

MINUTES  
TOWN OF GORHAM PLANNING BOARD  
September 28, 2020

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

Chairman Harvey called the meeting to order at 7:30 PM. Mrs. Rasmussen made a motion to approve the August 24, 2020, minutes. Mr. Thomas seconded the motion, which carried unanimously.

PUBLIC HEARINGS:

Application #17-2020, Randall Weaver, owner of property on Yautzy Road, requests site plan approval to build a 60' x 240' Steer Barn. Public Hearing time 7:30PM to 7:55PM.

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

Randall Weaver was present and presented the plan to the board.

Mr. Weaver stated that the barn is going to be enclosed. The barn will be curtained.

Chairman Harvey asked if there was going to be grass all around the building.

Mr. Weaver stated yes.

Chairman Harvey stated that the Town of Gorham code requires a minimum of 2% slope and a grass swale. This will need to be shown on the plan.

Chairman Harvey stated "around the silo it may push his limit of disturbance out a little bit. The way he mapped this he tried to keep it under an acre, so you didn't need a SPEDES permit or coverage under the general permit for construction. If Jim goes out there and half the topsoil stockpile is outside that area you're going to be over an acre and technically in violation. I'm really concerned that putting that kind of slope on the swale may change his disturbance boundary and may shove you over an acre."

Mr. Farmer joined the meeting at this time.

Mr. Hoover suggested that he bury a drainage pipe shallow and cover it with crush stone to move the water.

Chairman Harvey stated that would be another alternative.

Mr. Dailey asked if he is increasing the herd count and if so will there be problems handling the manure.

Mr. Weaver stated that he is increasing the herd count and there will be no problems handling the manure. With the herd count they have enough manure storage for close to a year.

Mr. Thomas asked if he plans on having exterior lighting.

Mr. Weaver stated that he may have lighting on the front side.

Chairman Harvey stated that the lighting will need to dark sky compliant fixtures.

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

Mrs. Rasmussen made a motion to approve the site plan as a Type II under SEQR as an agriculture use building in an agriculture district with the following conditions: 1. Revise the site plan to show minimum of 2% slope and a drainage swale or an alternative method diverting storm water around the building. 2. All lighting is to be dark sky compliant fixtures. 3. If the disturbance is over an acre it will require coverage under the Statewide General Permit for stormwater discharges during construction from DEC. Mr. Hoover seconded the motion, which carried unanimously.

Application #18-2020, John Ringler, owner of property at 5248 Twitchell Road, requests site plan approval to build a single family home and 32' x 48' barn. Public Hearing time 7:55PM to 8:15PM.

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

John Ringler and Fred Shelly, Engineer BME Associates were present and presented the application to the board.

Mr. Shelly stated that they are proposing a site plan for a single family home. The site will be served by a private septic system as well as a private well. The plan also shows a temporary house trailer location that the applicant would like to install during the construction of the home. They would like a waiver from the Town Code for the skirting on the trailer since it is temporary and will be removed once the home is completed. The site is in the Canandaigua Lake Watershed and plans have been forwarded to the Watershed Inspector for his review of the septic system. The septic system design will also be going to New York State Health Department because the site soils did not allow for a conventional system.

Chairman Harvey stated that the site apparently has three driveways.

Mr. Ringler stated that the site has two.

Chairman Harvey questioned if they could consolidate the driveways to have one driveway.

Driveway locations were discussed. Mr. Ringler stated that he would like to keep the middle driveway that is on the plan for Agricultural purposes as he plans on building a dairy barn in the future. Chairman Harvey stated that normally the town does not allow for more than one driveway. Chairman Harvey stated that they need to figure how they are going to serve the future dairy barn from the new proposed driveway.

Mr. Ringler stated that the proposed barn is for the horse and buggy like a garage.

Chairman Harvey stated that on the plan the storm water shows that area is committed to having grass.

Mr. Ringler stated that is the plan it is just going to be mowed.

Chairman Harvey stated there is no garden in that area just lawn.

Mr. Dailey asked how long the temporary residence will be on the property.

Mr. Ringler stated at least 2 years.

The length of time for the temporary residence was discussed and Mr. Ringler decided that he would be comfortable with 3 years.

Mr. Thomas asked if there would be any exterior lights on the property.

Mr. Ringler stated that they probably will put one on the horse barn.

Chairman Harvey stated that the lighting will need to be added to the plan and show that they are dark sky compliant.

The electric is underground to the existing barn and will be underground to the proposed house.

Chairman Harvey asked if there were any more 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.

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 unanimously.

Mr. Dailey made a motion to approve the site plan with the following conditions: 1. Area of disturbance is going to be maintained as grass or landscape plantings. 2. A temporary

trailer without skirting is allowed on the site for a period not to exceed 3 years and will be removed within thirty days upon issuance of a Certificate of Occupancy for the permanent home. 3. Outdoor lighting will be added to the plan, fixtures need to be dark sky compliant registered with the Code Enforcement Officer. 4. Show on the plan the driveways being removed. 5. The electric will be underground for both buildings. The location of the underground electric will be added to the plan after it is located in the field. Mr. Farmer seconded the motion, which carried unanimously.

Application #19-2020, Joseph Zeiset, owner of property on Jones Road, requests site plan approval to build a single family home and garage. Public Hearing time 8:15PM to 8:40PM.

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

Joseph Zeiset & Jason McCormick, Design Professional, was present and presented the application to the board.

