

A regular meeting of the Town of Victor Planning Board was held on March 27, 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; Jennifer Michniewicz, Traffic Consultant; Joe Picciotti, Town Attorney; Susan Loughnane, Ruth Nellis, Jeff Knapp, David Nankin, Lee Wagar, Bob Cantwell, Steve Zumbo, Bill Connell, Dan Dupre7, Kate Crowley, Marsha Senges, Pat Liberti, Tom Hooker, Nan Hooker, Mary McCarthy, David Welsh, Ryan McElhiney, David Hahn, Devin Christman, Dave Nellis

APPROVAL OF MINUTES

On motion of Joe Logan, seconded by Al Gallina

RESOLVED that the minutes of March 13, 2018 be approved.

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

Approved 5 Ayes, 0 Nays

CORRESPONDENCE RECEIVED

All correspondence received becomes part of the individual file and can be FOILED (Freedom Of Information Law) through the Town Clerk's Office.

- Steve Zumbo re: Gullace Project
- Marsha Senges re: Gullace Project

BOARDS/COMMITTEES UPDATES

Town Board reported by Councilman Dave Tantillo

- The Town Board had a public hearing and voted on the transfer station punch card. The punch cards now have no time limits; they are not transferrable and they are not refundable. There is no expiration date to the punch cards already issued or the cards to be issued in the future.
- The Fishers Fire Commission voted against the Fire Department consolidation with a vote of 3 to 2. From the Town's perspective it is still business as usual, however, Chief

McAdoo is looking at other options. The Town Board was disappointed because they thought the consolidation was the right thing to do and would have provided better service and protection for the Town.

- There was a workshop yesterday at 6:00 pm and Richard Perrin of T.Y. Lin International presented the Route 96 Strategic Corridor Study to the Town Board. Mark Tayrien of LaBella Associates then explained what the next steps were now that the study is complete. SEQR must be completed and a generic environmental impact study must be completed on the entire plan. The plan must be adopted. The six projects within the plan can then be approved. If the Town Board desires, a transportation district can be created to pay down the debt of the project infrastructure. Personally, Councilman Tantillo is not in favor of a transportation district because it requires a time consuming act of State Legislature and an example would be to tax businesses in the corridor to pay down the debt. It was clear that the Town Board wanted to move ahead with the adoption of the plan.
- Wes Pettee gave a presentation of the High Point PDD modification that the Planning Board recently gave recommendations on to the Town Board. The Town Board would like the opportunity to review the information before they determine how they want to proceed.
- The Town Board member's packets included the responses BME associates prepared regarding questions given to the applicant of the Gullace project. The Town Board identified two concerns. The applicant has been asked to create a cul-de-sac on one of the roads in the Town and a cul-de-sac in the event the Village portion of the project gets developed. The Town Board is not happy with the proposal of cul-de-sacs because the Town gave land to the Village as an annexation so that the roads would connect. It defeats the purpose of connectivity and makes it difficult for plows, school busses, and fire equipment to turn. The Town Board is disappointed that the Village is not more supportive. The second concern is the comment from the Ontario County Department of Public Works which states "We would not support the installation of speed humps, speed tables, raised intersection/traffic circles" which seemed very confusing. The Town Board wants to be clear that a traffic circle is warranted at the Lane Rd/Lynaugh Rd/Church St intersection, it is supported by the Town Board and will be developed there in the future.

Kate Crowley did not report anything from the Conservation Board.

Planning Board reported by Kim Kinsella

- April 10th meeting
 - 179 Miles Cutting Lane, in LDD, Site Plan for addition to house – a carryover from the February 27th meeting regarding additional information on septic.

- Gullace Project if it is carried over from this meeting

PRESENTATION BY AL BENEDICT - WINDOW GRAPHICS

Al Benedict, Town Code Enforcement Officer, explained the difference between the different window graphics in the Town and showed pictures of the various signs and murals displayed in the Town of Victor.

The discussion regarding window graphics started in the Town with Breathe Yoga who wanted to put in window graphics. In looking at the definition of signs in the Code, in Mr. Benedict's opinion it really didn't meet the definition of what a business sign would be.

In the Route 96/251 Corridor sign guidelines it talks about the shapes and sizes of windows. It was important to see windows along with the rest of the structure. Mr. Benedict's feeling was that the Breath Yoga window graphics were interfering with or adding to the architectural features of the building. That is why that application was given to the Planning Board for review. The Planning & Building Department discussed the window graphics and weren't sure if the Planning Board wanted to review more projects that were similar or not. The Code Enforcement Officers went throughout the Town to see what else was out there and would like the Planning Board's comments on what appears to be murals and what appears to be signs. Eventually down the road the sign Code will be revamped, so the Planning Board was asked for their comments or additions to the sign Code for the future.

