

# *Town of Gorham*

4736 South Street  
Gorham, New York 1461

## **PLANNING BOARD**

**Monday, July 28, 2025 7:00 p.m.**

### **MINUTES—Approved**

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*The minutes are written as a summary of the main points that were made and are the official and permanent record of the actions taken by the Town of Gorham Planning Board. Remarks delivered during discussions are summarized and are not intended to be verbatim transcriptions.*

**Board Members Present:**

Thomas Harvey, *Chairperson*  
Bob Farmer  
Richard Perry  
Andrew Hoover  
Gabrielle Harris  
Jon Willis, *Alternate*

**Board Members Absent:**

Jeremy Stowe  
Lynn Klotz

**Staff Present:**

Jamie Kincaid, Town of Gorham Deputy Code Enforcement Officer

**Applicant Present:**

Greg McMahon, McMahon LaRue  
Myriam Bauer  
Markus Bauer  
Keith Burley, Marks Engineering  
Jacob Horst

**Others Present:**

Margie O’Jea  
Kevin Bain  
Brian Mastrasimone

**Applicant Via Zoom:**

None

**Other’s Via Zoom:**

Ben Smith

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## 1. MEETING OPENING

The meeting was called to order at 7:00 p.m. by Mr. Harvey.

We have three new public hearings. I will take a minute to explain the process. The Board, by state law, requires the Planning Board to make either a positive or negative determination of significance prior to any applications being complete. The Board will go through the environmental review and if we make a negative determination of significance then we will proceed to open the public hearing on the application and will take comments on the environmental review and on the application itself. The Board will ask the applicant or the representatives to come forward to explain the project, etc. Then I will ask if anyone has a comment and give them a chance to speak. Please address your comments and questions to the Board and not to the applicant. If the Board feels it has enough information they will close the public hearing and generally take action on the application. The Board can approve as presented, approve with conditions, or deny all with reasons.

## 2. APPROVAL OF MINUTES OF JUNE 23, 2025

■ A motion was made by MR. HOOVER to approve the minutes from JUNE 23, 2025 and the motion was seconded by MR. FARMER.

Motion carried by voice vote with all present voting aye.

## 3. LEGAL NOTICE

**NOTICE IS HEREBY GIVEN** that Public Hearings will be held by and before the Planning Board of the Town of Gorham on the 28<sup>th</sup> day of July 2025 commencing at 7:00 p.m. at the Gorham Town Hall, 4736 South Street, in the Town of Gorham, Ontario County, New York 14461 to consider the following applications and to discuss all matters relevant to the environmental review under the New York State Environmental Quality Review Act:

**PB #12-2025: ALLEN & ELLEN MARTIN 5083 BASSAGE ROAD, STANLEY, NEW YORK, 14561:** Requests approval of a subdivision and annexation of Lands of Allen B. & Ellen B. Martin creating Lot #1 consisting of approximately 116 acres with existing dairy farm and creating Lot #2 consisting of 10.616 acres. The property is located at 5070 Bassage Road and is zoned FP Farming Preferred/Farmland Priority.

**PB #14-2025: JACOB HORST 4097 YAUTZY ROAD, CANANDAIGUA, NEW YORK, 14424:** Requests site plan approval to construct a single story single family residence with full basement. The project includes site improvements to grading, drainage and utilities. The property is located on the south side of County Road 18 and west of Yautzy Road and is zoned FP Farming Preferred/Farmland Priority.

**PB #13-2025: LAKESHORE 4090 LLC 4090 STATE ROUTE 364, CANANDAIGUA, NEW YORK, 14424:** Requests site plan approval to construct a 1 ½ story single family residence with attached garage. The project includes site improvements to grading, drainage and utilities. The property is located at 4090 State Route 364 and is zoned R1 Residential and LFO Lakefront Overlay District.

All persons wishing to appear at such hearing may do so in person, by attorney or other representative.

