

A regular meeting of the Town of Victor Planning Board was held on February 9, 2016 at 7:00 p.m. at the Victor Town Hall at 85 East Main Street, Victor, New York, with the following members present:

PRESENT: Jack Dianetti, Chairman; Joe Logan, Vice Chairman; Heather Zollo, Al Gallina

ABSENT: Ernie Santoro

OTHERS: Wes Pettee, Town Engineer Consultant; Katie Evans, Director of Development; Kim Kinsella, Project Coordinator; Cathy Templar, Secretary; Kate Crowley, Conservation Board; Kent Kiikka, Owen Pettee, David Wright, Brad DeGrazia, Chauncy Young, Sandra Schneider, Bryan White

APPROVAL OF MINUTES

On motion of Joe Logan, seconded by Jack Dianetti

RESOLVED that the minutes of January 26, 2016 be approved.

Jack Dianetti	Aye
Joe Logan	Aye
Ernie Santoro	Absent
Heather Zollo	Aye
Al Gallina	Aye

Approved 4 Ayes, 0 Nays

BOARDS/COMMITTEES UPDATES

Victor Hiking Trails reported by Chauncy Young and presented a Final Draft Strategic Plan

- Mr. Young is the Trail Boss for the Victor Hiking Trails
- The Victor Hiking Trails was founded in 1991 before Parks & Rec was formed, no trails and very few acres of parkland at that time.
- Now have over 55 miles of trails and great partnership with Parks & Rec and many acres of parkland.
- Purpose of Victor Hiking Trails is to create and maintain trails, get people in touch with nature and work with community and Boards to coordinate this outdoor resource.
- Want to make sure that Regional and Local Councils and Planning Committees are on board with the trails in the area and connect out to other communities.
- Rail trails, Auburn trails and Lehigh trails were created by Victor Hiking Trails. The Town now maintains them and has had grants for improvements.
- Trails connect Victor with Rochester, Rush, Canandaigua soon through Farmington.

- Victor Hiking Trails is looking for the Planning Board to recognize the importance of trails and the asset to the community. It also is part of the Comp Plan and part of the Parks & Rec master plan.
- Wants to know how would Victor Hiking Trails interface with the Planning Board to make sure that trail opportunities are made available for review for connectivity
- Will accept comments from Planning Board, Conservation Board, Parks & Rec and will bring to the Town Board.

Mr. Logan commented on the value of the trails and how well kept they are and looking forward to working with the Victor Hiking Trails in the future.

Ms. Zollo stated that she uses the trails also and how well they are kept and also looking forward to working with the VHT.

Mr. Gallina also agreed and hopes the Planning Board will continue to support VHT.

Chairman Dianetti thought the effort in Victor was exceptional in terms of the hiking trails and this is part of creating a walkable community in Victor and beyond. He would welcome the VHT comments and the opportunity to speak at future Planning Board meetings whenever there is a project that would fit into the plans of the VHT. This is a key way to connect the neighborhoods.

The legal notice for the public hearing appeared in "The Daily Messenger" and Post Cards were mailed to property owners within a minimum of 500 ft from location of each application.

Conservation Board reported by Kate Crowley

- On an annual basis, the Board creates an operating guide to include items to be worked on during the year.
- One action item is to assemble training for the Natural Resource Inventory
 - Would like Planning Board to let Conservation Board know of anything that should be incorporated into the training
 - Suggestions for training
 - Updated items noted
 - How to use the maps
 - Would like to have the trails put into the GIS

Chairman Dianetti stated one of the items that were worked on during the Comp Plan meetings was making the developers aware of the NRI and how to use it.

Ms. Crowley stated they were going to put together a plan for the NRI. The basis of the training would be when looking at early stages of development and planning on a parcel, what would the tools or resources be that are available. The NRI book is divided into 3 sections and a discussion would be how to apply each section.

The training would be something that would engage conversation or have something that you could do on your own to understand the book.

Planning Board reported by Kim Kinsella

- February 26, 2016 meeting
 - Public Hearings
 - Lantek Communications located at 580 Fishers Station Road
 - Scout Ridge Subdivision located at 7346 Dryer Rd
 - Benderson Development located at Victor Crossing for new building
 - Tabled Items from 1/26 meeting
 - Mark's Pizzeria at 6499 Route 96

Chairman Dianetti announced that any comments regarding the short term rentals were due the next day.

PUBLIC HEARING

Speakers are requested to limit comments to 3 minutes and will be asked to conclude comments at 5 minutes.

