

A regular meeting of the Town of Victor Planning Board was held on October 10, 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 Condon, Town Board Liaison; Kate Crowley, Conservation Board; Robert Hamby, Rodney Belkings, David Nankin, Vance Kannaper, James Cretekos, Janet Wilber, Fred Rainaldi Jr., Lee Wagar, Jim Gullzow, Dave Cali, Mark Meger, Kole & Vera Mandron, Barb Snyder, George Snyder, Keith Imbruglia, Mike Tosch, Sue Davie, Martin Snyder, Bejan Bahai, James Spelman, Al & Marian Montevecchio, Stephen Schultz

APPROVAL OF MINUTES

On motion of Al Gallina, seconded by Joe Logan

RESOLVED that the minutes of September 25, 2018 be approved.

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

Approved 5 Ayes, 0 Nays

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.

BOARDS & COMMITTEE UPDATES

PLANNING BOARD reported by Kim Kinsella

- October 23, 2018 meeting:
 - Dunbar Hill Subdivision held over from 9/25
 - Victor Holiday Inn Express requesting construction of a shed
 - Royal Car Wash site plan modification
 - Piper Meadows Subdivision located on High Street for a Sketch Plan

PUBLIC HEARING

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

MEYER'S RV SERVICE CENTER

6415 Plastermill Rd

Appl No 24-SP-18

Owner – Rudy, Brian, Kurt Kumpf

Acres - 3

SBL #28.00-1-37.000

Applicant is requesting approval to open an RV pre-delivery inspection & repair facility. RVs will be stored/parked on premises temporarily within the gated area. Units will be transported to main location when complete.

Mr. Dave Cali addressed the Board.

Mr. Cali – I've got a couple of pictures to give you and information on the work that we do on the RVs. We're proposing the use as storage and repair of vehicles. The vehicles will be stored on the premises temporarily. We're not really foreseeing any more than 50 units on the lot at any given time. I've made a diagram of the units. (*Mr. Cali handed this information out*) I've used the spaces of 9' x 33' for each unit. Our average unit is 8' wide and I've used 9' just to show that we can actually get that many on the lot. We're proposing 30' fire lanes so that we can get a fire truck all the way to the back of the lot, 30' all the way around. We're going to load from this side (*closest to the road*) and down so that we can possibly stop away from the fence line so that it doesn't impede on the neighbors view into the yard. We're going to use privacy fence screening across the front to try and block out all of the vision from the road.

There's approximately 7 mature pines across the front which block out 90% of the lot and the visible RVs that will be in storage. All of our repairs will be done inside the shop. No chemicals, we're not doing any oil changes or anything on the RVs, we're sending all of that out for sublet. The only thing that we'll be doing exterior will be the washing of the RVs before they come into the shop.

Chairman Santoro asked for public comment and there were none.

Mr. Seiter – I have a question about the screening, it's just along the front? What about the side by the residences?

Mr. Cali – There is an 8 ft white privacy fence already up on the east side. On the west side it's separated by trees from the neighbor as well as there are vines. The entire fence is completely blocked out on that side.

Mr. Seiter – It wouldn't be visible from the road then? (No)

Ms. Zollo – Our consultants asked about dumpsters. Do you have a dumpster location?

Mr. Cali – Originally, we were going to put a dumpster on the premise. We're going to use totes and any big stuff we're going to bring to our Farmington location and dispose in the dumpster there.

Ms. Zollo – Could you go over again the nature of the work that you will be doing.

Mr. Cali – I've given you all a pre-delivery inspection sheet. The work that we do is mostly going through the units before the customers get them. It's checking the electrical, the continuity of all of the electric, running through the cycles of the RVs, tire pressure, just basically going through and making sure they are ready for the consumer.

Ms. Zollo – And then what about the plumbing systems you have on here. Will you be just checking to see if they're working?

Mr. Cali – They are fully self-contained so all of the plumbing and water is internal on the unit. We'll be checking for leaks. We'll fill the water tanks on all of the units and cycle test it that way and if there are leaks, we'll do repairs inside the shop.

Ms. Zollo – Okay, but any issues with waste?

Mr. Cali – No, there will be no waste disposal on the property.

Ms. Zollo – Because that was one of the other comments, that the property is on septic and not on sewer. I think that was viewed as a problem.

Mr. Cali – There will be no waste from the RVs on the lot. I think prior the previous owner was using it for 50 to 100 employees and we'll be running it with 5 to 6 so I don't think we're going to be increasing anything which would require a sewer.

Ms. Zollo – Okay, then what about the hours?

Mr. Cali – We're going to run Monday thru Friday 7am to 7pm. Saturdays 7am to 6pm and we're closed on Sundays.

Ms. Zollo – That's all I have right now, thank you.

Mr. Logan – Is this a drive up where someone who needs service brings the RV to your lot or do you bring it from somewhere else?

Mr. Cali – We bring it from our lot.

Mr. Logan - So you have all professional drivers that are parking them.

Mr. Cali – We have one truck on the road which will be our porter in between. There'll be vehicles coming in between that and it will be our drivers or factory drivers.

Mr. Logan – That's it for the moment.

Mr. Gallina had no additional comments.

Mr. Pettee – LaBella did provide a comment letter on this project and its dated October 5, 2018. We did ask about waste water. I understand the property is serviced by an on-site septic system. You'll be doing some vehicle washing outside? (Yes) Anything inside?

Mr. Cali – Anything inside will be hand washed, a wipe down basically.

Mr. Pettee – As far as parking goes, we saw that there was a diagram submitted, it didn't appear to be to scale but it's different than the one I have in my file. (Mr. Cali handed out a revised drawing that was to scale). We weren't able to verify the capacity....the cover letter of the application mentioned that there would be up to 50 RVs stored or parked on site. I don't know if there are 50 depicted on the drawing you handed out.

Mr. Cali – There are 56 on that map. Like I said, we're going to start filling from the roadway first. 50 would take us to the tree line. We'll try to hide as much as possible.

Mr. Pettee – It kind of appeared that the initial application wasn't committing to any additional lighting but mentioned that security lighting, motion detected will be added to the building if needed. I just wanted to reiterate that if any exterior lighting was installed, it would need to comply with the lighting code for the Town and is generally subject to site plan review. If you're going to be adding lighting, now would be the time to discuss it.

Mr. Cali – Currently there are 2 motion lights on the building. One to the front of the building and one in this area (*pointed out on the plan*), there are flood lights to the back. Those we can put a motion sensor on but there's already 3 on the building, I don't think we would require any more.

Mr. Logan – On that note, if there are lights on the building now, they should be updated to meet the code not just living with what's out there, so they're full cut off and as Wes indicated if you're going to "add" anymore, we certainly would need to review that.

Mr. Cali – The motions that are the building are dark sky compliant. I'm not sure exactly how many lumens they are putting out but they are pointed downward so that they are not in the vision of the neighbors.

Mr. Logan – In other words, the apartments to the east, you don't want spill over with source lighting. Thank you.

Mr. Pettee – The other comment that we made was about the buffer and I understand on the east side, you're adjacent to the multiple residential district and I think I understand that the Town Board as part of their rezoning indicated that they wouldn't require this project site to require that buffer. The other item that we noted is that there appeared to be a requirement for a 100 ft wide buffer adjacent to any residential zoning district and that appears to be to the south. I'm happy to defer to the Code Enforcement and Building Dept on what the buffer requirements are. I don't know if you have any response to that.

Mr. Cali – To the south side, behind the building is wide open field, well over 100 ft to the railroad tracks, nothing behind us, just trees.

Mr. Pettee – That’s all I have for comments.

Chairman Santoro – Did I understand that you’d be washing these outside or in the building?

Mr. Cali – We’ll be washing them outside with pressure washers and then bringing them into the building. There’s no floor drains in the building so we don’t want to mess up the building.

Chairman Santoro – Have you seen the comment from the Farmington Water Sewer District, Dave Degear? (Yes sir) He wants that the building be connected to public sewer. Do you plan to do that?

Mr. Cali – We’re leasing the building right now. We didn’t have any plans to connect to the sewer. Like I said, we’re down to 5 or 6 employees out of this building and the previous owner had well over 50. I don’t think it calls for sewer.

Chairman Santoro – Who was the prior owner?

Mr. Cali – The prior leasee was Finger Lakes Dry Wall.

Chairman Santoro – The owners been the same right along, Rudy Kumpf. Is he aware of this?

