

A regular meeting of the Town of Victor Planning Board was held on October 23, 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 Mike Guinan, Town Board Liaison; Kate Crowley, Conservation Board; Joe & Betty Padulo, Larry S Thomas, Ron & Barb Marshall, Kelly Gofarth, John Nardozi, Fred Nunenberg, Lee Wagar, David Nankin, Owen & Deanne Hardy, Rodney Belkings, Kathy Boughton, Lane Boughton, Lusa Boughton, Rebecca Sumner, Harold Lesse, Wayne Minus, Mike Bundt, Sue Davie, Brian Emelson, Walt Baker, Dave Cali, Thomas Rath, Kelly & Phil White, Babette Huber, Elaine H Toomey, Stephen J Toomey, Kevin & Vinyas Patel, Charlene Berry Pickering, Dave & Gloria Schond, Kristin & John Moore, Joanne Thomas

APPROVAL OF MINUTES - There were no minutes to be approved.

CORRESPONDENCE RECEIVED

- Mr. Kole Mandrov – re: Blumont Rise Subdivision

BOARDS/COMMITTEES UPDATES

Planning Board reported by Kim Kinsella

- November 14th meeting
 - Public Hearing
 - Torpey Subdivision located at 7980 CR 41 for a 5 lot subdivision
 - Application held over from the 10/10 mtg
 - Chase Bank located at 7724 SR96 for a 3640 sf building

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.

APPLICATION HELD OVER FROM 9/25 MTG

DUNBAR HILL SUBDIVISION

Lane Road

Appl No 2-PS-18 & 1-FS-18

Zoned - Residential

Owner – RB Land Company LLC

Acres – 4.70

SBL # 15.00-1-51.300

Applicant is requesting approval for a revised plan for a 4 lot single family residential *clustered* subdivision. Lot 1 will consist of 0.762 acres, Lot 2 will consist of 1.845 acres, Lot 3 will consist of 1.259 acres and Lot 4 will consist of .870 acres. The last time this application was before the Board was September 25th. The property is owned by RB Land Company, LLC consisting of 4.70 acres and is zoned Residential.

Mr. Walt Baker from DSB Engineers & Architects addressed the Board along with the applicant Mr. Steven Philippono of RB Land Development.

Mr. Baker - If the Board recalls we were here last month regarding the 4 lot subdivision as stated. We are actually presenting it as a Town Law 278, a clustered development. We had discussions at that time regarding primarily issues with the conservation easement and how we could accommodate the 50% of the property with a conservation easement. We had discussions at that time about revising it. We spoke with Steven and he agreed so we went back to the drawing board and revised the lot design to accommodate the conservation easement to the rear of the property which the Conservation Board supported at that time. So then the map was resubmitted to illustrate that. So now we have the conservation easement with the 4 lots, obviously Lot 1 is 150 ft wide. We have two flag lots, Lot #2 being a flag lot and #3 is a flag lot and Lot #4 is the frontage lot. We revised the conservation easement to this line which goes back and entails that portion which is just over half of the property, approximately 2.73 acres.

There is a federal wetland on the property and we had that delineated by environmental resources, we submitted their results to the Board when we submitted the application and also LaBella has a copy of that.

We also talked about how we could buffer between the two flag lots on the grading plan and discussed arborvitaes between the two lots. We're going to have a single driveway to Lot #2 and #3. We talked about arborvitaes. After last month, I started looking at the Town's Native Plant Manuel and arborvitaes was not exactly a recommended planting. We submitted a plan with a plant called a Choke Berry and I got a response back from Kate (Crowley) regarding the Western Red Cedar would be more appropriate because it's deer resistant. So what we're proposing is to adjust, obviously with the approval, to 10 pine trees down that property line to accommodate that.

The Code Officer also mentioned that we added a deciduous tree on each lot, 4 deciduous trees on the lots basically to have a start of vegetation. Obviously, people like to landscape their own property but the town requested that we put a tree on each lot. The Town Code actually says something to the effect where there is a residential subdivision, that street trees should be 40 to 50 ft apart. If we did that, which this is not a standard subdivision, it's already on an existing road, if we were to line up trees along the right of way, we would actually have 9 trees. What we're proposing is 14 trees so we feel this modification would better suit the project with 14 trees than 9 and also have the trees between the two flag lots. So we would like the Board to consider approving that.

We also had comments about the dry wells. With this type of development, there's no storm system, the Town Code recommends using dry wells which is basically a crock underground that takes the water into it and percolates it into the ground. The soil is not permeable and basically it will not work so we're presenting splash blocks and the Code Officer

mentioned about utilizing some type of erosion control measures for the run off and we'll do that. I'm sure Wes will give us a few comments on how to address that but we'd like to use the splash blocks versus the dry well because of the soil.

We've added individual lights on each front yard so we've got basically post lamps on each lot versus street lights. If you remember, the original plan had a cul-de-sac and we eliminated the cul-de-sac and went with the individual lots so we'll add that on the plan.

One of the other primary issues was sidewalks. We have 435 ft of frontage and it was requested that we put the sidewalks along the frontage of the property. LaBella actually wrote a comment at the last Board meeting regarding how the cost for that versus recreational fee could be waived by the town if we were to put that in.

Chairman Santoro stated that Brian Emelson, Director of Parks & Rec was present at the meeting. Brian stated that he hadn't seen the plans and is unprepared to comment at this time.

Mr. Baker – As you recalled from the last meeting, Steven is agreeable to put the sidewalks along the frontage. Actually, this particular property used to be a 50 ft wide right of way, now it's a 66 ft wide right of way. So our property line is actually offset from the standard right of way which starts at this point. We have an actual jog in our property line which steps it back. So if sidewalks were to be installed, we're not quite sure where the plan was to put the sidewalks in relationship to the road. I'm sure we don't need an easement on our property because that portion where it would be is actually town right of way anyways. But Steven would be agreeable to having the sidewalks within the Town right of way in lieu of the recreational fee.

We did get another comment today about the Conservation Board in support of our design with moving the conservation easement to the back of the property. So we'd like the Board to hopefully move forward and approve our project.

Ms. Kate Crowley – Walt's right about the arborvitae, they are on the non-native list but acceptable. Three of the species originate from Asia, the other two are from western US. That's why they're not in the main table. As Walt mentioned, I did point out the Western Red Cedar, also a non-native but much more deer resistant. Both the Red Cedar and Choke Berry will do well in the boggy soils that are on site.

One of the other comments that we made was around the yard trees. Our suggestion is for the applicant to consider placing the yard trees along the perimeter. It would help to create that buffer that residents around the parcel are looking for. We are suggesting a site specific conservation easement including no motorized vehicles in the easement and particularly in the wetland area. Planting of shrubs, trees in any of the easement areas would be allowed, again, using the Native Plant Manual and being very aware of the soils that are present.

The other thing that I would note is on the grading plan, we do not see the conservation easement superimposed. One of the concerns was whether or not there are topography changes within that conservation easement and near the wetland. So that is one of the things that we would suggest. Also on the grading plan, it notes that tiles maybe encountered and that's highly likely given the fact that at one point that was part of a farm.

Chairman Santoro – Thank you Kate. The public hearing is not closed on this yet so if anyone in the audience has any comments or questions, step up to the podium.

Mr. Larry Thomas from 7231 Lane Road – 7231 was actually created in 2005 in a subdivision with 7225 which was my father in law's, Joe Padulo. At the time, we were told that the code on Lane Road was you couldn't create a lot unless it was a minimum of 1 acre. I noticed that 2 of these lots are less than 1 acre. Has the code changed since then? Is there something different or what's the story because we ended up with 2 kind of weird shaped lots because we had to adhere to that 1 acre minimum?

Chairman Santoro – The addresses that you gave me, are they to the south, the other side of Lane Road from this project? (Yes) Does anybody have anything on that?