Thomas P. Harvey, Chairperson  
Planning Board

#### 4. CONTINUED PUBLIC HEARING

**PB #10-2025: ECO OPERATIONS 4611 DEWEY AVENUE, STANLEY, NEW YORK, 14561:** Requests site plan approval to operate a de-packaging facility. The project includes proposed outdoor storage with no changes to the existing structures. The property is located at 4611 Dewey Avenue and is zoned I - Industrial.

Mr. Harvey said is there anyone here representing ECO Operations LLC this evening? Hearing none, that public hearing was adjourned at the last meeting and it is open now. The applicant is not present. Is there anyone in the public that wishes to address that application? Hearing none, we are again going to adjourn the public hearing until the applicant shows up and we have more information and we will reopen it at the August 25<sup>th</sup> meeting at 7pm here at the Town Hall.

#### 5. NEW PUBLIC HEARINGS

**PB #12-2025: ALLEN & ELLEN MARTIN 5083 BASSAGE ROAD, STANLEY, NEW YORK, 14561:** Requests approval of a subdivision and annexation of Lands of Allen B. & Ellen B. Martin creating Lot #1 consisting of approximately 116 acres with existing dairy farm and creating Lot #2 consisting of 10.616 acres. The property is located at 5070 Bassage Road and is zoned FP Farming Preferred/Farmland Priority.

Mr. Burley said I am from Marks Engineering and we did the subdivision for the Martin's. It is a pretty simple one. Their main farm is on the south side of State Route 245 and basically on the north side of the road there is an old railroad bed that splits the property that the Martin's own and we will be annexing that parcel of land of about 1.2 acres to the remainder of the farm lot on the north side of the road. It is a pretty simple annexation. For this lot there is only one structure on the southwest side, an old framed building, and it's basically woods and a little bit of a wet area.

Mr. Harvey said so no construction proposed at this time?



Mr. Burley said no and the only reason they are doing the subdivision is because his son wants to purchase this land for his boy to hunt. They have pretty good white tail hunting on the north parcel there so that is why they want this piece.

Mr. Harvey said we are going to adjourn the public hearing for a minute because I did the opposite of what I said I was going to do and my apologies just wait right there. So the environmental review the Chair is going to propose no or small impact may occur to all the answers on the Environmental Assessment Form Part 2. On Part 3 we are noting there is no construction or site disturbance proposed. The land on Lot #2 will be used for hunting. The Chair is making a motion to accept the Environmental Assessment Form and indicates the project will not result in any significant adverse environmental impact and the motion was seconded by Mr. Hoover. The motion was carried with all present voting aye.

Mr. Harvey said we will reopen the public hearing at this time, my apologies, your application is now complete.

Mr. Burley said that's great. Are there any questions for me?

Mr. Hoover said I just wondered why this says Tim Pease and that has Allen on the railroad track.

Mr. Burley said so the railroad track parcel that we are annexing to this, this parcel to the east is a separate tax map parcel. It is owned by Martin but it is a completely separate parcel.

Mr. Hoover said so how does Pease get to his back field?

Mr. Burley said honestly, I don't know.

Mr. Hoover said because according to this and I looked at one of the other maps Jim owns this.

Mr. Harvey said he has this little ity bity thing right here.

Mr. Burley said I know he farms it but I honestly can't answer that.

Mr. Harvey said I guess the only condition we would probably put on this, is how do they get back there now?

Mr. Burley said on our parcel?

Mr. Harvey said whatever.

Mr. Burley said this is all owned by Martin here. The whole thing is owned by Martin.



Mr. Harvey said correct, but it is the parcel behind it.

Mr. Burley said there is no access to this parcel through here.

Mr. Harvey said so there is no change in access?

Mr. Burley said no.

Mr. Hoover said Jim Pease owns this and Jim Pease owns that but the railroad cuts through, so I didn't know how he actually enters that or if it's land locked.

Mr. Burley said I have no idea. I don't know. There is a walking path that is used to get back there for hunting.