Mr. Cali – I don’t know. Like I said, we’re leasing the property from him.

The Secretary stated that she would mail the comments to Rudy Kumpf.

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

Chairman Santoro – Since there was new information that you came with and the Board had some questions, is there anyone in the audience that wishes to speak? *There were none.*

A motion to close the public hearing was made by Joe Logan, seconded by Al Gallina. The public hearing was closed.

Chairman Santoro – So we have a couple of things to look into and hopefully we get the answers by the next meeting and be able to have a resolution ready for you.

MCA GROUP - ANTENNA TOWER

7640 Omnitech Pl

Appl No 5-SU-18 & 25-SP-18

Owner – MCA Group LLC

Acres – 3.50

SLB# 15.01-1-17.210

Applicant is requesting approval to install an approximate 106 ft high retractable single communication tower with an approximate 16"x12"x8" simulator box attached at the top. The tower will be utilized to test satellite equipment from 7640 & 7650 Omnitech Place.

Rodney Belknap from MCA Group and Vance Kannapel from L-3 Communication who is the tenant at this location.

Mr. Belknap – We are here requesting a special use permit to install the antennas and also a platform around it. I'll have Vance explain the need for them.

Mr. Kannapel – Currently, we have a wooden telephone pole as shown in the diagram with a satellite simulator on it. We use the simulator now for the production of our satellite terminals. We build satellite terminals for Special Forces groups in many of the DOD communities. This is a prime piece of equipment for our production process. The current tower is not tall enough. The trees behind it that separate us from the Redcom facility have grown above this tower. So now this simulator, when we look at it from our terminals where we're testing it from ground level on our test pads pointing at it, the trees are directly behind the simulator. This causes a severe problem for our testing of the equipment to make sure it's performing properly.

Our proposal is to eliminate the equipment on the telephone pole and put it onto a tower that will allow us to extend that simulator above the tree line so that behind the simulator now is cold sky. That is our hope that we can do that and keep on mass producing our tone for our folks.

Chairman Santoro asked for public comments and there were none.

Mr. Gallina – Just to understand, the operation retractable nature is just so that when service needs to be performed, it can be lowered?

Mr. Kannapel – Correct. Right now when we're working on the tower, we have to rent a 120 ft lift. It causes severe safety concerns for our corporation, they don't like us going up there let alone trying to find somebody that's not afraid of heights to work on it! It's a real problem and there's always something that seems to happen, Mother Nature, maintenance, whatever but we've had our fair share of issues over the years and this whole process that we're looking to replace a number of the components and stream line this whole test process is pretty significant.

Mr. Gallina – So how frequently would you anticipate having to lower it?

Mr. Kannapel – It would be brought down during any storm that would be coming through. We would be doing it quarterly at a bare minimum for our maintenance program to make sure all cables, no rust, breaks or whatever issues are due to the PM work required by the tower manufacture. So I would say 6 to 8 times a year or up to a dozen depending on storms.

Mr. Gallina – The existing tower, is it the intent that it would come down?

Mr. Kannapel – There are 2 things going on. 1 we were hoping to be able to use that tower for our security system, our video surveillance that we have. We have a 24 hour guard that is there required by.....

Mr. Gallina -But does the tree line prohibit that use? (No) Well today the trees are the problem, that's why you need to go higher.

Mr. Kannapel – Correct, for the simulator but we would still like to use that pole in the future for our video surveillance.

Mr. Gallina – Would there be a way to integrate the two so we could have one tower versus having two?

Mr. Kannapel – We looked into that and one of the problems that we're having is you can't mount anything except at the very top of the pole and at the very bottom. The very bottom doesn't provide enough height to give us the surveillance that security manufactures for the cameras have told us is required.

Mr. Belknap – Correct me if I'm wrong but I don't think we need it at the height it's at now once the antennas are moved, we can cut the height of it down.

Mr. Kannapel - We could reduce it into the 40 ft level if needed.

Mr. Gallina – Okay, then if that's the case, maybe that's some language we could put into a resolution. The last question, so given the current rate of growing trees, how long will this solution last?

Mr. Kannapel – We calculated that out to be over 20 years.

Mr. Logan - I don't have any additional questions but I do want to say that since it's in the middle of a Light Industrial area, and having heard no objections from the industrial community or the public, I have no objection for you guys to have a more efficient and successful operation by putting this in. I think cutting the other pole down would be great so I'd be all in favor of that.

Mr. Kannapel – When you say cut it down, reduce the level?

Mr. Logan- Reduce the height of the wooden one.

Ms. Zollo had no questions.

Mr. Seiter had no questions.

Chairman Santoro – Codes has advised us and you may be aware but Section 211-47C (3)(g) limits a parcel of having only 1 tower on it. So you're going to have to get a variance from the Zoning Board of Appeals.

Mr. Logan – So if you cut the pole down to 40 ft....

Chairman Santoro – You still need a variance.

Mr. Kannapel – So what's considered a pole or a tower?

Chairman Santoro- It says 1 tower but we'll run this by our Code Enforcement Officer.

Mr. Kannapel – We'll definitely have to have a time period as the 2 run parallel when working otherwise it shuts our production down completely.

Mr. Logan – That's part of the process. I don't see why that would be an issue. If we could request that of Codes; a 40 ft pole versus a tower as a secondary element remaining.

Chairman Santoro- We'll see what we can find out. In the mean time, you'll probably need to make an application out for the Zoning Board of Appeals. You can talk with Al Benedict about that. I'm not sure if you've seen his comments.

Mr. Belknap – Yes, we actually met with him yesterday and that was one of the things that we talked about and he wasn't quite sure if there was anything in the code that differentiated a tower from a pole.

Mr. Logan- I would suspect maybe the height of a building, a 35 ft height maximum...

Ms. Zollo -25 ft because that would be the height of a light pole.

Mr. Logan - Well East View Mall has light poles that are 35 ft.....

Ms. Zollo -Yes, but you know we've been back and forth with them numerous times about that. Let's not use them as an example.

There was a discussion on 25 ft light poles versus 35 ft light poles. The Secretary will check with the Code Enforcement Officer on the maximum height of the wooden pole to remain at this site.

Chairman Santoro – I don't have any comments or questions. I think it's a good project. We'll see you back at the next meeting.

CHASE BANK - Valentown Plaza Lot 1

7724 St Rt 96

Appl No 26-SP-18

Owner – 46 North Avenue, LLC

Acres – 1.72

SBL # 6.02-2-48.000

Applicant is requesting approval to demo the existing Uno's building and to construct a 3,640 +/- sf Chase Bank with an ATM drive thru.

Mr. James Cretekos with BME Assoc. addressed the Board along with applicant Fred Rainaldi, Jr.

Mr. Cretekos – We are here this evening for the Chase Bank proposal at the corner of SR 96 and High St. The property is Lot 1 of the Valentown Plaza consisting of approximately 1.67 acres and is zoned Commercial. The proposal is to demolish the existing Uno's Pizzeria and basically within its footprint construct a new Chase Bank with an ATM drive thru.

There are two variances that are applicable to the property that were granted in 1976/77 that allows us a 35 ft parking setback to High Street and SR 96. As we're not redeveloping the parking areas, we'll still be compliant with those setbacks. Again, the site modifications on the site are generally limited to the building footprint and what is necessary to reconnect the utilities to the new structure.

Existing points of access to the Plaza will be maintained. It will be the one onto High St that is currently being redeveloped with the Lot 3 construction. There's also the entrance off of SR 96 from the Longhorn Plaza as well as the signalized intersection across from Valentown Rd that is at the bottom of Lot 3.

Traffic generated from the bank will generally be a reduction of the restaurant use so we don't anticipate any additional trips generated from this proposal. Similarly with the parking, what will be a total of 87 spaces on the property is more than sufficient to satisfy the needs of a bank as there are shared parking and access agreements with the other lots in the plaza, we would like to leave those parking spaces intact for high periods of use such as the holidays, especially for the new New York Beer project.

The new utility connection for the building, we're going to generally try to reuse the existing connections that are in place today. We'll be reconnecting to the public water mains that are located on the site as well as trying to reuse a portion of the existing sanitary lateral. We will be removing the existing grease trap on the property as we no longer have a need for it as we're moving away from a restaurant use.

