

Town of Gorham

4736 South Street
Gorham, New York 1461

PLANNING BOARD

Monday, November 24, 2025 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*
Richard Perry
Bob Farmer
Andrew Hoover
Gabrielle Harris
Jeremy Stowe
Lynn Klotz
Jon Willis, *Alternate*

Staff Present:

James Morse, Town of Gorham Code Enforcement Officer

Applicant Present:

Logan Rockcastle, Marks Engineering
Anthony Venezia, Venezia Land Surveyors
Matt Tomlinson, Marathon Engineers
Rafael Barret, Marathon Engineers
Jeff Cook, Cook Properties

Others Present:

Tom Charles
JoAnn Charles
Renee Scorsone
Chris Miller
Deb Kwapniewski
Stan Kwapniewski
Dave Gill
Robin Lord
Frank & Carol Porter
Helene Messner

William Messner
Cheryl Salano
John Tschiderer
Charles Montaque
Linda Thomas
Tricia Tepedino
Marty Blumenstock
Others who did not sign in

Applicant Via Zoom:

None

Other's Via Zoom:

Mark Becue
Barbara Meyer
"Mar"
Mark

1. MEETING OPENING

The meeting was called to order at 7:00 p.m. by Mr. Harvey. We have three public hearings for tonight. I will take a minute to discuss the process we will go through. State law requires us to look at the environmental assessment form and make a determination of significance before we open the public hearing. We will still entertain comments on that and in some rare cases we may open the public hearing first before we decide what we are going to do with an application. Generally the environmental determination comes first. We open the public hearing. The secretary will read the public hearing notice on the application. We will ask to hear from the applicant and/or their representative and they will address the Board. The Board may ask questions and add comments. I will invite, after that, anyone who wishes to make comment or ask a question of the Board and if the Board feels we have enough information we generally will close the public hearing and take action on the application.

2. APPROVAL OF MINUTES OF OCTOBER 27, 2025

■ A motion was made by MS. HARRIS to approve the minutes from OCTOBER 27, 2025 and the motion was seconded by MR. HOOVER.

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 24th day of November 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 #17-2025: ALAN SCHNEIDER 400 HUNT DRIVE, FAYETTEVILLE, NEW YORK, 13066: Requests site plan approval to construct a new single family residence and garage. The project includes site improvements to grading, drainage, utilities as well as erosion and sediment control. The property is located at 4521 White Way and is zoned HR Hamlet Residential.

PB #18-2025: VENEZIA LAND SURVEYORS 336 NORTH MAIN STREET, CANANDAIGUA, NEW YORK, 14424: Requests site plan approval to construct a 48x64 workshop/storage building with an 8x64 attached porch and gravel driveway. The property is located on the southeast side of County Road 11 between Jones Road and Woodside Ave and is zoned RR Rural Residential.

PB #19-2025: JEFF COOK, SRR RT 364 LLC 90 AIRPARK DRIVE SUITE 400, ROCHESTER, NEW YORK, 14614: Requests Preliminary Overall Subdivision Plat approval of an 80 lot single family conservation subdivision. The parcel consists of approximately 55.6 acres and is known as the Scenic Ridge Rise Subdivision. The property is located at 4035 State Route 364 and is zoned R1 Residential.

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. NEW PUBLIC HEARINGS

PB #17-2025: ALAN SCHNEIDER 400 HUNT DRIVE, FAYETTEVILLE, NEW YORK, 13066: Requests site plan approval to construct a new single family residence and garage. The project includes site improvements to grading, drainage, utilities as well as erosion and sediment control. The property is located at 4521 White Way and is zoned HR Hamlet Residential.

Mr. Rockcastle said I am with Marks Engineering representing this project. This is a teardown rebuild on a lot in Crystal Beach. We are proposing a new residence and a new garage. We are keeping the entrance off of Wildflower Drive to enter the site. I believe there is an existing driveway that loops around and we are going to make it so there is only one way in and out. We do have a turnaround that goes into the new house to the rear as well as a walkway that comes up to a porch entrance to the front area. We are proposing a four foot high fence. Based on the increase in impervious surface we are introducing an infiltration trench. The calculations are on the plan that show the sizing of that infiltration.

Mr. Harvey said but it mentions storage. What we are interested in is the rate of infiltration in that trench from the stormwater that it's collecting equal to the additional rate of discharge.

Mr. Rockcastle said that is in the drainage calcs.

Mr. Harvey said it says calculation of storage. I don't want storage. I want infiltration.

Mr. Rockcastle says detail number six shows the spec.

Mr. Harvey said that is the detail but none of this tells me I have an infiltration rate equal to discharge.

Mr. Rockcastle said does that mean soil testing?

Mr. Harvey said yes. You are certifying that is going to get back into the ground water and there is no additional runoff on the site, right?

Mr. Rockcastle yes, certainly.

Mr. Harvey said that requires perc tests of some sort.

Mr. Rockcastle said in other Towns the way we've done it before is the perc test is done during construction before it's installed.

Mr. Harvey said and then if it doesn't perc what do you do?

Mr. Rockcastle said we devise another method.

Mr. Harvey said that is unacceptable. I think the applicant deserves to know what he is buying and what it's going to cost him.

Mr. Rockcastle said I agree with you, absolutely. We will go and do perc tests and we would like to make that a contingency on the approval that the infiltration tests meet the criteria for proper infiltration.

Mr. Harvey said and if it doesn't then you are going to come back?

Mr. Rockcastle said yes. We are connecting to existing water and sewer and existing electric underground to the house. Are there any questions based on the site plan that I can answer before I go too much further?

Mr. Harvey said I am a little concerned with the grading between the driveway and the proposed residence. How is the water flowing through out of that location?

Mr. Rockcastle reviewed the grading on the site plan together.

