

MINUTES
TOWN OF GORHAM PLANNING BOARD
June 26, 2017

PRESENT: Chairman Harvey Mr. Zimmerman
 Mr. Hoover Mrs. Rasmussen
 Mr. Dailey Mr. Farmer
 Mrs. Harris-Alternate

ABSENT: Mr. Henry

Chairman Harvey called the meeting to order at 7:30 PM. Mr. Zimmerman made a motion to approve the May 22, 2017, minutes as presented. Mr. Hoover seconded the motion, which carried unanimously. Mrs. Harris-Alternate will be voting on all applications tonight.

PUBLIC HEARINGS:

Application #15-2017, David & Karen Lanning, owners of property 5102 County Road 11, requests site plan approval to build a single family 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 June 15, 2017, the Zoning Board of Appeals granted a north side variance of 6' for a setback of 9' to the overhang, a south side variance of 4' for a setback of 11' to the overhang and a variance of 12.9% for lot coverage of 37.9%.

David Lanning was present and presented his application to the board.

Mr. Lanning stated that the present dwelling is a seasonal cottage and they would like to build a single family home. They have reduced the lot coverage from 46.8% to 37.9%. The driveway that is on the side of the lot will be removed and the driveway will be placed in front of the house.

Chairman Harvey stated that the proposed drainage brings the water right into the garage.

Mr. Lanning stated that they are going to have to put a drain in the front of the garage to deal with that water.

Chairman Harvey stated that that will need to be placed on the plan showing how the water will be handled.

Drainage was discussed. The Town of Gorham regulations state that where ever possible get 2% slope at least five feet away from all buildings. The grading on the plan will need to be corrected to achieve this.

Chairman Harvey stated that he would like to see the downspouts going into a dry well or something to get water infiltration.

Gordon Freida, Code Enforcement Officer, stated that the proposed home meets the Town's height regulation.

Chairman Harvey asked Mr. Lanning to have his architect look at the Town's Design Guidelines for landscaping and tree planting requirements. The Planning Board would like to see a landscaping plan along with the site plan.

Chairman Harvey stated that on the plan it states that the proposed electric, sewer and waterlines are going to be in the same location. He does not believe the water and sewer line can go in the same location. This will need to be corrected on the site plan.

Chairman Harvey asked if the small catch basin at the end of the existing driveway is going to be removed.

Mr. Lanning stated that they could have it removed or be part of the swale in that area.

Chairman Harvey stated that would be fine. If it outlets to the lake he would like it removed.

Mr. Zimmerman stated that it would be helpful to see the downspouts on the site plan. It appears they are draining an upper roof onto a lower roof. He would like to see how the gutters will work, because he has seen too many incidents where they don't work.

Mrs. Harris asked if they were going to keep the trees that are existing.

Mr. Lanning stated that they are going to try to save all the trees except one Maple that is 90% dead.

Chairman Harvey asked if there were any comments from the public. Hearing none, the public hearing was closed.

The Planning Board discussed and completed Part 2 of the Short Environmental Assessment Form. The board determined this to be an unlisted action under SEQR that will not receive coordinated review since no other discretionary agency approval is required.

Mrs. Rasmussen made a motion to approve the Short Environmental Assessment Form, part 1 as completed by the applicant and part 2 as completed by the Chairman making a "negative determination of significance" stating that the proposed action will not result in any significant, adverse, negative environmental impacts as the board did not find a single potentially large impact related to this project. Mr. Zimmerman seconded the motion, which carried unanimously.

Mr. Hoover made a motion to approve the site plan with the following conditions: 1. Fix the grading to show positive drainage away from the house and away from the garage. 2. Show on the site plan an underground recharge area. 3. Get details and design on the downspouts. 4. Remove the catch basin. 5. Present a landscaping plan that complies with the Town's Design Guidelines. 6. Change the note "Proposed electric, sewer and water lines". Mr. Zimmerman seconded the motion, which carried unanimously.

Application #21-2017, William & Tracy Pellicano, owners of property at 4356 State Rt. 364 requests subdivision approval to subdivide .22 acres and annex to 4336 Deep Run Cove to build a single family home.

The notice, as it appeared in the official newspaper of the town, was read.

William Pellicano, Rick Szkapi and Tim Tyskiewicz, Architect was present and presented the application to the board.

Nothing has been received from New York Office of Parks, Recreation and Historic Preservation on this application. The application was submitted to them on June 2, 2017. By law the Town must give New York Office of Parks, Recreation and Historic Preservation 30 days to respond.

Chairman Harvey opened the public hearing on Application #21-2017 and adjourned the public hearing to be re-opened on July 24, 2017, at 7:30 PM.

Mr. Tyskiewicz stated that they will be taking down a cottage that is at the shore and they are also going to remove 4700 square foot of pavement. They are going to place a two story frame house up the hill from the lake. The footprint will be about 1400 square feet. They are going to curve the grading more down the hill. There is a dry well at the footprint of the existing house which they are going to fill in with stone and cover it with landscape fabric, top soil and grass.

There was discussion on the access to the property. The applicant stated that he has a driveway easement to get to the property. Chairman Harvey stated that he would like to see something in writing that there is a driveway easement.

Mr. Dailey asked if we are going to allow annexation what is going to happen to the fence on the parent parcel. Also the driveway easement on the parent parcel when is

that going to be settled. This has gone on for two or three years.

Mr. Pellicano asked what that has to do with this application.

Mr. Dailey stated that is part of the whole property.

Mr. Pellicano asked Mr. Dailey if he should be recusing himself from the Planning Board on this application.

Mr. Dailey stated that he didn't think so.

Mr. Pellicano stated that "you have recused yourself on the other properties that were adjacent. You own an adjacent property."

Mr. Dailey stated "I didn't recuse myself on anything Bill."

Mr. Pellicano stated "you did on the first when I came for the first subdivision. 100% you recused yourself."

Mr. Dailey stated "I did not. I never recused myself."

Mr. Pellicano stated "one question. Adjacent property owner, is he not to recuse himself?"

Mr. Dailey stated "I'm not an adjacent property owner."

Mr. Pellicano stated "you are to the 4356 property."

Chairman Harvey explained that the Chairman of the Board can't force someone to recuse themselves but that is one of the rules if you are an adjacent property owner you probably should recuse yourself. You should leave the table as a board member and sit with the public. You are free to ask a question or make a comment as the general public.

Mr. Dailey recused himself from the board and took a seat in the public at this time because he's an adjacent property owner with other partners.

Chairman Harvey stated that if they are subdividing the lot they need to show on the map where the access is to the new lot.

Chairman Harvey stated that he would like to see a landscaping plan according to the Town's Design Guidelines.

Mr. Farmer asked Mr. Pellicano what his long term plans were. Are you going to be back again for another home?

Chairman Harvey asked what his plans were for the 50 foot lot to the north.

Mr. Pellicano stated that it will be forever wild.

Chairman Harvey stated that he is curious why they didn't annex it all together as one parcel if they wanted it to be forever wild.

Mr. Hoover suggested that they just move the property line and make the 50 foot lot part of the new guest house property.

Mr. Zimmerman stated that he is going to look at what they approved on the adjacent property to see how it relates to this property. He had the same question of why the 50 foot lot was not being combined with the proposed property.

Chairman Harvey explained to the applicant that if there is any change to his plan before the next meeting it needs to be in the Zoning & Planning Office 5 business days before the meeting.

Mrs. Rasmussen made a motion to adjourn the meeting at 8:18. Mr. Farmer seconded the motion, which carried unanimously.

Thomas P. Harvey, Chairman

Sue Yarger, Secretary