

Town of Gorham

4736 South Street
Gorham, New York 1461

PLANNING BOARD

Monday, December 29, 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
Andrew Hoover
Jeremy Stowe
Jon Willis, *Alternate*

Board Members Excused: Bob Farmer
Gabrielle Harris
Lynn Klotz

Staff Via Zoom:
James Morse, Town of Gorham Code Enforcement Officer

Applicant Present:
David Cox, Cox Engineering
Anthony Venezia, Venezia Land Surveyors
Tom & Julie Rae

Others Present:
Dale Stell
Others that did not sign in

Applicant Via Zoom:
Matt Tomlinson, Marathon Engineers
Rafael Barret, Marathon Engineers
Jeff Cook, Cook Properties

Other's Via Zoom:
Mark Becue
Frank

Jon
Loren Shaw
John Coniglio

1. MEETING OPENING

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

2. APPROVAL OF MINUTES OF NOVEMBER 24, 2025

■ A motion was made by MR. HOOVER to approve the minutes from NOVEMBER 24, 2025 and the motion was seconded by MR. WILLIS.

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 29th day of December 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 #20-2025: VENEZIA LAND SURVEYORS 336 NORTH MAIN STREET, CANANDAIGUA, NEW YORK, 14424: Requests site plan approval to construct a new two story single family residence. The project includes site improvements to grading, drainage, and utilities. The property is located at 5018 County Road 11 and is zoned R1 Residential and LFO Lakefront Overlay District.

PB #21-2025: TIMOTHY ODELL 3704 NIBAWAUKA BEACH, CANANDAIGUA, NEW YORK, 14424: Requests site plan approval to construct a new two story single family residence. The project includes site improvements to grading, drainage, and utilities. The property is located at 3704 Nibawauka Beach and is zoned R1 Residential and LFO Lakefront Overlay District.

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

Thomas P. Harvey, Chairperson
Planning Board

4. CONTINUED PUBLIC HEARINGS

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 we initiated a coordinated environmental review on this. We send out correspondences and we got some comments back, but not too many. Now, to make the application complete, we have to either make a negative determination of significance or a positive one. There is a resolution to declare the Planning Board as Lead Agency for the coordinated review. We are proposing to answer no to all the questions on Part 2 of the Environmental Assessment Form. On Part 3 there are no critical environmental areas designated in the Town. The Planning Board based its answer on Part 2 question 8 which is historic and archaeological resources basing that answer on the December 2, 2025 letter from NYS Office of Parks, Recreation and Historic Preservation. In regard to Part 2 questions 9 and 10 we are going to base our answers on the forestry report from the NYS Department of Environmental Conservation the applicant provided and the applicant's willingness to relocate and/or plant red cedar trees to compensate for the ones that will be disturbed by the project and the stormwater mitigation measures duly incorporated in the site plan to eliminate an increase in runoff quantity or decrease in quantity.

Mr. Harvey offers the resolution accepting the environmental assessment forms and making a negative determination of significance. Mr. Hoover seconded and all present voted aye.

Mr. Harvey said there is other work to be done similar on other applications but I will explain the public hearing process. We are going to reopen adjourned public hearings from an earlier meeting and we have two of those. Then we are going to open new public hearings on two other applications. The process is, I will open the public hearings after we complete the environmental review. The public hearing notice will be read as it was published in the official newspaper of the Town. We will ask the applicant and/or their representative to make a presentation explaining the project. The Board may ask questions and I will give the public opportunity to comment on that or the environmental review. If the Board feels they have enough information we will close the public hearing and make a decision on that project. We will use that same process for everyone of these four public hearings tonight. We will now reopen the adjourned public hearing on this application.

Mr. Venezia said I am representing the client for his proposed workshop/storage building across from his residence. The client currently has a residence across the street and he plans to build a storage/workshop area just above the bank on the other side of the road. The workshop will be serviced by water, public sewer, electric and possibly gas. They are still looking into that as well. The grading plan is relatively simple. We are going to cut into the bank. We are going to do a little bit of a slope on the back to reduce any walls and extra coverage. We are going to do an infiltration system of the down slope that the roof liters will run in to. That is pretty much the standard plan that we have for you.

We did, after the last meeting, talk about the red cedar forest. We did meet with the owner, Jim and a tree specialist out there. We went through a couple extra iterations of the plan trying to move it lower but moving it lower created a couple issues with setbacks. Moving it lower didn't nearly save as many trees as we would have liked. Pushing it up the hill added about a \$75,000 bill on the overall build with extra utilities and grading in general. We talked with Tom and Jim about trying to figure out a way so we can survey the trees that will be removed and replace them with a 2-2½ inch caliper red cedar in replacement where we can fit them on the site. We will have to work with Jim on how to calculate the number of trees that went down in that area whether I do it or we flag the limits of disturbance and we get the tree specialist to come and do an inventory. It is up to the Town on how they want to handle that. With regard to the drainage system, it is going to be an infiltration drain with a perforated pipe and a gravel ditch and then a drywell that everything ties in to. If the system becomes over capacitated it will come out that drywell lid and flow downstream to the ditch that's there. We have a Honeoye loam soil there so it has pretty decent drainage so instead of a ten year storm it's going to be the twenty five year storm which will give it a little more capacity for these events that we do get these days.

