

A regular meeting of the Town of Victor Planning Board was held on March 22, 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; Ernie Santoro, Heather Zollo, Al Gallina

OTHERS: Wes Pettee, Town Engineer Consultant; Don Young, Town Attorney; Kim Kinsella, Project Coordinator; Cathy Templar, Secretary; Silvio Palermo, Town Board Liaison; Ann Aldrich, Historical Advisory Committee Liaison; David Nankin, Kav Malli

APPROVAL OF MINUTES

On motion of Joe Logan, seconded by Al Gallina

RESOLVED that the minutes of February 23, 2016 be approved.

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

Approved 5 Ayes, 0 Nays

On motion of Ernie Santoro, seconded by Heather Zollo

RESOLVED that the minutes of March 8, 2016 be approved.

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

Approved 4 Ayes, 0 Nays

CORRESPONDENCE RECEIVED

- Chip Testa re: Victor Crossing dumpsters

Chairman Dianetti – This was about a dumpster incident that occurred and that has been addressed through the appropriate channels which is the Code Enforcement Office. Everyone has a copy of the letter sent out previously to all of the tenants in the plaza. The second letter that went out was stating they were going to be taking over the dumpsters and having a single

vendor that would be under Benderson's control. I think their response was very direct and effective.

Chairman Dianetti asked the Board for any comments regarding this and there were none.

BOARDS/COMMITTEES UPDATES

Town Board reported by Silvio Palermo

- March 14, 2016 meeting
 - Last week's Town Board meeting we listened to a presentation from Mike Moser of EV Charge Solutions in regards to feasibility analysis on Electric and Hybrid Vehicle Purchase for Planning and Building Department. There is a grant that might be available that would provide 75% of Incremental cost of alternative fueled vehicles. Town Board agreed to look into this grant further and should we get approved for the grant then we'll begin a true analysis of whether it's cost effective for the town to pursue.
 - The Town Board approved authorization to purchase for the Highway Department – a 2016 Caterpillar Loader, 2016 Western Star Single Axle Plow truck, 2016 Western Star Tandem Axle Truck with roll-off hoist and a 2016 Ford F-150.
 - For the Town Court we extended our lease agreement at 11 Framark Drive for another 5 years. We are still actively trying to find a permanent home for a future Town owned Court Facility.
 - At last week's Town Board meeting we held a Public Hearing relating to the addition of a light pole to the Cobblestone Creek Street lighting district. No comments were made at the public hearing. Town Board approved this additional light pole which will be installed in front of 610 Barchan Dune Rise.

Victor Historical Society – Ann Aldrich stated that there was nothing to report.

Planning Board reported by Kim Kinsella

- April 12, 2016 meeting
 - Public Hearings
 - Wade's request to build a 2100 sf barn located at 140 Cline Road
 - LSI Solution Warehouse expansion located at 7796 Route 251
 - Edward Shill located at 218 Royal View to construct an addition along with a 900 sf freestanding garage.
 - Discussion
 - Victor Crossing – Hours of Operation
 - Informal Discussion
 - Stonington Ridge located on Modock Road re: conservation easement

The legal notice for the public hearings appeared in “The Daily Messenger” on December 8, 2015 and was read into the minutes. Post Cards were mailed to property owners within a minimum of 500 ft from location of each application along with “Under Review” signs being posted on the subject’s parcels.

PUBLIC HEARING

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

AT&T
701 High St
Appl #5-SP-16 **AND** 1-SU-16
SBL # 15.00-2-74.000/CGLR
Zoned – R1

Applicant is requesting to install one radio head per sector for a total of (3) three radios on existing tower. Fiber and power feeders will be added in each sector. Equipment modification to existing equipment shelter.

Mr. David Ford with Centerline Communications addressed the Board.

Mr. Ford – There is a 140 ft lattice cell support tower at 701 High Street. In addition to AT&T there are two other carriers as well as EM 1 equipment and microwave equipment. At 90 ft, AT&T currently has 9 antennas, 6 amplifiers, 3 radios, 1 surge suppressor and 1 shelter at the base. All we’re trying to do is add an additional 3 radios behind the existing antennas at 90 ft. No change in tower height, ground space, or aesthetics.

