

A regular meeting of the Town of Victor Planning Board was held on April 24, 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; Heather Zollo, Al Gallina, Rich Seiter

ABSENT: Joe Logan, Vice Chairman

OTHERS: Wes Pettee, Town Engineer Consultant; Cathy Templar, Secretary; Councilman Dave Tantillo, Town Board Liaison; Lee Wager, Ben Pearson

APPROVAL OF MINUTES

On motion of Al Gallina, seconded by Heather Zollo

RESOLVED that the minutes of the April 10, 2018 Gullace Project Workshop be approved.

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

Approved 4 Ayes, 0 Nays

CORRESPONDENCE RECEIVED

- Ruth Nellis re: Gullace project
- David Hahn re: Gullace project
- Tom Hooker re: Gullace project
- Amy Bartell re: 788 Old Dutch Rd
 - Ms. Bartell lives in Mendon but abuts 788 Old Dutch Road. She was concerned about noise and the applicant responded to her via email which satisfied Ms. Bartell's concerns.

COMMITTEE UPDATES

Planning Board reported by Cathy Templar

- May 8, 2018 meeting
 - Holtz Subdivision located on Blazey Rd – 2 lot subdivision
 - Victor Hills Holiday Light Show Festival 2019 located on the South Course
 - Party City site plan modification for the window graphics

Town Board reported by Councilman Dave Tantillo

- April 23, 2018 meeting

- Public hearing to amend the transfer station permits. There are no expiration dates on the punch cards but are nontransferable and non-refundable. This was adopted.
- After a public hearing, a resolution was approved to implement a temporary land use moratorium prohibiting large scale solar installations within the Town of Victor. This is a 12 month moratorium to be able to find out more information and be able to provide better guidance so when applicants come before you we'll have the regulations on the books.
- Councilman Dave Condon will be the Town Board Liaison for the next 3 months. This will be my last meeting as the Liaison.

Chairman Santoro stated he could only recall 2 solar installations while he's been a member of the Planning Board but expect more to come. Councilman Tantillo stated they are starting to creep up and wanted to be proactive so that we would have the code in place with the criteria needed. This isn't a permanent moratorium, it's just until we are better prepared.

Chairman Santoro – After the last Gullace Project Workshop, Dante Gullace took me aside and I think I need to tell you what was said because it was outside before the proceedings. The first thing he said was he's dissatisfied with the process and he expected it to be done by now. The second thing he said is he's spent about \$300,000 up to this point and really doesn't want to spend any more and if it goes much farther, he's going to pull it, present something else which he says, he guarantees you won't like. That was the conversation.

Mr. Gallina – Thank you for sharing that.

Chairman Santoro – I would be remiss if I didn't.

PUBLIC HEARING

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.

Speakers are requested to limit comments to 3 minutes and will be asked to conclude comments at 5 minutes.

788 OLD DUTCH ROAD

Appl No 3-SP-18

Owner – Fulcrum Holdings

Acres – 3.70 SBL # 14.02-1-1.211

Zoned – Light Industrial

Applicant is requesting approval to construct a 3,456 sf pole barn to be utilized for a woodworking shop and storage of supplies. The property is owned by Fulcrum Holdings consisting of 3.70 acres and is zoned Light Industrial.

Mr. Ben Pearson, owner addressed the Board addressed the Board.

Chairman Santoro announced if anyone wanted a copy of any resolution that is read during the meeting, there is a copy up front to take.

Mr. Pearson from 14Vantage Dr, Pittsford, NY – We closed on this building and property on January 31, 2018 and began to move in. What we're looking to do is build a pole barn to store our supplies to maintain the property as well as do some light manufacturing, very basic woodworking, 3 axes, CNC 4x8 router table saw, and band saw. We're looking to put it close to the building that we're at and we'll have access to it off of our main parking lot. Another important thing to note, we closed on 0 Dutch Road which is above the blue line (referring to the map shown on the overhead screen) on April 30th as well providing more greenspace to the 62% that we currently have on the lot.