Mr. Harvey said is this line going to get removed?

Mr. Rockcastle said the tree line? I have a landscape plan that delineates the new tree line that connects to the old. It is not on the site plan though.

Mr. Harvey said but you are going to submit that?

Mr. Rockcastle said yes, I will make that revision.

Mr. Harvey said how is this little area draining?

Mr. Rockcastle said this is a highpoint right here so it can go either way.

Mr. Harvey said I am thinking it should be a low point in the swale because you have to get it away from the house.

Mr. Rockcastle said the highpoint is here so it's not sitting on the sidewalk. I can put a spot elevation there just to clarify that a little better.

Mr. Harvey said that would be perfect. Once you get water in here, I hate water going over sidewalks. Everything is sloping that way but I don't know how you deal with this? You have to figure out how to get that out of there and not go across the sidewalk.

Mr. Rockcastle said it could be a trench drain of some sort to catch it and then goes under the sidewalk.

Mr. Harvey said anything else?

Mr. Rockcastle said I think that is it.

Mr. Harvey said why don't you talk about the landscape plan. What is being proposed?

Mr. Rockcastle said screening around the backside between the two properties for the garage staying out of the swale making sure that we have proper drainage.

Mr. Harvey said what are the plants that are proposed?

Mr. Rockcastle said they are all native. There will be a couple of street trees as well as foundation plantings.

Ms. Klotz said why are you removing the existing tree that's in the fenced in area?

Mr. Rockcastle said that is a cracked Norway maple. It is kind of invasive and not native.

Mr. Harvey said anybody else? Hearing none, is there anyone from the public that wants to make a comment on this application.

Mr. Montaque said I am east of that property and it borders the whole thing. We are concerned about the water drainage, the setbacks for the proposed house and drive.

Mr. Morse said it meets all the requirements for the zoning district.

Mr. Montaque said on the northside the water does come down pretty heavy and I'm pretty concerned about drainage since this property does border mine and is within ten feet of my garage.

Mr. Rockcastle said I'm not concerned about water going uphill.

Ms. Klotz said are there gutters on the garage?

Mr. Rockcastle said more than likely it will go to splash blocks in the swale.

Mr. Harvey said these splash blocks the way that it's graded it goes right to the roadside ditch so you will need to capture them.

Mr. Rockcastle said we can do a dry well and provide infiltration rates for that as well.

Mr. Rockcastle distributed elevations of the house and garage for review.

Mr. Harvey said is there anybody else who would like to make a comment on this application? Hearing none, we will adjourn the public hearing to complete the environmental assessment determination.

Ms. Harris asked Mr. Rockcastle to review the downspouts connections with her on the elevations distributed.

Ms. Harris said I think it would be helpful to show the piping for clarification.

Mr. Rockcastle said yes I can do that.

Mr. Stowe said is there any lighting associated with this?

Mr. Rockcastle said we don't have a lighting plan but we do have a note on the site plan to be dark sky compliant.

Mr. Harvey said we are going to go over Part 2 of the Environmental Assessment Form. We are going to propose that all the answers be no or small impact. On Part 3 we are going to explain that there are no critical environmental areas designated in the Town of Gorham. Part 2 Question 8 has to do with archaeological and historic resources and we are basing our no answer on the October 27, 2025 letter from NYS Office of Parks,

Recreation and Historic Preservation. Part 2 Questions 17 and 18 deal with surface water, erosion, and stormwater discharge. We are going to base our no answer on the additional stormwater management facilities the Planning Board will require as a condition of approval to ensure no additional runoff will occur after construction as compared to the existing situation. The Chair is making a motion to accept the Environmental Assessment Form Part 2 and 3 as outlined making a negative declaration of significance that the proposed action will not result in any significant adverse environmental impacts and the motion was seconded by Mr. Hoover. The motion was carried with all present voting aye.

Mr. Harvey said five minutes has passed so we will reopen the public hearing. Now that you have heard the negative declaration does anyone care to comment on that? Hearing none, are there any other questions from the Board? Hearing none, I will close the public hearing.

MR. FARMER made a motion to approve the site plan with the six conditions and the motion was seconded by **MR. PERRY**. The motion carried with all present voted aye.

**RESOLUTION OF THE TOWN OF GORHAM PLANNING BOARD: SITE
PLAN APPROVAL OF APPLICATION PB17-2025**

WHEREAS, The Town of Gorham Planning Board (Planning Board) is in receipt of an application from Alan Schnieder for Site Plan Approval for the construction of a new single family residence, garage, and site improvements to grading, drainage, utilities, as well as erosion and sediment control on property located at 4521 White Way and is zoned HR Hamlet Residential; and

WHEREAS, The Planning Board of the Town of Gorham (the “Planning Board”) is the only involved agency as such is defined in the New York State Environmental Quality Review Act and its implementing regulations found at 6 NYCRR Part 617 (hereinafter collectively referred to as “SEQR”) in regard to the coordinated 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 November 24, 2025 to hear public comment on Planning Board Application PB 17-2025; now, therefore be it

RESOLVED, That Site Plan Approval is hereby granted for Planning Board Application PB 17-2025 with the following conditions:

1. Grading Plan to be modified to show positive drainage away from the east side of the proposed residence for a minimum of 10 ft and a minimum of 2 percent grade to include spot elevations as necessary,
2. The final location of water, sewer, and electric service to be shown on a survey submitted to the town after construction prior to issuance of a Certificate of Occupancy by the Town Code Enforcement Officer,
3. Storm water management facility design be certified by the project engineer and approved by the Town Engineer that the infiltration rate is equal to or greater than the increase rate and quantity of storm water discharge resulting from the development based on the Rational Model,
4. North side of the garage – capture stormwater from splash blocks and direct to groundwater recharge,
5. Sidewalk grading to be changed so that stormwater does not cross and cross grade created,
6. Show conveyance from roof to stormwater management facility; and further

RESOLVED, That this resolution shall take effect immediately.

