

A regular meeting of the Town of Victor Planning Board was held on January 9, 2018 at 7:00 p.m. at the Victor Town Hall at 85 East Main Street, Victor, New York, with the following members present:

PRESENT: Ernie Santoro, Chairman; Joe Logan, Vice Chairman; Heather Zollo, Al Gallina, Rich Seiter

OTHERS: Wes Pettee, Town Engineer Consultant; Kim Kinsella, Project Coordinator; Cathy Templar, Secretary; Councilman Dave Tantillo, Town Board Liaison; Kate Crowley, Conservation Board; Dante Gullace, Gordy Phillips, Marsha Senges, Patrick Liberti, Lisa Brotsch, Wayne Brotsch, Julie Doyle, Chauncy Young, David Hahn, Fred Rainaldi, Scott DeHollander, Elliott DeHollander, Babette Huber, Ann Aldrich, Douglas Fisher, Scott Morell, David Nankin, Jean McCreary, Greg Franklin, David C. Nellis, Ken Curry, Tom Zaso, Ruth Nellis, Jean Laitenberger, Gerald Birmingham, Edwin Rueda, Lee Wagar, Jeff Knapp, Dan Duprey, Kate Crowley, Bejan Bahan, Mary Neelin, Fran & Monica Murphy, John C ?, George Beckinghausen, Andrew Spencer, Ralph Antetomaso, Tom Hooker, Bob Schlueter, David McLaughlin, Maura Hayward, Brian Emelson, Nancy & Gene Pratt, Kevin Christman, Suzy Mandrino, Bob Lowenthal, Steve Maybeck, Bill Mendick, Carla Biuse, Mick McHugh, Maureen D-Frazer, David Frazer, Mason James & Luba, Ryan McElhiney

CORRESPONDENCE RECEIVED

- Jean Laitenberger re: Gullace project
- Marsha Senges re: Gullace project
- Ken Curry re: Gullace project
- Greg Franklin re: Royal Carwash

APPROVAL OF MINUTES

On motion of Joe Logan, seconded by Al Gallina

RESOLVED that the minutes of **September 26, 2017** be approved.

Ernie Santoro	Aye
Joe Logan	Aye
Heather Zollo	Aye
Al Gallina	Aye
Rich Seiter	Abstain, not at meeting

Approved 4 Ayes, 0 Nays

On motion of Al Gallina, seconded by Heather Zollo

RESOLVED that the minutes of **October 11, 2017** be approved.

Ernie Santoro	Aye
Joe Logan	Abstain, not at meeting
Heather Zollo	Aye
Al Gallina	Aye
Rich Seiter	Abstain, not at meeting

Approved 3 Ayes, 0 Nays

On motion of Joe Logan, seconded by Heather Zollo

RESOLVED that the minutes of **October 24, 2017** be approved.

Ernie Santoro	Aye
Joe Logan	Aye
Heather Zollo	Aye
Al Gallina	Aye
Rich Seiter	Abstain, not at meeting

Approved 4 Ayes, 0 Nays

On motion of Al Gallina, seconded by Heather Zollo

RESOLVED that the minutes of **November 14, 2017** be approved.

Ernie Santoro	Aye
Joe Logan	Aye
Heather Zollo	Aye
Al Gallina	Aye
Rich Seiter	Abstain, not at meeting

Approved 4 Ayes, 0 Nays

BOARDS & COMMITTEE UPDATES

CONSERVATION BOARD reported by Kate Crowley

- Andrew Phillips is new member
- Cash Blier will not be able to continue on Conservation Board which leaves an opening on the Board.

TOWN BOARD reported by Councilman Dave Tantillo

- Winterfest at Parks & Rec’s facility – Saturday, February 10th from 1:00 – 4:00
- Parks & Recreation master plan will be worked on. Last time was adopted was 2007. Ryan and the Citizens Advisory Committee put in an RFP. A resolution will be drafted on the 22nd to hire the firm to do a town survey to update master plan.

- Organizational meeting – approval of the meeting schedule, rules of order, official town newspaper
- Route 96 Corridor Committee Update – TYLin is developing a draft report and other deliverables between January 15th and February 2nd. The Steering Committee will review it during February 5th and 16th. Then TYLin will put final report together and present to Town Board with the recommendations of Steering Committee and input from residents.

Mr. Logan stated he agreed to be the Liaison for the Planning Board and would like to get together with Rich Perrin to be updated. Councilman Tantillo stated the presentations are on line to review.

- Roundabouts are slotted through out the town and other connections
- Special thanks to the Highway Dept for the great job that they are doing with the road.

PLANNING BOARD reported by Kim Kinsella

- January 23, 2017 meeting
 - PUBLIC HEARING
 - Salsburg Subdivision at 1169 Cork Road – 3 lots
 - Pi Craft Pizza – review the fence on the outdoor patio

APPLICATIONS

TABLED FROM 12/12/17

GULLACE PROJECT – PUBLIC HEARING HAS BEEN CLOSED

995 Co Rd 9

App No 19-SP-17

Owner – Lynaugh Road Properties, LLC

Acres – 17.13

Zoned – Multiple Dwelling

BME Associates on behalf of Lynaugh Road Properties, LLC is requesting site plan approval for 69 for sale townhouse condominiums in the Town of Victor to consist of a combination of 3 and 4 unit blocks for a total of 52 units on the eastern portion and 17 units on the western portion of town lands. The property is owned by Lynaugh Road Properties, consisting of approximately 17 acres and is zoned Multiple Dwelling.

Mr. Alan Knauf from Knauf Schoff addressed the Board along with Mike Bogojevski from BME Assoc.

Chairman Santoro made the announcement that the Gullace Project's public hearing had been closed but there would be a short amount of time at the end of the discussion for any "new" comments.

Mr. Knauf – Good evening. We were asked for some renderings so we do have a rendering showing a typical 3 unit townhouse building. *Mr. Knauf passed out hard copies to the Board members.*

Chairman Santoro – These are 3 units?

Mr. Knauf – Yes, the other garage is on the end (*the elevations showed 2 garages*). My understanding is that the engineers met and I believe resolved the issue with the hydrology and all. I think we've addressed all of the issues so we'd ask for a vote tonight. I've said it before, so I'll be brief, the project complies to zoning, it's far below what the allowed density is and we would ask that you approve it. If there are conditions such as landscaping and what not, we're happy to accept some reasonable conditions like that. But I think most of the people who are objecting don't like the zoning but it is zoned for a multi-family and this is well below what is allowed by code.

Chairman Santoro – You're not going to get a resolution tonight. We have some issues to go over that came up in the last few weeks.

Mr. Pettee – So LaBella Assoc did provide an updated memo regarding the groundwater investigation. Our memo is dated January 2, 2018. Initially, we had requested that the applicant provide a study or report to define the source of any underground springs and identify potential impacts to the groundwater source and impact to the surrounding properties as a result of the proposed development.

The applicant had their professionals provide us with a hydrogeological report and a subsurface exploration and geotechnical engineering report that basically describes some parameters on the groundwater and the hydrogeological conditions within the study area. In general we believe that the portion of the Gullace project that is most likely to impact the existing residences along the East Parkway is the portion that would be located within the Village, the single family home portion just because of the proximity to those residences.

There are some details like the surface water runoff and the proposed grades of the project that would lead us to believe that the Gullace project wouldn't really adversely affect the existing residences. I've asked our Senior Geotechnical Engineer from LaBella Assoc to join us tonight and he was able to help us review these reports that the applicant provided and maybe could give us more detail about the proposed project and some engineering methods that would be beneficial to the project.

Mr. Tom Zaso from LaBella Assoc – As Wes mentioned, I reviewed the reports prepared by the professionals. They provided data, they didn't provide conclusions necessarily. I think it would be somewhat difficult to get to definitive conclusions without a substantial significant effort that would take a large amount of time. The issue really is groundwater flow and you'd have to perform some more monitor wells in the ground and allow for time so that you could see the flow. It's a significant effort and I don't know that the value in doing that is there because there is not a lot of conclusive information that would come out of that necessarily.

I think the grading plan that was reviewed by the team really gets to dealing with the control of the water on the site. The water that is coming out of the air is going to infiltrate into

the ground and generally will go away from those houses on the south side, go downhill away to the northeast and be picked up and you get stormwater control.

The grade goes downhill to the northeast and in general the groundwater is going to follow the grade. That's just how groundwater works predominately. The water will flow away from those houses to the south. Also there's going to be stormwater control, stormwater facilities placed on the site that is going to control any water that hits the hard surfaces, the roadways. Those will be controlled and carried by grade and pipe. One of things that happen is when you install the utilities, it helps to control the water, it keeps the site dry during grading and allows for the water to be controlled. There's going to be some piping that is going to act like fingers and drain the water downward and away from the residences on this side.

That's a summary of what we looked at. I think in general, the groundwater is going to be handled appropriately.

Mr. Pettee – Tom, could you point out where the field inlets are proposed in this project that are close to the residences on East Parkway, they're in the backyards.

Mr. Zaso pointed out the areas.

Mr. Zaso – Another thing that we discussed potential to help control water along this line is to install an interceptor drain in between those manholes or inlets. That will help also to keep any water that in general a lot of times the grading in the back of the houses are away from the house as a normal practice. If the water wants to drain this way, away from the back of the houses, a good idea would be to install an intercept drain on the back side of the property line.

Mr. Pettee – That stormwater infrastructure leads northward, right? (That's correct) Do those utility lines sometimes act as conduits for the groundwater to enter into those trenches?

Mr. Zaso – That's what I was trying to get to. Once those are installed, there's clean stone at the bottom of them that surrounds the pipe. If groundwater wants to come up, it will generally get caught in those lines and be conveyed away from the site.

Mr. Logan – Can you comment on how staging might affect the plan, the interim performance of this system. I don't recall whether the applicant is building the houses in the Village first or later. He's suggested that they will start on the eastern end of the new road off of Lynaugh, up to or near the intersection they are proposing in the site. So there will be a large swath that isn't touched in the first phase of the Town part and I don't know if that's done after the Village or simultaneously. Have you had a chance to look at staging?

Mr. Zaso – I have and general the first thing that we talk about when we make recommendations in Geotech reports is to install any drainage, just as I was mentioning those utilities as storm drains. If that can be done initially, that would be a big help to help drain the site and keep the ground water down and conveyed away from the adjoining properties. But if it's staged, I don't really know if that would really have an affect necessarily on the groundwater.

Mr. Logan – I guess I'm concern that once they start carving away at the road network or working on houses on the Village side, then where is that hard surface water going to go? It's

supposed to be collected in the road and run to the system over to, I presume, the stormwater collection pond to the north east. Is that true Joe?

Mr. Picciotti – That I'm not sure of.

Mr. Logan – I guess I would like to see the developer discuss that.

Mr. Zaso – I think there could be some flushing out or some sequencing. So often times sequencing does have an effect on how things are graded and if the grading is done in a way that is appropriate then it's not an issue.

Mr. Logan – We're just seeing this thing done in stages, it could affect how water gets to that stormwater retention pond.

Mr. Zaso – Absolutely. Again, not to be redundant, if there is a way to encumber the entire stormwater system initially at the onset, that would be helpful. I'm not sure if that's possible but that's something that would alleviate you of that concern.

Chairman Santoro asked the rest of the Board members if they had any questions for Mr. Zaso.

Ms. Zollo – I was just going to ask the same thing that Joe did about the phasing of the project. We've had this happen in the past where projects are approved, everybody agrees the grading is good, the drainage is good, then we wind up with residents coming in here saying they have water pouring through their basement windows. So we want to avoid that at all cost. Can you guarantee that, can the developer guarantee that?

Mr. Zaso – I can't, that would be a question for his team.

Ms. Zollo – Okay, I just want to make that clear. Wes, in your memo, you said that the County Planning Board issued a Class 2 recommendation. Did you mean to say for "disapproval" because then you go on to say that this Board would need a majority plus 1 vote and the County comments did say, they recommend disapproval.

Mr. Pettee – That's on the October 2016 memo right? (Yes) *Mr. Pettee read some of the language in the County comments.* I wonder if that's a typo.

Ms. Zollo – I think it is.

Mr. Pettee – Cathy has the County Planning Board comments and you're right that should be a disapproval. Thank you for picking up on that.

Mr. Knauf – I think the initial memo might have been correct. The original recommendation was approval and then this year, the County Planning, I guess they couldn't find the traffic study and recommended against because they didn't have the traffic study. So I think they had conflicting recommendations. I guess we would request the Board ask, if you're not going to act tonight, to

ask the County Planning to reconsider because we didn't really understand what happened. They didn't have the traffic studies that were done. It didn't make any sense to us.

Ms. Zollo – Yes, they say that they didn't get them.

Mr. Knauf – Yea and we did the traffic studies and they didn't have the traffic studies which made no sense to us so they voted *no* based on the fact that they didn't have the traffic studies that we thought they had. I don't know whose responsibility it is that the Town should have sent...I mean I thought the Town sent all of the material over with a full statement. But apparently they didn't have the traffic study. So I guess if you're not going to vote tonight, we would request that you do send it over and ask that the County Planner reconsider.

Mr. Pettee – That's an interesting point. I'm just seeing here that the County Planning Board minutes were from August 9, 2017 and our initial memo was dated August 21, 2016 so I think that's something that needs to get straightened out.

Ms. Zollo – Okay and their notes say that the Ontario County DPW has yet to receive responses to the comments and concerns outlined above and they had 16 items that they were looking for as part of the traffic reports.

Mr. John Turner, Village of Victor, DPW – There are several problems that I have with this. The first problem that I have is if the Town Planning Board does not approve this project, the Village portion cannot go forward with it because all of the stormwater management goes into the Town and that's the biggest problem that we have right now. That groundwater is all going to come to the Town anyhow so it's all going to come in your stormwater management.