Chairman Dianetti asked the public if there were any comments and there were none.

Mr. Santoro – Have you addressed the County’s concerns?

Mr. Ford – Yes we do have an updated structural analysis report in progress right now from the County’s preferred vendor and that will be supplied when we apply for the Victor Building permit.

Ms. Zollo had no comments

Mr. Logan – No comments, co-location is what we support.

Mr. Gallina and Chairman Dianetti had no comments.

Mr. Pettee – LaBella has a letter for your file dated March 17, 2016. There are just a few minor comments and they were basically on the site plan. Comment #1, I think that’s been addressed already, the tower owner documentation, we’re all set with that.

Comment 2, we're looking for you to clarify on the site plan that the project's parcel is located within the Town's residential 1 zoning district, identification of property boundaries and adjoining parcel information and then provide a signature block. Pretty minor items to cover and nothing that would stand in the way and would be able to be handled with review of the mylar.

Mr. Young – I would just suggest conditioning the approval, should the Board see fit, with addressing LaBella's letter and AI's letter which also include comments about the County.

Mr. Ford – I just want to point out that we touched base with AT&T regarding comment #5 and we feel that because AT&T is just one of many tenants on the tower, that that condition would be more fairly or justly imposed upon the County since they have control over all 3 carriers, the EM1 equipment, the microwave equipment, the ground ---- house space, basically they are there on a more often basis than AT&T would and feel that condition would be more fairly represented provided by the County than AT&T which is just one of the many tenants on the pole. That's our feedback. AT&T will agree to any lawful condition. We just feel that the County is better apt to provide that report annually instead of AT&T.

Mr. Young – So when you interact with the County on some of the items in the Code Enforcement Officer's letter, I would bring that up with them. Either way, it's got to be satisfied so if your position has been satisfied then you should bring it up with the County.

Mr. Ford – So you're going to condition the approval tonight on comment #4 as well?

Mr. Young – We will condition approval on everything that is in this letter.

Mr. Ford – Okay, I would just add that AT&T will agree to the lawful conditions that the Board sees fit.

Chairman Dianetti asked for any additional comments and there were none. The public hearing was closed.

SITE PLAN 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 February 23, 2016 by the Secretary of the Planning Board entitled Victor AT&T Upstate NY LTE 2C Project.
2. It is the intent of the Applicant to install one radio head per sector for a total of (3) three radios on existing tower. Fiber and power feeders will be added in each sector and equipment modification to existing equipment shelter.
3. The Town of Victor Planning Board reviewed the Unlisted Action on March 22, 2016 and identified no significant impacts.

4. A public hearing was duly called for and was published in “The Daily Messenger” and whereby all property owners within 500’ of the application were notified by U.S. Mail and an Under Review sign was posted.
5. The Planning Board held a public hearing on March 22, 2016 at which time the public was invited to speak on their application.
6. The application was referred to the Ontario County Planning Board under Section 239 of the General Municipal Law.

NOW, THEREFORE BE IT RESOLVED that the application of New Cingular Wireless PCS, LLC (AT&T) Site Plan entitled Victor AT&T Upstate NY LTE 2C Project located at 701 High Street drawn by C&S Companies dated October 30, 2015, received by the Planning Board February 23, 2016, Planning Board Application No. 5-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 March 17, 2016 from LaBella Associates be addressed.
3. That comments from Code Enforcement Officer, dated March 22, 2016 be addressed.
4. That an updated structural analysis be sent to the Ontario County Planning for review and approval.

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	Aye
Heather Zollo	Aye
Al Gallina	Aye

Approved 5 Ayes, 0 Nays

SPECIAL USE PERMIT RESOLUTION

On motion made by Al Gallina, seconded by Ernie Santoro

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

1. A Special Use Permit application was received on February 23, 2016 by the Secretary of the Planning Board entitled Victor AT&T Upstate NY LTE 2C Project.
2. It is the intent of the Applicant to install one radio head per sector for a total of (3) three radios on existing tower. Fiber and power feeders will be added in each sector and equipment modification to existing equipment shelter.
3. A public hearing was duly called for and was published in "The Daily Messenger" and whereby all property owners within 500' of the application were notified by U.S. Mail and an Under Review sign was posted.
4. The Planning Board held a public hearing on March 22, 2016 at which time the public was invited to speak on their application.
5. The proposed use of the property is a permitted Special Use in Chapter 211-24.
6. The proposed use is designed and located to be operated such that the public health, safety and welfare and convenience are protected.
7. The proposed use will not cause substantial injury to the value of other property in the neighborhood.
8. The proposed use conforms to all applicable regulations in the district which it is located.