Mr. Benedict - I'd like to thank Sean McAdoo for taking the photos. The definition of a sign is putting graphics, pictures, and words on a substrate that provides advertising and attracts your attention to the business and what they are selling. The Code also talks about window signs although it is not very specific. It talks about not exceeding 30% of a window area, however, it is my opinion if someone asks me, it can't exceed 30% of the window area, but if you do have a sign in the window, the measurement will be subtracted from what you can have as a wall sign which is one square foot per linear foot of frontage. For example if you had a 30 square foot window sign and you were allowed 100 square feet, you would now have to drop the wall sign down to 70 square feet. So, I think the Code needs to be clarified in that area in any case.

Some signs come under a "temporary banner". There is no limit on size; there is a time limit of 30 days and it can be done or exposed twice a year. It's for special events. I consider that to be a special sale, grand opening, and things to that effect.

We've provided some pictures of various places in the Town with different types of signs. Some graphics are behind the window, some stuck to the inside of the windows, and some stuck to the outside of the windows. One of the questions you may want to think about is how far back from the window is a sign placed, that doesn't make it a sign any longer. There is nothing in the Code that mentions that. For example in a car showroom, you could have the car sitting back 20 feet. I can still see it, is it a sign? Probably not, but there is nothing in the Code that defines it.

Pictures were shown on the overhead screen to the Planning Board members of the various businesses in the Town of Victor and their "window signs". It was mentioned that no

business has ever asked for a permit for a window sign. Some issues that were highlighted by the various sign images that were presented are:

- Signs placed in back of windows – Can they be considered window signs?
- Signs advertising sales – Are they temporary so to be considered a banner?
- It is hard to determine if a mural is a sign – If it displays images that are not specific brands or services then perhaps it is not advertising. If it displays images and writing that indicates a service or the name of the business it is a sign.
- Is an insignia a sign? Perhaps not if a connection cannot be made between the insignia and the products being sold.

The question was raised to the Board members if there were any further thoughts on what they would like to see or not like to see as far as murals in the future, or any comments on signage in windows in general for the future.

Mr. Logan mentioned that when one sees products that are sold in a window, he thought that was a window display, not a sign or mural, and mentioned you could see it in many stores.

Mr. Benedict explained that based on the definition if you see something displayed that is an advertisement for what you are selling it could be a sign and that maybe the definition would need to be reworked. The sign code itself needs some work.

Mr. Logan – I would agree, it's quite vague. In terms of how we respond to a huge mural, where does it fit in the sign code? Is there a size percentage involved? The folks from Party City cut it down to a much smaller photo on a colored backdrop set back from the window. That's different to me than seeing a sign or mural loud and up front on the glass either in front or behind the glass. That to me affects the architecture of a building more than something that is setback in the background.

Mr. Benedict – You're saying if they set them back away from the window it doesn't weigh on the architecture of the building?

Mr. Logan – I wouldn't think it does because you still see the glass. I think we need to better define what can be put in windows and how much area it covers no matter what is put in, whether it is a mural or signage.

Chairman Santoro – What Al wants to know is does he bring all these signs to us, the Planning Board. I just asked Cathy if we have an appeals process as the ZBA does when Al or another Code Enforcement Officer makes a determination and they can go to the ZBA and appeal. I don't know if we have such a process.

Mr. Benedict – I believe there is a process in the sign code, yes. My personal opinion is you can dedicate 25%-50% of one person's time to chase signs around Town. The signs go up every time you turn around, we are constantly chasing signs.

Ms. Zollo – It sounds like we really need to rework the Code. Going back to Joe's point I think we need to define the distance from the window as you said. When we talked about this before,

we talked about the fact that we spend a lot of time to make these buildings architecturally attractive. This rash of these panels the businesses are putting up, to me, really takes away from the time we spent to make the buildings look nice.

Mr. Benedict – That’s why I referred the murals to this Board because to me it changed the whole look of the building that you tried to establish to begin with.

Ms. Zollo – I would agree to your point earlier. Some of them are really not attractive.

Mr. Benedict – So going forward from this point, until we are able to rewrite the Code, do you want to see murals? What is your feeling?

Chairman Santoro – If there is an appeals process, I’m happy to have Al make the decision. If the merchant is not happy, then he can come before the Board.

The Board was in agreement that that was the way to proceed.

APPLICATIONS

GULLACE PROPERTY – REVISED PLAN

995 Co Rd 9

App No 19-SP-17

Owner – Lynaugh Road Properties, LLC

Acres – 17.13

Zoned – Multiple Dwelling

Lynaugh Road Properties, LLC has submitted a revised plan consisting 67 for-sale condominium townhomes, within the Town of Victor. The western portion of the property will consist of 14 duplex units and the eastern portion will consist of 53 3- and 4- unit condominium townhomes.

Bob Cantwell Cantwell from BME and Alan Knauf from Knauf Shaw addressed the Board. Also present were Mike Bogojevski from BME, Dante and Steve Gullace.

Mr. Cantwell introduces the group. – As was mentioned in the notice, since our last appearance at the January 23, 2018 meeting, we have revised the plan which was a reduction in the overall project yield from 69 units to 67 townhouse condominium units. As was mentioned it includes providing 14 duplexes on the western portion which is approximately 4 acres and 53 3- and 4- unit blocks on the east side.