Mr. Harvey said if that ever becomes a problem and the owners can't work that out the court will make that decision for them. The point being we are not creating the land lock it already exists. Is there anyone from the public who would like to make a comment on this application? Hearing none, we will close the public hearing.

**MR. HOOVER** offered a standard resolution for approval and was seconded by **MS. HARRIS** to approve the annexation and subdivision as submitted with one condition. The motion was carried with all present voted aye.

### **MARTIN ANNEXATION & SUBDIVISION RESOLUTION Application #12-2025**

**WHEREAS**, Allen B. & Ellen B. Martin submitted an annexation and subdivision application, known as the Subdivision & Annexation of Lands of Allen B. & Ellen B. Martin application #12-2025, for property located at 5070 Bassage Road on June 9, 2025; and

**WHEREAS**, The Planning Board of the Town of Gorham made a negative determination of significance under SEQR in regard to said annexation and subdivision application; and

**WHEREAS**, said annexation and subdivision application was exempt from County Planning review; and

**WHEREAS**, A Public Hearing on said annexation and subdivision application was advertised in the official newspaper of the Town of Gorham, specifically in the Finger Lakes Times on July 18, 2025; and

**WHEREAS**, The Planning Board did conduct a Public Hearing at 7:00 PM on July 28, 2025, at the Gorham Town Hall, located at 4736 South Street in the Town of Gorham; and now, therefore be it

**RESOLVED**, That the Planning Board does hereby grant final annexation and subdivision plat approval with the following conditions:

1. Any future construction on this property will require site plan approval

**RESOLVED**, That the Chairman of this Planning Board is hereby authorized and empowered to sign the annexation and subdivision plat associated with said application within 180 days of adoption of this resolution upon the applicant producing the following items:

1. Mylar original of the Annexation and Subdivision Plat, bearing the seal of a Professional Engineer, Surveyor, or Landscape Architect licensed to practice in the State of New York
2. Three paper copies of said Mylar Annexation and Subdivision Plat, bearing the seal of a Professional Engineer, Surveyor, or Landscape Architect licensed to practice in the State of New York
3. A copy of the deed(s) for all new parcels to be created as part of this annexation and subdivision

**RESOLVED**, That the applicant shall have 60 days from the date the Chairman of the Planning Board affixes his signature on said annexation and subdivision plat to file said Mylar and 2 paper copies, along with the deed for each lot, in the office of the Ontario County Clerk; and further

**RESOLVED**, That failure on the part of the applicant to comply with any requirements of this resolution shall render the approval of this annexation and subdivision application null and void; and further

**BE IT FURTHER RESOLVED**, That copies of this resolution be sent to the applicant, filed in the office of the Town Clerk and the Town of Gorham Planning and Zoning Office.

**PB #14-2025: JACOB HORST 4097 YAUTZY ROAD, CANANDAIGUA, NEW YORK, 14424:** Requests site plan approval to construct a single story single family residence with full basement. The project includes site improvements to grading, drainage and utilities. The property is located on the south side of County Road 18 and west of Yautzy Road and is zoned FP Farming Preferred/Farmland Priority.

Mr. Harvey said this is for a site plan approval. What is everyone's opinion about the environmental review? You do have construction proposed. I am assuming it does not hit the EAF it doesn't show any proximity to any archaeological features. Is the applicant here or a representative?

Jacob Horst presented the application.



Mr. Harvey said the question I had on the project information was where the wetland information came from on the plan. Did he delineate it? Did your engineer delineate it? The reason I am asking is because that factors in to how we answer the environmental review questions.

Mr. Horst said I picked up a wetland map when I discovered this was wetlands and the green area is the only one that is on that map so I am not aware of what this is.

Mr. Harvey said so you took this information off the state's map?

Mr. Horst said I did and that was the green area.

Mr. Harvey said ok, so the question that I have is whether or not because of the wetland and the proximity to the flood zone I didn't know if you guys made a request to do a wetland delineation to the Department of Environmental Conservation.