Drainage on the site will be limited to modifications that we'll need to tie in the downspouts for the building as well as some other minor adjustments based on what is necessary for the grading as we're well below an acre of disturbance and we will not be creating any new impervious surfaces with this application. We don't have any needs to do water quality controls or post construction quantity controls either. Drainage will basically follow the existing patterns. It will be collected into catch basins and then directed to the existing established stormwater facility that is located below Lot 2.

All of the lighting on this property will be replaced so it will be cohesive with the new light poles that are being installed on Lot 3. They will all be sky compliant fixtures. We are currently reviewing the lighting throws to insure that we're meeting the town code for light spillage into the State and High Street right of ways.

Landscaping on the property will generally be associated again around the proposed building. Although the vegetation that is existing today along High St and SR 96 will be maintained, it's fully established and appears to be in great health.

The new Chase Bank will not have any dumpsters located on the property. There will be a shared agreement with the users of Lot 3 and we will utilize those dumpsters that will be

located at the southern end of the site. Chase doesn't have any need for dumpsters or totes so we can avoid having those on the property.

The hours of operation for the business are generally Monday thru Friday 8:30am to 6:00pm and Saturday 9:00am to 2:00pm and they will be closed Sundays. This location anticipates 8 to 10 employees on staff at any given time.

Architectural elevations were submitted with the application and I also have several of the building materials that I'd be happy to pass around. *Mr. Cretekos pass around samples of the building material.* All the textures will be utilized as there is a variation of the elevation of the different changes in colors.

Signage on the site; we will be submitting a separate sign application but we will be proposing to take down the existing pylon sign from Uno's Plaza. We will be proposing a new ground mounted stone monument sign to be consistent with the other signs in the area.

To date, we have received comments from all of the Town's staff reviewers and we've provided written responses to all of those with the exception of the second round of the coordinated fire review comments. One of the things that we were able to jump on right away was the first round of fire review comments. They did request that we not install the curbed island that was approved with the Lot 3 construction. We were able to catch the contractor in time before they poured the curbing so that will be striped now to help with better fire access during emergencies. The second round of comments from the Fire Marshal requested a couple additional improvements to the site for accessibility reasons. They requested that we remove this landscaped island (referring to High Street access) and we're reviewing that right now. We have two proposed trees to be located there that were approved with Lot 3 as well as a light pole. So we're just reviewing if we can shift the light pole out of that island to provide some additional accessibility while still maintaining our adequate lighting levels. The second request in the second round of fire comments was to remove the curbed island in the Longhorn entrance on SR 96. We're looking into that. Obviously, it's in a State right of way so that would require permitting with the State, so we'll have to go through that process if we're going to proceed with that. But the applicant doesn't have any reservations to doing that.

That pretty much sums it up. If there are any comments/questions, be happy to discuss or if you have any business related questions, we'd be happy to field those as well.

Chairman Santoro asked for public comments.

Mr. Martin Snyder my parents and I own the lot immediately south of the Valentown Plaza development at 304 High St. We share a side lot line that faces High Street. We've been on that land since the 1840's so my parents are the 5th generation, I'm the 6th and my kids are the 7th and I'm really concerned about the preservation of quality and history in that area. I have many concerns of how the development of the 3 lots of this project have played out. There's been numerous delays, extensions of site plan approvals and building permits and after referencing town code, I have serious concerns that the site plan and building permit are even valid from a time line standpoint for the current building that's under construction right now on Lot 3.

I realize we're not here to consider approvals for any items on Lot 3 but these lots are so intimately connected, in fact parking spaces are split by property lines, you can see on the site plan. We need to take a look at the big picture of all 3 lots at the same time to understand how all the moving parts fit.

When the current site plan was approved for Lot 3 back in 2015 a --- pub was not even on the radar. In fact, referencing the Planning Board minutes of February 15, 2014, Mr. Rainaldi stated “I have no intention to put food in this structure. My intention is to tenant this building much like you see with the North Face.” The Planning Board based on Mr. Rainaldi’s comments included the following in their Findings of Fact when approving the site plan for Lot 3 project in April 2014, point 10 and quoting their points of fact directly; *Due to the specialty retail use proposed in the new building, fewer parking spaces are needed in comparison to a restaurant or other commercial uses.* I’ll fast forward to 2018, we have that destination brewery going in which is a major restaurant and that’s going in on Lot 3. A use of a much higher density of patrons and peak times than specialty retail. Just think of a packed bar versus a sales floor of the North Face. Since that site plan is no longer appropriate for the upcoming use of Lot 3, we need to step back and reconsider the big picture before moving forward tonight with a site plan on Lot 1 for the Chase Bank.

As I mentioned earlier, these 3 lots are so intimately interconnected, you can’t approve a site plan tonight without having a current one for another lot in the complex. If parking is inadequate for the entire site, spill over is going to occur on the gravel lot for the Victor trails at the southeast corner of this development near the pump station. It’s logical to assume this. It’s immediately across the property line of my family’s land. We can hear the pump station from the house and I just can’t imagine the noise at 2:15 in the morning, after last call when the bar empties out and people are trying to access that area for spill over parking if we don’t have the parking taken care of and this needs to be taken seriously since it’s a commercial use right across the line from residential use.

I would urge the Planning Board tonight to leave the public hearing open, require the developer to submit a site plan that correctly addresses the use of the “entire” complex since the site plan for Lot 3 is now inadequate, you should not approve any more site plans until they all match the proposed uses of all bldgs on the development site. Thank you for your time.

Chairman Santoro – Well we didn’t have a resolution prepared for tonight in any event. (Okay) And we have some questions here that have to be answered. (Thank you, I appreciate that) Lot 3 is where the brewery is going and that was approved as a building, we’d have to look at the approvals that we had 4 years ago and check with Codes and see if they’re in compliance.

Mr. Snyder – I’d appreciate that. I think you’ll find some questions if you look deeply into it. I’d be happy to help out with that.

Chairman Santoro stated he would keep the public hearing open. Chairman Santoro asked for any other public comments.

Ms. Lee Wager from Beauchamp Way – I think the bank would be great. It would be a lot less traffic than any restaurant would be. It certainly looks better than what is there now.

Mr. Fred Rainaldi, Jr. from 205 St Paul St – Only because I was quoted in the original comments and am the developer of High Point and 46 North. The history around the approval of this site is long and I actually remember verbatim as quoted what was commented on earlier and I actually appreciate that someone has actually gone back and researched what we worked so hard to create, these approvals and the entire process. The comment with regards to the restaurant

carries a really important responsibility that I articulated in the original approvals. Had I not had plans to remove the food use from the Uno's parcel, I wouldn't have introduced a hospitality operation for Lot 3. The comment with like-kind, specialty retail application is totally consistent with my expectations then and now. Time has only changed certain things that we're all benefiting from in this region; one of them is the expansion of our food and beverage economy and especially as it relates to wine and beer. Three weeks ago, I participated in and I was invited to a presentation and conference with regards to economic development that was hosted by the Ontario County IDA. The big topic was what should we be seeking out to populate environments like this, should it be retail or should we be seeking out to populate the new residential product. The overwhelming and impossible to forget concept was that food, food technology, the celebration of those two things and the ability to have a unique environment to access that was paramount and consistent with the overwhelming County's goals. The brewery has a significant R&D 6 pilot production facility and then has a beautiful kitchen that complements it so it's not a bar, this isn't a second Distillery. This has a unique purpose and function and the way it produces its craft and is operated by two remarkable people, Kevin & Kelly Krupsky from Lockport, NY and they couldn't be more proud to bringing this to the Town of Victor and Ontario County.

Every expectation that you may have built or found of me over the years and the conditions by which I testified in the original approvals apply to this building, apply to today's application and even more important and grand scale because now not only have I accomplished the goals that I set out for us in that original approval, I've been able to do so with tenants that will be there for a long time, with tenants that have gone out of their way to create community features. The NY Beer project has a 3,000 sf events space that we already have over 37 requests for bookings and people begging me to have this facility open by the holidays.

I can promise you that what we are presenting tonight and what I will be doing with Lot 3 is no less important or special than my expectations that I've set with this Board several years ago.

Chairman Santoro – Thank you. Any other comments or questions? Anything from the Board?

Mr. Gallina – From a comment perspective, I agree with the fact that the current demise of the building is unsightly so anything that you can do to enhance that would be a positive. I think the footprint that we're looking at is roughly half of the existing building so I think that moves it in a positive direction. Its use requires less parking and less traffic, I think that's a positive.