The overall plan was also revised to eliminate the dedicated road connection between the Town and Village portions. As you heard from Mr. Tantillo this evening. The new plan does include a privately owned and maintained road and cul-de-sac turn around with visitor parking. Again, that is shown in the previous interconnection between the Town and Village site.

Again based on the previous input, primarily from the Village, that interconnection was eliminated because of confusion about maintenance of the road, where it started/stopped, etc. I think Mr. Tantillo explained that very well.

We have also provided written responses to comments on the project with our application which included phasing, traffic, Ontario County Planning Board review, setbacks along both Church St and Lynaugh Rd, landscape buffering, guest parking, stormwater management, the private road, the private drive serving the 3 lots fronting on Church St, a common driveway access, lighting, and front building elevations from the project architect.

As noted in our letter of intent, we had also requested appearance on the Ontario County Planning Board meeting in March and that was to present the revised plan application as well as to address specific comments from previous application referrals from the Town to the county relative to the application. We did appear at the March 14th meeting and the Board did include an acknowledgment that all comments are local issues and they recommended approval of the project with a unanimous decision. Three of their comments included just a question on the buffering on the northern property line. The second was on the lot coverage and density being in compliance with the Town Code and it does comply to Town code. Then a general comment about Church St/Route 96 intersection traffic, again which is being addressed as part of the Town's Consultants study of the Route 96 corridor.

We are here this evening to request approval of the Gullace property overall site plan. The project again does include a total of 67 condominium townhouses on the 17.1 acre site. It's currently zoned Multiple Dwelling and allows for a total of 171 dwelling units under the Town's current zoning density yield of 10 units per acre. From a brief historical reference in 2013 the applicant presented a sketch plan to the Town informally for 146 apartments and 8 single family homes on the west side of the project site. Since then, approximately 8 additional plan modifications have been presented to the Planning Board ranging from downsized apartments scope to leased townhomes to the current plan for condominium townhomes. All of these plans complied to allowable land use and density.

With regards to density, I know that's often times been mentioned in the comments that we received. The current plan is approximately 60% below what is allowed under the Multiple Dwelling zone and is proposed at 3.9 dwelling units per acre. By comparison to Silverton Glenn which is a recently completed Multiple Dwelling community on the south side of the Village and which has often been compared to for this project. That project includes 96 units on 26.9 acres or 3.6 dwelling units per acre. So it's consistent with that overall yield for Silverton Glenn. The Silverton Glenn site is larger than that. I'm simply just referring to the section that is zoned Multiple Dwelling and again it's 3.6 units per acre so that we're comparing apples to apples.

I would also point out that the unit sizes of the 2, 3 and 4 unit bldgs in Silverton Glenn are the same size as the Gullace project which are also 1 story ranches in response to target market demand. I would also reiterate that the demand for the ranch style townhomes is not only evidenced by the success of the Silverton Glenn community which also happens to be bordered by single family homes. The proposed project also meets the demand for housing diversity at the recently adopted Comprehensive Plan identified as a critical issue for the Town to consider.

In particular within the Strategic portion of the plan that predated the Comp Plan, there were a couple of housing and community diversity task force goals that included Town and Village government officials need to recognize the lack of demographics diversity. Its causes and potential solutions to make Victor more attractive for young singles, empty nesters and seniors. We need to reverse the migration away from Victor of our young adults and seniors because of lack of suitable housing attractions and amenities. A second task force comment was that task force members endorse the concept of a diverse housing types in or near the Village, in particular housing appropriate for young adults, seniors and singles.

We've also received comments in regards to lot coverage from the County Planning Board as well as others. Again, I would reiterate the current Multiple Dwelling code which allows for a maximum of building coverage of 40%. The proposed building coverage of the current application is half of that or 20%.

We've also received comments on the provision of the required parking, that being overflow parking. What's required is 2 spaces per unit as well as one-half a space per unit or a total for this build out of 168 spaces. As was mentioned for this proposal and shown on previous plans a total of 4 spaces per unit between 2 car garages and 2 car driveways as a minimum, plus 42 visitor parking equals a total of 310 parking spaces or an access of 142 spaces overall. For this reason, we are requesting Planning Board approval to waive the installation of 30 of those overflow spaces as land banked and those are shown on the plan. Until such time they are needed and that was similarly applied and approved by the Planning Board for Silverton Glenn as a precedent. It is my understanding that as full build out of Silverton Glenn is approaching, I'm not aware and perhaps the Building Dept is aware if there has been any issues relative to the need for additional parking in Silverton Glenn. Again, we are requesting that land banked parking be waived until some point in the future if needed. I would also mention that if there were additional parking needed for a graduation party, birthday party, whatever other event might occur for a resident of the community, the Harland Fisher Public Park is adjacent to the project site.

With that I'll turn this over to Alan Knauf and after he speaks, I'll be happy to address any comments that the Board may have. Thank you.

