

Town of Gorham

4736 South Street
Gorham, New York 14461

PLANNING BOARD

Monday, March 23, 2026 7:00 p.m.

MINUTES—Approved

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*
Andrew Hoover
Gabrielle Harris
Lynn Klotz
Bob Farmer
Richard Perry
Jeremy Stowe
Jon Willis, *Alternate*
Greg Kern, *Alternate*

Board Members Excused:

Staff Via Zoom:

James Morse, Town of Gorham Code Enforcement Officer

Applicant Present:

Anthony Tintera, Meagher Engineering
John DiMarco III
Paul Colucci, DiMarco Group
Brian Mastersimone
Jeff Dann
Austin

Others Present:

Tom DeBlaere
Bruce Nadolny
David VanGorder

Shaynee Rainbolt
 Jeff Gibbs
 Darby & Greg

Applicant Via Zoom:

None

Other's Via Zoom:

Unidentified

1. MEETING OPENING

The meeting was called to order at 7:04 p.m. by Mr. Harvey. We have one public hearing that we will reopen and we have three new public hearings scheduled for this evening and we will use the same process for most of them. An environmental review gets done which the Board has to do first before we open the public hearing. Under the State Environmental Quality Review Act we have to make a determination of significance before an application is final so we will discuss that. We may ask the applicant questions. We may have conversations among ourselves. When we get through with that, if we make a negative determination of significance we will open the public hearing. We will ask the applicant to explain the application. The Board may ask questions. We will give everyone that wants to speak, either here in person or online, a chance to make comment. Please direct your comments to the Board and not the applicant. If the Board feels they have enough information at that point in time it will entertain a resolution to either approve, approve with modifications, or deny the application.

2. APPROVAL OF MINUTES OF FEBRUARY 23, 2026

■ A motion was made by MR. HOOVER to approve the minutes from FEBRUARY 23, 2026 and the motion was seconded by MS. HARRIS.

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 23rd day of March 2026 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 #8-2026: JOHN DIMARCO III, ROUTE 364 EAST LAKE RD LLC, 1950 BRIGHTON HENRIETTA TOWNLINE RD, ROCHESTER, NEW YORK, 14623:
 Requests site plan approval to construct a new 9600 square foot pole barn to be used as

personal storage of vehicles, watercraft, etc. The property is located on the eastside of State Route 364 across from Kapur Circle and is zoned R1 Residential and LDO Limited Development Overlay District.

PB #9-2026: SUSAN HETTERICH, 944 S. OCEAN BLVD, DELRAY BEACH, FLORIDA, 33483: Requests site plan approval to construct a new accessory building approximately 2600 square foot with improvements to grading, utilities and stormwater management and a 45x65 Sport Court. The property is located at 4428 Lincolnwood and is zoned R1 Residential and LFO Lakefront Overlay District.

PB #10-2026: GORHAM DAIRY/WELBLEST HEIFERS LLC, PO BOX 217, GORHAM, NEW YORK, 14461: Requests site plan approval to construct a 60' diameter by 12' deep circular concrete storage to allow for collection and storage of manure from the farm's existing barns. The property is located at 3335 County Road 18 and is zoned FP Farming Preferred/Farmland Priority.

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 #7-2026: LINCOLN HILL FARM BREWERY, 3792 STATE ROUTE 247, CANANDAIGUA, NEW YORK, 14424: Requests renewal of their Special Use Permit. The property is located at 3792 State Route 247 and is zoned PDD Planned Development District.

Mr. Harvey said if I remember correctly last month we adjourned the public hearing to talk about prescribing the reasonable sound level, to discuss hours of operation to see if we want to make any amendments there, and define what constitutes an event.

Mr. Mastersimone said before we start I just want to say a couple comments about Lincoln Hill Farms. This project has been ongoing. I bought the property in 2014 so this isn't something that just started. Since then we have done many community outreaches like Back the Blue, Gorham's Historical Society, Renegade Pigs that raises money for Sands Cancer Center, Veteran's Outreach, Gorham Days, Marcus Whitman Days. During covid we kept people happy and lost tons of money trying to keep open dealing with all the changes. Also during that time I donated five acres to the Town of Hopewell to save the lake and they put a retention pond in. I build a \$300,000 pond at Lincoln Hill Farms. I had to build a pond that was required but not to the size that I did. One of the reasons why I did it was because one of the neighbors were complaining so we wanted to make sure we caught all the stormwater going into the pond. So I went up and beyond. The first project that I did I built a half-acre pond down below next to the farmland. During this time I received zero funding from the state and all my competitors continue to

receive money. I am the only privately owned 500+ outdoor venue in all of Monroe County and all of Ontario County. I employ over 100 employees, lots of students, adults, and teachers. I just wanted to make those comments beforehand. I also want to make one comment, Mrs. DeBlaere when she came to the farm a couple of years ago demanding that she get free drinks and the bartender had no idea who she was and she didn't get a free drink because of that. I don't know if there is any relevance there but I haven't seen her since. That is not a rule that we do. We do give free drinks to a lot of our neighbors but that is for the neighbors that support us and we know who they are. That is all I have to say before we start.

Mr. Harvey said are there any additional comments from the public? Okay, so I know for the record, Brian, you and I went back and forth a little bit and I know that Farmington uses the same level of 102 decibels.

Mr. Mastersimone said yes, Perinton Park, which is centrally located from the residents, has a concert venue for 3000 people and funded by the state and they have no limitations on their hours and operations but I will say it's 11pm. I do have limitations on weekends and school days which I think is fair but just so you guys know I cannot get a touring act during that time. I can't open doors on a Tuesday night at 4pm and start music at 5pm. It's not going to happen, which is fine I will deal with it. Most of my music comes at the end of June through mid-August. What were you saying about Perinton?

Mr. Harvey said no, Farmington, when the racino decided to do concert events they limited them to 102 decibels.

Mr. Klotz said from where? Inside the venue or outside?

Mr. Harvey said it's an outdoor venue so that is in front of the grandstands. So, outdoors 102 measured equal distance from the amplified speakers. That seems like a reasonable place to start.

Mr. Mastersimone said ok.

Mr. Harvey said the other issue that we had was what constitutes an event. How long usually is an amplified music event?

Mr. Mastersimone said it varies.

Mr. Harvey said from?

Mr. Mastersimone said if we did a "day festival" it could go from 2pm – 11pm on a Saturday.

Mr. Harvey said typically though?

Mr. Mastersimone said typically it's doors open at 5pm, music starts at 6:30pm and the music ends at 11pm.

Mr. Harvey said so four to four and a half hour window?

Mr. Mastersimone said yes.

Mr. Harvey said I know previously we talked about, in the minutes, fifty events.

