

10/27/16
PP

MINUTES
TOWN OF GORHAM PLANNING BOARD
October 24, 2016

PRESENT: Chairman Harvey Mrs. Rasmussen
 Mr. Hoover Mr. Dailey
 Mr. Farmer

ABSENT: Mr. Henry Mr. Zimmerman

Chairman Harvey called the meeting to order at 7:30 PM. Mr. Hoover made a motion to approve the September 26, 2016 minutes as presented. Mrs. Rasmussen seconded the motion, which carried unanimously by the members present. (5-2).

PUBLIC HEARINGS:

Application #20-2016, Joseph & Amanda Bengé, owners of property at 4142 County Road 18, request site plan approval to build a single family home with attached garage.

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

Joseph & Amanda Bengé were present and presented the application to the board.

Chairman Harvey asked the applicants if they had building plans and what the home was going to look like.

Mr. Bengé presented elevations of the new home to the board.

The home will be a two story home on a basement.

Mr. Bengé stated that the lot is 10 acres and all they are proposing for the lot is a single family home and garage.

Chairman Harvey asked what the spacing of the proposed curb cut was from the neighboring curb cuts.

Gordon Freida, Code Enforcement Officer stated that the curb cut to the east is about 660 feet and about 400 feet to the curb to the east on the opposite side of the road. The next curb cut to the west is a little over 400 feet from the proposed curb cut.

The parcel is in a Town water district and meets all the zoning requirements of the Town.

Mr. Farmer asked if the utilities would be underground.

Mr. Bengé stated that all utilities would be underground.

Chairman Harvey asked if there were any 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.

A letter from New York State Office of Parks, Recreation and Historic Preservation dated August 17, 2016, stating that the project will have no impact on the Historic/Cultural resources, was received in the Zoning Office.

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. Mrs. Rasmussen seconded the motion, which carried unanimously by the members present. (5-20).

Mrs. Rasmussen made a motion to approve the site plan with a note that the Planning Board is waiving the requirements of the Access Management Local Law for the driveway location as the proposed driveway location is being proposed in the best location on the property. The site plan was approved with the following conditions: 1. The applicant receive County approval for the curb cut location. 2. All utilities are placed underground. Mr. Hoover seconded the motion, which carried unanimously by members present. (5-2).

Application #21-2016, Joshua M. Watkins, owner of property at 3335 County Road 18, request site plan approval to build a 60' x 172' barn addition.

Mrs. Rasmussen recused herself from participating on this application due to being a family member and went and sat with the public.

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

This application is exempt from the State Environmental Quality Review Act, because it is on the Type II list. It is recognized as an agricultural activity and therefore there is no environmental review required.

Joshua Watkins, was present for the applicants and presented the application to the board.

Mr. Watkins stated that the only thing that is not on the plan is the utilities, which come off the front northern corner of the building. There will be no changes

in the location of the utilities. The new building will be built over the existing cement pad. There will be 256 available free stalls in the existing and new addition for replacement heifer calves. He gets them when they are 250 pounds and they exit his facility at 530 pounds at the most. The manure will be bed pack with a scrape ally. He will be spreading as he scrapes the barn approximately every 4 days.

Mr. Watkins stated that the structure is going to be an open frame structure with bird netting on the outside. The west side is going to have 10 foot curtains with a half of a wall because it's a split level. There's going to be a 4 to 6 foot concrete wall on the west side with half curtains and on the east side it's going to be full height double curtains. It's going to be a fully ventilated barn. There will be 4 garage doors on the south side. On the east side there will be a 20 foot garage door.

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

Mr. Dailey made a motion to approve the site plan as presented, which is a Type II action and does not require further review under SEQR. Mr. Hoover seconded the motion, which carried unanimously by members present. (5-2).

Mrs. Rasmussen rejoined the board.

Application #22-2016, John Manila, owner of property at 5222 & 5220 Long Point Road, requests subdivision approval to merge parcels 5222 & 5220 Long Point Road into one lot.

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 by the members present. (5-2).

The Zoning Board of Appeals on September 15, 2016, granted a 23.6' variance for a 6.4' front yard setback. Lot coverage is not to exceed 43%.

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

Scott Harter, Engineer and Mr. & Mrs. Manila were present and presented their application to the board.

Chairman Harvey stated that they are going to want to see some erosion control on the plan. The proposed grading looks good.

Chairman Harvey asked how the proposed new addition will comply with the Town of Gorham's design guidelines.

Mr. Harter presented photos of the existing and an outline of what the proposed will look like. These will be kept in the file.

Chairman Harvey asked Gordon Freida, Code Enforcement Officer if the docks comply with the Docks and Mooring Law.

Mr. Freida stated that they have 100 feet of lake shore so are allowed two docks.

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

Mr. Dailey asked if they thought of moving the home further back from the lake.

Mr. Harter stated that they did but they are not tearing the existing home down. They are adding onto the existing building so they are locked into the geometry of that particular home.

Mr. Dailey offered a resolution [attached hereto] to approve the subdivision as presented. Mr. Hoover seconded the resolution, which carried unanimously by members present. (5-2).

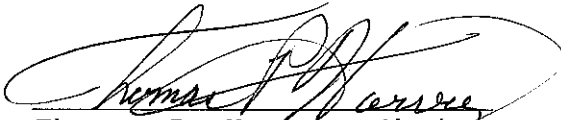
MISCELLANEOUS:

An amendment to Chapter 31 (Zoning Ordinance) of the Town of Gorham Municipal Code section Hamlet Commercial District was discussed.

It was discussed that Hamlet Commercial Zoning is intended to have commercial uses on the first floor especially on the street front while allowing residential uses as of right above first floor and in certain circumstances a portion of the first floor as discussed in the Town's comprehensive plan and design guidelines.

It was suggested that any residential on the first floor only be allowed by special use permit approval.

Mrs. Rasmussen made a motion to adjourn the meeting at 8:31. Mr. Dailey seconded the motion, which carried unanimously.



Thomas P. Harvey, Chairman

Sue Yarger, Secretary

**RESOLUTION APPROVING THE
MANILLA SUBDIVISION
Application #20-2016**

WHEREAS, John Manilla did submit a subdivision application, known as Subdivision Application #20-2016, for properties located at 5222 & 5220 Long Point Road on September 27, 2016; and

WHEREAS, Said application did include a Environmental Assessment Form; and

WHEREAS, The Planning Board of the Town of Gorham (Planning Board) has been established as lead Agency in regard to the Environmental Review of said subdivision application pursuant to the New York State Environmental Quality Review Act (SEQR); and

WHEREAS, The Planning Board of the Town of Gorham has made a negative determination of significance under SEQR in regard to said subdivision application; now, therefore, be it

WHEREAS, A Public Hearing on said subdivision application was advertised in the official newspaper of the Town of Gorham, specifically in the Canandaigua Messenger on October 16, 2016; and

WHEREAS, The Planning Board did conduct a Public Hearing at 7:30 PM on October 24, 2016, in the Gorham Town Hall, located at 4736 South Street in the Town of Gorham; and

WHEREAS, The Planning Board finds that there does not appear to exist any public controversy in regard to this subdivision application; and further

RESOLVED, That the Planning Board does hereby grant preliminary and final subdivision approval.

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

1. Mylar original of the 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 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 subdivision;

and further

RESOLVED, That the applicant shall have 30 days from the date the Chairman of this Planning Board affixes his signature on said 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 subdivision application null and void; and further

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