The second problem I have is shared services. If you see the way they have it planned, you come down here and just like Jacobs Landing and not many people remember, but now we have to stop right here (referring to the Village/Town line) with water and sewer. The problem that we have right now is all of the sewer is going to go into Farmington. I'm not sure how we're going to bill all of these people (referring to the Village). That's a problem.

The next problem is we're going to do water that comes out of our district into the Town, do we bill our people and bill those people? That's another problem that I have.

The next problem is we provide lighting district that is paid by the residents. We stop right here with our lighting (referring to the Village/Town line), what's going to happen down here? I have a problem with that.

The next problem is we do garbage, then we've got to turn around and come back and then we have to do the other residents.

The next problem is with the Town, Mr. Years (Highway Superintendent), we plow to here and stop here (referring to the Village/Town line). We pick the plows up, turn around and we come back. Who's going to take dedication and who does what? This is not the original proposal, it was a cul-de-sac which would have made it simple on our end. It's not that I have anything against the Town, but it would make it simple.

So then we're going to have to have a PRV which is a meter pit for all of this stuff up here and then snowplow and maintenance. They had one proposal that this was supposed to be Town and this was supposed to be Village.

The water with your hydro, if you don't approve down here with your retention ponds, we can't build this because all of this drainage that will help out East Parkway is going to go down here, that's the way it's going, right to that pond. So if this is built or you don't approve it, we cannot build this.

Chairman Santoro asked Board members if they had any questions for Mr. Turner.

Mr. Logan – John, at what point did it get changed from a cul-de-sac to a continuing road?

Mr. Turner – 2005. It's been 3 or 4 different...the problem is they can't have that many homes in our zone so they had to reduce the density to make it work which is fine but to do this, we have problems right now with Jacobs Landing with shared services with Lynaugh Rd. We just got done with Monroe County and all that other stuff and trying to figure that out, it's just going to be a nightmare.

Mr. Logan- Have you and Mark Years gotten together to discuss this? You're asking questions about a finished project, if it gets all approved, who's going to plow and all of that, I would have assumed by now that you guys would have figured that out.

Mr. Turner – Right, but let's say this whole project is approved (referring to the Town portion). So what are you going to do here (referring to the Village portion)? So now you have a deadhead street, another deadhead street, a deadhead watermain, the sewer....

Mr. Logan -I can see one being conditioned on the other if you're going to rely on the linkage between the two.

Mr. Turner – Right if there is a linkage but if you don't approve this (Town section), my stormwater management for this whole section is based on the Town's approval. I can't pump the stormwater uphill. It's a big issue.

Mr. Logan- At one point it was a cul-de-sac.

Mr. Turner – The original was a cul-de-sac.

Mr. Logan – What was the treatment of that?

Mr. Turner – The treatment was supposed to come out of this backyard, over to the park and then to our pump station over in the corner.

Mr. Logan- A pump station for brown water or sewer?

Mr. Turner – Sewer. We have a pump station by that house so it was coming through the park. That's why Brian and I had to put everything on delay with upgrades to the park because the original plan was to come through there with a cul-de-sac and the Town is the Town and the Village is the Village. We do garbage so all of my garbage trucks come down here, go down the street, turn around, come up and pick up people.

Ms. Zollo – Can you clarify, the Village hasn't approved this yet either?

Mr. Turner – Our part? (Yes) I haven't seen anything in 3 or 4 years.

Ms. Zollo - Okay, just wanted to clarify.

Mr. Knauf – If I could just briefly address the comments. I think it seems to me that the groundwater issue for your purposes is resolved, we don't really have an issue. As far as the Village, whatever intermunicipal agreements or requirements, we're happy to work out. I think as the representative for the Town Board indicated, the snowplow stops at the municipal line and I assume they keep going, they don't put on the brakes. So if they have to go into Perinton or Pittsford or whatever here, you know if an agreement is worked out, we have municipal boundaries, that's the way it is. But we're happy to work out whatever reasonable accommodations or agreements and work with the Town and Village. As far as the phasing and stormwater; Mike Bogojevski from BME can address that.

Mr. Bogojevski – Good evening. Just to help with Joe's question about the pond construction and the phasing of the stormwater. The first thing that does typically go in is that stormwater management facility. Both existing and proposed runoff, like Tom had mentioned, does head to the north. So with the pond being constructed with Phase 1 basically, the continued construction of the storm sewers would only help to collect any additional stormwater runoff and convey it to the pond.

Mr. Logan- I'm going to have you rephrase that. Which is Phase 1, is it the Village or Town portion?

Mr. Bogojevski – Either one, the pond has to go in first.

Mr. Logan – But you're still going to have to carry that water to the pond through an uninitiated phase, if you will, because you're not planning on connecting the roads during phases 1 and 2, if 2 is the Village and 1 is the Town eastern portion.

Mr. Bogojevski – Either way the pond has to be constructed first.

Mr. Logan – Getting the water there is my concern, not that you're building a pond.

Mr. Bogojevski – The appropriate storm sewers would have to be constructed along with the phase.

Mr. Logan – So you're going along the road network, putting it in the ground, not necessarily building a road or maybe putting subbase in for the road without pavement?

Mr. Bogojevski – Initially they could be put in without any of the road.

Mr. Logan – So I guess one of my requests would be that for an approval from this Board, we would have to know that there are intermunicipal agreements worked out and in place for the eventuality of this project if that's the case and that your staging is going to be such that all of that stormwater infrastructure is built at the beginning of the project so that water is patrolled properly.

Mr. Knauf – We're only asking for approval in the Town.

Mr. Logan - But I'm not going to approve something that if the Village gets changed and the water has to go somewhere else or vice versa if the Village gets approved.....

Mr. Knauf -The Village might never get approved. So we're asking for approval from the Town. If we don't develop in the Village, I don't understand....

Mr. Gallina - ...If that's the case then we should treat this as a concept drawing for the Village portion and the design and site plan approval would be independent for the Town which means that could necessarily have a deadhead at the end of the road there. It would have to be built as a cul-de-sac on an appropriate design as an independent site plan.

Mr. Knauf – We do plan to develop in the Village but I can't...I mean it's a chicken and egg kind of thing.....

Mr. Gallina -No actually it's not. We're here to approve the Town portion of this proposal. (Right) So that would be approved independent of any eventuality of the Village portion.

Mr. Knauf – Right, we could do a contingency that if the Village is not approved, we could do the cul-de-sac or whatever.

Mr. Logan – What we don't have is a configuration that would support a cul-de-sac right now. There's not enough room with the housing that you're showing on that plan. Honestly, if you're looking at the hammerhead on the west side of it with a turn around for fire equipment and other maintenance, snowplows and things like that, I don't see room for anything like that on the eastern section.

Mr. Knauf – We can give you an alternate

Mr. Logan -You understand our dilemma right? What Al was saying and what I said about coordinating the two pieces, one or the other will have to happen first.

Mr. Knauf – Right and none of us have control over what the Village does, so....

Mr. Logan -But you still need to have an intermunicipal agreement in the eventuality that actually gets approved.

Mr. Knauf – Right, if it does get approved, we understand then we'd have to work out whatever...

Mr. Logan -the sewers and everything else....

Mr. Gallina -But then that would get conditioned that the Village would ----- contingent on the Village approval would be the intermunicipal and if they're not able to strike that agreement then the Village portion would not be approved.

Mr. Logan - So does your sewer design change with no Village piece attached to it? So it's basically gravity from the deadhead on that southern portion of the Town parcel through the rest of the development?

Mr. Bogojevski – That's correct, everything is heading north and east. The upstream dead ends within the Village side, just as you described.

Mr. Logan – How then would the runoff work if there were no Village portion....it's the same type of question. If you leave it fallow, you don't touch it....

Mr. Bogojevski – As far as stormwater runoff, it would still enter the Town portion. It would have to get picked up and directed to the pond.

Mr. Logan –So there is no impact to the residents to the south of the property if nothing gets done on the Village portion of the lot. I just want to make that clear.

Mr. Bogojevski – Definitely with stormwater heading to the north. There is no blocking off stormwater.

Mr. Knauf – Just so I understand. Are you saying...I mean we could give you an alternative if the Village was not approved.

Mr. Gallina – We have to assume there is no Village approval. Again, we need to treat this as an independent....

Mr. Knauf -Right, so you're asking for a hammerhead? I guess we could give you that as an alternative that we would put in the hammerhead. We'd probably have to make an adjustment, we would have to adjust the site plan a little bit so we could give you that to fit that in.

Chairman Santoro – Or you might put us in a position if we do approve this, to make it contingent upon the Village's approval.

Mr. Knauf – That would not be appropriate. I mean we have a right to develop our property complying to zoning. I understand your practical concern but it should not be contingent on the Village approval. We have a right to develop our property in the Town in compliance with the zoning law.

Chairman Santoro – Well also in compliance with other considerations as well.

Mr. Knauf – Right, you’ve already made a negative declaration. I understand your issue so we can resolve that, we can give you something on that. But it should not be contingent on approval of the Village because if we just don’t develop, I mean that’s the way it is now, I don’t see how that’s a reason to stop development in the Town.

Chairman Santoro – One other issue has arisen as well and that is Lynaugh Road and Church Street traffic calming and there has been a question about the definition of a collector road vs a primary road.

Ms. Jennifer Michniewicz – I looked into how Lynaugh, Church and Co Rd 9 are classified. NYS DOT classifies both of those roads as major collectors. From the Town traffic standards, they list AADT (Average Annual Daily Traffic) volumes as the threshold for determining the roadway classification and there is a 3,000 vehicle limit, if it’s above 3,000 versus below 3,000. Whereas, NYS DOT is very prescribed, the Town traffic standards are a little bit not as clear, there’s some flexibility in there I would say. There is some language in there that says a primary road dedicated used to carry greater than 3,000 vehicles and a collector is used to carry up to 3,000 vehicles.

Mr. Knauf – Where are you reading this from?

Ms. Michniewicz – This is from the Town of Victor Highway and Construction Standards Section 2.9.1 and .1 defines primary roads and .2 defines the collector roads. So the traffic study was done in 2013 and at that time, Lynaugh had just under 2600 vehicles which is below that 3,000 vehicle threshold. Co Rd 9 had just over 3200 so it’s over that 3,000.

The issue that I’m struggling with is that it’s not based on how the roadway functions, it’s based purely on a traffic volume and if that traffic volume were to increase based on the Victor standards, the roadway classification changes. Where with DOT, it is what it is. I know that this has the issues with the setbacks and what the Planning Board and the zoning would require as far as the setbacks. I read through the minutes from the last meeting and you had said that whatever the Planning Board decides then you go with.

Mr. Knauf – Whatever the definition is. It would seem to me that whatever it is now is what....if it’s a collector road or a primary today or at the time the vote was taken, that would be the standard.

Ms. Michniewicz – So the question for the Board is there has always been this traffic issue within the Town and planning for the “if come” versus the “now” and from a planning perspective what’s the appetite of the Board?

Chairman Santoro – So this affects the setback issue.

Mr. Knauf – Right. I just think the definition is what it is today not what it could be.

Mr. Picciotti – The definition of the Town Traffic Standard which is the Town’s Construction Standard, it says “used to carry”. So it doesn’t say as of build date or not. So the question is whether there is a discretionary issue there or not for the Planning Board. So it’s not a standard

similar to what you see in the DOT standards. So it's up to the Board whether they have discretion to make that determination. If in the foreseeable, they view these roads as carrying more vehicles than they do now in the foreseeable future, that's the issue. It's not as cut and dry in terms of if it's 3,001 vehicles than it's.....it's just not that clear.

Mr. Knauf – Are the projections that there above 3,000? Is there any scientific bases or engineering basis for that?

Mr. Picciotti – Again, it's up to the Planning Board.

Mr. Knauf – I'm just wondering if there are any studies or data.....

Ms. Michniewicz - ...The growth rate within the Town is going up 1% - 2% so there is potential that it's going to grow. The issue is with the NYS DOT, both of those roads are classified as major collectors.

Ms. Zollo – And you said that based on the traffic studies that we're dealing with right now, that Co Rd 9 had greater than 3,000 which would make it a 50 ft setback, correct?

Ms. Michniewicz – The primary road, whatever the setback is according to the zoning.

Ms. Zollo – And Lynaugh because it was under 3,000 would have the 30 ft setback.

Ms. Michniewicz – I believe so yes.

Chairman Santoro asked for any other comments from the Board and there were none and stated this would be on our next available agenda.

Mr. Knauf - When does the County Planning meet again then? (It was noted they meet the day after the Planning Board).

Ms. Templar asked if Mr. Knauf was going to attend the County Planning Board meeting.

Mr. Knauf – My understanding was the Board had asked for them to reconsider based on the data, the studies that they weren't given. It seems kind of odd to me that they made the decision based on the fact they didn't have studies that I think this Board had.

Chairman Santoro – Did you send them and you found that out?

Mr. Knauf – I believe so. We'll follow up with them and get an explanation. Okay, so we're on for the next meeting?

Chairman Santoro – We'll see what happens.

Mr. Knauf – Thank you

Chairman Santoro asked the audience for any brief comments on anything that hasn't been heard before and there were no comments. The discussion ended.

The legal notice for the public hearings appeared in "The Daily Messenger". 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.

THE APPLE FARM

1640 St Rt 444

Appl No 38-SP-17

Owner – Pick Your Own Inc

Acres – 142.70 Zoned – Residential

SBL # 39.00-1-23.000

The Victor Apple Farm LCC is currently operating out of the storage/production building under a temporary building permit which expires January 23rd. The applicant is requesting to continue in this location permanently. Along with utilizing the storage/production building, applicant is also asking for the approval of an 8ft x 16ft mobile kitchen to be placed adjacent to the temporary store facility. The owner of the property is Pick Your Own, Inc, consisting of 142.70 acres and is zoned Residential. This is the first time this application has been before the Board.

