

**A regular meeting of the Village of Victor Zoning Board of Appeals (ZBA) was held on Wednesday, May 18, 2016 at the Village Hall, 60 East Main Street.**

**MEMBERS PRESENT:** Chairperson Sean Sanderson  
Member Kate Gruenfelder  
Member David Chalupa  
Zoning Clerk Roseanne Turner-Adams

**MEMBERS ABSENT:** Member Brian Pancoast  
Member Jim Caggiano

**OTHERS PRESENT:** Dr. Bill Ferris, Doug Eldred, Dave Nankin, Deb Najarro, Bruce Habberfield, Babette Huber, Marsha Senges, Kathy Rayburn, Gary Hadden, Al Benedict, Karen Kelliher, Steve Mancini

The ZBA meeting was called to order by Chairperson Sean Sanderson at 7:00 pm.

Salute to the Flag

**Resolution #05-16ZBA**

**Acceptance of Minutes**

On a motion made by Kate Gruenfelder, seconded by David Chalupa, the following resolution was ADOPTED 3 AYES 0 NAYS

**Resolved** to accept the minutes dated April 27, 2016.

\*\*\*\*

**Ferris Terrace/Mr. William Ferris (continuation)**

**Presentation of 3-D Renderings**

Chairperson Sanderson stated that due to the fact that this case is in technical review and Ontario County Planning Board has not yet commented that there will be no ruling at this meeting. Mr. Sanderson stated that Ferris Terrace will be presenting 3-D renderings of the proposal and the variance requests will continue to be discussed on June 15<sup>th</sup>. Mr. Sanderson stated that legally the ZBA has 61 days to make a decision.

Mr. Doug Eldred of BME who is the Engineer for the project stated that they have rendered several 3-D model views of the proposed building in context with the surroundings. Mr. Eldred stated that both gabled roof and flat roof versions will be shown. Mr. Eldred stated that he feels that the gabled roof looks nicer and fits in better with the surrounding buildings.

Dr. Bill Ferris stated that the idea for this project came by looking at what the Victor comprehensive plan is asking for such as a grocery store, pedestrian friendly activity and walkability in the Village. Dr. Ferris stated that to attract a grocery as the anchor tenant, the rent needs to be really low.

*Dr. Ferris showed 3-D renderings in both gabled and flat rooflines.*

Mr. Sanderson asked for reasons they have for favoring the peaked roof over the flat roof. Mr. Sanderson stated that he personally likes the peaked roof as the flat roof looks more industrial but if the ZBA were to grant a variance they want to grant the smallest variance possible so a 1 foot variance on a flat roof would be better than an 11 foot variance on a peaked roof.

Dr. Ferris stated that the gabled or peaked version visually fits in with the surrounding buildings and is economically less expensive by about \$200,000. Dr. Ferris explained that the maintenance on a flat roof is more expensive and the overall savings of the peaked roof would make the rent more attractive to a grocery tenant.

Dr. Ferris showed some examples of historic buildings in the Village that are 50 feet tall and over in perspective to the proposed building.

Mr. Chalupa asked if a halfway below grade level has been considered such as Fairport Landing instead of a 3 story building. Mr. Eldred stated that it is not feasible for a grocery store due to stairways.

Ms. Deb Najarro with the Finger Lakes Railway asked what other types of retail is being considered for the front first level of the building. Dr. Ferris stated that he would like to see a restaurant in the front with patio space and possibly a coffee shop, yoga studio, salon or dry cleaner.

Babette Huber who is the Victor Historian stated that when she suggested a 3-D drawing that she was hoping to see a streetscape showing the height difference of the proposed building to the red Lawyer office (old wagon shop). Dr. Ferris showed a rendering that shows it further down the street to give an idea. Ms. Huber stated that she is not in favor of the flat roofed version of the building.

Mr. Sanderson stated that landscaping is not a ZBA issue but wanted to know if existing mature trees will be saved. Mr. Eldred stated that the trees behind the building will stay and the landscaping plan is accurate showing the trees at mature height.

