

A special meeting of the Village of Victor Planning Board was held on Wednesday, August 2, 2016, at the Village Hall, 60 East Main Street.

MEMBERS PRESENT: Chairperson Meg CHaides
Member Charles Criss
Member Steven Van Dyke
Member Peter Kowal
Member Jeffrey Swan
Planning Clerk Roseanne Turner-Adams

OTHERS PRESENT: Kathy Rayburn, Doug Eldred, Al Benedict, Dot Norsen, Terry Norsen, Douglas Scarson, Bill Ferris, Melody Burri, Douglas Fisher, Rich Linder

Meeting called to order at 7:03 PM by Chairperson CHaides.

Salute to the flag.

Resolution #20-16PB
Acceptance of Minutes

On a motion made by Steven Van Dyke, seconded by Peter Kowal, the following resolution was ADOPTED 5 AYES 0 NAYS

Resolved, to accept the minutes dated July 13, 2016.

Dr. William Ferris-Ferris Terrace
Preliminary Subdivision Plan & Site Plan Review – Ferris Terrace

Mr. Doug Eldred of BME Associates stated that he and the Developer, Dr. William Ferris have done a good amount of work to tie up loose ends since the Public Hearing on July 13th. Mr. Eldred stated that all of the Chatfield comments were addressed in the submittal letter and he stated that there have been a couple of changes since then, the first with respect to parking. Mr. Eldred stated that the proposal included 102 spaces in the first phase and 38 spaces with the second phase but in a meeting today with representatives of the railroad, Supervisor Jack Marren & Mayor Jason Ashton it was decided that 135 total parking spaces can be put in with the first phase.

Mr. Eldred stated that it was also decided that an agreement and a map be drafted allowing Mr. Mike Bliss access to his property at Victor Coal & Lumber with a designated area for deliveries. Mr. Eldred stated that Mr. Bliss has agreed verbally but would like his Attorney to review it.

Mr. Eldred stated that a traffic study has been approved by the NYSDOT a couple of months ago and a copy of the approval letter was provided to the Planning Board.

Mr. Eldred discussed the proposed access road across from School Street that was discussed at the meeting earlier that day. Mr. Eldred provided a summary map.

Mr. Eldred stated that the stormwater management proposal includes underground chambers on the site and is all self-contained.

Mr. Eldred stated that Chatfield Engineers asked that the following items need to be addressed as the project progresses.

1. Coordination with the NYSDOT regarding the extension of the stormwater easement and highway permits.
2. Coordination with Ontario County regarding access to their property for drainage, parking and access to School Street.
3. A letter of credit will need to be established for repair to the sidewalks and access to the water mains and sewers.
4. A stormwater pollution prevention plan will need to be provided.

Mr. Eldred stated that he has been working with the Fire Marshal and Fire Chief who have confirmed the proposed emergency access routes, hydrant, knox box and Fire Department connection locations as shown on the plans. Mr. Eldred stated that the whole building including the basement will be equipped with sprinklers. Mr. Eldred read an email from Fire Chief Sean McAdoo which was written on August 2nd *"I wanted to touch base with you before the meeting tonight; I apologize I cannot be present to represent the Victor Fire Department. As you can see, the applicant has worked hard to get information to the Fire Department to assuage any concerns, and has gone as far as their budgetary limitations allow. What they are proposing are code compliant, and in certain areas exceed the code. We understand the Village cannot demand the applicant does any more than the code requires, and are appreciative at the extras they have put in."*

Mr. Eldred stated that some soil testing was done as there were concerns about high ground water and the results indicated some seasonably high groundwater conditions but cannot find anything that a sump pump couldn't take care of. Mr. Eldred stated that additional testing will be done so far they are not finding any roadblocks to the proposal.

Mr. Eldred went through the emergency vehicle route and the tractor trailer route in detail as shown on the plans.

Mr. Eldred began going through the site organization checklist part of the Design Standards for the Central Business District.

50-13A(1) – The standard indicates that the building should be a maximum of 2 feet from the right of way/property line. The building is proposed to be 10 feet from the front lot line thus the project does not comply. However, during the sketch plan it was decided to have the building at 10 feet with the exception of the "jog" for the lamp post. An area variance was granted.

A. Building placement.

(1) Maximum two feet from right-of-way/property line.

