

MINUTES
TOWN OF GORHAM PLANNING BOARD
June 28, 2010

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

EXCUSED: Mr. Farmer

Chairman Harvey called the meeting to order at 7:30 PM. Mr. Atkins made a motion to approve the May 24, 2010, minutes as submitted. Ms. Watkins seconded the motion, which carried unanimously.

PUBLIC HEARINGS:

Application #15-2010, Village of Rushville, owner of property at 5232 County Rd 11, requests site plan approval to build a pre-cast concrete water treatment building.

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

Jason Foote, P.E. & Art Rilands, Village of Rushville Water Superintendent were present and presented the application to the board.

Mr. Foote briefly explained the project to the board and the public. The new building will be pre-cast concrete, 48'x 34'. The interior is about 1500 square feet. The roof will be a metal style roof. A small pre-cast building will be built closer to the lake. The water will be pumped from the small building into the plant. Both buildings will be of the same style building. The site will be served by gas, electric and sanitary sewer. There will be a paved driveway in front of the proposed building. The existing driveway will remain and will be gravel. Once the new building is up and operational and they have Health Department approval, the existing wood buildings will be demolished. The entire perimeter of the property will be surrounded by an 8 foot chain link fence with barb wire on top. The 8 foot chain link fence is mandatory by the State of New York Health Department.

Mr. Foote presented elevations of the proposed building. The height of the building to the eaves is 12 feet 8 inches and to the peak it is 16 feet. The Health Department would like to see perimeter lighting. Wall pack lighting on the building is what is being proposed.

Mr. Foote presented two photos showing similar style buildings like the ones that they are proposing to build.

Mr. McCadden asked that, taking in consideration of some of the requirements regarding the fence and the lighting, if there another location that they could put the building.

Mr. Foote stated that they did consider leaving it at the Village's tank location where the filter plant is now. "Part of the problem is that between the lake site and the tank there are 8 customers that presently receive unfiltered water. Part of the whole project is giving them filtered water. We need to put the buildings at the lakeside for that purpose. This is property that the Village already owns. As far as power, sanitary sewer, this is all required and needed for the filter process."

Mr. Atkins asked if there was any provision for additional screening on the south side.

Mr. Foote stated that not at this time.

Chairman Harvey stated that one of the biggest issues with the Planning Board will be the visual.

Mr. Foote stated that most of the existing trees that are there now are going to remain. "If there is additional screening that the board would like to see, we can certainly entertain that."

Mr. McCadden asked what the New York State Health Department requires the fence for. "What are you fencing, the building or the entire property?"

Mr. Foote stated that they need to fence in more than the building.

Chairman Harvey stated that he believes that they are required to protect the facilities. "There is no requirement to fence quote unquote the whole property."

Mr. McCadden stated that is what he is trying to find out. "What's the requirement for the fence? Because maybe we can minimize the fencing compared to what you have proposed. I personally have a real problem with an 8 foot high chain link, barb wire fence on the lakeside of County Road 11. I would think that from a standpoint of being on the lakeside of County Road 11 it needs to be looked at to see if there aren't alternative sites to take and put the facility especially if you are talking of having the facility lit all the time."

Mr. Rilands stated that they have had trouble with meeting the State Health Department standards with the trihalomethanes, which is a byproduct from the chlorine and the organic materials in the water. "We chlorinate at the

lake and then we pump approximately 4 miles to our filter plant, which creates a problem with our water quality."

Mr. McCadden stated he thinks the site should look, when the project is done, like a park. "It should not look like a compound."

Chairman Harvey stated that he would not have a problem with the structure if he could not see it. "Do plantings and make it look like a garage from the road side and have it so you can't see it from the other side. That would be fine with the Town of Gorham."

Mr. Foote asked if the board would be open to different style fencing like a decorative steel fencing."

Chairman Harvey stated that thinking of the property values on either side, "that is really what the issue is. People pay a lot of money to live down there and the properties are worth a lot of money. It is not just the people next door, it is the people driving by looking at it. We have got to make this look half way decent."

Mr. Frankish stated that he owns a place on Keuka Lake and they put a new water facility down there and it was a big stink at the public meetings that he went to. "There isn't a place down there that has gone down in value."