Mr. Bejan Bahai, owner and applicant addressed the Board.

Chairman Santoro – So you want to make permanent the location that you're presently using for sales, is that correct? (Yes) You are the owner of the Apple Farm, right? (Yes)

Mr. Bahai – I'm not sure what to do. I need to know how I should proceed given limited means. I was just a farmer and now I feel like I have to figure out how to be a property developer.

Chairman Santoro – Well, we have a resolution in front of everyone. Why don't we go right to that.

Chairman Santoro asked for public comment and there were none.

Mr. Logan – It sounds like he's unable to comply with certain requirements that have been put forward to the business in relation to a hardship.

Mr. Bahai – I'm working on some plans to dig out of a hole. But in the mean time I need to know what is permissible.

Mr. Logan – You need an extension of time with the condition that you're in using the configuration that you're proposing, I guess is the bottom line, correct?

Ms. Kinsella – We're trying to help him so that he can get through this season. He proposed this and it was a temporary measure. He had a temporary permit to operate until January 23rd in which time we requested him to make site plan application to come back to the Board for a more permanent situation to help him until he can decide what he's going to do in the future, if he's going to rebuild or whatever his plan is. But to keep him operating, to do this through the Planning Board and then he would get a building permit.

Mr. Logan – So he's looking for an extension on the current condition. (Yes) Okay, I'm trying to get down to the bottom line.

Mr. Bahai – I think I need some kind of an extension so that I can have more time to figure out what needs to be done to make it more permanent.

Chairman Santoro – How long of an extension are you looking for?

Mr. Bahai – I don't know what is in the realm of possibilities, but...

Mr. Logan – Month to month...half year to half a year...year to year. There's a whole range that we can help you with. I certainly don't want to see your business fail, it's been a good one for a long time.

Mr. Bahai – I think 2 months will be enough time for me to have more of a plan figured out.

Mr. Logan – How about we give you 6 months, I wouldn't have a problem with that at all.

Mr. Gallina – I'd rather error on the side of longer so that we don't have to keep doing temporary fixes.

Mr. Logan – We're more than willing to work with you.

Mr. Gallina – My only concern is even on the interim temporary basis, the health and safety requirements are mandatory. I don't feel comfortable flexing on anything that is health and safety related. The dimension of the driveway and some of the other things, I'm comfortable being flexible but anything that the Fire Marshal and is health and safety related, we've got to make sure we're meeting those obligations.

Mr. Bahai – That's fair.

Mr. Logan – Is that something we can have them comment on?

Mr. Bahai – There was one question that I had about the outside storage (referring to the Fire Marshal's comments). I wasn't sure what that included as outside storage.

Chairman Santoro – Well back in 1983 you got a Special Use Permit to display and sell other farm related products and produce, homemade baked goods and preserves, natural foods, dairy products, eggs, maple syrup, honey, bedding plants, seeds, nursery stock and to have an area to display farm animals. That’s what your special use permit was at that time. Is that still in effect? *It was stated that it was still in effect.* If there are other things that you want to do, you’ll have to propose them and this will give you time to do that, if we give you an extension.

Mr. Logan – Most of that was generally during picking season except for the food which you had in the building. The animals were usually out there when you were doing the pumpkins and apples and everything else. But that doesn’t really happen until later in the year or do you do events during the summer too?

Mr. Bahai – It’s pretty quiet until the fall again.

Mr. Logan – So the 6 months which is what Ernie is saying will give you some time to contemplate that. Is that fair?

Mr. Bahai – That’s fair.

Ms. Kinsella – I just want him to go away with clear clarification from the Board. That means you give the extension for 6 months, we expect him to come back in with the site plan application for whatever your building is going to be. I want you to understand.....

Mr. Bahai - ...If I don’t have a better clue in 6 months, then I have other problems.

Ms. Zollo – Then the Code Enforcement items that you have, some of which you can take care of readily working with 911, getting your numbers on your bldgs and that sort of thing. (Certainly) So just work through those points and the Fire Marshal’s comments to make sure that you’re getting everything worked out. (Okay)

Mr. Logan – I guess I would expect that you might come to the conclusion that it might take you awhile to do those things. I guess we’d want to see a plan for that and a start and end date to it, whether it’s 3 or 6 months from start to finish or a couple of years. I don’t know. It’s a lot of money you might have to put in for roads and stuff like that. As long as we have an end date.

Chairman Santoro asked for any other comments and there were none. The public hearing was closed.

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 October 23, 2017 by the Secretary of the

Planning Board entitled The Apple Farm.

2. Applicant is requesting a six (6) month extension of a temporary site plan approval to operate the retail aspect of the business from their storage and production bldg. Applicant is seeking temporary approval for a 16 ft x 30 ft store located within existing storage and production bldg. Applicant is also requesting temporary approval for an 8 ft x 16 ft mobile kitchen to be placed adjacent to existing bldg.
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.
4. The Planning Board held a public hearing on January 9, 2018 at which time the public was permitted to speak on their application.
5. The application was deemed to be an Unlisted Action pursuant to Section 8 of the New York State Environmental Quality Review Act Regulations and a Short Environmental Assessment Form was prepared.
6. On May 18, 1983 a Special Use permit was granted to display and sell other farm related products and produce home-made baked goods and preserves, natural foods, dairy products, eggs, maple syrup, honey, bedding plants, seeds, nursery stock and to have an area to display farm animals.

WHEREAS, the Town of Victor Planning Board reviewed the Unlisted Action on January 9, 2018 and identified no significant impacts; now, therefore, be it

RESOLVED, that the project, The Apple Farm will not have a significant impact on the environment and that a negative declaration be prepared.

NOW, THEREFORE BE IT RESOLVED that the application of The Victor Apple Farm LLC, received by the Planning Board Secretary October 23, 2017, Planning Board Application No. 38-SP-17, BE APPROVED WITH THE FOLLOWING CONDITIONS:

1. That the Coordinated Fire Service Site Plan Review comments dated December 6, 2017 be addressed.
2. That the comments dated December 29, 2017 from the Code Enforcement Officer be addressed.
3. That a building permit for the new location and the mobile kitchen shall be obtained.
4. That Department of Health approval be obtained for the new location and the mobile kitchen.

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

DISCUSSION

Chairman Santoro – So this is subject to your extension and doing all those things within that 6 month period.

Mr. Bahai – Okay

Mr. Gallina – Just one thing that is not clear. For the conditions, do they need to be met prior to utilization under the temporary approval or anytime during or after....there’s just no time sense meeting those conditions.

Chairman Santoro – There’s a 6 month time frame.

Ms. Kinsella – I think we would want him to address those prior to him getting a building permit.

Mr. Gallina – Okay

Ernie Santoro	Aye
Joe Logan	Aye
Heather Zollo	Aye
Al Gallina	Aye
Rich Seiter	Aye

Approved 5 Ayes, 0 Nays

OMNITECH LOT AR-3B-

7670 Omnitech Place

Appl No 44-SP-17

Owner – MCA Group LLC

Acres – 8.40 Zoned – Light Industrial

SBL # 15.01-1-71.000

Applicant is requesting approval for the construction of a two phase +/- 44, 400 sf single story building with associated parking and utility improvements.

Mr. Andrew Spencer from BME Assoc addressed the Board.

Mr. Spencer – Good evening. With me this evening is the MCA Development Group, Bill Mendick and Carla and Ralph. They can answer some questions that I may not be able to answer for the Board. What we are looking for this evening is to get approval for another round on this particular lot of Omnitech Business Park. This Board has reviewed this particular lot on a couple of different occasions and have approved at least two different versions of site plan.

The first version of site plan was approved in 2008/2009 and it included two 30,500 sf bldgs on 2 separate lots. In 2011 a lot consolidation was approved by the Board and a single "L" shaped building was approved on this particular lot. What we're looking for today is approval for a building that will be constructed in a two phase process but it is a 44,000 sf building on this particular lot. There will be no subdivision that will be required. The applicant is looking for approval for a medical use on the property and a 22,000 sf building to the north of the property along with parking to service that particular portion of the building with two access points.

Phase 2 of the project will include the southern building along with its parking area and a third access point into the site.

Mr. Logan – I assume there's not going to be any need for large trucks and deliveries and things like that for this plan for that building? Delivery vehicles but nothing big.

Mr. Spencer – That is correct. Originally, when the site was developed it was developed as more of an area where you could pull in the large tractor-trailers and there were 3 access points from Omnitech Place in the original approval; one to the southwest, the center portion and this portion. The secondary approval reduced it down to 2 access point which was the southwest point and the northeast point. Now because of it being a dual phased project, we're looking for 3 access points out of Omnitech Place.

Mr. Logan – Are you looking to get all of your grading down for both bldgs in the first phase just to get it cleaned up without having to do a lot of extra grading?

Mr. Spencer – Yes, in essence this pad is build ready. It has been graded out for a building. We need to modify those grades based upon some of the soil conditions that exist today and modify a little bit of the grading for that additional curb cut onto Omnitech Place. But in essence, it is ready to go for building.

Another point to make to the Board; SEQR was completed during the full preliminary approval process for Omnitech Business Park. So no further SEQR needs to be completed by the Board.

Additional improvements for the site would include private connections to the public utilities that exist on Omnitech Place today. There is water service to the southwest, there is sanitary sewer that runs along Omnitech and the storm system was completed back in the origination of the project and installed just to the west of this property. All stormwater would be directed into that area.

One of the items that we are requesting of the Board is a reduction in the setback of the building. Originally, there was an 80 ft setback that was approved for the overall project. We are looking for a reduction of that to 69 ft which is for the Phase 2 portion of the building. The applicant has gone from two 30,500 sf bldgs for a total of 61,000 sf down to a 54,000 sf building down to now a 44,000 sf building. He's trying to make everything out of this property that he can. This is the bare minimum that he'd like to build for a reduction of the size of the bldgs and ask that the Board would consider reducing that setback. Because this was done under clustering provisions, Town Law 278, the Planning Board does have the ability to reduce that setback so no variances would be required.

We did receive comments from agencies as well as Town Staff. We did provide a letter of response to that dated January 5th. The majority of the comments were technical in nature but

I would like to address a few of the non-technical aspects of the project. One being the architecture of the building. There were a few architectural questions. I just wanted to let the Board know that all the materials on this building are going to be consistent with the other bldgs on the site. The split faced block, the EFIS colors, the coloration of the building itself are all going to match what is out there today and what was formally approved as well. There is no change to this. I do have a listing of those materials if the Board does need to know that.

There was one comment about the mechanical equipment. At this stage of the building design, that has not been formally designed as yet. The intent would be rooftop mechanical equipment (air conditioning units and the like) they will be screened from the view to the surrounding roadway network as has been done on the other bldgs in the project.

There was also a comment from Codes regarding the application of a landscape buffer between this property and the Commercial district. A 100 ft buffer is required. The applicant contends that this development sits on the exact footprint of both of the other 2 development projects. We still contend that no further buffering is required between these two properties. They will not have trucks coming in and out of this facility, it will be vehicles and cars. There is a natural buffer to the north of the property. There's a treed area along this area that is not being disturbed.

I will entertain any questions that you may have. I do realize that you may not be able to approve this, this evening because it was referred to Ontario County Planning Board and they still need to review this and send their recommendation for approval. So we'll most likely have to come back to this Board for hopefully a final approval.

Chairman Santoro – Before we open this to a public hearing, Brian do you have any comments from Parks & Recreation?

Mr. Emelson – Good evening. Currently the applicant has a verbal agreement with Victor Hiking Trails for a trail on other portions of Omnitech facility. It's on parcels 72.300, 72.200 and 72.100. So the applicant has a verbal agreement with Victor Hiking Trails. What we'd like to request is not only a small easement to the Town on the subject parcel in question tonight but also the consideration of the applicant to take the existing verbal agreement with Victor Hiking Trails on the other contiguous parcels and convert that into a Town easement.

Chairman Santoro asked Mr. Emelson to point out the area being discussed.

Mr. Emelson – We'd be looking in this area but off the map on other parcels that have not been developed there is an existing multi use trail.

Mr. Logan stated there was a sketch in their packet.

Mr. Emelson – What we'd be looking for is to convert that verbal agreement and this is similar to what we do in a lot of our projects that are successful and to potentially a permanent easement to the Town for a trail. We can provide you with some specs for that. I think I sent an email out that described what we'd be looking for. Then to link up with a small portion of the trail easement on this parcel and then eventually continue on to the sidewalks on 96. What we're looking to do is essentially increase the connectivity. The adjacent parcel is the Town's Lehigh Crossing Park. There's also the Trolley Trail in there. We have a long term discussion to put up

potential bicycle-pedestrian bridge on the former abutments of the Trolley Trail to carry trail users over to the Lehigh Valley Trail. It makes sense from a trail connectivity and a Parks & Recreation planning device to potentially seek out taking these agreements and converting them into a permanent easement. I realize though that the subject parcels that we'd like to get easements on are not related to this project but I wanted to bring it to the applicant's attention as well as the Planning Board's attention. Other than that we don't have a comment with the parcel, we worked with the applicant to acquire no cost easements for our parking area at the Auburn Trail and Philips Road years ago. But in light of this project, we'd like to bring this to your attention.

Chairman Santoro asked Mr. Spencer for comments.

Mr. Logan – Brian the alignment that you showed on your sketch, it goes across a wooded area of that lot across the street from this development and then continues on to a couple of other parcels within that. In that wooded area, have you looked at whether there is a wetland or any kind of drainage through that space because its right near the property line with Wilkins RV.

Mr. Emelson – I have not looked at that. Chauncy Young from Victor Hiking Trails is here to comment.

