

MINUTES
TOWN OF GORHAM PLANNING BOARD
May 23, 2022

PRESENT: Chairman Harvey Mr. Kestler
 Mr. Farmer Mrs. Rasmussen
 Mr. Perry-Alternate

EXCUSED: Mrs. Harris Mr. Hoover

Chairman Harvey called the meeting to order at 7:30 PM. Mr. Perry-Alternate will participate and vote on all applications tonight.

PUBLIC HEARING:

Application #08-2022, Robert & Kathleen Koster & Laurence & Suzanne Meyer owners of property at 5219-5223 County Road 11, requests subdivision approval to subdivide 3 parcels out of the parent parcel.

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

Chairman Harvey adjourned the public hearing to complete the Short Environmental Assessment Form.

The parcel has three existing cottages on a single parcel. Chairman Harvey asked Jim Morse, Code Enforcement Officer if the proposal meets all the dimensional requirements of the town.

Mr. Morse stated that he met with the applicant numerous times to make sure that it complied with all the requirements of the town.

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.

Chairman Harvey stated that they will need to address the stormwater and how it is handled around the new driveway.

Mrs. Rasmussen made a motion to approve the Short Environmental Assessment Form, part 1 as completed by the applicant and part 2 and 3 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. Kestler seconded the motion, which carried unanimously.

Chairman Harvey re-opened the public hearing at this time.

Lawrence & Suzanne Meyer were present and presented their application to the board.

Mrs. Meyer stated that they would like to take 5219 which is about 20 x 23 and expand it to be a year around home. Nothing else will be changed on the property except for a need of a new driveway. The cottage has electric and water but they will need sewer and gas.

Chairman Harvey stated that there will need to be an easement listed for the proposed driveway. The existing driveway does have an easement listed.

Chairman Harvey asked if there was a reason that the proposed driveway was not placed directly across from the existing driveway across County Road 11. This is what the Town's Access Management Local law requires.

Mrs. Meyer stated that they are very flexible and the proposed driveway cut can be moved if the County approves it.

Mrs. Rasmussen asked if the existing drive on the lot that is labeled grass and asphalt drive was going to remain that way.

Mrs. Meyer stated that they do not have plans of changing that drive.

Chairman Harvey stated that the new driveway counts as impervious surface and the engineer will have to come up with some sort of stormwater mitigation for the driveway.

Mrs. Meyer stated that they were told that each lot would have to be in a different name. She questioned this and said that she would prefer that all three be in her and her husband's name.

Chairman Harvey asked if they really want to subdivide the property.

Mrs. Meyer stated that if they didn't have to they wouldn't.

Chairman Harvey stated that there is a clause in the zoning that if a parcel can be subdivide in a conforming fashion it can stay as is.

Section 31.7.5 was read.

LOT FOR EVERY RESIDENTIAL BUILDING AND OTHER PRINCIPAL USE

Every residential building hereafter erected shall be located on a lot as herein defined and there shall be no more than one (1) residential building on one (1) lot. Except that if more than on (1) residential building is located on a single lot, such buildings shall be located in such a manner that both buildings could meet the required setbacks if the lots were formally subdivided.

Mr. Morse stated that there are several code sections that apply to this. He does not feel comfortable issuing a building permit for new construction unless it is subdivided. Because

his interpretation of the code is that you cannot make a parcel more non-compliant than it already is with an addition.

Chairman Harvey stated that the board can grant the subdivision approval and then they can talk it over and decide if they want the subdivision signed to be recorded.

This was continued to be discussed.

Mrs. Rasmussen asked if the existing curb cut would be removed.

Mrs. Meyer stated that they would prefer it to stay but would put chains across it so no one would use it. It would be nice to still be able to walk down it.

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

Mrs. Rasmussen offered a resolution [attached hereto] to approve the subdivision with the following conditions: 1. Show the easement for the future driveway on the map and record this with the deeds. 2. Line the proposed new driveway with one of the driveways across County Road 11. 3. Provide stormwater mitigation for the additional impervious surfaces with the future driveway and construction of the house addition. 4. Show how the existing driveway is going to be closed off for vehicular use. Mr. Farmer seconded the motion, which carried unanimously.

Mr. Farmer made a motion to adjourn the meeting at 8:07PM. Mr. Perry seconded the motion, which carried unanimously.

Thomas P. Harvey, Chairman

Sue Yarger, Secretary