Mr. Pettee – In the residential 2 zoning district which I believe this project is in, the minimum lot size with public water and public sewer is 25,000 sf. That's just over 1/2 acre minimum lot size. Something that you may have heard is that there is also a residential overlay zoning district and the project is in the Residential C Overlay District and that is a density overlay district. The overall density that you would be allowed in the C overlay is 1 unit per acre. So if you have a 10 acre lot, theoretically you could have 10 units on those 10 acres. That doesn't necessarily mean the lot itself has to be 1 acre because the minimum lot size is regulated by the Residential 2 zoning district. All of these lots would have public water and public sewer so the minimum lot size would be 25,000 sf.

Mr. Thomas – Ok, thank you

Mr. Brian Emelson – Just some clarity, was there a different name for this subdivision at one time when it was presented that I might have requested sidewalks? (Yes) I wasn't here tonight because of this but yes I support waiving that recreation fee in lieu for the sidewalks.

Mr. Logan – Brian, it's still your plan to run the sidewalk between High Street and the school, correct?

Mr. Emelson – Yes, we'll pick that up from where the applicant left off at his property line.

Mr. Logan- So there's nothing from this property to the corner of High Street yet? (No, there's not) And there's nothing beyond here, between here and the school? (That's correct) So that'll have to be picked up in the future.

Mr. Emelson – Yes, that's something we'll pick up in the future. We've had experience with that on Lane Road over the last 4 months.

Mr. Logan - So this will help considerably for Parks & Rec.

Mr. Emelson – Yes this will help, giving it some energy to push on. This is actually the last missing piece of the whole campus from basically Canterbury Trail. High Street is now connected with 700 linear ft of sidewalk that we just finished last Wednesday on High St. We did 2200 ft of asphalt, we put a wide asphalt path on Lane Rd this summer. This is a much needed piece for pedestrians.

Chairman Santoro asked for any additional comments.

Mr. Gallina – So given that discussion, I guess it's not clear based on the resolution what the position of the Planning Board is relative to the sidewalks in lieu of the parks & rec fee. I don't think that we concluded that and I didn't see anything in the draft resolution.

Chairman Santoro – Well that's something for discussion. We can get a straw vote. What does everybody think of the sidewalk issue, the swap?

Ms. Zollo – I just want to make sure that we get it drawn on the plans because we've had it happened in the past, we thought we were getting sidewalks, they weren't on the plan and we didn't get sidewalks. Also, I'm not seeing a definitive landscape plan for what was just discussed about the Red Cedars and so on. So I want to make sure that's taken care of.

Mr. Seiter was not in favor of the swap.

Mr. Logan – Wes was just pointing out #12 and #13 under the Whereas in the draft resolution.

12. Pursuant to Section 27-8J of the Town Code, a recreation fee for each lot, or in the event of a multiple dwelling, a recreation fee for each family unit, in lieu of park land shall be paid to the Town before issuance of a building permit.

13. In lieu of the aforementioned recreation fee otherwise required by Section 27-8J of the Victor Town Code, The Victor Department of Parks and Recreation, is willing to accept approximately 430 linear feet of sidewalk along the frontage of Lane Road, and The Planning Board finds that the approximately 430 linear feet of 5-foot wide sidewalks is desirable along the Lane Road frontage, which would accommodate future linkage of pedestrian infrastructure.

So it's written giving us the flexibility of waving the parks & rec fee in lieu of the entire width of this lot along Lane Rd being constructed with sidewalks which I'm in favor of.

Chairman Santoro – As am I.

Mr. Gallina – I'm not. I don't think it should be an either or. I'm in favor of the sidewalks but I'm not in the favor of waiving the parks & rec fee. I'm concerned that it then sets a precedent wherever we want sidewalks, we're now endorsing the waiving of the fee.

Chairman Santoro – Well, we have taken it as case by case basis.

Mr. Gallina – I understand but I'm opposed.

Ms. Zollo – That would be my concern as well that we're setting a precedent.

Chairman Santoro – Well, we make it clear to future applicants that if it's an appropriate one for the waiver then it would be waived and if it's not, then it wouldn't be waived.

Mr. Logan- Maybe Al is asking what the appropriateness would be and how would we know what the guideline would be for accepting a waiver.

Mr. Gallina – There’s no indication as to why this should be an exception.

Chairman Santoro –Well, we’ve had other projects where we’ve talked about sidewalks and then waived the installation of sidewalks. This is just the reverse.

Mr. Gallina – Understand, but to me that is a different outcome then accepting sidewalks in lieu of the parks & rec fee. To me, they are two separate and distingue issues.

Chairman Santoro – Well, I’m comfortable with it because Parks & Rec is comfortable with it. That’s money that they would ordinarily get but they’ll get a sidewalk instead. Anyone else wish to speak?

Mr. Dave Schond on the corner of Lane and High St – The last time it was brought up about the density of the driveways entering that already existing intersection. Now we’re talking about laying a sidewalk for kids to walk for 5 driveways pulling into that intersection. Has there been any conversation about the safety concerns about having those in?

Chairman Santoro – If you go into the Village you’ll find sidewalks going across multiple driveways.

Mr. Schond – But at an intersection?

Chairman Santoro – Well, this is away from the intersection. Anyone else? I’ll entertain the close of the public hearing.

Motion made by Joe Logan, seconded by Al Gallina. The public hearing was closed.

RESOLUTION

On motion made by Joe Logan, seconded by Ernie Santoro

WHEREAS the Planning Board made the following findings of fact:

1. An application was received on May 22, 2018 by the Secretary of the Planning Board for a Preliminary/Final Subdivision entitled Dunbar Hill Subdivision, located on the south side of Lane Road in the Town of Victor.
2. A revised application was received on September 11, 2018 for a Cluster Subdivision entitled Dunbar Hill Subdivision, which proposes to subdivide 4.734 acres into 4 single family residential lots.
3. A public hearing was duly called for and notification was published in “The Daily

Messenger”, and whereby all property owners within 500’ of the project parcel 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 the revised Cluster Subdivision on September 25, 2018 at which time the public was permitted to speak on the 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 Conservation Board conducted a site walk on January 28, 2018 and reviewed the project on February 6, 2018 and June 19, 2018. A recommendation for a site specific conservation easement has been made and tree and shrub plantings in the conservation easement would be permitted using appropriate plants from the Native Plant Manual.
7. The Coordinated Fire Service Site Plan Review dated May 23, 2018 stated all comments have been addressed.
8. The Village of Victor’s DPW reviewed the project and on June 18, 2018 had no further concerns.
9. The Town Highway Department reviewed the project September 17, 2018 and had no concerns.
10. The Town Engineer, LaBella Associates, provided a comment letter dated September 25, 2018, identifying issues to be addressed.
11. Section 2.7.9.3 of the Town’s Design and Construction Standards requires that dry wells be used for disposing roof drainage where storm sewers are not available and soil conditions are suitable.
12. Pursuant to Section 27-8J of the Town Code, a recreation fee for each lot, or in the event of a multiple dwelling, a recreation fee for each family unit, in lieu of park land shall be paid to the Town before issuance of a building permit.
13. In lieu of the aforementioned recreation fee otherwise required by Section 27-8J of the Victor Town Code, The Victor Department of Parks and Recreation, is willing to accept approximately 430 linear feet of sidewalk along the frontage of Lane Road, and The Planning Board finds that the approximately 430 linear feet of 5-foot wide sidewalks is desirable along the Lane Road frontage, which would accommodate future linkage of pedestrian infrastructure.

