

MINUTES
TOWN OF GORHAM PLANNING BOARD
July 23, 2018

PRESENT: Chairman Harvey Mrs. Rasmussen
 Mr. Dailey Mr. Hoover

EXCUSED: Mr. Farmer Mrs. Harris

ABSENT: Mr. Zimmerman

Chairman Harvey called the meeting to order at 7:50 PM. Mr. Dailey made a motion to approve the June 25, 2018, minutes as presented. Mrs. Rasmussen seconded the motion, which carried 4-3.

PUBLIC HEARINGS:

Application #24-2018, Patrick Laveck, owner of property at 5008 County Road 11, requests site plan approval to demolish existing home and build a new single family home.

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

On May 17, 2018, the Zoning Board of Appeals granted an 8.6' variance for a south side yard setback of 6.4' for the steps and landing. A variance of 10 feet for a 5 foot north side yard setback to the overhang. The shed is to be moved to set in line with the proposed home on the north side. The 5' variance that was granted on the west side is to be removed.

Patrick Laveck was present and presented the application to the board.

Mr. Laveck stated that the project is to demolish and existing building and build a new building. The building will be on the existing footprint back further from the lake.

Drainage around the building and from the site was discussed. The contours will need to be corrected to show proper drainage around the building.

Mrs. Rasmussen questioned the variance that was given. The variance was 8.6' for a 6.4' setback for the steps and landing but nothing was granted for the 10.4' to the overhangs on the south side.

Mr. Dailey asked if Mr. Laveck was aware of the Town's Design Guidelines.

Mr. Laveck stated that the new home will be beige siding with darker brown shingles.

Mr. Dailey asked if the proposed home would affect the neighbor's view of the lake.

Mr. Laveck stated that the proposed building is moving back from the lake 5 feet. So the answer is no.

Mr. Laveck presented a photo of his existing home between his neighbors two story homes. This photo will be kept in the file.

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

Ken Hinett, property owner on the north side of the project, stated that he has significant concerns about the drainage that has been created with those berm effects at the front. Mr. Laveck's property currently has a gentle slope from front to back. Now it is being created as having no slope. That will force all of the water out of the splash blocks onto his property.

Chairman Harvey stated that he is not seeing the change in elevation that Mr. Hinett is.

Chairman Harvey stated that the drainage that is now going towards Mr. Hinett they have asked Mr. Laveck to fix on the plan.

Mr. Hinett questioned the architectural features. "Is this building going to have a characteristic that we can describe or is it just a plain vanilla?"

Mr. Laveck asked what kind of characteristics they are talking about.

Mr. Hinett asked if the new home was going to have any accentuations like shutters, trim boards, different shading from top to bottom.

Mr. Laveck stated yes. There will be significant detail to give it a good look.

Chairman Harvey asked if he had any renderings or elevations that his architect has proposed.

The elevations were presented to the board for their review.

Chairman Harvey asked Mr. Freida, Code Enforcement Officer if he had reviewed the elevations and plans and asked if everything meets the Town's requirements.

Mr. Freida stated that he had reviewed the plans and it meets all the Town's requirements.

Someone from the public asked what is meant by existing footprint. Is it the existing foundation or is it existing dimensions.

The placement of the new structure was discussed. The proposed house will be shifted 5' feet from the lake side

and 5 feet from the north property line. The new home is within the foot print but not in the same location. It will be much less non-conforming than it is presently.

Chairman Harvey stated that on the south side the ZBA referenced the stairs and landing but didn't mention the setback for the house.

Mr. Hinett stated that a question was asked with the proposed home being 22 feet in height would it block the vision from the neighboring properties. The answer to that is yes. It takes away the view of the lake from his home and partly from the home on the other side. The average grade is a foot and a half higher than it is today.

Lynn Schaertl stated that she noticed that there is a double deck on the plans and hasn't seen any double decks in that neighborhood. Is that permitted?

Chairman Harvey stated that as long as it meets the height requirement and setback requirements it certainly is permitted.

Ms. Schaertl stated that the set of plans she saw didn't have the fireplace. Are they still intending to have a fireplace?

Chairman Harvey stated that the plans show a chimney.

It was decided that the application needed to go back to the Zoning Board of Appeals for clarification on the setback on the south side.

Chairman Harvey asked if there were any more comments. Hearing none the public hearing was adjourned to be re-opened on August 27, 2018, at 7:30PM.

Application #25-2018, Jeffrey & Kelly Airth, owners of property at 2539 East Main St, requests site plan approval to build a single family home.

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

Mike Greene, Surveyor and Jeffrey Airth were present and present the site plan to the board.

Chairman Harvey stated that after reviewing the drainage everything looks beautiful.

Elevations of the proposed home were presented to the board for their review.

The parcel is in the Town's sewer district. There will be a 20 foot sewer easement that will be located and added to the plan before a Certificate of Occupancy is issue.

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

The Environmental Review was done on the parcel years ago at the time of the Deer Run Subdivision.

Mrs. Rasmussen made a motion to grant site plan contingent on the recording of an easement for the sewer line and access to the tank to the town. Mr. Dailey seconded the motion, which carried 4-3.

Application #26-2018, Scott Biesaart, owners of property at 3662 Nibawauka Beach, requests site plan approval to build a 22' x 32' garage.

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

Scott & Martha Biesaart were present and presented their application to the board.

Mr. Biesaart stated that the water will be captured from the roof gutters and put into dry well that is shown on the plan.

Drainage was discussed on the south side of the proposed garage. The contours will need to be corrected to show positive drainage around the south side of the garage.

Gordon Freida, Code Enforcement Officer stated that the proposed garage meets the Town's lot coverage, height and setback requirements.

Mr. Biesaart stated that the proposed garage will be vinyl sided. There will be electric and gas brought into the garage so that they can have heat in the winter. He would like to have water brought to the garage so that he can have a spigot in the rear of the garage to water the garden.

Chairman Harvey stated that there can be no sanitary sewer brought into the proposed garage.

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

A letter dated January 24, 2014, was received from New York Office of Parks, Recreation and Historic Preservation on this application, stating that there is no impact on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places.

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.

Mr. Dailey 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. Hoover seconded the motion, which carried 4-3.

Mrs. Rasmussen made a motion to approve the site plan with the following conditions: 1. Correct the grading to show slope away from the foundation. 2. All utilities will be underground. 3. No sanitary sewer is to be connected into the proposed garage. Mr. Hoover seconded the motion, which carried 4-3.

Mrs. Rasmussen made a motion to adjourn the meeting at 8:44PM. Mr. Hoover seconded the motion, which carried 4-3.

Thomas P. Harvey, Chairman

Sue Yarger, Secretary