Mr. Knauf – Thank you, I think Bob described the changes pretty well. Just briefly, I just wanted to reiterate that we have tried to respond to the comments of the Board, we've listened to the Board over the last several months. A lot of the comments, whether we agreed with them or not, we have made changes to try to respond to all of the major comments. Many of the Board members asked for duplexes on the west side and we have done that. We had the question about the 50 ft setback on the roads, we have done that. There were comments about the interconnection with the Village and we eliminated that in response to the comments and discussion at the Board meeting. We provided that the stormwater infrastructure is going to be installed at Phase 1 so it will be there at the beginning. We added the overflow parking, so we have that in compliance. We ask that you go along with the precedence of Silverton Glenn, the land banked just because we don't want to have any more impervious parking spots than we have to but we provided for them if necessary. We tried to beef up the 10 ft landscaping buffer. The common drive for Lots 25-29, we have eliminated it to just 25-27. We've given you the architectural elevations for 2, 3 and 4 unit bldgs. We've indicated some ideas as far as traffic calming whether the radar signs or what have you.

So we have tried to address all of the significant comments that the Board had as we continually tried to drive home that we're way below what's allowed for density for the zoning that's been there for a long, long time. We'd be happy to hear your questions and comments but we're hopeful that this time around that we've got a project that has responded to your comments and that should be approved.

Chairman Santoro asked the Board members if they had any questions or comments.

Ms. Zollo – The elevations that we received of the 2, 3 and 4 unit bldgs show side load garages on the 3 and the 4. Yet the plan shows only straight on driveways. I'm wondering what we're doing.

Mr. Cantwell – You are correct, the elevations show a side load. Essentially, if it was a front load as shown on the site plan, the unit would look the same other than the fact there would be a front door there. We have requested from the architect to provide that front elevation and unfortunately he was sick today.

Ms. Zollo – So what you're saying is there won't be any side loads.

Mr. Cantwell – If there were an opportunity to do a side load, perhaps where there was room to do that on one of the ends of the project units, then it could be done.

Ms. Zollo – I'm not really seeing any space where it could be done. You'd need additional space between the bldgs to do that and I'm only seeing 20 ft.

Mr. Cantwell – There might be a couple of instances where that could be done. But generally they would be front entrances. As Alan indicated, we will provide a front elevation.

Chairman Santoro – This elevation doesn't show any entrance doors in the front.

Ms. Zollo – Will these townhomes have basements? (Yes) I was concerned about car parking because typically if they didn't have basements, the garages would be full. There are a few driveways that look like you could never put 4 cars in them. I think it's Units 25 & 26 and a couple on the cul-de-sac that wouldn't fit 4 cars for parking, the driveways are just too short. But if they have basements then perhaps some of the people will actually use the garages. You said there was going to be a turnaround for the fire vehicles at the private drives for Units 25-27?

Mr. Cantwell – We commented that that could be accommodated. We would either need buy in from the Fire Chief or we would have to provide that circulation that allows for that.

Ms. Zollo – You're calling it a common private drive but it's really a private drive, right? (Yes) It's not going to be dedicated to the Town. (That's correct) Will it be built to Town specifications?

Mr. Cantwell – It would be built to specifications for private drives that the Town has.

Mr. Seiter didn't have any comments.

Mr. Gallina – No comments but I like the duplexes on the west side, I think that is more consistent of the surrounding properties. Relative to the land banked parking, I guess I would be in more of maybe not installing all of the proposed land banked parking but something between none and the full build out.

Mr. Cantwell – We do have 12 over flow parking spaces shown as part of the plan so we're not looking at requesting a complete waiver of all of the overflow parking.

Mr. Gallina – I can just envision, it's a high density area and all it would take is a couple of cars parked in the road and it would become landlocked very quickly.

Chairman Santoro – I can't foresee people parking at the Park and walking in. They're just not going to do that.

Mr. Logan – I agree with Al's sentiment on the west side. I appreciate the change. I'm a little concerned about the Private Road B. It was the pass through between the Village and the Town. Now you're putting 7 units on a private drive and we made that comment on the other common private drive previously whereas normally on a private drive, you'd have a maximum of 3.

Mr. Cantwell – My understanding is that this is actually a private road to distinguish between a private drive and a private road.

Mr. Logan – So who maintains that, all 7 of those residents?

Mr. Cantwell – That would be part of the overall maintenance of the condominium association.

Mr. Logan – So everyone in the development pays for plowing and paving and patching repairs and all of the maintenance that you get on a road.

Mr. Cantwell – Correct as well as their individual driveways and lawn maintenance.

Mr. Logan – My other comment would be if you have all of your land banked paved parking on that private road, do those 7 residents pay for maintenance and up keep of the whole development for the only non-land banked overflow parking that you have on the site. The rest of it appears to all be land banked.

Mr. Cantwell – I think we actually have 8 spaces shown just as you come off of that dedicated road to that road.