WHEREAS, the Town of Victor Planning Board, as Lead Agency, has comprehensively reviewed and considered Part 1 of the Environmental Assessment Form, application materials, public comments and environmental record concerning the Proposed Action, as well as

completed the applicable Parts 2 and 3 of the Environmental Assessment Form and identified no significant impacts;

NOW, THEREFORE, BE IT RESOLVED, that no potential significant adverse environmental impacts were identified with the Proposed Action using the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3), and the Town of Victor Planning Board hereby finds and concludes that the Proposed Action will not present a potential significant adverse environmental impact and hereby issues a Negative Declaration for the Dunbar Hills Cluster Subdivision; and,

BE IT FURTHER RESOLVED, that the Planning Board hereby waives the requirement for dry wells required by Section 2.7.9.3 of the Town's Design and Construction Standards, provided that the design engineer submit evidence to the Town Engineer confirming that flow rates to the wetland will not be adversely affected; and

BE IT FURTHER RESOLVED that the Preliminary/Final subdivision application of Redstone Builders, Major Subdivision entitled Dunbar Hill Subdivision, drawn by DSB Engineers and Architects, PC, Sheets 1 through 8, dated April 10, 2018, received by the Planning Board Secretary May 22, 2018, last revised September 29, 2018, received by the Planning Board Secretary October 9, 2018, Planning Board Application No. 2-PS-18 and 1-FS-18, BE APPROVED WITH THE FOLLOWING CONDITIONS:

Conditions that must be met prior to the Chairman signing the Preliminary/Final subdivision plan:

1. That no final signatures will be given on the plans until all legal and engineering fees have been paid as per Fee Reimbursement Local Law adopted November 25, 1996.
2. That Section 4 Standard Approval Conditions for all Subdivisions (Major & Minor) of the Design and Constructions Standards be met.
3. That all comments in a letter dated September 25, 2018 from LaBella Associates shall be addressed to the satisfaction of the Town Engineer; including comments related to the need for a 5-foot wide sidewalk, associated easement, if necessary; depiction of conservation easement markers, and submission of a Stormwater Pollution Prevention Plan (SWPPP).
4. That the comments in a letter dated September 19, 2018 from Code Enforcement Officer be addressed.

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

1. That the major subdivision comply with Town of Victor Design and Construction Standard Land Development, including Section 4.
2. Should underground water conditions be encountered during construction, the Developer

is to address the encroachment and impact to same to the satisfaction of the Town Engineer.

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

Chairman Santoro asked if there was any further discussion from the Board before voting.

DISCUSSION

Mr. Logan – I do think we need some discussion about the sidewalk issue versus the parks & rec fee. Al and Heather have both voiced concerns about it. I'm thinking of an upcoming application that the subdivision will need internal sidewalks and sidewalks along High Street. Is there going to be a request to waive the parks & rec fee on that. Silverton Glenn we have sidewalks, I don't think we waived park & rec fees on that.

Chairman Santoro – That's a plan looking into the future and this is a piece that is needed now and the other pieces are going to be added later.

Mr. Emelson – We typically don't recommend waiving the fee. The reason why we are in this situation is because this portion is part of a whole portion that we proposed to build at one time and it was an alternate in a bid package for the Safe Route to School project where we built 6,000 ft of sidewalk, predominately on the school campus but partially on Lane Rd. When the town bid the project, it wasn't as high of a priority. We felt that when we were able to do this whether as a department or if something came through the planning process, we'd look at that.

When this project came through, it was a natural because of its location to the existing sidewalk system within the town and village and also because of the size of the subdivision and the overall cost in relationship to the product that we feel would be delivered. So it was natural for us to be more comfortable with that. In my opinion, it's a case by case basis. I don't know if I can honestly tell you that I'm going to recommend this other place you were speaking of if it's not appropriate. If it's farther out from central Victor, whether existing sidewalk facilities or shared use path facilities that make natural connection. This happens to provide an opportunity to make a natural connection and it's in a highly traveled area. If we can take more cars off of the campus and if more kids and adults are walking and biking some of our traffic problems might even go away! So this is an opportunity to possibly do that. For me, I look at everything individually. I understand the challenge for you as you have to look at how it might open doors down the road. I appreciate your deliberation regarding that.

Mr. Logan – So this is not a new dedicated road, it's on an existing road where there is a planned system that's required. So that's one of the motivations to require the developer to install that with his set of proposed houses. Any new road that we put in, we look for walkability opportunities and certainly long cul-de-sacs with the installation of sidewalks on that plus tie ins at the street itself with the highway systems or crossings. Are we looking to make sure that we don't necessarily waive the rec fee on those types of applications versus this one?

Chairman Santoro – This is a unique case where it has this one piece that is necessary for completion.

Mr. Logan- I’m supporting it, I just want to make sure that we’re not precluding the opportunity....

Ms. Zollo -Legally it may open the door.

Chairman Santoro – I don’t think so. The town code requires the rec fee and it’s up to us whether it will be waived or not. The law is the law which states there is a rec fee. We’re getting something in exchange for it in this particular case. I don’t think it applies to any future applications.

Mr. Logan – Since we have the support of Parks & Rec on this particular application and on a case by case as Brian stated, I guess I can go along with it.

Chairman Santoro asked for any other comments and there were none. Motion was made and vote was taken.

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

Approved 3 Ayes, 2 Nays

Mr. Logan- I assume prior to the acceptance of the plans, that they will show the sidewalks within the town’s right of way on the plans.

Chairman Santoro – I have to sign the plans so I’m going to be looking at it to make sure the sidewalks are on it.

PUBLIC HEARING

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

VICTOR HOLIDY INN EXPRESS

7502 Main Street Fishers
Appl No 28-SP-18
Owner- Indus MSF LLC
Acres – 5

Zoned – Light Industrial
SBL# - 6.00-1-23.212

Applicant is requesting to install a 10' x 16' shed at the rear of the property. Due to the shed being farther than 100 ft from the building, no sprinkler system is required. The property is owned by Indus MSF, LLC consisting of 5 acres and is zoned Light Industrial.

Mr. Tom Rath representing Indus Hospitality addressed the Board.

Mr. Rath – We're looking for the shed for storage now that the patio has been installed to store the patio furniture for the winter. We're looking for approval for that shed or additional ideas of what else we could possibly do.

Chairman Santoro – We do have an opinion from Codes that says this is compliant with the Town Code by way of size and distance from the main bldg. Did you see the comment regarding putting a notice on the shed that it was not a sprinklered building?

Mr. Rath – Yes I did and I'm going to get with Mr. McAdoo on that and see exactly what he wants.

Chairman Santoro asked for public comments and there were none. Motion made by Al Gallina, seconded by Joe Logan to close the public hearing.

Mr. Gallina – Given the fact the shed is to be on the parking lot area, have you considered putting in bollards or anything to protect the shed from vehicles backing into it, trucks running into it, that type of thing?

Mr. Rath – We can do that, that wouldn't be an issue.

Mr. Gallina – Have you considered locating it on a grass area in lieu of the parking lot?

Mr. Rath – Any of the grass areas don't meet the standard of being 100 ft away from the building. The better location is next to the dumpster corral but then that puts us about 78 ft from the building. *(In order to not have sprinklers in the shed, it needs to be 100 ft or more away from a main building)* So this was the only spot that was 100 ft. If the bollards are required, we could do that.

Mr. Gallina – In lieu of the shed have you considered renting a storage unit that's across the parking lot from you? (No) I'm all set.

Mr. Logan- Other than the fact that it's not the most appealing looking shed for the facility, I was hoping that we might be able to persuade you to surround it just like the dumpster. We require dumpster enclosures to complement the architecture of the building. Is this a permanent shed or a temporary shed?

Mr. Rath – No, this would be a permanent fixture on site.

Mr. Logan – I would think that you could do something with the construction of it that would make it fit with the rest of the site. When we review these architecturally, we review them for the dumpster enclosures to be the same as the main building. I think that if it's next to the dumpster, you could enclose it with an enclosure like that and just have doors in the front.

Mr. Rath – With a cinder enclosure?

Mr. Logan – I know that it's a considerably more expensive cost but at the same time, if it's a permanent structure, you should be making it fit with the entire building. I mean you wouldn't put an addition on with this framing onto your hotel so why would you use it there.

Mr. Rath – I think the idea was to paint it and make it blend more with the building. This was a left over model that was a reasonable price.

