

A regular meeting of the Village of Victor Planning Board was held on Wednesday, March 28, 2018, at the Village Hall, 60 East Main Street.

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

OTHERS PRESENT: Robert Kelly, Joseph Lopez, Kevin Bruckner, Anita Bruckner, James Cretekos, Doug Eldred, Bill Ferris, John Baker, Stephenie McCormick, Chris West

Meeting called to order at 7:00 PM by Chairperson CHaides.

Salute to the flag.

Resolution #08-18PB
Acceptance of Minutes

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

Resolved, to accept the minutes dated February 28, 2018.

60 Maple Avenue/60 Maple LLC (Chris West)
Site Plan Modification

Mr. James Cretekos of BME Associates introduced himself and stated that he is here on behalf of 60 Maple Avenue LLC and that the owner Chris West is also present. Mr. Cretekos stated that the project is located at 60 Maple Avenue which is South West of the Adams Street and Maple Ave. intersection and bounded by the Great Brook tributary to the South with some Railroad tracks to the North. Mr. Cretekos explained that the Railroad tracks are owned by Ontario County and there is also an easement across the property to the New York State DOT. Mr. Cretekos stated that the property is a 1.4 acre lot which is in the Business Zoning district.

Mr. Cretekos stated that right now there is an existing 8,750 square foot building located on the site which included previously unmaintained land with no existing lawn areas and some deteriorating silos and storage structures. Mr. Cretekos stated that a majority of the deteriorating structures have been removed and the applicant intends to renovate the existing building remaining on the site and provide other site improvements that include a parking area, sidewalks, landscaping and lighting.

Mr. Cretekos stated that the anticipated plan for the property is to have a combination of a restaurant and retail use and that the building complies with all of the existing Zoning setbacks.

Mr. Cretekos showed color renderings of the proposed plan

Mr. Cretekos stated that access to the project site is provided through the existing frontage along Maple Avenue and as there is only 16' of frontage on the property, the applicant is coordinating with the Railroad (Ontario County) to obtain the necessary easements to install a portion of the driveway on their property. Mr. Cretekos explained that to limit the encroachment to the property and to the Railroad they are trying to maintain a 10' separation so the drive aisle at the access point has only been proposed at 20'. Mr. Cretekos stated that the 10' separation was based on some initial discussions that they had with the Railroad authority.

Mr. Cretekos stated that parking for the site is primarily located on the Western portion of the property in the rear of the building with a couple spaces in the front along the drive aisle to the East of the building with a total of 61 parking spaces. Mr. Cretekos explained that the parking lot in the rear has been designed to accommodate a fire truck turnaround similar to a hammerhead style maneuver which was done through some coordination with the Fire Department per their request.

Mr. Cretekos stated that he would like to note that the nearest DOT easement for the Railroad does continue across a portion of the Western area where some of the parking lot is proposed but after review of the easement the property owner is allowed to develop on the land as long as they are not infringing on the function of the Railroad. Mr. Cretekos stated that a fence will be installed along the Northern limits of the parking lot along the Southern boundaries of the Railroad with access provided from the North. Mr. Cretekos explained that in coordination with the Fire Department there are a couple barricades on the West of the property that will be relocated to allow a secondary point of access for a fire truck.

Mr. Cretekos stated that based on a trip generation analysis that was done using the anticipated use during a weekday p.m. they got a calculation of 72 trips with 42 entrance movements and 30 exit movements.

Mr. Cretekos stated that drainage for the site will maintain the existing drainage pattern which will allow runoff to be conveyed to the South to reach Great Brook. Mr. Cretekos stated that for the improvements they are proposing a large retention area in the South Western corner of the property to collect surface runoff from the main parking area and be discharged to one of the existing drainage swales. Mr. Cretekos stated that the Village DPW Director requested that the existing storm sewer be rerouted under the building which has been incorporated into the site plan.

Mr. Cretekos explained that the project is in an archeological sensitive area but have obtained a no impact letter that will be included with the application.

Mr. Cretekos stated that initial comments from the Fire Department and Village Engineer have been incorporated into the current application. Mr. Cretekos explained that a new water service will be incorporated into the building which will be a 4" combined service and are currently reviewing potential connection locations.

Mr. Cretekos went into detail about potential connection locations

Mr. Cretekos stated that as part of the application that was submitted to the Planning Board a short form part 1 EAF was completed and classified as an unlisted action under SEQR and that at this time are requesting that the Planning Board should consider themselves lead agency making SEQR determination and grant preliminary site plan approvals and then move into final site plan application approvals.