SMASHBURGER

190 Cobblestone Court

Appl No 1-SP-16

SBL #1.02-1-8.000/PLZA

Owner: Cobblestone Court LP

Zoned: Commercial and Route 96/251 overlay district

Applicant is requesting to construct an outside seating area for up to 20 people with associated site improvements. This is the first time this application has appeared before the Board.

Mr. Brad DeGrazia owner of Smashburger, addressed the Board.

Mr. DeGrazia – Basically, I'm here to answer any questions that you have. As you can see by the renderings that we have a space next to the restaurant that we believe would be a great spot for just a casual dining area. Smashburger is a fast/casual burger concept; chicken sandwiches, salads, etc. We're looking to put approximately 20 seats on the outside while we are also looking to keep the look that is currently there.

As you can see, there are a number of plants before and after (referring to the photos on overhead screen). All the ones up front would stay, the two large trees would stay. Behind that what we plan to do is a fence. Based on the fence, that's kind of a rock setting. I know that there have been some comments about bollards and they will be there as well. So instead of where the stone is, we can put bollards for protection of any loose cars or anything like that.

The restaurant itself on the inside is 3400 sf; approximately 2400-2500 sf will be restaurant and the rest will be office space. Hours will be 10:00 am to 10:00 pm. The proposal of the patio would at no point infringe on any type of late activity or anything like that.

In the comments, we do plan on using base pavers, smaller pavers so that any type of water could go down into the soil. Also, the trees will be boxed around the roots so that we don't lose the two larger trees in the process.

Chairman Dianetti asked for public comments and there were none.

Ms. Zollo – I'm glad that you addressed the issues of the pavers. There was one other comment that our landscape architect had mentioned, something about transplanting the large hydrangeas.

Mr. DeGrazia – Those are in the corner.

Ms. Zollo – They won't be affected?

Mr. DeGrazia – Actually they will, there is a door there. When we talked with the landscaper, we had planned on moving those where there is an opening right now. That opening will be closed off and the hydrangeas will be in front of that.

Ms. Zollo – Then he said something about if the trees don't make it, they would be replaced.

Mr. DeGrazia – What I can say from what I read in the notes is that there was only supposed to be one there but there are two. But at the same time, they are beautiful trees and I don't want to see them go. My vision of this is to have a nice sitting area outside. We're not trying to create a big atmosphere or anything like that out there. Just a nice place for people to sit outside and eat their food.

Ms. Zollo – Otherwise, it looks very nice. Thanks.

Mr. Gallina had no comments.

Mr. Logan – It's a good use of the property. Moe's has a nice outdoor seating space on the other corner. This is probably a good bookend. I don't know if you were planning on putting any more isolation between you and the dumpster area.

Mr. DeGrazia – The dumpsters are actually two slots over. On the immediate side, there is a generator but that will be walled off. Then there is one site over and the dumpsters are in there. The landlord has talked about redoing that area but obviously that is the landlord and not me but I'm all for it as well. I also would like them to put in a crosswalk off to that side of the parking lot as well.

Mr. Logan – Across the drive that goes through there, to the north? (Yes) That's a good idea.

Mr. DeGrazia – Not just for us and it has nothing to do with the patio, it's just for the whole side because we will be using that parking area.

Mr. Logan – Yes, they could use some more formalized crossing even with some signs out there.

Mr. Pettee – I just wanted to bring your attention to the February 5th comment letter from LaBella. If there is some way that you could update your site plan drawing with a scale and a north arrow for record keeping purposes and for the Town's file.

Mr. DeGrazia wanted to know which copy of the plan Mr. Pettee was referring to. Mr. Pettee showed him which one he was referring to and Mr. DeGrazia said he'd update it and send it to us.

There were no other questions.

Mr. Logan – Did you want to talk with an engineer about formalizing that crosswalk?

Mr. DeGrazia – I think that is something that the landlord needs to talk to an engineer about. If that is something that I can have my landlord talk to you about (referring to Mr. Pettee) then that is something I can have a conversation on.

Mr. Logan – I don't see it as a requirement but it's certainly a good upgrade to the circulation and safety out there.

Mr. Pettee – Are the bollards something that is proposed?

Mr. DeGrazia – I can either put the bollards in or the rock that I'm showing. I think everybody said that the bollards are a little safer. We've got approximately 3 or 4 ft between the fence and where the plantings are before you go over. Hopefully nothing would happen but a bollard would be safer than a rock wall but at that depth I think they would both be pretty safe. It's more visually what the Board would like.

Mr. Pettee asked the Board members to weigh in on this before a resolution was read.

Mr. DeGrazia was asking for direction from the Board and would do either option stating they both look good but the bollards would be a little safer and there aren't other rock features around it.

Mr. Logan wanted the bollards to be pointed out on the plan and asked if Mr. DeGrazia was suggesting doing something different or asking if this was okay?

