

MINUTES  
TOWN OF GORHAM PLANNING BOARD  
May 3, 2021

PRESENT: Chairman Harvey            Mrs. Rasmussen  
          Mr. Dailey                    Mrs. Harris  
          Mr. Kestler                   Mr. Farmer  
          Mr. Hoover

Chairman Harvey called the meeting to order at 7:30 PM and explained the process..

PUBLIC HEARINGS:

Application #09-2021, Dale Stell, owner of property at 4477 County Road 1, requests subdivision approval to subdivide a 2.5 acre parcel out of the parent parcel to build a single family home. Public Hearing time: 7:30PM to 7:50PM.

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

On Thursday March 18, 2021, the Zoning Board of Appeals made the following motion: a motion was made to grant the variance as requested with a 60 foot access easement to one residential lot of 2.5 acres and future residential lots cannot be granted a variance from this access point of 0 road frontage for a 200 foot variance from the current access to 4477 County Road 1.

Dale Stell, Ryan Stell and Logan Rockcastle from Marks Engineering were present and presented the application to the board.

Mr. Rockcastle stated that they are accessing this lot with an easement where they have designed an emergency access turn around that will allow for emergency access to the proposed home. Based on the soil analysis there will be a raised bed septic system.

Dale Stell stated that the parcel is about 300 feet off of County Road 1. The parent parcel is 4477 County Road 1 but the driveway access that will be used is to 4395 County Road 1.

Chairman Harvey stated that there will be no more parcels created off of the access to 4395 County Road 1 unless this is made into a public road.

Chairman Harvey asked if in the deed and/or easement is there any description of who maintains the access.

Ryan Stell stated that they do have an agreement written up from Attorney Scott Falvey of how the maintenance will take place.

Chairman Harvey stated the town would like to see this agreement recorded as part of the easement or in the deed transfer.

Chairman Harvey stated that the bases of the stormwater infiltration design will need to be presented to the town.

Chairman Harvey asked about the silt fencing.

Mr. Rockcastle stated that the silt fencing will go along the limits of disturbance. The silt fencing erosion control is all shown on the plan.

Chairman Harvey asked if there was a landscaping plan.

Mr. Rockcastle provided a landscaping plan and presented it to the board. There will be native plants along the foundation. The property is surrounded by a forest.

Mr. Farmer asked where the power is coming into the site.

Mr. Rockcastle stated that the power is coming in from County Road 1 and will be underground.

Chairman Harvey adjourned the public hearing to complete the Short Environmental Assessment Form.

A letter dated March 4, 2021, was received from New York Office of Parks, Recreation and Historic Preservation on this application, stating that there is no impact on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places.

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

Mrs. Rasmussen 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. Mr. Kestler seconded the motion, which carried unanimously.

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

Mr. Dailey offered a resolution to approve the subdivision with the following condition: 1. Engineer will give the bases of the design of the stormwater infiltration showing the water is going to infiltrate at the rate that it is coming in. Mr. Hoover seconded the resolution, which carried unanimously.

Application #12-2021, Lightland Farms LLC, owner of property at 3090 DePew Road, requests site plan approval to build a 65' x 312' heifer barn. Public Hearing time: 7:55PM to 8:15PM.

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

On Thursday April 15, 2021, the Zoning Board of Appeals made the following motion: a motion was made to grant a 10' variance for a setback of 50' from the west property line for a 65' x 312' heifer barn.

Fred Lightfoote was present and presented the application to the board.

Mr. Lightfoote stated that the proposed barn will hold depending on the size of the animals about 250 animals. Part of the barn will be bedded pens and rest of the barn will be small free stalls.

Mr. Farmer asked if they had enough land to spread all of the manure

Mr. Lightfoote stated that they have about 1500 acres that they can spread manure. They have about 300 acres of double cropping so have the ability to spread both spring and fall.

Mr. Dailey asked if they compost the animals.

Mr. Lightfoote stated that they all go to a rendering plant.

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

Mrs. Rasmussen made a motion to approve the site plan as submitted. Mr. Farmer seconded the motion, which carried unanimously.

Application #13-2021, Colf Brothers Construction for Ryan Millerd & McKenzie Colf, owners of property on Kearney Road, requests site plan approval to build a single family home. Public Hearing time: 8:20PM to 8:45PM.

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

Jerry Colf, Ryan Millerd, Rich Millerd, and McKenzie Colf were present and presented their application to the board.

There is a NYSDEC regulated wetland on this parcel. All construction must be 100 feet from the designated wetland boundary. This was discussed at length and a wetland survey will need to be obtained showing exactly where the wetland boundary is located and then all the site disturbance must be at least 100 feet from the wetland boundary.

Chairman Harvey stated that the site plan that was submitted is lacking the proposed topography. There is no proposed contours to show how the water is getting diverted around the house.

Mr. Farmer questioned the drop off where the curb cut is being proposed.

Chairman Harvey stated that there will need to be some grading on the plan for the curb cut.

Chairman Harvey asked if there were any comments from the public. Hearing none the public hearing was adjourned to be re-opened on May 24, 2021, at 7:30PM in the Gorham Town Hall.

Mrs. Rasmussen made a motion to adjourn the meeting at 8:44PM. Mr. Hoover seconded the motion, which carried unanimously.

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Thomas P. Harvey, Chairman

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Sue Yarger, Secretary