Mr. Mastersimone said yes, fifty public events.

Mr. Harvey said yes, what I would like the Board to think about is fifty four hour events, is that reasonable or too many?

Mr. Mastersimone said I just hate limiting myself and I keep getting cut back. I can promise you that I am not going to have fifty full day events.

Mr. Harvey said right.

Mr. Mastersimone said as we grow we would like to do less events for longer. That would be the idea.

Mr. Harvey said the Board has to come up with some type of measuring stick. Again, just throwing this out there, if you go over the four hours it's another event. I don't care if it runs from 2p-10p.

Mr. Mastersimone said so if I did an eight hour event it's two events.

Mr. Harvey said yes.

Mr. Mastersimone said I like that.

Mr. Harvey said is fifty the right number?

Mr. Mastersimone said yes.

Mr. Harvey said and I am thinking, whether the Board agrees with this or not I'm just throwing this out there, if we did that let's see how it runs for a year and come in and we will adjust.

Mr. Stowe said I will raise a concern to the Board here, I think this might open Pandora's Box to be frank, is it when the doors open or when the music turns on?

Mr. Harvey said when the music turns on.

Mr. Stowe said so we are going to have to define exactly the particulars of the event. If there is music playing in the background verses a live band playing, is that an event?

Mr. Harvey said anything that is amplified. I don't care if it was prerecorded or live it doesn't matter to me. What I would expect to keep it from being an issue for the Town to monitor you have to keep a log.

Mr. Mastersimone said of the decibels?

Mr. Harvey said yes.

Mr. Mastersimone said ok.

Mr. Harvey said it has to be filed with the Town. Same thing with the decibel levels you have the meter you are going to record so if somebody wants to dispute the levels its up to them to test. The Town is not going to get into that business.

Ms. Harris said where did the number fifty come from?

Mr. Mastersimone said it was from the beginning when we first started.

Mr. Stowe said can you still bring money into the Town and do what you want to do and pay taxes and be successful at fifty four hour events?

Mr. Mastersimone said yes but the idea is to completely do less. We opened up another event center to do smaller events at that center so we are hoping to do less events which is bigger.

Mr. Harvey said at the farm and the other one at the other venue.

Mr. Farmer said you may need to calibrate your sound meter once a year or so.

Mr. Mastersimone said my sound guy is very well known in the nation and he has been doing sound forever. I will make sure I have notes for him. We do have decibel readers so we will be making sure that stays accurate.

Mr. Harvey said they go out of calibration and everything measured on the DbA weighted scale which is adjusted for human hearing.

Mr. Mastersimone said the one other thing that I want the Board to understand is almost regularly we have an event, a concert, and we always have an event on the other side. Mostly the other side is booked on Friday and Saturday nights. The other side is 600 feet from the speakers and I have never had once a complaint having a music venue and a wedding or a corporate outing 600 feet away. Never once has that ever happened. So for any neighbor past that point with hedge rows in between and particularly this neighbor it's over 3000, we took a drone shot and it was over 3000 feet.

Mr. Harvey said every time you double the distance you decrease the decibel by three. In my view point you are measuring at the loudest area equal distance from the speakers so again from my view point I don't care if you have speakers in multiple locations it's the total.

Mr. Mastersimone said ok.

Mr. Harvey said a single measurement. I will close the public hearing at this time.

Mr. Mastersimone said our decibel reader is usually at the front of the house sixty five feet away from the speakers center of the stage.

Mr. Harvey said that works for me.

MR. HOOVER offered the resolution as presented to renew the special use permit for one year and was seconded by **MR. PERRY**. The resolution carried with all present voted aye.

**RESOLUTION OF THE TOWN OF GORHAM PLANNING BOARD: RE-
NEWAL OF SPECIAL USE PERMIT APPLICATION PB 7-2026**

WHEREAS, The Town of Gorham Planning Board (Planning Board) is in receipt of an application from Lincoln Hill Farm Brewery to renew their existing special use permit for operating at 3792 State Rt 247 on tax parcel 114.00-1-45.000 in the PDD Planned Development Zoning District; and

WHEREAS, A public hearing was duly noticed and held before the Planning Board on February 23, 2026 and reopened on March 23, 2026 to hear public comment on Planning Board Application PB 7-2026; now, therefore be it

RESOLVED, That the Special Use Permit for Lincoln Hill Farm is hereby renewed for another 1 year pursuant to Application PB 7-2026 keeping all existing conditions in place except as added to or modified as follows:

1. The operator shall maintain a noise level at the venue of 102 decibels on the A weighted scale or less at all times.
2. The operator of Lincoln Hill Farm shall be responsible for maintaining a sound pressure meter of adequate calibration to document such compliance.
3. The measurement of 102 decibels shall be measured at a location equidistant from all speakers and at least 10 ft. away from the nearest speaker.
4. The number of events hosted shall be measured as the number of events involving amplified music of more than 80 decibels on the A weighted scale for a duration of up

to four hours, with each 4 hour duration of a performance or show longer than 4 hours shall constitute a separate event.

5. Over the next year, the applicant is limited to a total of 50 events.
; and further

RESOLVED, That this resolution shall take effect immediately.

5. NEW PUBLIC HEARINGS

PB #8-2026: JOHN DIMARCO III, ROUTE 364 EAST LAKE RD LLC, 1950 BRIGHTON HENRIETTA TOWNLINE RD, ROCHESTER, NEW YORK, 14623:

Requests site plan approval to construct a new 9600 square foot pole barn to be used as personal storage of vehicles, watercraft, etc. The property is located on the eastside of State Route 364 across from Kapur Circle and is zoned R1 Residential and LDO Limited Development Overlay District.

Mr. Harvey said we have to do a determination of significance. On Part 3 we will note that there are no critical environmental areas in regard to Question 4 that have been established in the Town of Gorham. Part 2 Question 8 has to do with historic resources, archaeological, architectural, or aesthetic resources and we are basing our answer on the February 20, 2026 letter from the New York State Office of Parks, Recreation and Historic Preservation. Part 2 Question 9 & 10 the Planning Board based it's answer on the stormwater mitigation infrastructure and the stabilization and erosion control measures for the +/- 2/3 of an acres of fill placed near the northeast corner of the property the Planning Board will require as a condition of site plan approval. It shows up in the 2021 and the 2024 aerial photos that the county has and you can see them online if you look at Pictometry. We counted up at least forty three small dump truck loads and something like north of 140 large dump truck loads of soil and debris on the property. I am going to ask the applicant to do it.

MR. FARMER made a motion to approve the Environmental Assessment Form Part 2 as written making a negative determination of significance and the motion was seconded by **MR. HOOVER**. The motion was carried with all present voting aye.