Mr. McCormick stated that they have one minor change on the site plan from what was submitted. The septic system was originally designed for 110 gallons per bedroom per day and the Canandaigua Lake Watershed Inspector requires the septic system to be designed at 130 gallons per bedroom per day. One additional leach line has been added to accomplish this.

This parcel has a conservation easement on the whole 50 acres.

The driveway was discussed. The driveway follows the property line straight back to the area that the home is going to be built. The driveway is in this area because Mr. Zeiset didn't want to put the driveway through working farmland. The driveway needs to be directly across from the driveway across the street or they need to be 440 feet apart.

Chairman Harvey asked where the downspouts were going to drain too.

Mr. McCormick stated that the downspouts are going to be tied in and go to an infiltration trench/basin.

Mrs. Harris questioned if the drainage from the barn would also go into the infiltration trench.

Mr. McCormick stated that they can add the barn in.

Mr. McCormick stated that he added the driveway, parking area and the home in the stormwater calculations. He did not add the barn.

Mrs. Rasmussen asked what the square footage of the house was.

Mr. McCormick stated the home is 1300 square feet with addition.

Chairman Harvey stated that they need to provide some grading plans for around the barn and the house.

Mrs. Rasmussen stated that they want to make sure that the stormwater doesn't drain into the creek.

Mr. McCormick stated that the stormwater drains away from the creek and drains back towards the road.

Chairman Harvey stated that he wants to see on the plan positive drainage at least 2% slope away from all the foundations. The contours better not meet the buildings at a 90 degree angle.

Mr. Dailey asked if the house would be visible from the lake.

Mr. McCormick stated that it would be hard to see it from the lake. The home is only 18 feet tall and it will be right at the tree line.

Chairman Harvey stated that he would like shown what trees are going to be removed to build the home.

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

A letter dated August 26, 2020, 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.

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. Hoover seconded the motion, which carried unanimously.

Mr. Dailey made a motion to approve the site plan with the following conditions: 1. Revise the stormwater infrastructure making sure there is capacity for the barn. 2. Relocate the end of the driveway to be directly across from the driveway across the street. 3. Revise the wastewater treatment plan per the comments from the Canandaigua Lake Watershed Inspector. 4. Submit a grading plan showing 2% slope away from all buildings. 5. File an as built survey with the County Clerk's Office. 6. Electric is to be underground, show on the plan once it is field

located. 7. Show the trees that are going to be removed on the plan. Mrs. Harris seconded the motion, which carried.

Application #20-2020, Lyla Hudson, owner of property at 4568 Maiden Lane, requests site plan approval to build a single family home. Public Hearing time 8:40PM to 9:05PM.

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

Lyla Hudson, Josh Rossi and Brennan Marks, Marks Engineering was present and presented the application to the board.

Mr. Marks stated that there is an existing cottage that will be removed. There are a few trees that will be removed. The new home will be a year around three bedroom home with an attached two car garage. The driveway will be off of Maiden Lane.

Chairman Harvey asked how wide the pavement was at the driveway entrance.

Mr. Marks stated that it will be at least 20 feet.

Chairman Harvey stated that 20 feet is fine, but it can't be wider than that.

Mr. Marks stated that they will be removing trees on the site. There are a couple of Box Elders and Black Locust that are in poor condition that will be removed. There is a tree near the house and a big tree near the road that they want to salvage.

Mr. Rossi stated that they had a tree service come out and inspect the trees and they recommended that they leave almost all of the perimeter trees.

Mr. Marks stated that as far as drainage they have water coming off of White Way onto the site. There is no established roadside ditch for White Way. There is established ditches down Maiden Lane and Sylvan Road. They're planning to park the water at the back of the house to divert water around the north and the south. What that is going to do is create a large grass area on the front yard and the back yard that they plan to use for infiltration areas. They are going to divert the gutters to grade into those areas to absorb into the ground.

Chairman Harvey asked how they were going to function and what are the details on the infiltration area.

Mr. Marks stated that it is a vegetative swale that will be established as lawn. Gentle sloping between 1 ½% and 2% slope. It is a broad swale that has a lot of surface area. The shallow flow will go across the ground and the topsoil will have a perk rate around 20 minutes per inch and will absorb into the ground.

Chairman Harvey stated that they will need to submit the calculations that shows this works. He also asked if the applicants were comfortable with having a soggy lawn when it rains.

Mr. Marks stated that another option would be to pipe the water into an infiltration trench which would be a series of chambers on the front and rear yard underground to absorb beneath the surface.

Chairman Harvey stated that both options will work and meet the towns requirements.

Mr. Marks stated that water and sewer comes off of Maiden Lane gas off of Sylvan and electric off of an existing pole on White Way. Electric will be underground from the pole to the house.

A letter dated September 22, 2020, 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.

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. Hoover seconded the motion, which carried unanimously.

Mr. Hoover made a motion to approve the site plan with the following conditions: 1. Finalize the tree removal and the tree species on the plan. 2. The driveway curb cut is limited to 20 feet. 3. Finalize the stormwater infrastructure. Mrs. Harris seconded the motion, which carried unanimously.

#### MISCELLANEOUS:

Chairman Harvey stated that he has been watching Proctor Enterprise since the last meeting and feels that they have done a good job at keeping the fire lane open.

Mr. Hoover made a motion to adjourn the meeting at 9:11PM.  
Mrs. Rasmussen seconded the motion, which carried unanimously.

---

Thomas P. Harvey, Chairman

---

Sue Yarger, Secretary