

Town of Gorham

4736 South Street
Gorham, New York 14461

PLANNING BOARD

Monday, June 22, 2026 7:00 p.m.

MINUTES—Approved

The minutes are written as a summary of the main points that were made and are the official and permanent record of the actions taken by the Town of Gorham Planning Board. Remarks delivered during discussions are summarized and are not intended to be verbatim transcriptions.

Board Members Present: Thomas Harvey, *Chairperson*
Andrew Hoover
Gabrielle Harris
Lynn Klotz
Richard Perry
Greg Kern, *Alternate*

Board Members Absent: Bob Farmer
Jeremy Stowe
Jon Willis, *Alternate*

Staff Present:

Applicant Present:
Sean Condon, DDS

Others Present:
None

Applicant Via Zoom:
None

Other's Via Zoom:
None

1. MEETING OPENING

The meeting was called to order at 7:00 p.m. by Mr. Harvey.

2. APPROVAL OF MINUTES OF MAY 18, 2026

Amendments were made to the draft minutes on page 6 where there is listed three area variances and there were four and a spelling correction on page 11.

■ A motion was made by MR. HOOVER to approve the minutes from MAY 18, 2026 and the motion was seconded by MR. KERN.

■ A motion was made by MS. HARRIS to approve the amendments made to the MAY 18, 2026 draft minutes and the motion was seconded by MR. PERRY.

The motions were carried by voice vote with all present voting aye.

3. LEGAL NOTICE

No new legal notice was published for this meeting

4. CONTINUED PUBLIC HEARING

PB #12-2026: CHARLIE FOX, 3800 STATE ROUTE 364, CANANDAIGUA, NEW YORK, 14424: Requests site plan approval for drainage improvements to the existing bisecting channel to reduce flooding occurrences on the applicant's property and to prevent future flooding of the residential properties in the area. The property is located at 3800 State Route 364 and is zoned R1 Residential and LFO Lakefront Overlay District.

Mr. Harvey said before we do the public hearing on this application we have to complete the environmental review. The draft environmental assessment form Part 2 has not changed since the last meeting. Part 3 the second item in regard to Part 2 question 8 that has to do with the character or quality of important historic, archaeological, architectural or aesthetic resources and we are going to propose the Planning Board answer is based upon the June 22, 2026 letter from the NYS Office of Parks, Recreation and Historic Preservation which is now on file with the Secretary to the Board. Based on their review there are no historic or archaeological resources that are at risk of being impacted by the proposed project.

MR. HOOVER makes a motion to make a negative determination of significance and the motion was seconded by MR. KERN. The motion carried with all present voting aye.

Mr. Harvey said for the record that makes the application PB #12-2026 complete. We will now reopen the public hearing at this time.

Mr. Condon said since last time we have obviously gotten our SHPO. The Army Corp issued the permit for project. We are still coordinating with the NYSDEC which obvi-

ously the SEQR is part of that. The property owner is circulating authorization letters to its neighbors. We have all signatures except for one property. On the engineering side, we are in the process of finalizing the Engineer's Report utilizing the hydrous flow data that was provided in the MRB Comments. The final report includes the requested hydraulic modeling for both the proposed and existing channeling and will also include post construction maintenance requirements.

Mr. Harvey said who is taking responsibility for the post maintenance?

Mr. Condon said the individual property owners and that will be listed.

Mr. Harvey said are there any other questions?

Mr. Klotz said we also talked about trees.

Mr. Condon said we went to the site and did a tree count of anything twelve inches or larger. The plans are a little deceptive. It is mostly just some trees but I got a count of twelve trees meeting that requirement. The owner does want to keep this lawn for his property. I am not sure if there is a requirement in the code but I couldn't find if it is a one to one.

Mr. Harvey said there is a landscaping plan requirement for a site plan, so our expectation is usually one to one.

Mr. Condon said we would like to do one to one and if we could do it in other spots. Not this specific area but elsewhere on the site.

Mr. Harvey said you owe us a landscaping plan. Native species with a decent caliper like a four inch caliper or something like that.

Mr. Hoover preferably a wetland type.

Mr. Condon said we will make sure it is acceptable.

Mr. Harvey said pick species appropriate for that area. We will circulate it, and if the Board is ok with it, between myself and Gabe Harris we will make sure the species make sense. Is that ok?

Ms. Harris said yes, that works good.

