

# Town of Gorham

4736 South Street  
Gorham, New York 1461

## PLANNING BOARD

Monday, March 25, 2024 7:30 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*  
Gabrielle Harris  
Bob Farmer  
Richard Perry  
Lizabeth Rasmussen  
Andrew Hoover

**Board Members Absent:** Mike Kestler

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

**Applicant Present:**  
Michelle Cline, 4501 Summit Parkway  
Sami Tawil, 4501 Summit Parkway

**Others Present:**  
Jay Harris Maxwell, Hanlon Architects  
Jamie Fischer, LeTourneau Christian Camp  
Bob Anderson, LeTourneau Christian Camp  
Bob Allgrim, LeTourneau Christian Camp  
Brennan Marks, Marks Engineering  
Barb Suitzer, 4451 Greenbriar Drive

**Via Zoom:**  
Elke Schmitt, LeTourneau Christian Camp

## 1. MEETING OPENING

The meeting was called to order at 7:36 p.m. by Mr. Harvey.

Mr. Harvey said we have one public hearing this evening. We are going to open the public hearing. Our new secretary will read the public hearing notice as it was published in the official newspaper of the Town. I'll ask the applicants to explain their application. The Board may ask questions and I'll give an opportunity for anybody to make comment or ask the Board a question. On either the application or the environmental review we have to do pursuant to SEQR.

## 2. APPROVAL OF MINUTES OF FEBRUARY 26, 2024

■ A motion was made by MR. HOOVER, seconded by MR. PERRY, that the minutes of the FEBRUARY 26, 2024, meeting be approved as submitted.

Motion carried by voice vote with all voting aye.

## 3. LEGAL NOTICE

The following Legal Notice was published in the Finger Lakes Times newspaper on Monday, March 18, 2024:

Pursuant to the laws and regulations of the Town of Gorham and the State of New York, the following public hearing before the Gorham Planning Board will be held on Monday March 25th, 2024, at 7:30PM in the Gorham Town Hall, Gorham, New York.

Said hearing is to consider the following application for Site Plan under the Site Plan Regulations of the Town of Gorham and to discuss all matters relevant to the environmental review of application under the New York Environmental Review Act.

Application # PB-72-2024, Michael and Kathleen Sweeney are seeking approval for a subdivision for tax map # 127.19-4-64.12, located at 4465 Greenbrier Dr. Canandaigua, NY 14424.

All persons wishing to appear at such hearing may do so in person, by attorney or other representative.

Thomas P. Harvey  
Planning Board Chairman

## 4. NEW PUBLIC HEARING

**PB #72-2024 Michael and Kathleen Sweeney 4465 Greenbriar Drive, Canandaigua, New York 14544:**

Said hearing is to consider the following application for Site Plan under the Site Plan Regulations of the Town of Gorham and to discuss all matters relevant to the environmental review of application under the New York Environmental Review Act.

Mr. Harvey said since this is a subdivision and per the crazy state statute, we have to make a determination of significance before we have the public hearing on this. Otherwise the application is not complete. So Board members, we are going to call this the Sweeney, Tawil, and Cline Subdivision at 4465 Greenbriar Drive. This is to divide a 90 x 205.50 lot from a 2.357 acre parcel owned by the Sweeney's. The project does not involve any legislative adoption of a plan, local law, or ordinance, that's question one. Question two, permit approval or funding from any other government agency? No, it's just us. Question three, total acreage of the site is 2.357 acres and it's residential suburban. The proposed action is a permitted use under the zoning regulations and it's consistent with the adopted comprehensive plan. Is the proposed action consistent with the predominant character of the existing built or natural landscape? Yes. Is the site of the proposed action located or does it adjoin a state listed critical environmental area? No. Will the proposed action result in any substantial increased traffic? No. Is public transportation available near the site? No. Are any pedestrian accommodations or bicycle routes available and or near the site? No. Does the proposed action meter exceed the state energy code requirements? I said not applicable because we are not building anything at this time. Will the proposed action connect to an existing public or private water supply? We said no, because no construction at this time. Same thing with wastewater utilities. Does the site contain or is it substantially contiguous to the building, archaeological site, or district which is listed on the National or State Register of Historic Places or has been designated by the Commissioner of the NYS Office of Parks, Recreation, and Historic Preservation to be eligible? Well, that's no, it's not within an archaeological sensitive area now and again, you are not doing anything structural at this time. Does a portion of the site contain wetlands or other water bodies? No. Will it physically alter or encroach on any existing wetland or body? No. The habitat is suburban. There is no animals, species or associated habitats listed by the state or federal government as threatened or endangered. It is not within a 100 year floodplain. Stormwater will not discharge on the adjacent properties again we are not changing any of the existing since there is no construction at this time. Not directing anything to establish conveyance system. Not going to do anything that's going to create impoundment of water. The site is not does not contain or an adjacent or close to a closed solid waste management facility and the site has not been the subject of remediation for hazardous waste. Since there is no construction proposed at this time, the board is familiar with Part 2 of the environmental assessment form. So we are proposing to answer no to all of the questions because again there is no or small impact that may occur. Noting on Part 3 of the environmental assessment form, there are no critical environmental areas that have been established or designated in the Town of Gorham. Noting also in Part 2 for question eight we answered no or small impact based on the fact that there is no construction proposed at this time.