NOW, THEREFORE BE IT RESOLVED that the application of New Cingular Wireless PCS, LLC (AT&T) Site Plan entitled Victor AT&T Upstate NY LTE 2C Project located at 701 High Street drawn by C&S Companies dated October 30, 2015, received by the Planning Board February 23, 2016, Planning Board Application No. 5-SP-16 BE APPROVED WITH THE FOLLOWING CONDITIONS:

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

1. That comments from Code Enforcement Officer, dated March 22, 2016 be addressed.

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 Aye
Heather Zollo Aye
Al Gallina Aye

Approved 5 Ayes, 0 Nays

TABLED FROM 2/23/16 MEETING

BENDERSON DEVELOPMENT

Victor Crossing
401 Commerce Dr
Appl No 3-SP-16

Applicant is requesting a modification to a previously approved site plan and subdivision to accommodate the construction of a +/- 6,000 sf freestanding building which would include a 2,400 sf restaurant to be located within the Victor Crossing shopping center. Applicant is also requesting dumpster enclosures for existing dumpsters behind the bldgs.

Mr. James Boglioli, Attorney for Benderson Development addressed the Board.

Mr. Boglioli – We were here a month ago regarding a site plan change. If you remember there was a bank that was approved for here in 2009. We are turning that back to what was previously approved which was a 6,000 sf building. We had a few comments at that meeting and we did address those comments with a resubmission. The first comment was that you did not want to see the connection that we proposed across the front so that was removed. We went back to the fire access road along the back with the fire access gate in the back. So that has not changed.

The second comment was regarding the elevations. If you remember the elevation previously had some flat roofs in this area. The Board wanted us to tie it in more with the existing development which we did. We added double peaks on the main frontage and that carries through on this side also. Everything else remains the same. The materials and everything are consistent with what this Board previously approved on this site which I went over at the last meeting.

This is the last building that you approved here (referring to overhead slide). As you can see the elements are similar and materials are similar. So we just carried that through with changing roof types.

I submitted a letter addressing the dumpsters as you just went through. We anticipate that we will have full control with the dumpsters by April 25, 2016, that's our target deadline at this point.

We did review the comments from the two neighbors that submitted written comments. I can quickly walk through those. They had to do with hours of operation, noise, and lighting. The current application doesn't request any changes in the hours of operation and the tenant, if the hours are not changed, is going to live by the hours that exist at the site.

As far as the odors, there are two SEQR Findings that required that filters be installed. This restaurant will have to install those. I did have our project manager reach out to Five Guys and they are going to clean their filters. I guess they got a little behind on that and if they need to

be changed, they will be on them. I told our guys they don't smell it because they are there all of the time. Whenever I get any calls, I do address them right away.

Noise; on this building there will be no outside speakers. It was already reviewed in the 2006 SEQR Findings. No setback changes and in those Findings it talked about setback of the wall, topography, and vegetation would screen any noise. There are no changes; we're bringing that building back to the way it was previously approved.

Lighting; this building adds no new lighting, there are a few building lights, they are dark sky compliant which we provided that to the Board.

I don't think there were any other comments that we received.

Chairman Dianetti asked for comments.

Mr. Gallina – I think the response on the dumpsters was very proactive.

Mr. Boglioli – We've been very active trying to deal with them and finally just decided that we needed....

Mr. Gallina –It's probably easier to manage it. I think that was a positive movement. The architectural changes are more consistent with the rest of the bldgs. It's nice to see those changes.

Mr. Logan – I echo Al's comments. I appreciate the architectural change, it looks like it fits nicely now. Again, being proactive with the dumpsters is definitely a positive and we appreciate that.