Mr. Colucci said on behalf of 364 East Lake Road LLC we are here to propose the application for the 9,600 square foot pole barn as the Chairman read through the SEQR review. The pole barn is proposed to be located approximately 450 feet or so just to the east of Route 364. It is on a fifty-four acre parcel that is zoned R1 Residential. The use as the Chairman read is strictly for residential use for storage of watercraft vehicles and other recreational vehicles. The DiMarco family has five homes along the lakefront within the vicinity of this property. The site plan complies with all the bulk area regulations. The pole barn would be situated with the overhead doors facing to the north, which is a heavily vegetated parcel to the north of us. Five overhead doors measuring approximately sixteen feet wide and fourteen feet high and it is a gable end roof. We did submit

a 3D rendering of the pole barn. It is a pre-engineered metal building. It is intended and proposed to be earthtone so a brown or tan color. Really the intent is that it blends in with the landscape and isn't any color that stands out. We are proposing water service to be connected to the Town of Gorham watermain which is on the west side of East Lake Road. Also, we will be bringing gas and electric into the building. There is an existing driveway that services the property which predates the purchase of the property by the applicant which was historically probably a farm access road. We are not proposing to modify that in any form other than installing the stabilized construction entrance right at the right of way so we can mitigate any

Mr. Harvey said you probably still need a permit from DOT.

Mr. Colucci said we did and that application has been submitted. I have had a few comments back and forth with the permitting engineer just relative to the use was the comment that they asked just last week. We will construct a new twenty foot wide gravel lane that would extend back about 450 feet to the pole barn with a swale on the up slope side of the hill. The way that the topography sits if you look on the grading plan it sits right where there is a natural divide in the topography so we placed the pole barn so we can mimic that drainage pattern with a diversion swale heading to the east and then north around the building and then another diversion swale that would carry from the west and down to the Route 364 drainage culvert. The finished floor elevation of the pole barn is proposed to be 727 elevation. Just for some perspective the centerline of the road at the driveway is approximately elevation 720 so the finished floor will sit about seven feet above the centerline of East Lake Road. There is a 2.5 acre area of disturbance. As Mr. Chairman read in the SEQR review based on the residential use and the thresholds for stormwater management we are not required to do post construction stormwater management procedures however we do have to submit

Mr. Harvey said by the State yes by the Town you do but go ahead.

Mr. Colucci said so we have not proposed any post construction stormwater mitigation measures at this time other than the check dams which would be in place until any of the disturbed area is stabilized. We did receive comments from MRB and responded to those and as Mr. Chairman read we did receive the SHPO no impact letter. Obviously we were here and heard your comments relative to the stockpiles that are on the property and John DiMarco is here and he constructed the residence at 3820 East Lake Road. All of that material that appeared between 2022 and 2024 on the aerials is from the basement excavation from the residence at 3820. About 80% of it is shale.

Mr. Harvey said I did some quick math there is probably 4800 cubic yards of material up there.

Mr. Colucci said it's a little less than that I think.

Mr. Harvey said it's probably close.

Mr. DiMarco said I think we put 168 or 170 ten wheel truck loads up there so I would say it is somewhere between 1900 and 2200 cubic yards.

Mr. Harvey said ok so under the Town code that would have required erosion control plan. Basically we would have required you to remove the topsoil put the fill then restore the topsoil.

Mr. Colucci said the plan for that material is, being predominantly shale, we do intend to use that material as part of the subbase for the slab on grade for the pole barn. We also do intend to use that material for the subbase for the gravel access road and will be topped with stone.

Mr. Harvey said it is a very spread out pile. It covers about 2/3 of an acre right now.

Mr. Colucci said and it was placed back in that corner as far as we could get it away not knowing where exactly the pole barn was going to go that was always intended. I do know that when the basement excavation was occurring the intent was to minimize taking that material and transporting it locations and minimizing trips and traffic on the surrounding roadway. So the benefit of the location of where the lake home was constructed and essentially going out a very short distance and across the road it was deposited there.

Mr. Harvey said so long story short.

Mr. Colucci said we are going to use it.

Mr. Harvey said yes but you are going to amend your disturbance area in your drawing and take that fill pile into account and deal with it with your erosion control measures.

Mr. Colucci said yes I think that is pretty simple to do and then to finally restore that area where the fill went as we are going to have an excess of topsoil.

Mr. Harvey said scrape it off and that's good. Anything you don't use goes under the topsoil. You do your calculations and come up with a plan. The other issue that your site plan hasn't addressed yet is conformance with the Access Management Local Law and Plan. As far as the driveway location goes I don't have a problem with that because it is right across from Meadowview which makes perfect sense. The issue is the plan and the local law includes a map with several future potential roads and access across that property. I think you need to look at that and see where the barn falls in relation to where the Town would prefer those future roads be accommodated.

Mr. Colucci said you have future roads planned through the applicant's property?

Mr. Harvey said yes and again not binding in terms of location and I'm thinking some type of commitment to grant the Town a right of way at a future date would be appropriate so we can work around the location.

Mr. Colucci said I was unaware of the access.

Mr. Harvey said it's a local law and it's an adopted plan. I figured that would be your remark just based on looking at the site plan. I think that is the only issue I really have. Anybody else have questions? Would anybody in the public like to make comment on this application?

Mr. Gibbs said I live directly across from this proposal. The traffic now is ungodly. You get semi's coming down through there. You get contractors with all their gear coming down through there from all corners of the earth. Then you got the tourists trade during the summer who disregard the speed. I have seen them going down there 60 to 70 mph past my house. It's a 40 or 45 and now you are going to put another access just up from Kapur across the street. You have people coming from the lake to East Lake. You have these guys coming from East Lake to their property and 100 feet down you have Kapur Circle. That is going to be a traffic nightmare. That is my concern.

Ms. Rainbolt said our primary concern, I should say me and some of the residents in the neighborhood who couldn't be here, is why is a lot that is zoned residential and limited development overlay district why is a 9,600 sq. ft. accessory building is being allowed without a primary residence?

Mr. Harvey said it is allowed in the Town by zoning.

Ms. Rainbolt said ok. Then the other issue for us is the storm mitigation.

Mr. Harvey said yes we are very concerned. That is uphill and we are very aware of the residences downhill.

Ms. Rainbolt said did I hear you say that it is required for them to do that mitigation?

Mr. Harvey said I am thinking when the Board passed the negative declaration part of that statement was the fact that as a condition of approval we anticipate requiring storm-water mitigation as part of the approval.

Ms. Rainbolt said the last thing is our watermain right at Kapur Circle has broken multiple times in fact we didn't have the road paved over for almost a year because they kept having to dig it up. I am concerned about the additional access to water and sewer without work being done on the infrastructure and our neighbors who are continued to be flooded because of the infrastructure. I am wondering if there is a plan for that.

