

Town of Gorham

4736 South Street
Gorham, New York 1461

PLANNING BOARD

Monday, October 27, 2025 7:00 p.m.

MINUTES—Approved

The minutes are written as a summary of the main points that were made and are the official and permanent record of the actions taken by the Town of Gorham Planning Board. Remarks delivered during discussions are summarized and are not intended to be verbatim transcriptions.

Board Members Present: Thomas Harvey, *Chairperson*
Richard Perry
Bob Farmer
Andrew Hoover
Gabrielle Harris
Jon Willis, *Alternate*

Board Members Excused: Jeremy Stowe
Lynn Klotz

Staff Present:
James Morse, Town of Gorham Code Enforcement Officer

Applicant Present:
Wyatt Huff

Others Present:
Laura Payne
Cliff Payne

Applicant Via Zoom:
None

Other's Via Zoom:
None

1. MEETING OPENING

The meeting was called to order at 7:00 p.m. by Mr. Harvey.

2. APPROVAL OF MINUTES OF SEPTEMBER 22, 2025

■ A motion was made by MS. HARRIS to approve the minutes from SEPTEMBER 22, 2025 and the motion was seconded by MR. HOOVER.

Motion carried by voice vote with all present voting aye.

3. LEGAL NOTICE

There were no new applications received for tonight's agenda, so there was no new legal notice published for tonight's continued public hearing.

4. CONTINUED PUBLIC HEARING

PB #16-2025: WYATT HUFF 2007 RAINBOW LANE, LIMA, NEW YORK, 14485:

Requests a three lot subdivision plat approval known as the Subdivision of Lands of Ralph Angelo creating Lot 1 consisting of approximately 8.42 acres, Lot 2 consisting of 3.90 acres with existing house and barn, and Lot 3 consisting of 3.81 acres. Lot 1 and Lot 3 are to remain vacant requiring site plan approval prior to permits being issued. The property is located at 4194 County Road 18 and is zoned PD Planned Development.

Mr. Harvey said at the last public hearing the reason we couldn't act on it was we needed a corrected environmental assessment form, which we received.

Mr. Morse said which we received and we also received the SHPO letter stating that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Register of Historic Places will be impacted by this project. The letter is dated October 3, 2025.

Mr. Harvey said we are going to go over Part 2 of the Environmental Assessment Form. I am going to suggest that all the answers be no or small impact on Part 3, which is why you made this decision. We are noting that on Part 2 Question 4 there are no critical environmental areas in the Town of Gorham. Part 2 Question 8 has to do with archaeological and historic resources and we are basing our answer on the October 3, 2025 letter from NYS Office of Parks, Recreation and Historic Preservation. Part 2 Questions 9 and 10 that answer is based on the fact that there is no development proposed at this time. The Chair is making a motion to accept the Environmental Assessment Form Part 2 and 3 as outlined and finding that the proposed action, the subdivision, will not result in any significant adverse environmental impacts and the motion was seconded by Mr. Hoover. The motion was carried with all present voting aye.

Mr. Harvey said the public hearing is now officially reopened and your application is now officially complete. So now that is taken care of the other issue was compliance with the Town's Access Management Local Law. It is a County road, obviously, have you or your engineers had any conversations with the County Highway?

Mr. Huff said no.

Mr. Morse said when they come in to do site plan for those two lots they are capable to meet our Access Management Local Law. I measured where the yellow lines are and it gives us over 440 feet in either direction.

Mr. Harvey said on the one side of the road but it's not on the other side and both of them count.

Mr. Morse said the one I tried to match up, which is closest to it, is at 4205, which will probably lose a driveway cut. I'm told that they are going to tear that down and rebuild it so they are going to lose that one driveway cut. It will almost be directly across from that one so we can meet the standard there. I know the other one is closer to the 4194, the current access for the farm equipment, that will get moved to the southeast.

Mr. Harvey said perfect. Is there anything you want to add? Hearing none, is there anything from the members of the public? Hearing none, there is no one online, are there any other questions from the Board? Hearing none, I will close the public hearing.

MR. FARMER offered a standard resolution for approval and was seconded by **MR. PERRY** to approve the 3-Lot Subdivision as submitted with conditions. The motion was carried with all present voted aye.

**ANGELO 3-LOT SUBDIVISION
RESOLUTION
Application #16-2025**

WHEREAS, Wyatt Huff submitted a 3-Lot Subdivision application, known as the Ralph Angelo 3-Lot Subdivision Plat application #16-2025, for property located at 4194 County Road 18 on August 11, 2025; and

WHEREAS, The Planning Board of the Town of Gorham made a negative determination of significance under SEQR in regard to said 3-Lot Subdivision application; and

WHEREAS, said application to the Town of Gorham Planning Board was required to be referred to the Ontario County Planning Board; and,

WHEREAS, A Public Hearing on said 3-Lot Subdivision application was advertised in the official newspaper of the Town of Gorham, specifically in the Finger Lakes Times, on September 12, 2025 and

WHEREAS, The Planning Board did conduct a Public Hearing at 7:00 PM on September 22, 2025 and October 27, 2025 at the Gorham Town Hall, located at 4736 South Street in the Town of Gorham; and

WHEREAS, The applicant will meet the Access Management Local Law except for the existing driveways on the westside but the Town will have the opportunity to modify them when that property comes in for a new residence; and now, therefore be it

RESOLVED, That the Planning Board does hereby grant final 3-Lot Subdivision Plat approval with the following condition:

