

MINUTES
TOWN OF GORHAM PLANNING BOARD
July 24, 2023

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

Chairman Harvey called the meeting to order at 7:30 PM. Mr. Hoover made a motion to approve the June 26, 2023, minutes. Mr. Kestler seconded the motion. On page one the word "cabin" was changed to "calving". The amended minutes were unanimously approved.

PUBLIC HEARINGS:

Application #07-2023, Angelo & Sal Licciardello at 3723 State Rt. 247, requests site plan approval to build a two family dwelling and a 60 x 80 pole barn.

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

Bill Grove, Engineer, and Angelo and Sal Licciardello were present and presented the application to the board.

There was a home on the property that was torn down about 5 years ago. The existing outbuilding will be removed.

Mr. Grove stated that they are proposing to build a duplex home and a pole barn on the site.

Chairman Harvey asked if a lot coverage calculation was done for the site.

Mr. Grove stated that the lot coverage is 12.95%.

Chairman Harvey explained that with the Town's Access Management Local Law they will only get one driveway. The horseshoe driveway will need to be removed.

Chairman Harvey asked what was with the bathroom in the barn. The town's experience with bathrooms in a barn is that they end up turning into another residence.

Angelo stated that the bathroom is just for him to work out there. He has a lot of hobbies and it is a place for him to work on things.

Mr. Grove stated that they understand that it cannot be a residence and that is not the intent of the building.

Chairman Harvey stated that if the board approves this with the bathroom the plan will need to be stamped that the building can never be converted to a residence.

Chairman Harvey asked where the wetland was on the property.

Mr. Grove stated that he does not believe that there is wetlands on the property.

Chairman Harvey stated that on the Short Environmental Assessment Form 13a. is marked yes that there is wetlands in the area.

Mr. Grove stated that it did not pop up on ONCOR.

Chairman Harvey stated that they will need this clarified.

The septic will be a full raised fill septic system.

Chairman Harvey explained that the Planning Board requires some stormwater management. What are you doing with the impervious surfaces including the leach field area? How are you getting that water back into the ground water? The board would like to see some type of storm water infiltration design. They will need storm water calculations accounting for the delta.

Mr. Grove stated that with the poor soils there they will not be very effective with infiltration. They could do some sort of dry well with an overflow to daylight somewhere like the road ditch.

Chairman Harvey stated that they do not allow the storm water to flow into the road ditch. The storm water management design should provide for you to calculate the design storm intensity and if you can't accommodate that infiltration then you will need some sort of storm water management that discharges it at no more of an increase than preexisting.

Mr. Grove asked if they could use the preexisting condition when the house was there.

Chairman Harvey stated that if they were the ones tearing it down they could but it has been vacant. They will get credit for removing the existing driveway.

Chairman Harvey stated that State Rt. 247 is a 45MPH road so the Access Management Local Law states how far the location of driveways need to be from each other.

Angelo stated that the driveway is existing.

Chairman Harvey stated that once a home is tore down and rebuilt the town would cut you back to one driveway. He asked if they would like to reconfigure the layout of the buildings with those changes or go forward with the existing layout.

Chairman Harvey stated that the plan will need to indicate that the existing outbuilding is being removed.

Mrs. Harris asked if there is going to be any exterior lighting. Any exterior lighting will need to be dark sky compliant.

Mr. Grove stated that he can add that to the plan.

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

Chairman Harvey stated that they will need to show positive drainage the regulations say 10 feet away from the house if they are unable to make 10 feet it needs to be at least 5 feet at 2% away from the house. Show grading on the proposed driveway.

Mr. Farmer asked if the electric would be underground from the pole.

Mr. Licciardello stated that it would be underground.

Sal Licciardello knowing that there are no wetlands on the site changed the answer for 13a to no on the SEQR form.

The Planning Board discussed and completed Part 2 and 3 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.

Mrs. Rasmussen made a motion to approve the Short Environmental Assessment Form, part 1 as completed and amended by the applicant and part 2 and part 3 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. Hoover seconded the motion which carried unanimously.

Mr. Hoover made a motion to approve the site plan with the following conditions: 1. Complete the grading around the proposed raised bed septic system. 2. Eliminate one driveway to bring it into compliance with the Town's Access Management Local Law. 3. Submit storm water calculations and account for the net increase in impervious surfaces, design infiltration or detainage and release so that they will not exceed the existing discharge rate. 4. Remove the well setback line from the plan. 5. Show the outbuilding to be removed on the plan. 6. Add a note that exterior lighting is dark sky compliant. 7. Electric to the home and pole barn is to be underground. The barn is to be served by one of the residences. 8. A survey be done after construction and filed in the Zoning Office. 9. A note be added to the plan that the proposed barn is not to become a residence. 10. Show the grading at the low point before getting up towards the road so that storm water doesn't go out onto the highway. 11. Show positive drainage at a minimum of 2% 5 feet around the buildings. Mr. Farmer seconded the motion, which carried unanimously.

Application #08-2023, Timothy & Mary Beth Anderson owners of property at 5085 and 5087 Co Rd 11, request subdivision approval to subdivide lots making lot A 15.409 acres and lot B .343 acres.