Mr. Harvey said so they are not proposing any sewer hookup. We will ask some questions about what the water is going to be used for because I am a little curious about that myself. As far as maintenance goes that's the Town's water district's responsibility. You are in the water district, on the frontage, so the Town is obligated to provide that service if you request it. Anybody else? A couple of things, tell us, you are going to have a heated building.

Mr. Colucci said a gas fired radiant heater.

Mr. Harvey said is the water just a hose bib outside the building? What is the intension here?

Mr. Colucci said a hose bib outside and a hose bib inside for washdown. The majority of what is going to be stored in there is watercraft vehicles, so they would be washed down.

Mr. Harvey said and floor drains?

Mr. Colucci said if I do a floor drain then I have to connect to sanitary sewer. The concrete pad on the exterior is where the boats and the recreational vehicles will get washed down and then stored in the pole barn.

Mr. Harvey said ok you answered my question.

Mr. Farmer said will they be having construction carrying these boats and trailers and things vehicles? Like trailers or anything like that?

Mr. Colucci said they are all carried with $\frac{3}{4}$ ton pickup truck.

Mr. Farmer said nothing, diesel trucks?

Mr. Colucci said no.

Mr. Farmer said no backhoes or anything like that are going to go in there?

Mr. Colucci said no.

Mr. Kern said hosing down the watercraft, is there going to be any chemicals used?

Mr. Colucci said typically nothing other than biodegradable detergents that you would otherwise wash a vehicle down like your car in your driveway.

inaudible conversation

Mr. Harvey said so you guys maintain that it is just for the family use that it is not for commercial storage and there is no business operated out of this. You are willing then to record a letter notarized to the Town stating that case.

Mr. Colucci said yes we have no intention of running a business out of it.

Mr. Farmer said exterior lights?

Mr. Colucci said we will most likely propose motion sensing wall packs that are dark sky compliant that surround the overhead doors and the man doors.

Ms. Klotz said I have a question, 13A says does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by federal, state or local agency and you checked yes.

Mr. Harvey said probably the EAF mapper checked it on you.

Mr. Colucci said I think it did pop up as potentially sensitive archeological and then the SHPO letter came back as no impact.

Mr. Farmer said are you going to be worried about fire in your garage? Firetrucks are going to have to use this so you may have to have a turnaround for them.

Mr. Colucci said that is actually on the site plan drawing C2.0 the engineer did do an emergency vehicle turnaround and we are less than the 600 feet from a hydrant. There is a hydrant right at the corner of Meadowview and 364.

Mr. Harvey said anything else? Hearing none, I will close the public hearing at this time. Let's discuss more of the wastewater disposal, I'm a little concerned with the amount. If this was one person's garage but this is a 10,000 square foot storage facility. Potentially that is a fair amount of boats and other stuff that gets washed.

Mr. Colucci said primarily it is storage so I understand where you are saying it's 10,000 square feet but it really is just a hose bib and they would have a pressure washer up there. Given the number of boats they have we are trying to get them under cover.

Mr. Harvey said this parcel is not in the County sewer district because I checked. If you are going to have stuff inside and you are going to have a floor drain you need some type of waste water treatment system. That is the way the approval is going to be worded.

Mr. Colucci said if we put a floor drain in we would likely do a septic. Again we are not proposing a floor drain at this time it would just be an exterior hose bib.

Mr. Harvey said we also want you to confer with the applicant and I would add something about agreeing to grant to the Town right of ways in compliance with the Access Management Plan at a future date. Look at where those are laid out. We have a lot of flexibility but we are looking for north south access.

Mr. Colucci said I will look at the local law but was the intent

Mr. Harvey said basically it's a corridor plan because we hear loud and clear for many years about summertime traffic loads on 364 and the conclusion the Town came on developing that plan and the subsequent local law was we need to plan for alternative north-

south routes as that corridor continues to develop. Sooner or later someone will come in for subdivisions.

MR. PERRY offered a resolution to approve the site plan with conditions and was seconded by **MR. HOOVER**. The resolution carried with all present voted aye.

**RESOLUTION OF THE TOWN OF GORHAM PLANNING BOARD: SITE
PLAN APPROVAL OF APPLICATION PB 8-2026**

WHEREAS, The Town of Gorham Planning Board (Planning Board) is in receipt of an application from John DiMarco III for Site Plan Approval to construct a new 9,600 square foot pole barn for personal storage of vehicles, watercraft, etc. on the east side of State Rt 364 across from Kapur Circle on tax parcel 113.00-1-29.100 an approximately 54 acre property zoned R-1 Residential and in the Limited Development Overlay District; and

WHEREAS, The Planning Board of the Town of Gorham (the “Planning Board”) has determined this to be an unlisted action as such is defined in the New York State Environmental Quality Review Act and its implementing regulations found at 6 CRR-NY Part 617 (hereinafter collectively referred to as “SEQR”) in regard to the environmental review of said Site Plan Application; and

WHEREAS, The Planning Board did make a Negative Declaration pursuant to SEQR finding that the proposed project will not have a significant negative impact on the environment; and

WHEREAS, A public hearing was duly noticed and held before the Planning Board on March 23, 2026 to hear public comment on Planning Board Application PB 8-2026; now, therefore be it

RESOLVED, That the existing curb cut is opposite Meadow View Dr and is thus in compliance with the Town’s access Management Local Law; and further

RESOLVED, That the owner provide a notarized letter to the Town that they are willing to grant right-of-ways to the Town for future roads in compliance with the Town’s Access Management Plan and Local Law as indicated on the map contained therein at such time when requested by the Town; and further

RESOLVED, That Site Plan Approval is hereby granted for Planning Board Application PB 8-2026 with the following conditions:

1. All exterior lighting to be dark sky compliant.
2. The site plan be modified as follows:

- a. The location of the pole barn be adjusted as necessary to be in compliance with the plan for future public roads as indicated in the Town's Access Management Plan and Access Management Local Law.
 - b. Add storm water management facilities capable of handling the increase in rate of stormwater runoff after construction as compared to the existing condition based upon a comparison of runoff calculated using the rational method or such method as approved and accepted by the MRB Group as Town Engineer. Such design shall be based upon percolation tests conducted on site in native soils in the proposed location of the storm water facility.
 - c. The existing area of fill from the construction of the home at 3820 State Rt 364 will be used for fill under the proposed storage building slab, any material not so used shall be moved to a single stock pile, top soil removed under an sufficient area, the excess fill spread, then topsoil restored overtop of the fill and stabilized.
3. A Storm Water Pollution Prevention Plan (SWPPP) be drafted to include the existing area where fill from the construction at 3820 State Rt 364 was placed. A copy of the SWPPP and Certification of coverage under the New York Department of Environmental Conservation's Statewide General Permit for stormwater runoff during construction shall be provided to the Town prior the commencement of any site work.
 4. Erosion Control inspections to be filed with the Town weekly and as required after storm events.
 5. A waste water disposal system shall be added to the site plan sufficient to handle the flow from floor drains used to wash boats and other equipment and floor drains with an oil separator, or water service shall be limited to an external hose bib only.
 6. The owner shall file a notarized letter certifying that the building will not be used for residential or commercial occupancy.
 7. The owner shall file a notarized letter agreeing to donate transportation right-of-ways to the Town in conformance with the Town's Access Management Plan and Access Management Local Law when either further development of the current property or adjacent property is proposed.
 8. After construction a survey be conducted showing the final location of all buried utilities and structures.
; and further

RESOLVED, That this resolution shall take effect immediately.