Mr. Harvey said given that, would someone like to make a motion to make a negative determination of significance? A motion was made by Ms. Rasmussen and was seconded by Mr. Hoover. Mr. Harvey said is there any further discussion? Hearing no further discussion, all those in favor of making a negative determination of significance saying that

the project will not result in any significant adverse environmental impacts, please say aye. All present voted aye. Motion carried.

Mr. Harvey then opened the public hearing on this application.

Michelle Cline and Sami Tawil presented the application.

Mr. Harvey said so you have an adjacent piece of property?

Ms. Cline said yes.

Mr. Harvey said is there a house on that?

Ms. Cline said no.

Mr. Harvey said so you know once they create this lot they are going to tax you for another prime lot.

Ms. Cline said yes we understand they will tax us for two lots.

Mr. Harvey said so the driveway for this one is on Summit?

Mr. Cline said yes.

Mr. Harvey said the speed limit is 35 there?

Mr. Morse said yes, I believe so.

Mr. Harvey said let me put it this way if it was 55, your driveway have to be 440 feet away from any other driveway on this lot. Is there going to be a future house construction?

Ms. Cline said no, we are not building a house.

Mr. Harvey said so you just wanted to buy it for the heck of it?

Ms. Cline said we wanted more space, really. I own the house and just it's like a square now.

Mr. Harvey said and you don't want to add it to that deed?

Ms. Cline said no. My sister and I own that lot with the house. Me and him own the other two lots. I like the space, it's beautiful. We are going to clean it up a little bit more.

Mr. Harvey said even if you connected this one, they wouldn't charge you for two prime lots.

Ms. Cline said maybe at some point.

Mr. Harvey said now is the time to do it.

Mr. Tawil said no I would rather have it subdivided.

Mr. Harvey said ok, that is your choice. It meets all the zoning criteria. Does this one meet it as well?

Mr. Morse said I believe so. I've been working on it for a while with them.

Mr. Harvey said if this is non-conforming, listen to me very carefully, and we subdivide and you recorded the deed for this, you would not be able to sell them differently because the Town would consider it one lot.

Mr. Morse said he's actually got more than enough width being on the corner.

Mr. Harvey said so you are all set then. You are not going to be in that situation.

Mr. Morse said I know it doesn't scale down there, but it's actually larger than the 90 foot and the depth is well over the requirement.

Mr. Harvey said so probably the only condition we are going to put on there is, there is no construction without site plan approval from the Planning Board. Anybody else have any questions? Anybody else from the public wish to make a comment or ask a question? Hearing none, I'm going to close the public hearing. We have already done SEQR. We have a standard form of resolution to adopt a subdivision. The only condition that I've seen is that we'll stamp the map that all future construction is contingent on site plan approval by the Town of Gorham. Whether it's administrative or Planning Board, either way it has to come to the Town.

Mr. Hoover then offered the resolution of approval with the condition and it was seconded by Ms. Rasmussen. Mr. Harvey said a resolution for approval with one condition has been made and seconded, is there any further discussion by the Board? Hearing none, all those in favor of adopting the resolution please say aye, motioned was carried by voice vote will all voting aye.