I do share the same concerns relative to the unique use of Lot 3 and what parking that may be required particular with a 3,000 sf event space which sounds lovely, could bring a lot of traffic. So I would like to see an integrated parking evaluation with what is being proposed here, will the total of 3 sites be able to accommodate the expected parking.

Mr. Seiter had no comments.

Mr. Logan – I just want to step back and comment on Lot 3, a little bit of the history, even farther back than when Rainaldi's took over this entire lot. What was previously approved on that lot before Fred came forward with his concept was much less desirable from an aesthetic perspective. It was a very plain, simple building. It really didn't have any potential the way they had perceived it and presented it to the Board which was kind of a generic space that they would

fill some day if they found tenants. I think that Fred has gone above and beyond in terms of architecture. It's a historic district. The building is beautiful so I at least, want to compliment Fred's vision and efforts in bringing that to the historic district.

Having said that, since Uno's is no longer going to be there, putting a bank there certainly takes away from the demand on parking that would otherwise still be there if Uno's was still a viable business. I agree if there were 3 restaurants on the same site, it would be a real challenge making the parking fit. So in agreeing with Al in terms of evaluating the entire site, I think we should see that. I think this is an entirely appropriate low impact use of the balance of the site on this particular lot, to put a bank and I'm looking forward to seeing that.

I would make a few comments about the architecture Fred. I think we could do a little better and to make it more historic in flavor. Right now I don't think the one feature really connects the facility that you are building now and Valentown and North Face very successfully. So I'd like you to consider looking at that, putting some more features. It could be arts & crafts like the City Mattress across the street. I'm not saying copy the architect, I'm saying there are featured elements on that building that are all the way around it, not just the one central feature. So I would make that comment to you and your team.

As far as the rest, I think it's an excellent use for that site and have no doubt that the analysis will show that it can support the bank with the other 2 uses on the project area.

Ms. Zollo – I'll agree with Al about the parking evaluation on the full site and with Joe about improvements to the architecture. If you tie it in with what you've done on High Street Extension, something to make it look like it fits a little bit better, that would be great.

The building that you're building is 3,640 sf, what's the size of Uno's?

Mr. Cretekos – I believe it's closer to 7200 sf. We're able to fit the building and the drive thru on basically the same footprint.

Ms. Zollo – Okay and what about the mechanicals, will they be on the roof?

Mr. Cretekos – The current plan for them is to be on the roof, on the flat section at the back of the building. The parapet is going to be tall enough right now to screen them.

Ms. Zollo – Okay, that's all I have, thank you.

Mr. Logan – I just want to follow up with an additional question. It's a bank, typically you have drive thru's in a bank. You talked about hours of operation. Will there be a 24 hour ATM or drive thru at the site and is there a cover for it? I didn't see that on the elevations.

Mr. Cretekos – There is just an ATM drive up. There is no drive thru teller associated with it. The ATM will be operational 24 hours a day. There is a small cover that is associated with the unit. We can provide some details if you'd like.

Mr. Logan – So it's more of a kiosk, separate from the building? (Correct) That you can drive right up to.

Mr. Rainaldi – This is the first modern format that Chase has introduced to Monroe/Ontario County in 15 years. This will be the first expression of their new modern template in our region. The other thing, in the floor plan, it's a far more hyperlocal layout, it's consultation rooms, wealth management, children's education and things like that. It's a really cool hyperlocal format which I was excited about.

Chairman Santoro – Are they going to have the ATMs that you can't reach from your cars like they do in Perinton?

Mr. Rainaldi – These are far friendlier ergonomically. We can't point to one in Rochester but I know that I can get with the team and send you a catalog cut for the actual unit that you'd see there.

Chairman Santoro asked for any other comments.

Mr. Gallina – I would just go with the architectural discussion. This seems to be uncharacteristically contemporary for a Rainaldi design.

Mr. Pettee – LaBella issued a letter commenting on the project dated October 3, 2018. We did receive comments back. A lot of our technical comments have been addressed and we would expect to see those formally addressed on an updated site plan drawing. But with the lighting, all is well with the lighting so far. We expect them to submit an updated lighting plan. But could you characterize what the lighting around the ATM might look like. Would it be brighter than the rest of the site and what is permissible in the Town code?

Mr. Cretekos – The ATMs have a standard that they are required to meet for safety and security reasons. I'm not well versed in the actual requirements but my understanding is that it's just a generally well illuminated area. There's going to be no spillage from the lighting associated with that over the property lines. So we should still technically be compliant with it. I believe it's around 5 footcandles within that whole vicinity. But I can certainly find the detail requirements and provide those to the Board too.

Mr. Logan asked Mr. Cretekos to point out where the ATM would be located. It is located on the south side of the building, towards the Longhorn location.

Mr. Logan – So you probably wouldn't see it from any of the residential properties surrounding the property or frankly from High Street at all because it's blocked by 2 other bldgs.

Chairman Santoro – So the headlights would be facing SR 96.

Mr. Rainaldi – That's correct. We were concerned about that same point because we're building an incredibly beautiful restaurant that sits right behind it. We don't want our diners to be staring at headlights. I actually have a lumen study that I can prepare for the Town that we used to study not only references the stand alone ATMs with the drive thru but also there will be an ATM in the lobby that faces west (CR 96 towards the Mall). It sits within the lobby but there are also regulations on how that would be lit.

Mr. Logan – Can you access that after hours?

Mr. Rainaldi – It's a 24 hour. If you were to see a Chase or any large national branch, say if you were walking the streets of Manhattan, you put your card in and it unlocks the door and you're locked in.

Chairman Santoro – That's the way it works in Perinton.

Mr. Rainaldi – It's the exact same format.

Mr. Pettee – On the directional signs, the right in/right out. I just want the Planning Board to be aware that the island that is not going to be constructed now, the ingress/egress to High St., there's a couple of directional signs there. I don't want to take away from the Fire Marshal's comments but it seems like the island would protect the foundation of those signs and it sounds like they will still remain there so there's the potential that they may be run over.

Mr. Cretkos – Correct, they will be in the now striped ---- area. We could look at realigning them into the lawn area. But obviously we went with what was approved, there was a lot of traffic review that was done when this whole High St was reviewed with the signage. We would be happy to look at revising those but obviously we would look to a review from Clark Patterson Lee, the traffic consultant to be sure they are ok with it.

Mr. Rainaldi – I was going to say the same. There are a couple of new bollard technologies, we're actually using on another project that might be aesthetically pleasing but we'll make sure that if it were hit by a plow or vehicle, that it wouldn't be something that would need to be replaced or fixed all of the time. But I would like there to be some pronounced guidance. But I can promise you that I have access to a product that would accomplish both. I share the same concern.

Mr. Pettee – So just to be sure the Planning Board is aware and the neighboring residences to the south, the sanitary sewer pump station immediately adjacent to this site, that's going to be replaced as part of the Town's sanitary sewer project and the mechanical parts are going to be enclosed in a building so any noise may be reduced as a result of the the sanitary sewer project.

There were no other comments and the discussion ended.

AMENDMENT TO 2/15/18 APPROVAL REQUEST

LSI SOLUTIONS CREEKSIDE BUILDING

7796 St Rt 251,

Appl No 11-SP-17

Owner – Route 251 Acquisition

Acres – 34

SBL # - 15.01-1-6.000

Applicant is requesting to amend Condition #1 of the 2/15/18 amended approval and to obtain a Conditional Certificate of Occupancy for their new building despite not having their right of way permit in place.

Mr. Steve Schultz from MRB Group addressed the Board along with Jim Guelzow and Bob Hamby from LSI.

Mr. Schultz – Construction of the Creekside building started in early June and is moving right along and we anticipate completion of construction prior to issuance of the right of way permit from the DOT. In Pharrell with the construction and prior to this construction, we are working with DOT to obtain the permit. The reason it's taking so long is there's a land donation from the Drago's property which is across SR 251 from the driveway because we are required to put a small bypass shoulder expansion along here to allow cars to bypass people turning left into the driveway. With that bypass lane, there's a small donation of a strip of land, 5 ft or so wide that was being donated by the Dragos family for that widening. That submission to DOT has taken place. We've provided the DOT with the environmental assessment, title search, survey mapping, etc. They then submitted it to the Attorney General in Albany for a certification of title and that process takes anywhere from 3 or 4 months up to.... I'm told it could be 8 months but is generally not that long. Once we get that back, then there is additional forms that need to be signed, the land transfer documents that have to be prepared by the Attorney General. So we anticipate getting the permit sometime in the winter time for the project. Construction apparently will be completed roughly by the end of this year. So we're requesting a conditional certificate of occupancy for the building.