PB #18-2025: VENEZIA LAND SURVEYORS 336 NORTH MAIN STREET, CANANDAIGUA, NEW YORK, 14424: Requests site plan approval to construct a 48x64 workshop/storage building with an 8x64 attached porch and gravel driveway. The property is located on the southeast side of County Road 11 between Jones Road and Woodside Ave and is zoned RR Rural Residential.

Mr. Harvey said this is the one I wanted to talk to the Board a little bit before I open the public hearing. What I am handing out is a map that is from the 2023 Town Comprehensive Plan. It shows that the front part of this lot, which is outlined in blue, is successional red cedar woodland. It is kind of rare in the northeast because everybody loves cedar and they cut it down to make barn siding out of. This is the one area that it's on. I know the driveway location that is proposed on this project is based on that there is an existing driveway on the property. There is no development on the property now so it really doesn't meet the Town's access management local law without relocating. The Board has a choice to make if you would like to refer this to either the Conservation Board or the applicant. I have no idea how big the red cedar is. How many of them are going to be impacted by this project. How you want to handle that. If you want to refer the curb cut to County Highway because we are not going to approve this without County Highway's approval. I am assuming though I don't know if it's the same thing is true of the proposed sewer connection. The Board has a choice we can do the environmental review if you want but there is going to be a lot of questions without the environmental review being complete you don't have a complete application so you are prohibited by law, the

Board is, from taking action on this application until the environmental review is completed. That is the discussion point. How do you want to proceed?

Mr. Farmer said are the adjoining lots developed? Are there houses there? Did this get ignored from the other construction or we don't know?

Mr. Harvey said there is a house on the lot to the north. The one that is the big parcel wraps around and there is house and development up there.

Mr. Farmer said I guess these got constructed before they realized there was cedar there I guess.

Mr. Harvey said yes it doesn't go very far into that other property.

Mr. Farmer said so it follows the lot lines.

Mr. Harvey said yes.

Mr. Farmer said it's almost like we don't want construction on that land as far as I'm concerned.

Mr. Harvey said again it's not regulated. It's not like this is the only red cedar woodland. It's the only piece from Jones Road south.

Mr. Stowe said is it just the front part or the whole entire site?

Mr. Harvey said it's just the little thing right in here.

Mr. Stowe said so will they be building or just putting a driveway through that?

Mr. Harvey said the site plan has got a driveway and a building right there.

Mr. Stowe said can we push the building back?

Mr. Harvey said again those are all site plan discussions and we can have them with the applicant, which would be appropriate.

Ms. Harris said we don't know the quality of the trees, or how big are they, or what else is there.

Mr. Harvey said I tried to take a look but you can't really see from the arial photos. I don't think you can tell without walking the property. My suggestion would be we open the public hearing and hear comments. We discuss with the applicant whether he wants to have it mapped or allow somebody else from the Town or Conservation Board etc. to look at it and decide if there are any resources there of import and go from there. Then

adjourn the public hearing and reopen it when we have more information to finish the environmental review process.

Ms. Klotz said I think that is reasonable.

Mr. Stowe said I agree.

Mr. Harvey said my suggestion then would be to do this officially you would do a coordinated environmental review. What this resolution says is this is an unlisted action. We have identified some issues. We are going to adjourn the public hearing to reopen it on December 29, 2025.

Mr. Venezia said can I ask a question about mapping the cedar trees? Would it be just in the area of disturbance?

Mr. Harvey said yes, but if you need to move stuff around you don't want to be coming back and forth.

Mr. Venezia said I understand that I'm just trying to figure at what size of cedar tree is of importance. I'm just asking because I'm not sure.

Mr. Harvey said apparently when the inventory was done on this property there were enough of them to classify it as a red cedar woodland. It could be 100 little ones. It could be ten big ones. Without looking at the property I can't tell you.

Mr. Venezia said who would be someone that we could talk to and have them meet on site to discuss that?

Ms. Klotz said Soil & Water maybe.

Mr. Harvey said there are a couple of resources. I don't know if the Soil & Water Conservation District would be good. If I was in your position I would get a hold of somebody in the Environmental Conservation Department at FLCC. There are arborists out there. The City of Canandaigua has one on staff. He's part time. Same thing with the stormwater calcs, we need the rate of infiltration.

Mr. Venezia said we did deep holes but we didn't do a perc test.

Mr. Harvey said again we are expecting the engineer to take responsibility. You have to stamp it. Is there a note on the plan for dark sky compliance?

Mr. Venezia said it's in the front details.

Mr. Harvey said the Town code allows accessory structures like this without a primary use, so the owner needs to certify that he is not running a business.

Mr. Venezia said that is fine we can do that.

Mr. Harvey said a notarized letter. The Planning Board is going to classify this as an unlisted action under SEQR. We are going to want to conduct a coordinated review.

MR. HOOVER offered a resolution to initiate a coordinated review and it was seconded by **MR. STOWE**. The resolution carried with all present voted aye.