PB #9-2026: SUSAN HETTERICH, 944 S. OCEAN BLVD, DELRAY BEACH, FLORIDA, 33483: Requests site plan approval to construct a new accessory building

approximately 2600 square foot with improvements to grading, utilities and stormwater management and a 45x65 Sport Court. The property is located at 4428 Lincolnwood and is zoned R1 Residential and LFO Lakefront Overlay District.

Mr. Harvey said we are probably going to end up modifying the stormwater mitigation infrastructure but there is some proposed already in this application so that is why it is worded the way that it is. We do have a February 25, 2026 letter from the state Office of Parks, Recreation and Historic Preservation as the basis for Question #8 on Part 2 having to do with no impacts on important historic archaeological or architectural resources.

MR. HOOVER made a motion to approve the Environmental Assessment Form Part 2 as written making a negative determination of significance and the motion was seconded by **MR. STOWE**. The motion was carried with all present voting aye.

Mr. Tintera said I am the Senior Project Manager with Meagher Engineering. I am representing the applicant, Susan Hetterich, for her project at 4428 Lincolnwood. The project site is approximately 2.3 acres and a largely wooded site that is adjacent to Canandaigua Lake. It is zoned R1 within the Lakefront Overlay District. It is ultimately controlled by our applicant along with two of the neighboring properties with which she is looking to position a common access and utility easement through for access to the new use. That new use is a proposed 2280 square foot access restructure subject to the Town's zoning bulk regulations. We are looking to keep it in line with the fourteen foot maximum building height requirement and other relevant setback and coverage requirements so as not to need any variance from the Zoning Board of Appeals. Ultimately the project was referred to SHPO as a result of the archaeological sensitivity and an effect finding indicating no impact to historical or archaeological resources was provided. With the back and forth we've had with MRB Group specifically with the Town Engineer Sherman we refined a drainage approach to the proposed development. Ultimately with the quantity of the impervious surfaces generated from the project site we are looking to treat for enhance phosphorous treatment and to manage stormwater accordingly so as to not have a post development rate of runoff that exceeds the predeveloped rate of runoff up to a certain point. With the new approach, I have other project materials I can show you for reference, more recently last week we shared our comment response materials with Sherman. Earlier today, you probably saw, there was a follow up comment letter that has some minor comments related to the erosion and sediment control measures and other language that should be added to our plans. With what is being proposed now we are not looking to rely on a sort of practice that would provide filtration or infiltration as a way to cleanse the impervious runoff from the site but rather we are looking to use a sort of a green infrastructure process specifically a vegetative swale sized appropriately and to handle the majority of the impervious surface area for our site.

Mr. Harvey said say that very carefully because I might have gotten this backwards. So you would prefer not the infiltration method but this?

Mr. Tintera said yes but this essentially a vegetative swale is maintained with appropriate geometry so as to retain the water passing through it for a certain amount of time. That

water is cleansed though vegetation that is varying year round but essentially four inch tall grass.

Mr. Harvey said and how does that effect the total discharge to the lake as opposed to the infiltration method?

Mr. Tintera said the swale itself is not ultimately going to help meet that quantity requirement of the post development runoff being less than the predeveloped. Essentially what we have working in unison with that vegetative swale at the end of it is a small detention basin. Specifically a dry detention basin.

Mr. Harvey said and you wouldn't design that as an infiltration basin?

Mr. Tintera said no not as an infiltration basin. It could behave as an infiltration basin provided infiltration testing showed it was appropriate. In the event it isn't appropriate meaning that there is shallow ground water and it shouldn't necessarily be designed as an infiltration basin all it would be doing is essentially detaining the stormwater runoff and releasing it in a controlled manner.

Mr. Harvey said as you can likely surmise we try to be very protective of the lake water both in quantity and quality. I think we still have some room for some flexibility to continue this discussion and terms of I like the vegetative swale approach, there is nothing wrong with that, but at the end of the day I want to get it back into ground water.

Mr. Tintera said that is understandable. With the type of soil present and again this site was developed in the winter months. No infiltration testing was done last fall or so far this year. Should infiltration testing on site take place to reveal that we could infiltrate that would be ideal but ultimately the way that we chose to approach the site design is still appropriate as far as removing pollutant load heading towards the lake. We have designed a practice that is in line with the stormwater design manual. We are able to use that in tandem with that detention basin so that we can meet both objectives. All be it without say an infiltration practice like a dry well or infiltration basin or say a sort of fictitiously built up engineered fill like if you were filtering through a rain garden.

Mr. Harvey said again remember if you find your infiltration isn't what you expect it to be then you can always go back and amend your existing runoff based on that as well. Really what our policy has been is you are responsible for the increase. If it's not getting in the ground anyway then well we can't really force you to get it into the ground.

Mr. Tintera said so essentially what you are saying is certain stormwater requirements would be waved in that regard.

Mr. Harvey said well again our policy is you are responsible for the increase in runoff. If you can prove that here is the existing soil and land cover conditions and this is what the runoff was and here is my mitigation practices, here is the calculations after development and I didn't change it or it's just this little bit of difference and that is what you are

responsible for that little bit of difference. Again, under the assumption, especially from a flood level perspective that is what is going on and that is what is contributing and we haven't made it worse.

Mr. Tintera said to speak a little bit more to the stormwater management, following that last detention basin practice, runoff leaving our proposed improvements would meander to the north closer to the property line before heading west and discharging at the lake. There is no runoff that is ultimately directed to any neighboring properties as a result of our development.

Mr. Harvey said ok. Any questions from the Board?

Ms. Klotz said I'm having trouble understanding the drawing.

Mr. Tintera then reviewed the site plan with the Board.

Ms. Klotz said where is the sport court?