Mr. Horst said no, whatever this is he said is new this year.

Mr. Harvey said basically what they did is is exactly that at engineering they work with DEC and they delineated the wetlands.

Mr. Horst said actually Aaron Smith was out and he said they could call that wetlands back past this area. He was ok with what was here but that was separate from this.

Mr. Harvey said there is a process that you need to go through to request a wetland delineation from New York State Department of Environmental Conservation because they changed the wetland regulations this year as of January 1<sup>st</sup>.

Mr. Horst said he told me exactly that which makes no sense to me.

Mr. Harvey said to a lot of people that doesn't make any sense to because your ability to have an engineer or somebody trained and qualified that's not DEC go and make that delineation has been removed from the regs so you have to ask DEC.

Mr. Horst said even though it's away from this lot?

Mr. Harvey said that's where that one is on this property because they were working with an application up in here, Dicky Frere, that's why that line exists. They would not have come on your property and done any delineation along the stream here or verify that this is in. I have no way to tell if that is up here and if this is accurate, for example, if that is less than 100 feet you need a wetland permit.

Mr. Horst said ok, they have it on there.

Mr. Harvey said again that is not the official.



Mr. Kincaid said Jim had already mentioned to me that this far enough away from the wetlands.

Mr. Horst said there was a culvert here and I intended to put a driveway back in there and he shot it down which I left it at that.

Mr. Harvey said because we knew about that wetland.

Mr. Horst said so that is why Aaron Smith was out.

Mr. Hoover said where does Aaron Smith work?

Mr. Horst said Army Corps.

Mr. Harvey said perfect. That is what we want to hear.

Mr. Horst said he told me everything was ok because we, unknowingly, ran a towline through that part and he said what we did with the tow plow is ok. I was surprised to hear about that because I intended to cut it off and let it grow back up. Aaron Smith was out and checked this area and had me return the dirt and **\*\*inaudible\*\*** and approved it. I did not bring a copy of his letter

Mr. Harvey said thank you. That was very helpful.

Mr. Harvey said if we answer all of the questions on Part 2 no or small impact may occur on the environmental assessment form. On Part 3 we are going to note that there are no critical environmental areas in relation to Part 2 Question 4 that have been established or designated within the Town of Gorham. In regard to Part 2 Question 8 that has to do with historic and archeological resources we will note that the property is not listed or identify as having any archaeological sensitive areas nor is it listed or eligible for listing on the State or Federal register of Historic Places. In regard to Part 2 Questions 9 & 10 we will note that we put no or small impact the engineer has designed an infiltration trench to offset the increase in stormwater runoff from the development.

Mr. Hoover makes a motion to accept Part 2 and 3 of the Environmental Assessment Form and to make a negative determination of significance and the motion was seconded by Mr. Willis. The motion was carried with all present voting aye.

Mr. Harvey said now your application is complete so we are going to open the public hearing at this time.

Mr. Horst said I intended for it to be two story will that make any difference?

Mr. Harvey said we just noted that right now and it is not a big deal as far as I'm concerned. So the parcel itself doesn't have any frontage on Yautzy Road?

Mr. Horst said no County Road 18 only.

Mr. Harvey said so the only access to this entire property is that stretch on County Road 18.

Mr. Horst said yes.

Mr. Harvey said one of the things the Board is going to have to do is make exception to the Access Management Local Law because it requires in that district 440 feet separation from all the other driveways because it's a 55MPH road.

Mr. Horst said it's probably not.

Mr. Harvey said yeah you are at like 78 on that one side.

Mr. Horst said there is an old one across from here.

Mr. Harvey said if there is one directly across the road that helps.

Mr. Horst said it's unused it's been there for years.

Mr. Hoover said it's 78 on one side and 500 feet on that side.

Mr. Harvey said and you wouldn't want to move it any closer to the left.

Mr. Horst said because we would be in the flood zone. We could move it down a little bit but not much.

