting of area variances shall grant the minimum variance that it shall deem necessary if a variance is granted and it is written to protect the character of the neighborhood, health, safety, and welfare of the community. In attendance tonight is Alan Bishop, Ed Kaiser, Charlie Goodwin, Steve Coriddi, Vic Lonsberry, and Tom Amato. For the record Mary Ellen Oliver could not be here tonight and Ed Kaiser will be voting as he is the alternate.

2. APPROVAL OF MINUTES OF SEPTEMBER 19, 2024

■ A motion was made by MR. LONSBERRY, seconded by MR. GOODWIN, that the minutes of the SEPTEMBER 19, 2024, meeting be approved.

Motion carried by voice vote with all present voting aye.

3. LEGAL NOTICE

NOTICE IS HEREBY GIVEN that Public Hearings will be held by and before the Zoning Board of Appeals of the Town of Gorham on the 21st day of November 2024 commencing at 7:00 p.m., Eastern Daylight Savings Time, at the Gorham Town Hall, 4736 South Street, in the Town of Gorham, Ontario County, New York 14461 to consider the following applications:

ZBA #54-2024: DANIEL & JUDITH NOVAK 4773 COUNTY ROAD 11, RUSHVILLE, NEW YORK, 14544: Requests an area variance in accordance to Article IV Section 31.4.10 of the Town of Gorham Zoning Local Law. The applicant is requesting an

area variance for a front setback of 39.1 feet from the west corner of the covered deck, 35 feet from the north corner of the covered deck where fifty (50) feet is required and 26 feet from the retaining wall where fifty (50) feet is required. The variances are to allow the construction of a garage and three season room addition. The property is located at 4773 County Road 11 and is zoned LFO Lake Front Overlay and R-1 Residential.

PROPOSED REHEARING OF APPLICATION ZBA #51-2024: MATTHEW RISCHPATER, 17 LYON STREET, NAPLES, NEW YORK, 14512: Requests an area variance in accordance to Article IV Section 31.4.10 of the Town of Gorham Zoning Local Law. The applicant is requesting relief to the maximum allowable lot coverage of 25% with a variance to allow a lot coverage of 49%. Also requesting an area variance for the north westside setback of 8.4 feet from the deck, a northside setback of 5 feet from the bay window, and 6.8 feet from the northeast corner of the house where fifteen (15) feet is required. Also requesting a south westside setback of 3.6 feet where fifteen (15) feet is required and a front setback of 26.6 feet where thirty (30) feet is required. The variances are to allow the construction of a single family residence. The property is located at 4244 State Route 364 and is zoned LFO Lake Front Overlay and R-1 Residential.

All persons wishing to appear at such hearing may do so in person, by attorney or other representative.

Michael Bentley, Chairperson
Zoning Board of Appeals

4. PUBLIC HEARINGS

PROPOSED REHEARING OF APPLICATION ZBA #51-2024: MATTHEW RISCHPATER, 17 LYON STREET, NAPLES, NEW YORK, 14512: Requests an area variance in accordance to Article IV Section 31.4.10 of the Town of Gorham Zoning Local Law. The applicant is requesting relief to the maximum allowable lot coverage of 25% with a variance to allow a lot coverage of 49%. Also requesting an area variance for the north westside setback of 8.4 feet from the deck, a northside setback of 5 feet from the bay window, and 6.8 feet from the northeast corner of the house where fifteen (15) feet is required. Also requesting a south westside setback of 3.6 feet where fifteen (15) feet is required and a front setback of 26.6 feet where thirty (30) feet is required. The variances are to allow the construction of a single family residence. The property is located at 4244 State Route 364 and is zoned LFO Lake Front Overlay and R-1 Residential.

Mr. Bentley said this is a potential rehearing of this application. In order for this rehearing to take place there needs to be a unanimous vote. I'm going to ask for a roll call to get that on record to rehear this public hearing.

The following roll call vote was recorded:

Mr. Bishop Aye
Mr. Kaiser Aye

Mr. Goodwin	Aye
Mr. Coriddi	Aye
Mr. Lonsberry	Aye
Mr. Amato	Aye
Mr. Bentley	Aye

Mr. Bentley said okay, so we have the same plans. I think you have some information because there was some confusion about the square footage of the house where it was stated for the record that the house was 3500 square feet and that is not the case. We want to clarify that so we can make a decision based off the right and accurate information.

Mr. Rischpater said what I have done is broke down some of the building data. The first page, which is labeled one in the upper right hand corner, that is going to be information that is more explicit than what we saw prior. Some of the confusion from the numbers during the last hearing were a result of including the basement area in and some of the other overall dimensions that came up during the conversation. Some things were confused so what I have done is organize this logically so we can have a clear understanding of what is being proposed versus what is existing. The overall square footage of the house is what I would like to talk about first. If you look at part "A" where it says gross square footage that is a modification. The square footage that I am going to be giving you is all from the outside edge of the foundation. Initially it was gross square footage, those are all the numbers we were giving, but this is the building footprint essentially not including overhangs. The first floor of the existing house as it sits on the site is 1096 square feet. It does have a second floor and you will see that number is grayed out because that second floor is not included in the calculations. It is a redundance as far impervious area goes, which is our primary concern. So the first floor has 1096 square feet and the detached garage, which is right off the lane, is 477 square feet. Apples to apples, the proposed residence has the first story as being 1380 square feet with an attached 512 square foot garage. The proposed house also has a 944 square foot second floor to it. If we slide down a little bit, again apples to apples, the building area since that seems to be the concern and numbers were brought up on how big is this house. If we compare the existing house with the second floor and garage with the second floor the existing adds up to a total of 2782 square feet. That is the area available on the existing. We are proposing 2836 square feet total. So it is 54 square foot difference if you take what is there now versus what we are proposing.

Mr. Bentley said just for clarity there is no eaves or overhangs included in this number, so it's 54 square foot difference of the existing house with the garage added on.