Mr. Young – I'm the trail boss, we've got 65 miles of trails and I try to keep them up to date. What was your question Joe?

Mr. Logan – The parcel across the street from this development is adjacent with the property line with Wilkins RV. It's heavily wooded until it gets to the next parcel. It looks like there is some drainage or wetlands in there. (There are) Have you guys scoped that out to see if it would work?

Mr. Young – The property line with the Wilkins RV, which is about where the line is where the wetlands are. So the trail right now is about 25 ft towards the west from the Wilkins' line at this point in time.

Mr. Logan – So there's kind of an active informal trail....

Mr. Young -No, there's an active trail.

Mr. Logan – So there is an agreement to allow Victor Hiking Trails to use it and you want to convert it to a permanent easement.

Mr. Young – Right, the other thing, up in the far upper right hand corner of the property (*Mr. Young points the area out*) we would just like to have a “nick” right across there so that we can get to the property up here (referring north of Omnitech) in case this is ever developed. This is a big beautiful piece of property that probably won't get developed but we're looking for a little line for an easement for that future development. It comes beautifully right off the end of this trail, comes down through here and all the way down to Lehigh Crossing Park (*Mr. Young pointed the areas out*).

Mr. Logan – As long as the applicant is happy to accept that.

Mr. Young – The only thing that we can ask for is that corner but if we can work with the applicant on getting the rest of it as an easement to the Town, that would be wonderful. As you know I have plans for a suspension bridge.

Mr. Logan asked for the applicant's response.

Mr. Spencer – The answer is yes, I forgot to bring that up in the presentation. We have talked about it and I believe the applicant is amenable to allowing an easement. I believe they are requesting a 20 ft easement in that area and I believe we can do that. As to the remainder of the trail and a formalized easement, I cannot comment on that at this time so that'll be something that the trails committee and the Parks & Rec will have to continue discussions with the MCA Development Group to formalize that further.

Mr. Logan - So for this application we can get that put in as part of the plan (Yes). Okay.

Chairman Santoro opened the public hearing and asked for public comment and there were none.

Ms. Zollo – I believe you mentioned this but it didn't sound like you were going to comply with the Code Enforcement about the 30 ft landscaped buffer. He said that the area is about 100 ft in length and does not equal 30 ft in width in some areas and that it's just some grass and trees. So the code requires that it be 30 ft between the two districts, the Light Industrial and yours. Can we make sure that we have our 30 ft buffer?

Mr. Spencer – We would request that the Planning Board approve the project as being presented today which is consistent with the overall Preliminary approval and the two previous approvals for this. There is a buffer area to the north of the site which is a wooded area. We don't feel we can provide 30 ft along that stretch without adversely affecting the location of the roadway in that area. *Mr. Spencer pointed out the area.* A portion of it is greater than 30 ft and there is a small portion that is not. This is an existing curb cut coming off of Omnitech Place right now.

Ms. Zollo – So on your drawing are those proposed plantings or are they already existing?

Mr. Spencer – There are some proposed trees along the northern boundary line and within the parking lot in those locations.

Ms. Zollo – You have 12 parking spaces that are land banked, is that correct?

Mr. Spencer – That is correct, that is for the Phase 2 portion of the project.

Ms. Zollo – That seems like a lot of parking. Did you get our comments from our landscape consultant? (We did) Any comments?

Mr. Spencer – We responded in that letter of January 5th. Was there something in particular that you needed clarification one?

Ms. Zollo – I think he’s just looking for landscaping to soften the looks of the bldgs, more shade in the parking lots. Is that what you proposed? (Yes)

Ms. Templar stated that the January 8, 2018 comment letter from Zaretsky Assoc, they stated that they had no further comments at this time.

Ms. Zollo – Okay, then you have Conservation Board comments where they were looking to make sure the snow storage areas were away from the wetlands.

Mr. Spencer – That’s the intent, to supply snow storage to the north and south. *Mr. Spencer points the areas out.* The intent is not to push snow over in that area. What we have designed is on the back side of the parking, to have a timber rail, a guide rail and underneath that would be a foot wide or 18” wide stone area for first flush of pollutants. So any snow that does melt and flows underneath that guardrail, the first flush would go directly into the soil and not across that hillside and into the wetland as a further precautionary design element.

Ms. Zollo – Thank you

Councilman Dave Tantillo – I’m not sure if this affects the planning but part of the Route 96 Corridor project, one of the proposals is taking Willowbrook Rd and going through the “forever wild” next to Bristols and having a signalized intersection on Route 96. So the thought was traffic, if people were going to Pinnacle or trying to get to Fishers, they may not want to go through the Main Street Fishers intersection and go through that curve there. So I’m not sure what type of traffic calming...I just want to make sure you guys are aware, if that project does get approved as part of the Route 96 Corridor, that Omnitech is going to have a lot of traffic coming around that curve. I just wanted to bring that to your attention to make sure that when you’re planning this, to do what you have to do to make sure that our residents are safe.

Mr. Logan – Dave, how is the Town acquiring that piece of Willowbrook Extension?

Councilman Tantillo – Right now we’re in the stages of presenting it to the public and it was well received. Then putting on a dollar amount as to what it would take to develop it and then once the projects are then vetted out, presented to the Town Board. At that point we would have to make a determination as to what projects can we do at each stage. But I just wanted to make sure you folks are aware of that coming down the pike, that that potential Omnitech Rd is going to be more heavily traveled if that project gets approved. I just wanted to bring it to your attention.

Mr. Logan – I think that parcel is owned by Kitty (VanBortel).

Ms. Zollo – Is that a wetland there?

Councilman Tantillo – So once again, that was a proposal and we're working with TyLin to figure out what it would take to develop that land adjacent to Bristols. I just wanted to bring it to your attention, I didn't know if you knew.

Mr. Gallina – It looks like the square footage from the last approval to this one goes down by 7700 sf so that's a good direction. The total parking between paved and banked goes from 304 to 264 so we're down by 40 or so. Those are both moving in a positive direction. Is there any equivalent factor for greenspace, what the impact would be, is it neutral +/- from the previous?

Mr. Spencer – The greenspace increased a little bit on the parcel, it's now 53%.

Mr. Gallina – Is there any assessment relative to traffic impacts? So relative to whatever plan you are envisioning here, is that a net trip generator compared to the last approval or reduction or neutral or indeterminate?

Mr. Spencer – There is no appreciable difference in the traffic projection that's being utilized on the streets right now.

Mr. Gallina – So maybe if we could just get that documented as part of the responses so that we'd have it for future traffic analysis.

Chairman Santoro asked Ms. Michniewicz for comments.

Ms. Michniewicz – As long as it's in the same square footage as what was approved in the original SEQR, then there shouldn't be any traffic related issues.

Mr. Gallina – Yea again, I just don't know if there was particular plan usage in which could actually increase trip generation or decrease it or...

Ms. Michniewicz – Not that I'm aware of. But I do think getting that documented is a great idea.

Mr. Logan – I'm fine

Ms. Zollo – Is this 2 bldgs or 1? Will it eventually be 1 building or 2 separate bldgs?

Mr. Spencer – It will eventually be 1 single structure. There will be no space between the structures, they will be brought together. The reason it is 2 phases is that now there is a tenant that requires 22,000 sf with this number of parking spaces and this is an expansion into the southern portion and they may expand at some determined time. What we're looking for is approval for the overall 44,000 sf structure.

Ms. Zollo – Okay thank you

Chairman Santoro asked for any other comments and there were none. The public hearing was closed and the discussion ended.

SCOUT RESERVE SUBDIVISION

Co Rd 9/Aldridge Rd

Appl No 1-SK-17

Owner – Victor Community Church

Acres – 28.70 Zoned – Residential

SBL #16.00-1-7.200

Scott DeHollander from DeHollander Design Inc is submitting a sketch plan consisting of 7 lots at the corner of Aldridge Road/County Rd 9. The lots would be accessed from Aldridge Road. The owner of the property is Victor Community Church consisting of 28.70 acres and is zoned Residential. This is the first time this application has been presented to the Board. The action to be taken this evening would be to determine if the applicant has presented enough information to be considered a complete sketch plan application.

Scott DeHollander addressed the Board.

Mr. DeHollander – I currently have a purchase offer with Victor Community Church to purchase this piece of property located at Aldridge and Co Rd 9. You may be familiar with it, it's a really unique piece of property and that it has a sloping topography to an open pond and wetland area that is located close to the intersection, some stands of smaller diameter trees as well. It's a fairly wooded site.

Our intention is to develop the northwest corner into 7 building sites with the balance of the property, make a significant reservation with both the combination of conservation easement and we we'd like to talk to the Town about a possibility for a passive recreational area to include that wetland.

The home sites would be situated outside of the wetland area. Its frontage, the 2 most western lots would have a shared driveway. The balance of the home sites, we're proposing individual driveways.

Aldridge Road has both sanitary sewer, water and gas so we're proposing connections to those utilities. We received some correspondence from the Highway Dept regarding road crossing and we're still waiting for word to confirm the capacity of the sanitary sewer and from the Water Authority for connection to the water main.

The parcels are fairly deep and off the plan the Thruway does skirt the south property line. You may be familiar with the overpass on Co Rd 9, our parcel goes all the way back to the Thruway from Aldridge Rd.

We did have a conservation site walk on Sunday. We noted that there is an intermittent stream that our project tends to incorporate into the project but will be removed from the footprint. It runs from the northwest corner to the southeast corner, across the site and that is a tributary to Ganargua Creek. The home sites that would back up to it, we feel would be sufficiently separated from the channel. It's an intermittent creek but you wouldn't be interfering with positive drainage.

One of the other comments that came from our site walk, if you're looking at our site plan, we had proposed stormwater features on the opposite of this intermittent creek but we

found that it may be more suitable to put them on the Aldridge Road side of the creek and we'll make that change. Both locations would be outside of the Army Corp wetland area.

The comments received from the Town Engineer had some concerns about the disturbance area. We do feel that 7 lots would be at or slightly below the 5 acre maximum. If a full SWPPP is required, we certainly can prepare that but our intention is to keep the scope of our project concise, compacted.

We also received some comments from the Parks & Rec folks and I think this is the most exciting part of our project, this is exactly what we want to do with this project. We'd like to make a significant contribution, a significant reservation. We would like to talk more about how this large piece that we don't intend to develop could be a passive recreational area. There is sort of a unique element opposite the Duck Hollow Road, there's a gravel driveway on the site plan for the Sunset Manor project. But I think it's an old abandoned section of Co Rd 9 before the Thruway was built. It offers a really unique area. It crosses our property for a trail head and for trail head parking and the Parks & Rec people specifically noted a need for a place to park their trail maintenance equipment. Then I think the reserved area itself would be really conducive to additional hiking trails and making use of the open water area that's part of the wetland. My son is interested in seeing if there are any fish in it but it hasn't been very good fishing weather lately!

That's pretty much what I have as an introduction. This is really our first step into the project and are anxious to hear what the Town Planning Board has to say about our sketch plan and if the public has comments. We're anxious to move on with that feedback to the preliminary stage and get down to some detail design.

Chairman Santoro asked for a motion to open the public hearing. Motion made by Al Gallina, seconded by Joe Logan.

Chairman Santoro asked for public comments.

Mr. Fran Murphy from 6815 Aldridge Road – From our location to theirs it's at least a 30 ft drop (referring to Lots 1 & 2). How are you going to build houses there? It's a 30 ft drop at least, then the terrain goes down there. I don't know how they will build houses, not until you get out here someplace, there's enough land far enough above water level to build a home. So I don't know what the plans are to bring huge amounts of fill in and where do they plan on getting the fill from?

Chairman Santoro – We don't have that yet.

Mr. Murphy – Okay, that's my comment. Thank you

Ms. Kate Crowley – We did submit comments from our site walk on Sunday and from other sources including OnCor. It is a unique site, this parcel that Scott is proposing to develop. It's actually GC2 in the Natural Resource Inventory. If you reference page 211, there's a description of the co-occurrence. The site contains 5 resources; wetlands, streams, steep slopes as the neighbor just pointed out, flood plain and woods.

When we were looking at the site and the development that is proposed, the type of cluster development fits with the green infrastructure that's present on the site. There are some challenges that are going to have to be overcome and considered as engineering plans are done.

One of the things of note is the intermittent stream that does come in at the top, the northwest corner of the property. It appears that someone tried to alter the course of that stream previously and the stream quality could actually be improved if it was rechannelized by a knowledgeable heavy equipment operator. We also noted that there was water flowing in that channel when we were there on Sunday.

There's also a manmade pond in the northeast portion of the property that we were not able to get over to see. Drainage on the site is very important and the stream serves the wetland that is in the east corner. Then the outlet to Ganargua Creek runs south from that.

One of the things that we talked to the applicant about as we were walking the site is stormwater management. If the engineer could consider having stormwater management areas on the same side of the creek as the bldgs are. There will be 2 south of the creek on the proposed site with the remaining houses north of the creek.

We also talked to the applicant about stream crossings. If they were perpendicular to the stream there would be less impact. We also noted as he's thinking through how to develop the site that there's actually 3 crossings proposed today and if there was a way to co-locate those services, 2 of them I think are sanitary sewer, it may be less impact to that stream.

Like I say, the ecological communities are unique, they vary. There is a deep emergent marsh which is fresh water. Again, it's going to be an interesting site to develop because of the hydric soils that are there. We did notice as we were walking south of the creek, it was wet even with the land being as frozen as it is right now. Thank you.

Mr. David Frasier from 6746 Aldridge Road – The one question that I would have for the builder at this time is within those 7 lots, is there a general idea of the size of the home he wishes to build and the starting price? I'm just trying to get an idea of whether we're looking at \$200,000 houses, \$300,000 or \$400,000. Will it be similar to the Anton Rise houses that are behind us? What are the intentions?