Mr. Harvey said where are your utilities going and coming from? You got to have a well but you have to have power.

Mr. Horst said it doesn't show any utility poles but they are on the same side of the road.

Mr. Harvey said it has to be underground just so you are aware.

Mr. Horst said I prefer underground anyway.

Mr. Harvey said any outdoor lighting?

Mr. Horst said not intended. It's going to be my son staying, unless he has a dusk to dawn light.

Mr. Harvey said so we are going to say whatever the fixture is has to shine down and be dark sky compliant.

Mr. Horst said I doubt that he is going to have it lit up.

Mr. Harvey said two story. Sloped roof?

Mr. Horst said 5/12.

Mr. Harvey said horizontal siding?

Mr. Horst said yes.

Mr. Harvey said perfect and you are putting in a full basement and you are at 1050.

Mr. Horst said I think we have to fill in there to get it there.

Mr. Harvey said I think you will be fine. He is showing four feet above grade level for the first floor so you should be dry. You have positive drainage so you did a good job with the engineering. Are there any other questions? Are there any comments from the public?

Ms. Harris said was that horse barn existing?

Mr. Horst said no there is nothing there.

Ms. Harris said so it's a new horse barn?

Mr. Horst said yes.

Ms. Harris said do we have to do stormwater management for the horse barn?

Mr. Harvey said I assume that was all in the lot coverage calculations.

Ms. Harris said I don't have the calculations.

Mr. Harvey said if he hasn't filed it the engineer has to do the stormwater calcs to show the lot coverage and verify his infiltration rate and that his trench drain is sufficient to handle the additional stormwater runoff. When you compare it to the field he has less runoff. He modeled it with the infiltration basin. He has the gravel surface. He has the roofs. He is accounting for 2613.6 square feet of roof area. How big is the footprint of this house?

Mr. Hoover said 1053.

Mr. Harvey said so it sounds like they have it in there.

Ms. Harris said the barn is 1150.



Mr. Harvey said here is the deal he will need to redo it because he has not accounted for the leach bed.

Mr. Hoover said that counts as non-pervious.

Mr. Harvey said he probably has enough overage in the trench to compensate it but he needs to show it in his calculations. I think we would probably make that a condition. If anything it means he may need to extend the trench drain a little bit longer. Everything else is leading to the trench drain so you might need something downhill. Does anyone have a comment? Hearing none, we will close the public hearing at this time.

A motion was made by **MR. HOOVER** and the motion was seconded by **MS. HARRIS** to approve the site plan as submitted with conditions. The motion was carried with all present voted aye.

**HORST SITE PLAN  
RESOLUTION  
Application #14-2025**

**WHEREAS**, Jacob Horst submitted a site application, known as the Horst Site Plan for County Road 18 Tax Map #129.00-1-37.110 Application #14-2025 on June 9, 2025; and

**WHEREAS**, The Planning Board of the Town of Gorham made a negative determination of significance under SEQR in regard to said site plan application; and

**WHEREAS**, A Public Hearing on said site plan application was advertised in the official newspaper of the Town of Gorham, specifically in the Finger Lakes Times on July 18, 2025; and

**WHEREAS**, said application to the Town of Gorham Planning Board was not required to be referred to the Ontario County Planning Board; and,

**WHEREAS**, The Planning Board did conduct a Public Hearing at 7:00 PM on July 28, 2025 at the Gorham Town Hall, located at 4736 South Street in the Town of Gorham; and

**WHEREAS**, The only road frontage available to this parcel is on County Road 18 and the location for the proposed driveway is outside of the flood plain, so the Board approves the variance from the required 440 feet of separation. The driveway is directly across the street from a preexisting curb cut; therefore be it

**RESOLVED**, That the Planning Board does hereby grant final site plan approval with the following conditions:

1. As-built must be submitted to the Town once construction is complete showing the location of the utilities including the underground electric.