RESOLUTION OF THE TOWN OF GORHAM PLANNING BOARD: INITIATION OF COORDINATED ENVIRONMENTAL REVIEW OF APPLICATION PB18-2025

WHEREAS, The Town of Gorham Planning Board (Planning Board) is in receipt of an application from Venezia Land Surveyors for Site Plan Approval to allow construction of a 48 ft. by 64 ft. workshop/storage building with an 8 ft. by 64 ft. attached porch and gravel driveway on property located on the southeast side of County Road 11 between Jones Road and Woodside Ave. being tax map 154.00-3-49.00 and is zoned RR Rural Residential; 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 NYCRR Part 617 (hereinafter collectively referred to as “SEQR”) in regard to the coordinated environmental review of said Site Plan Application; and

WHEREAS, The Planning Board has determined that permits are needed for sanitary sewer service from the Canandaigua Lake County Sewer District and a highway permit for the driveway from the Ontario County Commissioner of Public Works; and

WHEREAS, The 2023 Comprehensive Plan of the Town of Gorham indicates that the subject property contains a red cedar successional woodland; and

WHEREAS, A public hearing was duly noticed and opened by the Planning Board on November 24, 2025 to hear public comment on Planning Board Application PB 18-2025 and

WHEREAS, Said Public Hearing has been adjourned to be reopened at the Planning Board’s regular meeting on December 29, 2025 ; now, therefore be it
RESOLVED, That the applicant submit the following information to the Planning Board at least 5 days prior to said December meeting:

1. A map of red cedar trees on said property and an assessment of their significance
2. A revised plan minimizing the impact to the identified red cedar trees and/or relocation or replacement of impacted Red Cedar Trees.

3. Relocation of the access road across the street from an existing driveway to comply with the Access Management Law of the Town of Gorham and approval of the Ontario County Commissioner of Public Works of the new location,
4. Show grading of driveway so that driveway runoff does not run out onto County Road 11,
5. Stormwater calculations showing that the infiltration rate of the storm water infiltration system meets or exceeds the increase rate of storm water discharge from the site after the proposed construction based on percolation rate tests taken on the site of the proposed infiltration system,
6. A notarized letter from the property owner statement that the storage and workshop are for personal use and not a business and agreeing to have a non-commercial restriction added as a condition of any site plan approval issued by the Planning Board pursuant to this application; now, therefore, be it

RESOLVED, That the Planning Board does hereby classify this project as an unlisted action under SEQR; and further

RESOLVED, That the Planning Board does hereby elect to conduct a coordinated environmental review of the proposed project; and further

RESOLVED, That the Planning Board desires to serve as Lead Agency for the environmental review of said project; and

RESOLVED, That in addition to the Canandaigua Lake County Sewer District and the County Commissioner of Public Works, the Town of Gorham Conservation Board and the Canandaigua Lake Watershed Council be listed as interested agencies to said environmental review; and further

RESOLVED, That the Town of Gorham Code Enforcement Officer be and hereby is authorized and empowered to distribute copies of this resolution, a request for comments, and agreement that the Planning Board serve as Lead Agency to all involved and interested agencies

RESOLVED, That this resolution shall take effect immediately.

Mr. Harvey said we are still going to open the public hearing in case anybody showed up to talk about this application.

Ms. Porter said that is a broad area that explained where this is, so where is the access road going to be? Is it on County Road 11?

Mr. Harvey said it is on the extreme south end of the property because apparently there is a curb cut there now.

Ms. Porter said is it on Jones Road or County Road 11?

Mr. Venezia said County Road 11.

Mr. Harvey said is you want more information it actually shows pretty well on the site plan that he provided that is on file with the Town.

Ms. Porter said I received a letter and it was just a broad area.

Mr. Harvey said you can stop by the Planning & Zoning Office to see the plans. That has been on file for several weeks with the Town and any revisions just for the record have to be in the Town Planning & Zoning Department at least five business days before the public hearing. Anybody else? Hearing none, we will adjourn the public hearing to re-open at approximately 7pm on December 29, 2025.

PB #19-2025: JEFF COOK, SRR RT 364 LLC 90 AIRPARK DRIVE SUITE 400, ROCHESTER, NEW YORK, 14614: Requests Preliminary Overall Subdivision Plat approval of an 80 lot single family conservation subdivision. The parcel consists of approximately 55.6 acres and is known as the Scenic Ridge Rise Subdivision. The property is located at 4035 State Route 364 and is zoned R1 Residential.

Mr. Harvey said unless the Planning Board decides otherwise we are considering this application to be a verification that the preliminary subdivision application you provided that the documents conform to the approval that was given with a whole host of conditions on November 25, 2024. As such, the Town went through an extended environmental review including the issuance of an acceptance of a final environmental impact statement before that approval was made. Once we hear comments we will talk about if we want to hear from other agencies and what determination we will make and whether that is a valid path forward.

Mr. Tomlinson said I am with Marathon Engineering. Our engineering firm was engaged by Jeff Cook who is here tonight as the developer. I also have Rafael Barreto from my office here. I will start with the original plan just to give a brief reminder because I know, as you mentioned, it's been about a year since it was before the Board. As mentioned by the Chairman we are here requesting a consistency review for SEQR hoping what we put together documents how we comply with the conditions this Board had. Some of the changes that we have made address several of the conditions that were apart of those findings for the preliminary overall. Our intend is to move this project forward and get through the preliminary reapproval or modified preliminary approval with the SEQR consistency determination that will allow us to move into final section 1.

Mr. Harvey said before you go any farther I want to clarify that the former applicant for the subdivision, while he got approval for preliminary, he never got final nor did he submit a preliminary that conformed with the approval conditions.