Chairman Harvey stated that they have a lot of room around the building. He would like to see a landscaping plan with some bushes, shrubs and trees.

Mr. Atkins stated he would like to see them tuck the fence in tighter to the facility instead of having it on the perimeter.

Chairman Harvey stated for the record that it appears that they will lose three trees during construction.

The fencing and landscaping was discussed at length. It was decided that the board would like the fencing to be the minimum that will be acceptable to the New York State Department of Health.

Mr. McCadden asked if the noise level was going to change.

Mr. Foote stated no. Everything is contained within the building.

The electric was discussed. It was suggested that the electric company be contacted to see if the transformer could be moved to the pole near the road and then underground to the new building.

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

Jean McCreary questioned if this project was being done to provide unfiltered water to 8 customers.

Mr. Rilands stated that it is filtered water, potable water.

Ms. McCreary stated that they mentioned that there were trucks bringing waste water treatment plant chemicals into the area. "I would like to know how many trucks, what volume of treatment chemicals will be there?"

Mr. Rilands stated that there will be no more than what there is there now. "About once every three months. There are no waste water chemicals. We are having a waste water connection. Chlorine is all that we have. And that will not change from what it is now."

Ms. McCreary asked "What now or in the future what spill prevention measures do you have into the structure to prevent contamination of the lake?"

Mr. Foote stated that inside the building there is a specialized room, "a chemical room with a sloped floor with a sump in the floor for containment. All the chemicals are going to be stored and used in one room. That room has been designed for containment of the chemicals."

Mr. Rilands stated that the most chlorine that they have at any one time is about 200 gallons.

Ms. McCreary stated that she did not hear them answer as to what other sites was considered besides this lakefront site.

Mr. Foote stated that the other site that the village owns is the existing tank site on Townline Road, just outside of the village. "That was an option, but in that situation, the 8 people that are currently receiving unfiltered water would continue to receive unfiltered water. Not to mention we would not address our trihalomethane situation with chlorinating the intake and then having such a long time, if you will, before you filter out the organics. That is obviously the main problem so we need to get the plant as close to the source as possible."

Ms. McCreary asked if the existing tank site is the only other site that they have considered.

Mr. Foote stated that he believes that it is.

Chairman Harvey stated that there are two issues here that they are trying to address. "It's the trihalomethanes at the consumption end in the village through out the system, as well as the 8 users in between, that have untreated water."

Mr. Foote stated that the New York State Health Department preference is to have it on this site.

Ms. McCreary asked what other options was considered to address the trihalomethane issue besides building the structure.

Mr. Foote stated that to remove the trihalomethanes you need a filter. "There were several pilots or options that were considered. But given the size of the site we selected membrane filtration as what we are going to use. That allows for a smaller footprint and gives us the best results."

Ms. McCreary stated that she meant other than building a building at this location. "What other trihalomethane solutions did you consider?"

Mr. Foote stated that this is about the best solution to address the trihalomethanes. "Putting everything in one spot, meaning the filters and the chlorination in one spot is the best way to treat it."

Ms. McCreary asked about UV treatment.

Mr. Foote stated that UV treatment is possible, but you still have to filter the water. "UV would be in addition to the filtration."

Mr. Rilands stated that UV would help cut down on chlorine usage but that is it.

Ms. McCreary asked about the fencing. "You have talked about two different types of fencing. What is it about the fencing that is more secure than the building itself?"

Mr. Foote stated "I see your point. Other than the fact that the New York State Health Department requires it, I suppose somebody could, no obstacles are completely vandal proof. The eight foot high with barb wire is kind of the Health Departments standard. If we want to deviate from that and use the decorative steel style fencing, they have approved that style too. There needs to be some sort of perimeter or enclosure of the site. Whether it is the whole site or the buildings, that can take on many forms, but as it is now, we are going to end up reducing the amount of fencing."

Gregory Franklin stated that he is curious about the noise level. "You've got compressors inside, you've got vents to go to the outside. Won't the noise on the inside seep out through the vents?"

Mr. Foote stated that probably a little.

Mr. Franklin stated so it will be noisier then what is there now.