Mr. Harvey said conditions that we have thought about are obviously permits from all the other agencies. We did look at the ownership of record, JDF East Lake Road LLC is the owner of one of the parcels and JLD Canandaigua Holdings LLC and not knowing who the principles are of said LLC I don't know if it is the same person or not. It is listed in the tax roll as different owners than the applicant, so permission to submit the site plan application because it effects their properties. Are you willing to certify that the project

will not negatively impact the adjacent properties of HNJR LLC (113.11-1-13.210) and the one owned by the David L. Genecco Family Wealth Trust (113.11-1-15.100)?

Mr. Condon said these are the two frontage properties? Those are the two other ones that are giving authorization.

Mr. Harvey said as you might imagine the Town wants no liability.

Mr. Condon said understood.

Mr. Harvey said and they want you under the professional engineers stamp to take that responsibility.

Mr. Condon said understood.

Mr. Harvey said all drawings and documents be revised and resubmitted to the Town removing all address references to East Lake Road.

Mr. Condon said yes.

Mr. Harvey said and as we just discussed the landscaping plan.

Mr. Condon said yes.

Mr. Harvey said are there any other suggestions? Hearing none, I will close the public hearing at this time.

Ms. Klotz said does it say what size trees?

Ms. Harris said I think we usually do a two inch caliper.

MR. KERN offered a resolution to approve the site plan with conditions and was seconded by **MR. HOOVER**. The resolution carried with all present voted aye.

**RESOLUTION OF THE TOWN OF GORHAM PLANNING BOARD:
SITE PLAN APPROVAL OF APPLICATION PB 12-2026**

WHEREAS, The Town of Gorham Planning Board (Planning Board) is in receipt of an application from Charlie Fox for Site Plan Approval to make drainage improvements to the existing bisecting channel to reduce flooding occurrences on tax parcel 113.11-1-12.000 at 3800 State Rt 364 in the R-1 Residential and LFO Lakefront Overlay District; and

WHEREAS, The Planning Board of the Town of Gorham (the "Planning Board") has determined this to be an unlisted action as such is defined in the New York State Environmental Quality Review Act and its implementing regulations found at 6 CRR-NY Part 617

(hereinafter collectively referred to as “SEQR”) in regard to the environmental review of said Site Plan Application; and

WHEREAS, The Planning Board did make a Negative Declaration pursuant to SEQR finding that the proposed project will not have a significant negative impact on the environment; and

WHEREAS, A public hearing was duly noticed and held before the Planning Board on May 18, 2026, adjourned and reopened on June 22, 2026 to hear public comment on Planning Board Application PB 12-2026; now, therefore be it

RESOLVED, That Site Plan Approval is hereby granted for Planning Board Application PB 12-2026 with the following conditions:

1. Permits be received from all required agencies such as, but not limited to, the US Army Corps of Engineers and the New York State Department of Environmental Conservation.
2. A landscaping plan be submitted to the Town showing replacement of the twelve trees with a caliper of 12 inches or more that will be removed as a result of the project, to be replaced by native species with a caliper of at least 2 inches. Said landscaping plan shall be reviewed and approved by Planning Board member Gabe Harris.
3. The revised Engineer’s Hydraulic Modeling Report be approved by the MRB Group. The engineer must state in said report that the work shall not negatively impact flooding from the stream on adjacent and neighboring properties not owned by the applicant and that the town has no liability for the project and potential impacts from the project.
4. Letters of consent for the work proposed on property not owned by the applicant, and acknowledgement from HNJR LLC (113.11-1-13.210) and David L. Genecco Family Wealth Trust (113.11-1-15.100) that they are aware of the project and have been advised of said engineer’s report and have no objections.
5. The site plan be resubmitted to the Town removing all reference to “East Lake Road” as the official name of the road is State Rt 364.
6. Erosion control measures shall be put in place and stabilized prior to any other site work; and further

RESOLVED, That this resolution shall take effect immediately.

5. MISCELLANEOUS

The Board discussed changing the July meeting date due to the Chairman not being able to attend the regular scheduled meeting date. The Board agreed to change the next meeting to July 20, 2026.

6. NEXT MEETING

The next regular meeting of the Planning Board will be held on Monday, July 20, 2026, at 7:00 p.m. at the Gorham Town Hall, 4736 South Street.

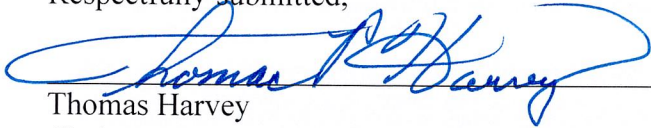
7. ADJOURNMENT

■ A motion was made by MR. HOOVER, seconded by MR. KERN, that the meeting be adjourned.

Motion carried by voice vote.

The meeting was adjourned at 7:14 p.m.

Respectfully submitted,



Thomas Harvey
Chairperson to the Planning Board