Mr. Harvey said down further towards the lake that has a separate driveway and access, right?

Mr. Tintera said as far as access, the existing access to that sport court is proposed to be removed as part of this project. That sports court was identified earlier on in the referral process as not having been appropriately permitted in years past so ultimately tonight it is included as one of those proposed improvements.

Mr. Harvey said and it is just for the exclusive use of the owners of that parcel?

Mr. Tintera said yes ultimately that is my understanding. Susan controls 4436, 4428, and that eastern property which has no specific address to State Route 364.

Ms. Klotz said so nobody will be driving to it.

Mr. Tintera said not anymore either essentially Susan and others, say relatives, would be walking across the property.

Mr. Harvey said so that existing driveway goes away.

Mr. Stowe asked Mr. Tintera to review the changes on the site plan with the Board.

Mr. Tintera said this is the big picture of the 4428 property. The existing gravel drive comes across 4436 and it is a rather unique geometry on this property as well as for the neighboring property. All of this gravel drive the intent is for it to go away.

Mr. Harvey said so that is going to be restored to lawn?

Mr. Tintera said restored to lawn, yes.

Ms. Klotz said so where on that is the accessory structure?

Mr. Tintera said the proposed accessory structure with the elevations you see there is nestled into the southeast corner or region of 4428 here. The sports court is here. That driveway extend that is to be removed and is captured in our limits of disturbance. Still under an acre and the new driveway is largely coming south from those overhead doors and meeting up with the existing shared driveway.

Mr. Harvey said we will probably include that in whatever resolution just to clarify that we all understand it correctly there that driveway is removed.

Ms. Harris said it will be a gravel driveway?

Mr. Tintera said yes. That was a concern from Sherman originally as far as us having a drainage structure within the driveway. That drainage structure has since been removed. We are looking to drain the driveway naturally to the west where it meets up with our vegetative swale. Sherman has requested through his more recent comment letter some added spot elevations to help convey the fact that we are not just pooling water in front of overhead doors and we will detail that accordingly.

Ms. Klotz said and do you need to manage stormwater coming off of a court or is it just pitched?

Mr. Tintera said with respect to the court my understanding is that court was built by an existing house footprint that was recently demolished. Personally our firm was not involved with that older improvement or the demo related to that structure. What I would say is as far as stormwater management or mitigation for that existing sort of inappropriate use that was never permitted we are looking to offset that by the removal of this length of gravel drive. That square footage is greater than the total square footage of the sports court.

Mr. Harvey said there was a building there its got to be less runoff than there was before.

Mr. Tintera said you have the elevations in front of you but the floor plan really details it. Susan's purpose is this is meant to be vehicle storage and recreational in nature so there is a garden room present, an exercise room present and a lot of windows to have a nice view of the lake.

Mr. Harvey said is there anything going into this building other than electric service?

Mr. Tintera said there is a bathroom group proposed within the facility. It wasn't identified as say necessarily being restricted from the structure. We have been in contact with CLCSD, or Jack Braun, regarding that sanitary lateral design. We haven't received feedback from him but essentially what we are looking to do or I should say what the

contractors did years ago did they strategically partially demo'd that existing house lateral and kept it capped at the end so that it could be tied into from say this development now.

Mr. Harvey said so you are going to have electric, water and sewer going into this building?

Mr. Tintera said there is also gas as well. Again, it is not a dwelling structure so those utilities are going to service very little.

Mr. Harvey said so the owner wouldn't have any problem providing the Town a notarized letter that the building will not be used as a residence or a commercial use?

Mr. Tintera said sure the intent is ultimately for it to be an accessory structure only.

Ms. Klotz said there are some nice trees in the back area of that lot, can those be replaced based on what is going to be removed?

Mr. Tintera said to my knowledge Susan doesn't want to extend the envelope of disturbance for her project any more than she has to. Largely that is due to the grade ****inaudible**** on the footprint and the stormwater mitigation measures. No landscaping plan has been developed as part of the project and really we are just trying to keep that disturbance envelope pretty tight.

Mr. Harvey said the plans don't show if there are any mature trees or anything else that have to go away for this development.

Mr. Tintera said no existing mature trees. If there was a need to provide an inventory of the trees within our disturbance we would contact the project surveyor Anthony Venezia to do that.

Mr. Harvey said yes if you are going to remove anything you need a landscaping plan with replant what is going away.

Ms. Klotz said it's hard to tell this time of year what is dead or what is an alive tree.

Mr. Harvey said anything over a six inch caliper to be replaced.

Mr. Tintera said speaking a little bit more to that conceptually within the region of the gravel drive that is going to be restored and converted to lawn would placement within those extents of the property be considered

Mr. Harvey said it's all part of the property so yes.

Mr. Tintera said ultimately I am just speaking conceptually.

Mr. Harvey said you can't plant it in the middle of what is going to be an accessory building, right, so find someplace else on the lot to add it. Any further questions from the Board? Hearing none, anyone from the public wish to make comment on this application?

Mr. Nadolny said I spoke with the representative here and he was pretty clear. I live adjacent right where the roadway is going in and it appears that the building is going to be like you said nestled in about eight feet below the grade of the driveway. Visually it won't block views or anything. Originally I was shocked because it is a pretty big building for someone to put boats in or something but now that I found out more about the total use of the building and how it is going to be set downgrade I don't see a real big problem.

Mr. Harvey said thank you sir, anybody else? Hearing none, I will close the public hearing at this time. The stormwater management infrastructure on the plans can be modified. Our objective is no increase in net discharge from the site. Personally if the Board is ok with this I don't care if it is a vegetative swale or chambers whatever it is we will work with you. Add the existing driveway to the sports court is to be removed and restored. I want that clearly labeled on the site plan and integrate that with a landscape plan if you are going to replace trees. Also, address the bulk of MRB comments with the spot elevations. You are going to do a survey of trees over a six inch caliper being removed you have to put replacements on the landscape plan.

MR. HOOVER offered a resolution to approve the site plan with conditions and was seconded by **MS. KLOTZ**. The resolution carried with all present voted aye.