Mr. Harvey said you guys are all done. Get that stamp on the plan. You will need at least three paper copies and you will need two and a mylar for the County to record it.

Ms. Cline said and I just bring them to you.

Mr. Morse said yes and then I will review it. Just make sure it says on there that condition.

Mr. Harvey said and let me be very explicit, you got six months from this date to record it in the County Clerk's Office. Once you give Jim the paper copies and the mylar and he

tracks me down and I sign it, you will have 30 days from my signature date to record in the County Clerk's Office. Otherwise we get to do this all over again.

Mr. Morse said if you guys wish to keep a couple paper copies, we will keep one, the County is going to want two copies and a mylar, so if you guys want a couple of your own for the Sweeney's and yourself, bring a couple extra.

## 5. MISCELLANEOUS

### **LeTourneau Christian Camp, 4950 County Road 11, Rushville, NY 14544 – Preliminary sketch plan review for a multi-use building.**

Mr. Marks said thanks for allowing us to come in and discuss the sketch plan. It's a big project, so we wanted to come in and have a discussion before we get deep in the planning stages. I have been working with Letourneau for several years now on master planning on some different building projects. We have changed this a few times. We have gone from the depth of reuse of existing buildings to newer, bigger buildings with more purposes and more uses. Then we settled on this plan here, which is a new multi-purpose building. One thing that hasn't changed through this planning process is their devotion to the community and to this camp. They have put a lot into this facility. They have done a lot of improvements. They fundraise a lot of community support for this building. There is a lot of interest and with some bigger donors that are going to help on this project. This is about 9500 square feet of wood frame structure. It is going to allow for numerous indoor uses during bad weather and also maybe in the off season or the slower season which would be the winter. This space will be used for a new gymnasium. There is going to be showers, there is going to be recreational space, and there is going to be meeting space. The showers and the bathrooms will serve parts of the camp that are a little bit further from some of the showers. So we settled on this piece or spot here because it's actually one of the most level spots of the whole property. This is a tough property because there is a lot of grade to it. Bob and I looked at it and there is over 150 feet or so of elevation just from the top cabin all the way down to the road. It's a challenge. The site was a former baseball field. Sometime, a long time ago, they leveled this off and kind of used this as recreation space. So we are going to use it as recreation space, just indoors, right? With this we are providing some infrastructure improvements. One of the biggest things is an access driveway that is coming up and an access loop that's going to get us around the property and back down safely with emergency vehicles and pedestrian vehicles and smaller buses. One thing that they don't have now is good access to the top of the property. There is thoughts about the rest of the campus, but we are kind of systematically kind of improving the campus starting with this new building. We are going to keep some of the flavor of the old camp with some of these old smaller cabin buildings and then also up here some that are being renovated and repurposed to keep those old cabins. The new building is going to require some parking. We have about forty eight spaces altogether here. We have also proposed some reorganizing and some efficiencies that will pick up some spaces in the existing parking lot. There will be two stormwater management facilities. One will be on the downhill side of the new building and also there will be another one that we are planning to be here. The

plan is for those to be a dry practice, like a bioretention, something that won't be a hazard for the kids.

Mr. Harvey said well you know our standard, right? So it's not just a control of the discharge rate, you have got to get whatever is going to be under hard cover, whatever the increase in stormwater runoff from construction has got to get back in the ground. How you do that with the recharge area or whatever and provide the engineering for that. I am a little concerned, if you're ready for comments, when the dining hall was built and that parking lot was expanded there is not a lot of good stormwater management in that area. Now we are going to reconfigure that. It does wash out on the County Road 11, a lot, and we are increasing the size of the drive and I understand why for Emergency Management access going down, but it just exacerbates the problem. None of your stormwater facilities are going to compensate for that issue, so that needs to be addressed. I apologize, I didn't look at the aerial photo. It's a ballfield up there now so we aren't losing any mature trees with any of the construction, none of that is forest at present.

Mr. Marks said no, none of it is forested.

