

MINUTES
TOWN OF GORHAM PLANNING BOARD
August 26, 2019

PRESENT: Mrs. Rasmussen Mr. Zimmerman
 Mr. Farmer Mr. Dailey
 Mr. Kestler-Alternate

EXCUSED: Chairman Harvey Mrs. Harris

ABSENT: Mr. Hoover

Mrs. Rasmussen called the meeting to order at 7:30 PM. Mr. Kestler-Alternate will be participating in all the discussion and decisions tonight. The July 22, 2019 minutes were reviewed. The following correction was made. Page 5 14th paragraph should read: The decision on the application was adjourned until August 26, 2019, at 7:30PM. Mr. Zimmerman made a motion to approve the July 22, 2019, minutes as amended. Mr. Dailey seconded the motion, which carried unanimously.

PUBLIC HEARING:

Application #13-2019, William Pellicano, owner of property at 4356 State Rt 364, requests site plan approval to build a 45' x 60' sports court.

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

Mr. Dailey recused himself since he is an owner to the property adjacent to the above property. He took a seat with the public.

William Pellicano & Rick Szkapi was present and presented The application to the board.

Mr. Pellicano stated that they previously proposed a 60' x 120' Tennis court. They have decided to build a 60' x 45' sports court. He is trying to keep it as open as possible. One side will be handball the other side will be basketball.

Mr. Farmer asked if the court was going to have lights.

Mr. Pellicano stated that he does not plan on it. He asked if under the code can he have lights.

Jim Morse, Code Enforcement Officer stated that as long as they are dark sky compliant and don't transmit over the property line.

Mrs. Rasmussen asked if there were any comments from the public.

James Adams asked if the sports court should be 15' off the property line instead right on the edge of the easement at 12'.

Mr. Pellicano and Mr. Szkapi stated that it is 15' off the property line. Which also shows this dimension on the plan.

Mr. Adams asked what will stop his car from falling into the sports court. "I understand only a 4' barricade can be installed. To turn off my driveway onto the easement is very tight."

Mr. Szkapi stated that on the backside of the court the wall will be 6 feet in height.

Mr. Adams stated that the easement has been blocked for months it is inconvenient for him to use the alternate route due to the construction on the opposite side of the private drive. "Will I be able to use my paved easement before winter?"

Mr. Szkapi stated that the construction of paved easement stopped until the sports court can be built.

Mr. Zimmerman asked what the finish elevation would be of the sports court.

Mr. Pellicano stated level with the ground.

Mr. Szkapi stated there will be a 2-foot cut in the back.

Mrs. Rasmussen asked if there was a projection of how soon the sports court would be done.

Mr. Pellicano stated that he will call them tomorrow and get it ordered. They want it done as soon as possible.

Mrs. Rasumssen asked if there were any more comments from the public.

Jack Dailey asked if the play area is going to impermeable. "If it is, I don't see any room as far as capturing the runoff, so we are going to have the runoff going into the lake. Secondly the height of the fence I think the code provides for 4 foot fences. I'm not sure what the height of the fence is going to be around the court."

Mr. Morse stated that he did look into this and the code states that sport courts are not included in the height restrictions.

Mr. Dailey stated that there is also a chain link fence there. "I presume the chain link fence should be 4 feet or does that go along with what you found."

Mr. Morse stated that the fence that is not enclosing the sports court has to meet the criteria in the lakefront overlay.

Mr. Dailey stated "I guess the runoff will be the real problem given the issues we have had with the lake recently. Hours of operation, I understand Mr. Pellicano saying we're not going to have lights, when is the court going to be operational, and how about the noise factor particularly with pickle ball."

Mr. Pellicano stated that this is for family usage. It is like any water activity on the lake any tennis court on any property around the lake. "I don't plan on putting lights on there but I'm not going to say never. I think there is some

zoning ordinances relative to sound after certain hours. Our job is not sit here and disrupt the neighborhood by any means."

Mr. Szkapi explained that the drainage will be connected to the culvert pipe shown on the map that will drop into a rain garden.

Mr. Pellicano explained that they have made the drainage better by removing an entire parking lot.

Mr. Dailey stated that there is a fire hydrant down there so there is not much room for plowing. He is not sure where the snow is going to be put in the winter season so the fire department can get to a fire.

Mr. Pellicano stated that it has been proven by the fire company based on their sample drive through that they get everything there through Lincoln Preserve. "I'm not worried about that from my standpoint. Typical snow removal you don't bury fire hydrants. What ever Mr. Adams wants to do with the snow he can do with the snow just can't put it by the fire hydrant."

Mr. Dailey stated it can't be dumped on the Lincolnwood Land Preserve property. "We don't plow that private road in the wintertime, so I'm concerned what happens to Mr. Adam's snow.

Mr. Pellicano stated that is a problem he will have to deal with.

Mrs. Rasmussen explained that what Mr. Adams does with the driveway and the snow has nothing to do with the application for a sports court.

Mrs. Rasmussen asked if there were any more comments from the public. Hearing none, the public hearing was closed.

The SEQOR was completed on the parcel by the Planning Board on January 23, 2017.

Mr. Zimmerman made a motion to approve the site plan as presented. Mr. Farmer seconded the motion, which carried unanimously.

Mr. Dailey re-joined the board at this time.

MISCELLANEOUS:

Application #12-2019, Joette L. Cornish-Coriddi & Stephen Coriddi, owners of property at 4543 Sylvan Road, requests site plan approval to build a 32' x 48' pole barn.

The public hearing was held and closed on July 22, 2019.

A letter dated July 26, 2019, 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. Zimmerman seconded the motion, which carried unanimously.

Mr. Zimmerman made a motion to approve the site plan as presented. Mr. Dailey seconded the motion, which carried unanimously.

Mr. Dailey made a motion to adjourn the meeting at 7:56PM. Mr. Zimmerman seconded the motion, which carried unanimously.

Lizbeth Rasmussen, Vice Chairman

Sue Yarger, Secretary