50-13A(2) – The building shall be perpendicular to the sidewalk. The project appears to be in compliance.

(2) Building may be perpendicular to sidewalk to allow parking at the side (see off-street parking graphic).

50-13B – Pertains to street parking, not applicable.

50-13C(1) – Off street Parking. The project complies with some of the standards. Planning Board is to determine if the project meets the standards. Of interest is item (f) which speaks about parking spaces along the access road. The project shows parking along the access “road” from School Street.

C. Off-street parking. (reference Chapter 158 of the Code of the Village of Victor.)

(1) Location:

(a) Rear of building, if on-site parking is provided.

(b) Side of building, if overflow parking required.

(c) If at side of building, minimum five-foot landscape buffer between parking area and back edge of the sidewalk.

(d) Landscape materials: trees, hedges, shrubs, or low walls of brick, wood, wrought iron, or an acceptable substitute.

Ms. CHaides stated that the landscape plan has been submitted to the Village of Victor Tree Board for their comments.

(e) Shared access points to reduce curb cuts developed where appropriate.

(f) In no case shall parking be allowed on access roads.

C(2) – Interior Landscaping. The project appears to mostly comply. There may not be a deciduous tree within 75 of all parking spaces.

(2) Interior landscaping:

(a) Landscape island equal to one parking space for every ten spaces. Landscape island must equal two spaces if adjacent to two perpendicular spaces.

(b) No parking space shall be more than 75 feet from a large deciduous tree.

(3) Landscape requirements:

(a) Canopy/deciduous trees: three- to four-inch caliper.

(b) Small flowering trees: one and one-half to two-inch caliper.

(c) Large shrubs: thirty-inch height.

(d) Trees shall be planted so that trunk is a minimum of 2.5 feet from curb edge.

50-14A – Screening and Buffers. The Planning shall determine if the proposed screening is adequate. Of interest is the lack of screening in the loading dock area as the standard is indicated in subsection (2).

A. Screening and buffers.

(1) Landscape screening and buffers shall be designed to separate business/commercial and residential land uses.

(2) Adequacy, type, size, and arrangement of trees, shrubs, and other landscaping shall constitute a visual screen and/or buffer between the project site and adjoining land use properties, and shall include the maximum retention of desirable or specimen existing vegetation. Parking, service, and loading/maneuvering areas shall be reasonably landscaped and screened from view of adjacent properties and from within the project site.

(3) The Planning Board, in accordance with the purpose and visual nature, shall decide landscaping barriers and security needs. This can include limiting landscaping and barrier heights to limit visual obstruction. 14B – Site Lighting. The applicant has provided additional information. The lighting appears to mostly comply though there are details that are missing. Planning Board review shall be conducted.

B. Site lighting. (Reference § 65-27 of the Code of the Village of Victor.)

(1) General:

(a) Pedestrian scale and area lighting required.

(b) Fixtures designed to shield glare from adjacent streets, properties, sky.

(c) Light source (i.e., bulb) shall not be visible from any angle.

(2) Height:

(a) Pedestrian lighting: 10 to 12 feet (maximum).

(b) Area lighting: 18 feet or building height, whichever is less.

(3) Color rendition: Preferred in following order: metal halide, high-pressure sodium, low-pressure sodium. Mixtures should be avoided.

(4) Footcandles: No light shall produce glare so as to cause illumination beyond the boundaries of the property on which it is located in excess of 0.5 footcandle. Flashing or intrinsically bright sources of illumination shall be prohibited.

14C – Public Spaces. More detail has been provided. The Planning Board shall review.

C. Public spaces.

(1) Sidewalk material: Constructed of concrete or brick concrete pavers.

(2) Sidewalk width and location:

(a) Within district: minimum seven feet wide, three-inch brick accent strip.

(b) Connecting to residential districts: minimum five feet wide.

(c) Where sidewalk crosses a parking lot access drive, the concrete paving pattern shall continue uninterrupted.

(d) New sidewalks must connect to adjacent properties.

(3) Landscape:

(a) Street trees shall be planted between the curb and the building line. All street tree planting areas shall be covered with a porous, hard-surfaced grate. Trees shall not be planted closer than seven feet to the building line.

(b) One large deciduous tree for each 40 feet of linear road frontage.