Mr. Rischpater said yes. Apples to apples as far as the building goes it's 54 square foot difference. If you look at the impervious of the existing house and the garage they add up to 1573 square feet and the proposed garage and building add up to 1892 square feet, so that is the first chunk. The second portion of this I wanted to clarify overhangs eaves and provide those numbers so we can look at those. The existing house has it's overhangs and the garage overhangs and we can add those up with the existing deck. One thing that was not included in the previous drawings that you have, it was just missed and I apologize that it wasn't on the survey, the existing house has about ten steps up to it from the back. They

are about eight foot wide and they weren't in the original calculations and weren't on the survey and I just missed them. Those have been added in. If we take the impervious, including the overhangs, the deck, and the stairs for the existing house, the impervious total of everything for the existing site is currently 2228 square feet. With the proposed house, which has larger overhangs, we have one foot overhangs at the garage and eighteen inch overhangs on the rest of the house. If we take that with the deck which is smaller on the current drawings that you have the overhang on the back of the house on the lakeside is considerably larger. That overhang pushes way out, like four feet, off the bedroom on the back that goes towards the lake so that adds to our square foot of overhangs. If we look at impervious total of what's being proposed is 2512 square feet. The difference between the existing residence to the new residence the proposed residence has a larger overall impervious building covering entirely overhangs, eaves, building footprint, decks and all of that. The difference is 284 square feet.

Mr. Amato said these numbers should be the same as what's on here, is that correct?

Mr. Rischpater said no not the existing.

Mr. Bentley said no because the stairs are not included on there.

Mr. Amato said but we are looking at a garage of 477 plus 92 is 570 something.

Mr. Bentley said no that is existing.

Mr. Amato said you have on here that it is 616. That is substantially different. The house at 1584 from 1096 plus 242 doesn't come up to 1584. I'm not questioning whether one is right or the other but when they don't match and I've been looking at this for two weeks. Now you are throwing this at me that's totally different.

Mr. Rischpater said somehow the deck is excluded on that one and that is why I gave you this one. It all adds up to the same percentage. It's all the same total areas if you add them together. I was trying to do it based off some of the discussions. Some of the discussions that were had are different than typical. Typically we use gross square footage but the totals from the previous drawings and these drawings are the same.

Mr. Amato said and when I went out there all I could effectively measure is the garage and I came up with totally different numbers myself.

Mr. Rischpater said I am going off the survey and the overhangs that is what I used.

Mr. Bentley said so this is really a rehearing and guidance conversation. If you brought me plans because I want to see the lot coverage, because the lot coverage should be going down, so in essence what you are telling me tonight is that you are asking for 178 square feet difference without eaves and overhangs.

Mr. Rischpater said that is accurate.

Mr. Bentley said if you propose that to me and you make that lot less nonconforming than it is today, I personally wouldn't have a problem with that. I want to see the lot coverage as well because you taught me something and really changed my trajectory on the way I look at things with eaves and overhangs. Lynn is on here and I had a conversation with her today about this application and that you have taught me about the erosion, runoff, etc. buy bigger eaves and overhangs. At the end of the day it's going to improve the quality of water and less erosion going into the lake.

Mr. Rischpater said if we were to try to rebuild what was there today, to build the garage alone we would need three setbacks. We would need the lane side; we would need the north and we would need south. It's significant if we wanted to rebuild that. To rebuild the existing residence as it is now we would also need north and south setbacks. With what we are proposing we are requesting setbacks on the north side and the south side. In essence we are requesting those two variances as far as setbacks go. We are trying to conform more.

Mr. Bentley said repeat what you just said.

Mr. Rischpater said what I'm trying to get at is what we are proposing is better for the site and it is conforming more as to what the Town wants to see according to the zoning ordinances, which I think is a positive thing. The size difference I don't think is significant but that is my opinion. The information on the setbacks has not changed from the previous discussion. All of that is the same. The area requirements are existing. If you go down to lot coverage the impervious area between what is existing and each time we go out there we seem to find more impervious area by definition with gravel that is found on the site and adding now the stairs from the existing building. If we look at just the impervious area of the existing currently the percentage allowed of impervious area is 25% and the current conditions is 52.5% of the site. We are proposing 43.6% so we are trying to get closer to what is required. The greenspace is currently at 47.5% and we are proposing to increase the greenspace overall to 56.4%. I would also like to Board to take into consideration that there has only been support from the neighbors.

Mr. Bentley said any comments or feedback from the Board?

Mr. Amato said what I see on the lot coverage issue we are converting driveway, walkways and other things like that from living space again.

Mr. Bentley said you are reducing the driveway by 500 square feet and 178 square feet of increase in the property, so I don't understand that comment because everything is going down. To your point you are taking 500 square feet and 25% of that is going towards impervious surface. I understand what you are saying but I don't agree that you are taking space from impervious and putting it all into house because it's not the case based off the numbers he has presented.

Mr. Amato said when I calculated out things, overhangs not overhangs, you are replacing a house that is currently 33x50 and a garage that's 24x20 with a house that is 36x70 something. That is substantially larger. You can run these numbers as you want but when you look at mass of house in one giant chunk that's what we are doing. That was my initial issue with it in the first place.

Mr. Rischpater said just one minor clarification is that the only numbers that have changed are the existing impervious area and everything else is meant to be a clarification.

Mr. Bentley said if you add the garage, which is twenty four feet, is it not the same numbers?

Mr. Hellman said it's close.

Mr. Bentley said it's seventy four feet.

Mr. Amato said okay it's seventy four feet at thirty six foot wide not twenty foot wide.

Mr. Rischpater said, well it's also jogging so the second floor is about twenty nine feet and then goes another sixteen foot five right here. So if you are including the deck then that does make a difference.

inaudible

Mr. Rischpater said but our new deck is smaller but it is compressed together it's not stretched out. If you look at the whole thing it's just a shaded box so it looks bigger but when you see it we are shifting the second floor to the back to make the house seem smaller instead of the content being in the front. If you are concerned about mass we want to get rid of that giant garage that is there.

Mr. Amato said shifting the second story to the back or to the lakeside it reduces the view from everybody else that can see it.

Mr. Rischpater said how is that?

Mr. Amato said because if you moved it to the front of the house you would have more lakeview.

Mr. Rischpater said if they are aligned with us it really doesn't make a difference. We are not inhibiting the neighbors views if we were they would be here. I'm talking about the view from the lane. Just to clarify, if the limitations are that they can't do this the only other options are is to work off the existing footprint.