2. The applicant's engineer needs to rerun the drainage calculations accounting for the lot coverage by the leach field.
3. Show the limits of disturbance on the plan.
4. The plans have to conform to MRB's comments and their responses received from McCormick Engineering on July 16, 2025.
5. All exterior lighting must be dark sky compliant and shown on the building plans for the building permit.

**RESOLVED**, That the Chairman of this Planning Board is hereby authorized and empowered to sign the site plan associated with said Site Plan Application within 180 days of adoption of this resolution upon the applicant producing the following items:

1. Two paper copies of said Site Plan, bearing the seal of a Professional Engineer, Surveyor, or Landscape Architect licensed to practice in the State of New York must be submitted to the Town for signatures;

**BE IT FURTHER RESOLVED**, That copies of this resolution be sent to the applicant, filed in the office of the Town Clerk and the Town of Gorham Planning and Zoning Office.

**PB #13-2025: LAKESHORE 4090 LLC 4090 STATE ROUTE 364, CANAN-DAIGUA, NEW YORK, 14424:** Requests site plan approval to construct a 1 ½ story single family residence with attached garage. The project includes site improvements to grading, drainage and utilities. The property is located at 4090 State Route 364 and is zoned R1 Residential and LFO Lakefront Overlay District.

Mr. Harvey said we need to do the environmental review first. The only question I had for you on the site plan was you are raising the house so what is the design for the construction in the wetland if you are going to put fill in there where is your compensating cut?

Mr. McMahon said in order to comply with FEMA regulations it is going to be on a crawl space with flood vents.

Mr. Harvey said so no impact?

Mr. McMahon said we are lessening the impact by about 800 cubic feet. My engineers report summarized that.

Mr. Farmer said are all the ash trees still there?

Ms. Bauer said we really want to save all the trees so we had a tree specialist come out.



Mr. Farmer said the ash boar is killing them all.

Ms. Bauer said we have three in the front, on the lakeside, that we are having treated right now that the tree experts thought we could save. We had two back where the garage was that were too far gone so we couldn't save them. We have two where the current house is and their roots go under the house and the tree specialists said those will not survive the demolition. The other five, three on the lakeside and two in the back, we are hoping to save.

Mr. Harvey said we propose to answer all of the questions on Part 2 no or small impact may occur on the environmental assessment form. On Part 3 we are going to note that there are no critical environmental areas in relation to Part 2 Question 4 that have been established or designated within the Town of Gorham. In regard to Part 2 Question 8 the answer is based on that there are no known archeological or historic resources on the property and no structure is listed or eligible for listing on the State or Federal register of Historic Places. In regard to Part 2 Questions 9 & 10 we answered no or small impact because you are actually reducing the impact on the flood plain from the existing structure. Raising the finished floor elevation but adding openings in the crawl space to eliminate the impact on the 100 year flood plain.

Mr. Perry makes a motion to accept Part 2 and 3 of the Environmental Assessment Form and to make a negative determination of significance and the motion was seconded by Mr. Farmer. The motion was carried with all present voting aye.

Mr. Harvey said we are now going to open the public hearing on this application.

Ms. Mitchell said this application did receive a variance to allow a 27.2% lot coverage which is stated on their site plan.

Mr. Harvey said and the existing lot coverage was what?

Mr. McMahon said it was 22.8%.

Mr. Harvey said ok so you are tearing down the existing residence and replacing it with this one eliminating the impact on the flood plain. Do you want to talk about the storm-water handling?

Mr. McMahon said we are increasing impervious area by 1200 square feet. We are handling that by collecting the roof drains on the south side of the house and we are channeling those to two 600 gallon drywells that will be located back behind the 100 year flood plain and they will have an overflow connection. There is an existing storm sewer system that must run from the neighbors to a catch basin here and then there are catch basins on the east side of Shoal Water and they all go to an existing line on the neighbor's property then out into the lake.



Mr. Harvey said so you are just overflowing to them.

Mr. McMahon said yes it will just be an overflow so we are handling that additional impervious area.