Mr. Harvey said are there any questions from the Board? Hearing none, are there any questions from the public?

Mr. Coniglio said I am the neighbor from across the street. I appreciate all the things that you did to make this change to make this environmentally possible. They said my email was going to be read. I lived at the lake since 2009. I live at the first house just south of this project and we share a ravine with the Porter's. Our issue with the ravine is its capability of handling drainage. In 2012, as you know, lots of homes got damaged on County Road 11 on the east side of the lake from that flood. We saw firsthand how our ravine could not handle the drainage. We are just hoping to avoid damage. We don't want to dent anybody's aspirations of putting a facility up there. We appreciate the plans that the Town sent us and that everything is transparent and open. You guys all did a good job for us when we built back in 2009. The bottom line is I was just hoping there was an assessment environmentally that the ravine can handle the runoff from this project. There was a precedence about six years ago when the Graham's built a pole barn and pickle ball court and the "inaudible" who live directly across the street were impacted by potential drainage and they did a real nice job with the retaining walls and drainage things. You mentioned this well. Can you explain this well to me?

Mr. Venezia said it is an infiltration trench and a drywell. The roof drains from the building won't just directly discharge to the ground they will go into an underground system that will allow for infiltration. If we do get a larger storm that the capacity is greater than that then it will drain to the surface in a slower more control fashion than direct discharge. Also, most of the drainage that occurs on this property flows to the northwest to the ditch that's along the road and that goes north. We do have a small area on the south side of the barn that we are going to direct some of the water down along the driveway and then that will make it to the ravine that he is talking about. The majority of the water does sheet flow to the northwest to the ditch and then flows north.

Mr. Coniglio said that is good to know. Would you say about 90% or the vast majority?

Mr. Venezia said 90% of the property flows to the north.

Mr. Coniglio said that answers my question.

Mr. Venezia said there is a small section that does, on the edge of that ravine, we are cutting some of that off and it is going to be flowing north. We are directing some water that comes kind of from the east around back to your ravine. We are taking care of the majority of the water onsite.

Mr. Coniglio said any natural catastrophes will be what they will be but if 90% of the water is going to the north then I am pretty happy with that.

Mr. Venezia said we are not significantly adding to any stormwater drainage to that gully.

Mr. Coniglio said thank you. That is helpful.

Mr. Harvey said anybody else? Hearing none, we are going to close the public hearing at this time. I have a couple of comments. Is this opposite another driveway?

Mr. Venezia said it is not because we do have the gully that is right here. I do have an email into the County but I am waiting for a positive response. There is already kind of a cut here that makes it a lot easier to get in here with the grade of the trail.

Mr. Harvey said easier isn't always better.

Mr. Venezia said in this situation it is for disturbance and design to be totally honest.

Mr. Harvey said we are still going to make that a condition I think. The grading on the driveway we talked about. Just a couple of spot elevations to make sure that no water goes out onto the road. Did you have a note about exterior lighting being dark sky compliant?

Mr. Venezia said it should be a note, #6, on the cover sheet.

Mr. Harvey said will there be a mailbox?

Mr. Venezia said no it isn't going to have any mail delivered to it.

Mr. Harvey said it has to have a post or something with the building number on it.

Mr. Venezia said we can add that.

Mr. Harvey said the other condition is your licensed land surveyor needs to stamp it.

Mr. Venezia said yes he will. I just have to get it on the finals.

Mr. Harvey said so we had a discussion about the stormwater. The engineer needs to look at the calculations. Has he done a deep hole test? He needs to provide us a sheet of calculations.

Mr. Venezia said we can provide that.

Mr. Harvey said he needs to at least look at the 100 year design storm. Normally what we do is in an engineer's world when you are disturbing less than an acre you are supposed to use what is known as the rational method. You calculate the existing proposed drainage and the difference is what you have to address.

Mr. Venezia said we will put it on the final plan.

Mr. Harvey said the relocation or replacement of Red Cedar trees disturbed by development after a tree specialist maps the trees is fine.

Mr. Stowe said is that a one for one replacement.

Mr. Harvey said at least, yes.

Mr. Venezia said it will be one for one. For every red cedar that is taken down it will be replaced with a 2 – 2 ½ inch caliper.

Mr. Stowe said and you are going to relocate red cedars as well?

Mr. Venezia said we are not going to relocate them. If we get on the edge of where it is we will try to save them but if it is in the way it is coming down. If we could go around it if it's on the skirts of the limits of disturbance or the sanitary line and we can move it around we will move it around.

Mr. Harvey said I just want to leave the option open to you, I don't care if you relocate them or replace them.