Mr. Tomlinson said that was my understanding. The original plan or the plan that was approved by the Board with conditions included the entry road off of Route 364 just south of Angela Way, which I am sure many residents are here to listen to this. That roadway looped back on itself and then had a future stub or connection up to the north and to the east for future connection as part of the Town's access management plan. That included a parcel, or a lot, at the emergency access secondary emergency access construction entrance along the north side which had a driveway that connected to the road. Then it also had, in attempting to comply with some of the Town's access management plans, turnarounds or access points for fire vehicles. There is some language in the design criteria that talks about no more than 500 feet for single access point areas. So, eighty lots, stormwater management, a roadway system that kind of pushed the lots up to the north quit a bit and also quit far up the hill. I am going to talk just a little bit now about the new plan because while there are a lot of things that are consistent that we have demonstrated within the documentation and we tried to go point by point with this Board's SEQR findings in order to outline how we were complying with those findings. From an impact standpoint we have the same number of lots, eighty lots, the same lot widths for the same side setbacks and the same front setbacks. All of the things this Board reviewed as part of that original subdivision we have attempted to include here. We are proposing a roadway with the exact same entry point, same traffic mitigation, same impact, same everything else from that standpoint. Then a single looped road that comes around with the same potential connection point up to the north and east for future watermain and roadway connection. I know that was something that the Board and Town staff, as we have met with them, was critical to the project. What's different with this? We slid the northern line of the lots about twenty feet further away from the residences up along Angela Way to help maintain more of that vegetative buffer along the side. We have taken the drainage that was essentially split previously with swales going down the backside. We still have backside swales to make sure all the downspouts in all the rear yards get picked up and not directed at any neighbors but everything from up the hill we are mimicking closely the drainage path down and through to the southside to a larger stormwater management facility that also has a lower embankment on the side to make sure we are not triggering any dam or safety requirements from the DEC. We have also been able to enhance and enlarge the stormwater facility over here because we have taken the lot that was fronting out on East Lake Road and moved that back into the subdivision.

Mr. Harvey said trust me as much as he wanted it to front on East Lake Road or Route 364 we allowed a crash gate and that was it. The driveway had to come out and be internal.

Mr. Tomlinson said so that lot has been removed and I think that provides a much nicer buffer to that exception parcel that is in the middle there. Some of the other changes that you will note and as part of this we shifted the east most line. There is a pretty mature wood lot up there and so that line is 225 feet closer to Route 364. Previously that went up the hill about six feet higher in elevation and about 225 feet further. What are the trade offs for some of that? This south portion you will notice is about eighty eight feet closer to that south property line and that was a result of shortening the roadway in order to bring that down the hill. There were no real mature trees through there. There were

some considerations for groundwater and bedrock. We are working with the developer to get six additional test pits done through there. Interestingly the very shallow bedrock where we were running into an issue was actually east of where we are developing and then at about five feet down. There were two deep holes that bedrock was over ten feet down. Then there was another shallow one that was about five feet down. We are going to do some additional test pits through there just to make sure that we avoided the shallower areas of bedrock and addressed the comment fully that the Board had from a compliance standpoint. Those are some of the highlights of the changes. Some of the benefits here I wanted to talk a little bit about that because one of the key things for this Board in your determination of consistency from SEQR are any impacts that you considered previously either not addressed by the changes or are there a larger impact to something from an environmental standpoint. We have gone through and documented from the original 2023 findings and given either the response that there is no change for example there was eighty lots and it is still eighty lots therefore the traffic should be exactly the same as what was contemplated by this Board previously. Some of the changes relative to the bedrock and groundwater like I touched on we explain through here how we feel that the design mitigates or lessens the environmental impact of that. If the Board has any specific questions on those but we tried to be very thorough in the written documentation of that for you folks so that it was relatively straight forward discussion. So increased buffers to neighbors, moving the subdivision down the hill in elevation as well as horizontally we think that lessens potential for viewing it from the lake and is more keeping with the Town aesthetic resources plan. Lowering it in elevation helps with water pressure for the proposed homes. We are going to sprinkler all of the homes in here. That is one of the requirements with having only one mean of access. We did leave the access drive that was shown along the northside that will be a gated secondary emergency access that goes roughly 500 feet up from the main entry. That is also intended to be the construction access when phase 2 gets built. We are proposing to build this in two sections. Assuming we are able to move forward with the revised preliminary approval our first section would be roughly forty lots and come up to the "T" intersection which would provide the second turnaround for compliance with fire code. The second forty lots would be in this portion. We think that would work well from the developers standpoint with two forty lot sections and sequence properly. It is intended to do all the earthwork right up front and utilities would be stubbed for that second phase at the section lines. That will help in a lot of ways. Number one our disturbance will all be done and when we have residents living there we won't be creating large clouds of dust. We will mostly be boxing out the road, putting in utilities and paving the road verses moving large amounts of cuts and fills. Secondly we will be able to stabilize it all from a stormwater management standpoint. The main storm practices are all going to be constructed as part of section 1 and fully in compliance with the DEC requirements.

Mr. Harvey said are you doing any diversion swales around to that facility during construction?

Mr. Tomlinson said yes we absolutely will be. There is diversion swales with drainage structures coming along to the south, there are some coming through the center, and then large storm piping along the roadways.

Mr. Harvey said so that's everything proposed to be done and stabilized prior to any of the other work.

Mr. Tomlinson said that is correct. Some of the other conditions that I will just touch on briefly that we saw as we read through the prior approval history is steepness of roads. Our steepest section is only 7.1 % and that section of the road is this portion that does not have houses and driveways on it. Everything else is about 3.7% through the rest of the development. We think that we have been able to create a subdivision that is going to feel very walkable and very friendly for pulling in and out where you are not at a very steep section of the road. We are proposing sidewalk along one side of the entirety of the roadway essentially from where the lots stop and then up and around the circle. I know there were some discussions about some trails and different things and we would anticipate that an HOA would be involved for the open space management. I think there are probably some details to work out with the Town staff as it relates to that portion. That portion is not intended to change from what the Board originally approved. From a landscaping perspective there are two street trees per lot shown throughout. One in the front and one in the back all the way through. We have added some buffering along that north line in areas where it is going to be more visible but again a lot of the substantial buffering was a result of some of the clearing that was going to have to happen with the prior design. We think that maintaining that existing vegetation instead of taking that down and planting something that is going to take a long time to grow back it will provide a better benefit to our neighbors over time.