(c) Tree species may include ash, locust, red oak, or as approved by Village Engineer.

14D – Sidewalk Retail. The applicant has indicated that a restaurant with outdoor seating is a possibility.

D. Sidewalk retail.

(1) Sidewalk retail strongly encouraged.

(2) Merchandise shall be removed at the close of business.

(3) No retail activity shall extend beyond five feet into the required ten-foot sidewalk.

14E – Public Connections. The Planning Board shall review. Access to trails is not proposed.

E. Public connections.

(1) Required between residential and commercial areas.

(2) If connection is a sidewalk, minimum five-foot width with a five-foot planted buffer between sidewalk and curb.

(3) If connection is a trail, minimum eight feet in width with a minimum five-foot vegetation clearance on each side.

(4) If trail is near a wetland, minimum eight feet wide constructed at the edge.

(5) Materials shall be constructed of wood-grained plastic lumber made from recycled materials.

(6) All trail connections shall be properly lighted to encourage a safe and highly visible environment.

14F – Public Plazas and Outdoor Dining. The applicant has indicated that a restaurant with outdoor seating is a possibility.

F. Public plazas and outdoor dining.

(1) Plazas. Definition: An open space that is continuously accessible to the public that may be landscaped or paved and is typically surrounded by buildings or streets and open to the sky. Plazas usually provide amenities such as seating, ornamental fountains, lighting, art, and landscaping for use by pedestrians.

(a) Strongly encouraged.

(b) Area shall be landscaped with trees, perennials, annuals, herbaceous shrubbery, ornamental lighting, and benches.

(c) Area should be constructed on side of building that receives the most sunlight.

(2) Outdoor dining. Definition: A dining area of a designated size with seating and/or tables located outdoors of a restaurant, coffee shop, or other food service establishment, which is a) located entirely outside the walls of the subject building; b) enclosed on two sides or fewer by the walls of the building with or without a solid roof cover; or c) enclosed on three sides by the walls of the building without a solid roof cover. The seating may be in addition to the indoor seating or it may be the only seating available for the restaurant. The outdoor dining area must be visually and architecturally integrated pursuant to the design standards.

(a) Strongly encouraged.

(b) Building shall be permitted to be set back from the required build-to line. However, in no case shall the building be allowed to be set back more than a maximum of 10 feet.

(c) Sidewalk cafes shall be temporary structures and dismantled during winter months.

(d) Structures shall be consistent with existing state regulations for safety.

(e) Cafes shall not extend five feet beyond the established build-to line.

(f) If at side of building, an edge matching the line of the building facade shall be created; the edge shall be made of transparent fence made of wood or wrought iron at a maximum height of four feet.

(g) In no case shall the fence/railing combination prohibit views from the sidewalk into the cafe area.

Architectural Design

50-15A(1) – Proportion. The project complies with this section.

A. Proportion:

(1) Minimum two functional stories; maximum three functional stories.

A(2) – Maximum building height. The building is proposed at 44 feet to the peak. A variance from the Business district regulations was granted.

(2) Maximum height: 35 feet.

A(3) – Maximum of 10,000 square feet with a footprint of 5000 square feet. The project does not comply with this standard. The Planning Board may waive this standard.

(3) Maximum: 10,000 gross square feet; 5,000, building footprint.

A(4) – Maximum of 50,000 square feet for grocery. The project complies with this standard.

(4) Maximum: 50,000 gross square feet allowed for grocery.

Mr. Eldred introduced the architect, Mr. Rich Linder from Barkstrom & LaCroix Architects who went through the checklist for architectural guidelines and design standards for the Central Business District.

A(5) – First story height. The applicant indicates that the first floor will be 14 feet.

(5) First-story height shall be a maximum of 12 feet measured floor to floor.

50-15B – Roof. The project in general complies with this standard.

B. Roof.

(1) General:

(a) Pitched and flat roofs permitted.

(b) Gambrel or mansard roofs not permitted.

(3) Pitched roofs.

(a) Shall complement overall style of the building.

(b) Materials shall not be reflective.

(c) Colors shall complement the overall character of the building.

(d) Shall incorporate measures to prevent falling snow and ice onto the sidewalk with alpine snow guards.

50-15C – Fenestration. The project does not appear to comply with all aspects. The Planning Board shall determine compliance or what standards can be altered or waived.