Mr. Foote stated that what level the noise will be he does not know.

Mr. Franklin stated that now we are talking about both light pollution and noise pollution.

Mr. Atkins stated that he lives across from the Town of Gorham pump station and he does not hear anything.

Mr. Franklin stated that he is also curious about the thought process that went into the design of the building itself. "If you were looking for something that looked like a metal plating facility that is what it would look like, and is utterly different than anything else in the neighborhood. The buildings that are down on the lake side, one is white painted concrete block the other is a white sided building with a regular asphalt roof. Did you consider doing something that is more in keeping with the buildings that are down by the lake?"

Mr. Foote stated that one of the focuses that the Village wanted us to concentrate on is that they want it maintenance free. "We don't want to be replacing the roof. We don't want to be siding buildings. We don't want to be painting buildings. We want to keep our heating costs down. All this is going to be transferred right to the tax payers. The Mayor has stated that we try to build a building that is functional and a building that is going to meet our needs. Does it look like an industrial building? It certainly does. The building has been designed to function as a pump station building. It all comes at a cost. And I understand where the building is located and the sensitivity of it. I understand that. If we doll it up all it is going to do is add to the project cost. And at this point in time so much more has been added to the project as it is, so we're trying to find ways. We only have a certain budget to work with. So if I start putting landscaping in and steel fencing in and changing the style of the building now, we can't do the project at all. I am trying to have a balance of what we need to get over this trihalomethanes situation, we need to provide these 8 people with filtered water. This is one of the compromises. We want a building that we can easily heat. I think with putting the landscaping in, that is something that I think we can probably afford to do."

Mr. Atkins questioned the cost of the 8 foot fence with barb wire per foot.

Mr. Foote stated that if he remembers correctly this steel fencing is about three times the amount of the 8 foot fence with barb wire.

Mr. Atkins suggested that they get rid of as much of the fence as they can and spend the difference on landscape.

David Galloway asked if it wouldn't be part of the scoping aspect of the Village to do all this work ahead a time. "To know exactly what your costs are going to be, to realize that you're setting next to a million and a half dollar house and many other houses along that area. It just seems that you said well this is the site because it is easy. Has anybody done the cost service between running the main to those 8 people versus building all of this? How far are those 8 people off of the main? Are they two miles off the main? How much does it cost to bring the main back to the 8 people verses doing all of this? I am new at these Planning Board hearings. George brought up some good points right at the beginning. Why are you here doing this in this area? The Gorham plant is a brick building; rather attractive. This is industrial. This is not the design for this neighborhood. Period. And I hope the Planning Board realizes that. You can put up a block building and insulate the wall inside. There is lots of way to muffle and soundproof without having a precast building. I have heard a lot about what we want to do and what the State wants, I can do a fence, I don't have to do a fence. I assume that the Planning Board is going to have all these answers in black and white, saying this is what we have to do or don't have to do, and this is what you can do on the site. Are we going to be able to come back to the meeting in July and say these are the answers to our concerns? I'm just surprised that you don't have a landscape plan for the site. And another thing you had mentioned, George, that why can't you move the building down hill? It is kind of a two or three tiered site. Why can't you dig the building out on the lakeside, put it into the hill and we wouldn't see anything?"

Mr. Foote stated "because we have a clear well below the floor.

Mr. Galloway stated that at the next meeting "I would like to see if there is some reason why we can't be 708 or 709 to drop ten feet off the height of that building, cut it into the hill grade your berm up by the road and do some nice landscaping. The fencing, George, which I appreciate your thinking about us, around the building would all be practically screened by the whole thing. I guess I'll ask a question of the board. Will all these new plans, revised plans come for that review?"

Chairman Harvey stated that he will probably adjourn the public and will resume when they come back with revisions.

Ms. McCreary asked if there was a mailing list for notices of hearings or meetings concerning this project.

Sue Yarger, Planning Board Secretary, stated that a legal notice is published in the Canandaigua Messenger, which is the official newspaper for the town and a sign is posted on the site.

Ms. McCreary asked if there was an environmental impact assessment done.

Chairman Harvey stated that the Village of Rushville did a coordinated review and it has been completed.

