

MINUTES
TOWN OF GORHAM PLANNING BOARD
August 27, 2007

PRESENT: Chairman Harvey Mr. Atkins
 Mr. Hoover Mr. McCadden
 Ms. Watkins Mr. Farmer

EXCUSED: Mr. Frankish

Chairman Harvey called the meeting to order at 7:37 PM. Mr. Atkins made a motion to approve the July 23, 2007, minutes as submitted. Mr. McCadden seconded the motion, which carried unanimously.

PUBLIC HEARINGS:

Application #22-2007, Roy VanSickle, owner of property at 4919 Yautzy Road, requests subdivision approval to subdivide a 2.5 acre parcel out of a 72.5 +/--acre parcel.

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

Rick Mitchell, representing Roy VanSickle was present and presented the subdivision map to the board.

Mr. Mitchell gave a brief history of the parcel.

Gordon Freida, Code Enforcement Officer, stated the 2.5 acre parcel perks well.

Mr. Mitchell stated that his nephew, Roy VanSickle's grandson will retain the 70 acres which is split by the railroad bed that his nephew now owns.

The board suggested that the 70 acres be annexed to the railroad bed making one parcel on the subdivision map.

Before a home is built on the parcel, the railroad bed will need to be annexed to the 70 acres.

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

The Short Environmental Assessment Form was reviewed; side two was completed by the board. The board determined this to be an unlisted action under SEQR and will not receive coordinated review, since no other discretionary agency approval is required.

Mr. Atkins made a motion to approve the Short Environmental Assessment Form, as submitted by the applicant, making a "negative determination of significance" stating that the proposed action will not result in any significant, adverse negative environmental impacts. Mr. McCadden seconded the motion, which carried unanimously.

Mr. McCadden offered a resolution [attached hereto] to approve the subdivision as preliminary and final with the following conditions: 1. Future construction is subject to site plan review by the Town of Gorham. 2. The 70 acres on the south side of State Rt. 245 must be annexed to the railroad bed before any future construction is permitted. Ms. Watkins seconded the motion, which carried unanimously.

Application #10-2007, Framark Development, owner of property on State Rt. 364 & County Road 1, requests preliminary major subdivision approval for 68 lots, and final subdivision approval on Section 1, for 12 lots.

The public hearing was re-opened from July 23, 2007.

Mike Montellto, from Parrone Engineering and Mark Epling were present and presented the subdivision to the board.

Mr. Montellto gave a summery of what they have done since they were here last month.

They have put together a preliminary package on the water supply system for the subdivision and have sent it off to New York State Department of Health, the town, and the town engineer. The comments that they received back were: in preparing the final documentation just make sure it meets all of the standards. They have had numerous meetings with Gordon Freida, Code Enforcement Officer and Rick Erb, Water Superintendent relative to the determination that there is adequate supply. They are still waiting for documentation from the town to give to the Health Department verifying this.

Mr. Montellto stated that they have preformed a Phase 1A archeological survey.

Mr. Atkins asked if they would give the board a summary of the booster station situation.

Mr. Montellto gave a summary of the meetings between the town and town engineer on the water situation.

They prepared design documentation to meet the minimum state requirements. The town's engineer's office reviewed it and recommended that they not only meet the minimum state requirements but that they provide pressures above that. It was sent to the New York State Department of Health for preliminary review to get their approval. Sheryl Robbins, from the Health Department prepared a letter that indicated that the pressure should be between 35 and 60 psi. They met with Town staff to review what improvements and what system could be provided that would be acceptable to the town. It will end up being a dedicated facility and will require town maintenance. They talked of the possibility of improvements that could be made outside of the subdivision based on the

valuation of the entire town's system from the water tower down to the subdivision. There are low pressures in the system at the base of the tower that does not meet the current state requirements. It was represented to them that due to the implications in improving that, because the tank is old, it does not meet state standards, and the infrastructure improvements necessary are far larger than for this subdivision. What they need to focus on is making improvements within this subdivision that will allow them to provide water for this subdivision without having any effect on the rest of the existing town's water system. They proposed a small pumping system. The pumping system needs to have a redundant power system and it has to have the ability to bypass fire; and they need to make sure that any pressure that builds in the system doesn't effect anything down closer to the lake. They put together a schematic layout of how they propose to do this, which was sent to the Town. The Town engineer stated that they appear to be headed in the right direction but the Health Department would need to look at it. They made a proposal as far as specifying the equipment, the pump size, and sent it to Town staff, Town engineer and the Department of Health to get comments back before they did a final design. The comments that they received back were that they need to make sure that the pump is sized for the low water level elevations within the tank. The only other comment from the Department of Health is they would like to see the Town improve the rest of the town's system. The Department of Health is now waiting for documentation from the Town of Gorham Water Department showing that water supply is not an issue. The pumping system will be turned over to the Town and the Town will take care of the maintenance of the pump.

Irrigation systems were discussed. All irrigation systems put in anywhere in the town must have Department of Health approval.

The style and types of homes and how they will fit on the lots was discussed. At this time the applicant does not have any guidelines or criteria as far as size requirements and types of homes. The Planning Board made it very very clear that they want to see a very concrete proposal in terms of sizes and how many of that size and the type of construction. The Planning Board also wants to see on the plan the homes showing how they will fit on the lots to make sure they meet all setback requirements so that they do not require any variances when they want to build a deck or a garage. The board and the public want to know what the character of the development is going to be. The Town of

Gorham is a fair housing town and a mix of homes is acceptable. The Planning Board does need to know what that mix is and what the guidelines are going to be.