C. Fenestration.

(1) Overall facade composition shall break the building down into smaller distinct portions to provide a small-scale impression.

(2) Building transparency is important at the street level. Consequently, ground floor level shall have a minimum 50% glass surface that is oriented vertically.

(3) No floor to ceiling windows are permitted. Do not have any floor to ceiling windows in the plan.

(4) Second-floor windows shall relate to the first in shape, form, and pattern.

(5) Second-floor windows shall make up at least 30% of the facade. Mr. Linder stated that the plan is slightly below 30%.

(6) Storefront construction shall be recessed enough at the point of entry to allow the door to swing out without obstructing the sidewalk.

(7) Windows shall not be mounted flush to the exterior of the facade.

50-15D – Awnings and Canopies. The first floor of the project complies with the standard.

D. Awnings and canopies.

(1) Strongly encouraged on building facades that face public streets.

(2) One awning shall be permitted for each window or door of the facade.

(3) Awnings must be fastened to the facade of the building and not supported from the ground; shall not extend more than seven feet from the facade; and no portion of the awning shall be nearer than seven feet from the ground.

(4) Awning materials:

(a) Shall be constructed of canvas.

(b) Plastic and metal awnings are not permitted.

(c) Internal lighting or backlighting is not permitted.

(d) Color schemes shall be consistent with the colors outlined under materials and colors below.

(e) Retractable awnings are permitted. Mr. Linder indicated that the awnings will be fixed.

50-15E – Specialty Equipment. This section deals with screening of roof top and ground level mechanicals as well as screening of dumpsters. Details are required in order to determine compliance to this section.

Mr. Linder provided an example of screening that he used on another job as an example.

E. Specialty equipment.

(1) Rooftop mechanical equipment, satellite dishes, antennas, etc. Shall be screened from public view with the use of architecturally compatible materials, parapet, or wall.

(2) Ground-level equipment such as dumpsters and loading docks: Shall be screened from public view with landscaping materials, natural material walls and opaque fencing, or other design treatments compatible with the finishes of the principle structure.

50-15F, Materials and color. More detail is required as well as Planning Board input is needed in order to determine compliance.

F. Materials and color.

(1) Facade materials:

(a) Common red brick.

(b) Special masonry units (colored, textured, painted).

(c) Natural stone, stone veneer, or concrete product.

(d) Wood. Mr. Linder stated that wood will not be used.

(e) Vinyl siding of high quality simulating a natural material.

(2) Unacceptable materials:

(a) Plain (bare) masonry units.

(b) Plain vinyl siding or flat-surfaced.

(c) Metal siding.

(d) Imitation stone, plastic, composite, or resin products.

(3) Trim materials:

(a) Finished-grade painted or stained wood.

(b) No bare, lumber-grade wood allowed.

(c) Windows shall have anodized aluminum or wood frame, not bare aluminum frame. Mr. Linder stated that the windows will be vinyl.

(4) Building colors: Colors shall be chosen from a commercial paint distributor's historic color pallet and shall be approved by the Village of Victor Architectural Review Board. Fluorescent colors are not acceptable.

Mr. Linder stated that the building will be tan prefinished paneling with white trim with green fixed awnings. Ms. CHaides stated that the building colors will need APRB approval with a certificate of appropriateness. Acceptable Historical color palettes were given to Mr. Linder.

Mr. Linder showed renderings of the proposed building. Mr. Swan asked about the two small doors in the back. Mr. Linder explained that the doors are only for residents to use and they will need to use a keypad or fob to open the doors. Mr. Eldred stated that trash chutes to a compactor are being added to the plan so that residents won't need to carry trash out the back doors to the dumpsters. Mr. Eldred stated that the doors probably won't be used very much but are required per code.

Ms. CHaides stated that it was brought up that some of the historic buildings in the Village have a decorative oval starburst at the peak of the roof and asked if one could be added to the proposed building. Mr. Linder stated that he can add a half round oval to the plan.

Mr. Swan asked about the door to get out of the garage. Mr. Scarson asked if there is only one way in and one way out. Mr. Linder stated that it will be a single wide door for 64 cars to enter and exit. Mr. Scarson asked if any thought had been put into separating the entrance and exit doors in case one door breaks down. Mr. Linder stated that it would take up more width to separate the doors. Mr. Van Dyke asked if the residents will have access via a fob or keypad. Mr. Linder stated that it has not yet been determined.

