

MINUTES  
TOWN OF GORHAM PLANNING BOARD  
November 23, 2020

PRESENT: Chairman Harvey            Mr. Farmer  
          Mr. Kestler                    Mrs. Harris  
          Mr. Thomas-Alternate

EXCUSED: Mrs. Rasmussen

ABSENT: Mr. Dailey                    Mr. Hoover

Chairman Harvey called the meeting to order at 7:30 PM. Mr. Thomas-Alternate will be voting on all decisions tonight. Mrs. Harris made a motion to approve the October 26, 2020, minutes. Mr. Thomas seconded the motion, which carried unanimously.

PUBLIC HEARINGS:

Application #15-2020, Lee & Dianne Boorman, owners of property at 4616 Clover Road, requests site plan approval to build a single family home. Public Hearing time: 7:30PM to 7:55PM.

The public hearing was opened and the notice as it appeared in the official newspaper of the town was read.

On Thursday November 19, 2020, the Zoning Board of Appeals made the following motion: a motion was made to grant a 1.54 foot variance for a 13.46 setback pending approval for a variance for the setback from the sewer main from the Ontario County Sewer District.

Brennan Marks, Marks Engineering and Lee & Dianne Boorman were present and presented the application to the board.

Mr. Marks stated that the intent is to tear down the existing cottage, which is beyond repairs and replace with a new small house with a detached garage. The property is bisected by a sanitary sewer line, which has a 25 foot easement. The sanitary easement is being adjusted for this project. The drawing shows the proposed location of the sanitary easement.

Mr. Marks stated that the roof gutters will be piped to an infiltration systems for the garage and the house separately.

Chairman Harvey stated that there is a little bit of drainage coming across the sidewalk and asked if the applicants were aware of this.

Mrs. Harris stated that it looks like the swale in the bottom left hand corner goes off of the property line.

Mr. Marks stated that he can make a little bit of an adjustment there.

Chairman Harvey asked if there were any comments from the public. Hearing none the public hearing was closed.

There was no letter from SHPO, and Mr. Marks could not find the date of when he sent the application to SHPO.

Chairman Harvey went over a list of what needs to be changed on the plan. Mark the bounds of the sanitary sewer easement as proposed pending acceptance by Ontario County. Correct the location of the sanitary sewer easement on the adjacent property. Add a little grading on the lower southwest corner of the lot to make sure no stormwater goes on the adjacent property.

The applicant will be back to the board once they have received a letter or conformation that SHPO has had 30 days to respond.

Application #23-2020, Avery S Beer Revocable Trust, owner of property at 5282 County Road 11, requests site plan approval to build a residential addition. Public Hearing time: 7:55PM to 8:20PM.

The public hearing was opened and the notice as it appeared in the official newspaper of the town was read.

On Thursday October 15, 2020, the Zoning Board of Appeals made the following motion: Chairman Bentley stated for clarity this is a non-conforming lot, there is to be no digging in the confines of the variance of the non-conforming property. a motion was made to grant a 15.9' setback with an 84.1' variance on the northeast corner of the existing cottage as it currently sets today. A 13.1' setback with an 86.9' variance to the front corner of the existing deck that is also non-conforming. A 31.7' setback with a 68.3' variance off the main line on the southwest corner of the application drawing as submitted.

Avery Beer was present and presented his application to the board.

Mr. Beer stated that the parcel is just a seasonal camp. His intention is to create a little bit of expansion to the cottage. To have more floor space and make it a little more flexible for his use and for whoever comes after him.

Chairman Harvey asked if Mr. Beer had a right of access on the asphalt drive that is partly on his property shown on the plan.

Mr. Beer stated that it has been a shared driveway forever. There are three properties that share the asphalt driveway.

Chairman Harvey asked if it was in his deed, the right to use the asphalt drive.

Mr. Beer stated that he is not sure if it is in his deed.

Chairman Harvey explained that since he has come to the town for site plan approvals for an addition and the town's Access Management Local Law states that the second driveway is non-conforming so one of the conditions of this approval is going to be if you have the right to use the asphalt driveway the stone driveway has to go away.

The location of the driveways was discussed at length. One of the curb cuts has to be removed. The parcel can't have multiple curb cuts.

Chairman Harvey asked as far as drainage what is going on under the house.

Mr. Beer stated that there is curtain drains all around the house. The front of the foundation is open allowing any surface water that might accumulate to drain out. Mr. Marks, Marks Engineering suggested rain barrels and a dry well to accommodate the runoff from the new roof of the addition.

Chairman Harvey stated that the plan does not show proposed contours and asked what is the treatment of the ground underneath the new addition.

Mr. Beer stated that it is gravel underneath the addition. There is no lawn around this camp. It is an old camp with just woods around it.

Mr. Thomas stated that there is no drywells from the rain barrels shown on the plan.