Mr. Harvey said the other issue is, it is a 35 mile per hour speed limit there so we are going to take a really hard look at the spacing and the number of curb cuts. Understand given the size of the project and you will probably be able to meet the spacing requirement. It may be fine but take a look at the Town's Access Management Local Law to see what the requirement is. If we could lose one that would be wonderful. If you could make it so they are spaced in compliance with the Town law then you are fine. I also noticed the building goes over the property line. I am assuming you own both of them. You are going to have to combine the lots or do something because we are not going to let you build over a property line.

Mr. Marks said we are well aware of that.

Mr. Harvey said so there will be a subdivision app as part of this application. Actually, it will be a subdivision app instead of a site plan application. It will be all one. The statute says if a subdivision was required that I can also require you to do a site plan. The site plan will be part of the subdivision application. Exterior lighting or anything of that nature?

Mr. Marks said yes and it will all be dark sky. Here are the elevations. I wanted everyone to have them. Jay has some more elevations and I will let him talk about the building. But yes, the parking lot lighting limit like light shed shadow.

Mr. Harvey said the Town has become more sophisticated. I really don't have any qualms about the location of the new drive. I will say it will need to be grated so the low spot is not the public road, unlike the other existing drive.

Mr. Marks said I know one of the things you mentioned was erosion and washouts, which is one of the biggest challenges on this site. I guarantee you that we will fix it.

Mr. Harvey said I can guarantee you won't get an approval until you come up with a good plan and I have faith that you guys can do that. Any logic in terms of the number of parking spaces that you are providing? How did you get to that number? We wrote our ordinances to be more like guidelines, so you got to come up with rational saying this many will be dedicated to the cabins etc. Give us a rational basis, so we say yeah that makes sense. Year round facility?

Mr. Marks said yes.

Mr. Harvey said we are going to look for where is your garbage going to be. How are you going to plow it? Where is your snow storage? Those types of things. Again, make sure it all works. Given that it is a County road and you have the distinction of being one of the only mid-block, not an intersection, crosswalks on County Road anywhere in Ontario County. We are going to have a discussion with our Commissioner Public Works at the County as well during the review process. They are going to have to be comfortable with what you are doing. Comfortable with keeping the location and does it still make sense. Again, there are so many curb cuts and if you guys aren't familiar with why we regulate access points it has to do with there is a relationship between the driver, their perception, how many things they can keep track of, intersections on the road, whether it's a pedestrian trail crossing, a driveway crossing, etc. There are actually standards, engineering standards for that, and it's based on the speed. So the faster you are going the farther things need to be spread out to keep our roads safe. The Town has incorporated that into its laws so that's why we look at road intersections and crossings.

Mr. Marks said do you think the County may be interested in readjusting the speed limit on this road given the use and the entrances that are already there?

Mr. Harvey said just look at it from the other view, the reason for an Access Management Law is to do two things. Make sure that the development does that create a hazard and to protect the carrying capacity and the speed limit of the road. So my answer to you would be no. The County will want to do everything in its power, and that's one of the reasons the Town has a regulation, to maintain the speed limit and the traffic carrying capacity of that road. So we try not to let new development cause situations where we got to decrease the speed limit, because that just makes everybody angry.

Mr. Marks says it was worth asking.

Mr. Harvey said enforcement is another issue, right, and there are other things. I would also ask you to look at, the County did a corridor study of this corridor, so if there is any traffic calming or other recommendations for this stretch of the road, you may want to incorporate those into your design or have them at your disposal when you talk to County Highway.

Mr. Marks said my logic is to understand that the Town is comfortable with the use and that it's continuous.



Mr. Harvey said I'm assuming it's going to meet the same purposes of the rest of the camp.

Mr. Marks said right, it's supporting camp, right.

Mr. Harvey said James, it's an allowed use.

Mr. Morse said yes.

Mr. Harvey said there you go. There you go. Just like anything else you know if you can make the stormwater infrastructure and the other mechanics work, I have no objection. We will do everything in our power to grant an approval. You have been a good neighbor, especially since the ownership transitioned several years ago. You have done nothing but improve the facility. It's important that Jim's office doesn't get a lot of complaint calls, so that's always a good thing and that wasn't always the case. So, it's an allowed use, there is no special use permits. There is no anything that has to go on with that. Everything just discharges to roadside ditches down there.