MR. HOOVER made a motion to approve the site plan with the seven 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 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 48x64 workshop/storage building with an 8x64 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 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, adjourned and reopened on December 29, 2025 to hear public comment on Planning Board Application PB 18-2025; now, therefore be it

RESOLVED, That Site Plan Approval is hereby granted for Planning Board Application PB 18-2025 with the following conditions:

1. Relocation of the access road to be across the street from an existing driveway upon approval of the Ontario County Commissioner of Public Works.
2. Grading of driveway so that driveway runoff does not run out onto County Road 11.
3. Relocation or replacement of Red Cedar trees disturbed by development as determined by an arborist approved by the Town with replacement Red Cedars to be 2 to 2 1/2 inch caliper Red Cedar.
4. Exterior lighting to be dark sky compliant.
5. No commercial use is allowed on this site nor any signage allowed on the site or street except for a signpost with street address number assigned by the Code Enforcement Officer.
6. Stormwater calculations showing the proposed stormwater management facilities having an infiltration rate equal to the increase in stormwater runoff rate that will occur after construction. Design of the stormwater management facilities to be based on percolation tests in the location of the proposed facilities and based on the Rational Method of estimating stormwater discharges.
7. Grading plan including stormwater management facilities and details shall be signed and bear the stamp of a professional engineer licensed to practice in New York State.

; and further

RESOLVED, That this resolution shall take effect immediately.

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 before we open the floor up to any comments, the full environmental impact statement was accepted by the Board at the end of 2023. We, at our last meeting, authorized correspondences to go out to every Involved and Interested Agency asking them to provide comments on whether or not the new preliminary subdivision application conforms to that environmental review or if there was any reason to reopen the environmental review or if any of those agencies standards, rules, and regulations have changed that would merit reconsideration. The Board has been asked to look at the preliminary subdivision, which the previous applicant received approval from this Board with a host of conditions, to see if this current preliminary subdivision conforms with those conditions. We have gone back and forth with the Town Engineer and Marathon as the engineer for the applicant. I will give the floor to them.

Mr. Tomlinson said at our last presentation there was a few questions from the Board. There has also been some correspondences with the Canandaigua Watershed folks that I believe the Town was copied with as well as some initial responses. We have done some additional deep holes to answer some of the questions as it related to a couple of the items highlighted by the Town Engineer for consideration in our SEQR. The first thing I wanted to start with was a couple of the graphics that I believe that we have sent in and that the Board may have these but I know there was a question as it related to the elevations and what the floorplans of the proposed houses were going to be. This package, that I am showing on the screen, there are eight potential footprints that will be offered for purchase on the property. There are seventy six lots that all of the proposed footprints fit on at the 70x150 foot minimum lot size that we are proposing for the typicals. Then there are four lots two of the smallest which six of the eight footprints will fit on and will be marketed as such. I have some plot plans here I can show shortly as well. I will just flip through these and we can come back to them if the Board has questions. The first is a ranch and there are several options with ranches, different façade materials with masonry and vinyl siding. There are three two story options again with many different variations of the porch configuration, side load garage, front load garage, masonry, and vinyl siding. The Savannah, being the largest footprint and is the one represented primarily on the subdivision plans we provided to you demonstrating the largest footprint, which is both the deepest with the porch and the bump outs for the bedrooms as well as the garage and the front bedroom pushout that you see represented on the screen. That one also has a bonus room configuration over the garage that is an option as well. Subsequent to those I wanted to show the typical lot layout with all porches, a pool, concrete deck, and the shed in order to demonstrate how the lot complies with the typical 150x70 foot wide with eight foot side setbacks, twenty five foot front setback, and ten foot rear for accessory