Mr. Logan – I see that they want to save as much money as they can but if this is a permanent structure in the town and it's on a commercial property, I think you should be required to fit the architecture with the rest of the site. I don't know if anyone else thinks the same way but I know I was on the Architectural Review Committee when we reviewed the original construction of the hotel and we made some major changes for the look of that. It seems you'd throw that out the window if you start putting things like this around the facility.

Ms. Zollo – So are you planning to paint it at least in the colors of the existing hotel?

Mr. Rath – Yes, the colors of the Holiday Inn. The cream and the brick color.

Ms. Zollo – Okay because that would go a long way to making it look better. It's just odd to be throwing a backyard shed on a commercial property.

Chairman Santoro – Your customer's have to look at it too.

Mr. Seiter had no questions/comments.

There were no other comments or questions.

RESOLUTION

On motion made by Al Gallina, seconded by Heather Zollo

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

1. A site plan application was received on October 5, 2018 by the Secretary of the Planning Board for a Site Plan entitled Victor Holiday Inn Express shed.
2. It is the intent of the applicant to construct a 10 x 16 shed to be located not less than 100' from the main building to store patio furniture.

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 October 23, 2018 at which time the public was permitted to speak on their application.
5. The Action is classified as an Unlisted Action pursuant to Section 8 of the New York State Environmental Quality Review Act Regulations, and the applicant provided Part I of the Short Environmental Assessment Form.

WHEREAS, the Town of Victor Planning Board reviewed the Unlisted Action on October 23, 2018 and identified no significant impacts; now, therefore, be it

RESOLVED, that the project Victor Holiday Inn Express - shed, 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 Kip Finley PE; Indus MSF, Site Plan entitled Lot 1 of the Edtech Subdivision drawn by Arrowpoint, dated March 23, 2016, received by the Planning Board October 5, 2018, Planning Board Application No. 28-SP-18, BE APPROVED WITH THE FOLLOWING CONDITIONS:

Conditions to be addressed prior to the chairman’s signature on the site plan:

1. That no final signatures will be given on the plans until all legal and engineering fees have been paid as per Fee Reimbursement Local Law adopted November 25, 1996.
2. That comments from Code Enforcement Officer, dated October 19, 2018 shall be addressed.

Ongoing conditions:

1. That the site plan comply with Town of Victor Design and Construction Standards for Land Development, including Section 4.
2. That the shed be painted to complement existing building’s architecture and color scheme.

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

SITE PLAN HELD OVER FROM 10/10/18 MEETING

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 and parked on premises temporarily within the gated area. Units will be transported to main location when complete. Application was held over from the October 10th meeting due to additional information requested. The property is owned by Rudy Kumpf consisting of 3 acres and is zoned Commercial /Light Industrial.

Mr. Dave Cali from Meyer's RV addressed the Board.

Mr. Cali – There were questions that the Board had for us, it was on the lighting mostly. There were 3 sets of lights on the building. They're 70 watt lights, their lumens are 6400, radius outside the building is less than 50 ft, we do not impede on the neighbors at all, you can't see them from the other side of the lots. I think that was one of the concerns. The other concern was the connection to the sewer.

Chairman Santoro – Did you speak to Rudy?

Mr. Cali – We spoke to the realtor who spoke with Rudy. They're not willing to go ahead and hook the sewers up at this time. We're leasing with the option to buy after 2 years. We would consider after that time connecting to the public sewer. However, with the usage that we have, we don't really see the need for increase sewage capacity due to the number of employees that we have. I believe that Rudy's prior business, according to Dunn & Brad Street, they were showing 100 employees. We're going to have between 6 -8 employees on the premises.

Chairman Santoro – We understand that you can't connect the sewer because you don't own the property and you did make the effort. I don't know what else we can do on that issue.

Ms. Templar – I mailed Farmington's comments to Rudy's son.

Chairman Santoro – Well he's been directly contacted and he doesn't want to do it at this time but if you buy the building, is it your plan to hook up? (Yes sir) The public hearing has been closed so we're just going to take comments from the Board.

Ms. Zollo – Are there storm sewers in this area because you said you're going to be washing these outside.

Mr. Cali – We're going to be pressure washing the units with water.

Ms. Zollo – Where's all the water going to go?

Mr. Cali – It's in the parking lot where we'll be hosing them off and then cleaning them off inside by hand. As far as the water, it's going to go where the water goes at least to the storm sewers.

Ms. Zollo – Are there storm sewers there?

Mr. Pettee – I'm not aware that there are any storm sewers on that parcel. The parcel to the east where the residential use is there are likely storm sewers because I see some stormwater management areas. There's probably some catch basins associated with the road network. As far as this property, I don't see any storm sewers.

Ms. Zollo – Okay, so is that something that we need to be concerned about, the run off?

Mr. Pettee – Would you know what the volume of water is that you'd be using on a daily basis.

Mr. Cali – We'll probably wash a unit a day at best, no more than a light rain.

MR. Logan – Is the parking lot going to be paved?

Mr. Cali – The parking lot is paved.

Mr. Logan – Is it going to be upgraded?

Mr. Cali – Refinished? It's in good shape. There's not a lot of broken parking lot out there. There's some weeds coming up through. We're going to clean it up and try to make it as presentable as we can, we may seal it. At this point, probably not going to do anything with it before the winter.

Mr. Logan- I was just thinking that if the parking lot was going to be reconstructed some how like the picture (referring to the overhead screen), it would be a good idea to put some appropriate storm drains in areas where you might be doing washings and things like that.

Mr. Cali – We can consider it. Again, it's a lease for us and if we decide to take over the property, we'd consider that.

Chairman Santoro – If you're only doing 1 a day, that's not that much washing.

Ms. Zollo – Yes, but you have parking for 50 but you're only doing 1 a day?

Mr. Cali – We'll actually be cleaning them up as they come. There won't be 50 on there all the time. They come off the truck. Today we received 2 units so there's a possibility of 2 being washed a day but it's not going to be a lot. More pre-delivery inspections is what we're looking at and need a facility to get our mechanics off of the ground.

Ms. Zollo – Okay, thank you.

Mr. Seiter and Mr. Gallina had no comments.

RESOLUTION

On motion made by Al Gallina, seconded by Joe Logan

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

1. A site plan application was received on August 30, 2018 by the Secretary of the Planning Board.
2. It is the intent of the applicant 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 completed.
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 October 10, 2018 at which time the public was permitted to speak on their application.
5. The Action is classified as an Unlisted Action pursuant to Section 8 of the New York State Environmental Quality Review Act Regulations, and the applicant provided Part I of the Short Environmental Assessment Form.
6. The Highway Department reviewed the project September 12, 2018 and had no comments.
7. The Coordinated Fire Service Review comments dated October 2, 2018 have been addressed

WHEREAS, the Town of Victor Planning Board reviewed the Unlisted Action on October 23, 2018 and identified no significant impacts; now, therefore, be it

RESOLVED, that the project, Meyer's RV Service Center 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 Meyer's RV Superstores, received by the Planning Board August 30, 2018, Planning Board Application No 24-SP-18, BE APPROVED WITH THE FOLLOWING CONDITIONS:

1. That the comments in a letter dated October 5, 2018 from LaBella Associates be addressed.
2. That comments from the Town of Farmington DPW dated October 2, 2018 be addressed.
3. That comments from Code Enforcement Officer dated September 25, 2018 be addressed.
4. Hours of operation shall be limited to Monday through Friday, 7:00 am to 7:00 pm and Saturday 7:00 am to 6:00 pm.
5. That any existing lighting be updated to become code compliant.
6. That any new lighting being installed have Planning Board and Code Enforcement review and approval.

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

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. Applicant is also requesting that the existing wooden pole remain at a height of approximately 40 ft for surveillance equipment. Application was held over from the 10/10 meeting. The property is owned by MCA Group, LLC consisting of 3.50 acres and is zoned Light Industrial.