Mr. Marks said no, there is a large storm culvert that passes through and discharges to the line.

Mr. Harvey said is that yours or is that the County's?

Mr. Marks said the County is probably going to tell you that between the right of way it is probably the County's but after that it's their problem. So that's one and then there is a gully and a crick that comes through on this property line here. So this facility will be discharged to the crick and then this facility would most likely discharge to that.

Mr. Harvey said you know the drill Brennan.

Mr. Marks said yeah we have to go through the state.

Mr. Harvey said yeah, you can't drain more area into a culvert than it's currently handling. Up at this end, that just goes to the roadside ditch.

Mr. Marks said that's correct.

Mr. Harvey said that's what I thought, it is definitely the most troubling area right now. I remember when you guys built that hall we had a lot of comments from the neighbors about vegetation, so we made some changes. I haven't heard any complaints over the years about that, have you?

Mr. Morse said no, but they also have new neighbors to the north that they probably are glad to have.

Mr. Marks said I have done a lot of talking, so I will let these guys talk about the property.

Mr. Harris said Brennan said that the building itself is going to be 9,000 square feet, plus or minus. It's going to be just a pole frame construction building, wood frame construction building. The high bay area, the gym area, is going to be about twenty foot sidewalls, thirty three feet to the peak of the building. You can see from rendering; we are just doing some kind of timber frame look to enhance the front entrance of the building. Again, it's a multi-use purpose of the building and will have some bathrooms to it and then also because of the usage it will be a sprinkled building so that will take care of the life safety components of it.

Mr. Harvey said the cottages have bathrooms or not? They don't from what I can recall. So this building is going to have bathrooms in it. So just be aware, I'm sure that the County Sewer District is going to make you put in a separate lateral for that building. That will be part of the review. No pressure issues.

Mr. Marks said that is a concern on the site. It is this magic 815 line.

Mr. Harvey said I'm sure Jim is going to want to look at, for commercial building, to have a fire flow calculation for that as well.

Mr. Marks said my rationality, as you mentioned for the parking generation, there is a total of about 107 spaces three people to one car on average for something like this you are looking at about 320 patrons.

Mr. Harvey said yeah, tell us if that is based on your experience or if it comes out of transportation manual. Again, I don't think we are going to argue back and forth, just give us a good basis for where those numbers are coming from. We do the same thing at the County with CMAC and Lincoln Hill Farms. Everything is right about 3 to 1. That's what the good book says and that's what actual experience seems to bare out. Anything you guys are considering with any alternative energy or you are going to heat this with natural gas. Not that there is a regulation, but you know, depending on when we get through the review and application process I have no predictions on what the state of New York might or might not do to you.

Mr. Marks said that is a good thought. I don't think we put that much into it. We do have a bunch of roof area. The other option would be geothermal. One big thing that is on the list to take care of with some of the electrical infrastructure, we have been trying to get that done for a while.

Ms. Rasmussen said especially with the storm ponds, is there any way to connect those with geothermal?

Mr. Marks said if I have an open water practice. I haven't ruled it out yet but I don't like it with the kids around.

Mr. Morse said I think there is capabilities. I like your idea of not doing it, but if you do certain slopes and change some of the slopes it makes that a lot bigger through there.

Mr. Harvey said I guess the other thing I would do is, straight seems really nice for that road except when you consider it's going straight up the hill.

Mr. Morse said 12% is the max grade. We followed the New York State Law. I like 10% or less, but 12% for some reason is what we follow. You also have to have the first thirty feet flat on any County or State Road.

Mr. Harvey said that is all about fire access.

Mr. Marks said that is going to be a tough one.

Mr. Morse said it's been a challenge on all these houses down on the lake because the lots drop right off.

Mr. Harvey said so let me say it again, you might not end up with a straight road.

Mr. Marks said yeah I hear that but they have existing buildings to work around too. They actually have an existing driveway there already, so we are basically just widening it and paving it. We have to tackle that one and I don't know if we will get there.

Mr. Morse said I looked at this a long time ago when we had that high banks house and I don't think we had in our code but it automatically refers back to the state code, which is 12%.