Mr. Harvey said I think a lot of the concern previously was the handling of the up land flow through that area and making sure it didn't spill onto the neighbors.

Mr. Tomlinson said absolutely. We have a full grading plan within the plan set that has been submitted. As I mentioned that previous design brought a lot of that water around that northside. We are bringing all of that to the southside away from there and so it will only be rear yards and all of the drainage of course within the roadways and front yards will drain to the storm system. We think there will be some benefits with our revised design for that portion. That is some of the highlights of the modifications that we have made. I don't know how much time the Board has had to review what we submitted and everything else but we have also already submitted letters to what we would consider all of the interested or involved agencies. We know that we have to get permits and approval from them so we have submitted to the NYSDEC for the sanitary extension and preliminary stormwater. We have submitted to the Health Department for the watermain extension review and approvals. We have submitted to Tim McElligot with the County Public Works for sanitary sewer review and we submitted to NYSEG to start the process for power and potentially gas depending on which way things go here in the upcoming year. Our goal is to start construction in mid-April of the coming year depending on the weather. We do want to advance this in a little bit more of a timely manner than the prior developer and our goal is to give you guys the information necessary to make your determinations. The final thing I will say is I see you have the MRB Group letter and we did receive those comments. We also did have a quick conversation with Lance Brabant,

who is the Town Engineer, just to talk through some of the changes and our approach with the consistency review for SEQR. I think generally speaking he is in favor of that. I know his letter highlighted a couple of things that we talked about such as groundwater, bedrock and that kind of thing. We have responded in writing but I am not sure if it has gotten to the Board or not because that was relatively late last week but I don't see anything in his letter that has raised a concern from our standpoint in being able to address it. I know that was a lot but I am happy to answer any questions you may have.

Mr. Harvey said I think schedule wise we do have an open public hearing and we will listen to comments and questions. I think at the end of that we will probably adjourn the public hearing. I applaud you for reaching out to all the involved and interested agencies. I am probably going to recommend that the Town pass a resolution to do the same thing. To be on the record so they send their comments to us especially for the consistency review. We know our Town zoning and subdivision regulations have not made any changes that will effect this proposal but I can't speak for the County or the State. We have to give them their opportunity to comment, which is one of the comments MRB did. We will talk about that I think as well. Does the Board have any questions? The one that I had was we saw a lot of building footprints take the smallest one and do a site plan for that.

Mr. Tomlinson said like a plot plan for the parcel?

Mr. Harvey said we want to see what we are accommodating. Do you have enough area for a front porch, if they want to put a storage shed, if they want to put up a deck on the back is it still going to meet the lot coverage. The last thing we want to do is create a situation where we have a lot of variances or if the Board chooses to approve it we may consider something in that resolution that gives you some kind of relief under the conservation subdivision.

Mr. Tomlinson said we can absolutely do that. I did not prepare one but what is represented on the plans, for your reference, we are working with a home builder, Ryan Homes.

Mr. Harvey said they are all site built homes.

Mr. Tomlinson said they are all site built homes and what is represented on the plans is the largest footprint out of the portfolio that they plan to offer. I think there are a total of four lots that the largest home does not fit in and the home builder is aware of that. Those are the interior corner lots that are just a little bit smaller than the other ones where it pinches in at the back that would have a smaller footprint. This large footprint includes the front porch, the rear covered porch or deck and that is represented on the plans but we can absolutely show an accessory building that meets code for the Board's consideration.

Mr. Harvey said and if you could show us on one of the smaller lots that would be great. Any other questions from the Board? Ok, it's a lot to absorb everybody and I think you've heard while the Board hasn't taken action on adjourning this public hearing but I

think that is our intention. We are not going to give an approval tonight but we are going to try to give the applicant some direction to move this forward. With that if there is anybody that wishes to make a comment at this time you are welcome to and if not you will have another opportunity on the 29th of December.

Dave said I just have some concern about the infrastructure. With the water we have low pressure on Angela Way. We had a house fire off of East Lake Road and during that time there were two watermain breaks because of the strain that was put on system that is old, antiquated and you can't give us proper pressure because you are afraid of blowing the watermains. If you add another eighty homes on to an existing old ageing not reliable water source, is that going to put more strain on the water system? I'm not talking about the amount of water we can pump out of the lake. I am talking about the infrastructure. I talked to some of my neighbors because I am relatively new to Angela Way and they said it's very common when there is a house fire or a fire in the woods and the fire department has to put a lot of strain on it, it breaks the watermains. Is there any concern about adding and you don't have to answer that question I'm just bringing up the concern.

Mr. Harvey said I would refer you to the environmental impact statement and the modeling of the water system that was done and basically the Town Board has to approve the design based on the Town Engineers report. Even with the old design and it being further up the hill less pressure it still met the regulations and that is all I can tell you.

Dave said that was just one concern that I had. The other one is, Matt, how are you going to heat the homes? You alluded to maybe gas and it might be electric. NYS tried to put a ban or moratorium on gas heating they went back on it. If the state says to you before you complete the two stages that you can't use gas because they want to go green, where is the electricity going to come that is going to house and heat those eighty homes because right now on Angela Way our lights flicker all the time. We have continuous out-ings. They don't last long but we have continuous outings of electricity. Is eighty homes going to put more of a strain on an already strained system because in Canandaigua, which is only a few miles from our place RG&E has told them we can't supply electricity anymore for any new development because we don't have the energy. My concern and my question is if the state changes the rule and goes to heat that means each one of those homes will be heated with a heat pump and they are probably going to be given an opportunity to choose if they want a heat pump or if they want to do gas. Matt kind of alluded to it that he doesn't really know which way Ryan is going to go and how they are going to heat. Are we going to have the infrastructure to maintain an increase on electricity that has already been strained in this area.