Mr. Logan – That's still on a private road (Correct), all that overflow parking is in the middle of the development, on one side or the other, you can't get to it without parking however many feet from Lynaugh Road portion of the development. I guess I would prefer it more spread out so it's more usable and functional. I'm with Ernie and Al in wanting to have at least 50% of it, if not more, paved. I don't know how you pay for the land banked parking now, I know that it's got to be upgraded, who pays for that? Is it the HOA? If you put it all in now, the developer pays for all of that and it's already established. It would be more of a challenge to install once the HOA gains control of that.

Mr. Cantwell – And it's my understanding that that was a condition at Silverton Glenn that the HOA was responsible and they were also responsible for notifying the Town of their desire or intent to actually do the installation of that.

Mr. Logan – Because it would be on a Town street, not a private road like this is.

Chairman Santoro – The County suggested the applicant contribute funds to the HOA if this is land banked so that they can put them in at a later date.

Mr. Cantwell – So in other words if there was funds or a line of credit up front...I think the Association in theory is going to be looking out for needs within the community so if there is a need for additional parking, that Association Board would want to prioritize the funds for that.

Mr. Pettee – I would like to make a comment that was brought up tonight and was discussed at the last Planning Board meeting as well regarding street connectivity. I've got a couple of resources with me that I wanted to site because they probably articulate this a little better than I would. I've got a publication from the NYS Division of Local Government Services on subdivision review in NYS. I just selected a couple of paragraphs that I wanted to bring to your attention and also I've got the Town's Comp Plan that I wanted to point out one of the goals in it. *This talks about an interconnected network of streets, how new roads and other infrastructure fit into the municipalities existing network should be a prime concern of Planning Boards. This has not always been an important issue in the past with unfortunate consequences. Cities and towns have tended to make planning and design decisions about streets one project at a time and based on a limited perspective of specific sections of specific streets. This narrow perspective ignores the fact that transportation systems are comprised of networks of facilities. The macro scale characteristics of networks are more important than the microscale designs of specific street sections in determining how well a local transportation system functions including how much capacity the system has. This conventional project by project perspective has resulted in poorly connected networks of oversized streets rather than well connected networks of smaller streets. The resulting connectivity problems have been exacerbated by this national trend beginning in the 1920's of letting developers make network layout and connectivity decisions for streets built as part of their subdivisions and commercial sites. The inevitable outcomes have been poor connectivity, inconvenience circulation and overcrowded arterials. These outcomes in turn have been detrimental to emergency service response, access to existing businesses and neighborhood walkability. So interconnecting streets increase the travel options available for pedestrians and vehicles and this pattern tends to increase pedestrian activity in the neighborhood.*

Now recognizing that this most recent revision was partially as a result of the Village DPW representative who had some concerns about the connectivity of the streets. It was just something that I wanted to bring up because it's something that the Town has thought about in the past, specifically one of the Town's community development goals and strategies identified in the 2015 Comprehensive Plan within Chapter 5 Strategy 3 *reduce cul-de-sac and promote connectivity*. So recognizing that this is a small geographic area in the Village, but if we relate this back to the reading, you can see how if you look at the larger network and consider that maybe the best bet is to provide for the connectivity. I just wanted to offer that for your consideration.

Ms. Michniewicz – The only outstanding issue that we have is traffic calming. The original study was done in 2013 and it identified the transition zones on Church and CR 9 and on

Lynaugh from 55 to 25 and 50 to 30 mph, there's an issue there. So we've asked the applicant to do another speed study to confirm that this issue still exists or to show that maybe there's an increase in traffic so the speeds aren't as bad as they were and the traffic calming doesn't need to be done. If there still is this speeding issue then we've offered some suggestions as far as what we feel is appropriate for the area. The solar powered radar signs where it will flash if you're in excess of the speed, those cost about \$5,000 each and you'd need one on each side heading towards the Village and possibly one heading to the north depending on what the speed study says. We've also suggested adding some gateway features, whether it's landscaping or signage to kind of narrow the feeling of the corridor. Then also on Lynaugh, I believe, one of the streets signage for speed limits is out of date, so we've asked for that to be brought up to compliance.

The applicant has come back and said that they are also willing to put in the advance warning signs which is like the "T" intersection approach which is something the County has asked for and the County also said that the radar signs, they don't feel it's their responsibility to install because it's a pre-existing condition. Tim McElligott with Ontario County has also come back and said the radar signs in the long term, in his opinion, they don't necessarily reduce speeds long term. He has also suggested that the Town request a speed limit reduction on those roads. The Town has done that several times over the past 5 or 10 years and they are going to try to do it again with some assistance to see if we can actually have a more persuasive argument. So that's where we stand.

Mr. Logan to Ms. Michniewicz – On CR 9 at Lane Road, if a roundabout is built, would we then have a better case for a lower speed limit between the roundabout and the Village?

Ms. Michniewicz – In previous requests, we have asked for it all the way from the County line. My feeling is if you're putting in a roundabout there and DOT is putting in a roundabout at Lynaugh/Route 96 why slow traffic down at the roundabout only so they can speed up to 55 to then slow down to 25. It just feels like the right thing and unfortunately you can't set your own speed limits, you have to solicit the State. So if that is presented in the right way, I think that it's a strong argument that they could reduce the speed limit.