Mr. Epling stated that what they are going to do with the lake rights is when they transfer the lots the deed will not show that they have lake rights. The lake rights will not be transferred. "What was sold to us does have it in there, so as long as I retain what ever I retain I will have the lake rights. I may end up not retaining anything and then, therefore, there will be no lake rights transferred."

Chairman Harvey advised him to attach it to something.

Mr. Epling stated that if he ends up with a right of way, he will have it.

Mr. McCadden stated that he would like to see something in writing explaining what is going to happen with the lake rights.

Drainage was discussed. A comment from a letter dated June 22, 2007, from David C. Goehring, P.E. from the State of New York Department of Transportation was discussed. The letter will be kept in the file. The drainage area maps and the flow ways are all in the engineers report.

Chairman Harvey asked if there were any comments from the public.

Someone from the public stated that the public has the same concerns that the Planning Board has.

Sue Adkins stated that she has worked with many builders as an interior designer; and what they are looking for is exactly what type of houses are going to be built. "I've heard stick houses I don't exactly know what that means. I think we want to know how many houses and what size the lots are going to be."

Mr. McCadden stated that he would like to see several layouts on the parcel with the houses that you are proposing showing that they fit on the lots. He would like to see the driveway and the garage. Some sample lot layouts. He would like to know if out buildings are going to be allowed or not allowed.

Mr. McCadden stated that Mr. Epling indicated that the plans were in error as far as setbacks. He would like these corrected.

The Conservation Board reviewed the plans and had the following comment: On our walk through, we did notice that there were a mix of larger trees and hardwood trees located in the area of the proposed residential development. We would recommend the preservation of as many of these trees as possible to help retain the quality of the land and natural resources.

Mr. Epling stated that they are trying to keep as many of the trees as they can.

It was suggested that the applicant and the board have a workshop to work on some of the issues discussed.

Chairman Harvey adjourned the public hearing to be re-opened on September 24, 2007, at 7:30 PM. A special workshop meeting, which is opened to the public, is scheduled for September 10, 2007, at 7:00 PM at the Town Hall.

SKETCH PLAN:

Application #23-2007, Mark & Debra Greenfield, owners of property at 5380 County Road 11, request sketch plan review for a new home and two garages.

Mr. & Mrs. Greenfield were present and presented their plan to the board.

Mr. Greenfield stated that they have moved the proposed garage that is up by the road so that it meets the required setbacks.

Mr. Greenfield stated that they are trying to do the lowest impact on the site and was told by George Barden, Canandaigua Lake Watershed Inspector, that a peat moss septic system has the least impact. This design will need to be approved by New York State Department of Health.

Mr. McCadden expressed his concern with the drainage off of the driveway going into the gullies on both sides.

Mr. Greenfield stated that they have had a tree expert down and he said that a lot of attention needs to be paid to the water coming across the driveway.

Mr. McCadden stated that he would like to see some plans and cross sections to see how they are going to take care of the drainage. "The drainage from the driveway coming down to the house is going to be a whole lot more severe than the drainage from the house itself. I am very concern with going back and forth and what drainage you are going to have at each one of the turnarounds and how your are going to get that drainage from where it collects over to the gully without eroding more of the hill and the gully on both sides."

Chairman Harvey asked why they would not move the house back towards the road rather than up near the edge of the bank.

Mr. Greenfield stated that the point in putting it down there is because of the view.

Chairman Harvey stated that by moving the home further up the hill they would reduce the length of the driveway and reduce the loss of trees, which is something to think about.

Chairman Harvey also explained to them that with this long of a driveway and if they disturb an acre or more they will need a permit from New York State Department of Environmental Conservation.

Mr. McCadden asked what services were going to be in the boat house.

Mr. Greenfield stated that the electric needs to be redone and brought up to code and will be run under the staircase in conduit to get it off the hill. There will be no water in the boat house.

Mr. McCadden asked how fire trucks and ambulance and other emergency vehicles will get down to the property.

Mr. Greenfield stated that is why their engineer said they need the switch backs in the driveway.

The dimensions of the proposed 2 car garage needs to be put on the plan.

Mr. McCadden stated that he would like to see the septic system sited and approved before the Planning Board approves the size of the house.

MISCELLANEOUS:

Local Law 4 "Amending Chapter 31 (Zoning Ordinance) of the Town of Gorham Municipal Code" was reviewed and discussed.

Mr. McCadden made a motion to recommend the Local Law 4 "Amending Chapter 31 (Zoning Ordinance) of the Town of Gorham Municipal Code" to the Town Board for adoption with the following changes:

1. In section 2, instead of inserting a new definition for Seasonal Residence, the existing definition of Seasonal Dwelling is to be amended by adding a 400 sq. ft. minimum building size and a requirement that sanitary facilities be provided.
2. In section 5, make the following changes:
 - A. In new subparagraph 5.a. credit should be 30%, and the spacing between deck boards should be $\frac{1}{4}$ inch.
 - B. In subparagraph 5.b. the credit should be 30%, and the credit should be available for driveways as well.
 - C. In subparagraph 5.c. the credit should be 20%.
 - D. In subparagraph 5.d. the credit should be 15%, and a Driveway should also be eligible for the same credit.

E. A new subparagraph 5.e. should be added to limit the total available credit available to 5% of the total lot area.

3. In section 6 the standard should be 50% lot coverage (eliminate the reference to minimum green space).

Mr. Atkins seconded the motion, which carried unanimously.

The meeting was adjourned at 10:37 PM.

Thomas P. Harvey, Chairman

Sue Yarger, Secretary