buildings. These are all in the request for the cluster subdivision consistent with the previous layouts and demonstrating that lot coverage is 30% maximum and a 58% green-space. The smaller lots are the interior corner lots. Those four lots are still well within the greenspace and lot coverage with the smaller footprint even though we are including a potential pool and accessory building within those lots. We believe that we are meeting the intents of that and again as a reminder to the Board we are sliding that upper limit of the road further down the hill and kind of compressing the layout there. The other comment or question that we had related to this that was brought up by the Town Engineer was as it related to the deep holes. There were two deep holes that were done under the original design but the rest of those deep holes were done to the north of where those deep holes were done. The question was raised as it was related to groundwater and depth of bedrock and making sure that basements were not being bathtubs kind of created in the bedrock and making sure there was positive fall and ensuring there were no impacts as part of the EIS. We went out and we did six deep holes. We found that a couple of the deep holes had large boulders in them but no bedrock. All of them were at six feet to rock refusal or large boulders and the majority, five out of the six, were over eight feet with a mini excavator with no bedrock found. So, I am very comfortable with the design. We are setting that centerline of the road roughly on grade and we are setting the houses up sixteen to eighteen inches above the centerline of the road ensuring that those basements at an eight or nine foot dig from finish floor are going to be higher than bedrock because we did not find those within the eight feet from existing grade out there. Those are the primary comments or questions as it related to the consistency review for SEQR from the Town Engineer. We also did receive an email from Kevin Olvany with the Canandaigua Lake Watershed asking to ensure that we were providing enhanced phosphorous treatment within the stormwater management practices as well as providing overflows so there is a large drainage area. We will be going through a full Stormwater Pollution Prevention Plan review by MRB of course as part of this and I would assume that any preliminary approval or otherwise would be conditioned on our receiving a Town Engineer signoff. The original stormwater design, if the Board remembers, had two stormwater management facilities in relatively similar locations as what we are showing here. The original plan had a house proposed on the land that went out to Route 364 which relatively limited some overflow opportunities for those without impacting structures and all the discharge for the stormwater management went to the existing culvert under Route 364. Also, if the Board remembers, this was over six feet in embankment height which met the DEC definitions of a dam and potentially provided some hazard to downstream if that was to fail. As we started looking at the design we grew this stormwater management facility pretty significantly in area in order to make sure we had some redundancy and additional freeboard within the stormwater management facilities. This lower one as well really permitted us to also expand that with no residents down in that area. Sliding this northern part of the property also allowed us to create more of a buffer and not discharge a lot of those backyards to the existing swale between us and the neighboring property. We are going to be having our own swale down the rear yards and picking that up within our stormwater management facility. Then primarily, under the previous design, the flow from up on the hill was kind of split with half of it going this way and half of it going this way. In our design we are taking that entirety around to the larger stormwater management facility and discharging it following the existing pattern

which goes to the much larger culvert underneath the roadway along Route 364. We are reducing the peaks from our proposed runoff to less than existing runoff in conformance with all the requirements and providing about a foot of freeboard to the emergency spillway in the upper stormwater management facility and about nine inches of freeboard above that 100 year event before anything would go there. We do have some additional storage capacity that we think will address in full the watershed folks as well as all of the Town requirements. Finally, we have had some back and forth with Town staff with Jim, Tom, and the Town Supervisor to set up a meeting. As the Board remembers there is a requirement for a secondary roadway and watermain connection that was agreed to as part of the prior approvals. I think that condition, and Tom knows the history better than I do, as it relates to meeting the Town's Access Management Plan redundant water supply for some of the concerns as it related to along East Lake Road. We've alleviated some of that concern by we will be putting residential sprinklers in all of the structures because there is no way to tell what the timeframe is for that future roadway. We are going to be dedicating that right of way without the road being constructed to the Town as part of our development to allow for that future connection. The correspondence has really focused on us having the flexibility with the developer to work with the Town on exactly what mechanism that funding or paying for portions of that with the water or roadway with however that gets worked out with the Town Board. In financing construction it is very difficult to get a letter of credit or some other financial guarantee that might live past the life of the project. In discussions we again expect a condition that says satisfying further extension of that will be negotiated to the satisfaction of the Town Board but we would like to have some flexibility with the Planning Board so they can continue to have those discussions as to what will satisfy the Town as well as providing a feasible path forward for the developer to work on financing the project.

Mr. Harvey said just to clarify all site built homes are proposed at this point in time, correct?

Mr. Tomlinson said that is correct. Ryan Homes is the contracted home builder and those are their footprints and elevations I was showing on the screen.

Mr. Harvey said any questions from the Board? Hearing none, are there any comments from the people here first?

Mr. Stell said I am curious to know the square footages of the houses?

Mr. Tomlinson said gross square feet is around 1700 up to 2600 which is the Savannah. I think the livable square footage is 1350 to around 1900.

Mr. Harvey said is there anyone online that has a comment or question? Hearing none, I will close the public hearing.

MR. STOWE made a motion to approve the preliminary subdivision plat with conditions and the motion was seconded by **MR. WILLIS**. The motion carried with all present voted aye.

RESOLUTION OF THE TOWN OF GORHAM PLANNING BOARD: APPROVAL OF SCENIC RIDGE RISE PRELIMINARY SUBDIVISION

WHEREAS, The proposed Scenic Ridge Rise Subdivision would consist of eighty single family residential lots on 53.37 acres located at 4035 State Rt 364; and

WHEREAS, The Town of Gorham Planning Board (Planning Board) accepted a Final Environmental Impact Statement (FEIS) for the proposed Scenic Ridge Rise Subdivision at its November 27, 2023 meeting; and

WHEREAS, The Planning Board adopted findings and approved the Preliminary Subdivision with conditions for the Scenic Ridge Rise Subdivision at its January 22, 2024 meeting; and

WHEREAS, The original applicant for the Scenic Ridge Rise Subdivision did not submit a Preliminary Subdivision Plan conforming to the conditions of the January 22, 2024 approval by the Planning Board; and

WHEREAS, Ownership of the Scenic Ridge Rise Subdivision has changed and the new owner and applicant has submitted a revised Preliminary Subdivision Map as Application PB 19-2025 for review to determine its compliance with the January 22, 2024 Planning Board Approval and its consistency with the completed environmental review; and