The building will not be heated. We did submit for a sprinkler waiver but after talking to the Fire Marshal and looking at codes, it didn't look like that was a very good idea. So we rescinded the sprinkler waiver. We found a new technology called Ceasefire which is a compressed nitrogen system that handles variations of temperatures better than water because we don't plan to heat the barn. We submitted those plans as well.

As you can see from the pictures (referring to the overhead screen) to the right where the man doors are is where our CNC 3 axis automated CNC will go. In the middle will be supplies which is basically purepond plywood, stone miniatures, the hBar Artisan Mined series, steel interlake racking. The ceilings are at 20 ft, the fire compression system comes down 23" off of the ceiling in 15 different spots. Everything will be grade access.

For now, we're planning to do gravel in front of the building and then as budget permits, we'll be paving that as well to match the parking lot. The colors of the building, we're trying to exactly match the current building on the property. We'd like to build a cohesive campus so everything looks the same. This is the first building of many that we hope to build on the property and the property that we're working on buying at this point in time. There aren't a lot of humans in it, maybe 1 for 2 to 3 hours a day at the most and usually only during the warm weather. It's really just for storage to keep our lawn care equipment, all the things that we want to use to maintain the property and to do more build out.

Chairman Santoro asked Mr. Pearson to explain what this business does.

Mr. Pearson – We do two things; one is I'm a physicist by trade. We design scientific apparatus that are used in science education. We distribute that to about 200 distributors around the globe at this point in time. If you imagine your physics class in high school, if you tip that classroom upside down and everything that fell out, we designed and build. Beakers, biolistic pendulums, cylinders, ban digraphs, the really cool stuff!

That's our one division that's scientific. Our other division is we're a bunch of geekie scientists and realize that we could use the data and analytics to sell beakers at Christmas time on Amazon and we figured if people are going to buy beakers at Christmas time, we could sell anything. So we're up to about 6,000 skews. Our primary focus is small manufacturers in the western NY area. What we do, we find manufacturers that don't have the e-commerce or data sophistication to launch onto a channel like Amazon, Jet, Walmart, Racaton, Nuag and we take all of their product from even one guy from a spin caster, we package it, we get UPC labeling,

we do all of the analytics, we do all of the marketing, we launch it to Amazon and then we handle all of the fulfillment. That grew to the point where we're at now, that whole building is a Amazon 3P platinum distribution center privately owned by myself. We do about 1,000 to 1500 orders a day to the Amazon type channels and then on our science education side, we do 10 to 50 wholesale orders a day. This is our second campus. We have another campus in the City. We're hoping that our neighbors will eventually sell all their land to us as well, we'd like to build a few more buildings.

Chairman Santoro – What do you use for shipping?

Mr. Pearson – LTL, we don't run a lot of trucks. It's 1 or 2 trucks a day at the most and we usually sell a pal load at a time. USPS, we have a contract with them where they don't send small trucks, they just send 1 big truck and we fill it up.

Chairman Santoro – You don't do drones do you?

Mr. Pearson – We did a drone test in Seattle with ---- actually, he delivered a 6-pack to the meeting. It was pretty interesting because in Seattle they do delivery, you can do it by the hour and then you can do your frozen products by temperature gradient. If it's outside the gradient, the shipping is free. So we do a lot of Amazon Beta testing. We have packaging that is actually accommodated by drones, small and light. We wrote in the larger rhythm to do the shipping for those types of packages if they launch to the northeast. They are waiting for the FAA regulation to pass right now.

Chairman Santoro asked the Board for comments.

Ms. Zollo had no comments.

Mr. Rich Seiter – Your sprinkler system, is that a dry system? (Yes) Where will you get water?

Mr. Pearson – There is no water to the building.

Mr. Seiter – So the nitrogen itself is the fire suppressant?

Mr. Pearson – Yes, it's dry nitrogen powder, UL approved.

Mr. Gallina had no comments

Mr. Pettee – Just for the record we have a letter dated April 20, 2018 to which the applicant has responded. Roof drainage and we asked how it would be handled, the lighting and potential for any landscaping. I understand that the base of the building will extend 2 ft beyond the building and the stone base is on gravel which would handle the runoff from the roof. Are the 3 lights that you're going to install building mounted lights?