Mr. Tomlinson said I have a couple of things. On the water, as mentioned, it was fully analyzed by the Town Engineer and we review it because it is part of our job as well. But water pressure by moving further down the hill and sprinklering the houses, which should reduce the demand needed, meaning hopefully the fires are out before the fire department hooks up to it. The changes that we are making also adds customers to the water district that will be paying in and they have a fully new system. The money they are paying into the water helps the budget for hopefully improvements to the rest of the infrastructure.

From an electric standpoint, NYS law requires us to demonstrate that we have all services in a capacity necessary before we can file a subdivision plat and before the chairman signs off on the subdivision to file. We can't even get started without demonstrating or having NYSEG who is the company supplying power that there is sufficient capacity to service it. I don't design the electrical systems but we are required to have them and that is why we have started that reach out process already. We are the engineer for a quit large project in Canandaigua where we got told that there wasn't enough power for it and that hasn't started yet.

Mr. Harvey said all electric law that the state passed and is now delaying implementation on also has some exemptions in it that don't get talked about a lot. One of them is that the public service commission is supposed to establish criteria to which the utility company can issue a letter to the developer and the Town saying we don't have electric capacity to make these all electric houses. Then, on that basis, you don't have to provide all electric homes. There is also a process where you talked about how you initiated the process called will serve letters. So there is an application that goes into NYSEG, in this case, that they have to verify they have not only the supply but also the infrastructure to provide the power necessary for that development or how much it's going to cost to provide it. That will be part of this process.

Dave said Matt alluded to that he had made some corrections and made the buffer zone twenty feet deeper. Matt, what exactly is the buffer zone adding on to the twenty feet that you already did and does it extend all the way through the project that would butt up against Angela Way?

Mr. Tomlinson said there is a continuous strip of land that will be owned and maintained by the HOA. We slid our northern property line down twenty feet. I think at it's narrowest point it's about thirty eight feet in that area, so we are about doubling what was saved prior and made it a little larger in certain areas. Generally speaking about thirty five to thirty eight feet is the shortest distance and that is to the rear property line not to the houses themselves.

Ms. Messner said with regard to the electric, just a point, approximately 1/3 of the homes in our development have generators by choice just an FYI. Is the buffer zone going to be just the regular trees and brush and everything that's already there and it will just be untouched or is that going to be chopped down and have new plantings?

Mr. Tomlinson said the intent is to leave the existing vegetation there.

Ms. Messner said that's very good. What does Ryan anticipate to be the cost of these homes?

Mr. Tomlinson said I don't really get involved with that, so I'm not sure. A lot of it depends on when they can be brought to market, so if we can start construction in April or May of next year and get to a point where we are pulling building permits in 2026 that

might be a very different price depending on how things go and if we can't get it in and it goes to 2027.

Mr. Harvey said so we would probably ask you if this was done today and you were bringing them to market today what would the range be and you don't have to answer today.

Mr. Cook said they are not going to be starter homes and they are not going to be million dollar homes. They will be somewhere in between and if I were to guess right now it's along the \$600k-\$800k range.

Mr. Stowe said what square footage are you looking at? What is the average size house?

Mr. Tomlinson said the largest one there is roughly 50x70, so 3500 feet but that is inclusive of the garages and porches. Maybe 2800 square foot of living space.

Ms. Klotz said and that would count as affordable housing in Ontario County?

Mr. Harvey said no. We will have to discuss that some more.

Ms. Blumenstock said I was just wondering if and when we could see an illustration of what the homes will look like, like the elevations of each home, and I am curious of the square footage of the homes and how close together are they? What are the lot sizes in comparison to East Lake View? We are trying to compare what this is going to look like compared to our neighborhood.

Mr. Tomlinson said does this Board review single family home elevations?

Mr. Harvey said yes.

Mr. Tomlinson said so we will have to include that in the future.

Mr. Harvey said just examples.

Mr. Tomlinson said there will be ranches and colonials. From a visibility standpoint the first parcel, now that there isn't one at the roadway, is about 350-400 feet off the road before you get to the first house. From a visibility standpoint I think it will be very limited as to outside the property but once you pull in obviously you will see. A typical Ryan Home has some masonry on the front, columns on the porches, vinyl siding, very standard.

Ms. Blumenstock said ****inaudible**** you don't see there are sixty two homes up there. I think we are all trying to visualize what this is going to look like.

Mr. Harvey said what the last applicant did or was asked to do is to give us your pallet.

A member of the public asked is affordable housing part of the program?

Mr. Harvey said that is a discussion. It was a condition. The Planning Board either has to remove it or demand that it be part of the project. The previous application was approved at 5%.

Mr. Tomlinson said in my understanding, and I apologize I don't have the history that this Board does, we did see that and we would prefer not to include that but understand that I am sure there was a reason for including it.

Mr. Harvey said because the Town needs all types of housing.

Mr. Tomlinson said yes and typically, I will put my developer hat on, creation on some of the upper limit houses off of the lake many times we will have residence from internally in the Town moving there then freeing up some of the "starter homes" within the community. There is a benefit to the community by building all that product. I don't believe that the affordable and this is where it is a discussion point that wasn't part of the SEQR findings it was a Planning Board condition as part of the subdivision approval. I let Jeff know that was a discussion that needed to be had with the Town and obviously with the Board.

Mr. Harvey said we noticed that you have some pretty small lots in a couple of places so hopefully you can accommodate something. Putting my professional planners hat on integrated smaller less affordable homes in developments often work much better than segregated.

A member of the public said the Hilltop View Road is that part of the initial things done?