Mr. Logan – Even if that project is several years out.

Ms. Michniewicz – Right, this could be the first step.

Mr. Logan – We could ask for it now and slow it down and then put the roundabout in.

Ms. Kate Crowley – One thing that I would like to add, we saw this at the Conservation Board when we saw the new plan and I also see it in the notes from Al Benedict. The open space in the development, yes technically it's open space but it doesn't do anything for either the inhabitants, the humans in the development or the wildlife that is trying to get from one end to the other. We're counting everything including the 20 ft between the bldgs. That was the one thing that we observed the last time we looked at the development. Is it friendly for both the people who are going to live there and for any wildlife that is going to be around there particularly if we have to add asphalt for fire truck turnarounds and for any of the side load bldgs.? That was our observation. Thank you.

Mr. Gallina – Back to the architecture. I think the duplexes have a nice balance of garage and other architectural elements. My concern is the architectural renderings that we currently have with the 4 units do show the end load garage. So essentially the 4 unit dwellings are going to be garage doors and roof. So I don't know what can be done to make that look more like a residential look than just 4 garage doors and asphalt shingles.

Mr. Cantwell – We'll relay that to the architect and they'll look at what options there are.

Chairman Santoro – Will we have those renderings....

Mr. Cantwell – I would think we'd have them within a couple of weeks.

Chairman Santoro – I think the Board would like to see those.

Ms. Zollo – Al Benedict, as Kate said, mentioned the greenspace is indicated as 54% but he asked to clarify if this is for the portion that's in the Town only or for the entire project.

Mr. Cantwell – It's for the Town only.

Mr. Knauf – I just wanted to comment on the greenspace. We are also in the Village enhancing the park which doesn't even count on those numbers. That's a substantial adjunct to the greenspace.

Mr. Picciotti – Has the speed study been provided?

Ms. Michniewicz – Not yet

Mr. Picciotti – Is that going to be forthcoming?

Mr. Knauf – If the Town is still requesting it, yes. I guess we wanted you to see the plan and see what your reaction would be.

Ms. Zollo – Based on what Wes said and what the Town Board said, is there anything that we can do to promote the road connectivity?

Mr. Knauf – We originally proposed it and took it away in response to the comments.

Ms. Zollo – To the Village's comment?

Mr. Knauf – To the Village and the discussion. They seemed so adamant against it that we took it out and everybody was concerned about the turnarounds and all of that. That's why we did it.

Mr. Gallina – I think part of the challenge is at this point there is no pending development in the Village so that may never happen. So you need to have some ability to have access to the Town portion of it and I think the cul-de-sac is the only viable thing again unless it was an integrated

design for both the Village and the Town portion being approved concurrently which it's not. That's how we back our way into this two cul-de-sac solution.

Mr. Pettee – One alternative that could be considered in my mind is if the portion that is in the Town currently has that circular road feature as it heads towards the Village but if that was designed to be a hammerhead turn around at the end rather than a cul-de-sac, that would potentially allow for a future connection should the Village portion ever be developed. It appears the way it is now, maybe it would be more difficult for a connection to be made with that circular cul-de-sac rather than a hammerhead turnaround.

Mr. Logan – Right now it's a private road shown here. You'd have to upgrade the entire drive to be a town road to go through into that cul-de-sac in order to make that work. With this plan, you can't connect without major surgery on that so we've pretty much made the commitment.

Chairman Santoro – It's just a plan at this point.

Mr. Logan – If we go this way, the commitment would be no passage to the Village unless the private drive is given up in favor of it, then the developer would have to destroy everything that they put in which I don't think is fair either.

Mr. Gallina – Unless you built it to the standard of a town road.

Mr. Logan – In retrospect, looking at this plan, it provides connectivity between CR9 and Lynaugh. The connectivity that we would like to encourage also is the connectivity for pedestrians and bicycles and things like that. There are a couple of spots where it ties into the park or at least one on the eastern edge on the side by units 51-53. I don't know of any other connections to get to the park or to the Village other than all the way out to CR9 onto the sidewalk system which I'm not clear if the sidewalks are on both sides of CR9 up to the dedicated Road A.

Mr. Cantwell – I think we need to talk about it with the applicant. Right now the benefits for the connectivity for the Town and the Village piece, there may be reasons why you wouldn't want to make the connection and that's something that we need to talk about.

Mr. Knauf – The Chairman's question was regarding pedestrian connectivity, what opportunities are there besides going through the park.

Mr. Logan – So if we're looking for easier access or movement between the Village and the Town portions, are we only going out to CR9 and is there a sidewalk on CR9 from dedicated Road A into the Village's sidewalk system. I'm seeing a sidewalk on the south side of Dedicated Road A in your latest plan and I wouldn't want to force people across CR9 to get to the sidewalks to the Village.

It was noted that the sidewalks were on both sides of CR9. There is also a sidewalk that connects to Dedicated Road A on the east end into the park.