Mr. Amato said I'm not even going to go into that discussion. To me that discussion is something I don't want to get into.

Mr. Bentley said I am going to cut the conversation because we are going to vote on this and I am going to be very clear that you have to have a majority plus one. I'm not going to get into the back and forth. I just don't have any tolerance for it.

Mr. Amato said do we need a motion still?

Mr. Bentley said there is no motion on the table it was a denial, so a new motion has to be made. Any other comments? I'm going to hold right here and make a motion to go into executive session. Is there a second?

Mr. Goodwin said I will second it.

The motion carried will all voting aye.

The Board went into executive session at 7:26pm.

Mr. Bentley reconvened the meeting at 7:44pm. We had to get some clarity on the discussion of a rehearing. If any vote happens it has to be a unanimous vote not a majority plus one. Any questions from the Board?

Mr. Amato said what are the numbers we are actually asking for? Can I have them again? Does anybody have them?

Mr. Rischpater said it is on the drawing as well as the sheet that I gave you.

Mr. Bentley said I am going to reopen the public hearing for any comments on this application.

Mr. Amato said so you don't need any front setback.

Mr. Rischpater said no.

Mr. Amato said you need a 2.4 rear setback.

Mr. Rischpater said we are not asking for any east or west setbacks. We are only asking for north and south setbacks.

Mr. Amato said so this 2.4 is not applicable.

Mr. Rischpater said that is on the existing. We are only asking for a north setback and a south setback.

Mr. Bentley said are there any comments from the public? Having heard none, anyone on Zoom have a comment? Having heard none, I will close the public hearing. Any further discussion?

Mr. Bishop said we can try to get them to change is three inches here and six inches there but the questions that we ask when we are going through this is if this is going to be a detriment to the neighborhood. Personally, I think it is going to be just the opposite. It is going to be an improvement to the neighborhood. We ask if it's substantial and yes it is but I think the benefit to the neighborhood is going too far outweighs trying to get another three inches here or six inches there.

Mr. Coriddi said just to clarify this garage is coming down if this gets approved.

Mr. Hellman said yes. I do store things in this garage. I don't know if anybody realizes that or not because I've been told I don't use it for anything. That's not correct. One of the things I tasked Matt with when we designed the house was to give me storage space that I would give up in the garage so at the end of the season I had somewhere to put my canoe, paddleboat etc. So get rid of this eyesore that we all agree to and put it into the house and still have the ability to kind of function as I have in the past.

Mr. Rischpater said the issue with needing the north and south setbacks are partial due to the sewer line that runs between the house and the garage. Despite the setbacks allowing us to go forward another ten to fifteen feet we are not able to because of that, so that is an additional issue we are trying to work with.

Mr. Hellman said I think what we are asking for is appropriate and very realistic.

Mr. Bentley said so you are fifty three feet from the roadway.

Mr. Rischpater said that sounds about right.

Mr. Hellman said also what was brought up in the other meeting was an issue for emergency vehicles. By doing this it gives more access to ambulances, firetrucks, etc. a little bit better than what is existing.

Mr. Bentley said is it plausible because I am not going to go back and forth for an inch here and an inch there because we have already taken six inches off. I understand the totality of the circumstances here. I don't think you would even need to be here if you could go another ten feet back and bring the sides in.

Mr. Hellman said you are talking to narrow the house.

Mr. Bentley said you would even have to be here for the variances you are asking for.

Mr. Rischpater said he is saying if the sewer wasn't there.

Mr. Bentley said because it is a thirty six foot wide house and it is in essence fifty feet long still. You are asking for, in my mind, 178 feet without the eaves and overhangs. Could you bring that in by two feet?

Mr. Hellman said you can but you now make the rooms a lot less usable.

Mr. Rischpater said on the southern side is the bathroom for the house with the closet and the bedroom so together they are adding up to what is just about twenty feet. The bedroom is 12-13 feet plus a 5 foot 6 bathroom so we can't go any smaller than five feet. The bathroom is basically the minimum size and we can't really go smaller than twelve feet for the bedroom.

Mr. Bentley said so you have to be fifteen feet from the sewer line, is that correct?

Mr. Rischpater said yes.

Mr. Bentley said could you convert that from horizontal to vertical, if you brought the house in two feet and moved it two feet?

Mr. Rischpater said if we could go closer to the sewer. I think we would be willing to compromise if we centered the house in the lot as opposed to having it be closer to the south side.

Mr. Bentley said I think you have about 50,000 things that are optional. That is why I am asking if the house is thirty six feet wide can it be thirty four feet wide and if it's fifty feet long can it be fifty two feet long?

Mr. Rischpater said I understand what you are saying now. A portion of it could be but not all of it because we just can't get a portion of it to get any smaller.

Mr. Bentley said does this garage have to have a foot and a half overhang?

Mr. Rischpater said the overhang was cut back to a foot.

inaudible

Mr. Bentley said I have no further questions.

Mr. Rischpater said the initial orientation with the house was to match the existing house on the south side. When we originally came to you the house was further to the north and as I cut square footage off I cut it off from the north. There is an easement to the north. It is an access road so it is unlikely that anything will be built on that access road, so if you wanted us to move it further north on the property I think that would be acceptable.

Mr. Bentley said any further questions?

Mr. Amato said I do have a question just to verify. We are looking at a second story here that I don't know the size of it.

Mr. Rischpater said it is about 30x30.

Mr. Amato said in the future with whatever variance we do if we do that could build that second story right to the front of the house and right to the back of the house, is that correct?

Mr. Bentley said no.

Mr. Morse said it depends on how you guys word it.

Mr. Bentley said it's like we discussed before. We would make the motion very specific and if the motion was made it could say "as on the drawings".

Mr. Amato said but that would include these elevations?

Mr. Morse said yes.

Mr. Amato said the elevations have no numbers.

Mr. Morse said you would specify as submitted as you have done on a couple others. Then someone can't go out and square off their entire house.

Mr. Hellman said are you concerned that we would increase the size of the second story, is that what you are saying?

Mr. Amato said you or someone else because once we give a variance it's there forever.

