

Zoning Board of Adjustment  
Minutes  
March 28, 2024

**Members Present:** Wayne Flynn, Lenny Knowles, Robert Gargano

**Members Absent:** Keith Roberge, Steve Roy

**Members of the Public:** Michelle Lutz (Alt ZBA Clerk), Megan Simons (ZBA Clerk), Victoria Clare, Paul Thibodeau, Wanda Hall, Melissa Thibodeau, Susan Penny, Valerie and Bob Fauteux, Donald Arguin,

**Call to Order:** Meeting was called to order at 6:35pm by Chairman Wayne Flynn.

**Minutes of February 8, 2024:** On a motion from Robert Gargano with a second by Wayne Flynn, all members voted to approve the minutes as presented.

**Case #10-2023 – Thibodeau – Rehearing - Request for Variance**

Chairman Flynn read out loud the original application for the variance by Paul Thibodeau and Wanda Hall. Melissa Thibodeau explains that the deck was an improvement to the property and therefore increased property value. The property line is distinguished in the deed as through the center of the chimney and the center of the ell of the houses. There had always been a fence in place that was a continuation of the roof line to the back of the property that was understood as the property line. The Thibodeau's clarify for Chairman Flynn that the deck has been in place for approximately 2 years and was constructed with the fence in place. The fence was removed well after construction was complete but was removed prior to the recent sale. Victoria Clare, who requested the rehearing state she is not objecting to the deck but wants proof of the property line, so she knows that the deck is not encroaching. Chairman Flynn asked Ms. Clare why she hasn't spoken up until now and why it wasn't an issue before? Clare stated she assumed the proper permits were pulled but would now like a survey done. The board members completed the work sheets and Robert Gargano made a motion to grant the variance which received a second from Lenny Knowles. Chairman Flynn called for a roll call vote:

Lenny Knowles – Yes

Robert Gargano – Yes

Wayne Flynn – Yes

Chairman Flynn advises that the abutters have 30 days to appeal their decision to Superior Court.

**Case #01-2024 – Arguin – Request for Variance**

Michelle Lutz explains Mr. Arguin's situation. The Town of Gorham owns most of Mr. Arguin's front lawn, which was found during a survey of Railroad Street by York Land Services. Because of this Donald is not able to meet the setback requirements. With the new warrant that was passed at the town election, Mr. Arguin could potentially withdraw this application for a variance and request a special exception instead. The board proceeded with the variance. Mr. Gargano asked what Mr. Arguin's timeline was, and he stated as soon as possible. The Board of Selectmen are in favor of Donald Arguin's request and will allow parking on the land the town owns with the intention of conveying it over to Mr. Arguin. The board members completed the

work sheets and Robert Gargano made a motion to grant the variance which received a second from Lenny Knowles. Chairman Flynn called for a roll call vote:

Lenny Knowles – Yes

Robert Gargano – Yes

Wayne Flynn – Yes

Chairman Flynn advises that the abutters have 30 days to appeal their decision to the board.

**Case 02-2024 – Margret Diegoli – Special Exception**

Ms. Diegoli was not present so her case could not be heard. She was requesting a special exception to keep fowl.

**New business:** None

**Old Business:** None

**Public Comment:** Chairman Flynn announced tonight was his last meeting and would like to thank everyone for the years worked together. Lenny Knowles is considering an alternate position but has not decided as of yet.

**Adjourn:** On a motion from Bob Gargano with a second from Lenny Knowles, the board voted to adjourn the meeting at 7:42pm

Respectfully Submitted,



Megan Simons  
Zoning Board Clerk