1. Lot 1 and Lot 3 are to remain vacant requiring site plan approval prior to permits being issued.

RESOLVED, That the Chairman of this Planning Board is hereby authorized and empowered to sign the 3-Lot Subdivision Plat associated with said application within 180 days of adoption of this resolution upon the applicant producing the following items:

1. Mylar original of the 3-Lot Subdivision bearing the seal of a Professional Engineer, Surveyor, or Landscape Architect licensed to practice in the State of New York
2. Three paper copies of said Mylar 3-Lot Subdivision bearing the seal of a Professional Engineer, Surveyor, or Landscape Architect licensed to practice in the State of New York
3. A copy of the deed(s) for all new parcels to be created as part of this 3-Lot Subdivision

RESOLVED, That the applicant shall have 60 days from the date the Chairman of the Planning Board affixes his signature on said 3-Lot Subdivision to file said Mylar and 2 paper copies, along with the deed for each lot, in the office of the Ontario County Clerk; and further

RESOLVED, That failure on the part of the applicant to comply with any requirements of this resolution shall render the approval of this 3-Lot Subdivision application null and void; and further

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the applicant, filed in the office of the Town Clerk and the Town of Gorham Planning and Zoning Office.

5. MISCELLANEOUS

Mr. Morse said Scenic Ridge Rise will be on your next agenda and are in your packets to take tonight. It was sold to a different developer, Cook Properties.

Mr. Harvey said Jeff Cook and he is a well-known developer.

Mr. Morse said it sounds like he is keeping the contract with Ryan Homes. It is not going to be modulars because some of his developments are modular type homes. He is working with Marathon Engineering. We told this developer that he could use the environmental impact from Doug Eldred's application because he is proposing less of an impact on the environment.

Mr. Harvey said the Board will have to make that finding. We looked at it and they weren't disturbing more ground and they weren't changing the number of lots.

Mr. Morse said we also sent this to MRB for review and we asked for their comments back by November 7th. We will share them with you when we get them.

Mr. Willis said I have a question. Looking at subdivisions like this one, do we have any concerns with the power grid?

Mr. Morse said each subdivision has to be approved. With this subdivision they have to be approved through NYSEG.

Mr. Harvey said there is a form that we propagated out from the County that Jeff Cook should fill out and send into NYSEG.

Mr. Willis said nothing, really, that will come across our table.

Mr. Morse said you will address it. Everybody has to look at it. That's why they have that form. Talking with Matt, from Marathon, it sounds like they already got the ok.

Mr. Farmer said is it going to be the same basically or are they jamming it together?

Mr. Morse said they are bringing it down the hill a little bit more.

Mr. Farmer said 225 feet that's a decent distance.

Mr. Harvey said we will see. I haven't looked at the packet yet. We asked them to give us the typical layout because we want to make sure what people think about adding can get accommodated on the lots. We will see what he came up with.

Mr. Farmer said he had worked on a homeowners agreement, is that going to be the same thing too?

Mr. Harvey said we told him what we wanted in it. We never saw the actual document.

Mr. Morse said to be honest with you we gave him all the same criteria we gave Doug. The only thing that is going to be the grey area is the letter of credit for the future road that will eventually go towards Turner Road.

Mr. Harvey said the Town Board will have to weigh in on that. For those on the Board that did not live through the Doug Eldred project the Town has an Access Management Local Law and plan and there is supposed to be a cross connect from this property into the one to the north. Which Laviano is not ready to develop yet, so we just have to reserve some property and figure out where that link is going to be eventually.

Mr. Morse said he has an idea but says it's fifteen years down the road.

Mr. Harvey said any other business before the Board? It's the end of the year so get your training hours in.

Mr. Morse said we have started the code update and have started working through the code sections. The cost for engineering and architecture have gone through the roof right now, so I am going to suggest changes to garage/barn sizes requiring site plan approval.

Mr. Harvey said any other business before the Board?

Mr. Morse said last thing we are changing the address for the Burkholder's.

Mr. Harvey said I noticed he moved the mailbox.

Mr. Morse said he moved the mailbox for a justifiable reason though. We are going to change the address because they don't intend on using the other driveway. Emergency vehicles had difficulty finding his driveway.

Mr. Harvey said I see our favorite hand sanitizer guy is actually shipping stuff out of his facility.

Mr. Morse said an ECO Operations truck drove by here earlier today, so he owns trucks.

Mr. Harvey said he has a different LLC in Seneca County.

Mr. Morse said that's what I said to the EPA up there. They haven't even taken stuff off site yet. All they have done is clean the ditches. He had three or four containers that were metal and didn't burn and they had to sort each one of those two ounce sanitizer bottles to ship them out. It took three weeks to sort one container and then they found some stuff in the containers that they didn't know what it was. They still don't have results of what it was but they said it wasn't hand sanitizer. He had a ton of acetaminophen and medical supplies.

Mr. Harvey said is there still ongoing litigation?

Mr. Morse said our court case was tabled or postponed until November. The only thing we were going after him for in the lawsuit was for him to immediately get rid of the product nothing financial other than maybe our attorney fees.

6. NEXT MEETING

The next regular meeting of the Planning Board will be held on Monday, November 24, 2025, at 7:00 p.m. at the Gorham Town Hall, 4736 South Street.

7. ADJOURNMENT

■ A motion was made by MS. HARRIS, seconded by MR. HOOVER, that the meeting be adjourned.

Motion carried by voice vote.

The meeting was adjourned at 7:21 p.m.

Respectfully submitted,



Thomas Harvey
Chairperson to the Planning Board