Mr. Beer stated that there are some old drywells on the property that he may be able to funnel some of the rainwater into.

Mr. Thomas stated that a 50 gallon rain barrel will fill up extremely quickly.

Chairman Harvey asked Mr. Beer if he would be using the rainwater for something. If he were using it for irrigation he could use the rain barrels for storage but if the water is just going to set in the rain barrel once it fills up there is no more storage for the next rain.

Mr. Beer stated that he assumed there must be some sort of overflow siphoning out into a dry well.

Mrs. Harris stated that there is one shown in the details but the overflow on the plan isn't addressed as to where it goes.

Chairman Harvey stated that he doesn't care if they have a rain barrel, but it should not be counted as part of the stormwater mitigation. The stormwater has to go into a drywell that accommodates the stormwater.

Lighting was discussed and any lights placed on the property must be dark sky compliant.

Chairman Harvey asked if there were any comments from the public. Hearing none, the public hearing was closed.

The Planning Board discussed and completed Part 2 of the Short Environmental Assessment Form. The board determined this to be an unlisted action under SEQR that will not receive coordinated review since no other discretionary agency approval is required.

Mr. Farmer made a motion to approve the Short Environmental Assessment Form, part 1 as completed by the applicant and part 2 as completed by the Chairman making a "negative determination of significance" stating that the proposed action will not result in any significant, adverse, negative environmental impacts as the board did not find a single potentially large impact related to this project. Mrs. Harris seconded the motion, which carried unanimously.

Mr. Thomas made a motion to approve the site plan with the following conditions: 1. Amend the site plan showing the stone driveway curb cut to be removed. 2. Remove the rain barrels and add an infiltration system designed by the engineer or drain the rain barrels into an infiltration system. 3. A note be added to the plan that gravel is to remain under the addition. 4. Exterior lighting that is added is to be dark sky compliant. Mr. Kestler seconded the motion, which carried unanimously.

Application #24-2020, Generic Properties LLC, owner of property at 5228 County Road 11, requests site plan approval to build a residential addition. Public Hearing time: 8:20 to 8:45PM.

Chairman Harvey stated that they will need a letter of permission from the owner to represent the application. Any action that the board may take on the application will have a condition that there is a letter of consent on file with the town from the owner.

The public hearing was opened and the notice as it appeared in the official newspaper of the town was read.

Greg McMahon, Engineer & Chuck Smith, Architect were present and presented the application to the board.

Mr. Smith stated that they have a 1950's house that has a 1990's addition. The concept is to remove the 1990's addition and replace it with a larger addition in the same location on the south side.

Chairman Harvey asked if they had a landscaping plan that is required to be submitted to the town. He also asked if they looked at the town's Design Guidelines and asked how this project complies with the guidelines.

Mr. Smith stated that they weren't planning on doing any changes to the landscape. They planned on letting it remain lawn.

Chairman Harvey suggested that they go and review the Town's Design Guidelines and look at the lakefront treatment and comply with that and submit a landscaping plan.

Chairman Harvey stated that the drainage on the lot needs to be looked at. There is a lot of sheet drainage that comes down towards the new addition.

Mr. McMahon presented new plans to the board at this time.

Chairman Harvey explained that since the new plans were not on file 5 days before the meeting the Planning Board will not be able to act on the application tonight.

Mr. Smith stated that they don't mind treating this as a workshop tonight.

Mr. McMahon explained to the board how the stormwater drainage was going to work on the site. It's an ADS chamber system all bedded in stone, open bottom. There is approximately 1800 square feet of increased impervious surface. This system takes into account all the impervious surface.

Chairman Harvey stated that there needs to be a 2% slope at least 5 feet around the building.

Mrs. Harris asked if the retention system is going to take all the new roof as well.

Mr. McMahon stated that they are going to tie the roof leaders into the system, and it will take the increase roof runoff.

Mrs. Harris asked if the electric is going to stay overhead or is it going to go underground.

Mr. Smith stated that there is a pole with a transformer on the south side of the property and from that pole it will be underground.

Chairman Harvey stated that they will need to show the area where the addition connects to the sewer.

Chairman Harvey asked if there was a plan for exterior lighting.

Mr. Smith stated that there is no plan for lighting yet but he does understand the concept of dark sky compliant.

Chairman Harvey stated he would like to see the locations on the plan where lights will be placed.

Chairman Harvey stated that on the Short Environmental Assessment Form there is no signature on page 3. This form must be signed before the board will do the environmental review.

Chairman Harvey stated that if the plan was not done by their survey they will need to add the source of the survey on the plan.

Chairman Harvey adjourned the public hearing to be reopened on December 28, 2020, at 7:30PM.

Mr. Thomas made a motion to adjourn the meeting at 9:02PM.  
Mr. Kestler seconded the motion, which carried unanimously.

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Thomas P. Harvey, Chairman

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Sue Yarger, Secretary