Mr. Rodney Belknap from MCA Development addressed the Board.

Mr. Belknap – The question from the last meeting was the height of the existing pole, what height could we leave it at. We requested 40 ft, we can also do 35 ft if we need to. We're not at this point planning on putting a light on that pole. If it comes up in the future, if there's an issue with security, we might want to come back and add that. But right now, we're not planning on installing a light.

Chairman Santoro – We've gotten an opinion from Code Enforcement that says you can keep that pole as long as it doesn't exceed 40 ft.

Ms. Templar – And that was up to the Planning Board but the light can't go any higher than 25 ft.

Chairman Santoro – This public hearing is still open. Is there anyone who would like to comment? There were none. A motion was made by Joe Logan, seconded by Rich Seiter. The public hearing was closed.

Mr. Logan- So is everyone okay with 40 ft?

Chairman Santoro stated that would be discussed when they got to that section of the resolution.

RESOLUTION

Motion made by Heather Zollo, seconded by Joe Logan

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

5. A Special Use Permit and Site Plan modification application was received on September 5, 2018 by the Secretary of the Planning Board entitled Omnitech Business Park Lot R-3A.
6. Applicant is requesting 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.
7. 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.
8. The Planning Board held a public hearing on October 10, 2018 and October 23, 2018 at which time the public was permitted to speak on their application.
9. The modified site plan is consistent with the approved 2009 site plan and Section 8 of the New York State Environmental Quality Review Act Regulations. Thus, no further SEQR

review is required.

10. The proposed use is designed and located to be operated such that the public health, safety and welfare and convenience are protected.
11. The proposed use conforms to all applicable regulations in the district which it is located.

NOW, THEREFORE BE IT RESOLVED that the site plan and special use application of MCA Group, LLC, Site Plan entitled Omnitech Business Park Lot R-3A, drawn by BME Assoc, dated February 2006, modification made and received by the Planning Board September 4, 2018, Planning Board Application No. 3-SU-18 and 23-SP-18, BE APPROVED WITH THE FOLLOWING CONDITIONS:

Conditions to be addressed prior to the chairman's signature on the site plan:

1. That no final signatures will be given on the plans until all legal and engineering fees have been paid as per Fee Reimbursement Local Law adopted November 25, 1996.
2. That comments from Code Enforcement Officer, dated September 27, 2018 be addressed.

Ongoing conditions:

1. That the site plan comply with Town of Victor Design and Construction Standards for Land Development, including Section 4.
2. That if the existing pole remains it shall be at the maximum height of 40 ft.

DISCUSSION

Chairman Santoro asked for discussion on the height of the existing pole.

Mr. Logan – With the trees around there, I think they are taller than the pole. You said that was the issue in the first place. I don't have a problem leaving it at 40 ft.

Chairman Santoro asked if everyone was ok with the 40 ft and the rest of the Board members agreed.

DISCUSSION ENDED

3. That the existing pole shall not have an antenna located on it.
4. That if a light fixture is located on existing pole, it shall not be any higher than 25 ft and shall be code compliant.

5. That the new tower be made of non-reflective material.

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

SITE PLAN MODIFICATION

ROYAL CAR WASH

607 Rowley Road

Appl No 43-SP-17

Owner – WDC Properties LLC

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

Acres – 1.10

SBL #6.00-2-76.100

Applicant is requesting approval for the addition of 4 vacuum stations to be located at the western section (nearest Route 96) of the site. Applicant is also requesting approval for a modification to the landscape plan. The property is owned by WDC Properties, LLC consisting of 1.10 acres and is zoned Commercial /Light Industrial and is part of the Route 96/251 Corridor Overlay District.

Mr. Anthony Daniele, and Danny Daniele, owners and applicants addressed the Board along with Rick Caruso who is the President of the car wash operations.

Mr. A Daniele – We're here this evening and I don't want to repeat the obvious. We have 2 requests for site plan modifications. We were in front of this Board about 8 months ago and this Board kindly approved the site plan and landscaping that you see on the screen and I think you have some color photos of what it looks like today, the finished product.

What we are requesting as part of the construction and the grading and everything else, there were some modifications to landscaping. The most significant was the landscaping around the old Parks home. In the renovation of that home, it turned out that there was some significant foundation damage that was done by water and drainage around that house. So in that restoration, we actually had to replace some of the foundation as well as some of the lower siding that was behind the thick landscaping that was around that house. In that process, the decision was made to basically tear out all of the old landscaping that was closer to the home and invest the money to landscape around the house. Obviously, over the next couple of years that landscaping will mature. If you look at any of our other sites, it's a matter of a year or two,

actually the grass came in much quicker than we thought it would but it looks good out there. We were able in working with the NYSDOT and the Thruway Authority to do some cleaning up around the property outside our property lines. We actually just found out today, we did receive a permit, we were waiting for a permit from the NYS Thruway Authority and we're working with Brian Emelson and Mary Duprey to improve some of the landscaping off of the property (that's not part of the request today). There will be a flower bed along Route 96 in front of...realistically probably about 40 ft in front of where the proposed additional vacuums are going to be. Additionally, there will be the replacement of some smaller trees in that area.

In the request for landscape modification, the Town's landscape consultant, Mr. Zaretsky, made a recommendation in lieu of some of the changes that were made on the site during actual construction, he had recommended that we plant some additional trees. So in the updated landscape plan, the most significant difference is the addition of 3 Zelkova trees. One would be located in front of the dumpster (between the dumpster and Rowley), one would be in the island between the two curb cuts and one would be in the front of the property along 96 adjacent to where the vacuum stations would be and where the main motor station would be.

What we also provided in the pictures, we tried to show you where the existing vacuum stations are because the obvious question is what are they going to look like. That's what they'll look like. They're fairly thin, I don't want to say inconspicuous, that might be an exaggeration, but they are not like big bulky vacuums, the motors are off to the side, it takes a footprint of about 5 ft x 2 ft, very well maintained, relatively quiet. These vacuums are going to be located along Route 96 where there is a lot of traffic noise, there's really no residents, I mean we're at the corner of the Thruway and Route 96 so any noise from the car wash or vacuums or especially where the new ones would be, it would not affect any residents, there's nobody living right around there.

Mr. Gallina – So would the new vacuums mirror the existing style?

Mr. Daniele – Correct, yes. In addition to some landscaping modifications is the planting of some bushes in front of the 4 vacuums station to kind of create a little bit of a buffer. I think what I was saying before, the tree plus a little additional landscaping per town code to create some screening around the actually fixed vacuum motor that would be there. We certainly appreciate the sensitivity of the Parks home. We feel between the Town Board, this Planning Board and our plan, we've really gone a long way in keeping this house as a viable structure in the town. Obviously, this is a car wash site, it's been approved as such, vacuums are a compatible use for that. In driving down Route 96, the other carwash down the street has 2 outside vacuums, the gas station kitty corner of this property has outdoor vacuums and there's another gas station along 96 that also has outdoor vacuums.

When we originally planned this car wash, we did have vacuums out here and in the modifications and moving things around, adjusting the old building, they came off of the plan, they probably should have been on there from the beginning and obviously they weren't. We went to install them and Sean (McAdoo, Code Enforcement Officer) let us know that that wasn't part of the plan. So we quickly removed them and said we would deal with that once we were open. I think once the Board has a better view of what this thing really looks like, a picture is worth a thousand words, it's a lot harder to describe what it's going to look like, it's a lot easier to show what it does look like. In a nut shell, that's the request.

Ms. Babette Huber, Town Historian – I did send my comments to the Board. I do want to complement the Daniele's for doing a very good job in preserving the Parks homestead and the Planning Board for working the car wash on this site. As per my comments, I cannot support having 4 more vacuums where the Daniele's want them. The site from Route 96, it would compromise what's already compromised for the historic Parks homestead for the street view. I don't have a problem with 4 more vacuums as long as they are located somewhere else.