Mr. Sanderson stated that he prefers the look of the peaked roof and that the flat roof looks out of place. Mr. Sanderson stated that it is interesting to see that the building behind Dunkin Donuts is 60 feet high and does not look out of place.

Mr. Eldred stated that as the architect has continued to refine his drawings that the measurement of the middle peak can be 44 feet rather than 47 feet. Mr. Eldred stated that the building will also be between 5.5 feet to 8 feet back from the sidewalk rather than 2 feet. Mr. Sanderson stated that specific measurements are needed before the next meeting as the goal is to fit code or to grant the smallest variance possible. Mr. Eldred stated that they are finishing up new renderings.

Dr. Ferris stated that they received a letter from Fire Chief, Sean McAdoo addressing fire concerns. Mr. Sanderson stated that he will read the comments into the record at the June meeting and that Mr. McAdoo will be present to answer any questions.

Mr. Gary Hadden, 70 Latchmere and a Village Board Member stated that he is concerned with the egress/ingress on School Street being offset from the intersection of Adams Street. Mr. Hadden stated that the intersection is difficult at certain times of the day and wondered if it had been looked at. Mr. Eldred stated that they had contemplated lining the road up with Adams Street but that there was an issue with Victor Coal and Lumber needing room for loading and unloading. Mr. Eldred stated that they have been talking to the County about the developer constructing a bypass road to Rt. 251 which would be part of a phase 2 plan. Mr. Eldred stated that the traffic study should be finished next week and will be part of the Engineers report. Dr. Ferris stated that he has had discussions with Mr. Bliss of Victor Coal & Lumber so that he can do business as usual and not be disrupted.

Mr. Bruce Habberfield of the Finger Lakes Railway stated that he has a concern with people on the railroad tracks and asked if fencing near the railroad could be considered for safety and liability reasons. Dr. Ferris stated that fencing may be considered. Mr. Habberfield stated that he also has a concern with drainage. Mr. Eldred stated that there is a plan to improve drainage and that if the County decides to go with the bypass road that the railroad tracks won't be there anymore.

Marsha Senges of Wellington Drive asked if there is an Architectural Review Board within the Village. Mr. Hadden stated that it is part of the Planning Board's responsibility to review the Architecture of the building. Ms. Senges stated that she also has concerns about the traffic pattern. Mr. Sanderson stated that the traffic study will give strict regulations that must be followed. Ms. Senges asked how a driver will know the traffic pattern. Mr. Eldred stated that signage will be used.

Steve Mancini of 197 West Main Street stated that signage showing a traffic pattern is often violated and does not work and that forced curbing is needed. Mr. Mancini stated that the applicant has admitted that this project is self-imposed and could be built without a height variance. Mr. Mancini showed a poster showing all of the flat roofed buildings in the Village and disagrees with the proposed peaked roof version. Mr. Mancini stated that the flat roof is the true historic Village look. Mr. Mancini stated that he likes the mixed-use concept but that the pictures can be deceiving.

Mr. Sanderson stated that the Zoning Board members will consider all comments.

Mr. Chalupa asked if a brick building with a flat roof has been considered to look more like the historic Village buildings. Dr. Ferris stated that it will be considered but that brick would be more expensive.

Mr. Hadden asked what would happen if a grocery tenant is not found. Dr. Ferris stated that there is no guarantee that they will get a grocery but is negotiation with several. Dr. Ferris stated that he is very confident in a grocery or something like it.

Mr. Sanderson stated that the case will be tabled until the next meeting on June 15<sup>th</sup> when there will be a full board with comments from the Ontario County Planning Board.

Dr. Ferris stated that in closing he feels that the peaked roof really fits better with the Village character in that location and adheres to the comp plan to create something that brings value to the Village and sets the stage for the next period of growth that the Village can experience.

Mr. Sanderson stated that the Zoning Board has to legally make a decision by next month unless there is some other type of agreement.

\*\*\*\*

**ADJOURNMENT**

Meeting was adjourned on motion at 8:00 pm.

---

Roseanne Turner-Adams, Minutes Clerk