Mr. Cretekos asked if there are any questions.

Ms. CHaides stated that she is looking at the Village Engineers comments regarding lighting which states that the proposed site light fixtures should match the Village's standards and your answer is that the applicant prefers to utilize a more streamlined LED fixture that will provide a full cut-off illumination to the proposed parking areas. Mr. Cretekos explained that as the property is private, they would like to use a more updated, streamlined style lighting rather than the acorn style fixture that the Village uses. Mr. Cretekos stated that the lighting will be dark sky compliant and will be angled to direct the light down to minimize the number of light poles needed to illuminate the site for safety and security. Ms. CHaides asked what the proposed lights would look like. Mr. Cretekos stated that they will have a concrete base, a streamlined pole and a sleek fixture. Mr. Cretekos stated that they will supply some imagery. Ms. CHaides stated that from what you are describing it doesn't sound like the proposed lighting fits in with a restoration of an existing building. Mr. Cretekos stated that if the Planning Board wants them to use the Village standards that they can accommodate that.

Ms. CHaides asked for an explanation about the barricades that were removed. Mr. Cretekos showed an Arial photo of the property and showed two existing concrete barriers on Railroad Ave. that the Fire Department requested be removed so that a Fire Truck could access the site in case the main entrance becomes blocked. Ms. CHaides asked how a Fire Truck would access the Southern portion of the building if there were a fire. Mr. Cretekos stated that the back of the building drops off 4 or 5 feet to the property line so they will be proposing a suspended wooden walkway to allow a safe means to the main entrance. Mr. Cretekos explained that there isn't really a way to provide fire access to the rear of the building. Mr. Cretekos stated that the Fire Chief is comfortable with how they propose providing access. Mr. Swan asked if people will be

able to use Railroad Avenue or if it is just for emergency access. Mr. Cretekos stated that Railroad Avenue will be for emergency access only.

Mr. Criss stated that he drove through the property and that it is not an easy pass. Mr. Criss stated that the property should be accessible from the West so that the Fire Department can get in. Mr. West doesn't know how he feels about that and stated that Railroad Ave. ends at the property and that the barricade was off his property. Mr. Criss asked if they got any additional parking from Victor Insulators. Mr. West stated that they did talk to them but they did not get additional parking but with the intended uses does not feel additional parking is necessary. Mr. Criss stated that if you don't have ample parking it becomes your neighbor's problem. Mr. Criss asked about snow removal. Mr. Cretekos stated that the snow will be stored in the West corner.

Mr. Van Dyke asked about delivery trucks. Mr. Cretekos stated that there is a loading area for box trucks in the rear of the area and the delivery vehicles will have to maneuver in similar to the fire trucks.

Ms. CHaides asked where the entryways to the building are located. Mr. Cretekos stated that the Main entrances are in the front and back with potential entrances to individual businesses.

Mr. Van Dyke asked about the existing silo. Mr. Cretekos stated that the original plan was to use the silo as an entrance but the structural integrity of it does not make it useable on the site but the plan is to create a similar silo style structure to keep with the historical use of the property.

More discussion regarding proposed lighting

Mr. Swan asked if the applicant has talked to the Village Tree Board in regards to removing trees and planting new trees. Mr. Cretekos stated that he is aware of the Tree Board and that the landscaping improvements will be provided to them in advance. Mr. Swan stated that the Tree Board likes to be involved in the species of tree that is planted and can advise on the best ones to plant. Mr. Cretekos stated that they will coordinate with the Tree Board on any recommendations they may have.

Chairperson CHaides read the legal notice into the record:

"A public hearing will be held before the Village of Victor Planning Board on Wednesday, March 28, 2018 at 7:00 p.m. in the Village Hall, 60 East Main Street, Victor, New York, to consider:

The application of 60 Maple Avenue, LLC (Chris West), for a site plan modification at 60 Maple Avenue. The applicant proposes to re-purpose and renovate the existing 8,500 sf primary building located at 60 Maple Avenue into a modern, yet rustic building to be occupied by restaurant and/or mercantile tenants. The project is located within the Business District."

On a motion by Charles Criss and seconded by Jeffrey Swan Ms. CHaides opened the Public Hearing

Anita Bruckner-1397 Ashwood Lane, 49 W. Main, 10 E. Main

Ms. Bruckner stated that she just wants to say "Wow" you took a building that was an eyesore and renovated it with respect and character that I hope envelopes the Village. Ms. Bruckner explained that to not use vinyl but use something that is attractive, she thinks it looks great and is fully supportive of it.