Mr. DeHollander – To the price point, it's consistent to the houses across the street. I'm not a builder, I'm a developer working with Gerber Homes. Gerber Homes is building a house right around the corner, on the corner of Anton Rise and Co Rd 9. Gerber's built several houses on Dryer Rd and the price point will be consistent with your expectations.

One of the reasons that we configured large and small lots is to attract people who want a larger footprint potentially and that drives a higher price point as well. We anticipate something that would be very consistent with what's across the street.

Can I also address the other comments? Mr. Murphy wondered about the grade issues. There is a grade differential from Aldridge Rd. We do anticipate that Lots 1 & 2 would require some fill. We anticipate that there would be about 3 to 4 ft of fill required to get positive drainage away from the house to the drainage way that exists across the site. But we do feel that we can achieve positive drainage there and that it's a workable situation and will prove that out through preliminary design and final certainly. The grade differential is closer to 10 ft verse 30 ft. There is significant grade on the site. The grade is between the Thruway and Aldridge Rd do vary in that way, about 30 ft. One of the significant things that we'd like to preserve with a

conservation easement is that the wooded area, that buffers the Thruway. So we don't anticipate any changes or plan to make any changes there.

Relative to the comments from Katie (Crowley) and the Conservation Board, we're 100% in agreement on the rechannalizing of the creek to provide a riparian buffer and I think we can work through whatever permits that would be necessary to do that. The creek crossing, she is absolutely correct, we want to co-locate them and put them so that we're minimizing a future maintenance issue there.

There are certainly some unique ecological communities on the site but as she noted, we clustered out the project so that we minimize our impact to those areas. We'll continue to move forward. We'll have to wait and see how things work out with regards to any other comments but at this point, that would be my commitment if you decide to move forward, we would diligently address the issues that might come forward.

Mr. Brian Emelson, Director of Parks & Rec – I believe I filed some comments already on the project and then as the applicant works through, I'd like to understand what their intent is related to a conservation easement on this site. The potential I think was mentioned for a looped trail system, as I recall within the site. There is a challenge of getting across Co Rd 9 so we'll have to take a look at where to put that parking area and where to put a trail head so we have some type of connectivity to the Village on the Park. The Town has a large 70 acre parcel across the road from this consisting of athletic fields, playground, sledding hill, trails along the drumlin. So we'd like to provide some connectivity between the two subdivisions if possible. So we'll take a look as the project works itself through. Thank you

Chairman Santoro asked for any other public comments and there were none.

Mr. Logan – On the drawing you have labeled Lot 7 in the northeast corner, 1 acre. You're not applying for an undevelopable lot. Is that 1 acre?

Mr. DeHollander – On the sketch plan, we've left the balance of Lot 7 of 21.0 acres.

Mr. Logan – I'm seeing 7 building lots and then Lot 7 of 1 acre unapproved building lot on the sheet that I have.

Mr. DeHollander – The 1 acre lot of what I submitted to the Planning Board does not show the 1 acre property line. We sort of left Lot 7 grouped with the balance of the raw land. Our intention is to make some conveyance of the balance of that property. So that plan reflects what Lot 7 might look like but the plan I submitted, we're just keeping Lot 7 as a 21 acre lot until we sort that out.

Mr. Logan – I guess the confusion for me is you have Lot 7 of 1 acre as one of your bldgs. Now you have Lot 7 unapproved building lot on the upper right corner.

The confusion was 2 different sketch plans had been circulated.

Mr. Logan – Is that actually Lot 8?

Mr. DeHollander – No it isn't. It may in the preliminary application be broken off and shown to be a conveyance but we have no intention of creating an 8th lot.

Mr. Logan – What parcel is that remaining part of?

Mr. DeHollander – I hope that it is a passive recreational park area.

Mr. Logan – Owned by whom?

Mr. DeHollander – The Town of Victor.

Mr. Logan – Is that something that fits Brian?

Mr. Emelson stated that he would need to look at it more thoroughly.

Mr. Logan – Okay, so that's under discussion is what you're saying. I'm looking at Lot 7 and there are two Lot 7's. So I don't know what it's supposed to be.

Mr. DeHollander – The hard copy represents our intention at this time. It's the balance of the property.

Mr. Logan – Okay

Mr. Gallina and Ms. Zollo had no questions at this time.

Chairman Santoro explained what the Sketch Plan resolution was and that it was not an approval of the project but only the acknowledgment of a complete application.

RESOLUTION

On motion made by Al Gallina, seconded by Joe Logan

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

1. A sketch plan application was received on November 21, 2017 by the Secretary of the Planning Board for a Major Subdivision entitled Scout Reserve Subdivision.
2. It is the intent of the applicant to subdivide 33.7 acres into 7 lots.
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. An "Under Review" sign was posted on the subject parcel as required by Town Code.
4. The Planning Board held a public hearing on January 9, 2018 at which time the public was permitted to speak on their application.

5. The Conservation Board reviewed the sketch plan and had a site walk on January 7, 2018.
6. In a letter dated January 5, 2018, LaBella Associates sent a summary of their findings and recommendations.
7. Brian Emelson from Parks & Rec reviewed the sketch plan and made comments dated December 19, 2017.
8. Codes reviewed the sketch plan and made comments dated December 11, 2017.
9. Highway reviewed the sketch plan and made comments dated December 20, 2017

NOW, THEREFORE, BE IT RESOLVED, that regarding the sketch plan application of DeHollander Design, Inc, Major Subdivision entitled Scout Reserve Subdivision, drawn by DeHollander Design, Inc, dated November 4, 2017, received by the Planning Board November 21, 2017, Planning Board Application No. 1-SK-17, the Planning Board **acknowledges receipt of a complete sketch plat application;**

AND, BE IT FURTHER RESOLVED, that the Planning Board Secretary forward a copy of this resolution to the applicant.

Ernie Santoro	Aye
Joe Logan	Aye
Heather Zollo	Aye
Al Gallina	Aye
Rich Seiter	Aye

Approved 5 Ayes, 0 Nays

TABLED FROM OCTOBER 11, 2017 PUBLIC HEARING REMAINS OPEN

SILVERTON GLENN LOT 118

St Rt 444

Appl No 2-FS-17

Owner – S & J Morrell Inc

Acres – 2.309 Zoned – Multiple Dwelling

Marathon Engineering on behalf of S & J Morrell have submitted a revised plan for 3 townhome bldgs consisting of 4, 3 & 2 units for a total of 9 for-sale units. Each unit will have a driveway connecting to either Wyndham Hill or Silverton Glenn. The lot consists of 2.309 acres and is zoned Multiple Dwelling. This is a carry over from the 10/11 meeting.

Mr. Rich Tiede from Marathon Engineering and Mr. Scott Morrell addressed the Board.

Mr. Tiede – We are back from our October meeting where we discussed our revised layout and I think we came to a concurrence that we met with the interest of what the Planning Board had discussed in meetings prior. So we went ahead and completed the engineering on this including the grading, utilities, stormwater, etc. The one addition that we have added to this, based upon comments received from the public, we did include a wood mulch trail that kind of parallels Route 444 along the embankment next to the roadway.

Other than that, we've completed the design, we've responded to comments from LaBella. I don't believe the one thing that was brought out in theirs is that we have disconnected roof leaders at the rear of our bldgs which has been typical throughout the development. I believe we're going to need a waiver from the Planning Board as part of the approval for this project.

I'm going to try to keep this short. If there are any questions on the engineering design that we've finalized on the site, I would be happy to answer those questions.

Chairman Santoro asked for public comments and there was none.

Ms. Crowley – I wanted to share one observation that I made when I visited the site. In the southwest corner on Silverton Glenn egress, there is standing water there. I was there probably the 3rd week of December and was surprised by the standing water and I had seen it in one of the notes that was submitted by a resident. So one of the things that will have to be dealt with possibly is ground water when the 2 bldgs on the south are placed or something else is there that is creating that water. In fact I sent a note to Kim (Kinsella) and asked if anybody had ever looked at the water hydrant that is just south of that. So that was the one observation that I wanted to share.

Mr. Tiede – In my walking of the site and reviewing that, that area is the beginning part of what should be an infiltration basin. I've noted that infiltration basin had silted in and has grown over quite a bit in that area. Part of our plans have noted for that infiltration to be cleaned as well as a little bit of resizing that we're doing with that. I believe that should take care of the problem. Once we open up that top layer of the sandy soil that water should once again infiltrate instead of sitting up on top.

Chairman Santoro – I saw something about putting a fence up next to that steep grade that goes down near the walkway.

Mr. Tiede – I've talked with Scott about that and yes that was in the landscape review notes. We have several of the trees that are out front that are going to be in the way that we show being replanted. We're going to take them from this area, rather than putting up a fence, we're going to create a natural barrier with trees and if additional trees are required, we'll go ahead and show that on the plans.

Ms. Zollo had no questions.

Mr. Gallina – This is consistent with what we reviewed the last time.

Mr. Logan - It looks like you're going to be addressing the drainage complaint or concerns that Kate had with the regrading. I'm a little concerned about the proximity of that curved retention area next to the bldgs. It looks very close. It seems to me that water would end up going into basements from something like that, with the groundwater being so close to their foundations.

Mr. Tiede – Actually, throughout the site there are a lot of these smaller infiltration areas that are actually closer in proximity to the units and the soil is quite sandy there and it does actually drain quite well.

Mr. Logan – Okay, so it's a good positive subsurface drainage infiltration. That answers the only question that I had. Thanks.

Mr. Pettee – The Town Engineer did issue a comment letter dated December 20, 2017 on the updated plan. One of the things that we noted in addition to the need for a waiver but we also noted the sidewalk along Silverton Glenn, on the north side of Silverton Glenn, adjacent to the 2 bldgs, there's a slope that is somewhat steep. We suggested that perhaps the applicant provide some trees in between that sidewalk and the stormwater management facility that is located downhill from that sidewalk just to provide some sort of buffer or something to catch anything that might fall off the sidewalk, a pedestrian if they fall and roll down the hill, they might have a tree to grab onto.

I think the Town's Landscape Consultant commented as well and mentioned that perhaps a timber rail could be put in that location. We just wanted to bring that to the Planning Board's attention and maybe have the applicant respond to that.

Mr. Logan – Are you talking about the sidewalk here and that slope? It looks like they are building it up by 10 ft or 7 ft at that area. It's going to be fairly flat across to the front of the bldgs. R118-8 and 118-9 lots in the southwest corner.

Mr. Pettee and Mr. Logan looked at the subdivision map and discussed it away from the microphone.

Mr. Tiede – So to the east of the 2 units is where you're talking about. Our interpretation of the comment was more along the mulch path. I think we can probably do some trees along there if you're in agreement.

Mr. Logan – Can you flatten the grade out a little bit before it drops off? Give it some girth from the sidewalk because it looks like it's dropping off pretty quickly.

Mr. Tiede – We may be able to do that also. I know we have a little extra dirt out there from some of the other areas on the site.

Mr. Logan – You took it all away for that previous proposal layout and now you have to bring some back.

Mr. Tiede – We can take a look at both of those options and incorporate those into the plans.

Mr. Logan – Okay, thanks for clarifying that.

Chairman Santoro asked for a motion to close the public hearing. Mr. Logan made the motion and Mr. Gallina seconded.

RESOLUTION

On motion made by Joe Logan, seconded by Al Gallina

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

1. A revised application was received on November 7, 2017 by the Secretary of the Planning Board for a Preliminary and Final Subdivision entitled Silverton Glenn – Lot 118.
2. It is the intent of the applicant to construct 3 townhome buildings consisting of 1 building of 4, 1 building of 3 and 1 building of 2, for a total of 9 for-sale units all to have individual driveways to existing roads.
3. The Planning Board held a public hearing on August 22, 2017 and October 11, 2017 at which time the public was permitted to speak on their application.
4. The application was deemed to be a Type I Action pursuant to Section 8 of the New York State Environmental Quality Review Act Regulations and a Negative Declaration was issued on October 18, 2011 by the Planning Board.
5. Pursuant to Section 27-8J of the Town Code, a recreation fee for each lot, or in the event of a multiple dwelling, a recreation for each family unit, in lieu of park land shall be paid to the Town before issuance of a building permit
6. On June 26, 2017, the Town Board rezoned Lot 118 of the Silverton Glenn Subdivision from Senior Citizen Housing to Multiple Dwelling. Per Town Board directions, no building permit shall be issued until stormwater concerns are addressed to the satisfaction of the Code Enforcement Office.
7. The application was referred to the Ontario County Planning Board under Section 239 of the General Municipal Law. On August 14, 2017 Ontario County Planning Board referred the application back to the referring agency as a Class 1.
8. A Coordinated Fire Service Site Plan Review was conducted November 13, 2017 and stated that there were no further comments at this time.
9. The Conservation Board reviewed the project on November 21, 2017 stated the erosion control plan should be followed due to steep slopes and the site plan should be replanted as soon as possible due to erodible soils.

NOW, THEREFORE, BE IT RESOLVED that the final subdivision application of S & J Morrell Preliminary and Major Subdivision entitled Silverton Glenn – Lot 118, drawn by Marathon Engineering, Sheets SV1.0, C0.1, C0.2, C3.0, C4.0, C5.0, C5.1, C6.0, C7.0, C9.0 dated November 6, 2017 received by the Planning Board November 7, 2017, Planning Board Application No. 2-PS-17 and 2-FS-17, BE APPROVED WITH THE FOLLOWING CONDITIONS and hereby waives Section 2.7.9.2 of the Design & Construction Standards specific to Comment #9 in LaBella Associates December 20, 2017 letter.