WHEREAS, At its November 24, 2025 meeting, the Planning Board authorized the Town Code Enforcement Officer to send a letter to all interested and involved agencies asking them to review the proposed Preliminary Subdivision Plan and provide comments to the Planning Board on whether the plan is consistent with the previous environmental review, meets the conditions of the Planning Board's January 22, 2024 approval, and whether any changes in their agency's regulatory standards necessitated changes to the plan or reopening of the Environmental Review under 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"); and

WHEREAS, A public hearing was duly noticed and held before the Planning Board on December 29, 2025 to hear public comment on the Scenic Ridge Rise Subdivision Preliminary Subdivision Application; and

WHEREAS, After due consideration of the Draft Environmental Impact Statement, the FEIS, comments from involved and interested agencies, comments from the public, the preliminary subdivision application, the Ontario County 2023 Housing Assessment, the Town of Gorham Comprehensive Plan, the Town of Gorham Zoning Local Law, the Town of Gorham Subdivision Regulations, the findings issued by the Planning Board on January 22, 2024, the Preliminary Subdivision Approval granted by the Planning Board on January 22, 2024 with conditions, and such other information and materials the Board found pertinent and prudent to consider; now, therefore be it

RESOLVED, That the Planning Board makes the following findings:

1. The number of single-family lots and acreage shown on the current proposed Scenic Ridge Rise Preliminary Subdivision application has not changed from what was evaluated during the environmental review and the previous Planning Board approval,
2. The proposed changes to the preliminary subdivision map reduce the acreage of disturbance, decrease the individual lot sizes generally, reduce the amount of impervious surfaces, create a larger buffer between individual lots and the East Lake View Estates Subdivision on Angela Way to the north, decrease the amount of earthwork, and disturb less of the mature forest at the eastern edge of the property than the previous subdivision submission, thus reducing the environmental impacts of the project,
3. The applicant has provided example site plan layouts showing how the homes with a deck and storage shed can be provided on the property in compliance with town zoning requirements,
4. No Involved or Interested agency has advocated for reopening the environmental review of this project nor informed the Planning Board that new regulatory practices or standards necessitate reopening their review of the project,
5. In compliance with the Approval with conditions of Preliminary Subdivision application made by the Planning Board on January 22, 2024, the following changes have been made to the preliminary plan:
 - a. Grass swales on the north side of the main entry road from State Rt 364 have been eliminated and replaced by roadside concrete swales,
 - b. The pedestrian trail proposed along the boundary with East Lake View Estates development to the north has been eliminated and replaced with a sidewalk along the main entry road to the Scenic Ridge Rise subdivision,
 - c. Changes to the grading plan result in stormwater from uphill agricultural land to the east being intercepted and diverted away from the proposed swale between the northernmost lots and the East Lakeview Estates (Angela Way) subdivision,
 - d. Grading of the proposed roads in the Subdivision have been revised to be in compliance with the maximum slope allowed as designated in the Town's Design Standards,
 - e. A right of way of for a potential road connection and an easement for installation of a town waterline is shown to be granted to the Town for a connection to the property to the north with the intention of providing an interconnection though that property when it is developed, and

- f. The applicant does not propose to construct a road and waterline from the internal subdivision roads to the northeast portion of the subject property, proposing instead to provide cash or surety to the Town for potential future use leaving the forest at the northeast portion of the property undisturbed until plantings in the Scenic Ridge Rise Subdivision mature.
 - g. Development has been moved to avoid areas of shallow bedrock and the applicant's engineer has performed additional sampling to document adequate depth to bedrock in suspect areas of the site.
- 6. The residential lot originally proposed with frontage on State Rt 364 has been eliminated, creating more room for stormwater management facilities and a second means of emergency access and increasing the buffer between the project and adjacent residential properties.
- 7. The applicant has proposed providing fire suppression systems (sprinklers) in all the proposed residential buildings to eliminate any restrictions from the New York State Uniform Fire Prevention and Building Code on the number of lots and/or the length of dead end roadway allowed,
- 8. The proposed grading plan has reduced the height of the bank creating the largest stormwater detention pond on site so that a dam permit will not be required from the New York State Department of Environmental Conservation, and
- 9. The Canandaigua Lake Watershed Council has provided comments in regard to the design details of the stormwater management infrastructure proposed that would exceed the current town and state regulatory requirements that the applicant has agreed to consider during development of the Storm Water Pollution Prevention Plan for the project; and further

RESOLVED, That the preliminary subdivision application PB18-25 for the Scenic Ridge Rise Subdivision is hereby approved as a conservation subdivision as such term is defined in the Subdivision Regulations of the Town of Gorham with the following conditions:

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- 8. No more than eighty single family residences shall be approved or constructed as part of the subdivision.
 - 9. Application for Final Subdivision Approval shall include a draft Storm Water Pollution Prevention Plan,
 - 10. Landscape plans shall be developed and submitted for approval by the Planning Board for each lot as part of final subdivision approval for each phase of the project, or prior to the issuance of a building permit on each lot.