Mr. Logan – Moe's has a metal railing around it and this looks nicer than what they have. I'm okay with that.

The Board members agreed to the rendering as shown in the photo presented.

Chairman Dianetti closed the public hearing.

Ms. Zollo – I just want to ask a question about comment #4 in the draft resolution referring to a letter dated January 13, 2016 from Zaretsky. Most of that letter is questions rather than comments. I just want to make sure that we're writing the resolution the way we need to. He was a little more definitive in the email dated January 16, 2016.

RESOLUTION

On motion made by Joe Logan, seconded by Heather Zollo

WHEREAS, the Planning Board made the following findings of fact:

1. A Site Plan application was received on January 5, 2016 by the Secretary of the Planning Board for a Site Plan entitled Smashburger.
2. It is the intent of the applicant to construct an outside seating area.
3. A public hearing was duly called for and was published in "The Daily Messenger" whereby all property owners within 500' of the application were notified by U.S. Mail.
4. The Planning Board held a public hearing on February 9, 2016 at which time the public was permitted to speak on their application.
5. The application is a Type 2 Action pursuant to Section 8 of the New York State Environmental Quality Review Act therefore no further action is required under SEQR's implementing regulations.
6. The application was referred to the Ontario County Planning Board under Section 239 of the General Municipal Law.
7. On February 9, 2016 Ontario County Planning Board referred the application back to the referring agency as a Class 1.

NOW, THEREFORE BE IT RESOLVED that the application of SMB ROC LLC/Smashburger Site Plan entitled Smashburger drawn by Smashburger dated October 7, 2015 received by the Planning Board January 5, 2016 Planning Board Application No. 1-SP-16, BE APPROVED WITH THE FOLLOWING CONDITIONS:

Conditions to be addressed prior to the chairman's signature on the site plan:

1. That no final signatures will be given on the plans until all legal and engineering fees have been paid as per Fee Reimbursement Local Law adopted November 25, 1996.
2. That the comments in a letter dated February 5, 2016 from LaBella Associates be addressed.
3. That comments from Code Enforcement Officer dated February 4, 2016 be addressed.
4. That the comments in a letter dated January 13, 2016 and e-mail dated January 16, 2016 from Zaretsky and Assoc. be addressed to his satisfaction.
5. The site plan shall be consistent with the landscape details as shown on the elevations,

entitled Smashburger, Job 15-801 dated November 23, 2015 prepared by GK&A Architects, PC received by the Planning Dept on January 5, 2016.

Ongoing conditions:

1. That the site plan comply with Town of Victor Design and Construction Standards for Land Development, including Section 4.
2. Should an underground stream be encountered during construction, the Developer is to address the encroachment and impact to the underground stream to the satisfaction of the Town Engineer.

AND, BE IT FURTHER, RESOLVED, that the Planning Board Secretary distribute the appropriate standard conditions with the Planning Board's approval letter.

Jack Dianetti	Aye
Joe Logan	Aye
Ernie Santoro	Absent
Heather Zollo	Aye
Al Gallina	Aye

Approved 4 Ayes, 0 Nays

MODIFICATION TO PREVIOUS APPROVED SITE PLAN

VICTOR COMMUNITY CHURCH

7500 Route 251

Appl No 10-SP-15

Owned: Victor Community Church

Zoned: Light Industrial and Route 96/251 overlay district

Applicant is requesting approval on a modification to the site plan approved by the Planning Board on August 26, 2015. The applicant is requesting a revision to the water service for the approved 6,000 sf addition to the building on the 2.4 acre property.

Mr. Bryan White from Elliott Engineering addressed the Board.

Mr. White – Good evening. As stated all we've done is modify our water service coming in. It's still a combined water service for the fire sprinkler and the domestic. We've changed it from a 6" to a 4" and changed the casing under Route 251 from a steel casing to an 8" HDPE casing.

Basically that comes down to the cost of the contractor that gave us quotes on doing the job. As you can see what I just passed out is the pressure calculations that were supposed to be with the letter of last week. The difference of fire flows from a 6" to a 4" is only about 7.50 psi. So there is really no significant difference at all.

Mr. Logan – Is there a capacity change with that? There must be a capacity change going from a 6” to a 4”. I know the pressure doesn’t drop much but if you’re demanding more water than a 4” can take....

Mr. White – The demand is still the same from a 6” to a 4”. It’s just a matter of making sure, especially for the fire flows, once you get to the backflow preventer, there is enough pressure at that point. After the backflow preventer, there is still going to be 70 psi in the system. So there is still plenty of pressure for the fire sprinkler to work properly.