Mr. Pearson – Yes, mounted right to the building. They also will match exactly to the current 788 building, dusk to dawn automated lights, pretty dim.

Mr. Pettee – Is there any specific landscaping that you’re proposing now?

Mr. Pearson – None. The back side of the building by the trail can’t be seen at all. The front part, we’re going to lay in the gravel to do the parking lot and then to be honest to kind of see what it looks like and decide from there. What we really want to do is plant more trees up along Old Dutch eventually. The lot feels a little light on trees and the one that you can see in the top right is sick so we plan to replace that if it has to go.

Mr. Pettee – I don’t have anything further.

Chairman asked if there were any other questions or comments and there were none, the resolution was read. It was announced that there were copies of the resolution if anyone wanted one.

RESOLUTION

On motion made by Rich Seiter, seconded by Heather Zollo

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

1. A site plan application was received on March 27, 2018 by the Secretary of the Planning Board for a Site Plan entitled 788 Old Dutch Road- barn.
2. It is the intent of the applicant to construct a 3,456 sf pole barn with a 4-12 pitch roof to be utilized for a woodworking shop and storage of inventory and supplies.
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 April 24, 2018 at which time the public was permitted to speak on this 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. The application was referred to the Ontario County Planning Board under Section 239 of the General Municipal Law. On April 16, 2018 Ontario County Planning Board returned application as a Class 1 with comments.
7. The Fire Marshal reviewed the application and on March 30, 2018 stated a sprinkler system would be required.
8. The Code Enforcement Officer reviewed the application on March 30, April 5, and April 17,

2018 and have no further comments.

9. The Conservation Board reviewed the application April 17, 2018 and had no additional concerns given the action proposed and data available.

WHEREAS, the Town of Victor Planning Board reviewed the Unlisted Action on April 24, 2018 and identified no significant impacts; now, therefore, be it

RESOLVED, that the project, 788 Old Dutch Road - Barn 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 Benjamin Pearson, Site Plan entitled 788 Old Dutch Road - Barn, received by the Planning Board March 27, 2018, Planning Board Application No. 3-SP-18, BE APPROVED WITH THE FOLLOWING CONDITIONS:

Conditions to be addressed prior to the chairman's signature on final plans:

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 the comments in a letter dated April 20, 2018 from LaBella Assoc. be addressed.
3. That the applicant submit color samples of the pole barn to the satisfaction of the Board.
4. That the sprinkler/fire suppression system submitted April 20, 2018 be approved by the Fire Marshal.

Ongoing conditions:

1. That the site plan comply with Town of Victor Design and Construction Standards for Land Development, including Section 5.
2. 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.
3. The building design plan shall be consistent with the details as shown and described on drawing and letter received March 27, 2018 by the Planning and Building Dept.
4. That the access driveway to the pole barn be paved by October 31, 2019.

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

Ernie Santoro	Aye
Joe Logan	Absent

Heather Zollo	Aye
Al Gallina	Aye
Rich Seiter	Aye

Approved 4 Ayes, 0 Nays

Chairman Santoro stated that if Mr. Pearson needed additional time for the paving of the driveway that he could come back to the Planning Board with his request.

Mr. Pearson – I'm new to this process and have a couple of questions. The conditions to be addressed prior to signature on final plans. It looks like 1, 2 & 3 are all complete. #4 there was a lot of correspondence between the Fire Marshal and the manufacturer of the system but I have not heard...

Ms. Templar stated she would talk with the Fire Marshal tomorrow and ask for final comments and send to Mr. Pearson.

Mr. Pearson – Okay, then my building permit.

Ms. Templar asked if it was filled out and given to the Building Dept. Mr. Pearson stated it was. Ms. Templar stated that the Building Dept is waiting for the final comments from the Fire Marshal regarding the fire suppressant system.

The discussion ended.

Motion was made by Al Gallina seconded by Heather Zollo RESOLVED the meeting was adjourned at 7:20 PM.

Cathy Templar, Secretary