The driveway location for Lot B was discussed. The driveway location must meet the Town of Gorham's Access Management Local Law which would be 125 feet from adjacent driveways.

The Planning Board discussed and completed Part 2 and 3 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 and part 3 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. Perry seconded the motion which carried unanimously.

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

Timothy Anderson and Kim Piccarreto were present and presented their application to the board.

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

James Morse, Code Enforcement Officer stated that the new lot meets all the zoning codes for that district.

A note will need to be added to the subdivision map that future construction is subject to site plan review by the town Planning Board.

Mrs. Rasmussen offered a resolution[attached hereto] to approve the subdivision with the following conditions. 1. A note be added to the subdivision map that future construction is subject to site plan review by the Town of Gorham Planning Board. 2. Show on the map where the limits are to place a proposed future driveway on Lot B at least 125 feet from adjacent driveways. Mr. Hoover seconded the resolution which carried unanimously.

Application #09-2023, Justin Martin Jr owner of property at 4091 Middle Road, requests subdivision approval to subdivide a 2.981 acre parcel out of the parent parcel to build a single family home.

James Morse, Code Enforcement Officer stated that this proposal went before the Agriculture Advisory Committee for comment.

Mrs. Rasmussen, who also sits on the Agriculture Advisory Committee, stated that the committee was in support of the project.

Chairman Harvey stated that storm water mitigation is lacking on the plan. Also they are going to want to see a landscape plan to mitigate hillcrest visibility.

The Planning Board discussed and completed Part 2 and 3 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.

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 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. Hoover seconded the motion which carried unanimously.

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

Matt Landcastle was present and presented the application to the board.

Chairman Harvey stated that the parcel is in a water district and asked James Morse if there was sufficient pressure for them to get water.

James Morse stated that the water department usually checks the sizing. On the plan it states that it will be a two inch water service.

Chairman Harvey asked if they were going to have fire department connection or a fire hydrant up at the top.

Chairman Harvey asked if they wanted to be up on the hill because of the view.

Mr. Landcastle stated that is correct as opposed to being directly behind two homes.

Chairman Harvey stated that the town's guidelines talk about minimum driveway lengths when possible. The board could come to an accommodation that this driveway is better than having the home built in people's back yards.

Mrs. Rasmussen stated that this parcel is also a farm field so to keep it so that it is farmable for the farm the home is placed in the best spot for this.

Chairman Harvey stated that he would like to see some landscaping on the uphill side of the property.

Mr. Landcastle stated that he would love to put up some vegetation he just doesn't want to cause his cousin the farmer any havoc with ruining too much of his farmland.

Chairman Harvey stated that if he puts some vegetation on the south side it should not impact farmland.

Mr. Landcastle asked what kind of vegetation would they like to see.

Chairman Harvey stated that they would like to see something so that the house does not stick up above the landscape line. They would like to see trees that are bigger than the house.

Chairman Harvey stated that they will need to intercept the stormwater so that it does not run down the driveway and show how this will be done on the plan. If the pond shown on the plan is sufficient to handle the stormwater have the engineer show this on the plan. The roof leaders are draining to splash blocks to surface drainage. Something will need to be designed so that the storm water drains into the ground or accommodate it somewhere on the site.

Chairman Harvey asked where the curb cut is for the farmer to access the field. He would like shown on the plan the distance from the adjoining driveways. They must be 440 feet from any other driveway.

Mr. Farmer questioned if there needs to be a turnaround for an emergency vehicle.

Chairman Harvey stated that James Morse will weight in on all the building codes.

Mrs. Harris stated that all exterior lighting will need to be dark sky compliant. A note should be added to the plan stating this.

James Morse stated that the emergency pull off listed on the plan is a code requirement because the driveway is over 500 feet.

The driveway width for an emergency vehicle to turn around was questioned.

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

Mr. Kestler offered a resolution [attached hereto] with the following finding and conditions. Finding: the Planning Board finds the length of the driveway variation from the Design Guidelines is acceptable so that the proposed house is not too close to the back yards of the existing residences and it preserves the family and farm use of the surrounding property. Conditions: 1. Show the distance to the other driveways from the proposed driveway on the site plan. 2. The approval is contingent on the Code Enforcer/Building Inspector determining the width of the driveway to comply with the building code.

3. Approval of the water district for determination of whether they need any other infrastructure upgrades. 4. The engineer needs to show an increase calculation for the impervious surfaces and design infiltration somewhere on the site to handle the stormwater as well as intercept the driveway runoff. 5. Add a turnaround as required by the Code Enforcer/Building Inspector for emergency vehicles. 6. Exterior lighting is to be dark sky compliant. 7. A survey will be done after construction that will show the final location for all the underground utilities. 8. Submit a landscape plan showing some trees to hide the home from the skyline. Mr. Hoover seconded the resolution which carried unanimously.

Mr. Hoover made a motion to adjourn the meeting at 8:56PM. Mr. Kestler seconded the motion which carried unanimously.

Thomas P. Harvey, Chairman

Sue Yarger, Secretary