Mr. Bentley said and it has happened just so you know. Any further questions? Okay I am going to make a motion and I think this is a fair and easy compromise. I am going to make a motion that you can build a structure totaling no more than 2450 square feet. Those plans must be submitted to Jim and they cannot exceed the plans today for lot coverage nor can they exceed the plan for setbacks and variances. Submit those plans and upon review of those plans by Jim then we will review them at the next meeting and as long as they do not exceed 2450 square feet nor above the current setbacks that you are requesting then we will motion to move those forward at that time.

Mr. Rischpater said when you say 2450 square feet is that the gross square footage of the house which would be the entire face of the exterior wall or face of foundation.

Mr. Bentley said you have 2512 here as your proposed.

Mr. Rischpater said that's with the impervious area. So you are asking us to cut it to 2450? So you want the impervious of everything under the overhangs, the impervious surface of the building, accessories to the building, overhangs, decks to be 2450?

Mr. Bentley said that is correct and therefore your lot coverage should come down accordingly and your greenspace should go up.

Mr. Amato said so you are saying with these setbacks as written?

Mr. Bentley said and those will actually decrease with the reduction of lot coverage.

Mr. Amato said unless he takes them off the front and back.

Mr. Bentley said that is where he has the most space. We will refer back to the original answers to the five proofs as the motion moved forward at the September meeting. Is there a second?

Mr. Amato said I will second that.

For an Area Variance:

That an undesirable change will not be produced in the character of the neighborhood or a detriment to nearby properties will not be created by the granting of the variance.

That the benefit sought by the applicant cannot be achieved by some feasible method other than a variance.

That the requested variance is substantial.

That the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

That the alleged difficulty is self-created.

DECISION/CONDITIONS

NOW, THEREFORE BE IT RESOLVED that Mr. Bentley made a motion to grant the variances to allow the applicant to build a structure totaling no more than 2450 square feet. Those plans must be submitted to Jim and they cannot exceed the plans today for lot coverage nor can they exceed the plan for setbacks and variances. Submit those plans and upon review of those plans by Jim the ZBA will review them at the next meeting and as long as they do not exceed 2450 square feet nor are above the current setbacks that you are requesting then we will motion to move those forward at that time. That motion was seconded by Mr. Amato. Mr. Bentley requested a roll call vote:

MR. BISHOP	AYE
MR. KAISER	AYE
MR. GOODWIN	AYE
MR. CORIDDI	AYE
MR. LONSBERRY	AYE
MR. AMATO	AYE
MR. BENTLEY	AYE

The motion was CARRIED.

ZBA #54-2024: DANIEL & JUDITH NOVAK 4773 COUNTY ROAD 11, RUSHVILLE, NEW YORK, 14544: Requests an area variance in accordance to Article IV Section 31.4.10 of the Town of Gorham Zoning Local Law. The applicant is requesting an area variance for a front setback of 39.1 feet from the west corner of the covered deck, 35 feet from the north corner of the covered deck where fifty (50) feet is required and 26 feet from the retaining wall where fifty (50) feet is required. The variances are to allow the construction of a garage and three season room addition. The property is located at 4773 County Road 11 and is zoned LFO Lake Front Overlay and R-1 Residential.

Mr. Marks said I am here representing Mr. & Mrs. Novak. Their request is to tear down an existing garage building and rebuild it with a new garage building that is attached to the house with a deck structure. We are tearing down an existing garage structure that is approximately twenty four feet off the roadway. We are proposing a new garage structure attached to the house which will be thirty five feet off the right of way with a new deck structure that wraps around which is twenty six feet off the roadway. We are making a bad situation better. I do want to highlight the property to the immediate south the garage is approximately twenty feet off the road. As you go further down the road the old Pelican Point, which is now Boat Works, is about seven feet off the road. This garage structure is located where we have it because it's a steep slope. It rises pretty abruptly off the edge of the road. The further we push the garage back the more we are going to disturb that slope, we will have a steeper driveway and the closer we get to the ditch that borders the south side of the property. Also, the back line of the new garage will line up nicely with the back line of the house. The biggest intent with this project is to basically turn the house so it fronts to the south and create some privacy to the neighbors to the north. Their living area is also on the south side of the house and as far away from the north property line as you can. The deck and the stairs structure is laid out how it is because there is an opening the further you get away from the road that leads into a lower level of the connecting room that also leads into the garage with a man door on the side. We have to give space for the stairs that rise up to the second level and that is why we are asking for the deck setback variance.

Mr. Bentley said explain that again.

Mr. Marks said the stairs lead up to the upper level, which is actually the main level of the house but they also have a side entry door into the garage structure. There is also a lower level entry.

Mr. Bentley said so the deck is not going to have access into the Florida room?

Mr. Marks said it does. The deck is at the upper level which is actually the main level of the house.

Mr. Bentley said understood but where is that dictated on here because this is your entry door.

Mr. Marks said there will be yes. There will be an entry into the three season room right off the deck.

Mr. Amato said just to confirm this garage is going to be a two story garage, do you have an idea on heights?

Mr. Marks said this is Mr. Novak's drawing with the front elevation of the garage.

Mr. Bentley said what is the current size of the garage?

Mr. Novak said I think it is forty three feet by almost thirty.

Mr. Amato said not the proposed the current.

Mr. Bentley said that's a shared driveway, correct?

Mr. Novak said no, that is on the north side of the house. There are two driveways on the property this one is on the south side.

Mr. Amato said there are two garages.

Mr. Marks said this is the shared driveway here for the northern property and this is the dedicated southern entrance to the garage.

Mr. Amato said so the existing southernmost garage, what size is that?

Mr. Marks said twenty two feet deep by eighteen feet wide.

Mr. Amato said we have a fifty foot setback required from the roadway, correct?

Mr. Marks said that is correct.

Mr. Morse said because it is on the east side of the centerline on County Road 11. Anything that is not on the lakeside the thirty foot setback jumps to the collector road setback which is fifty feet.

Mr. Amato said so what is stopping us from moving that garage back eleven feet? There is plenty of room behind the house.

Mr. Marks said we are pushing it with the grade. There is already a short retaining wall there for the house and we would end up bringing grade up the backside of the garage above that upper level.