Chairman Santoro – I see they've been putting dirt across the road.

Mr. Schultz – Yes that is the berm that is being constructed on the Dragos' property to provide screening.

Chairman Santoro – It was a tradeoff between the donation of the land for the bypass?

Mr. Schultz – Yes that was an arrangement that LSI made with the Dragos to soften the driveway impacts to their property. The berm will be 7 or 8 ft tall and have pine trees on it. Some of the pine trees were already on their lot, they moved them to the berm.

Chairman Santoro asked for public comments and there were none.

Ms. Zollo, Mr. Logan, and Mr. Seiter had no questions or comments.

Mr. Gallina – I have not questions relative to what is being proposed. I can't really determine the approval cycle for the State Attorney General. I guess my only question would be that if they do a conditional C/O, and 9 months expires, what's the recourse? What are we really approving?

Chairman Santoro – Then they'll have to apply for another extension. You anticipate that in 9 more months they should have it done?

Mr. Schultz – I would anticipate that, yes. Obviously if we get the permit in the winter, they can't build that bypass lane until spring. Even if we got the permit next month, we wouldn't be able to build it until this spring either way. But the building is also going to be mostly empty until it gradually fills up.

Mr. Logan – So this wouldn't be an extension, it's an amendment to the original approval. We would have to extend this approval if it were a problem, correct?

Chairman Santoro – We would. You'll have to keep us posted as to how you are doing with the State.

There were no other comments/questions.

RESOLUTION

On motion made by Joe Logan, seconded by Al Gallina

WHEREAS, on June 27, 2017, the Planning Board approved a 67,200 sf office/warehouse building for LSI Solutions Creekside Building with ongoing condition #1 stating that the site plan comply with Town of Victor Design Construction Standards for Land Development, including Section 4 which states a right of way permit shall be obtained prior to the project construction commencing; and

WHEREAS on February 27, 2018, the Planning Board approved the applicant's request to amend ongoing condition #1 to allow for construction of the Creekside Building project with the stipulation that the NYS DOT permit for the bypass lane related work be received prior to issuance of a Certificate of Occupancy;

WHEREAS on September 5, 2018, the Planning Board Secretary received the applicant's request to amend condition #1 of the February 15, 2018 amended approval. Applicant is requesting to be able to obtain a Conditional Certificate of Occupancy for their new building despite not having their right-of-way permit in place.

WHEREAS NYS DOT has submitted all necessary paperwork to the Attorney General's office in Albany. Processing of said paperwork can take up to eight (8) months.

NOW, THEREFORE BE IT RESOLVED that the requested amendment to Condition #1 for LSI Solutions, Inc., Creekside Building dated February 27, 2018 BE AMENDED TO ALLOW A CONDITIONAL CERTIFICATE OF OCCUPANCY WITH THE FOLLOWING CONDITIONS;

1. That the bypass work shall be completed within nine months of the receipt of the NYS DOT permit issuance.

DISCUSSION

Chairman Santoro – If that doesn't happen, will you clear out the building?

Mr. Schultz – Yes, whatever is required by the town.

Mr. Gallina – I guess that's what I was getting at. What's the consequence if for some reason the permit is not approved?

Chairman Santoro – They would need to pull the C/O.

Mr. Schultz – We've received a more recent letter from DOT which essentially says that once this permit is approved, submit your plans, your letter of credit estimate, etc. It's essentially saying that it just needs to go through the process. Anything that would have held it up would have held it up by now because it would have been a title issue with the Dragos family. All that was all done with the title search, survey and we've had no problems with any of the information.

DISCUSSION ENDED

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

Approved 5 Ayes, 0 Nays

SITE PLAN MODIFICATION

THE APPLE FARM

1644 SR 444

Appl No 38-SP-17

Owner – Pick Your Own Inc

Acres 142.70

Zoned – Residential

Applicant is requesting approval to modify existing site plan. Applicant is adding a lean-to to their existing barn and changing the traffic pattern along with adding a new parking lot.

Mr. Jim Spellman from SDC Construction Services, Inc addressed the Board and the applicant Bejan Bahai.

Mr. Spellman – Thank you for having us tonight. We've been working with Bejan for a little over a year and a half, just shortly after the fire took place, initially on some temporary plans and how to get him from no operation back up to speed. We then examined the options to kind of

move towards the permanent side of that in the recent year and that's why we're here tonight. Our work has evolved utilizing existing infrastructure. Again, trying to keep in line of balance of a budget and come up with a plan that gives him options for future growth within that existing infrastructure.

We've had some incredible input from Code Enforcement which is incorporated into the plan that we present to you tonight. We're already under way with clean-up of the property, the removal of some old barns and a general tidiness relative to support the retail operation back in the existing building at the west end of the property. We believe it's a safe, attractive and a functional layout for Bejan moving forward. One concept that was mentioned of the plan was a canopy that would be on the north and wrap slightly onto the east side of the building to draw people's eyes to the entrance of the retail of the facility as well as to provide cover for people going out to pick apples and return from picking apples.

On top of that, the traffic flow pattern as mentioned involves utilizing the existing driveway that's been improved. As well as the new parking lot out by the building at the west end of the property. Based on input from Code Enforcement, the original driveway and the area of the footprint of the existing building, we need to maintain for emergency responder access and general overflow parking as the business comes back up to speed in the future.

Mr. Marty Avila, Code Enforcement Officer – I just wanted to point out that I've been working with Jim and Bejan, that they've been making progress towards the modifications of the site plan and have been making progress towards the currently proposed internal site plan to the building. The attempt of Code Enforcement was to get certificate of occupancy for the retail space. In prompting that, we required the site plan be submitted due to the last being a temporary site plan.

Jim talked about a couple of the changes. The removal of the temporary kitchen on the outside of the building. Some changes that we requested to the traffic pattern for fire dept access and one of the requests from the Fire Marshal is the renumbering of the buildings because currently the four remaining bldgs have the same number. The applicant has started that progress by contacting 911.

We're in support of this as far as what they are looking to do because it would get them a legal retail space to occupy. They are looking at completion in November for the internal aspects and then the external aspect of the overhang would be something that would be completed down the line after another building permit was issued probably sometime next year.

At this point Code Enforcement has had a couple of meetings with Jim and Bejan and I think we're all on the same page and are behind where they are going with this.

Chairman Santoro asked for any questions/comments from the Board.

Mr. Gallina had no questions.

Mr. Logan- I think the new business location back there works great. I was there last week and it's nice, spacious, much more customer friendly so I'm all for improving the site as you're proposing.

Ms. Zollo had no questions.

Mr. Seiter – I just want to say thank you for hanging in there with this and trying to get this back in business. It's a great Victor thing and would have been so easy to throw in the towel and walk away. So I think this is very positive.

Chairman Santoro – You've done a good job and can't wait until it's finished.

There was no further discussion.

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 modification application was received on October 5, 2018 by the Secretary of the Planning Board entitled The Apple Farm.
2. Applicant is requesting to modify the existing site plan by adding a lean-to to their existing barn, a new parking lot and changing the traffic pattern.
3. 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.
4. 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.
5. On January 10, 2018, a temporary site plan approval was granted for a 16 ft x 30 ft store located within existing building along with a temporary mobile kitchen adjacent to building.

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 modification of The Victor Apple Farm LLC, site plan received by the Planning Board Secretary October 5, 2018, Planning Board Application No. 38-SP-17, BE APPROVED WITH THE FOLLOWING CONDITIONS:

1. A building permit shall be obtained before construction.
2. That comments from Codes dated October 10, 2018 be addressed.

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

INFORMAL DISCUSSION

BLUMONT RISE SUDIVISION

6300 CR 41

Owner – Blumont Stables, LLC

Acres – 164

SBL #40.00-1-28.100

Zoned – Residential

Applicant is proposing to subdivide 164 acres into a 35 acre lot for 35 single family homes and a 107 acre lot. The remainder 107 acres would be deed restricted.

Mr. Bob Bringley from Marathon Engineering addressed the Board along with Jeff Smith from Woodstone Custom Homes.