Mr. Tomlinson said that's a good question. The right of way, meaning the strip of land for Hilltop View Road, would be created as a right of way or a separate parcel of land that would go to the Town of Gorham and not be a part of what the HOA owns and maintains. I believe there is some language about some type of funding mechanism or letter of credit or a bond created by the developer in order to pay for that road in the future if and when a connection point becomes available. The road would not be constructed until the future is the intent.

Ms. Blumenstock said where is the entrance and the exit now? Where do you get into that development?

Mr. Tomlinson said the entry road is exactly where the prior design had it.

Mr. Morse said it is where the public notification sign is.

Ms. Blumenstock said related to that all construction vehicles and all the in and outs with deliveries are all going to be off of 364?

Mr. Tomlinson said that is correct. That is the only deeded right of way access to the parcel.

A member of the public said has anyone considered how much more traffic there is going to be?

Mr. Harvey said yes that was all in the environmental review.

A member of the public said when was that?

Mr. Harvey said it was completed last year.

Stan said you are talking about phase 1 and phase 2 and I think the previous set up was all the roads, all of the water extension systems all have to be done before foundation goes in place. I see you are suggesting phase 1 and phase 2 later on. I believe the last applicant had all of the water and drainage infrastructure had to be done before the first basement went in.

Mr. Harvey said and that is what he has proposed.

A member of the public said I am only the messenger for my father in law. Our property butts up against ****inaudible**** and we are concerned about the vegetation and the wildlife and how it will affect us.

Mr. Harvey said ok, thank you. Anyone else?

Mr. Becue said just a question regarding the Department of Transportation. I think their approval was previously provided several years ago and the traffic study was done during covid. As a resident on Route 364 I thought we could have perhaps a renewed study because the traffic has only increased and there would be a safety concern for those of us who reside on the road.

Mr. Harvey said ok, thank you for your comment. Anybody else?

Ms. Blumenstock said Angela Way comes off of 364 and the only sign on the highway on either side is the yellow sign with an arrow for the little park at the base of Angela. There has never been, and we requested this before, another line put on that to show that there is a road coming down onto 364 meaning Angela Way. It took us several years for us to get a no passing line on the road. There is still no indication from either way that there is a road and there are sixty four homes and probably a hundred cars that go in and out of there all the time. Is there anyway during this process that will be reviewed?

Mr. Harvey said that is a NYSDOT highway so it is certainly something the Town Board and the Planning Board can refer and ask DOT but we have no control over that. We are going to adjourn the public hearing at this time to be reopened at approximately 7pm on Monday, December 29, 2025 here at the Gorham Town Hall.

MR. HOOVER offered a resolution to initiate a coordinated review and it was seconded by **MS. KLOTZ**. The resolution carried with all present voted aye.

RESOLUTION OF THE TOWN OF GORHAM PLANNING BOARD: SCENIC RIDGE RISE PRELIMINARY SUBDIVISION APPLICATION PB19-2025

WHEREAS, The Town of Gorham Planning Board (Planning Board) is in receipt of an application from Jeff Cook for Preliminary Subdivision Approval for an 80-lot single family project known as Scenic Ridge Rise on an approximately 55.6 acre parcel located at 4035 State Route 364 zoned R1 Residential; and

WHEREAS, Preliminary Subdivision Approval was granted for said subdivision by the Planning Board of the Town of Gorham (the “Planning Board”) on January 22, 2024 after acceptance of a Final Environmental Impact Statement as Lead Agency as such is defined in the New York State Environmental Quality Review Act and its implementing regulations found at 6 NYCRR Part 617 (hereinafter collectively referred to as “SEQR”) and the issuance of findings; and

WHEREAS, Said approval was as a ‘conservation’ subdivision as such term is defined and used in the Subdivision Regulations of the Town of Gorham; and

WHEREAS, The current application is to have the Planning Board verify that the preliminary subdivision plat complies with all the conditions of said January 22, 2024 Planning Board approval, and as such the review is being conducted as a ‘consistency’ review; and

WHEREAS, While the Preliminary Subdivision Plat and materials submitted by Mr. Cook as application PB 19-2025 show the same number of single family dwellings and lots, similar storm water management facilities, roads, and other improvements as were shown on the preliminary subdivision plat approved by the Planning Board on January 22, 2024, the current Preliminary Plat involves different grading, less disturbance of the mature forested area on the eastern most portion of the property, a larger buffer to the East Lake View Estates Subdivision to the north, and almost one year has passed since said previous approval; now, therefore be it

RESOLVED, That the Planning Board has not identified any additional negative environmental impacts associated with the proposed changes to the subdivision plat that would merit reopening of the environmental review under SEQR; and further

RESOLVED, That while there have been no changes to the Town’s zoning law or subdivision regulations that impact the proposed Scenic Ridge Rise Subdivision, because of the amount of time that has passed since the previous review, the Planning Board desires to have all other involved and interested agencies review said plans and verify that the rules and regulations they operate under have not changed and that the current

subdivision materials comply with the conditions of the Planning Board's January 22, 2024 approval; and further

RESOLVED, That the Town of Gorham Code Enforcement Officer is hereby directed to circulate a copy of this resolution along with a letter requesting comment by December 27, 2025 and either copies of the current Preliminary Subdivision Application or a link to digital versions of such materials to all involved and interested agencies identified in the original environmental review; and further

RESOLVED, That this resolution shall take effect immediately.

5. MISCELLANEOUS

NONE

6. NEXT MEETING

The next regular meeting of the Planning Board will be held on Monday, December 29, 2025, at 7:00 p.m. at the Gorham Town Hall, 4736 South Street.

7. ADJOURNMENT

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

Motion carried by voice vote.

The meeting was adjourned at 8:37 p.m.

Respectfully submitted,


Thomas Harvey
Chairperson to the Planning Board