Mr. Harvey said let's be very clear, if you want to exceed that, that's a variance from the State.

Mr. Marks said yeah, I am going to research the code, obviously, and then we are going to have vet that right off the bat.

Mr. Harvey said yeah, I think you are right, get that settled down and figure what you can and can't do before you invest a lot of time in design of that. Again, depending on where we wind up with curb cuts and access, put some thought into some unifying signage so it's very clear how you want people entering your site and do you need to segregate groups, etc.

Mr. Morse said that pull off areas is that part for the buses to use as a staging area if the buses come in?

Mr. Marks said yes for both campers and maybe bus traffic. What they do is, if they have Saturday camp at 9:00 they will start dropping kids off so we are proposing an area where they can drop off.

Ms. Rasmussen said I know the gully area is it is a huge issue, but one thing to think about maybe as far as avoiding that steep hill is coming off Jones Road and putting a bridge across the gully.

Mr. Marks said we have talked about that one several times. We looked at it and it's not in the cards on this one, I don't think. We are actually looking at putting parking over here and adding a pedestrian bridge. It's a big gully, but we will take it into consideration.

Mr. Harvey said well, that's a good point if nothing else, we love to see you think about the ultimate build out of the site as well, not that you are looking for approval now, but making sure we are not hamstringing any future connections or development.

Ms. Rasmussen said and then it would alleviate some of that pressure of exiting on to and entering off of County Road 11.

Ms. Harris said I'd like to see some big trees, especially with a big parking area like that. If you could incorporate some big canopy trees and maybe if you end up doing it do it drive up. Some trees or some shade trees where the drop off area is.

Mr. Marks said maybe some street trees.

Mr. Morse said Brennan, commercial driveways are 10% and residential are 12%. That's an average of overall too, so keep that in mind. When you do the final as-built it will be the overall calculation.

Mr. Harvey said I appreciate you guys coming in and having this informal discussion. We are trying to get all our issues out and anticipate everything.

Mr. Marks said that's good. It only makes it easier the next time around. We will look at the road and the grade and this is how we got here.

Mr. Harvey said thank you very much for coming. We look forward to seeing you again.

## **ONTARIO BEACH PARK**

Mr. Harvey said that Ontario County is going to rebuild Ontario Beach Park.

He reviewed with the Board the proposed future updates to the park along with a potential new name.

The board had the following comments:

1. Happy that the County is investing in this park as it is important to the existing and proposed nearby upland residential development.
2. Ms. Rasmussen thought there ought to be a handicap accessible parking space near the ADA compliant access to the proposed pavilion and the path to the kayak launch, as the only handicap parking space shown was near the restroom building at the opposite end of the park. Mr. Harvey explained that the parking lot slope may not be ADA compliant near the pavilion and the project does not include regrading/replacing the existing parking

lot. That would be something that the County might address in the future when it is time to rebuild the parking lot.

3. The County should provide bags for collecting dog feces for those that walk their dogs in the park. Mr. Harvey explained that County parks are carry in/carry out, so there would not be garbage cans for disposal.

4. Supported renaming the park to eliminate confusion with Monroe County’s park of the same name, and to remove the word “Beach” as swimming is not allowed.

5. Supported the increase in green space.

6. Supported additional/larger signage for the entry drive.

7. Noted that the existing two curb cut driveway configuration does not comply with the Town’s Access Management Plan and Local Law, but noted it was a pre-existing non-conforming situation. Thus, the Board supported continuing the current configuration because of the limited depth of the property and the public use with many short term visits.

8. An overhead bar needs to be added to the kayak launch to assist handicapped individuals into and out of kayaks. The Board noted that the kayak launch gets considerable use.

9. Supported not lighting the park and having it close at dusk.

Mr. Harvey asked the Board members to send any additional comments they had to him within the next two weeks.

**6. NEXT MEETING**

The next regular meeting of the Planning Board will be held on Monday, April 22, 2024, at 7:30 p.m. at the Gorham Town Hall, 4736 South Street.

**7. ADJOURNMENT**

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

Motion carried by voice vote.

The meeting was adjourned at 8:39 p.m.

Respectfully submitted,



Thomas Harvey  
Chairperson to the Planning Board

L.S.