

MINUTES  
TOWN OF GORHAM PLANNING BOARD  
February 27, 2023

PRESENT: Chairman Harvey            Mrs. Rasmussen  
          Mr. Farmer                    Mr. Perry  
          Mr. Hoover                    Mr. Kestler

PRESENT VIA ZOOM: Mrs. Harris

Chairman Harvey called the meeting to order at 7:30 PM. Per the Town's video conferencing policy because of the weather the town is going to allow Mrs. Harris to participate remotely. Mrs. Rasmussen made a motion to approve the January 23, 2023, minutes as submitted. Mr. Kestler seconded the motion which carried unanimously.

PUBLIC HEARING:

Application #02-2023, Robert & Kim Morgan, owners of property at 3752 Meadow View Drive, requests site plan approval to build a two car garage with basement.

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

On January 19, 2023, the Zoning Board of Appeals granted a 17.7 foot variance for a setback of 2.3 feet on the northeast rear corner. A southeast corner variance of 10.8 feet for a setback of 4.2 feet. A southwest corner variance of 6 feet for a setback of 9 feet. A front yard variance of 8.5 feet for a setback of 21.5 feet. A lot coverage of 45.89%.

Robert Morgan and Keith Burley, Marks Engineering was present and presented the application to the board.

Chairman Harvey asked if the topography falls back away from the building.

Mr. Burley stated that it is pretty flat in the back of the garage.

Chairman Harvey asked if they would be doing any grading at all behind the garage. The town requires at least 2% slope away from the foundation of the building.

Mr. Burley stated that it will be a minimum of 2%. This was found to be noted on the site plan under the grading notes.

Chairman Harvey asked if there was lighting and electric going to the garage.

Mr. Morgan stated that on the architectural plans it shows a new conduit that goes to the north side of the garage.

Mr. Burley stated that the underground electric is shown on the plan.

Mr. Kestler asked if there was going to be water or sanitary sewer in the garage.

Mr. Morgan stated no.

Chairman Harvey asked if the lighting fixtures were dark sky compliant.

Mr. Burley stated yes.

Mr. Kestler asked if they were going to have a sump pump in the basement of the garage.

Mr. Morgan stated that he will have one if it is required. They are not that far along yet to know if they will need one. He assumes that they will have to have something whether it is inside or out to pump water.

Chairman Harvey asked where will the water go.

Mr. Burley stated that if a sump crock is put in it would be discharged to the dry well that is on the north side.

Chairman Harvey stated that he sees the stormwater calculations but would like to see the infiltration rate in the dry well.

Mr. Burley stated that they will add the infiltration rate on the site plan.

Chairman Harvey asked if there was any maintenance required for the dry well to function.

Mr. Burley stated that there will be some maintenance required over time.

Chairman Harvey stated that they will want the dry well to function at the infiltration rate that is established so they would like to see the engineer's recommendation for the maintenance of the dry well and have it filed in the zoning office so that it is on record.

Mr. Burley stated that they can put a note on the site plan showing the maintenance required.

Chairman Harvey stated that once the garage is built there is going to be a condition that a post construction survey be provided to the town. At that time if a sump pump is required it needs to be shown on that survey.

Mr. Burley stated that he can't show the pipe out of the building on the survey unless he is there before the excavator buries that pipe.

Mr. Morgan stated that he will have the architect determine where it is going to go. He will make sure it is on the drawings.

Chairman Harvey stated that it can be noted on the survey the location as determined by the architect.

Mrs. Harris stated that she thinks the site plan looks good and she likes the landscaping and was happy that they included some native plants.

Since there was no one from the public present in person or on zoom Chairman Harvey closed the public hearing.

A letter dated February 02, 2023, 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 and part 3 as completed by the Planning Board 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. Hoover seconded the motion, which carried unanimously.

Mr. Farmer made a motion to approve the site plan with the following conditions: 1. Specify the infiltration rate for the dry well so that it manages the stormwater flow. 2. Add to the plan the maintenance requirements and instructions for the dry well to maintain its performance. 3. After construction a survey will be done that will show the location of any pipe from the sump pump to the dry well. Mr. Hoover seconded the motion which carried unanimously.

Doug Eldred is planning on dropping off the DEIS and plans for Scenic Ridge Rise in the next few days. Chairman Harvey stated that the next step is for the board to look at the scope that was given to him and determine whether or not the draft environmental impact statement sufficiently addresses the scope. Once the board determines that the draft environmental impact statement is ready for public review then public hearings would be scheduled.

The board discussed Chateau Olivia, 4272 County Road 18 and the environmental review. Chairman Harvey explained that the parcel is in a County Agricultural District and under the State Environmental Quality Review Act if you disturb more than 10 acres it is automatically a Type I action which means a coordinated review must be done using a Full Environmental Assessment Form. They used the correct form however the Town Board did not initiate a coordinated review. Because it is in a

County Agricultural District that 10 acres becomes 2.5 acres. They are disturbing more than 2.5 acres in the County Agricultural District it is automatically a Type I action. The Town sent notice to all involved and interested agencies asking if the Town Board can be lead agency for the environmental review. Since the Planning Board is an involved agency Mrs. Rasmussen made a motion to support the Town Board as lead agency for the environmental review. Mr. Perry seconded the motion which carried unanimously.

Mr. Hoover made a motion to adjourn the meeting at 7:59PM. Mr. Kestler seconded the motion which carried unanimously.

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Thomas P. Harvey, Chairman

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Sue Yarger, Secretary