**RESOLUTION OF THE TOWN OF GORHAM PLANNING BOARD: SITE
PLAN APPROVAL OF APPLICATION PB 9-2026**

WHEREAS, The Town of Gorham Planning Board (Planning Board) is in receipt of an application from Susan Hetterich for Site Plan Approval to construct a new 2,600 square foot accessory building and a 45 ft. by 65 ft. sports court along with related grading, utilities, and stormwater management facilities at 4428 Lincolnwood on tax parcel 127.15-1-42.000 in the R-1 Residential and in the LFO Lakefront Overlay District; and

WHEREAS, The Planning Board of the Town of Gorham (the "Planning Board") has determined this to be an unlisted action as such is defined in the New York State Environmental Quality Review Act and its implementing regulations found at 6 CRR-NY Part 617 (hereinafter collectively referred to as "SEQR") in regard to the environmental review of said Site Plan Application; and

WHEREAS, The Planning Board did make a Negative Declaration pursuant to SEQR finding that the proposed project will not have a significant negative impact on the environment; and

WHEREAS, A public hearing was duly noticed and held before the Planning Board on March 23, 2026 to hear public comment on Planning Board Application PB 9-2026; now, therefore be it

RESOLVED, That the owner provide a notarized letter to the Town that the proposed sports court is for their own personal use and not a facility to be used in whole or part as a commercial business such as being rented out for the use of users other than the owners or their families, and that should the Town discover the sports court is used as part of a business or rented out for use by non-family members the Town of Gorham shall be able to order the immediate cessation of such use, the removal of said facility, and its restoration to open lawn with the Town having the right to perform work necessary to implement such order if the order is not implemented within 30 days; and further

RESOLVED, That Site Plan Approval is hereby granted for Planning Board Application PB 9-2026 with the following conditions:

1. All exterior lighting to be dark sky compliant.
2. Applicant to conduct a survey of trees with a caliper measuring 6 inches or more to be filed with the town.
3. The site plan be modified as follows:
 - a. Storm water management infrastructure shall be modified to include infiltration components capable of handling the increase in rate of stormwater runoff after construction as compared to the existing condition based upon a comparison of runoff calculated using the rational method or such method as approved and accepted by the MRB Group as Town Engineer. Such design shall be based upon percolation tests conducted on site in native soils in the proposed location of the storm water facility. Such stormwater calculations and facilities shall encompass the proposed driveways, parking areas, sports court, and the accessory structure.
 - b. Notes shall be added indicating that the existing driveway providing access to the sports court is to be removed and restored to lawn and possibly other landscape plantings.
 - c. A landscaping plan be submitted showing the replacement of any trees with a caliper of 6 inches or more that will be removed for the construction of the new driveway, accessory building, and storm water facilities. Trees may be planted in the reclaimed area of the driveway to the sports court that is to be removed to meet this requirement.
4. Erosion control measures, including diversion swales, shall be put in place and stabilized prior to any other site work.

5. The owner to file a notarized letter with the Town guaranteeing that the proposed accessory structure shall not be used as a commercial business nor as a residence, even for short term or over-night stay.
 6. After construction a survey be conducted showing the final location of all buried utilities and structures and such survey filed with the Town.
- ; and further

RESOLVED, That this resolution shall take effect immediately.

PB #10-2026: GORHAM DAIRY/WELBLEST HEIFERS LLC, PO BOX 217, GORHAM, NEW YORK, 14461: Requests site plan approval to construct a 60' diameter by 12' deep circular concrete storage to allow for collection and storage of manure from the farm's existing barns. The property is located at 3335 County Road 18 and is zoned FP Farming Preferred/Farmland Priority.

Mr. Harvey said this is a manure storage facility and again it's designed as far as I can tell to USDA natural resource conservation service recommended standards. You normally wouldn't think about additional stormwater runoff from a manure storage facility. I know they added a large barn there to this site and again we have had several flooding incidents in the last 10-15 years downstream of that. I have a little concern that there is no stormwater mitigation for that new huge barn and this application, in my opinion, is our opportunity to talk about that with the applicant a little. That is why I worded the environmental assessment for Part 3 with the answers to Questions 9 & 10 the way I did. We are probably likely to talk about the stormwater mitigation as a condition of site plan approval. The others are standard comments. You will notice that nothing shows up on the State Historic Preservation Office inventory of known historic or archaeological resources and of course there are no critical environmental areas in the Town.

MR. HOOVER made a motion to approve the Environmental Assessment Form Part 2 as written making a negative determination of significance and the motion was seconded by **MS. HARRIS**. The motion was carried with all present voting aye.

Mr. Harvey said we saw the plan. Anything you want to talk about? You probably heard our concern with the stormwater that comes down that ditch. I have driven that road every day for the last forty and a half years to work and some days like in 2024 when both houses on the corner of Robson Road and County Road 18 got flooded so you don't want to be adding to that flow. You have some stormwater around the tank and of course it sheet flows over to that ditch that is a concern and not on the plan is the new heifer barn.

Mr. Dann said it is shown on the plan.

Mr. Harvey said I would shoot it back to your engineer and say where can I put some stormwater detention or something on this site.

Mr. Dann said the response is going to be it is built to NRCS standards from our engineer for the manure storage and it is not adding any surface water to anywhere. Any water that would come to it is collected.

Mr. Harvey said and what is this material right here?

Mr. Hoover said concrete.

Mr. Dann said concrete and that will all be collected into the storage.

Mr. Harvey said and the stormwater flows in?

Mr. Dann said yes.

Mr. Harvey said how are you handling the water from the heifer barn?

Mr. Dann said there is more than adequate green space on site for roof water.

Mr. Harvey said then I would say have your engineer come back and show me that calculation and where it's not adding any additional stormwater flow.

Mr. Dann said are we applying for anything other than

Mr. Harvey said no it's up to you.

Mr. Dann said I'm asking you sir.

Mr. Harvey said here is the deal you can agree to do it voluntarily or the next time there is a flood the Town will have this on record that you added this facility with no stormwater management and obviously if they care to do a calculation and you increase the flow they'll sue you.

Mr. Dann said ok.

Mr. Harvey said your choice.

Mr. Hoover said are you going to add the manure from the old facility to here?

Mr. Dann said we are. The concrete that will go up to the push off pad from the new barn will have a ramp that goes up and collects in to.

Mr. Harvey said is that shown on the plan anywhere?

Mr. Dann said that secondary infrastructure.

Mr. Harvey said besides this concrete area you are going to have another push off pad into the

Mr. Dann said no the push off pad for that building is already there, sir, but yes there will be an entrance into it.

Mr. Harvey said you will be adding that to the plan. Add a connection between the existing push off pad into the manure storage facility. Is that higher also than the edge of the pit?

Mr. Dann said no.

Mr. Harvey said any comments from the Board?

Mr. Farmer said will there be fencing?

Mr. Dann said there will be a chain link fence around it. It should be shown in your prints.

Mr. Hoover said I saw it in there.

Mr. Harvey said any comments from the public? Hearing none, any other questions from the Board?

Ms. Klotz said I have no idea how these work but did Megan or Tucker take a look at this?

Mr. Dann said I don't know that they have necessarily. They are a consulting firm, Soil and Water, and they are aware of this. We did forward it to them.