Mr. Logan – Is that the only connection from the subdivision into the park?

Mr. Cantwell – It's the only formal connection at this point.

Mr. Logan – You had mentioned before a previous meetings that the utilities would be staged through the Village site to the Town site. Is that still how it's going?

Mr. Cantwell – The sewer is still up in the air as to whether or not the Village portion and property would connect to the existing pump station through the park which seems when you talk about the efficiency of utilities, that seems silly because the sanitary sewer that serves the Town piece is right there, everything flows downhill through the Town portion of the site and connects into the gravity sanitary sewer.

Mr. Logan – So technically these would be two separate developments not tied together by sanitary sewer.....

Mr. Cantwell -If the Village insists upon the sanitary sewer being connected to their own system, it's like DOT, they are going to dictate what your plan is. Our point is that doesn't seem to make an awful lot of sense. That's a logistic internally from the Village of Victor. Some sort of an intermunicipal agreement which happens all of the time, I don't know why it would be an impediment to sewer the Village portion of the site through the Town lands.

Ms. Templar read a list of items needed from the applicant:

- Speed study
- Building elevations particularly the ones that are showing side entrances and the elevation that doesn't show any front doors (the 3 and 4 units)
- Village connectivity to be discussed and decided upon

Mr. Knauf – For the connectivity, this is the plan. If the Board is asking for something else, an alternative, we can look at it but this is the plan.

- The common private drive, making sure there is enough room for emergency vehicles to turn around.
- Referring to a comment making reference to parking within the cul-de-sac and how the fire depts don't like landscaping or parking inside of the cul-de-sac.

Mr. Knauf – Our feeling is that it's so long that it's not an impediment.

Ms. Templar – But if you also have cars parked there, where does the snow get plowed to?

Mr. Cantwell – If you look at the size in comparison, the size of that turn around area is in excess of the paving of a Town of Victor cul-de-sac. The pavement on the outside of the private drive turn around is in excess of what the Town's current approved dedicated cul-de-sac is. So if it works for a cul-de-sac that has pavement through the middle, then it should similarly work with grass in the middle. It's not a maintenance for the Town, it's a privately maintain space.

Mr. Logan – Then there was the point of distributing the overflow parking.

Chairman Santoro – So there is a question of how the land banked parking will work.

Mr. Picciotti – In terms of the Condo Assoc you guys mentioned earlier, how would that be triggered?

Mr. Knauf – The Condo Assoc will be responsible if they have to pave the land banked pieces, that's going to be in the HOA plan. It's going to be disclosed so if that happens, if the Town requires it or if the Condo Assoc feels they need it.

Mr. Cantwell – Alan's the attorney but it would be something the HOA would have to budget for just like an annual contracting for snowplowing and maintenance and landscaping and things of that nature.

Chairman Santoro – The public hearing has long been closed but if anyone has any questions, come forward and ask them. We're not looking for statements but if you have questions, come up and ask.

Mr. Dave Welch from 80 Church Street – This is a really pretty picture, they did a nice layout if that was a flat site. It's not a flat site, you've got to realize that. You've got to realize on the west side that road that they got coming in into a "K" turn at the end goes to a steep hill.

Chairman Santoro – Questions is what we want.

Mr. Welch – My question is what is the square footage of the houses? I didn't see it on the plan. I see it for the apartments.

Mr. Cantwell – It's actually on the plan, at the bottom shows the square footage for each one of the units.

Mr. Welch was referring to the single family homes located in the Village. Mr. Cantwell stated that this meeting had nothing to do with the Village and we were only looking at the Town piece. An application would be made to the Village at a later date.

Chairman Santoro – We have nothing to do with the Village. They make their own minds up and do what they want to do. We can't affect what they do one way or the other so let's stay away from the Village piece.

Mr. Welch – You have this dead end driveway, is there a length for dead end driveways? I know you have dead ends, corners and bldgs, do you have lengths of dead end driveways?

Chairman Santoro – Are you talking about the private drive?

Mr. Welch – The private drive, yes that parallels to Church St and if so, building apparatus and maintenance apparatus need to get down there, what do they do when they get to the end? They can't use the driveways to turn around and does that interfere with setbacks?

Chairman Santoro – They said they are going to put a turn-around in.

Mr. Cantwell – That was requested by the Fire Marshal, that's one of the comments we need to address and show as part of the recent comments we received from them.

Mr. Welch – Do you have a specific distance between bldgs?

Mr. Cantwell – I believe it's 20 ft and it's shown on the plan.

Mr. Welch – What is NA?

Mr. Cantwell – NA is Not Accruable is per the existing zoning bulk standards. We have proposed if you look at the proposed bulk standards, we have shown 20 ft.

Mr. Steve Zumbo from 6 Hillside Dr – I sent you a letter and I was going to read it but you said no comments. So my question and concern is the water running from my place onto Section 4. I think it's very wet and I was wondering if they find that it's too wet, would they raise that level, would that be allowable because I would be against that?

