

MINUTES
TOWN OF GORHAM PLANNING BOARD
April 27, 2009

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

Chairman Harvey called the meeting to order at 7:30 PM. Mr. Atkins made a motion to approve the March 23, 2009, minutes as presented. Mr. Frankish seconded the motion. Harvey, Atkins, Frankish, Hoover, Watkins, Farmer voted AYE and McCadden abstained.

PUBLIC HEARINGS:

Application #05-2009, Ayse Lewis, owner of property at 4036 State Rt. 364 requests site plan approval to demolish existing cottage and build a two story home with attached garage.

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

On January 15, 2009, the Zoning Board of Appeals granted a south side yard variance of 12 feet for a setback of 3 feet, a rear yard variance of 20.4 feet for a setback of 9.6 feet, lot coverage of 37% or less. The variances are contingent on receiving a letter of approval from the Ontario County Sewer District allowing building into the sewer easement.

A partial release of easement dated March 10, 2009, has been received in the Zoning Office from the Ontario County Sewer District and will be kept in the file.

Gene Laneri, architect, was present and presented the application to the board.

Mr. Laneri stated that they are going to remove the concrete patio in the front, which will reduce the lot coverage down to 35.4% existing was 43%.

Mr. McCadden questioned what they are going to do with the stone retaining wall in the front.

Mr. Laneri stated that it is going to stay. They are going to cut the patio away as best they can and repair the retaining wall as needed.

Mr. McCadden stated that he does not see the front retaining wall calculated in the lot coverage.

The retaining wall that will be left will need to be figured in the lot coverage calculation.

Mr. McCadden questioned if the 30.1' front setback was measured from the high water mark.

Mr. McCadden expressed that he has a concern that there are no walkways or patios being proposed on the plan.

If patios and sidewalks are being planned now or in the future they need to be on the plan and figured in the lot coverage to assure that the lot coverage of 37%, that was granted by the Zoning Board of Appeals will not be exceeded now or in the future. On the submitted plan there is no way to get from the driveway to the door and there are no steps or stoop from the sliding door in the front to the lake.

The grading was discussed. The contours need to be corrected on the plan so that all water runs away from the buildings and away from the neighboring property.

The driveway will be gravel. There was no reduction figured in the lot coverage for the gravel driveway.

Mr. McCadden asked if there will be a basement or crawl space and how deep will it be.

Mr. Laneri stated that there will be a crawl space and it will be four feet below the first floor at 690.7.

Gordon Freida, Code Enforcement Officer, stated that there will need to be flood gates put in and elevate the equipment if the equipment is in the crawl space.

Mr. Laneri stated that all equipment will be on the first floor.

Mr. McCadden stated that he would like to see the finished floor elevation for the crawl space on the plan.

Mr. McCadden stated that since this is a very small lot he would like to see an as built survey to make sure every thing complies with what was granted. When the as built survey is done all the utility locations must be placed on the survey.

Mr. McCadden asked if the existing shed is going to be removed, because on the plan there is no mention as to the removal of the shed.

Mr. Laneri stated that the shed is being removed from the site.

Mr. McCadden questioned the height of the building and wants to make sure that it is no higher than 25 feet.

Mr. Atkins questioned where the water from the roof drains will drain.

Mr. Laneri pointed out on the plan where the roof drains will drain.

Mr. Atkins stated that the roof drainage and how it will be directed needs to be shown on the plan. He suggested that what might be more practical is a filtration system.

Chairman Harvey suggested that they might want to put some spot elevations on the pad for the garage.

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

The Planning Board decided that they would like the applicant to make all the necessary changes that were discussed, and submit a revised site plan to be reviewed and discussed at the June 1, 2009, Planning Board meeting.

Application #06-2009, Charles & Ann Marie St. George, owners of property at 4502 State Rt. 364, requests site plan approval to build a 36' x 36' addition onto existing grocery store for pizza and ice cream sales.

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

The application was required to go to the Ontario County Planning Board.

The Ontario County Planning Board made the following comments:

1. The Town should consider possible safety issues associated with customers backing out onto State Rt. 364
2. The Town and applicant should discuss installation of additional landscaping.

Bob Topping, Engineer, and Ann Marie St. George were present and presented the application to the board.

