

MINUTES
TOWN OF GORHAM PLANNING BOARD
September 26, 2022

PRESENT: Chairman Harvey Mrs. Rasmussen
 Mrs. Harris Mr. Farmer
 Mr. Kestler Mr. Hoover
 Mr. Perry

Chairman Harvey called the meeting to order at 7:30 PM and explained the process the planning board follows when considering applications.

PUBLIC HEARINGS:

Application #10-2022, Michael & Randy Spaan, owners of property at 4639 Maiden Lane, requests site plan approval to build a 2-story single family home.

The public hearing was re-opened from August 22, 2022, and the notice as it appeared in the official newspaper of the town was read.

Mike Bogojevski, BME Associates was present and presented the application to the board. Michael & Randy Spaan were also present.

Mr. Bogojevski stated that they are proposing a new home to replace the home that is existing on site. At last meeting, the town was looking for a no effect letter from SHPO which has been received. They have submitted responses to all of the MRB items.

Mrs. Rasmussen stated that in August the board asked about landscaping.

Mr. Bogojevski stated that there is no official landscaping plan but believes the owners will be putting in place foundation plantings around the house.

Chairman Harvey stated planting some trees would be nice.

Mrs. Harris agreed. There is a large tree on the plan that is going to be removed and a large tree on the neighboring property line near the proposed retaining wall it may be tough to keep that tree.

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

A letter dated September 2, 2022, 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 and 3 of the Short Environmental Assessment Form. The board determined this to be an unlisted action under SEQOR 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 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.

Mr. Hoover made a motion to approve the site plan with the following conditions: 1. Construction staging and a temporary basin for retention and water quality be added to the plan. 2. Landscaping plan is to be submitted. 3. Electric is to be underground. 4. Post construction survey be submitted to the Zoning Office showing the electric underground. Mr. Kestler seconded the motion which carried unanimously.

Application #14-2022, Suzanne Meyer, owner of property at 5221 County Road 11, requests site plan approval to build a residential addition.

The public hearing was opened.

The applicant has called the Zoning Office and requested that their application be withdrawn at this time.

Chairman Harvey closed the public hearing noting that the application has been withdrawn by the applicant.

Application #15-2022, James Bonhag, owner of property at 4388 County Road 1, requests subdivision approval to annex parcels 127.15-2-24.200 and 127.15-2-24.110 to build a pole barn.

A letter dated June 27, 2022, 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 and 3 of the Short Environmental Assessment Form. The board determined this to be an unlisted action under SEQOR 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 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. Hoover seconded the motion which carried unanimously.

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

Peter Sarkis, Marks Engineering and James Bonhag was present and presented the application to the board.

Mr. Sarkis stated that Mr. Bonhag is looking to build a pole barn after combining the two parcels. They are proposing that a swale will capture water coming at the building from the house and divert around and the roof leaders will lead to the infiltration basin at the rear of the parcel.

Drainage around the barn was discussed. Chairman Harvey stated that the area behind the barn looks as it could have a detention area. He has concerns with how tight the barn is to the property line.

Mr. Farmer had a concern with how close to the property line the barn was going to be.

There will just be electric and water to the barn.

Mr. Bonhag stated that the garage will just be used to keep his two boats and his personal things. There will be no second floor interior.

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

Mr. Farmer offered a resolution [attached hereto] to approve the subdivision with the following conditions: 1. The word "Subdivision" must be on the map that the Chairman signs to be filed. 2. Adjust the grading behind the building to add a storm water infiltration area. 3. Add a swale to intercept uphill stormwater and direct it to a storm water and erosion control basin at the beginning of the construction sequencing, which must be stabilized prior to other site disturbance. 4. No sanitary sewer will be connected to the pole barn and a note to that effect be added to the subdivision plan. Mr. Kestler seconded the resolution which carried unanimously.

Application #16-2022, Deep Run Homes LLC, owner of property on County Road 1, request final subdivision approval for 3 lots.