A copy can be obtained by calling up the Village of Rushville.

Ms. McCreary asked about the wall pack lighting.

Mr. Freida explained that the Town Hall has wall pack lighting around the building.

Mr. Foote stated that they anticipate that the lights will be set to come on at dusk and off at dawn.

Ms. McCreary stated that she wants to thank the Planning Board for all there questions, "because I think that they really have been very helpful. Is this the smallest size structure that you can use to accomplish the goal?"

Mr. Foote stated that they have quite literally shoehorned everything into the building. "To answer you question it is the smallest that it can be. We are using every little bit of space. Quite honestly we have a budget and can not make the building twice as big, because we don't have the money. We can't put up a brick building because we don't have the money. Quite honestly if it meant putting up a brick building, we probably couldn't afford to do the project. There is stuff we can do as far as landscaping. If it comes back that we need to do a brick building then I need to go to the Village and we need to start this process over again."

Ms. McCreary asked about the height of the building and the big garage door.

Mr. Foote stated that they need to get equipment in the building. "The membrane filters themselves are just small enough to fit inside there. Art needs to bring in the chemicals for the chlorine. We need to have something bigger than a man door.

Ms. McCreary asked what size doors are on the existing structures since you are not changing the number of chemicals or the volume or frequency or anything else. "Do you have that big of a door on the existing structure?"

Mr. Foote stated that part of it is the equipment inside of the building. "The filter skids themselves are

rectangular skids. We can't build the building around the skids. The building has been sized for potential expansion, so we have to have the capability to bring in another skid or more pumps."

Mr. Franklin stated that he is not following. "If everything is shoehorned in there, then how have you left room inside for more equipment?"

Mr. Foote stated that the building has been sized for the expansion of "right now we have two membrane filters in there. The building has been sized for a third unit. Could the building physically be smaller? Yes, but potentially 5 years, 10 years down the road we would be back having to make the building bigger. We do not want to do that. We are going to do all the infrastructure and do all the site work. We're only talking a few square feet."

Mr. Galloway asked if there was going to be any equipment up above the top of the wall way.

Mr. Foote stated that there will be no equipment above the wall way.

Mr. Galloway expressed his concerns with the height of the roof.

Mr. Franklin asked if they have cost out the cost of delivery service with substations or additional piping to the 8 users as opposed to the cost of doing this.

Chairman Harvey stated that they pump water up the hill and then back down into the Village of Rushville. "Those 8 users are on the way and they're miles from both the lake and from the Village of Rushville."

Fred Lightfoote asked if during the operation of this plant there is a certain amount of water that will then be returned back to the lake.

Mr. Rilands stated that their lost water is pretty minimal. "It is about 8 percent."

Mr. Lightfoote stated that he believes what Mr. Rilands is talking about is throughout the whole system. "I'm just talking through the operation of the plant if there is water that spills or a certain amount of bypass water or overflow that occurs that water then would be returned back to the lake some how or other right?"

Mr. Rilands stated that there should not be any lost water here at all.

Mr. Lightfoote explained that he is talking about untreated water. Over time there could be a leak.

Mr. Foote stated that he has no way to quantify this.

Mr. Lightfoote stated that what he is getting at is giving the fact that they are going to be dealing with a large volume of water and things happen. "Is there any

kinds of provisions to drain water away from the structure?"

Mr. Foote stated that there is some service drains that are on the site.

Mr. Rilands stated that they have had some water main breaks here in the past and will have better control of it with the new facility.

Chairman Harvey asked if there are sensors in the system that turn off the pump, sound the alarm.

Mr. Rilands stated that now it is all manual.

Mr. Foote stated that in the future there will be automatic controls. "If there is a main break in the transmission line, there is a pressure sensor in the building that would sense the sudden lose of pressure and there would be notification to the operator."

Chairman Harvey asked if there were any more comments or questions. Hearing none, the public hearing was adjourned to be re-opened on July 26, 2010, at 7:30PM in the Gorham Town Hall.

Chairman Harvey told the applicants that if they contact Gordon Freida at the Gorham Zoning Office a couple of the Planning Board members would be happy to meet with them and review any alternatives that they have come up with before the next meeting.

