

MINUTES
TOWN OF GORHAM PLANNING BOARD
January 25, 2021
Webex Meeting

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

EXCUSED: Mr. Hoover Mrs. Harris
 Mr. Kestler

Chairman Harvey called the meeting to order at 7:30 PM. Mr. Thomas-Alternate will be voting on all decisions tonight. Mr. Dailey made a motion to approve the December 28, 2020, minutes as submitted. Mr. Thomas seconded the motion, which carried unanimously.

MISCELLANEOUS:

Douglas Eldred & Jake Harrington were present to discuss a concept plan for a subdivision on State Rt 364 called Scenic Ridge Rise Subdivision.

An alternate plan was brought up on the screen showing where the mature trees are located on the site.

Mr. Eldred stated that he has moved the north south collector road a bit to save the trees in the northeast corner that are more mature trees. On the southeast corner he has added a cul-de-sac that will replace the lots that were in the northeast corner.

A plan showing the potential access route was brought up on the screen.

Mr. Eldred explained that this plan shows a potential road from Kipp Road to Turner Road.

Mr. Eldred stated that he is showing an island at the entrance location off of State Rt. 364. There is an area where there is a divided highway. With respect with emergency service, He is trying to have a second route that would be no more than 500 feet from the previous location of the second route for emergency vehicles.

Chairman Harvey stated that there will be no single stretch of more than 500 feet with only one means of egress.

Mr. Eldred stated that he moved the primary storm water management pond to the north to save a grouping of trees.

Mr. Eldred stated that the trail system interconnects everything and goes around the side and gets you to State Rt. 364. He is in favor of extending a trail or sidewalk to the park to the north if the DOT allows him to do this.

Mr. Eldred stated that the storm water management areas total 2.8 acres, which is 5% of the site. This will vary a little once the final calculations are done. The HOA recreation/open space is 22.75 acres for a total of 41% of the site. There is space to the north to put in some buffering and screening on the site to screen from Angela Way.

Fred Lightfoote, Town Supervisor, asked if the individual lots drain towards the street.

Mr. Eldred stated that the front yards drain towards the street. The back yards drain into a stormwater collection system. There will be collector swales. He is using swales throughout the site because of green infrastructure considerations so the water is filtered as much as possible before it gets to the storm water management basins. There is additional filtering and treatment in the storm water management basins as well as reducing the flow rates and then discharging out towards State Rt. 364.

Mr. Lightfoote stated that with the swales he hopes they will be on homeowner's association property and not part of someone's backyard.

Mr. Eldred stated that there isn't any location where he can't have a backyard swale go to the HOA as opposed to individual properties.

Chairman Harvey stated that if the Town decided they wanted to form a drainage district for this site they are going to want easements over the common property.

Mr. Eldred stated that the HOA would maintain the stormwater areas for appearance and landscaping, but it would be great to have knowledgeable people look at the stormwater features to make sure things don't get plugged.

Mr. Dailey stated "Are you saying that you're going to capture all the runoff from the development, and it will only filter into the lake. That there will be no rural water running into the lake."

Mr. Eldred stated that there is a drainage area to the east of the site that comes down to the site. "I have two alternatives. One is I can just swale it all the way through the site and allow it to discharge as it goes now. Right now, I'm thinking that that drainage area is small enough that I wouldn't mind bringing it through the ponds. If I did that I would be capturing all of the drainage from the property except the southwest corner."

Chairman Harvey stated that he feel good about this drainage plan.

Mr. Eldred explained that there is a stretch of road of about 200 feet near the interior island where the tip of the island is on the east side going to the west all that is down hill from the pond that is on the northwest corner. The only thing he can do with that is to put in a CVS system or something like that because it's downhill from the pond.

Lynn Klotz, Gorham Conservation Board Member & Canandaigua Lake Water Association Member, stated that it looks like parcel 116 and 117 section can't be feed back into an HOA pond.

Mr. Eldred stated that all the runoff from all lots will drain into the ponds. All the road runoff except the 200 feet at the entrance will drain into the ponds.

Susan Carpenter, Canandaigua Water Association Member, asked if the Planning Board had declared themselves lead agency on this project.

Chairman Harvey stated that right now they are just having informal discussion on this project. There has been no formal application submitted yet.

Ms. Carpenter stated that it would be helpful to have something posted on the website so that people could see them.

Chairman Harvey stated that once there is an application it will be posted.

Ms. Carpenter questioned if Mr. Eldred stated that the drainage from the lots is going towards the road.

Mr. Eldred stated that the front yards will drain towards the road.

Ms. Carpenter questioned if all the impervious surface around the houses and driveways would go towards the road.

Mr. Eldred stated yes.

Mrs. Carpenter questioned if all that drainage was going into the one little pond.

Mr. Eldred stated no and explained how the drainage was going to work.

Ms. Carpenter questioned if the town considered the stormwater infrastructure as part of the open space.

Chairman Harvey stated no. Mr. Eldred has given two separate figures. He understands very clear that stormwater does not count towards the open space preservation.

Ms. Carpenter asked if the developer is building a road that goes between Kipp Road and Turner Road.

Chairman Harvey stated no. The town has an Access Management Plan that was adopted during the Comprehensive Plan, and also has an Access Management Local Law. What it laid out was a need for more north and south roads so that they are not overburdening the existing road network long term. This requires a discussion and negotiation with the developer the ability to interconnect properties to the north and the south so

everything in this area doesn't rely just on State Rt. 364 to handle all the traffic. That is the town's way to provide for future infrastructure. The north south road shown on the plan in the development area would be built at the developer's expense.