In our Comp Plan we want to keep the historic integrity as much as we can of our old structures and I think we did the best that we could do on this site and it should be kept the way it is right now.

I wondered if a person from my Historic Advisory Committee could also give a comment.

Ms. Lisa Boughton representing the Historic Advisory Committee – We'd like to comment on the Royal Car Wash vacuum station addition. *(Ms. Boughton handed out a statement to be read) The Historic Advisory Committee concurs with the Town Historian to deny the Royal Car Wash extra vacuum stations at the western section nearest Route 96. The issue is not four more vacuum stations, but the proposed location. The historic house has been compromised enough. These stations will detract even more from the integrity of the historic Park's Homestead's Route 96 street view. This committee formally opposes the proposed addition of the vacuum stations.*

Chairman Santoro – Thank you, anyone else have a comment?

Mr. Brian Emelson – Myself and my department are responsible for maintaining the flower beds on the four corners. We work in partnership with the Garden Club to design the beds initially and also bring forth new plants for those beds. I just want to complement the Planning Board, the Daniele's, the applicant in this case. When you're working out at that site, people ask what's going to go in there. You tell them a car wash and they say, "Ahh, they're going to tear down the building. They're just going to shoehorn a car wash in there." And you didn't do that. The applicant was willing from the onset to maintain the integrity of the house and it looks lovely. I'm out there all the time, people drive by that site all the time. The site is much better kept then it ever was. It brings a lot of honor to that corner. I can't overstate the amount of time this summer that the applicant put into communicating with DOT and the Thruway Authority which are sometimes an impenetrable organization to deal with, having dealt with them a lot and they stuck to it. They didn't have to provide a lot of the amenities but they wanted to, to the Garden Club and to the Parks & Rec Dept irrigation to that area. Having watch their employees work out there, I think it's an honorable organization. I see them all well uniformed and greeting customers, a very effective business. I just can't say enough about what they've done to that four corners, to that corner of that area when many people were initially very apprehensive about that project going in there. Thank you.

Ms. Kate Crowley – With regards to the Zelkovas, again they are non-native, they are a very attractive tree. They have a bark that defoliates similar to paperbark maple. I did notice in Al Benedict's comments that originally there were red maples planned which might be much more in character with the site. We also had suggested very early on that there be more landscaping between the site and Route 96. So we do support additional plantings. The other thing that I

would note, the Zelkova is a 70 to 80 ft tree and one of them is going to be in one of the very small planting areas along with another tree.

Chairman Santoro stated that this is a modification of an already approved plan, therefore, there will be no public comments.

Mr. Seiter – You said that you would be putting additional plantings there between the pavement and the road (near 96)?

Mr. A Daniele – So there'll be some additional plantings. As you can see the property line is not far from where the vacuum stalls would be so there'll be some lower shrubs in front of the proposed vacuum stands. Then beyond our property line and again, not necessarily part of this specification application, we've worked with Mr. Emelson and the NYS Thruway Authority so there will be some plantings on the DOT/Thruway....we're not really sure who actually owns the land...but they both said okay so I guess that's all we needed. So there will be some additional plantings. There's kind of a tug of war between...if you put too much there, now you're blocking the house which I'm not sure is the intent. But I think that we all agree that there should be a little bit more out there, so yes, to answer your question.

Ms. Zollo – I'm glad that we saved the house. I'd love to see any additional plantings, the landscaping around the home. I believe that when you came before us before, the Historic Advisory Committee as well as people on this Board asked for there to be landscaping around the house to put it in context and when you drive by it now, it's barely noticeable because of the stone mulch and the minimal landscaping. So would rather see plantings around there and I wouldn't want to see it blocked by the additional vacuum stations. I've been exploring your plan to see where else you might be able to put them. I'd like to see them somewhere else on the site, not right in front of the house.

Mr. A Daniele – And we certainly explored that option. Unfortunately, the configuration of the site and the building of the carwash and the maintaining of the house, kind of left very few options as far as how to redesign the site from the beginning and where we could have any parking spaces. It's kind of the only spot unless cars are going to stop and block a driveway. It does bring up the other question of, why do you need more vacuums? Right now we have 4 vacuum stalls and those 4 vacuum stalls are full on moderately busy days. What happens as cars leave the tunnel, instead of going straight and exiting, they want to go use the vacuum. So they start making a right had turn, exiting the carwash, then they have to stop because they're waiting for a stall to open. The demand is definitely there. Our other carwashes....most of them....the one on Monroe Ave we don't have vacuums, that was our first one and we just didn't design it that way and Brighton won't let us change it. But the rest of them typically have anywhere from 8 to 12 vacuum structures. So we did explore alternatives but unfortunately there wasn't really anything that we could come up with.

Mr. Logan – The question that I had was...when we first saw the building start to go up and then towards completion, you had those vacuums on that spot. Someone on the Board asked if they were going there and I said “No, they're not going to go there and block the view of the building.” They didn't go there, they went where they are now. It sounds like you had intended

to put them there all along. My concern is, you put 4 more vacuums there, where are the employees going to park? You're taking away 4 parking spots.

Mr. A Daniele – Right now they park where you see the handicap stall, when you enter, there are 2 spots there and then along the side of the building.

Mr. Logan – So can we put them there and move those spots down to the front of the building? Then you keep them away from the front of the Parks building.

Mr. Daniele – We did look at that. Unfortunately, people who are vacuuming are coming and going and when you have cars coming into the carwash, that's not really where you want a lot of people backing up. When an employee parks there, they're there for 6-8 hours.

Mr. Logan- I would suggest you do a pull through and you could set the vacuums to the side and reach over. Is that possible? You may say no, I don't know that but thinking that you might be able to pull through, restripe that striped area and allow them to go through the pull through towards where the other cars are using the existing vacuums. Or take a left and go out if they are just coming to vacuum.

Mr. Danny Daniele – We have spent a tremendous amount of time on this project. Again, going back 18 months almost where we actually had the vacuums in the original renderings and as we kept changing where the building went, somehow they got lost because that wasn't our focus. Going back to all of the different variations with this particular layout, going back to what you were saying, putting it near where those handicaps are with the pull through, we looked at that as the idea. One thing to keep in mind and I imagine that you all are not carwash gurus, spending time at night watching all of the U-tube videos on carwashes, there's a certain cadence involved with a carwash. People go in and come out very quickly. Like my brother was saying, we don't want cars to pull out and people walking around that area where that's the highest traffic. So pulling through isn't an option. So will people pull through or will they go in there, see the carwash, and say "I want to vacuum my car but I want to go through the carwash too." So now they're going to say, "I'm going to back out" rather than me saying "You've got to pull through." If we told them just to pull through, the only way they'd be able to come back around to get the carwash would be...well you tell me...they'd have to pull through, then maybe they'd have to drive around to the other area where there are vacuums which are most likely full or they'd have to kind of exit through the carwash, make a U-turn and then come back around to the carwash. The issues that we ran into with that option because we did look at that was that constant flow. If you think of a McDonald's drive thru, where the drive thru is, they try not to have a lot of people going through, people backing in and out because we have a mindset of this is where I'm going and that's where I want to get to. When we start mixing that up, that's where we start having accidents.

Mr. Logan – I can appreciate how complicated it is as I'm thinking from a highway engineers perspective and possibly striping off the left side of those 2 lanes coming in at least until you get to that spot so that you push cars to the right and then expand into 2 lanes about where the vacuums would be. Then they could pull out, take a left and then do a U-turn if they really wanted to go through the carwash.

Mr. D Daniele – Oh it works but it's with the explanation. I mean when people are coming into McDonald's to get their burger, they don't want to hear an explanation, they're going to get their burger and it's the same with carwash.

Mr. A Daniele – You also have people outside of their vehicles and not just the people vacuuming but the little kid whose running out helping mom vacuum. We try to keep the vacuums in a certain area.

Mr. Logan – The stalls are much longer where you have the vacuums and I appreciate that.