Mr. Logan asked Mr. Pettee if he was okay with this.

Mr. Pettee – LaBella hasn’t been typically getting involved in reviewing the water supply since the Monroe County Water Authority took over the Town’s water system. We did not get a chance to look at these calculations today but we can look at these and see if there are any concerns.

Mr. Logan suggested that LaBella review the calculations.

Ms. Evans – For the Board’s reference, we discussed this revision at this morning’s Planning and Building Department’s staff meeting and after consulting the Fire Marshal, he provided a condition (which is #3 in the resolution) to add into the approval resolution which is noted on *Conditions to be addressed prior to Chairman’s signature* on the site plan if the Board chooses to entertain the resolution this evening.

Mr. Logan suggested this be done in conjunction with the Town’s Engineer also reviewing it.

Chairman Dianetti – Would you review the history of the water because at one point it was going under the road and then it was going to come across an easement and now it’s under the road again.

Mr. White – It’s all been due to the price of doing the project. Coming under Route 251 with a steel casing and a 6” DIP, the price that they were getting from some contractor was \$50,000 which is kind of absurd for something like that. So we were thinking of going through the easement, going to the north and tying into Victor Heights Parkway. Then the contractor that we’ve been working with were able to come in for half the cost of the other contractors and their supplier had a bunch of 4” DIP in stock, so we were able to get a good price on that.

Chairman Dianetti – So that everyone understands that you are drilling underneath....

Mr. White –Yes it’s going to be bored underneath Route 251 with Monroe County Water Authority and DOT standards.

Chairman Dianetti – And the difference between the two types of pipe are?

Mr. White – The only difference is the casing. Both the carrier pipes are going to be DIP which is what's required by Monroe County Water Authority. So it's just the casing pipe that is going underneath from steel to an HDPE. DOT is on board with it as I've had plenty of conversations with them.

Chairman Dianetti – Monroe County Water Authority has signed off on this?

Mr. White – Yes, they've sent back comments and they've only had note changes to the plans.

Chairman Dianetti asked for a copy of the Monroe County Water Authority comments for our file.

Chairman Dianetti asked for comments from the audience and there were none.

RESOLUTION

On motion made by Joe Logan, seconded by Heather Zollo

WHEREAS, the Planning Board made the following findings of fact

1. A site plan modification application was received on February 5, 2016 by the Secretary of the Planning Board for a Site Plan modification entitled Victor Community Church – Revised Water Service.
2. It is the intent of the applicant to install a 4-inch DIP water service instead of the previously approved 6-inch DIP water service, and also intends to install an 8-inch HDPE casing pipe under New York State Route 251 for the water service.
3. The Town of Victor Planning Board, as SEQR Lead Agency, issued a SEQR Negative Declaration for the Victor Community Church Site Plan application, 10-SP-15 on August 25, 2015.
4. The proposed site plan modification does not substantively change the Action for which the SEQR Negative Declaration was issued on August 25, 2015.
5. The Town of Victor Planning Board issued Site Plan Approval on August 25, 2015 for the Victor Community Church site plan application, 10-SP-15.
6. The Town of Victor Building Dept reviewed site plan on February 9, 2016 and had no comments.

NOW, THEREFORE BE IT RESOLVED that the application of Victor Community Church, P.O. Box 49, Victor, New York, Site Plan entitled Victor Community Church – Revised Water Service, Drawing C-4 Utility Plan and Drawing DOT-1 DOT Plan, drawn by Elliott Engineering Solutions, dated April 2015, revised January 22, 2016 received by the Planning Board February 5, 2016, Planning Board Application No. 10-SP-15-2, BE APPROVED WITH THE FOLLOWING CONDITIONS:

Conditions to be addressed prior to the chairman’s signature on the site plan

- 1. That no final signatures will be given on the plans until all legal and engineering fees have been paid as per Fee Reimbursement Local Law adopted November 25, 1996.
- 2. The water service and hydrant flow data be reviewed and found satisfactory by the Town Engineer and the Town’s Building Dept.
- 3. Provide comments received from Monroe County Water Authority for the record.

Ongoing conditions:

- 1. That the site plan comply with Town of Victor Design and Construction Standards for Land Development, including Section 4.

AND, BE IT FURTHER, RESOLVED, that the Planning Board Secretary distribute the Planning Board’s approval letter.

Jack Dianetti	Aye
Joe Logan	Aye
Ernie Santoro	Absent
Heather Zollo	Aye
Al Gallina	Aye

Approved 4 Ayes, 0 Nays

There were no further discussions.

Motion was made by Joe Logan seconded by Al Gallina RESOLVED the meeting was adjourned at 7:40 PM.

Cathy Templar, Secretary