Kevin Bruckner-1397 Ashwood Lane, 49 W. Main, 10 E. Main

Mr. Bruckner agrees with his Wife, Anita that this is a great improvement to that side of the Railroad tracks and that the buildings are looking a little shabby over there but this building looks terrific and is very excited about what can be done there. Mr. Bruckner stated that he doesn't know what the required parking ratio is for the Village but at 8,000 square feet, 61 parking spaces seem about right depending on the uses. Mr. Bruckner stated that there were some comments about opening up Railroad Avenue and that he thinks it would be dangerous to allow people to come down Railroad Avenue because of the area at the corner of School Street where they don't have enough parking. Mr. Bruckner stated that he thinks the entrance off Maple Avenue and the parking is sufficient for the property. Mr. Bruckner stated that if the Fire Chief had any issues with the proposed fire truck entrance that he would have expressed his concerns so he doesn't see an issue there. Mr. Bruckner stated that he is in support of the project and is looking forward to another nice restaurant the Village of Victor like Bistro 11, which he goes to twice a week so he is really excited about the project.

Stephenie McCormick -1590 Brace Road

Ms. McCormick asked if additional property will be considered to be purchased for additional parking. Mr. West stated that the first time they came in they discussed talking to Victor Insulators about obtaining additional land for parking but that they will not be pursuing that. Ms. McCormick stated that it is a very good looking building.

Ms. CHaides stated that this application has been referred to the Ontario County Planning Board for their April agenda. Ms. CHaides stated that it is her recommendation to the board that the public hearing be left open until April once the Ontario County Planning Board has commented.

Public hearing left open

Mr. Criss stated that he wishes them well and is not against the project by any means but that if there is a requirement for fire access via Railroad Avenue and public access is not allowed is confusing. Mr. Criss stated that it took the Fire Department 26 minutes to get to Sugar Mills (nest building over) because of the lack of access. Mr. West stated that the barriers were there for years and years and Railroad Ave. was never open. Mr. Criss stated that it was open when he was a kid. Mr. West stated that Railroad Ave.

ends at Mr. Spencer's property and he is looking at it as separate properties. Mr. Criss stated that if the Fire Department has to come through that road should it be a public road? Mr. West stated that it doesn't make sense to have a road on two separate properties. Mr. Eldred stated that they removed the barriers at the request of the Fire Department and the access from Maple Avenue is adequate. Mr. Criss stated that the Fire Department can't turn the truck into the School Street end of Railroad Ave. and need access to the businesses at that end via your property so suggests leaving Railroad Ave. open. Mr. West stated that leaving Railroad Ave. open would create a huge parking problem and would get messy on his property. Mr. Eldred stated that in talking to the Fire Chief he requested the barriers be removed for a second access but agrees with Mr. West. Mr. Swan stated that it should be posted that it is an access road and not a thruway. Mr. Eldred stated that a Knox box could be put in with a chain across it to allow for Fire Dept. access to eliminate public access. Ms. CHaides stated that if this is what the Fire Chief is requesting, they are meeting their requirements. Ms. CHaides suggested leaving it open for now and see what happens. Mr. Eldred stated that he would discuss it with the Fire Chief.

Ms. CHaides stated that this application will be tabled until April.

Ferris Terrace Update **Informal Discussion**

Mr. Doug Eldred of BME stated that he is joined by Dr. Ferris and John Baker who is working on the development who will provide a lot of good information about the status of the project. Mr. Eldred stated that the original proposal included approximately 28,600 sq. ft. of gross retail/grocery space on the first floor, and 44 upscale apartments on the second and third floors. Mr. Eldred stated that there was a 10,000 sq. ft. that was built in for a grocery and that Dr. Ferris spent a lot of time talking to grocers and has not been able to deliver the grocery component and explained that retail space is tough because of online sales. Mr. Eldred stated that thankfully through Mr. Baker, Dr. Ferris was able to work with DGA to come up with a solution that makes the project financially viable but does require some variation of what was approved before.

Mr. Eldred stated that the proposed building has now been revised to reduce the retail area to about 11,000 sq. ft. on the first floor and approximately 76 studio, 1-bedroom and 2-bedroom apartment units in the remainder of the building (4 stories). Mr. Eldred explained that the changes made the project bankable and economically viable to build and also reduced the overall parking requirements allowing a stormwater pond to be created eliminating all of the underground stormwater storage devices in the previous plan which saves \$700,000.