Ms. Zollo – I think the architectural improvements make it look more in keeping with the rest of the plaza. I appreciate the dumpster response as well as the filters.

Mr. Santoro – I'll just echo everybody else. I appreciate that as well.

Chairman Dianetti – I don't really have anything to add to it but as part of our policy now, we do allow the public to comment on any agenda item.

Chairman Dianetti asked for public comment.

Mr. Kav Malli from Meadowlark Lane – I just want to rephrase the fact that if the proposal goes through that those items that I submitted to be addressed by the developer, we trust that they are going to be taken care of as promised. I don't need to repeat those again but you know what they are, the gentleman just recited them now. I just trust that they do comply with those actions and requests. Thank you.

There were no other comments from the public.

Ms. Zollo – We can go ahead and vote on it but I am not comfortable making an approval on this when we still have the issue with the application of extended hours. I'd be comfortable if it were still a bank but because it's a change that is going to impact the neighbors and we don't know

what's going to happen next week with the hours, I'm not going to support this. We can go ahead and vote but....

There were no other comments.

RESOLUTION

On motion made by Joe Logan, seconded by Ernie Santoro

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

1. A Site Plan application was received on January 25, 2016 by the Secretary of the Planning Board entitled Victor Crossing.
2. It is the intent of the applicant to modify its site plan to reintroduce a freestanding 6,000 +/- sf building in which a 2400 sf restaurant is to be constructed. Applicant is also requesting to add additional dumpster corrals behind the existing buildings.
3. The site plan originally approved by the Victor Planning Board in February of 2007 included a 6,000 sf freestanding restaurant in the location of the now proposed 6000 +/- sf building.
4. A modification to the original Site Plan was approved by the Planning Board in March 2011, modifying the restaurant building to a freestanding bank in order to accommodate a potential banking tenant.
5. The now proposed site plan is consistent with the approved 2007 Site Plan and also consistent with the SEQRA Findings Statement adopted by the Planning Board September 26, 2006. Thus, no further SEQR review is required.
6. There appear to be no material differences between the 2007 approved Site Plan and the Site Plan now currently proposed.
7. A public hearing was duly called for and was published in "The Daily Messenger" and all property owners within 1,000' of the application were notified by U.S. Mail. An "Under Review" sign was posted on the subject parcel as required by Town Code.
8. The Planning Board held a public hearing on February 23, 2016 and March 8, 2016 at which time the public was invited to speak on the application.

NOW, THEREFORE BE IT RESOLVED, that the application of Benderson Development Company, LLC, Site Plan entitled Victor Crossing drawn by Costich Engineering dated January 19, 2016 received by the Planning Board January 25, 2016, revised February 26, 2016 and received by the Planning Board March 10, 2016, including architectural elevations received March 10, 2016, Planning Board Application No. 3-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 23, 2016 from LaBella Associates shall be addressed.
3. That comments in a letter dated February 26, 2016 from Code Enforcement Officer shall be addressed.
4. That the comments in a letter dated February 4, 2016 from Zaretsky and Assoc. shall be addressed.
5. That elevations for the dumpster enclosures be submitted and reviewed by the Town's architectural consultant.

Ongoing conditions:

1. That the site plan comply with Town of Victor Design and Construction Standards for Land Development, including Section 4.
2. That a pre-construction meeting shall be held upon prior to the start of construction.
3. 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.
4. The building design shall be consistent with the architectural details as shown on the elevations, received by the Planning and Building Dept on March 10, 2016.
5. All screening shall be similar in material and color and integrate with the proposed building materials and subject to the review and approval of the Planning Board. This shall include but not be limited to mechanical equipment, dumpster enclosures, transformers, meters, or RPZ vaults.

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	Aye
Heather Zollo	Nay
Al Gallina	Aye

Approved 4 Ayes, 1 Nay

INFORMAL DISCUSSIONS

MARK'S PIZZERIA

6499 St Rt 96

SBL #28.12-1-33.000

Applicant is requesting Planning Board feedback on the architecture of a possible replacement building at this location.