11. Prior to any final subdivision approval, the proposed bylaws of the Homeowners Association shall be submitted for review and approval of the Planning Board. Said bylaws shall comply with what was proposed in the DEIS and FEIS and shall include other provisions in compliance with this resolution to ensure long-term compliance with the design guidelines of the Town of Gorham.
12. The proposed emergency vehicle access (northernmost entrance from State Rt 364) shall include a crash gate to only allow emergency vehicle access; in other words, non-emergency vehicle access shall be restricted by the crash gate.
13. All residential structures shall be provided with fire suppression systems (sprinklers) compliant with the New York State Uniform Fire Prevention and Building Code.
14. A crosswalk across State Rt 364 and sidewalk shall be proposed on State Rt 364 leading to Ontario County's Ontario Beach Park and shall be added to the First phase of the Final Subdivision if approved by the New York State Department of Transportation (DOT). In the event of such approval, the cost of installation and maintenance of said crosswalk and sidewalk shall be the sole responsibility of the applicant and, after ownership of common facilities are turned over to the Homeowners Association, of the Homeowners Association. If approved by DOT and not constructed prior to the application for the first building permit for a residence in the Scenic Ridge Rise Subdivision, the applicant shall provide a surety in a form and amount acceptable to the Town and DOT.
15. The applicant shall prepare a cost estimate for installation of a water main and roadway for each phase of the project, including from the internal subdivision road to the northeast edge of the applicant's property. After review of the cost estimate by the Town's Engineer, the applicant shall provide a surety in an amount and form acceptable to the Town for the installation of said roads and water mains for each proposed phase of the project. The amount of any cash or surety for construction of the road and water line from the internal subdivision road to the northeast corner of the applicant's property shall be approved by the Town Board with no building permits issued until such approval and any payment or surety issued to the town.
16. All residential buildings within the development shall be structurally sufficient to support rooftop solar panels.
17. High energy efficiency residences, residences expected to have no net energy use from the power grid, shall be offered as one of the building types allowed by the Homeowner Association bylaws and options for buyers to construct.
18. At least 5% of the units shall be sold to owners with an income below the current County median household income level. Documentation shall be provided to the Planning Board as the Planning Board deems acceptable. The applicant shall provide a surety or letter of credit in the amount of \$50,000 to the town that shall be payable

to the Town's affordable housing fund in the event sufficient documentation is not provided to the town by the time the first 40 residences are sold.

19. The Homeowner's Association bylaws shall allow a maximum of 20% of the commonly owned land to be used for community solar upon site plan approval by the Planning Board. Such community solar shall be owned by the Homeowner's Association or provided by a third party under contract with said association. Approval by the Homeowners Association of such community solar installation shall be a right granted to any group of 10 or more owners of the lots after control of the Homeowners Association has been surrendered by the developer.
20. The applicant shall develop a phasing plan for the project acceptable to the Planning Board and show that on the preliminary subdivision plat to be filed with the Town and County Clerk.
21. Prior to signing of the final subdivision plat by the Planning Board Chairman, the applicant shall obtain any requisite approvals and/or permits from other jurisdictions, including but not limited to coverage under the State Pollution Discharge Elimination System (SPDES) statewide general permit for stormwater discharges during construction from New York State Department of Environmental Conservation (NYSDEC), approval of the water system design from the New York State Department of Health and the Town of Gorham, approval of the sanitary sewer design from the Canandaigua Lake County Sewer District and NYSDEC, and of the intersection placement and design from the New York State Department of Transportation; and further

RESOLVED, That the Town of Gorham Code Enforcement Officer is hereby authorized and directed to send copies of this resolution to all interested and involved agencies, and to attach a copy to the official minutes of the meeting where it was adopted; and further

RESOLVED, That this resolution shall take effect immediately.

5. NEW PUBLIC HEARINGS

PB #20-2025: VENEZIA LAND SURVEYORS 336 NORTH MAIN STREET, CANANDAIGUA, NEW YORK, 14424: Requests site plan approval to construct a new two story single family residence. The project includes site improvements to grading, drainage, and utilities. The property is located at 5018 County Road 11 and is zoned R1 Residential and LFO Lakefront Overlay District.

Mr. Harvey said we do have to consider the environmental review. The Chair would propose to answering no to all the questions on Part 2 of the Short Environmental Assessment Form. On Part 3 we will note that there are no critical environmental areas that have been established in the Town. Part 2 question 8 deals with historical and archaeological resources and our Planning Board's answer is based on the fact that the project site is not in an archaeological sensitive area according to the NYS Office of Parks, Recreation and Historic Preservation and no buildings or sites are eligible for listing on the

state register of historic places. In regard to Part 2 questions 9&10 that has to do with natural resources, stormwater, erosion and all those types of things the Planning Board's answer is based on the conditions the Planning Board anticipates placing on the site plan approval requiring stormwater mitigation facility being incorporated in the plan based on engineering calculations and that the diversion swale be installed and stabilized prior to any other site disturbance.