Mr. Bentley said what is the proposed size of the garage?

Mr. Novak said forty three by twenty eight.

inaudible conversation

Ms. Novak said you would drive under the second floor deck on the garage.

Mr. Kaiser said so the garage itself is eleven feet shorter than the forty three feet dimension.

Mr. Marks said no you drive under the covered deck.

Mr. Novak said the doorway is flush with the deck.

Mr. Marks said Tom to your point about pushing it back as you can see here this is that ditch that wraps around that south side and we are backed up right against it. Right now we are about ten feet from the back corner of the garage to the top of bank.

Mr. Marks and Mr. Novak reviewed the layout of the proposed structure via a current picture of the parcel.

Mr. Marks said the existing garage is very close to that ditch and we are trying to stay as far away from that as we can.

Mr. Bentley said how far is the existing garage from the road?

Mr. Marks said it is twenty four feet from the right of way.

Mr. Bentley said so you are moving it to thirty six feet.

Mr. Marks said thirty five feet.

Mr. Amato said but your parking area is going to extend out as that line shows there.

Mr. Marks said that corner is where the existing garage is we are recreating that corner, yes.

Mr. Amato said so you are going to keep all of this driveway is what you are saying.

Mr. Marks said yes. We are keeping the same entrance and enlarging it to the east to connect to the building.

Mr. Bentley said any further questions from the Board? I am going to open the public hearing.

Ms. Feltman said my main concern with all of this is the flooding. We are adding more stuff there. I have pictures of all of the flooding there that I can show you if you need it.

How are we going to help the street as is with potential accidents and everything if we are building more?

Mr. Bentley said that is a great question for the Planning Board. Not in my purview. That is in their scope of work. Ours is just the variances.

Ms. Feltman said my other thing with the variances is, is it coming forward at all or is it staying back because we have a very steep driveway to get down and it is hard to see the road as is and I can't imagine it being pushed forward.

Mr. Bentley said have you seen the plans?

Ms. Feltman said no I haven't.

Mr. Bentley said do you want to come up? From my understanding the current garage is going away.

Ms. Feltman said I just want to make sure when I am coming down the hill I will still be able to see.

Mr. Bentley said I will tell you that it's not going closer to the road.

Mr. Marks then reviewed the site plan with Ms. Feltman.

Ms. Feltman said I just wanted to make sure that it wasn't on the side where we shared the driveway.

Mr. Bentley said okay, anybody else?

Ms. Roche said I am here to support them and we have no issues what's so ever with their plans. My husband has had conversations with Dan and we are good with it.

Mr. Bentley said thank you.

Ms. Baxter said I would love to see he old garage go away. That drainage ditch has been a huge issue over the years. The County has improved it but let's get stuff away from it.

Mr. Marks said there is one thing I want to add to that point. Being that the garage is located right here it is actually prohibitive to the County to get through to access that ditch to maintain it. Since we are moving it away twenty feet off of that ditch line they can get in there and maintain that now.

Mr. Bentley said anyone else? Hearing none, anyone on Zoom? Hearing none, I am going to close the public hearing. Discussion of the Board because I am going to tell you that I am extremely confused by this application.

Mr. Amato said so this twenty six we are doing retroactively because it is already built.

Mr. Morse said the part that was rebuilt was existing. He came in to start a renovation on a mudroom and found foundation issues. So what is being built there as of right now was there before. Slightly different use but same footprint as what it was. They pulled building permits for it. If he tears down and rebuilds based on percentages it doesn't kick in variances but when he came in for the garage we told him now it's going to.

Mr. Novak and Mr. Marks reviewed the layout on the plans again with the Board.

Mr. Bentley said okay, so it is built?

Mr. Marks said what we are asking the variance for is not built.

Mr. Bentley said so the stairs are going to go where?

Mr. Marks said in front.

Ms. Novak said they come off centered off the three season room.

Mr. Bishop said so we need three variances then.

Mr. Bentley said really you only have one variance. If you grant the twenty six in encompasses the thirty five and the thirty nine but you got to be specific.

Mr. Marks said you could say per plan shown or plans presented.

Mr. Bentley said just for clarity, the portion of the deck that is there now was a different use but was there before.

Mr. Morse said well there was a porch and like a utility shed that had the utilities in it. We met out on site and originally that was going to just get resided and then they found as they did more work there was a lot more wrong with it other than the siding.

Mr. Bentley said for the record technically this was already nonconforming.

Mr. Marks said yes.

Mr. Bentley said so you are asking for six more feet of nonconformity for say because you are adding the stairs.

Mr. Marks said I would argue that I am asking for 1.2 feet.

Mr. Bentley said understood because it is already a nonconforming lot. Any further questions?

Mr. Marks said you can see the stairs for the old house actually went way down across the front. They have already pulled all that back to do the work that they have done so we are replacing them further away from the road then they are now.

Mr. Bentley said did you have a variance for those.

Mr. Marks said no they were built before zoning.

Mr. Bentley said any further comments? Hearing none let's move on to our five questions starting with Mr. Bishop and go right down like normal.

TOWN OF GORHAM
ZONING BOARD OF APPEALS
P.O. BOX 224
GORHAM, NEW YORK 14461

RESOLUTION FORMAT FOR VARIANCES:

WHEREAS, application ZBA #54-2024 was received by the Secretary to Planning and Zoning Department from Daniel & Judith Novak, owners of the property at 4773 County Road 11 with tax map #141.10-1-36.100, on October 11, 2024, requesting setback variances to build a garage and three season room addition; and,

WHEREAS, said application was denied by the Code Enforcement Officer for the Town of Gorham on the basis that the proposed house does not meet the setback requirements; and,

WHEREAS, the Town of Gorham Zoning Board of Appeals has determined this application to be a Type II Action pursuant to Section 8 of the New York State Environmental Quality Review Act Regulations, and as a Type II Action, no further review under SEQR was required; and,

WHEREAS, said application to the Town of Gorham Zoning Board of Appeals was required to be referred to the Ontario County Planning Board; and,

WHEREAS, Public Hearing was duly called for and was published in the official newspaper of the Town on November 14, 2024; and,

WHEREAS, Public Hearings were held on November 21, 2024 at which time all those who desired to be heard were heard; and,

WHEREAS, on November 21, 2024 after viewing the premises and after reviewing the file, the testimony given at the Public Hearings and after due deliberation, the Town of Gorham Zoning Board of Appeals made the following findings of fact:

For an Area Variance:

That an undesirable change will not be produced in the character of the neighborhood or a detriment to nearby properties will not be created by the granting of the variance.