Mr. Topping explained that it is about a quarter acre lot, with an existing 34' x 24' grocery store. The intent is to build a 36' x 36' addition to the store for pizza and ice cream sales. There will be an outside window for the sale of ice cream. There will be a basement under the new addition. There are eleven parking spaces placed on the site plan. Cars will have to back out onto Bluebird Road.

Chairman Harvey asked where the ice machine, the garbage dumpster and the propane tanks are going to be

located on the site. These need to be shown on the site plan.

Mr. Topping stated that the roof drains will drain into a dry well.

The dry well for the roof drains needs to be shown on the plan.

Mr. Atkins asked if they still plan to have the second floor apartment.

Mr. Topping and Mrs. St. George both stated no. The building will not be two stories. The plan has changed; only one story is being proposed.

Mr. McCadden stated that he would like to see the concrete curb stops placed in front of the cross hexed spaces also so that people cannot drive through there.

Mr. McCadden asked if the parking area is going to be paved.

Mr. Topping stated that eventually it will be paved, but not at this time.

Chairman Harvey suggested that they make some minor grading changes on the site plan to allow proper drainage with a paved parking area.

Mr. McCadden suggested that they have some semblance of marking for the handicap parking spaces. They also need to delineate the area where there is no parking.

Mr. McCadden asked about out side lighting and hours of operation.

Mrs. St. George was unsure about the lighting.

The exterior lighting needs to be added to the site plan.

The sign was discussed. New York State Department of Transportation will need to be contacted for approval of the sign location. The location of the sign will need to be shown on the site plan.

A dumpster location was discussed. The dumpster location needs to be added to the site plan. It was suggested that a few plantings go around the dumpster to screen it from the road and neighboring properties. It was also suggested that a sidewalk be added going to the dumpster and the bilco door.

Mr. McCadden asked if they would be improving the area were the Department of Transportation reflectors are.

Mr. Freida will contact the Department of Transportation for the approval of the sign placement and ask if the reflectors can be removed and landscaping be put in their place.

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

Michael Pilarski asked if the design for the building is a contemporary design.

The board invited Mr. Pilarski to the table to take a look at the design.

The exterior of the building will have vinyl siding.

The layout of the parking spaces in the front of the building was discussed. It was decided that the two parking spaces proposed in the front will be moved over to be in front of the ice cream window near the parking off of Bluebird Road.

Chairman Harvey asked if there were any more 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. Frankish seconded the motion, which carried unanimously.

Mrs. St. George stated that their hours of operation during the summer months are opening at 7:00AM, closing at 8:00PM during the week and 9:00PM on weekends. In the winter time it would be less.

Electric and gas was discussed. The location of the underground electric and gas needs to be added to the site plan.

Mr. Farmer made a motion to approve the site plan for the building to be constructed with a condition that the remainder of the site plan improvements that were discussed tonight be resubmitted on a modified site plan for review and approval at the June 1, 2009, Planning Board meeting. No Certificate of Occupancy will be issued on the new proposed building until the site plan is approved. Mr. Hoover seconded the motion, which carried unanimously.

MISCELLANEOUS:

Application #04-2009, PFM Enterprises, LLC, owner of property bordering on State Rt. 364, County Road 1 & Maiden Lane request final subdivision approval on 32 lots.

Frank DeFelice was present.

Nothing new has been submitted in the Town of Gorham Zoning Office at this date to schedule a public hearing for final approval.

Mr. DeFelice discussed with the board that there is a property owner on Driftwood Lane that has requested that he have his lot line extended to line up with the rest of the lots on Driftwood Lane. On County Road 1 they would like to trade land with property 127.15-2-31.000 to straighten the lot lines on lot 65 and 66 and merge the piece of property that goes out to County Road 1 off of lot 64 to 127.15-2-31.000.

The Planning Board did not have a problem with this proposal.

As soon as the revisions have been completed for the roads and submitted to the Town of Gorham Zoning Office, Gordy will set up a meeting with all the residents that will be affected.

A public hearing will be scheduled as soon as everything is submitted in the Town of Gorham Zoning Office.

A Comprehensive Plan Update meeting is scheduled for May 6, 2009, at 7:00PM. The next regular Planning Board meeting is scheduled for June 1, 2009, at 7:30PM.

The meeting was adjourned at 8:55PM.

Thomas P. Harvey, Chairman

Sue Yarger, Secretary