Mr. Mark Crane, Owner addressed the Board along with Mr. Scott Harter from Professional Engineering.

Mr. Crane – Thank you very much for making everything go smooth the last time I was here. We did receive the permit and we're ready to get started and I was thinking about it and thought about changing my mind and knocking that building down and build one of the newer style bldgs like the last 10 that we've built. I'm here tonight to show you my ideas and have some colored drawings also. The last couple of Mark's Pizzeria's that we built look a lot like this (referring to drawings that were being presented). I tried to match the buildings in the neighborhood. I brought a couple of pictures of those for you to look at. These are some of the buildings in the neighborhood that I tried to match. They have the awnings and the brick half way up. This is where I got my idea of the brick on the bottom. The last couple that I built were built like this. The building that I have drawn is 75 ft x 60 ft. We made it that big but we might make it 65 x 60 but I wanted to show you the bigger one in case we decided to build it a little bit bigger.

You have the picture of the Williamson, NY one in front of you and we built that about a year ago. That's kind of where I'm at right now and wondered what you thought of this.

Mr. Santoro – Do you know when that existing building was built?

Mr. Crane – That was probably built in the 50's or 60's, not sure.

Mr. Santoro – Has Babette Huber, our Town Historian, looked at it? (No)

Chairman Dianetti – She will definitely want to look at it. The Historical Advisory Committee is trying to preserve as many of the older bldgs as we can that are significant in the town.

Ms. Zollo – Is the proposed roof to be flat? (Yes) In this climate, isn't it to your advantage to put up a sloped roof because of the snow? (No)

Mr. Crane – Actually, a flat roof would hold up a lot better. It's a solid membrane roof. It's got a slope to it. It slopes to the back.

Ms. Zollo – It's just that the neighborhood images that you've shown us

Mr. Crane – The reason we do it with a flat roof is because of the HVAC units that sit on the roof and the --- Air Units, the side walls hide it. We try to hide all of the equipment on the roof. Most towns want the side walls and the flat roof just so you can hide everything. But the pitched roof...this building has the pitched roof that you are talking about but you just can't see it. Either style can be built. I'd rather build it like this (flat roof) to be honest with you.

Ms. Zollo – It was just a question because it's something that we are usually looking for in the town.

Mr. Crane – If the building has historical value, I don't mind leaving it up and would just continue with the way we have it. I was just thinking that we've got so much going on with it right now and if we're going to be that much into it, I thought that maybe we would make it just a little bit nicer. But if you guys would rather have it the way it is, that would be ok too. If the Town Historian likes that building....

Mr. Gallina – It's not a matter of liking the building or not, it's just the determination of whether it has historical value. I think it's worth validating. I'm certainly not opposed to a new build. I like the concept of the clapboard and the split face bottom. I think it would be nice even though it's a flat roof design for mechanical purposes, that as opposed to just having a flat front element, to have some type of pitch. I know that you showed a couple of the existing bldgs and maybe just the front part having a façade that has some type of a pitch to it versus a square flat front. I think it would enhance the look of the front of the building. Something that gives it more of a pitched appearance from the front would be my recommendation.

Mr. Logan – If you noticed on the building that Mr. Boglioli proposed for the restaurant, it had parapets but it also had some corner or central elements of entry that had those pitched roof features. Not the whole storefront being kind of a false pitched roof with everything flat behind it. That's not the goal. The goal is to have a piece that is functional. So if the entry was pitched and maybe that is where our architect would want to weigh in on it too. Rather than having a western saloon style entry, I think if you can get some elements on there that have that flavor. The clapboard and the material that you are talking about otherwise fit pretty well in the area. You could put your sign in that central feature and it would work well.

I think it's great getting a new building. I don't know if there is really any historical value to the existing barn like building. But to ask the question is a good thing to do. Personally I just like post and beam, timber type construction which I think I've reflected on before but whatever fits your business would be fine.

Chairman Dianetti – When you come in with a formal application, this will go to the Town's Architectural Consultant and we still have the Architectural Review Committee that will meet with him and you may want to reach out to them before you do too much with changes and adjusting.