Mr. Harvey said so you did a calculation of the existing flow.

Mr. McMahon said yes we submitted the stormwater calcs.

Mr. Harvey said and the infiltration in the proposed facility is able to handle the increase in stormwater runoff.

Mr. McMahon said yes.

Mr. Harvey said that is what I needed for the record. Thank you. Exterior lighting? Utilities?

Mr. McMahon said utilities will be the existing. There is currently water service and sanitary sewer to the existing house and those will be reused. Electric will end up being underground for the new house.

Mr. Harvey said so you've got the ability because right now it is obviously overhead.

Mr. McMahon said right.

Mr. Harvey said do you have an easement or something to go down?

Mr. McMahon said that is RG&E.

Mr. Harvey said RG& E won't do it unless you have an easement.

Mr. McMahon said they may need to set a new pole and go underground from the pole.

Mr. Harvey said if you're willing to do that that's fine.

Mr. McMahon said that design will be up to RG&E but it will be underground onto the property into the house.

Mr. Harvey said exterior lighting?

Mr. Bauer said next to the doors facing down.

Mr. Harvey said dark sky compliant?

Ms. Bauer said yes.

Mr. Harvey said is that in the application materials or noted on the plan?

Mr. McMahon said that would be on the architectural plan.

Ms. Bauer said yes it is in the tiny print on the architectural plans. Outdoor lighting will be wall mounted on the house. Fixtures will be dark sky compliant. Landscape lighting will be low voltage accent lighting for walkways and patio areas.

Mr. Harvey said is that part of the package that was submitted for the site plan?

Mr. McMahon said it probably isn't. I can add that note to the site plan.

Mr. Harvey said is there a landscaping plan that goes along with this?

Mr. McMahon said there is not. As discussed there is two existing **\*\*inaudible\*\*** trees and there are three ash that they are intending to save. The two ash I haven't shown it on the site plan but they are on the existing conditions plan. You can see there are a couple ash that are going to go but we are really preserving from a lake view standpoint. There is an existing evergreen hedge line and an existing evergreen that will be remaining on the roadside.

Mr. Harvey said any foundation plantings or anything around the structure.

Mr. McMahon said we haven't proposed that. Typically we leave that up to the homeowners to do their own.

Mr. Harvey said in that environment we usually like to see one submitted so everyone has an idea of what is being proposed.

Ms. Bauer said there will be a little paver walk here and then in the back it will be the existing trees but other than that it is basically grass, which is what we have now.

Mr. Harvey said so all your pavers are all on your site plan?

Mr. McMahon said it is in our calculations, yes.

Mr. Harvey said so this is a planting bed or something and there are no other trees.

Ms. Bauer said no we have grass there now and we were just going to leave it as grass. The kids like to play and it's a nice place for that.

Ms. Harris said is the screen porch at the same elevation as the house and then you step down **\*\*inaudible\*\*** and are you over your lot coverage?

Ms. Bauer said there is going to be a door that goes from the screened porch to the patio and then it's just the steps that go from the patio down.

Ms. Harris said on the west side?

Ms. Bauer said yes, there are three little steps.

Ms. Harris said they are not on the site plan.

Mr. McMahon said I will take a look at that.

Mr. Harvey said are there any comments from any members of the public?

Mr. Bain said I am in support of the project **\*\*inaudible\*\*** and look forward to some very positive changes on the property. They were kind enough to share the drawings with us about a month ago. We wanted to make sure that it didn't negatively impact our view of the lake and from the drawings that we saw I don't think we will have an issue with that. The second potential concern was on drainage. Our home has not had a drop of water in the basement for the 20 years that we have owned it **\*\*inaudible\*\*** the neighbors drains and how this would impact it. Is the plan to **\*\*inaudible\*\*** stormwater into those drains?

Mr. McMahon said no it's not.