Chairman Santoro – Well, we haven't received a grading plan yet so we don't know what they plan.

Mr. Zumbo – I've looked at the grading plan from the last time, I think November of last year. It did show a slow progression of the land moving downwards and that would be great for stormwater but I'm also thinking the ground water that runs out of my basement with a pipe. I'm worried that if you raise that property, you basically would be pushing that water back at me, that was my question.

Chairman Santoro – What's the plan Bob?

Mr. Zumbo shows Mr. Cantwell the area in which he was referring to.

Mr. Zumbo – Other people also have a pipe that comes from underneath their houses. I was worried that if there was a problem with water that you might opt to raise the level of the land.

Mr. Cantwell – Actually, the elevations of those proposed units would be dictated by the slope of the road, working back away from the road on both sides for the units. On the previous detailed grading and utility plan, we did show proposed storm inlets to drain those areas. I'm sure the Town has those on file.

Mr. Zumbo's comments were inaudible.

Mr. Cantwell – No I think it would actually be cut a little bit and again, the storm sewer would collect that water and ultimately would be contained within storm sewers all the way through the Town piece and discharge.

Mr. Logan to Mr. Zumbo – A quick question for you. You said there's pipes, do you pump through those pipes or does gravity? (Gravity) Does it daylight still on your property? (Yes) I just wanted to be sure that it's not daylighting onto the Gullace property.

Mr. Zumbo – No, and I haven't seen it for a few years because it's been there for so long that the dirt and grass have covered it over but I can still feel the wetness especially in the spring.

Mr. Tom Hooker from 57 East Parkway – I remember, I believe last summer, you were very clear to the Gullace's that you wanted them to have duplexes on the entire property and that was when it was 2 units per acre or 1 building per acre. That is the approximate density that he was approved for, not the number of units but the square footage of coverage when he got his rezone in 1985. Would you like me to show you some of the minutes from those meetings?

Chairman Santoro – No, I'd like you to ask a question if you have one.

Mr. Hooker – Would you like me to show you the minutes from those meetings?

Chairman Santoro – No, we have them on file and will look at them if we need to.

Mr. Hooker – What happened to the request that they come back with duplexes on the entire property?

Chairman Santoro – You're looking at it.

Mr. Hooker – That's duplexes on the west side. Do you understand that that row on the north side on the east side of the property is almost the length of 3 football fields unbroken except for a few small 20 ft sections?

Chairman Santoro – We see what's on the plan.

Mr. Hooker – I see what's on the plan and it's no more appropriate for the neighborhood than any of the other ones he's come up with. Every time he comes up with another plan, it has more lot coverage, more building space, even the duplexes are 6200 sf bldgs, they are huge.

Chairman Santoro – Okay questions for the developer, not for us.

Mr. Hooker – Why don't you come out with a plan that fits the community, fits the neighborhood? It's a single family neighborhood. You've just jammed as much property as you can in there and I understand that you want to make money....

Chairman Santoro -I think we've beaten this to death.

Mr. Hooker – I know but we seem to be going nowhere except he just gets his way.

Chairman Santoro – He presented what he presented. If it gets approved, it gets approved. If it doesn't, it doesn't.

Mr. Hooker – Okay, I think I'm speaking for an awful lot of people, everywhere around the neighborhood. Please do not approve it. Thank you.

Chairman Santoro – Any other questions?

Mrs. Ruth Nellis from 93 East Parkway – I do have a request that the Board keep a few things in mind as we come to a resolution. Could you have 1 resolution per phase as was done in the Silverton Glenn? When will we have exterior designs and materials, when will the floorplans come out? Could we have drainage easements specified? Conservation easements, grading plans and time frames for each phase that would include grading plans, demolition plans, erosion control and landscape plans for each phase. When it comes to voting on this proposal, will the Village portion be excluded?

Chairman Santoro – It's a separate issue. We have no control over the Village.

Mrs. Nellis – Okay, I understand. One last question on this plan, looking at the west side, there is an area where I guess the trucks are supposed to be able to back into and turn around.

Chairman Santoro – Do you mean the fire trucks?

Mrs. Nellis – Back into, is the turn-around large enough for them to turn around in? Thank you

Chairman Santoro – Any other questions? There being none, we look forward to your responses.

Mr. Knauf – As far as the last couple of questions, again we feel that this is very consistent with the zoning. It seems that people's gripe is with the zoning.

Chairman Santoro – I understand your position and I understand their position.

Mr. Knauf – I recall the Board members asking for duplexes on the west side. That was my recollection. I'm not saying nobody suggested the whole thing but that was what we took as the message from the Board.

Chairman Santoro – I think the Board expressed the preference for duplexes but you gave us what you gave us.

Mr. Knauf – Thank you. So we'll be making some additional submissions. Do we put this on for another date or month or would you rather wait for us to submit and then schedule? (Yes) Okay thank you very much.

The discussion ended at this point.

Motion was made by Joe Logan seconded by Heather Zollo RESOLVED the meeting was adjourned at 8:35 PM.

Cathy Templar, Secretary