

MINUTES
TOWN OF GORHAM PLANNING BOARD
March 22, 2010

PRESENT: Mr. Atkins Mr. Farmer
 Ms. Watkins Mr. Hoover

EXCUSED: Mr. McCadden

ABSENT: Chairman Harvey Mr. Frankish

Mr. Atkins called the meeting to order at 7:46 PM. Ms. Watkins made a motion to approve the February 22, 2010, minutes as submitted. Mr. Hoover seconded the motion, which carried unanimously.

PUBLIC HEARINGS:

Application #01-2010, Curvin Shirk, owner of property at 4585 Middle Road, requests site plan approval to build a 56' x 120' pole barn.

Applicant was unable to be present. The public hearing was adjourned to be re-opened April 26, 2010, at 7:30PM, in the Gorham Town Hall.

Application #02-2010, Taurus Properties Inc, owner of property at 4505 State Rt 364, requests site plan approval to replace a manufactured home on Lot 6, in a manufactured home park with a new unit.

Applicant was unable to be present. The public hearing was adjourned to be re-opened April 26, 2010, at 7:30PM, in the Gorham Town Hall.

Application #03-2010, Okke & Kathy Postma, owners of property at 5071 County Rd 11, requests site plan approval to build a single family home with attached 2-car garage with new asphalt driveway.

Chris Rages, from KF Architects, was present and presented the application to the board.

Mr. Rages stated that they have met with the County Department of Transportation on site and was given the approval for the new curb cut.

The electric hook up was discussed. The Planning Board suggested that the electric be put underground. Mr. Rages stated that the owner would have no objection to putting the electric underground if New York State Electric and Gas states that it is feasible.

The driveway will be blacktopped and will have a turnaround, which the Department of Transportation appreciated so that no one is backing out onto County Road 11.

Mr. Farmer asked if there was a concern with the water running out onto County Road 11 from the driveway.

Mr. Rages stated that the grading is such that it comes down and then back up at the road to give the water a chance to drain to the side of the driveway.

Mr. Rages stated that the home will be a ranch style home with a five in twelve pitch roof.

The board questioned the distance between the proposed driveway and the neighboring driveway.

Mr. Rages stated that they mentioned that to the County Department of Transportation and they stated that they did not have a problem with it.

Gordon Freida, Town of Gorham Code Enforcement Officer stated that when they met with the County, the County stated that they would prefer the close proximity so that there is visual there. They were not concerned with site distance either way. The existing driveway was more of a concern to them, because there was no maneuvering space to turn around on the property.

Ms. Watkins expressed her concerns with a big asphalt drive and the runoff to the lake with the asphalt residue.

Mr. Farmer expressed that he had the same concerns.

The asphalt driveway was discussed. The lot and what is being proposed is well within the lot coverage requirements. The way the water is draining off of the driveway into the grass and ditch, the water should be filtered before it gets to the lake.

Mr. Atkins 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. Hoover seconded the motion, which carried unanimously.

Mr. Hoover made a motion to approve the site plan with the following conditions: 1. That New York State Electric &

Gas be contacted to see which pole the electric will come from and if possible provide underground electric to the house, which will be shown on the final site plan. 2. The driveway was located on the northern most portion of the property in close proximity to the neighboring driveway for the following reasons: 1. The County Department of Transportation suggested closer proximity to the neighboring driveway. 2. Site distance is not a problem. 3. The proposed driveway to the house will allow for a turnaround so that there is no backing out into the road. 4. The existing driveway required some backing into the road. Ms. Watkins 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 for a recommendation to the Town Board to rezone the parcel from General Business (GB) to Single Family Residential (R-1). The applicant is also presenting a sketch plan for a future barn, 3 car garage, uncovered and covered patio, new covered entry way and future subdivision.

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

Mr. Tyskiewicz stated that he has made a couple of changes to the plan since the last time that they were in front of the board. The new right of way for a future driveway that was going to serve five properties has been reduced to provide access to only two lots.

On the sketch plan there is a 6 lot subdivision being proposed for possible annexation to adjoining properties across the existing right of way.

Mr. Atkins questioned why there was a need for a new 15' right of way to the two lots.

Mr. Tyskiewicz stated that the new proposed access is so the two property owners could put a garage on the property and access from the proposed right of way.

The permanent docks were discussed. The Planning Board implied that they would like the issue with the easements on the docks to be settled before any approvals on the rezoning was granted.

Mr. Tyskiewicz stated that "their thought was whether it was business zoned or for a residence that any easements or rights to the dock, we would not be asking either board to change the status of any of those easements. Anything that exists now would continue to exist if it was a residence. So any rights to these docks we are not looking for a ruling that changing, not knowing on how long that will take to get resolved."

After a brief conference call with Chairman Harvey Mr. Atkins made a motion recommending the rezoning of the two properties from General Business (GB) to Single Family Residential (R-1) to the Town of Gorham Town Board with a condition that Mr. Pelicano agree to the prohibiting of development on the parcels in a form that is acceptable to the Town Board. Mr. Hoover seconded the motion, which carried unanimously.

The Planning Board decided that it would make better sense to address the subdivision and site plan requests after the rezoning of the property was completed.

Mr. Freida stated once the parcel is re-zoned to residential and with the linear footage of shoreline that that piece of property has they would be relegated to no more than four docks and 12 boats. There is a possibility that the Town Board will not re-zone the properties until the dock issue is resolved.

A letter was read from Frank Porter asking for a three month extension to file the maps for the approval of Application #12-2009 for subdivision.

Mr. Farmer made a motion to extend the final subdivision approval of Application #12-2009, Frank A. Porter ETAL, for another 3 months. Mr. Hoover seconded the motion, which carried unanimously.

Ms. Watkins made a motion to adjourn the meeting at 8:55PM. Mr. Atkins seconded the motion, which carried unanimously.

Neil Atkins, Acting Vice Chairman

Sue Yarger, Secretary