Mr. A Daniele – One thing to keep in mind again, we've been on the site now for well over a month, this is our 6th site and it seemed like the onset of comments that we received from the residents, mostly in Victor, some from Farmington but the preponderance has been from Victor, the excitement of having the facility, the excitement of having the vacuums available where they haven't had them in the past, the excitement of how quick and simple it was. The comments of wow I can't believe what the site has turned into. For years it's been a little bit of a vacant lot. Cole & Parks did a great job with their sandwiches, unfortunately not enough people ate them for whatever reasons. It's difficult to keep a business vibrant in today's society with a lot of different changes and demands and having those vacuums is a big part of what the Royal Car Wash represents. The other aspect that's kind of an intangible that you don't see is the ease and flow of the whole system, that cadence of the constant cars coming in and out and not having to have any type of stress and anxiety from conflicts that may arise.

Again, the site was designed from us to have vacuums there from the onset.....again, I apologize that through the 7 or 8 different variations.....At one point we were going to move the house, at one point we were going to have the building on a different side. Again, the engineer kept moving things around. At the end we said that's where we are putting the other set of vacuums. So it was designed that way. So at this point, to redesign the site, it's a very tight site, it's a pizza sliced shape property site so we're trying to make it work the best we can and that was how it was designed and we understand that now it's up to the Board to say that you guys may have screwed that up and you forgot it on the plans but at the end of the day, you guys have to make that hard decision and we understand that not everybody in the town, especially Babette and her crew are not going to say that it's a great idea, put some vacuums in front of the site. But at the end of the day, we're going to have some sort of vacuums there. We don't want to have a temporary vacuum where they roll them out in the morning and roll them back at night, it's going to look sloppy. One of the things that we pride ourselves on is maintaining the cleanliness of that site. They wear bowties to show that we care about the little things and when we have something set up the right way, we're able to maintain it the right way. The reason why and my brother talked about putting some shrubbery in the front, is to take a little bit of that callousness of having that metal object there. But again, you have other items around the site, the shrubbery around the Cole & Parks building is going to be growing. We're not in the growing season right now but by this time next year, it's going to look 10 times better than it did.

Chairman Santoro – I think we know what your position is.

Mr. Logan – I guess my comment would be, if the original site design had the vacuums on the 96 corridor, highly likely we probably would not have approved it as such. So you probably would have ended up with this configuration anyways. I'm generally not in favor because again when they were up there temporarily, I thought it looked like a complete eyesore.

Chairman Santoro – That's my take on it also. I had asked at the time if they were staged there, is that where they're going because that wasn't what we had approved. Then you were contacted and you moved them out of there. We haven't talked about the landscape plan yet either.

Mr. Seiter – The landscape plan dated October 17, 2017 does not show the vacuums. It showed the 4 vacuums along the main building. It shows nothing at the 96 end.

Mr. A Daniele – I think the apprehension is how they look from Route 96.

Mr. Gallina – It is mine, absolutely. To the extent that you would need extensive screening to the extent of pine trees or evergreen trees that would then block the view shed of the building itself which I know is something that you weren't looking to do.

Mr. A Daniele – We could put taller arborvitaes of some sort that lines up in front of it. It's not going to mask it 100%. The other thing we did think of was perhaps doing them in a color like black so that it kind of fads in with the light post and the black shutters. It's just a different color because obviously a different color makes them stand out more so then they would if they were just a black color and that's something we could do as well to mitigate that impact.

Mr. D Daniele – I was just thinking of another option too. We actually have the equipment already, they already started to mount it. We could mount it, have it up for a few months, take a look at it, and see what it actually looked like because you guys never really had the option to see....

Mr. Gallina -Well, actually I did see it when they were there temporarily.

Chairman Santoro – As did I.

Mr. Gallina – So I have a very good perspective of what it will look like.

Mr. D Daniele – With that option, they'd go up for a few months and kind of see what society says and see if...just like anything else, when they put up the Tower of Pisa, it looked like a monstrosity and then it turned out to be the tourist attraction. So...as time goes on, the view shed may...it might be an option.

Chairman Santoro – I don't think we're aiming to have this a tourist attraction! Anyone else have comments? *There were no other comments.*

RESOLUTION

On motion made by Al Gallina, seconded by Rich Seiter

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

1. A site plan modification was received on October 9, 2018 by the Secretary of the Planning Board for the property located at 607 Rowley Road.
2. It is the intent of the applicant to install four additional vacuum stations at the western section of site and to modify the approved landscape plan.
3. The Town Historian reviewed the application on October 18, 2018 and disapproved the location of the additional vacuum stations.

NOW, THEREFORE BE IT RESOLVED that the site plan modifications received October 9, 2018 by the Planning Board Secretary, Planning Board Application No. 43-SP-17, BE APPROVED WITH THE FOLLOWING CONDITIONS:

Conditions to be addressed prior to the chairman's signature on the site plan:

1. That no final signatures will be given on the plans until all legal and engineering fees have been paid as per Fee Reimbursement Local Law adopted November 25, 1996.
2. That comments made by Zaretsky and Assoc dated October 9, 2018 be addressed.
3. That the comments made by Codes dated October 19, 2018 be addressed.

Ongoing conditions:

1. That the site plan comply with Town of Victor Design and Construction Standards for Land Development, including Section 4.

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

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

Approved 0 Ayes, 5 Nays

The modification request was denied.

SKETCH PLAN APPLICATION

PIPER MEADOWS SUBDIVISION

860 High Street & 870 High St

Appl No 4-SK-18

Zoned Residential 1 w/C overlay (1 unit per acre density)

Owner – 860 Andrew Glasgow (20.40 acres) & 870 Glenn Piper (20.6 acres)

Applicant is requesting **acknowledgement of a complete application** for a 41 lot subdivision on 41.09 acres. Project is comprised of 2 adjacent parcels approximately 20 acres each. Project will consist of 2 existing single family homes and 39 additional lots. Section 1 will consist of 21 single family homes and Section 2 will consist of 20 townhouse lots (ten 2-unit bldgs). 860 High St is owned by Andrew Glasgow and 870 High St is owned by Glenn Piper and is zoned Residential.

Mr. Jeff Morrell from S & J Morrell Builders addressed the Board.

Mr. Morrell – I'll keep my comments brief as this is really the beginning of the process. We're really here before the Board just to have the application deemed complete and then we'll move on to the formal public hearings.

Chairman Santoro – Let me explain that to people in the audience. This will not be a vote to approve or not approve this project tonight. The vote is only to say that the sketch plan that they have given us is “complete”. Then we go on to the rest of the process. This is just a step on the way, no approvals.

Mr. Morrell – Thanks for that clarification. I just wanted to mention to the Board as we were before the Board in August and received great feedback from various Board members. The dynamics of the project have changed specifically based on that feedback. At present we have the project as designed with two entry points on High St and we've eliminated the connection point between the two communities based on guidance we received from the Planning Board. This actually had a very positive affect with regards to...we reduced approximately 500 linear ft of impervious surface area with that connection point between the two and significantly reduced the environmental disturbance to the property.

Outside of that there's been no changes to the project, as to what's before you. Really what we're looking for is just a simple process so that we can move forward and address appropriate public comment as well as all agencies comments and Planning Board comments.

The last thing I'd like to add is we did receive a question with regards to the type of product that we'd be doing on the townhomes so I brought a rendering of that. The townhomes are designed as 2 unit townhomes in total so it's basically 2 end units. They're designed in an Arts & Crafts style home. It's a low profile single story, all first floor master designed townhome. Again, its Arts & Crafts style, porch details, roof details, profiling and this is all of the homes on basically the southern end of the community.

Outside of that, we'll continue to receive various commentary and then we will aggregate all of the commentary and move forward with the next step as we address all engineering comments, agencies comments and all comments that I've received. Thank you.

Chairman Santoro to the public – I'd like to keep this short if I can. You will all have the opportunity when we go to the next step to express whatever opinion you want. I'll accept tonight some "brief" statements or questions. But as I say, you'll have an opportunity to speak at length later in the process. Anyone want to say anything tonight?