Mr. Dailey stated that he is concerned about flag lot development and does the town need to be concerned that this is a flag lot that they are allowing a subdivision on.

Chairman Harvey asked what the road frontage was at State Rt. 364.

Mr. Eldred stated that it is about 80 feet.

Chairman Harvey stated that the answer to that question is that there is sufficient road frontage to have a public right of way and meets the towns requirements.

Mr. Eldred stated that he plans on dedicating all the roads in the subdivision to the town to become town roads.

Chairman Harvey asked the Planning Board members if they liked the alternative that has been proposed.

Mr. Thomas stated that he believes it is going in the right direction there is a lot more to come but it is better than the initial submission.

Mrs. Rasmussen stated that she agrees with Mr. Thomas.

Mr. Farmer stated that he thinks the plan looks fine but if anything would like to see less than more.

Chairman Harvey stated that he likes the trees preserved at the top of the hill. He likes the fact that Mr. Eldred is capturing all the storm water feeding into the site. He is encouraged that the engineering will be able to bare out what the concept is in terms of grabbing most of the water from the site and feeding it into the big pond and have treatment and flow through the little pond. Designing the drainage so that a larger culvert under State Rt. 364 is not need or necessary is a great goal. The board will want to know what the lot coverage is on the lots. Have you provide for a driveway and decks? He would like to see a variety of homes proposed. Show the lot sizes. The town will have to work through the process with the duplexes and the land that they set on. He suggested that Mr. Eldred does his homework with New York State DOT, Ontario County Sewer District, etc. because the more answers he has during the preliminary application the less the town has to go through a positive declaration process.

Mr. Dailey stated that he is concerned with the density of the housing. He looks at Angela Way and thinks that is a formula that works a little bit better.

Mr. Morse stated that we are going to have to know well in advance of when this application is going to come into the board because there is going to be a lot of people that are going to want to speak on the application and with COVID-19 where and how are we going to handle this.

Mr. Harrington stated that they are going through this in another area and have held the meeting through an online chat.

Mr. Eldred stated that the single family lots are all 85' x 135'. On the plan for the duplexes, it is showing 100' wide lots. They would like to put a lot line down the middle, but this would require a variance because they would have to many lots on the property per the town code. The other alternative is to have the land around the duplexes as common area and redo them as condominiums. Their preferred solution is putting the lot line down the middle.

There was discussion on a local law amending the Town of Gorham Zoning Local Law and the Access Management Local Law.

The purpose of the amendments was to 1. ensure the implementation of the Access Management Local Law (Chapter 30 of the Town Code) is coordinated between the Highway Superintendent, Zoning Officer, and the Planning Board where appropriate.

2. Strengthen provisions of the administrative review provisions of the Town's Zoning Local Law (Chapter 31 of the Town Code) to ensure discretionary judgement is left to the Planning Board and not the Zoning Officer. 3. To raise the maximum allowable lot coverage in the Lake Front Overlay District to 30% as nearly every existing and proposed site plan submitted has required a variance from the existing coverage limit of 25%.

Mr. Dailey stated that he is struggling with the change of 25% to 30% lot coverage in the Lake Front Overlay District. He looked at all the Zoning Board of Appeals actions over the last year and true there were a lot of them that needed variances for lot coverage. But he also noted that there were a lot of objections by neighbors. He doesn't think comparing the Lake Front to the Hamlet and other districts is appropriate.

Mr. Morse stated that he objects to the part where he has to sign a Certification of Compliance Form for a driveway curb cut. He also thinks there should be an application process and a permit fee for a new curb cut on a Town Road.

Mr. Lightfoote, Town Supervisor, would like to have a meeting with the Zoning Officer and Highway Superintendent and discuss what the best procedure is for issuing a curb cut permit.

Lynn Klotz suggested that the town look at what other lake front towns are using for the lot coverage percentage for lake front properties.

Mr. Morse stated that he believes that the Town of Canandaigua is using 30%

Chairman Harvey stated that the Town of Canandaigua is at 30% and they don't count as many things towards the lot coverage as the Town of Gorham does.

Sally Napolitano stated that her concern is if the Town allows for 30% lot coverage they are going to run into the same issue of them wanting more.

Mr. Morse stated if the Town continues to grant variances at 30% then that is what the code should be. If the town does up it to 30% then the Zoning Board of Appeal should be very firm with that number.

Chairman Harvey stated that if the Town Board choose to make this change we will continue to monitor this and if we find that the board is now approving 35% and the volume of variance requests doesn't go down then we will need to go back and take another look at this code.

Sally Napolitano stated that she agrees with Mr. Dailey and expressed her concern with increasing the lot coverage percentage.

Brent Johnson, Conservation Board Chairman stated that he believes that once you start granting a lot of variances then your code becomes mote. He believes that Mr. Morse and the town has this well in hand.

Chairman Harvey stated once Mr. Lightfoote, Highway Superintendent, and Mr. Morse meets to discuss the Access Management he will finalize the document and they can have the public hearing. If the Town Board would like more input from the Planning Board the Planning Board will call another meeting to discuss it.

Mr. Dailey made a motion to adjourn the meeting at 9:10PM. Mr. Thomas seconded the motion, which carried unanimously.

Thomas P. Harvey, Chairman

Sue Yarger, Secretary