Conditions that must be met prior to the Chairman signing the final subdivision 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 before the Planning Board Chairman signs the approved film original(s), the developer should submit two (2) copies of electronic files to the Town. Copies of electronic files shall be forwarded to the Town Engineer to confirm that the data on the electronic files is the same as the approved subdivision plans.
3. That Section 4 Standard Approval Conditions for All Subdivisions (Major & Minor) of the Design and Construction Standards be met.
4. That the comments from LaBella Associates dated December 20, 2017 be addressed.
5. That the comments from Code Enforcement Officer dated August 2, 2017 be addressed.
6. That the comments from the Village DPW dated November 28, 2017 be addressed.
7. That the comments from Zaretsky and Associates dated January 4, 2018 be addressed.
8. That per the Town Board directions, no building permit shall be issued until stormwater concerns are addressed to the satisfaction of the Code Enforcement Office.

Conditions that are on-going standard conditions that must be adhered to:

1. That the major subdivision plan comply with Town of Victor Design and Construction Standards for Land Development, including Section 4.
2. Two-year maintenance bonds shall be provided by the Developer to the town for all improvements to be offered to the Town for dedication. Maintenance Bonds shall be written by a surety licensed to do business in New York State and they shall be in the amount of ten percent (10%) of the final construction cost, as determined by the Engineer for the Town.
3. That approved subdivision maps, including conservation easements, lot consolidations and lot line adjustments shall be submitted in digital format, AutoCAD 2002, or latest

version, effective January 1, 2004 (per Town Board resolution #193 of June 23, 2003).

4. That if requested by the Building Department, a pre-construction meeting shall be held prior to the start of construction.
5. 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 Planning Board's approval letter.

Ernie Santoro	Aye
Joe Logan	Aye
Heather Zollo	Aye
Al Gallina	Aye
Rich Seiter	Aye

Approved 5 Ayes, 0 Nays

DISCUSSION ITEM

WOODS AT VALENTOWN

High Point Dr

Owner – Woods at Valentown LLC

Acres – 106.32 w/Forest Park

Zoned – Planned Development District

BME Assoc on behalf of Woods at Valentown LLC are requesting to construct 294 units contained within 14 3-story apartment buildings. Applicant has acquired 5.38 acres from Conifer Village @ Eastview and has requested to rezone this section to the Woods at Valentown Planned Development District. At this meeting Part 2 of the Environmental Assessment Form will be discussed.

Mr. Doug Eldred from BME Assoc addressed the Board.

Mr. Eldred – Good evening. With respect to Part 2, we provided a guideline recommendation, the Conservation Board provided one as well and then I think Wes provided one as well. I presume you'll go off of what Wes had provided. What goes with Part 2 is Part 3 so we have indicated on here for the most part, not too many concerns and where there was a potential for a concern, we provided some guidance with Part 3 and I understand that Wes has provided some further guidance for elaboration. With Part 3, it basically discusses any potential impacts that were identified with the Part 2. We feel that we have all the ducks in a row, if you will, that would allow for a SEQR Negative Declaration on the project.

Obviously, I think you know that Frank Dolan from Bergmann did the traffic study and then Jennifer (Michniewicz) reviewed it. We have her comments as well. There really weren't any comments to further address with that. In essence she was saying that she agreed in substance with the traffic assessment that was done. I don't want to speak for Jennifer but we can go over any specifics of the traffic, any specifics of Part 2 or whatever you wish.

Ms. Michniewicz – He is basically correct. The improvements that were done as part of the original Planned Development District were largely based on a 4% growth rate and that 4% is a compounded interest so every year it just keeps getting more and more and they did all of their mitigation based on that 4% growth rate and that 4% just didn't bare out. The change from the 72 townhomes to the 300 apartments, the traffic has already been mitigated. In fact the original traffic study that was done didn't even have a residential component, it was all office which actually has a higher traffic generation. So overall the traffic that is expected to be generated will be more than what was in the original Planned Development District but the actual impacts are less or a wash basically.

Mr. Pettee – I had a good suggestion from our Town Counsel and I'm going to hand out from the NYS DEC instructions for Part 2 - Identification of Potential Project Impacts for Full Environmental Assessment Form (FEAF) Workbook. This would be a good tool for the Planning Board to reference as we're going through Part 2 of the EAF. *Mr. Pettee read from this workbook.*

Completing Part 2 will help identify any topics that need to be discussed further in Part 3. Taken together, Part 2 and Part 3 will help the reviewing agency and in this case the Planning Board determine if a Negative Declaration or a Positive Declaration is appropriate. If a Positive Declaration is made, Parts 2 and 3 will help the reviewing agency develop a list or scope of environmental topics that will need to be addressed further in an environmental impact statement.

I won't go through this handout in full detail but you might want to flip through it while we're reviewing some of these topics and I know our Legal Council can help us out too.

Mr. Pettee started going through the Part 2 FEAF (Full Environmental Assessment Form) for Woods at Valentown draft dated 12/12/17

1. Impact on Land – Yes was checked with all but 2 sub-questions were checked No, or small impact may occur. The 2 that were checked Moderate to large impact may occur were:
 - b) The proposed action may involve construction on slopes of 15% or greater
 - There are slopes on the site that are greater than 15%. There will be some narrative to go along with this in Part 3.
 - e) The proposed action may involve construction that continues for more than one year or in multiple phases.

Before we go further does anyone have any questions or we can look at the online guidance? There were no questions.

2. Impact on Geological Features – No was checked.

3. Impacts on Surface Water – Yes was checked with all checked with No, or small impact may occur except item d was checked for Moderate to large impact may occur.
 - d) The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.
4. Impact on groundwater – No was checked.
5. Impact on Flooding – No was checked.
6. Impacts on Air – No was checked.
7. Impacts on Plants and Animals – No was checked.
8. Impact on Agricultural Resources – Yes was checked with all checked with No, or small impact may occur.

Mr. Logan – Which one of these made you check the yes box and check No or small impact for all of the sub-questions?

Mr. Pettee – You first answer the question, *the proposed action may impact agricultural resources*. It's either a yes or no.

Mr. Logan – So because you answered yes, you went ahead and had to answer the individuals.

Mr. Pettee reading from the DEC workbook - *If any agricultural activities are taking place on or adjacent to the project site, or if the project site is within a New York State Agricultural District, the proposed project may have adverse impacts on farming.*

Mr. Logan – So that pushes you in that direction, okay.

9. Impact on Aesthetic Resources – No was checked
10. Impact on Historic and Archeological Resources – No was checked.
11. Impact on Open Space and Recreation – No was checked.
12. Impact on Critical Environmental Areas – No was checked, in fact there are no critical environmental areas in the Town of Victor according to DEC's definition.
13. Impact on Transportation – See below

At the time that I was filling this out in December, I didn't have the benefit of additional information from Bergmann Assoc or the opportunity to see Jennifer's most recent letter. So this is currently blank and wanted to give the Board the opportunity to answer this question. *Mr. Pettee read from the DEC online guidance:*

New development can generate or change traffic, or create a new demand for public transportation. Several potential adverse impacts can result when traffic levels increase in a community. More traffic can lead to congestion, which in turn may have economic, environmental and safety impacts. Traffic congestion is not only annoying to motorists, but can increase economic costs because of extra fuel used, lost productivity, and time wasted. It can also result in higher air pollution emissions, increased traffic accident rates, decreased accessibility to economic centers, decreased road surface lifetimes, and increased vehicle maintenance costs. A proposed action can also increase the demand for public transportation, parking, sidewalks, bike paths, or bike lanes.

Chairman Santoro – I guess we need guidance on a) *Projected traffic increase may exceed capacity of exiting road network.*

Mr. Pettee reads on: *The reviewing agency should evaluate the following sub-questions and decide if there will be any impact. If there will be an impact, the reviewing agency must then evaluate the magnitude of that impact, and decide if the impact will be small or moderate to large. This will depend on the overall scale and context of the proposed project.*

- *Is there a perception that the action will result in long vehicle delays or reduced operating speeds?*
- *Is there an increase in traffic substantial enough to alter level of service on roads to be affected by the proposed project?*

Chairman Santoro – I think Jennifer has already said that it would be less than if an office building had been built there.

Ms. Michniewicz – Yes the level of service between the no build 2018 and the build 2018 are virtually the same. And then going back to the question of what was in the original Planned Development District, what was built was in anticipation of a lot more.

Mr. Picciotti – You said the background levels to rise to that level is either 4% and you said compounded (Correct) that's why there's....

Ms. Michniewicz –And other improvements to the overall roadway network had been done by other developers and by DOT and the County and everybody. Then there was also a slight shift in the traffic distribution on Route 96. So there are other things in addition to what the applicant has already done to help the situation.

Ms. Zollo – Why are you saying that because it was offices, that actually generates more traffic than residential when people go to work, they work all day, they come home. Whereas, residents are in and out, in and out.

Ms. Michniewicz – The actual up on Valentown, High and those streets, you'll see that that does switch. But because there is so little traffic volume there, we're talking about levels of service of As and Bs and Cs so it's not that bad. Whereas on Route 96, there's such a blend of what's going on there. You've got people coming and going. It's built up to the point where it can absorb it.

Ms. Zollo – So even the Valentown/High St intersection is going to be able to absorb all of this residential traffic?

Ms. Michniewicz – Yes because at the time they did the study, there was no traffic signal there and now there is a traffic signal. So those improvements have already been done.

Ms. Zollo – Except in a snow storm because you're there and the cars can't make it up....they're stopped at Valentown and they can't make it up that hill when its snowy....it's messy.

Mr. Logan - The other thing about your comment Heather, the in and out comment, you got to be looking at the peak hours. So if there are 20 ins and outs from a particular subdivision, it's only the ins and outs during that peak measured time that I think Jennifer would count as part of the traffic load, correct:

Ms. Michniewicz – Correct and whereas before when it was all office, everybody was coming and going at that same time but because you have that residential component, it's being spread out over maybe a peak 2 hours as opposed to 1 hour.

Chairman Santoro asked the Board what their pleasure would be on this application.

Mr. Logan – It sounds like there is no or little impact on most of these.

Chairman Santoro – So we have a consensus that it should be a “no”?

Mr. Gallina was in agreement.

Ms. Zollo – So *no change* to existing transportation systems, is that what you're saying?

Mr. Logan – That's what I would say. I mean there is paved parking area for more than 500 vehicles most likely. You have 300 units.

Chairman Santoro – A lot of it is underground.

Mr. Logan – That's a good point, I don't know how that works. It's within the building footprint so I would suspect it's not additional pavement.

Mr. Gallina – I assume that parking capacity is a surrogate for traffic volume.

Mr. Logan – It's the point of it *may result in the construction of paved parking for 500 or more vehicles.*

Mr. Gallina – So 500 is a volume number, not that the footprint is so big, its 500 cars generate a certain traffic volume.

Mr. Logan – But I would assume 300 units would require more than 500 parking spaces. There is at least 2 per unit.

Ms. Michniewicz – It says impact on *transportation* it doesn't say impact on traffic.

Mr. Logan – I'm looking at 13b and it only looks at paved parking area for the number of vehicles so technically it's yes but it's a small impact.

Mr. Pettee read from the on line guidance:

If no parking is proposed, or if proposed parking needs can be met by using existing off-street parking or existing on-street parking, then there will likely be no related impacts. Check 'No, or small impacts may occur.'

Small Impact:

A small impact could occur under one or more of these circumstances:

- *Small parking lots that have landscaping and downward directed lights, or no lighting needed.*
- *Infrequently used parking lots that have permeable surfaces, exterior landscaping for screening, minimal lighting, and placed to the side or rear of a structure.*
- *Small expansions to existing parking lots or facilities.*
- *Shared parking may have smaller impacts than those that are not shared in terms of stormwater runoff, lighting, traffic, safety, energy use, and operation.*

Moderate to Large Impact:

A moderate to large impact could occur under one or more of these circumstances:

- *One or more parking facilities (including lots) are planned for 500 or more cars.*
- *Parking lots of any size that require construction of turning lanes or traffic lights are proposed.*
- *Parking lots of any size that are used on a regular basis and that have other design features that may result in impacts such as all-night illumination, disturb one acre or more of land, or is located within a residential zoning district.*
- *Parking lots of any size or type that creates a streetscape that is in sharp contrast to the existing character of the community or neighborhood.*

Mr. Logan – So I would say that right now there is nothing there except a road that goes through and you're adding all of this stuff. I'm not saying this is going to be a big deal but to accurately answer the question, I would say "yes" and put No, or small impact for all of the sub-questions.

The rest of the Board agreed to answer Yes to #13 with all boxes checked for No, or small impact may occur.

Mr. Logan – I wouldn't want to say "no" and then have someone come back and say you didn't look at this, you're clearly violating the 500 or more vehicle thing. So why not put them all No, small impact and say Yes for the item.

14. Impact on Energy – Yes was checked with all sub-questions marked as No, or small impact may occur.
15. Impact on Noise, Odor, and Light – Yes was checked with all sub-questions marked as No, or small impact may occur.
16. Impact on Human Health – No was checked.

17. Consistency with Community Plans – No was checked.
18. Consistency with Community Character – No was checked.

Mr. Logan asked to go back to #10 Historic and Archeological Resources.

Mr. Logan – This whole project started out as being part of a historic district and we are adjacent to a significant historic resource for the Town. So I wouldn't necessarily put "no" there, I would say Yes and then say No, or small impact may occur for the sub-questions because this is on the back side of the development and it's not visually impacting that. Does anyone else have an opinion on that?

Chairman Santoro – I think you are right.

Mr. Logan- Because it is the Valentown Historic District and we're trying to do things that don't impact that and Fred (Rainaldi) has done an amazing job enhancing that area around the Valentown building itself but the fact is, this development is adjacent to that historic district. So again, in the interest of being accurate as how we respond to this, we should at least be recognizing that it is adjacent to but that there is no or small impact from this piece of the development.

The rest of the Board agreed.

Mr. Pettee passed out the Part 3 narrative.