MR. PERRY made a motion to accept the Environmental Assessment Form and indicates the proposed action will not result in any significant adverse environmental impact and the motion was seconded by **MR. HOOVER**. The motion was carried with all present voting aye.

Mr. Harvey said at this time we will open the public hearing.

Mr. Venezia said I am representing the Rae's for their project. The plan is to raise the existing cottage and the garage that is up at the roadway and build a single structure to occupy the space. There will be a swale to bring any kind of surface drainage around the building and then we are proposing a drywell at the southwest corner to handle the roof drains. We did go through a couple rounds with the Zoning Board and we came down to this. The only thing that is different on my site plan verses the architectural is the covered porch is just now in the building envelope it was removed. It is the same outline and that will be represented on the final plans. It is just incorporated in the house.

Mr. Harvey said and they are just going to park in this little area?

Mr. Venezia said that is currently how it is now and with the removal of the garage for storage this section of the house it looks like there is a garage door there but there is no driveway to it it's just for storage. They are losing the main storage in the garage that's there and it also reduces a few significant variances.

Mr. Harvey said so they are not proposing any kind of walkway.

Mr. Venezia said right now there is nothing there and it is proposing to stay the same. They don't have an existing walkway there now.

Mr. Stowe said they just walk through the grass?

Mr. Venezia said yes that's what they do now. They are right behind me if you questions for them directly.

Mr. Harvey said so no plans to ever put in a sidewalk?

Ms. Mitchell said they can't based on the variance they received.

Mr. Venezia said we would have to get a new variance and we did reduce the overall coverage with this new plan. We did get a variance for lot coverage and the setback on the south.

Mr. Harvey said size wise and height wise it seems to conform with the Town's design guidelines. Do you guys have a landscaping plan because that is the only thing that I see missing.

Mr. Venezia said we can provide a landscaping plan.

Mr. Stowe said so you are removing this garage and you are turning it into parking.

Mr. Venezia said no it is going to get removed and then it is going to just be grass.

Ms. Rae said the Town preferred for us to not have a separate building so we gave up the garage.

Mr. Venezia said some of the wall from the garage is going to have to be reused in that one section to make sure that stays up with the grade that is there but we can definitely do a landscape plan.

Mr. Harvey said you know where the design guidelines are just follow that. Are there any further questions from the Board? Hearing none, any comments from the public? Hearing none, any comments online? Hearing none, I will declare the public hearing closed.

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

**RESOLUTION OF THE TOWN OF GORHAM PLANNING BOARD: SITE
PLAN APPROVAL OF APPLICATION PB20-2025**

WHEREAS, The Town of Gorham Planning Board (Planning Board) is in receipt of an application from Venezia Land Surveyors for Site Plan Approval to tear down an existing cottage and garage and construct a new two story single family residence including site improvements to grading, drainage, and utilities at 5018 County Road 11 zoned R-1 Residential in the Lake Front 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 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 December 29, 2025 to hear public comment on Planning Board Application PB 20-2025; now, therefore be it

RESOLVED, That Site Plan Approval is hereby granted for Planning Board Application PB 20-2025 with the following conditions:

1. The grading plan showing proposed contours shall be stamped and signed by a professional engineer licensed to practice in New York State.
2. Drainage calculations and the design of stormwater infiltration systems shall be stamped and signed by a professional engineer licensed to practice in New York State and submitted to the Town Engineer for review and approval.
3. A landscape plan complying with the Town's Design Guidelines shall be submitted for review by the Chairman of the Planning Board.
4. All exterior lighting to be dark sky compliant.
5. After construction and prior to issuance of a certificate of compliance or occupancy under the New York State Uniform Fire Prevention and Building Code, a survey bearing the stamp and signature of a professional Land Surveyor licensed to practice in New York State shall be filed with the town Code Enforcement Officer documenting the final as built location of all utilities and compliance with the approved site plan.

; and further

RESOLVED, That this resolution shall take effect immediately.

PB #21-2025: TIMOTHY ODELL 3704 NIBAWAUKA BEACH, CANANDAIGUA, NEW YORK, 14424: Requests site plan approval to construct a new two story single family residence. The project includes site improvements to grading, drainage, and utilities. The property is located at 3704 Nibawauka Beach and is zoned R1 Residential and LFO Lakefront Overlay District.

Mr. Harvey said this one we have to talk about a little. It doesn't have a landscaping plan. It doesn't appear to comply with the design guidelines for the Town.

Mr. Cox said with what specifically?

Mr. Harvey said lot coverage, height, the character of the building, lack of landscape plan, etc.

Mr. Cox said we did get variances.

Mr. Harvey said that doesn't excuse you from meeting the design guidelines.

Mr. Cox said understood.