That the benefit sought by the applicant cannot be achieved by some feasible method other than a variance.

That the requested variance is not substantial because the lot is already nonconforming and is already exceeding the standard of the zoning.

That the proposed variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

That the alleged difficulty is self-created.

DECISION/CONDITIONS

NOW, THEREFORE BE IT RESOLVED that Mr. Bishop made a motion to grant the variances as submitted. That motion was seconded by Mr. Bentley and the following roll call vote was recorded:

MR. BISHOP	AYE
MR. KAISER	AYE
MR. GOODWIN	AYE
MR. CORIDDI	AYE
MR. LONSBERRY	AYE
MR. AMATO	AYE
MR. BENTLEY	AYE

The motion carried.

5. MISCELLANEOUS

CAPUANO/HARTER – 4124 TORREY BEACH, CANANDAIGUA, NEW YORK 14424: Discussion and clarification in regard to setback issues with approved variances.

Ms. Khurana said in March of 2022 we had approval from this Board for plans that were submitted and variances granted. The same plans went on to the Planning Board and then finally the house was built. We were waiting for the CofO and we saw what was in the minutes captured for the variance the northwest corner as was submitted in the plans that were approved were mis captured. It was not specified and we are here to reconcile that.

Mr. Bentley said there are a few pieces of reconciliation as this ranks now.

Mr. Harter said lot coverage is one of them. There was some gravel that was placed along the southwest corner where that area was covered totally by the prior deck that was there.

Mr. Bentley said did everybody have a chance to go out and look at this property? It's the whitewash house that was blue and I put a bunch of stipulations on the deck. Does everybody know what I am talking about?

Mr. Amato said I did not go out there.

Mr. Bentley said I just want to make sure everyone is aware what we are doing here is they are not in compliance with the variances that were granted. There are some things that do not conform. Now they are requesting further variances that were granted two years ago.

Mr. Harter said I don't think we are going to require another variance for the coverage. I think the gravel that was placed there that puts us over the lot coverage can be reconciled. They can remove the gravel and plant sod. We can take care of that particular issue.

Mr. Bentley said how much gravel was put down there?

Mr. Harter said maybe 150 square feet.

Mr. Bentley said so ten by fifteen.

Mr. Harter said something like that. I don't have the numbers off the top of my head. The reason that went down was because it was covered by the deck and access was needed and the gravel went down. As part of doing the record drawing we went out and took measurements and put things on our record drawing that we saw so we would conform with what the Town wants in terms of issuing a certificate of occupancy. That was one thing that was noticeable so we flagged that. I guess there is another issue that pertains to the original resolution that was passed. I believe it's been somewhat confusing for us because we think from input that we got there is a perception that the northwest corner of the house is too close to the lake. We think that resolution didn't address the northwest corner we think it addressed the southwest corner. If you apply the same criteria for the southwest corner to the northwest corner there would indeed be a discrepancy. I think that is the one we are speaking about. There are a couple of other measurements that vary by a tenth or two tenths of a foot based on what was originally approved. I'm not sure if the Board considers them substantial. Not sure what the tolerance may or may not be with respect to that. I think we have a couple of dimensions that are off by a tenth or two just based on how the house was built. I think those are generally what happens with construction. We don't have it perfect and that is not unusual in the business and the plan that we worked with was very very tight. We show on our record drawing the southwest corner we show a 23.5 to mean high water and it was originally proposed at 23.6. Over on the northwest corner we show 21.5 and it was originally proposed to be 21.4. We show tied to the north of 5.0 and where we had originally proposed 5.1. On the south

side we have 5.6 where 5.8 was originally proposed and many of the other areas we agree exactly but not in those particular areas.

Mr. Bentley said lets go back. The northwest corner you say is a discrepancy.

Mr. Harter said I think that's what we are sensing when we sent the plans into you folks and received feedback.

Mr. Bentley said so I guess there is some confusion from my understanding because you said if it applies to the southwest side it applies to the northwest side, right?

Mr. Harter said well let me take a look at your resolution.

Mr. Bentley said but am I clear on my understanding on what you just said?

Mr. Harter said yes, I think the resolution was based on the southwest.

Mr. Bentley said let me read the resolution to you and it is also on your stamped plans to make sure we are on the same page. I made a motion to grant a front yard setback variance from the high water mark to the house of 6.9' for a 23.1' setback in addition to the variance a deck of 11.7' x 24.3' can be added given an 18.6' variance for a 11.4' setback. A north yard variance of 9.9' on the northwest corner and a 10' variance on the northeast corner presented on the plan of the 3/17/2022 meeting. A rear yard variance of 7' for a setback of 23'. A south side yard variance of 9.2' for a setback of 5.8' on the southwest side and a 10' variance for a 5' setback on the southeast side. Total lot coverage on the lake side is 49.6%. The total lot coverage for both lots cannot exceed 56.2%. No further structures can be added to the property. The shed is to be brought into compliance of 5 feet off the rear and side property lines. A height variance of 18" for a height of 23'6" which is the second height variance we have ever given. So where is the confusion of what was said so I can understand hearing it from you. Lets start with the pieces you are asking for.

Mr. Harter said I think that we have, in our record drawing that we submitted to you, we have shown compliance with the drawing that was approved to a very large extent. With respect to the comment that we received that we were to close to the lake, the way the resolution reads 18.6 variance for 11.4 setback. If we take the 11.4 and we add the 11.7 we then get the design number which was 23.1 and that is certainly correct for the southwest corner. To the north we have, because of the inset of the break wall, we don't have the same numbers to deal with. We have 21.4 and that was actually measured at 21.5 to mean high water. If that southwest dimension is held to the northwest corner it doesn't work and it makes us look like we are short.

