



CANANDAIGUA LAKE  
WATERSHED ASSOCIATION

February 21, 2022

Town of Gorham Planning Board  
C/O Chairman Thomas Harvey  
PO Box 224  
Gorham, NY 14461

*Re: Canandaigua Lake Watershed Association comments on the Town of Gorham Planning Board scope for review of subdivision proposed for lot 113.00-1-48.200 by Douglas Eldred (Scenic Ridge)*

Dear Gorham Planning Board Members,

The Canandaigua Lake Watershed Association (CLWA) would like to offer comments for the proposed Scenic Ridge Development. CLWA is a nonprofit organization whose mission is to inspire the entire watershed community to become stewards of Canandaigua Lake through education, scientific research, and advocating sound public policy. We support responsible design, review and development but oppose development which affects the water quality of Canandaigua Lake.

Upon review of this proposal, we have highlighted some concerns we believe should be added to the scope of the Planning Board's review and approval of this project.

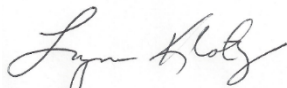
1. **Open Space.** The application claims to provide 23 acres of open space, more than the required 30% open space. However, in reviewing the subdivision layout we can see only about 4.6 acres compatible with the zoning ordinance definition of Permanent Open Space (section 31.2.2) as "land dedicated to the Town of Gorham or set aside by easement or other manner in a form acceptable to the Town of Gorham for use as a park, wildlife preserve, forest area or other use deemed acceptable by the Town of Gorham." The Code provides further that when open space is a required part of a development review it does not include setbacks, roads, wetlands, or any area of any stormwater management facility, including detention or retention basins, ditches, swales or drainage ditches. We suggest the Planning Board determine what other areas of the site plan actually meet the requirements of the Zoning Codes open space requirement. We note that a Conservation Subdivision is allowed for the purpose of preserving natural and scenic qualities that a conventional subdivision would not preserve, and suggest the Planning Board consider whether those purposes are being met in this development proposal or if it should require a subdivision plan that preserves other significant open space resources.
2. **Drainage swales.** When swales are used as a part of a stormwater management plan, we believe it is essential to ensure that those swales will continue to function when the development is constructed and inhabited. It is unclear from the subdivision plan how much setback from these drainage swales there will be for any primary or accessory structures or amenities on the lots. We

suggest the Planning Board review a site plan with all structures located to determine if the setbacks will be adequate to allow the residences adequate rear yards without infringing of the drainage swales and interfering with their function. In the alternative, the Planning Board could require some actual physical barrier and a legal restriction requiring proper maintenance and protection of the drainage swale areas to ensure their permanent function. We also ask the Planning Board to consider the timing of construction to ensure drainage facilities including drainage swales located adjacent to residential lots are constructed, stabilized and well planted before land is disturbed for the construction of residences or other infrastructure.

3. Springs. We believe there may be a significant number of springs in the site being proposed for development. We suggest the Planning Board require the applicant to carefully investigate and map springs and ensure the drainage system and infrastructure proposed are planned to either avoid the area these springs discharge to or divert water they discharge away from proposed infrastructure and into the drainage and retention/detention system, and that the water budget for this system accounts for any additional requirements from any springs in the development area.
4. Lot coverage. Our understanding of the town zoning code is that a conservation subdivision allows a reduction in the size of some lots, but it is our understanding that the regulations still require development coverage on any lot to not exceed 30%. We encourage the Planning Board to require a site plan review of the size and location of all permitted primary and accessory structures and to ensure these limits are enforced when the residences are inhabited and are clear to the Town's permitting authorities. Excessive impervious surfaces on a site with this density along with the increased intensity of precipitation events pose a challenge to drainage facilities and this development is located very close to the lake shore and in particular to one of the few public lake access facilities making potential discharge of sediment to the roadside ditches of particular concern.
5. Trees. Existing wooded areas on the site not only provide important stabilization of erodible soils, they are an important visual amenity for people using the lake and for residents to the west of the lake. We suggest the Planning Board require an inventory of the trees to be removed by development and to require retention of any that can be maintained in siting this development. While the applicant proposes to plant trees once the development is built it will be many years before root systems develop to help stabilize soils or before they reach sufficient size to protect the viewshed and buffer the visual effect of dense residential development.

We thank the Town of Gorham Planning Board for the opportunity to comment on this proposal. CLWA encourages each watershed municipality to review development proposals under the lens of the preservation of the lake's water quality and quality of life for watershed residents.

Sincerely,



Lynn Klotz

President, Canandaigua Lake Watershed Association