Mr. Pettee – What we have is a draft of Part 3 narrative in large part provided by BME Assoc. LaBella did take an opportunity to provide an update to #13, the Impact on Transportation. This could be used as a straw document for completing the EAF. I know that you haven't had an opportunity to take a look at this unless you had BME's packet which I believe was distributed to you.

Mr. Eldred – We supplied it about a month ago. So just so you know, even though there might be "no's" and things like that, we still prefer to do it with discussion when there is a Type 1 action just to fortify the decisions, of course this is your decision. Even though they are all "no's" we would like to fortify the no.

Mr. Pettee – I have a question for the Legal Counsel. As part of this, does the Planning Board need to make a determination of significance and have a resolution either a Positive Declaration or a Negative Declaration, is that what we're looking at as a next step?

Mr. Picciotti – Specifically, what we're looking at because of the circumstances surrounding this project is whether a Supplemental EIS needs to be prepared. So it's a similar determination which is up to the Planning Board to determine whether there is, based upon the changes to the project, you can do a Supplemental EIS for several reasons. One can be project changes, new information. But what drives it is the same thing that drives the initial significance determination which is; may there be one or more potential for significant environmental impacts. If the Planning Board makes that determination then a supplemental, rather than issuing a Positive

Declaration it would determine that a Supplemental EIS is required. If it determines that a Supplemental EIS is not required, my recommendation would be to issue....the Board could do something less than issuing a Negative Declaration but I would recommend issuing a Negative Declaration none the less because I believe it provides some additional support for the decision and that would take the form of a resolution which based upon the input of the Board would help to draft. The resolution would look a little bit like the Part 3 that BME has prepared that would be fairly detailed that's what I recommend to Boards that they do particular for Type 1 Action.

Mr. Eldred – I just wanted to remind this Board to remember that this is on a project that had a full Environmental Impact procedure and within that project there was listings of impacts and mitigation and thresholds and we believe we haven't significantly exceeded those thresholds so we should still be under that same umbrella although we always need to point out the differences and state why we're still under the umbrella. I just wanted....the reason we kept comparing things to the DEIS significance was to indicate that we still are within those parameters.

Mr. Picciotti- I would say that's appropriate. That's what the Board should be looking at.

Mr. Logan – So a Negative Declaration would not endorse the site plan, it would endorse the fact that it's not going to affect....

Mr. Picciotti –Yes the Negative Declaration would be a determination that as Doug was just saying, the EIS that was previously performed, they're within that envelope if you will. We haven't identified any additional significant impacts that are not mitigated by the EIS that was previously prepared.

Mr. Logan- Okay, so once that's through as a Negative Declaration then we go through the site plan review and if there are changes that's independent of this.

Mr. Picciotti – Yes and again it could be done something short of a Negative Declaration. It could be the Board could simply say by resolution that you're within the EIS parameters. But again, I think given the circumstances in the passage of time, I think it makes sense (inaudible).

Mr. Eldred – Just to remind you on the time line, this requires a zoning change for the Section 5 (Conifer Village @ Eastview) and then it requires a texted amendment for the original parcel. So you're next step actually is to make a recommendation to the Town Board for those 2 items.

Mr. Logan – My point was more to the site plan that people may be looking at including the Board and we're not touching that at the moment, it's for the impacts.

Chairman Santoro – What's the status of the application now, has it been made yet? Has it been made at the Town Board yet?

Mr. Eldred – Yes, the Town Board reviewed the application and their first step once they did the Lead Agency determination which they handed over to you folks is they asked you to make a recommendation on the rezoning and the texted amendments will be required for the project. So once you make a SEQR determination, that would be your next step and then our next step

would be to go back to the Town Board and see if they will accept those changes. Then we do site plan.

Chairman Santoro – Is there anything more to do this evening?

Mr. Pettee – We’re looking for direction from the Planning Board. If you want us to draft a Negative Declaration resolution, I’m sure Kim will give some direction to Joe Picciotti or myself to work on that.

Chairman Santoro – I think that would be appropriate, what does everyone else think?

Mr. Gallina – I think that’s where the facts have led us.

The rest of the Board was in agreement to a Negative Declaration.

Mr. Logan – I would say that we should be comfortable with the language in Part 3.

Mr. Picciotti – My preference would be when you are ready to make the vote that you go through Part 3 carefully like you did Part 2. Then there will be a resolution for you to take a look at that doesn’t necessarily need to be read but it will again flow from the Part 3.

Mr. Logan- So between now and the next meeting we can come together for this piece with any changes, updates, etc and vote to accept this with a Negative Declaration?

Mr. Picciotti – Yes that would be appropriate.

Mr. Gallina – And the resolution can reference this document.

Mr. Picciotti – I’ll probably do more than that. I like my resolution to be thick and meaty like Doug’s Part 3. It helps if you’re challenged.

Chairman Santoro asked to have this before the meeting in order to review it.

TABLED FROM 12/12/17 MTG

ROYAL CAR WASH

607 Rowley Road

Appl No 43-SP-17

Owner – WDC Properties LLC

Zoned – Commercial /Light Industrial and Route 96/251 Corridor Overlay District

Acres – 1.10

Applicant is requesting approval to construct a 4,096 sf automated car wash. The historical section of the existing Cole & Parks bldg will be preserved and utilized as office space.

Mr. David Cox from Passero Assoc addressed the Board along with Applicants Anthony Daniele, Danny Daniele and John Caruso form Passero Assoc.

Mr. Cox – Good evening. To bring you up to speed of what we’ve done since the last time we were here is there was some request of further clarification or an image to show exactly what part of the building is being taken down (referring to the Cole & Parks house). One of the other request for around the Cole & Parks building was to see how much separation we could get from the pavement. So we increased that separation distance to around 5 ft all around the building so that helps protect that existing building much better. We made sure the drainage is flowing away so we’re not putting any additional drainage towards that building.

The major one was some 3D perspectives of how the building is going to look, how it’s going to function all together. *Referring to a colored rendering of the site.* This is from the intersection of Rowley/Route 96 to show the comparison between the Cole & Parks building and the Royal Car Wash in the background.

Chairman Santoro requested the applicant turn drawing around to show the audience.

Mr. Cox – The other thing that we had discussions on was the parking along Route 96 and if that could be put some other place. We took a hard look at it and tried to fit that parking in other places and nothing really worked. So what we did, we decided to put a hedgerow there in front of the parking instead so that as you can see in this 3D rendering, we have a hedgerow and the cars are actually behind it. So you can’t actually see any of those cars parked so that really helps to block and you really don’t see any of those cars parked in the front yard, you just see the Cole & Parks bldgs.

Conversations took place away from the microphone between applicant and a Board member.

Ms. Zollo – I’m not seeing on any of these renderings the four corners.

Mr. Cox – We just didn’t go through the process of modeling that but in reality it is on that four corners area with the concrete.

Ms. Zollo – Okay, so it’s not going to be eliminated? (No)

Chairman Santoro stated that the applicant didn’t own that area on the four corners.

Chairman Santoro – Is there a porch there now? (Yes)

Ms. Zollo – It has a railing doesn’t it?

Mr. Cox – Yes, there is a railing.

Questions and comments were being asked away from the microphone and were inaudible.

Mr. Anthony Daniele – The main structure that is not going to be demolished is not going to be altered in any way other than the backside of it which will need to be restored because we’re

obviously demolishing a couple of pieces. This bottom right picture shows that's the side that is being restored by using the same clapboard building materials as the existing structure.

Chairman Santoro – And that's what it'll look like after it's restored? (Correct)

Ms. Zollo – So the entrance will be on the porch side?

Ms. Babette Huber – In my November 13, 2017 memo, first I had said that the drainage was the most important item and it appears they have answered that by putting more greenspace around it. The north wall replacement which was my second comment, I got a letter from Emily Connors who is with Passero, she's a preservation consultant and she has spoken to that concern so we're all set with that.

The conditions about the integrity of the building if something happened to it during construction, that's something that will need to be done by either you or the Town Board. The next one was the applicant should be required to maintain and occupy the Parks Homestead and that's been addressed and agreed to.

The focal point of the corner is the house. I'm assuming that yellow color is not going to be the "yellow yellow" color.

Mr. A Daniele – It's going to remain the same color.

Ms. Huber – It's like a creamish yellow color. I still didn't get an answer about the height of the carwash in relation to the height of the house.

Mr. Cox – The Cole & Parks Building is 26.50' and the Royal Car Wash is 30.50'.

Ms. Huber – It appears that...we're trying to work with a historic structure and we're trying to put a carwash on the same lot. I've worked with other developers and we've worked through this, you may not like it but we're working through it. My other question about the carwash is the new design is much better. I just want to know if this brick is going to be the same color as your originals. Is that the same color that you have on your other ones? (Yes) I would have a concern about that because this looks darker (referring to the rendering of the building)

Mr. Logan – Is that brick or wood barn siding?

Ms. Huber – This is brick.

Mr. Logan – So the entire building is that red brick?

Ms. Zollo – So you're not happy with this color brick?

The applicant showed an actual sample of the material being utilized.

Ms. Huber – What I see is this building (referring to the rendering) and it looks different than the other one being shown.

Mr. A Daniele – This is what it will look like (referring to a rendering of an existing carwash)

Ms. Huber – But we talked about those cornices and you did, you made them smaller and blended them in. The signs being glaring white and the Royal Car Wash sign, can you tone it down. I know that you want it to be “royal” because it’s Royal and that’s your sign. This is a different site and it should blend in with the site. We want you to have a sign and have it say Royal Car Wash but we don’t want it to be “royal” blue. Also the lights, I noticed were kind of modern. I think we can work all of these things out.

So I guess we have some differences as far as the color of the building and the design because you had taken out the very wide ---- pieces, do you know what I mean? (Yes) Do you have any questions for me?

Ms. Zollo – So is the color of brick acceptable?

Ms. Huber – It would be acceptable if we could have the colors more muted on the building.

Ms. Zollo – So the trim color you’d like to leave in a creamier color. (Right)

Mr. A Daniele stated that there are two different colored brick on the building. The red and a wheat color for trim.

Ms. Huber – That is much more muted and you could have that muted cream color around there instead of the white and the royal blue could be “royalish”.

Mr. Logan – When North Face came to us to put up a sign, they wanted to have a big red square North Face sign and they changed it to kind of a barn sided wood look with their logo inscribed in it. Maybe that’s where Babette is going in terms of changing it so that it would blend a little more with the building and not be so bold. You’d still have the Royal, it just wouldn’t be blue, it would be something that compliments the building.

Chairman Santoro – They wanted red but they changed it to white (referring to the North Face building).

Mr. Logan- That’s what I was saying, they changed it even though that was the North Face logo with the red square. They went to barn wood and they foregone the red in favor of just the North Face with their font and everything else. So that was a change that was made.

Chairman Santoro – It can be done.

Ms. Huber – I mean you look at that and it just doesn’t blend in with the historical character. You’re doing a great job with the house and you are really trying very hard with the carwash as well so why ruin it with that sign.

Ms. Zollo – For this particular site, you can tone it down.

Mr. A Daniele – One of the things to keep in mind and we've done this before on other projects, being a historic building in front, I mean one of the things that the Historic Consultant Architect pointed out is not to try to make the carwash look historic or in any way match the old building because and I'm in no way an architect so I'm certainly not speaking from a point of a professional.....

Ms. Zollo - ...I don't think that in 1813 they had carwashes like this one.

Mr. Daniele – The point is to not necessarily get that building to match and also again, from a developer's standpoint and Babette's been great and frankly members of the community have been very helpful from a historic consulting standpoint and I think we've worked well together but from a business perspective, we are looking at this and saying we're investing a lot of money by putting it behind an old house that's going to be between the public who we're hoping will know about our carwash and they will but it is an impulsive kind of thing, that's why carwashes are on busy main roads. So when you start talking about how much can you mute a sign, how small can a sign be? The building itself is not a very flashy building, it's a decent size building but from a perspective, it's still behind the old building. So while it is 4 ft taller, I believe the number is, from a perspective standpoint, it's not going to look....it's certainly not going to be towering over the old house. A matter of fact from the road, the old house is actually going to look taller than the carwash.

Chairman Santoro – When I go to a carwash, that's a destination. I don't just stop in passing by a carwash.

Mr. A Daniele – You'd be surprised, our business is probably about 60% destination and probably about 40% of people driving by and it's just convenient.

A question was asked from the audience regarding signage.

Mr. A Daniele – There is signage on the building but there is a lollipop sign....

Chairman Santoro -There's one there now that was Cole & Parks (referring to the sign).

Ms. Zollo – So that's going to stay.

Mr. Danny Daniele – This rendering shows one that's there now behind the trees and I think there is one sign here. The second sign is behind that Cole & Parks building, frankly I think the only way you will really see it is once you turn into Rowley Rd and you pass the Cole & Parks building, that's when you would then see it. Like my brother was saying, we're already a little behind the 8 ball because we're behind that building so most people driving by won't see that classic white sign. We could maybe do a dark navy blue almost like a black logo lettering.

On the picture that you see the building located on the Monroe Ave site, that one is right front and center and you can see everything from 20 ft away because there is nothing blocking it. On this site, we're nestled behind the existing Cole & Parks building up on the knoll where it's a little more difficult to see that flashy sign.

Mr. Logan – Honestly, when I first saw the latest rendering that you had of the building, I thought it was red barn board siding, not brick. When Babette brought up brick, I thought it was going to be a big red brick barn. I look at this as a big barn that complements the Cole & Parks, not take away from it. It looks like it belongs there more so than the first rendering that you had last year sometime.

Ms. Zollo – What can we do about the lighting? Babette what would you like to see as far as light fixtures?

Ms. Huber answered from the audience and was inaudible.

Mr. Logan – Something more historic looking?