Mr. Morse said Megan said today that she sent comments to the Planning Board but Sarah and I didn't receive them. She did say that it was designed to the standards.

Mr. Dann said Megan is working with us on pits in two other Town's and she was fine with anything Jess had.

Mr. Harvey said how this works is USDA NRCS put out design standards and basically the only reason the Town gets involved is to make sure they are following the USDA guidelines and standards. That is our only excuse, if you will, for getting involved because many years ago when these standards first came out we had a few facilities that were built not to that standard and it did not go well.

Ms. Klotz said what is this blue hatch line footer drain that goes right to the storm?

Mr. Dann said a footer drain that is monitored by us to make sure that we don't have a leak.

Mr. Harvey said any further questions? Hearing none, I will close the public hearing at this time. If you don't include stormwater measurements basically you are agreeing to the liability to your downhill neighbors, I'm just telling you.

Mr. Dann said are we talking about the whole property, sir, or are we talking about the application and the building that we applied for?

Mr. Harvey said with the existing facility I know we are going to add a small connection from the push off pad to the pit. The Board is noting the fact that the heifer barn went up without stormwater mitigation or calculations. We are bringing it to your attention and you can either add it to the plan or basically our position is that publicly if there is flooding downhill and you've added to that flow that is your responsibility and not the Town's.

Mr. Dann said ok, did you look at the application for the building that was submitted in the past?

Mr. Morse said there was a permit issued for it ****inaudible****.

Mr. Dann said the same engineer designed that. The surface, the stormwater, the retention, all of that was involved in that process separately from this one.

Mr. Harvey said is there stormwater mitigation in that design?

Mr. Morse said it is an engineered plan that you are free to look at if you would like. I would stick to the application at hand.

Mr. Harvey said if there is stormwater mitigation there that's fine and I'll leave it at that. Do we have erosion control measures around that?

Mr. Dann said it is under the given area that is required.

Mr. Harvey said by the state yes but not by the Town. So he needs erosion control measures. It needs to be water diverted around that area before it's opened up and stabilized. That is the only condition that I can see. The two conditions would be the connection to the push off pad and then add erosion control measures and get that stabilized before the rest of the groundwork is done.

Mr. Dann said ok.

MR. HARVEY offered a resolution to approve the site plan with conditions and was seconded by **MR. HOOVER**. The resolution carried with all present voted aye.

**RESOLUTION OF THE TOWN OF GORHAM PLANNING BOARD: SITE
PLAN APPROVAL OF APPLICATION PB 10-2026**

WHEREAS, The Town of Gorham Planning Board (Planning Board) is in receipt of an application from Welblest Heifers LLC for Site Plan Approval to construct a new sixty foot diameter twelve foot deep concrete manure storage structure to serve cattle barns on tax parcel 129.00-1-23.120 at 3335 County Road 18 in the FP Farming Preferred Zoning District; and

WHEREAS, The Planning Board of the Town of Gorham (the “Planning Board”) has determined this to be an unlisted action as such is defined in the New York State Environmental Quality Review Act and its implementing regulations found at 6 CRR-NY Part 617 (hereinafter collectively referred to as “SEQR”) in regard to the environmental review of said Site Plan Application; and

WHEREAS, The Planning Board did make a Negative Declaration pursuant to SEQR finding that the proposed project will not have a significant negative impact on the environment; and

WHEREAS, A public hearing was duly noticed and held before the Planning Board on March 23, 2026 to hear public comment on Planning Board Application PB 10-2026; now, therefore be it

RESOLVED, That the Planning Board hereby finds the proposed manure storage facility is in compliance with the standards promulgated by the USDA Soil Conservation Service; and further

RESOLVED, That Site Plan Approval is hereby granted for Planning Board Application PB 10-2026 with the following conditions:

1. The site plan be modified to
 - a. show the concrete push off pad at the end of the new barn connected to the manure storage facility. If adjustments cannot be made to the grading to have the pad drain toward the pad, the applicant’s engineer will certify that the methodology for addressing nutrient runoff from said pad is in compliance with USDA Natural Resource Conservation Service standards and recommendations.
 - b. add soil erosion measures including a diversion swale around the proposed manure storage facility.
2. Erosion control measures, including diversion swale, shall be put in place and stabilized prior to any other site work; and further

RESOLVED, That this resolution shall take effect immediately.

6. MISCELLANEOUS

TOLBERT – 3600 OTETIANA POINT – Review of rain garden placement

Mr. Morse said the original plan didn't show an outflow and this one does. I don't know if that is something that we want.

Mr. Harvey said you always have to have an overflow so it makes sense to me.

Mr. Morse said the original one didn't and now it's going into the ditch behind it. There is a swale that goes back behind the buildings and all of the neighbors said they didn't want to increase runoff there.

Mr. Harvey said everyone has to realize that there are design storms and then there are also events that exceed the design storms. You are always going to get some condition that is going to add to the flow.

Mr. Morse said I just wanted to make sure that this is not a blast to them when they see the swale being dug in a different area and why all of a sudden it's being drained to the swale.

Mr. Harvey said it is strictly for an overflow when conditions exceed the design storm standards. What is really important to me and what we ask for is that the performance of the stormwater facility is no different it is just a change of location.

Ms. Harris said but there was an overflow added.

Mr. Harvey said correct if there was no overflow it just gets overwhelmed and runs in an uncontrolled manner.

Ms. Harris said that's why I was wondering where the swale goes if it goes down an easement or if it is running across peoples property as it goes to the lake.

Mr. Harvey said well you are familiar with the property it is all going to the same place.

Mr. Morse said that swale goes to Otetiana. I believe at one time it was going to be another roadway.

Mr. Harvey said correct.

Mr. Morse said and then it became a swale.

Mr. Harvey said Jim and I discussed it and we decided it was enough of a change we wanted to bring it back to the full Board to make sure everyone was ok with it and acknowledge the fact that is why we changed it. This is a better location.

Mr. Morse said the corner it was in before, if you are out there, looks like the low spot.

Mr. Harvey said so lets put it this way does anybody have an objection to that change?
Hearing none, the Board is good with it by consensus.

7. NEXT MEETING

The next regular meeting of the Planning Board will be held on **Monday, May 18, 2026**, at 7:00 p.m. at the Gorham Town Hall, 4736 South Street.

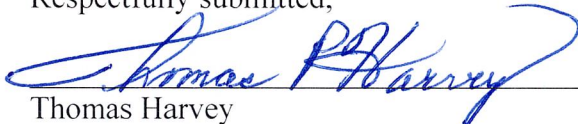
8. ADJOURNMENT

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

Motion carried by voice vote.

The meeting was adjourned at 8:40 p.m.

Respectfully submitted,



Thomas Harvey
Chairperson to the Planning Board