Mr. Harvey said the Town Planning Board has a policy that anytime you create more stormwater runoff after development because you have more impervious or less permeable land coverage that you have to compensate and some type of design facility to put that water back into the ground. That's why we were talking about the stormwater analysis and making sure that the engineer has accounted for everything the architect is planning to do on the property to make sure that doesn't happen.

Mr. Bain said is the engineer comfortable that it will not create an

Mr. Harvey said that is up to the engineer to certify and he has to put his professional stamp on it so if it doesn't then he is the one that is liable. Fair enough?

Mr. McMahon said it's the way it's always been.

Mr. Harvey said anyone online have any comments? Any other questions for the applicant?

Ms. Harris said is the electric underground?

Mr. Harvey said yes. It is overhead presently and they are going to replace it. I think what we will do is if RG&E wants an easement and won't set the pole for whatever and it has to go overhead then that is the way it is but we would certainly prefer it to be underground.

Ms. Bauer said we would too.



Mr. Harvey said if there are no other questions we will close the public hearing at this time.

A motion was made by **MS. HARRIS** and the motion was seconded by **MR. WILLIS** to approve the site plan as submitted with conditions. The motion was carried with all present voted aye.

**BAUER SITE PLAN  
RESOLUTION  
Application #13-2025**

**WHEREAS**, Lakeshore 4090 LLC submitted a site application, known as the 4090 Lakeshore LLC Site Plan for 4090 State Route 364 Tax Map #127.07-1-15.000 Application #13-2025 on May 29, 2025; and

**WHEREAS**, The Planning Board of the Town of Gorham made a negative determination of significance under SEQR in regard to said site plan application; and

**WHEREAS**, A Public Hearing on said site plan application was advertised in the official newspaper of the Town of Gorham, specifically in the Finger Lakes Times on July 18, 2025; and

**WHEREAS**, said application to the Town of Gorham Planning Board was not required to be referred to the Ontario County Planning Board; and,

**WHEREAS**, The Planning Board did conduct a Public Hearing at 7:00 PM on July 28, 2025 at the Gorham Town Hall, located at 4736 South Street in the Town of Gorham; and

**WHEREAS**, The Zoning Board of Appeals granted a variance to allow 27.2% lot coverage; and therefore be it

**RESOLVED**, That the Planning Board does hereby grant final site plan approval with the following conditions:

1. As-built must be submitted to the Town once construction is complete showing the location of the utilities including the underground electric.
2. The site plan needs to be updated to agree with the architectural drawings and revise the stormwater calcs accordingly to again show the stormwater management facilities have the capacity to handle the infiltration rate from the additional stormwater runoff generated.
3. All exterior lighting must be dark sky compliant and shown on the building plans for the building permit.

**RESOLVED**, That the Chairman of this Planning Board is hereby authorized and empowered to sign the site plan associated with said Site Plan Application within 180 days of adoption of this resolution upon the applicant producing the following items:

1. Two paper copies of said Site Plan, bearing the seal of a Professional Engineer, Surveyor, or Landscape Architect licensed to practice in the State of New York must be submitted to the Town for signatures;

**BE IT FURTHER RESOLVED**, That copies of this resolution be sent to the applicant, filed in the office of the Town Clerk and the Town of Gorham Planning and Zoning Office.

**6. MISCELLANEOUS**

None

**7. NEXT MEETING**

The next regular meeting of the Planning Board will be held on Monday, August 25, 2025, at 7:00 p.m. at the Gorham Town Hall, 4736 South Street.

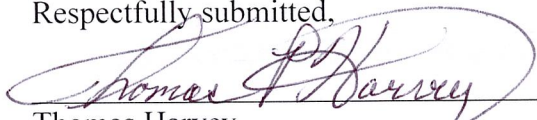
**8. ADJOURNMENT**

■ A motion was made by MR. HOOVER, seconded by MS. HARRIS, that the meeting be adjourned.

Motion carried by voice vote.

The meeting was adjourned at 8:07 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Thomas Harvey  
Chairperson to the Planning Board