Mr. Crane – This is kind of how I've done the last 10 of them so this is kind of what I want to do. If you don't like this, I'll probably stick with Plan A.

Chairman Dianetti – It might be worth sitting down with a couple of people and just discuss it because it may not take that much....

Mr. Crane -I just don't want to cut it up. The last building at the shopping plaza, I know what they did down there and that's just not the Mark's look. This is our look and this is going to be the look for the future, this is how I build them. It's just our look. I understand if you don't like it and that's why in the first place I was going to keep the barn because it kind of looks like this, it's big and square. I understand.

Mr. Logan – Just to add to what I said. What we're trying not to do is what they did at Fishers Landing which is where they have this big paste on roof that does nothing. It's more of a look. That's what this would look like if it was just a façade with just a flat roof behind it. So I think we're trying to avoid that. You want something functional. In concept the rectangular look that you have in the images that you've shown, I don't really have an objection to. It just doesn't fit in the architecture of the town.

Mr. Crane – If you look at these (referring to the pictures of the bldgs around this site)....

Mr. Logan –Those are full roofs that do something.

Mr. Crane – But these are pole barns. I think this (referring to his new building) looks far better than the barn and far better than this (building across Route 96 from this location). So what I'm saying, I don't think I'm that far off. I squared that off to make it look a little different. I like that. That's how I build them all. That's what I'm shooting for.

Ms. Zollo – You just built one in the Village of Penfield. Is that the same structure?

Mr. Crane – The one in Penfield is that (referring to one of the building elevations). The only thing different in Penfield is I don't have the red stripes because that is down in the Village and there are no blue awnings and there are ---- here. But it wasn't a Village setting so I didn't feel it fit quite as well.

Ms. Zollo – The Village of Penfield has some pretty strict requirements, don't they?

Mr. Crane – Yes, I was surprised that I was able to put that building up! I was very lucky but it took two years to get it done. The 3 bldgs that were there were in pretty rough shape. I ended up taking 4 bldgs down. That was a big project and I did that for my brother.

Ms. Zollo – But did you have to go through some reiterations while you were doing it? Did you just show them one plan and they said ok?

Mr. Crane – The one thing I did change for them is put red brick in instead of block because it was more historical. If you wanted it to be red brick (at the bottom) I wouldn't have a problem with that. It looks a little older, less modern but the basic look of the building, I really have to have that. If I'm going to spend the money to try to make it fit in with all of the other ones for the brand....I really want them to look like the rest of them. It really doesn't make any

sense.....I might as well leave the barn if I've got to change it. There's no hard feelings either way, I understand.

Mr. Logan suggested forwarding these comments on to our Architectural Consultant along with Mark's elevations.

Chairman Dianetti – I think it would be beneficial if you sat down with the Consultant and the Architectural Review Committee. This is a pretty positive reception and I don't think you're that far away from it and would hate to have you stop this process and go back to the barn. I have some experience in dealing with old barns and how dysfunctional they become no matter how much you put into them and try to add on to them, etc. So a new building would be very beneficial for the long term.

Mr. Crane – I would be willing to do it but it has to look like the rest of them. So if we could get it close, I would do it.

Chairman Dianetti – I understand that you have strong feelings about branding but I don't think from the reception that you got tonight, that you're that far away from being able to still keep your brand and people know that it's Mark's. You've worked hard to build that brand, I know that and have been very successful but I think it would be worth your time to sit down with them.

Mr. Crane – I would be willing to do that. Scott wanted to show you something about the parking.

Mr. Logan – I just have one more comment about the branding issue. I think you can have the branding. If you look at Dunkin Donuts all over the place they are in these little boxes, but if you come to the Village of Victor, there is the *Victor Dunkin Donuts* which is much more pleasant looking than the shoeboxes. I'm not criticizing your architecture but you can have a look that fits the branding of your firm but have to go contrary to the goals and objectives of the architectural guidelines that we have in the town.

Mr. Crane – I would be willing to talk to the Architectural Review Committee and see what they have to say. I went around and around with the Penfield Architectural Review Board and they wanted me to put a tower in and do that and do this and I said no I wasn't going to do it. So I'll go around and around with them but when it comes down to the look, I won't back down. It's like I told them and they were tough there, it was a two year thing but I know what I want because I've spent a lot of time getting it the way I want and I don't want to start changing it.

