

MINUTES
TOWN OF GORHAM PLANNING BOARD
December 17, 2007

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

EXCUSED: Mr. Frankish Mr. Farmer

Chairman Harvey called the meeting to order at 7:30 PM. The minutes of November 26, 2007, were reviewed and the following change was made: Page 4 paragraph 5: change the word "including" to "and". Mr. Atkins made a motion to approve the minutes as amended. Mr. McCadden seconded the motion, which carried unanimously.

Application #31-2007, Mark & Elizabeth Walker, owners of property at 3754 Meadowview Drive, requests site plan approval to build a single family home.

Gerry Colf, Colf Brothers Construction, & Edwin Button P.E. were present and presented the site plan to the board.

After a brief discussion Mr. Atkins made a motion to approve the site plan with a condition that any change to the sidewalk or the placing of pavers is allowable with approval from Gordon Freida, Code Enforcement Officer. Mr. McCadden seconded the motion, which carried unanimously.

Application #10-2007, Framark Development, owner of property on State Rt. 364 & County Road 1, requests final subdivision approval for 32 lots in the Montebella Estates Subdivision.

No one was present representing the application.

A letter dated December 6, 2007, from the New York State Office of Parks, Recreation and Historic Preservation, stating that after reviewing the Phase IA Cultural resources Investigation Report prepared by Ladd Archaeological Services the Office of Parks, Recreation and Historic Preservation is recommending a Phase IB Archaeological Field Investigation, was reviewed and discussed by the board.

The Planning Board will continue to table action on the application until the materials are received that were requested by the Planning Board at the last meeting and the Phase IB Archaeological Field Investigation is completed. A letter from the applicant must be on file before the next meeting that states that he agrees to table action on the application. If a letter of agreement is not submitted by

the applicant then the Planning Board will vote on the application on January 28, 2007.

The Outdoor Wood Furnaces local law was reviewed and discussed by the Planning Board.

The Board observed that Section 5, paragraph 3.c. states that no Outdoor Wood Furnace shall be located within 250 feet of any residence that is not served by the outdoor wood furnace. Given that statement, the portion of paragraph 4.a. that requires the chimney of an Outdoor Wood Furnace to be a minimum of 2 ft. above residences within 250 feet seems unnecessary.

Mr. McCadden made a motion that the board recommends the Town Board to adopt the local law with the following changes:

1. Section 5, paragraph 4.a. be modified to either delete the requirement that the chimney be 2 ft. above the roof of any residence within 250 feet that is not served by the furnace, or to make that a requirement of any variance issued wherein a furnace is proposed to be located within 250 feet of a residence not served by the furnace.
2. Section 5, paragraph 5: the phrase 'outdoor wood burning stove' should be replaced with 'Outdoor Wood Furnace.
3. Section 5, paragraph 3.c. should be deleted and replaced with the following:
 - c. The Outdoor Wood Furnace shall be located:
 - 1.) a minimum of 250 feet from all residences not served by the Outdoor Wood Furnace; and
 - 2.) so that a buildable area complying with the setback requirements of this local law remains somewhere on all lots within 250 feet of the location of the Outdoor Wood Furnace.
4. A new paragraph 6. should be added to Section 5 as follows:
 6. The application to install an Outdoor Wood Furnace shall be made to the Building Inspector and shall be accompanied with a sketch plan showing the location of all properties within 250 feet, including their property boundaries.

Mr. Atkins seconded the motion, which carried unanimously.

Mr. McCadden made a motion to adjourn the meeting at 8:20 PM. Ms. Watkins seconded the motion, which carried unanimously.

Thomas P. Harvey, Chairman

Sue Yarger, Secretary