Mr. Bringley – I'll be brief and just give you a quick overview. This property is located just on the south side of CR 41, just on the east edge of the town. If you go further you'd be in the Town of Farmington. It's a total acreage of 164. Jeff is under contract to buy 107 acres utilizing the development for that under R2 with an A overlay which comes out to 45 lots. What we're proposing to do is construct 35 homes on 35 acres then deed restrict the balance and conservation area, the 54.7 acres in the rear portion of the southern portion of the property and also deed restrict the area that is roughly 18 acres just to the north of that. All of that land would be retained by the current owner of the property.

There is public water on CR 41. We've proposed a stormwater system, build this with dedicated roads to town standards under the cluster provision, then supply sanitary sewers from the Riedman project that's directly to the north. We'd extend sewers about 1500' up East Victor Road. We've been before the Town Board two times to discuss the possibility of extending the sewer district.

This proposal, the 35 lots on 35 acres more or less meets the zoning except for lot width. The code requires 100 ft at the right of way, we're proposing 100 ft at the setback line. We'd like a little relief from the side setback for the units from 15 ft to 10 ft on each size. The lot size according to the R2 is 25,000 sf. The majority of the lots would be more than that but some of

the lots are smaller so they would be around 17,000 or 18,000 as opposed to 25,000. But the average lot size, you've got 35 lots on 35 acres, roughly is just a little less than an acre.

Bisecting the property is an intermittent creek that's directly on the other side of the proposed subdivision (in the Farmington area). We're looking at 2 access roads onto CR 41 and that terminates into a cul-de-sac. So we'd put the stormwater in the front of the property, a good buffer to the highway and then again the rest of the property to the rear would be deed restricted for its present use whether it be farmed or used as open space.

The access to the horse farm, you can see it on the sketch, there's a road that goes back to the stables, that would remain under the current owner's ownership so we would keep that intact in its access to CR 41.

That's it basically in a nutshell. Right now that whole land is farm land. We've walked the 35 acres except for the area along the creek. That is a federal wetland and we've had it delineated by a wetland expert and will be showing that as we proceed further. There will be no disturbance to that. The land is sort of gently rolling so there's a little high spot in the center of it. It really looks nice for a subdivision, we think it's a very beautiful piece of property and think it would be a nice addition to the town. So we're open to any suggestions or comments that the Board may have at this time.

Chairman Santoro asked the Board members for comments.

Mr. Seiter had no comments at this time.

Ms. Zollo – Can you point out where the wetland and the creek are.

Mr. Bringley pointed the items out on the plan.

Mr. Bringley – It's an intermittent stream or ditch that drains the farmland to the west. All this area being currently farmed drains to the north and to the west, it comes across the site and Mud Creek is just off of the site (runs towards Farmington) that runs into that area.

Ms. Zollo – And then you were describing the size of the lots. Could you go over that one more time?

Mr. Bringley – The smallest size is 15,000 sf. The average size again, is over an acre or just about an acre. The lots are ununiformed, so they wouldn't all meet the 25,000. I believe about 50% of the lots meet or exceed the 25,000 sf requirement under R2. So that's why we consider this a cluster using 278.

Ms. Zollo - Okay and you're looking to reduce the front setback, is that what you said?

Mr. Bringley – The front setbacks I think would comply, we're showing 40 ft from the right of way.

Chairman Santoro – I think he was talking about reducing the side setbacks.

Mr. Pettee – I thought he was talking about the lot width.

Mr. Bringley – The code says you've got to measure it at the right of way. We typically measure it at the setback line. So all of these lots will exceed 100 ft at the setback line but where you have a pie shaped lot (*inaudible, stepped away from mic*), it would be 100 ft here, but it would be a little less at the right of way.

Ms. Zollo – And the side setbacks?

Mr. Bringley – The side setbacks requirement is 15 ft and we'd like to go to 10 ft. So there would be a 20 ft minimum between houses.

Ms. Zollo – Okay, that's kind of close. I would rather see you reduce the number of homes to avoid that because that's pretty close. That's all I have right now.

Mr. Logan – I count 17 homes that are less than 25,000 sf. I couldn't tell how many homes were affected by the width requirement at the setback location versus at the right of way but I would suggest that you draw a plan that satisfies all 3 of those code issues. I don't see reasons to give a relief on that. The reason we have these kinds of codes.....I think 10 ft side setbacks are too little having that many lots. I can see 1 or 2 maybe but being close to 25,000 sf but an average lot size, I mean there are some huge lots here and I don't see that making up for the number of lots that are well below the minimum lot size. So that's my opinion.

Mr. Bringley – The concept is to build the type for this market in this area. So the 100 ft is the 100 ft. If we need to go 25,000 then we wouldn't go 278 and we'd have to either have less open space in that case because we're about 70% open space right now. There's 107 acres here, we're proposing to develop 35 of the 107 so we're maintaining over 70 acres of open space in this proposal. That's why we felt using a clustered development would be appropriate for this project. That's our logic behind it.

Mr. Logan – But you're still trying to squeeze a lot in here for a relatively rural area of the town. That seems like very closely spaced lots. I guess I'm agreeing with Heather, you need to take a look at the density within this parcel.

Mr. Bringley – So you're saying that you'd rather see us meet the R2 zoning straight up as opposed to clustering.

Mr. Logan- I don't mind the clustering but I think you have a lot of lots here that are very small compared to what the minimum lot sizes are and I don't agree that a 10 ft side setback is desirable.

Mr. Bringley – The 10 ft would limit the width of the house. So whether we go 15 ft, we still can put a 70 ft product on there. If you want to stick with 15 ft, we'll go with 15. So that comes off of the table. So then you're looking at just lot size basically. If you want 25,000 sf on every lot, then we're not clustering, we're just going straight R2 zoning. So we'd have to incorporate.....some of the lots are in excess of 2 or 3 acres. But it's just the way....we're sort of restricted by that boundary and being able to fit the lots and doing retention on the site, creating a

buffer to Boughton Hill Rd. We made the lots off of that, that much wider and they exceed the zoning requirement because we want to buffer from the highway because there's quite a bit of traffic going east and west on that. So we thought that even granting the additional open space would compensate for reducing the lot size and that helps us meet the market demand here. These are not going to be high end homes, they're going to be more of a family oriented product.

That's our whole logic behind this. So if we need to go to 25,000 sf then it's not a cluster anymore because we don't need to meet the clustering requirement.

Ms. Zollo – What's the square footage of the homes you're proposing?

Mr. Jeff Smith – As with all of our subdivisions, it'll be fairly wide. I would say from the average 1200 sf ranch to a 2500 sf two story and we're trying to meet a price point that we think would be competitive in this Victor/Farmington area.

Ms. Zollo – Which would be?

Mr. Smith - \$300,000 to \$400,000 range

Ms. Zollo - \$300,000 to \$400,000 for a 1200 ft ranch?

Mr. Smith – For a 1200 sf ranch. It would be a wide range.

Ms. Zollo – I just think it would be in your best interest to maybe reduce a couple of these, 1, 2, 3, 4 of those lots because I wouldn't want to spend \$400,000 on house and have my next door neighbor 20 ft from me.

Mr. Smith – We've already stated that we would increase the setback on the side to 15 ft so now we're talking 30 ft and now we're talking the same as Stonington Ridge where we're selling houses well in excess of \$600,000 that are within 30 ft of each other. Believe me or not, there are a lot of expenses to doing developments including sewer improvements, including Indian studies, including stormwater management report, etc. So it's very difficult to build houses anywhere below \$300,000. We've even been in the City of Rochester with 1200 sf ranches with lots that have been essentially given to us because they provided an \$800,000 grant to build the road and we were still pretty much unable to do anything less than around the \$200,000 range and with many of the houses in the City nearing \$300,000 and that's with a lot that's \$10,000. So the problem here is as it becomes not economical to do it, we can't do it. So the density here is a function of a price point that does sound expensive but trust me, it's very difficult to build a \$300,000 house these days and to build it of good quality which we plan to do regardless of the price point, it will still be good quality. So we have taken off the table side setback and I think we could probably rearrange some of the lots to be much closer to the average of 25,000 sf.

But still, Bob's point is that in trying to cluster and stay away from more properties that are wetland areas or without having to extend roads over the wetlands unnecessarily, we think it's a better use of the property to confine the development to this amount of acreage. It helps us admittedly and helps us meet that price point. Trust me there's not a big profit margin in all of that, it's a question of meeting the market.