Ms. CHaides asked if Code Enforcement has any questions or comments. Mr. Benedict stated that he would like to refer back to his comments from July 11, 2016 as he tried to set it up with site plan procedures followed by subdivision review and then the architectural codes that we just went through. Mr. Benedict stated that he recommends that if there are changes that are requested that they be put in writing to complete the preliminary process.

Mr. Criss stated that he has concerns about the entryway for deliveries as people may use it as a shortcut. Mr. Criss suggested adding speed bumps to keep the public from using that road so that it is not as convenient. Mr. Eldred stated that it can certainly be looked at.

Mr. Criss asked if permeable black top has been considered. Mr. Eldred stated that it is quite expensive and can only be used in flat areas. Mr. Eldred stated that the storm infiltrators will serve that same purpose without some of the maintenance headaches. Mr. Benedict stated that the parking lot at Walmart uses the same infiltrator as proposed and it seems to work very well.

Mr. Criss stated that he has a concern with the traffic light on Rt. 96.

Mr. Eldred discussed the traffic pattern.

Mr. Eldred stated that cars will only be able to exit to the right. Mr. Benedict asked if the light will be a flashing red. Mr. Eldred stated that the light will probably be a flashing red indicating right turn only.

Ms. CHaides read through the Ontario County Planning Board remarks and the conditions of the approval. *“Modification #1: The referring board should take no action on granting subdivision or site plan approval until the stormwater details provided by BME are reviewed and approved by the Village engineer and the County Department of Public Works”*

Mr. Eldred stated that this has been done and at a meeting today the plan was conceptually signed off by Jack Marren Boss of Bill Wright, the Commissioner of Public Works. Ms. CHaides read the next steps that need to be taken from an email from Village Clerk Pam Hogenes who attended the meeting:

“Need blessing from the County Attorney, need blessing from County Public Works re: drainage plan will work and that the project/parking, etc. will in no way affect the RR operations, Need blessing from County Board of Supervisors”

Mr. Eldred stated that this will take some time but it is not needed for the first phase.

Ms. CHaides read the second modification that the Ontario County Planning Board made *“Modification #2: The referring Board should take no action on granting subdivision or site plan approval until the applicant, the County Department of Public Works and Finger Lakes Railroad representatives discuss the potential impacts of the current stormwater system design, proposed parking spaces and proposed access point across from Adams Street, on County property and rail infrastructure, and ensure that the impacts identified are mitigated. Subsequently, County approval for the use of the County’s property as outlined on the site plan must be obtained prior to approval by the local board.”*

Mr. Eldred stated that this was also discussed at the meeting today. Mr. Eldred asked that these comments be conditions of the approval as the Planning Board approval would help get tenants to commit to the plan.

Mr. Kowal asked for more time to digest the new information and stated that he likes the concept and plan but would like more time to read through all of the paperwork. Mr. Van Dyke agreed.

Ms. CHaides asked what Mr. Kowal and Mr. Van Dyke propose. Mr. Swan asked if a special workshop would be possible.

Discussion amongst Planning Board on possible meeting/workshop dates.

Ms. CHaides stated that a workshop will be at 3pm on August 11, 2016 and a decision will be made at the regular meeting on August 24, 2016.

Dr. Ferris stated that in all respect to the board as it is a big decision asked if it would be possible to take a week or so and then have an additional special meeting as if a decision is not made until August 24th it pushes the whole timeline to “winter construction” and it is more money.

Ms. CHaides stated that the Planning Board is in need of comments from the Tree Board and SEQR comments from Chatfield Engineers.

Discussion amongst Planning Board and Mr. Eldred regarding the Tree Board

MEMBER REPORTS

Mr. Swan stated that he has noticed that the barber pole has not yet been raised at 2 West Main Street, Millsy’s Barber Shop which was determined to be out of code at the July meeting. Mr. Scarson stated that he will follow up.

Mr. Criss stated that the house at 263 Maple Avenue has been purchased and that a permit may be needed for the clean-up of the property. Mr. Scarson stated that he will follow up.

ADJOURNMENT

Meeting adjourned on a motion at 9:08 PM

Roseanne Turner-Adams, Planning Clerk