Mr. Harter – When we were last here, there was a comment from an individual in the audience that I think we took somewhat light hearted regarding access from East Victor Road but then we started thinking about it after the public hearing. The more we thought about it the more we thought that maybe it wasn't a bad comment after all. So we just prepared a sketch of a possible entry to East Victor Road that would connect and wanted to show you to see if you had any comments on that.

Mr. Logan – I think it helps the circulation and avoids the on/off on Route 96 from East Victor Road. Personally, I think it is well advised.

Mr. Harter – I think that when we absorb comments we are always trying to minimize the cost of the project. But then as we started to think about it, it did make sense especially as Victor is growing and as this intersection exists, there is sometimes difficulty in making that left hand turn out of East Victor Road and then an immediate left hand turn into the site.

Mr. Crane – I think he had a good point and we talked about it so we tried to make it work.

Mr. Gallina – I think anything that can improve the traffic circulation and keep traffic off of Route 96 is a positive development personally.

Mr. Harter – Where you see that located, this is just a sketch (referring to what Mr. Harter handed out to the Board members). We have a sewer connection now going that way and also have 2 power poles to straddle and we also know that we don't want to connect too close to the intersection. That really shows our best location especially with the topography. It does do more than we may have acknowledged when the comment was generated but I think that is the value of a public hearing too.

Mr. Logan – As long as you are demolishing the entire building, if you go that way, you have a lot more flexibility as to where to put that building on the site to try to match what is there. So it might open other options to you in terms of sighting the building. If you decide to go to a new building, you might want to consider that too.

Mr. Harter – Another thing that was triggered by all of this is now we're going to be crossing with this private driveway out to East Victor Road, it makes sense to eliminate that property line between the two parcels.

Mr. Crane – I don't live far from here and the last 3 or 4 we've done, we've done such a nice job on. So I figured we would at least try to see if we can get through it. I think we can do a nice job if we can get things worked out. Thanks for you time tonight.

Chairman Dianetti asked if there were any public comments and there were none.

Mr. Young – Does the Board have any direction for the applicant with which style they would like for him to pursue. The Penfield style or the Williamson style. To me they look very different. If he's going to sit down with the architect, perhaps he goes in with some direction unless you want the architect to look at both equally.

Mr. Logan – Personally I like the cleaner lines (Williamson style) if we can get some entry features on it. I know you like the uniform look across the way but it doesn't break it up.

Mr. Crane – The entryway on this is broke up. You walk in...

Mr. Logan-The overhang you see on the bottom picture. I'm just thinking the outside just has one long strip and doesn't have much character on the upper part of it. The idea was to break it up like we tend to like to see architecturally in the town. That's the basis of my comment. The building size, style and other materials, I'm fine with. I'm just looking for something to reflect the Town of Victor. I think our consultant may be able to comment on that.

Ms. Aldrich – My comment is that he should consult with Babette and make an appointment to talk with her. We've just completed with the Landmark Society in Rochester, the survey of the town and I do not know where that structure appears on that list. It's an old barn and has been there a long time. Babette needs to sign off on any demolitions.

Chairman Dianetti – I'm very optimistic with what I've heard tonight. This is a great project and it fits into Victor and I think you can work this out. I definitely wouldn't be discouraged. I've watched this group of people for a lot of years (referring to the Planning Board members) and they have done some wonderful things in the town dealing with the architecture and the feel of the town and trying to sustain that. I'd say that you have a pretty positive reception here tonight. I would definitely pursue working with the Architectural Review Committee and the Consultant.

Mr. Pettee stated that he would put Mr. Crane in contact with Mark Kukuvka from LaBella which is the Architectural Consultant for the Town of Victor. Mr. Crane stated he would get in touch with Mr. Kukuvka and Babette.

Mr. Crane will be back at the May 10th meeting if not before.

The discussion ended.

Motion was made by Joe Logan seconded by Ernie Santoro RESOLVED the meeting was adjourned at 8:00 PM.

Cathy Templar, Secretary