

MINUTES  
TOWN OF GORHAM PLANNING BOARD  
November 23, 2009

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

EXCUSED: Mr. McCadden            Mr. Frankish  
          Mr. Hoover

Chairman Harvey called the meeting to order at 7:30 PM. Mr. Atkins made a motion to approve the October 26, 2009, minutes as submitted. Ms. Watkins seconded the motion, which carried unanimously.

PUBLIC HEARINGS:

Application #13-2009, Mary Colleen Wilmot, owner of property at 4096 State Rt. 364, requests site plan approval to build porch & residential additions.

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

Chairman Harvey adjourned the public hearing to be reopened on December 28, 2009, at 7:30 PM at the Gorham Town Hall. The Zoning Board of Appeals has taken no action on the application as of this date.

Application #14-2009, Reuben Weaver, owner of property at 5207 Blodgett Rd., requests site plan approval to build a 38' x 64' heifer barn.

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

Reuben Weaver was present and presented the application to the board.

The proposed barn will be pole barn construction with a concrete floor and metal siding.

Mr. Weaver stated that he does have one change to make on the plan. He would like to change the size to 38' x 80', instead of 38' x 64'. There will be a minimum of 20 feet between the steel building and the heifer barn.

Chairman Harvey asked if the size of the manure storage facility would handle the additional load or will it have to be pumped out more.

Mr. Weaver stated that he will end up pumping it out more. It currently can handle about a half a year. With the additional load it will need to be done about every 5 months.

The manure storage facility will be 12 feet from the proposed heifer barn.

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.

Ms. Watkins 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. Atkins seconded the motion, which carried unanimously.

Ms. Watkins made a motion to approve the site plan with the following modifications to the plan: 1. The size of the proposed heifer barn was changed to 38' x 80'. 2. The distance from the steel building to the proposed barn is a minimum of 20 feet. 3. The distance from the manure storage facility to the proposed barn is a minimum of 12 feet. Mr. Farmer seconded the motion, which carried unanimously.

#### MISCELLANEOUS:

A letter dated November 18, 2009, from Parrone Engineering on behalf of Frank DiFelice of PFM Enterprise LLC, requesting an extension of the Planning Board's Final Subdivision Approval for Montebella Estates Section 1, was discussed. The extension is being requested to allow for additional time required to execute land transfers associated with the dissolving of the private drives as a condition of the Planning Board's approval. There are no changes or new conditions being proposed.

Mr. Farmer made a motion to extend the final subdivision approval for Section 1 of the Montebella Estates Subdivision for another 6 months with no additional changes or conditions. Mr. Atkins seconded the motion, which carried unanimously.

#### SKETCH PLAN:

William J. & Tracy L. Pellicano owners of 4356 East Lake Road Associates, LLC, at 4356 State Rt. 364 request discussion on a sketch plan for a future barn, 3 car garage,

uncovered and covered patios, new covered entry way and future subdivision.

William Pellicano and Tim Tyskiewicz, Architect, was present and presented the sketch plan to the board.

The property at this time is zoned General Business (GB). Mr. Pellicano is requesting a rezoning of the property to Single Family Residential (R-1), to renovate Thendara from a restaurant to a single family home.

Mr. Tyskiewicz stated that they would like to subdivide part of the property so that about 6 property owners on Deep Run Cove could purchase more land to extend their properties. There is a new shared driveway being proposed for these properties.

If all six properties agreed to extend their properties the existing shared driveway would be eliminated.

Chairman Harvey stated that the proposed shared driveway will become a private road and will need to be approved by the New York State Attorney Generals Office, since it will be shared by more than 5 properties.

Mr. Atkins asked "what is the arrangement that exists now between the Lincoln Wood people and the first set of docks"?

Mr. Pellicano stated that it is in question at this time. "We are trying to work through this."

Mr. Pellicano stated that they are thinking of merging the two parcels together as one.

Mr. Pellicano stated that he will pull all of the docks out. The boathouse will be staying.

Elevations of the proposed renovations to the boathouse were presented to the board.

The kitchen will be removed and renovated so that a boat will be able to be parked under it.

Chairman Harvey asked if the bathrooms would stay in the boathouse.

Mr. Pellicano stated that he will pull out a number of the toilets. He does plan on keeping at least one toilet in the boathouse.

Chairman Harvey stated that the Town will want to make sure that the boathouse does not become a residence at this time or in the future.

Mr. Atkins stated that he would like to see something put in place such as a deed restriction, sale of development rights, or a conservation easement on the property so that the parcel could not be subdivided and condos or single family homes built. This is a condition

that he would like to see as part of the re-zoning to Single Family Residential.

Chairman Harvey stated that he would like the Conservation Board to look at the proposal before the Town Board looks at it for re-zoning.

A recommendation to the Town Board for re-zoning will be discussed on December 28, 2009, at the regular December Planning Board meeting.

Ms. Watkins made a motion to adjourn the meeting at 8:22PM. Mr. Atkins seconded the motion, which carried unanimously.

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Thomas P. Harvey, Chairman

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Sue Yarger, Secretary