Mr. McCadden stated that there might be some decorative things that they could do to the roof, such as a dormer on the road side. There are things that they may be able to do to make it look more presentable.

Ms. Watkins asked what color the roof was going to be.

Mr. Foote stated that he does not believe they have selected a color yet.

Chairman Harvey asked them to pick the color. "Pick one that is going to fit there best."

Ms. Watkins stated that green would blend in best with the trees.

Mr. Atkins asked about signage.

Mr. Foote stated that other than "Authorized Personnel Only" on the door, they are not anticipating a sign out front.

A list of things that the board would like to see for the next meeting is: 1. Landscaping around the building. 2. Decorative steel fencing and less of the chain link fence as per approval with New York State Health Department. 3. Contact NYSEG to see if the transformer can be moved to minimize the overhead lines. 4. Look into minimizing the roof, the color of the roof and look into

putting a dormer in the roof. 5. Address noise concerns.
6. Have details on the wall pack lighting.

SKETCH PLAN:

Richard Frere, owner of property on County Road 18 and State Rt. 247, requests a discussion with the Planning Board on the possible subdivision of his property into several lots.

The Town of Gorham's Access Management Law allows for driveway separation on State Rt. 247 to be 245 feet between driveways. The separation on County Rd 18 is 440 feet between driveways.

Mr. Frere discussed with the Planning Board, at length, his sketch plan for subdivision.

Mr. Frere asked the board if he would be able to subdivide a small piece off of the existing lot owned by Clara Frere on County Road 18 to have a driveway to get back to a piece of woods behind the lot.

The size of the existing lot, which is 5 acres, and the perking of the lot for a septic system was discussed.

Mr. Frere stated that it would be less than 5 acres, because there is a mound there that George Barden, Canandaigua Lake Water Shed Inspector, is going to perk. "It will perk. It wouldn't in the past, nothing there would perk. But, I have put a sand mound on that piece of property."

Chairman Harvey stated that the rules are that the perk testing is done in the native soils. "The 5 acre lot size requirement is back to the original soil that was on the property. Regardless if whether you can get a septic in there or not. It is a 5 acre minimum on that lot."

The Planning Board stated that they would allow one access on the property, to be located in such a way to provide access to a new home and provide access to the wooded parcel in the back. They also expressed that no home would be allowed to be built on the wooded parcel.

Mr. Frere stated that off of State Rt. 247 where his private road/drive is, he would like to keep a 75 foot right of way back. "There is a parcel there right next to Zimmerman's, which is to the south. Could I sell off a 2 ½ acre parcel, if it perks and if I come off my private road with the driveway?"

Chairman Harvey stated that he would not have a problem with a driveway off of the private road. Before

the lot could be subdivided, an application for a variance would have to be presented to the Zoning Board of Appeals for less than 200 feet of road frontage.

Each parcel that is subdivided must meet the Town of Gorham's Zoning Ordinance for lot size and road frontage and each parcel must meet the Town of Gorham's Access Management Law for curb cuts.

Surveys of each lot would be done and presented to the Planning Board to make sure each lot meets the required lot size and distances between curb cuts, before any approvals are granted.

Chairman Harvey explained to the Planning Board that they are going to be revising the Zoning Law and the Subdivision Regulations to comply with the Comprehensive Plan that was just adopted. A request for proposal has been written and the Town will be releasing it on July 1, 2010. The pre-proposal meeting is Thursday, July 15, 2010, at 11:00AM at the Gorham Town Hall. The Proposal Submission due date is 1PM, Tuesday, August 10, 2010, at the Gorham Town Hall. The Interviews will be Wednesday, September 1, 2010, 1-3PM, at the Gorham Town Hall.

Supervisor Calabrese, Chairman Harvey and Mr. Freida are going to be involved in reading the proposals and ranking them.

Chairman Harvey stated that the consultant will be working closely with the Planning Board. If anyone from the Planning Board wants to be at any of the meetings and part of the interview process let the Zoning Office know that you are interested.

Mr. Atkins stated that he is interested in being involved in the interview process.

The meeting was adjourned at 9:40PM.

Thomas P. Harvey, Chairman

Sue Yarger, Secretary