Mr. Bentley said it doesn't make you look like you are short, you're short. You are trying to manipulate the facts from my view. I think what we need to do is say "hey I screwed up". I don't like to be misogynistic. It is very clear and you know that I will work with

anybody. How can we get out of this mess we are in is really the conversation that needs to happen.

Mr. Morabito said with reading the resolution you can see we had height variance and we had all these things. The final meeting that we were at was the third time we were here and we were focused on the deck. At no time did we, even in my original application for the variances, stated that we were keeping the roadside and the lakeside setbacks the same. We were just fixing the side. We were changing the footprint so therefore we needed to get all these variances. Every plan that we brought in here had 21.4 and 23.1 on the drawings because the stone wall is angled. I think it was an omission that it wasn't spoken during the resolution. If we used 23.1 and we make a 90 degree turn we can't get to the other side of the lot and be 23.1. We didn't ever have a conversation to angle the lakeside of the house 5 degrees or to pull the whole thing back a foot and a half because we would have said then the lot coverage would be less and all these other numbers would have changed. I think it was an honest mistake. We didn't stake it wrong. We left here thinking we got what was on paper and listed as 21.4 . It just didn't make the resolution.

Ms. Khurana said I think the resolution mentions plans as submitted and we haven't changed the plans from what was submitted here. It has gone through the same dimensions.

Mr. Harter said I respectfully disagree, I never looked at this as a mistake or a screw up. As the site engineer I took the information that came from the Zoning Board meeting which approved all these setbacks and I brought it into my drawing and I ran with it. If the northwest corner and the southwest corner were at identical setbacks then the other numbers that are shown here would not be able to fall into place. Because it is a shrinking lot, it's a trapezoid, if you try to shift the structure further to the east to gain the additional length, then you compromise the five foot setbacks that we were locked into.

Mr. Bentley said I guess help me understand. We granted you a rear yard setback of twenty three feet and we have met that, right?

Mr. Harter said yes.

Mr. Bentley said then I don't quite understand how we are so far off on the front. If we've met that and everything else is the same because we granted you a 24.3 foot deck, right? I remember this very vividly because there was a lot of discussion from you two about wanting to keep the deck.

Mr. Kaul said well we understood your point as well and the deck that stands today is very different.

Mr. Bentley said it's much different and it looks so much better but we are off eighteen inches.

Mr. Harter said in respect to the deck?

Ms. Khurana said no the northwest compared to the southwest.

Mr. Morabito said it's really because the stone wall angles and the house is not parallel.

Mr. Bentley said does the mean high water mark turn right there.

Mr. Harter said it follows the wall.

Mr. Morse said usually they show it and it probably follows the base of the stone wall.

Mr. Harter said we do show it. Here is the approved plan and we show mean high water and it follows the break wall.

Mr. Bentley said anything from anybody on the Board?

Mr. Harter said I would ask is the Board ok with the slight discrepancies to the other items that I mentioned? The 5.1 verses 5 and the 5.6 verses 5.8, are you ok with that?

Mr. Bentley said you are 5.1 feet away verses 5? Is that what you are asking?

Mr. Harter said we are at 5 verses 5.1.

Mr. Bentley said and you are 5.6 verses 5.8?

Mr. Harter said yes.

Mr. Morse said I think I know what happened. They staggered the deck in and when they built it, they built it square with the corner. That's why the other ones are only off by an inch.

Mr. Bentley said remember the conversation about this and I can go back and pull the notes. In order to get away from this because this is 21.4 to the mean high water mark is that we put it square. Remember I asked you to bring this side of the deck in and move the stairs. Do you remember that?

Ms. Khurana said the stairs were moved.

Mr. Bentley said you built it all the way to the end of the house.

Mr. Morabito said that isn't going to change the corner of the house. The deck is involved with this too but that's not changing the corner of the house. It's at 21.4 because of the break wall is parallel with the lake facing side of the house. If we were to turn the house and try to align with the curved stonewall then the five foot back here gets pinched. This never came into conversation where you were like we will approve all of this but

you have to make both corners on the lake facing side of the house be at 23.1. Then we would have definitely discussed the implications of rotating the house and what would have to happen to jogs and everything else.

Mr. Bentley said I understand what you are saying. Is the deck to the end of the house? Is it flush with the end of the house on the northwest corner?

Mr. Harter said it's inset maybe six inches.

Mr. Bentley said how long is it?

Mr. Harter said the deck length is, as we show in our record plan, twenty three feet to the beginning of the stairs; it's 4.4 feet across the stairs, plus another 1.4 feet to the end.

Mr. Bentley said how long is the deck that is attached to the house?

Mr. Amato said you mean from the lake to the house?

Mr. Bentley said no, how wide is the deck on the front of the house? 24.3 feet?

Mr. Harter said if you add those numbers together the 23 and the 1.4 it's 24.4 to the stairs, which is exactly what we show.

Mr. Bentley said so you went a foot over when you were building the deck.

Mr. Morabito said no the deck is 24.4 and it was approved at 24.3.

Mr. Bentley said so you went a tenth over.

Mr. Coriddi said in building code is there a plus or minus?

Mr. Morse said I've never run into this. Ever builder I am working with down on the lake they actually go out and pin their foundation. Whether or not an engineer is willing to put a stamp and seal on something that they know is off an inch or two because I have seen one once before that said 24+- and told them they needed to clarify. They said it was within half an inch or an inch. You grant variances just about on every lake house and when I get the instrument surveys at the final they are almost precise because they have to be. The as-built that he gave me I read the variances right off the bat and red flagged it. I told Scott this is nothing against them, this is a beautiful house and looks way better, but whether it is off an inch or six inches I can't sign off on it. I didn't grant the variances the Board did so you guys will have to do it.

Mr. Amato said if I understand correctly, this corner here is eighteen inches closer to the lake than it should be. The northwest corner. That corner of the house, is that a square corner?

Mr. Morabito said yes. Everything is ninety degrees.

Mr. Amato said that is probably how this happened. They needed to make it ninety degrees.

Mr. Bentley said I am not going to sit here and squabble over he said she said but I am almost positive I said to put a bay window at an angle in that corner. I am about 99% certain I did.