Mr. Eldred discussed the code changes that would allow a 50' high building where the new proposal is for a 49' building.

Discussion regarding potential Village code changes and variances that may be needed.

Mr. Eldred stated that the Rt. 96 corridor study that the Town did focused on the Ferris Terrace entrance as the number one project to help relieve traffic on Rt. 96 so have made a commitment to bring 350 feet in from the road. Mr. Eldred stated that a letter of support of the project has been obtained from Jack Marren (Town Supervisor and head of the Board of Supervisors at the County) who considers this a plus in saving the taxpayers money.

Mr. Eldred stated that he has met with the Fire Chief to make sure that their concerns are met. Mr. Eldred stated that the whole building will be sprinklered and there will be a control center so that a fire source can be located quickly.

Mr. Eldred stated that there will be 130 surface parking spaces and 64 underground with a total of 194. Mr. Eldred explained that they may expand the underground parking to have a covered space for each apartment.

Mr. Eldred stated that because of the reduced retail portion of the building there are 44 fewer trip generations in the p.m. and 55 fewer cars in the a.m. Mr. Eldred stated that he will let Mr. Baker explain the economic issues.

Mr. Baker stated that he got involved with the project about two months ago and saw value in the project and thought the site was great and the opportunity was great but needed to make it economically feasible.

Mr. Baker stated that first and foremost if I was on the Planning Board I would want to know that if the project starts, will it be finished. Mr. Baker stated he has teamed up with some partners that he has done business with before called DGA Builders. Mr. Baker explained that he got a letter from DGA who has been in business for 40 years and have built 6,000 apartments and have never started a project that has not been finished.

Mr. Baker stated that the largest portion of the building is residential so he got the GAR Associates out of Buffalo to do a non-biased, extremely conservative marketing study to see if they feel the apartments will be rentable. Mr. Baker stated that the results were that there is a strong likelihood that the project will succeed.

Mr. Baker stated that he also got letters of support from Kathy Rayburn (Director of Economic Development), Jack Marren (Town Supervisor) and Michael Manikowski (Executive Director Ontario County Industrial Development Agency).

Mr. Baker went into some detail about the letters of support that will be discussed at the April meeting

Mr. Baker stated that the project would bring about 100 people who make approximately \$60,000 annually (\$1,280 - \$1,800/month rent) into the Village which

means 6 million dollars of influx into the Village. Mr. Baker explained that those people would be able to walk to Village services and restaurants. Mr. Baker stated that when there is a walking environment, things change when you drive residency.

Mr. Baker stated that his vision would create a more vibrant Village center where people will walk to restaurants and shops.

Mr. Baker explained that Mike Manikowski of the County has written a letter of support and is in favor and willing to assist with the project. Mr. Baker stated that the project is a 17 million dollar investment. Mr. Baker stated that he wants the building to fit in the space without it looking like an eyesore.

Mr. Baker showed various color renderings of the previous building and the new building and explained the differences and explained how the new proposal is better

Mr. Baker stated that every resident will have a parking space inside the underground garage and there will be a gym, swimming pool, gazebo and deck creating a lifestyle. Mr. Baker stated that he doesn't do projects unless he can create a lifestyle because they are much more successful even though a lifestyle costs more to build. Mr. Baker explained that he is here to build equity with the Village and themselves and not skimp on amenities so the apartments will always be rentable.

Ms. CHaides asked where they are with the variances. Mr. Eldred stated that they will be going back to the Zoning Board on April 18th to potentially get variances depending on the code changes. Mr. Baker stated that they have been working with Attorney Don Young so that there is clarity as to the procedure and who will be making decisions.

Mr. Baker stated that there is a May 10th deadline with the property owners so they are trying to meet that deadline with approvals.

Discussion regarding homes that would need to be removed to build the project

Mr. Baker explained that he does not come to speak at meetings unless the money is there to do the project. Mr. Baker stated that he feels comfortable with the team that he has assembled.

Discussion as to entrances and exits to the project and access roads

Mr. Kowal asked about the relationship with the neighbor, Victor Coal. Mr. Eldred stated that they will be maintaining access to Victor Coal and Lumber.

Mr. Baker stated that if the project is approved construction will begin as soon as possible and would take about 16 months from start to finish.

ADJOURNMENT

Meeting adjourned on a motion at 8:22 pm

Roseanne Turner-Adams, Planning Clerk