Ms. Zollo – Those look really modern.

Mr. D Daniele – Our intent is to model in a sense, a bit of the Cole & Parks where they have the gooseneck lights over some of the sign and gooseneck lights are a similar fashion to what type of lighting that we're going to have on the sides of the building.

Mr. Logan – Were we talking more about the pole lighting? (Ms. Zollo confirmed) If those could be more period looking. If you go down by Doodle Bugs (day care center on Route 96), that whole area has period lights all over it.

Mr. A Daniele – If you look at the actual picture from Monroe Ave, there's two trains of thoughts. If you use a...now with these LED lights, they are very thin profile, I think in the rendering it shows like a grayish almost silver color which frankly does stand out. The pole lights are painted either a dark brown or black, whatever a dark color, very thin profile. Generally they just lose themselves, you won't see them. That doesn't mean you couldn't go with a more historic looking structure that has more mass and stands out. I know that when Dave (Cox) designed it as well and we actually complained to him that there was no lighting in the front of the Cole & Parks building and his reasoning was he didn't want to put a big light pole in front of the building. The poles that we're talking about are farther in the back. I guess we're open to taking a look at some other examples but generally speaking, it's designed on purpose so that you don't see them. They're not supposed to be light fixtures that you see. There are also, I believe, a couple of light fixtures that are remaining that are in the more historic nature. The ones that are along the side, I think they are owned by the Town. So those are the ones you're actually going to see from the road.

Mr. Cox – In this picture there is a light pole near the sidewalk, that's staying.

Mr. A Daniele – And that's more historic looking or Village like. It's not a very good light producer.

Mr. Cox – When you're talking lights, those Village type lights don't do near as good of a job as the parking lot lights. The higher up the light pole, you get a better even distribution and you

don't get the hot and cold spots. So you get an even distribution. It makes it look nicer and safer and you don't have as many light poles. If you use the other kind, you have to.....

Chairman Santoro -.....We're trying to avoid tall poles like that.

Mr. Cox – A lot of time when the light is out of your view, where you don't see it.....

Chairman Santoro –Go over to East View Mall and tell me that.

Mr. Cox – They're not that tall. They are within your code, 25 ft.

Mr. Logan – Walmart is 25 ft and they insisted on poles like at East View Mall and we said no and it's a whole lot darker at Walmart than it is at the mall and its much lower intensity. There's one light fixture that you may want to replace anyways, I'm looking at Google Earth street view and the fixture looks like its seen better days. So it is kind of period lighting. I don't know what the lighting is for. If people are just driving through, they're stopping....you might need a light where there's parking for the office building and you might need some lights near the building where you're parking to vacuum. But do you need all of that light around the site anyway? It seems there's a lot more light than you need for a drive thru. You're going through, you're cleaning, they're towel dried off and you drive on your way. You need lighting for that task area for towel drying and maybe entrance and exit.

Mr. A Daniele - You have people driving very close to each other, granted not at a high speed but you need something pretty much for all of the paved area, it needs to be pretty well lit. You also have employees standing outside the building. This time of year where it's getting dark at 4:00-5:00, not like at 9:00 and who cares. At 4:30-5:00 we care. I don't think it's over lit, I think it's done to the basic standards of a normal parking lot lighting would be.

Mr. Logan – I don't look at this as a parking lot, I look at it as a drive thru. You need task lighting where there are people and I hope they are wearing reflective gear at least for that in the night but elsewhere around it, it's a pull thru. I don't see Starbucks with all of that when I drive through there. Those are my comments on lighting. I don't see a need for taller pole lights, more period lighting in the area just to light up certain spots.

Mr. Pettee – We had an opportunity to look at an updated utility plan that Passero provided to us yesterday. This utility plan has to do with the sanitary sewer. Previously we had mentioned that the Town's sanitary sewer system was going to have a hard time accommodating the flows coming from this project. The applicant's design professional has proposed a holding tank with about a 1" orifice and we want to work with you on some details. Their rates of discharge, the Town will be able to accommodate the rate of discharge with what they've proposed with this updated utility plan. I think our immediate concerns with PS28 have been resolved with what they are currently proposing. We've got a few minor details that we want to work out with them with this proposal. But in concept I don't see anything that's standing in the way in regards to sanitary sewer.

A couple of other items that we wanted to call the Planning Board's attention to, I don't think they are show stoppers by any mean but I just wanted to bring them up. The landscaping

plan and the existing conditions and demolition plan now identifies what trees are going to remain and what trees are going to be taken down. There's a dead pine tree in front of the existing Cole & Parks building, it's in the NYS DOT right of way. That dead tree, it looks like based on this plan set, they are going to take that tree out by coordinating with DOT. They will get a permit with the DOT and replace that tree. I think there might even be some additional trees to be removed. There was an updated plan from Kim's office that showed some additional trees that might be removed in the right of way.

Ms. Kinsella – Actually, I think Brian had sent it to Cathy (Templar) today and was dated December. It showed the irrigation lines along with some plantings out in the right of way for Route 96. We just wanted the Planning Board to be aware of that and talk about it and I think Brian (Emelson) can talk about the irrigation lines that are proposed.

Mr. Brian Emelson, Director of Parks & Recreation – We met with the applicant prior to this meeting in October of last year. The Department maintains the four corners flower beds as well as the Parks' Cemetery across the street from the proposed carwash. We discussed with the applicant the removal of dead trees that you've talked about already as well as adding an additional flower bed on the southwest side of the parcel to provide a buffer between the cars as they came through the carwash, it's on the plan that you have. The applicant also proposed obtaining a highway work permit from the DOT and running irrigation to the existing flowerbed on that corner as well as proposed new flowerbed.

Mr. Pettee – Generally, just to bring our new Planning Board member up to speed, with anything that is done off of this particular parcel of land, for example that landscaping, I think the Planning Board is pretty limited as to what we can approve. We probably can't even approve the landscaping that's going on off of this particular parcel because the site plan has to do with the location and range of features on the parcel of land itself.

Mr. Emelson – We incumbent upon them to make that agreement with the DOT on behalf of our Department.

Mr. Pettee – A question that I had for you on the grading plan; the retaining wall and the curb on the north side of the parcel. We were a little bit confused and maybe we'll have to talk off line as to how that retaining wall is going to be installed. We see some top of wall elevations and bottom of wall on two different sides of the wall. In one location there's just top of wall/bottom of wall on the outside but nothing on the inside. Is there any description that you can provide for us here?

Mr. Cox – On the property side, the inside is just going to be a typical 6" high curb. On the other side is where it will have a 1ft or 2 ft retaining wall.

Mr. Pettee – Alright and then on the updated lighting plan, it looks like there might be some hot spots. It looks like these might be footcandle measurements perhaps. For example you have a 69.3 and then maybe 23 ft away, you've got 3 footcandles. So we'll have to take a look at that. Are there any questions for LaBella?

Chairman Santoro asked about LaBella's letter dated December 6th.

Mr. Pettee – All of these issues are identified in our letter.

Mr. Logan – I'm just looking at the double fixture right next to the Cole & Parks building. Do you really need a large light fixture? Can you have more of a pedestrian level light fixture there, that's why you're getting such a huge amount of light in that space.

Mr. Cox – Yes, we could have more of a residential style right there.

Mr. Logan – If you look at the lights that the Town has at the corner, that's a very nice period look. That would complement everything around that whole site. It's a historic building, it's the historic character that we're trying to enhance with the lighting rather than the tall mass lights. That would resolve your 6' to 3' comparison on light intensity right next to the building.

Chairman Santoro – Originally, we were going to do a resolution but there are so many amendments that have been written into it at this point, we're going to have to take a step back and make sure this is in proper form. So at the next meeting we'll have a resolution for you.

Mr. Pettee – I have a question, some of those proposed amendments that I was writing in tonight, for example we noted that we wanted to have the applicant submit a design sign package for review and approval by the Planning Board. Is that something you want to ask them to provide prior to the next meeting so that you can act on that as well?

Chairman Santoro – Can you do it?

Mr. Logan – The thing that they need speed on is probably the building, not the signs. You can have the signs at a later meeting.

Mr. Gallina – A condition of approval....

Mr. Logan – I don't know if you even need that so much as they can't have signs until they are approved.

Mr. Gallina – Exactly and we've done that on other developments.

Mr. Logan – So rather than stress you out and have to have a sign package in 2 weeks, you can wait until you're ready.

Ms. Templar asked Mr. Emelson for a formal request of what he was asking the applicant for. It was noted that due to the location being in the DOT right of way, that the Planning Board would not be able to act upon it.

Ms. Kinsella – I think that as part of approval, they would need to provide that DOT permit before they started construction of those planting sites and irrigation lines.

Mr. Pettee – What I did write into this resolution was for the applicant to provide the Planning Board a copy of the DOT permit.

Ms. Kinsella – What they are proposing to install is within the DOT right of way which we have no authority over. At the next meeting we'll act strictly upon the draft resolution.

Chairman Santoro asked if there were any comments from the audience.

Mr. Greg Franklin from 55 Barchan Dune Rise – I liked Mr. Logan's comment about the barn siding as opposed to the brick but that's not why I wanted to comment. I'm concerned about the noise from a carwash. There are dryers and the dryers have considerable amount of noise. I'm actually a customer of your Monroe Ave facility and there is a lot of noise that comes out of the dryers there. I'm wondering what sort of mitigation you might have in mind there whether you're using particularly low noise dryers. I also note that the exit at the east side of the building is more or less facing right towards a residence that's just a little bit around the bit and that's going to be incredibly noisy for the people who have that house there and the noise will propagate upwards and be around to the rest of the neighborhood. It's considerably noisy and wonder what efforts you're taking.

Mr. A Daniele – I believe that question actually came up via an email to the Town. (Mr. Franklin stated it was his email) Did you get the stuff I sent back to the Town (No) Normally *responses to emails, etc. are not sent back to the resident but discussed in the Planning Board meeting.* I'll make sure that you get that but we actually did a sound study for our Greece location and provided that back to the Town showing exactly what the decibels are, how far from the building. Since that wash, I mean we do have a slightly better technology, they're called gators so that when the cars are not being dried, there is a flap that closes and the thing still spinning but it's making less noise. So the actual sound study we did doesn't even take that into account but in fairness it takes the worst case scenario. The long story short is on the side facing Route 96 or Rowley, you actually won't hear the blowers. The traffic is actually louder than what you'd hear from the building and most of the sound, you are correct, comes out of the exit of the wash because that's where the blowers are and it's a tunnel so it kind of has that effect of projecting kind of a narrow sound field out. But there are also quite a few trees between the exit of the wash and the residence that you're talking about and the residence that you're talking about is off set to the south so it's not a straight shot out. If you look at the sound readings as you get farther from the building, that resident shouldn't hear anything from the carwash besides a honking of a horn. A honking of a horn would be louder than the sound of the blowers at the end of the wash.

Mr. Pettee – Regarding the sound, would you by chance or David maybe you'd have an idea, would you have a comparison to the sound that this project might make versus the traffic on the adjoining thruway? You might not have the answer tonight but maybe the next meeting you'd be able to let us know.

Mr. A Daniele – On the study that we provided, it actually has readings from, in that case it was West Ridge Road, but the sound of traffic driving down West Ridge Rd which I would assume

the Thruway is even louder or at least comparable, louder, whatever but it's in decibels, it's a technical study not just somebody's opinion.

Mr. Logan – What's the latest in the evening that you'd be open? (9:00 pm) You're still getting considerable thruway traffic at that point. It dies down by 11:00 – 11:30.

Mr. A Daniele – I think the earliest we open is 7:00 am and the latest we close is 9:30.

Mr. D Daniele – We measured from the exit end of the carwash to the residence and from that residence to the thruway and its closer to the thruway than it is to the exit of the carwash which means they would hear the traffic on the thruway before they even get to that decibel level. I don't even know what that decibel level is that far away. I don't think we measured past 100 ft.

Mr. Franklin – It's not that the thruway noise would buffer the carwash noise, its additive. The carwash noise would be in addition to what you hear from the thruway. So I'm not sure saying the thruway is louder than the carwash answers the question.

Chairman Santoro – How about the exhaust fan on the Burger King?

Mr. Logan – Well the exit from your building is approximately 540 ft to that resident's house and the thruway is 243 ft. You're right it's about double the distance to the carwash.

Mr. A Daniel – And there's trees.

The discussion ended.

MISC ITEM

LSI SOLUTIONS CREEKSIDE - 90 DAY EXTENSION REQUEST

7796 State Route 251

Appl. No 11-SP-17

Owner – Route 251 Acquisition LLC

Zoned – Light Industrial / Route 96/251 Corridor Overlay District

Acres – 34

SBL# 15.01-1-6.000

MRB on behalf of LSI Solutions Inc is requesting their first 90 day extension of the June 27th approval to construct a 67,200 sf office/warehouse building on their 34 acre parcel. Property is owned by Route 251 Acquisition LLC and is zoned Light Industrial

Chairman Santoro – This is for LSI's first 90 day extension. If no objection, I have a resolution to read for this.

RESOLUTION

On motion made by Joe Logan, seconded by Heather Zollo

WHEREAS, in a letter dated December 18, 2017, Stephen Schultz from MRB Group requested a 90-day extension of time for application titled LSI Solutions, Inc Creekside Building, therefore, be it

RESOLVED, that the Town of Victor Planning Board grants the first 90-day extension of time for LSI Solutions, Inc. Creekside Building.

Ernie Santoro	Aye
Joe Logan	Aye
Heather Zollo	Aye
Al Gallina	Aye
Rich Seiter	Aye

Approved 5 Ayes, 0 Nays

There was no further discussion.

Motion was made by Joe Logan seconded by Al Gallina RESOLVED the meeting was adjourned at 10:45 PM.

Cathy Templar, Secretary