Mr. Morabito said that wouldn't have fixed it.

Mr. Bentley said if you angled that off.

Mr. Morabito said then you start getting closer to the break wall almost instantly.

Mr. Bentley said no it's a corner window at an angle. It's water under the bridge at this point. Here are the consequences here, if we say no, you are out of luck you're not getting the CofO over eighteen inches. It will not set a precedent because we have denied people that have gone and started houses etc. I have my opinion and you have yours and somewhere in the middle are the facts. The consequences are no CofO or you go back and re-conform the whole corner of the house and I don't know the expenses all for eighteen inches. Anyone else? Mr. Kaiser I'm interested to hear your input here.

Mr. Kaiser said it sounds like the lakeside setback is the concern not the two minimal setbacks.

Mr. Morse said that and the lot coverage were the only ones I were concerned about. Like I said, and I hope you guys understand, I'm not nitpicking over an inch here and an inch there it's eighteen inches. That's a big difference.

Mr. Harter said and I think our point is we don't see the eighteen inches. We think the northwest corner and the southwest corner are different animals so to speak because of the irregularity of the break wall which forms the mean high water line. If it were a continuous line and if it were parallel to the front of the house then the numbers would agree.

Mr. Bentley said can I flip that on the other side? Architects and engineers do things in their favor, and I am just going to speak very candidly, this is not in your favor. Now I'm going to flip the script, and I am just trying to be transparent, on the other side if we grant a variance and we don't specify that variance then they can build an entire house if we don't specify. I just find it ironic. Is this an honest mistake? Maybe, maybe not but in the end it's a mistake. The subsequent piece is that it is wrong and how do we overcome it. You see how many people we see and it's you gave me a twenty six foot variance so I'm going to build the whole thing twenty six feet. Does that make sense?

Mr. Morabito said no, it totally doesn't. If in those minutes it does say plans as submitted then it would imply that the 21.4 on that side

Mr. Bentley said it doesn't.

Ms. Khurana said I thought that I read it said as in the plans on 3/17. You can see it's taken us three years to get here.

Mr. Bentley said I think you said that's when you were going to start.

Ms. Khurana said we really tried to do this by the book and we've come here every time.

Mr. Kaul said unfortunately the law is so difficult as we have lived here and we are bound by nature. ***inaudible*** the minutes don't quite capture the discussion. There is one line missing about the northwest corner. I don't think any particular individual is at fault or any group is at fault. It is the nature of the beast with this particular lot. We are at the very end. It is a very beautiful place and I invite all of you to come and take a look at it. I really mean it. We are at the end now and I just ask for some resolution.

Mr. Amato said are you advocating that they fix this physically on the front?

Mr. Bentley said I think everyone knows my position. This house is about 44,000 times better than what was there. I think whoever screw up it was it was just a mistake that happened and how do we fix it. That's what we have to decide as a Board. Am I advocating that they go back and spend \$150,000 on eighteen inches, no. I think that is unfair and unreasonable. It's a beautiful home.

Mr. Amato said what do we have to do to change that?

Mr. Morse said I think unfortunately we are going to have to have a rehearing in order for them to have one we are going to have to do a public notification to do it legally. According to Jeff's email, like we just did, we are going to have to run a legal notice for a public hearing. We will also have another unanimous vote to hold the rehearing.

Mr. Bentley said any further questions?

Mr. Harter said I just want to make a comment to Jim about pinning the footings, we did that. I think what makes this house difficult is if you look at the design drawing there really was no allowance for error. It was right at the exact dimension. I just don't know a mason or a framer or any of the people in the industry that I work with that can get it closer than the dimensions we show. I can certainly produce an instrument survey where things agree close to exact but if you take a look at your numbers really and honestly, which these are, there is variation of at least that amount. We accumulate error when we first go out on a piece of property and survey it. We accumulate error when we first design it in our computer. We accumulate error when we stake it in the field and the contractor has a certain amount of error in the work he does. You take those four opportunities which you accumulate error and if you aren't showing some discrepancies I don't believe you are giving an accurate response.

Mr. Morse said what I see out in the field because these are so precise is they pin the footer and when the foundation walls are there to be poured they come back out and double check that. There are three different checkpoints. The last house they did a pre-footer, pre-pour for wall, and post wall to confirm that the setbacks met. That was the last one. I'm not telling you how to do your job or anything I'm just saying it might be an extra step or two. If you are asking for variances on both sides we don't give someone leeway to move it over. We did have one that fudged the number a little bit and guess when it came back to light at the next application from the next door neighbor because if you build then somebody else is going to build. That could cost somebody their license so if it means three times measuring to confirm then that's what we have to do.

Mr. Bentley said any further questions?

Mr. Harter said I would just ask what does your Board recommend under this scenario? Would you recommend we reapply for the variances and include the northwest corner?

Mr. Morse said since this is listed on the agenda so it's been listed as a public notification, can we move forward with it?

Mr. Bentley said because there is so much scrutiny

Mr. Morse said they didn't have any neighbors in here arguing.

Mr. Bentley said the neighbors to the north were very supportive of it.

Mr. Bentley then makes a motion for a rehearing at the December 19, 2024 meeting and for a public notice to be sent out and we will vote on it in December. Mr. Amato seconded the motion and the following roll call vote was recorded:

MR. BISHOP	AYE
MR. KAISER	AYE
MR. GOODWIN	AYE
MR. CORIDDI	AYE
MR. LONSBERRY	AYE
MR. AMATO	AYE
MR. BENTLEY	AYE

Motion carried.

6. NEXT MEETING

The next regular meeting of the Zoning Board of Appeals will be held on Thursday, December 19, 2024 at 7:00 p.m. at the Gorham Town Hall, 4736 South Street.

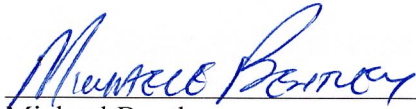
7. ADJOURNMENT

■ A motion was made by MR. BENTLEY, seconded by MR. AMATO that the meeting be adjourned.

Motion carried by voice vote.

The meeting was adjourned at 9:10 p.m.

Respectfully submitted,



Michael Bentley

Chairperson of the Zoning Board of Appeals

L.S.