Mr. Logan – It looks like you could shift that cul-de-sac. I'm not opposed to slightly smaller lots than 25,000 sf but you've got some lots in here that are 17,000 sf, I saw a 15,956 sf for Lot 23. I've circled all the ones that are lower than 25,000 sf and like I said, there's 17 of them and there's some quite small lots. If you shifted that long cul-de-sac to the southeast, you may get larger lot sizes away from the westerly lot line, for instance from Lot 16. I suspect there's some ways to do this that unless it's in wetlands, you ought to be able to increase the average size of your lots with some realignment. I'm just looking at some really small lots here.

Mr. Gallina – It could be as simple as eliminating 2 or 3 lots.

Mr. Smith - We are not likely to eliminate a few lots but we might be able to realign the road work to accomplish a little bit larger lots or realign the rear property lines in some cases.

Mr. Logan – You've basically squeezed Lots 20 thru 24 and Lots 33 thru 35, you've wedged them together. If you spread that apart and then pull away from the westerly line, you'll have more average acreage in the higher numbers to give you some relief from that small lot.

Mr. Bringley – We could probably look at that. We have 35 acres and 35 lots.....

Mr. Gallina - ...Actually, there's over 100 acres that you've chosen to select only 35 to work with.

Mr. Smith – We're trying to respect the wetlands and give an adequate buffer from the homes to the wetlands so we could certainly be closer to that. But we're also trying to limit the impact of the subdivision on the acreage and to protect the open space on the remainder of the parcel. It is a horse stable and they deserve property that can be productive and we're trying to incorporate that within the plan. I think there are certainly...and this is why we're here to discuss your concerns before we get very far. This is kind of our first attempt. But also understand that we're also respecting the requirements of 2 entrances which is somewhat problematic and it produces some of these anomalies in terms of smaller lots on large acreage. We're not only respecting the town requirements of 25 units on a cul-de-sac but we're also respecting the State and code requirements for 2 entrances when you get to be 30 lots, whatever the purpose of that is, produces some diseconomies and that produces the demand for a little bit narrow lots at times.

Mr. Logan – I was going to say that I appreciated your efforts to satisfy that cul-de-sac code with the 2 entrances, I think that's a good feature on the lot. I'm not sure what the oval shape is at the road (referring to an oval shape drawn on the plan).

Mr. Smith – That's our stormwater management facility.

Mr. Logan – Is that something that can be put elsewhere or is that the logical place for it on the lot?

Mr. Bringley – That's the low point.

Mr. Smith – And I think also we're trying to increase the buffer to an otherwise somewhat busy road. So it's not only a logical topographical area because as Bob was expressing, the drainage goes towards that direction but also it provides a natural buffer.

Mr. Pettee – I'm just going to back up a little bit. I was at the Town Board meeting last night and the Town Board was interested to hear what the Planning Board had to say at this informal discussion tonight. What we have in front of us is a 107 acre parcel upon which the applicant or developer has the ability through the density overlay district to build 35 single family homes, that's what the residential overlay district would allow here regardless of what infrastructure is put in place. As part of this project, what the applicant is initially thinking is that they would like to extend the sanitary sewer main and extend the district so that it encompasses this project. That's what's been presented to the Town Board as well and they are trying to decide if that's something that they would like to do in terms of extending the sewer district.

One thing that this project does do as it's been presented in front of you, is as a cluster subdivision. So with the sanitary sewer, that would allow them to cluster the project to preserve more open space. Open space preservation seems to be a theme within the Town's Comprehensive Plan and as they're proposing this clustered subdivision, that actually does preserve more open space versus if they were to do a conventional subdivision and comply with the strict R2 dimensional zoning requirements. That would probably take up more land area and require private on site septic systems. I think the Town Board is also interested in the Planning Board's opinion as to what type of residential development you'd prefer to see here. Whether it be a cluster subdivision or whether you would prefer to see a project which incorporates on-site septic systems which would take up more land.

Mr. Logan – I'm all for clustering where you can do it. I think this is a good candidate for that. I didn't mean to say that wasn't a good idea. I think we've talked about development in this area in the past. I think a few years ago there was a concept presented to the Board that went south on CR 41 and I thought it was Blumont Stables but it was still below. It would have wrapped around some of the development near CR 41.

Ms. Kinsella – I think the one that you're talking about was further down by Brace Rd, across from the golf course. It was Vragel at the time that proposed it. I don't remember how many lots it was but currently it was bought by one property owner and they built a nice house on it.

Mr. Logan to Kim Kinsella – Are you aware of anything that would be abutting this development that's been contemplated in recent past? (No)

Mr. Logan - Okay and all of this deed restricted area and conservation area will never be developed beyond this, correct?

Mr. Smith – Correct. And the owner has meet with the Conservation Board and the Conservation Board was quite positive they could work with them to maintain the agricultural use of the rear property and the horse affiliated use of it. We did meet with a couple members of the Conservation Board out in the field and had the impression and I think the report is available that they are generally in favor. Their only concern was to adequately protect the wetland area, the small stream area.

Ms. Kate Crowley – Yes we did walk the parcel. If you look on the proposed sketch plan, you will see that one of the obstacles that they're trying to work around is that intermittent stream. If you look at the slopes that were part of the site walk comments, if you look at the field where the houses are proposed, in the middle there is a little dome and then it slopes over to Mud Creek and then slopes back to the intermittent tributary. One of the things that we did talk to Jeff about when we were doing the site walk is the parcels in the back, towards the south, the landowners are going to want to cross that area to the back of their parcel. One of the things that we talked to him about is you may need one or two places to cross that wetland, it does slope down on the back. Mud Creek is to the east, it's about 300 ft off of that parcel at its closest point.

That entire parcel on the east side slopes toward Mud Creek. One of things that we did notice is the NWI wetland on the adjoining parcel is quite healthy. The current owner has done a very good job of maintaining that wetland. The other thing that we noted in our site walk comments is the front part of the parcel is Odessa Silt with very high water table and it's likely that that field at some point was tiled so that it could be farmed.

Mr. Logan – I was going to ask about the water table. If you have basements in these, you're going to be pumping water 24/7.

Ms. Crowley – It's quite high.

Mr. Smith – We would hope to design our stormwater system to take care of any of that.

Chairman Santoro – This is not a public hearing but we'll accept comments or questions from the people who are here.

Mr. Kole Mandrov from 1477 East Victor Rd – We are just north of the property. On CR 41 we have 900+ ft. The lady said something about the -----, it's not the -----, we have a big problem with the water. I will ask every single person on the Board to look at the design, where is the water going to go? If you make 1 house, 10 houses, 100 houses, where is that water going to go? I want to live with the neighbor, I want to be a good neighbor but if anybody is familiar with the NYS law, you don't do anything that is going to harm your neighbor. Lady says really good. You're asking so much money for each house, I want the neighbor to be ---.

Chairman Santoro asked Mr. Mandrov to point out his property on the map.

Mr. Mandrov – It's all farm land and our house is here. I don't know how many of you are familiar, this is the old Guinan property. He sold to CR 41 this, he cut 2 sections. This section is higher than this. (*Referring to the map and pointing out different locations*) Those who have a problem is bordering Farmington. They said they were going to leave the road combined. Now where you go this way and where you take water this way. You can see the white spot here, this is water coming here doing damage. We spent \$15,000, we have the receipt of what we spent trying to keep it dry. Where is this water going to go, to a pond? That's a retaining pond. It's going to retain the water but after it gets filled up, the water comes there. I have a small lake in the back here. I have pictures, you can see how many feet of water coming when it rains. I'm there with a raincoat and umbrella every time it rains to watch. What's going on there, I know

more than anybody here. It's a problem and if it's not going to be solved it's going to keep coming.

Chairman Santoro – Well, these are all questions that we hope will be answered as we go along.

Mr. Mandrov – These people want to conserve anything I can say, I did talk to the town. What I say, I don't mean to directly offend anybody but I did ask the town to help me out with this. The town says, no we can't do this because the County over rides us, that's a County road. We can't do nothing there. But when you have a problem and you pay town taxes, where do you go, you don't go to the County, you go to the town which part of the taxes go to the county too. I did come to the town, the town doesn't want to look at it. They said it's not our ----.

Chairman Santoro – I don't understand what you want them to look at, the road?

Mr. Mandrov – For the water.

Chairman Santoro – For the water that comes off of the road?