Mr. Harvey said the Board has a decision to make on how they want to handle the environmental review and I think what they are going to want to see from you coming back. If the Board wants to take up the environmental review we can do it with our standard methodology. We would answer no to all the questions on Part 2 on the Short Environmental Assessment Form. We will note in Part 3 that there are no critical environmental areas that have been established in the Town. In regard to question 8 the no answer is based on the October 15, 2025 letter from the NYS Office of Parks, Recreation and Historic Preservation stating the project will not impact any properties including archeological and or historic resources listed or eligible for listing on the state register for historic places. In regard to Part 2 questions 9&10 the Planning Board's answer is based on conditions the Planning Board anticipate placing on the site plan approval requiring stormwater mitigation facilities being incorporated into the plan based on engineering calculations and that the diversion swale be installed and stabilized prior to adding other site disturbance. If that is the route the Planning Board would like to go someone can offer a motion.

MR. HOOVER made a motion to accept the Environmental Assessment Form and make a negative determination of significance and the motion was seconded by **MR. PERRY**. The motion was carried with all present voting aye.

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

Mr. Cox said right now there is an existing cottage on the property. It is more of a three season and has been there for a while. We plan to take down that existing cottage and the bath house on the property and construct a four season single family residence there. It is a very small lot. It is only fifty or sixty feet wide so they only have a twenty foot wide house. It is a pretty narrow house but it fits within the side setbacks there. There is two proposed drywells for roof runoff for the stormwater to meet the stormwater requirements. It attaches to sanitary sewer so no onsite septic is required.

Mr. Harvey said can you repeat the stormwater.

Mr. Cox said there is two proposed drywells that will capture the roof runoff and drainage piped to those so it can infiltrate.

Mr. Harvey said is there design calculations provided?

Mr. Cox said I did not but I can submit those. There is quite a few trees and shrubs surrounding the property. When we put the building on there there's not a whole lot of room for additional trees or landscaping but there is quite a few trees and shrubs you can see existing surrounding the property. The lighting will be dark sky compliant and that sums up my presentation.

Mr. Harvey said I am a little concerned looking at the plans about the proposed grading and how you are keeping stormwater from draining onto the neighbor's property. It is kind of hard to read at the scale provided. I'd like to see positive drainage away from the garage with spot elevations or something.

Mr. Cox said the garage is up higher than the road so it does flow from the garage to the road.

Mr. Harvey said give me some spot elevations and at the same time I don't want the water running out onto the road even if it's a private road. The design for the stormwater mitigation facilities you have to have some perc tests and document to the Town Engineer's satisfaction. The rate of infiltration is going to be equal or exceed the expected additional stormwater discharge after the proposed construction. I'd like to see some reasons and evaluation on how it complies with the design guidelines verses zoning. It doesn't say straight things with no landscaping and build it as big as you can to the allowed side yard setbacks which is what you proposed. Again, there does have to be some sort of landscaping plan and you will find suggestions in the design guidelines as well. What would the Board like to do? Approve with conditions or do you want to wait for something to come back? Tell us how it complies with the design guidelines because that is up to you to explain to the Board.

Mr. Cox said part of it is it is a preexisting nonconforming lot and it is very small.

Mr. Harvey said and the Town has standards for what you can expect to put in a small lot and there are design examples of what fits.

Mr. Cox said right but for instance on the first floor there is only 700 square feet of livable space. It is very modest.

Mr. Harvey said not every lot can have a 2000 square foot home on it. That is what the design guidelines are about. It is to try to build an expectation of what fits on a narrow small lot. Again, it is the Boards decision. Do you want to entertain a resolution? Do you want to give the applicant time to come back with answers?

Mr. Stowe said I am looking at the surrounding houses here and there are some pretty significant size houses. Much larger than what is proposed here on a pretty tight lot as well.

Mr. Harvey said which is exactly why the Town did the design guidelines.

Mr. Stowe said I'm more concerned about the landscaping. You said that you are going to have to remove a significant amount.

Mr. Cox said there are a couple trees that need to come down but the majority of the trees all around the perimeter are staying.

Mr. Stowe said then I would definitely recommend in the landscaping plan to show your replacement plan including the size of the tree you are taking down and the size you will be replacing it with.

Mr. Harvey said what I would propose is that we adjourn the public hearing and reopen it on January 26, 2026 to give you time to come back with a landscaping plan and address the design guidelines.

Mr. Perry said the water coming off the driveway towards the road, is there any ditching there or is that going to be tied into your drywells or do we need something that shows where that water is going?

Mr. Cox said right now that flows towards the private drive.

Mr. Harvey said feel free to make modifications but get the updates to the Planning and Building Office at least five days before the next Planning Board meeting.

Ms. Mitchell said you would need to submit by Friday, January 16, 2026.

6. MISCELLANEOUS

NONE

7. NEXT MEETING

The next regular meeting of the Planning Board will be held on Monday, January 26, 2026, at 7:00 p.m. at the Gorham Town Hall, 4736 South Street.

7. 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 8:20 p.m.

Respectfully submitted,



Thomas Harvey
Chairperson to the Planning Board