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

Brennan Marks, Marks Engineering and Dale Stell was present and presented the application to the board.

The Chairman noted the Environmental Review was done during preliminary approval of the subdivision on November 16, 1992,

and that the final subdivision proposal is in compliance with the preliminary approval.

Mr. Marks stated that there are 3 lots that are served by public utilities. This includes lot 12 on Ridge Road and lot 68 and 88 on Lake Ridge. Those lots are currently served by public water and public sewer. They are requesting final subdivision and site plan approval for those three lots.

Chairman Harvey asked if the drainage from these three lots was being handled under the existing SPDES permit and in stormwater facilities controlled by the developer (as opposed to the Homeowner's Association). He further stated it is the responsibility of the developer to clean out the retention/detention ponds if they silt in.

Mr. Marks stated that the lower pond is owned by the HOA and the upper pond is under the developer's name. The two facilities that are in place serve these new lots.

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 final subdivision on three lots with the following conditions: 1. The word "Final Subdivision Plat will be put in the appropriate place on the plan that gets filed with the County Clerk. 2. County Road 1 sewer district work gets approved by the County Highway engineer and the Canandaigua Lake County Sewer District which are both a part of the County Department of Public Works. 3. Modify the grading next to the proposed homes to insure that there is adequate drainage at least 2% away from the foundation wall. 4. The SPDES permit from 1992 is still open and relevant, making it the developer's responsibility to maintain adequate storm water quality in compliance with said permit. Mr. Hoover seconded the resolution which carried unanimously.

Application #17-2022, Curvin Shirk, owner of property at 4585 Middle Road, request a special use permit and site plan to operate lumber sales.

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

Curvin Shirk was present and presented his application to the board.

Chairman Harvey asked why the trucks have been unloading in the road instead of pulling into the driveway.

Mr. Shirk stated that there was only one truck that unloaded alongside of the road because he didn't swing wide enough and tried to pull his trailer through the ditch.

Chairman Harvey asked if he has any signs. If not is he proposing any signs such as enter here and exit here.

Mr. Shirk stated that he just has a business sign. There is no enter or exit signs.

Chairman Harvey asked if there are hours of operation proposed as part of the application.

Mr. Shirk stated no.

Chairman Harvey asked if Mr. Shirk has any idea of what the hours of operation are going to be.

Mr. Shirk stated no.

Mrs. Rasmussen stated that there needs to be hours of operation. "We are not going to let you run a lumber business 24 hours a day."

Hours of operation was continued to be discussed with the applicant.

Mr. Shirk stated that he doesn't like to have set hours but if he has to he would like to be closed from 10PM to 4AM.

Chairman stated that the plan should show the turning radius at the driveway "curb cuts" the applicant's engineer determines necessary to insure that trucks are able to enter and exit within that turning radius. The driveway should be one way, and the engineer should determine if it needs to be widened at the east curb-cut.

Mrs. Rasmussen made a suggestion that the driveway should be clear of equipment for people coming with deliveries and to pick up lumber.

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

Someone from the public explained that as far as hours of operation there is not a lot of homes in that area. He also feels that truckers are usually not out too late.

Hearing no other comments Chairman Harvey closed the public hearing.

The Planning Board discussed and completed Part 2 and 3 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. Hoover 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.

Mr. Farmer made a motion to grant a special use permit and approve the site plan with the following conditions: 1. Show the turning radius the applicant's engineer determines adequate for

the delivery trucks at the end of the driveway to make sure the tractor trailers can turn into the driveway and off of the road and modify the width of the eastern driveway as the engineer determines appropriate. 2. Add enter and exit signage for the tractor trailers. 3. Hours of operation limited to 4AM to 10PM. 4. Driveways to be kept clear of stored material so that trucks can navigate through the site. Mr. Hoover seconded the motion which carried unanimously.

Mr. Hoover made a motion to adjourn the meeting at 8:57PM. Mrs. Harris seconded the motion which carried unanimously.

Thomas P. Harvey, Chairman

Sue Yarger, Secretary