Mr. Mandrov – Right where that white spot is (referring to the map), they have a 24" pipe going underneath. I have a problem with water coming from up, coming down and I have pictures of how much water and when it's coming. I didn't go nowhere with the town. I did go to the County. 3 or 4 meetings, we don't resolve nothing. They said that they are going to try to help me. They don't help me. I did hire BME, they measured.....I know what this needs, surround the sewers there to the creek.

Chairman Santoro – All of this will be looked into. We can't do that tonight.

Mr. Mandrov – I just want to bring it up because this is the only gentleman that brought up the water issue. Those guys are in the business to do that, they're good, nothing against but if they do what's right....I'm a farmer, I have a problem, where is that water going to go. As much as we want to make this look nice, what are you doing if you don't resolve that water? On the end, I want to say, I offered the County to pay, even if I get the mortgage to pay for that water to get resolved, the water does not come from the next up parcel....

Mr. Pettee – I just want to let you know, I'm not a formal member of the Planning Board here but I've driven by your property every day for the past 10 years. I'm a resident just across the town line in Farmington and I know exactly the drainage and the water issue you're experiencing. So as Town Engineer we would definitely pay close attention to what is going on there so I appreciate your comments.

Mr. Mandrov – I appreciate doing that because the lady says because the person is doing a good job. No, the person is spending money to make a drain because the farmer says, I'm not going to farm no more because it's too wet. This is not 1 acre wetness, it's more than that.

Chairman Santoro – We've gone beyond your time so we're going to have to ask you to step down. Is there anybody else here that has a comment?

Ms. Janet Wilber from 6389 CR 41 – My husband and I have the property that is 2 down from this development on the same side of the road towards Victor.

Chairman Santoro asked Ms. Wilber to point out her property.

Ms. Wilber – We have 20 acres. I'm also very familiar with the water problem. We drive by it every morning. One of my concerns and my husband's concern was the amount of traffic on the road is like "mega" from when we moved in there. We moved from the north side of the Village down to where we are now in 1974 and you can imagine every time you have a detour and you give us all of this truck traffic, we get the truck traffic and the car traffic. So my husband was quite concerned that you've got 2 more entrances or exits coming out of this development onto CR 41.

Chairman Santoro – There'll be a traffic study as a result of this application so we'll get some answers for you.

Ms. Wilber – A traffic study and is that going to resolve it, no.

Chairman Santoro – I don't know, it depends on what they find.

Ms. Wilber – It's 2 more cars so we're talking 70 more cars coming out.

Chairman Santoro – Well, I've seen those figures before and sometimes they say it's a failure and sometimes they say it doesn't make any difference. But we'll find out.

Ms. Wilber – Okay, that's one of my concerns. One of my other concerns was there is a nice thick hedgerow that goes right along the west side of this property and I do not know if it is going to be on your property that you're buying or whether it's on Ralph D'Alessandro's property.

Chairman Santoro asked Ms. Wilber to point out the location she was concerned with.

Mr. Smith – I don't know either but I can assure you that we don't take down hedgerows if we don't have to because they're good for buffers and good for protection.

Ms. Wilber – Right, it's very important for the wind and the soil and everything else. You've got you property lots on that side going right up to the border. Now if the hedgerow was included there, it would then be owned by people who purchase the house, right?

Mr. Smith – That's correct and again I presume they would like the security of having privacy buffer to a neighboring property, that's typical. Plus, I think those lots are around 200 ft deep so that they're not very close to the household itself.

Ms. Wilber – Well like I said, it's very possible that it's not exactly on his property but I'm not sure. My other question is the conservation for the 72+ acres, is that permanent? Is that a permanent deed or is that something temporary.

Mr. Smith – The conservation easement that would be granted as other easements within the Town of Victor would be permanent. It would be part of a deed and anyone in the future that would purchase that property would equally be restricted as to whatever the terms of that conservation easement and that would limit it typically to no construction of bldgs. But in this case, the hope will be that it'll be for agricultural purposes so that plowing and planting the fields would be allowed. Victor has various levels of conservation easement terminology and some very strict ones allow very little to occur, no mowing, no cutting, no anything. In this case, we really hope it would be for agricultural purposes.

Ms. Wilber – All right. The only other point I was going to make, I think to Heather where she was talking about the sale price of the homes. They are very close together, again, but if you go down the East Victor Rd, the Riedman property, the larger houses are selling right now for \$500,000 and the small ones an unbelievable figure of \$450,000 and the square footage is not that big on the small ones, it is on the larger ones. But again, there is no yard to speak of which to me is a concern. Are we going to continue to do this all over the Town of Victor?

Chairman Santoro – We take every application one at a time.

Ms. Wilber – Right, she was concerned about whether or not these houses would be, the custom homes would have that kind of a price tag but it's already there.

Chairman Santoro asked for any other comments.

Mr. Mike Tosh from 2191 N. Washington St., Rochester – My brother, sister and I own the property that borders the back of the property, from Michigan Rd to the rear of this property. I guess just a little background on our property. We border Canandaigua, so we own in Farmington, Victor and border Bloomfield and Canandaigua on the south line so we deal with a lot of the development. The primary goal for our property is agricultural use. I like the cluster concept for this. I guess the only thing that I'd like to add to the drainage discussion, if I understood it right, this area here is kind of a low spot and would be part of those lots. We own the property towards 444 that is now Silverton. We couldn't get anyone to farm it after years of trying just because of the increase of traffic and things like that. What I've seen over there with the residential use, they cut into a hedgerow, they cut trees down even if it's not on their property.

Knowing how that drainage is so critical to our farm land because our farm land kind of drains into the north and then down into Mud Creek, my concern would just be somehow incorporate the deed restriction or somehow making the land owners limit what they can do in their backyards. I'm sure they're going to come in and someone is going to want a big lawn. Maybe they're going to want to level it and put in a shed or a playground or something. Any disruption of that drainage has potential consequences. The ground doesn't drain well. Obviously, with the more recent storm activity that we've had, I literally saw a beaver hit on New Michigan Rd the other day. In the 20 years + that I've been out there, I've never seen a

beaver get hit on New Michigan Rd. So a lot of what we're dealing with on the south side of New Michigan Rd and the incentive zoning in the clustered development, things get approved and everybody wants an additional driveway, a play set. What was originally intended and approved probably isn't fully compensated for and it's created issues. So it's a tough thing.

The other thing I just wanted to mention with the traffic study, I agree and I wish one point of entry. When I come down East Victor Rd and try to turn left onto 41 to get to New Michigan Rd, sometimes I sit there for what seems like an eternity, waiting for an opening. I just think two points of entry are going to be a little tougher from that standpoint. Then keeping in mind what Farmington is got going on with incentive zoning on the corner of 41/332. I think they'll looking at a big box store, some residential use. So a traffic study "now" might not be relevant to 2 yrs or whatever the time frame is.

Chairman Santoro – Many of them do look into the future about what's proposed to be developed when doing their study. I don't know if this will happen here. Any other comments or questions? *There were none.* Ok, the discussion is over for this evening. We'll see what you come back with.

Mr. Logan – I did have one other comment. I asked initially about the oval area in front by CR 41 and it's a stormwater management facility. Looking at the natural drainage of the site, it goes across the back yards of all the ones further in and most of the houses drain that way and so create a stormwater management towards the back and then keep a lot of the water from flowing all towards that stormwater management facility up front and then reduce the size of the stormwater management facility up front and use just for the half a dozen or so houses that are there.

Mr. Bringley – We can look at a whole bunch of things to solve the drainage problems or reduce the drainage that goes to the north. We haven't looked at it at this point. We need the real topography and what not. So until we know where we're going with the sewer district and where we're going with the layout, I feel very confident that we can reduce the runoff that's going to the north significantly and help with the drainage problem that's occurring on the north and eastern part of the farmers site.

Mr. Logan – So you can get the water to then run across the drive to Blumont Stables and get to Mud Creek that way...

Mr. Bringley - ...Do something like that. There's a bunch of different options that we have. We just have to look at what the best one is.

Mr. Logan- Okay, I was just asking for you to look at those items instead of being married to this one.

Mr. Bringley- I agree. I mean that makes good sense to put a stormwater facility there but we can take it to the east. Thank you very much, we appreciate your time and thoughtful consideration.

The discussion ended at this time.

Motion was made by Rich Seiter seconded by Heather Zollo RESOLVED the meeting was adjourned at 9:00 PM.

Cathy Templar, Secretary