Sue Davie from 930 High Street – I just moved here about 13 months ago. I just wanted to express some of my disappointments and concerns. First of all we have concerns but first let me address the disappointments.

We're all feeling it in this town. Buying a home is a big financial decision but you do your homework. You do home inspections, air quality, check out the schools, the hospitals and of course the location factor. Most of us that are part of our neighborhood group were told before purchasing our homes surrounding Lane Road and High Street that the wooded area behind our homes was owned by a neighboring individual and that the 50+ acres would be turned over to the Town of Victor for "forever green space". I have even followed up that statement with my neighbors for verification.

I checked out the Town of Victor's Vision statement. I liked what it said and I'm just going to read part of it. *Town policies will promote a small town atmosphere. We will protect and enhance our extensive natural resources and their supporting landscape which weave throughout the town and village.* It went on to say, *Economic growth and continued success must walk hand in hand with responsible environmental stewardship in order to achieve community sustainability. We pledge to maximize both in all aspects of community life.* Of course we are anticipating the cooperation of this vision to this project.

Another disappointment in this wooded area where the potential building project would be located is predominately of ash trees, about 80-85%. The arborists that I had asked to examine the trees on the portion of this wooded area that I own told me that all but 2 of the 80 trees that are now dead or dying of the emerald ash bore disease. He also added that the ash trees in the entire wooded area where the project would be were either dead or dying. He said that the cycle is about a 2 to 3 year time frame. This has a huge effect on all of us. This depletion of trees will transform our privacy, eliminate the noise barrier from Route 96 traffic, change our wildlife protection and create erosion issues. Our direct concerns are the following:

1. Drainage and erosion will be a major issue. The disease trees will all have to be removed according to the Cornell Research Dept. The trees become extremely dangerous due to the porous consistency all the way to the top of the tree. From the east side of High St to Route 96 will need long term corrections for protections environmentally and economically because of the businesses on the east side of 96 below this projected building project have experienced flooding issues already. The clay consistency of 85% (that came from the soil survey). Water goes where it wants to or not depending on the amount or degree of the slopes because of the clay.

Chairman Santoro – I'm going to have to ask you to wrap this up soon please.

Ms. Davie - #2 is dealing with the traffic issues which is one of our main concerns. Traffic on Lane Rd and High St will greatly increase with 48 new families with the Piper Meadows project. But added to the mix will be traffic from the new brewery at the corner of High and 96, the 3 or 4 new homes near the corner of Lane/High St and the strip mall parallel to Lane Rd next to the

Thruway. It just boggles the mind just to think about it. The congestion and the speed and the safety concerns now have greatly changed the quality of life on High St and Lane Rd. School children, active adults and neighbors have to sprint and hope their timing gets them across the street. A 40 mph speed limit means you can go 45, as we all know, without getting a ticket. After all, it's a school zone from Lane Rd to the Village but you need to put your heart in your throat when you try to cross. We would like to see a reduction to at least 25 mph that would improve all of our lives.

Chairman Santoro – Thank you, anyone else wish to speak?

Kelly Goforth from 7177 Lane Rd – My question is more around the...there's been conversation around the intersection of High and Lane. If someone could clarify, does this project include that intersection and the potential rumored round-about? Is that a separate project?

Chairman Santoro – The round-about is way at the other end of Lane where it comes into Church St.

Ms. Goforth – I'm talking about...there's also been discussion or rumors of a round-about between High and Lane so my question is that a rumor or is that a separate project or is that not happening? If you could help clarify that it would be helpful.

Chairman Santoro – There has been discussions about that intersection because it doesn't go straight through, it's kind of off set and I quite frankly don't know where it's at now but it is a concern to the town.

Ms. Goforth – And partly to echo the concern and another question for me, I'm curious about this scope of this specific project and the ramifications of the traffic and definitely that intersection and how....that's a big concern and obviously the increase number of people that would live....

Chairman Santoro -.....Well we have a Traffic Engineer that looks at all of these projects and will look at this one too.

Ms. Goforth – Awesome...so then that would be...how does that work? Is that in the next meeting or a sub meeting or how do we learn about these things?

Chairman Santoro – As I say, this is only sketch plan approval, it's not approval of the project itself. (Understood) The next step would be more detail on this and our consultants will be looking at everything giving us advice and opinions which everybody can share. So that's the next step.

Ms. Goforth – That's right so as we understand and as you guys get those reports, how do we know about them? How do we make sure....can we be informed of those resources because the website is not up to date and you have to know how to ask for it?

Chairman Santoro – Call the Planning Dept. The cards are on the table in the back. They are happy to talk to you. *Comments are being made from the audience that are inaudible.* What else can they do but talk to you? When their office is open, you can call or you can stop in the office.

Ms. Goforth – So I just keep calling, okay.

Chairman Santoro – The whole file is available for review.

Ms. Zollo – Are we collecting email addresses so that people can be notified of the meetings?

Ms. Templar – We can. We can make a distribution list. There are business cards in the back with our email address. Contact us and we'll put you on that list.

Ms. Zollo – We've done that with other projects and I understand that you want to know when the meetings are so that you can plan to be here and voice your concerns.

Ms. Templar – Also anyone within 1,000 ft have been receiving post cards. *From the audience someone stated that they have not been receiving postcards.* I send them out approximately 2 weeks before. That's a post office issue, not ours. The business cards in the back have our email address and if you send me an email asking to be put on the Piper Distribution list, I can do that too.

Mr. Pettee – Ernie, I'd like to interject here just so the public is aware of where we are in the process. The major subdivision process here in the Town of Victor for which this project is a major subdivision, it's a 3 step process. The first step is Sketch Plan review and that's where we are at right now. The Preliminary Subdivision review is really where the "meat and potatoes" come in. That's where we do our due diligence, the Planning Board is going to look at the environmental impacts of this project including traffic, wetlands, streams, impacts to the forested area, the Town Engineer will be looking at the sanitary sewer and other infrastructure, the road proposals, the intersections and the Town's Traffic Consultant would be looking at traffic. That process would take place at some point after the Planning Board deems the Sketch Plan complete which is where we are tonight.

After the Preliminary subdivision is approved, there is also a Final subdivision phase. Before getting into the Final, there will be a public hearing on the Preliminary Subdivision and that's an opportunity for you to provide your comments in a public forum here at the meeting and to provide written comments. Then you have the final subdivision application take place to "cross any t's, dot the i's" if the project were to be approved, that's the time it would be approved.

Mr. John Nardoizzi from 7151 Lane Rd – You guys have a tough job. Before the Board continues to let these subdivisions come in, housing projects come in, somebody has to address the traffic in Victor as far as all of the problems we have at Lynaugh Rd, down at 96 and High St, you can't even get out there between 10:00 and 2:00 in the afternoon. You've got the bridge. I mean we gotta square the traffic away before we let all of these new subdivisions come in. I mean there are ambulances and fire trucks going up and down Lane Rd and High St every day.

Then the school adds all of the added traffic but before you start letting all of these people come in....

Chairman Santoro –There is a traffic committee already existing.

Mr. Nardozzi – I've been here 20 years, it's all lip service.

Chairman Santoro – If you'd like to go to the meetings and take part, please do.

Mr. Nardozzi – It's all lip service.

Cathy Boughton from 833 High St – Is there any way for any of that to dump onto 96 instead of just going onto High St which is already bogged down with a lot of traffic? It doesn't look like they own that property but maybe there is a way of getting it to go down towards 96.

Chairman Santoro – Well, I think the Chevy dealer is down there.

Ms. Boughton – Well closer the other way. I'm just saying maybe they can look into the possibility and see if that couldn't happen.

Mr. Logan – It's a very large drop from High St to 96. If you look at Lane Rd, you see how steep that is and there are wetland impacts, streams and things it would have to cross plus they don't own the property all the way down to 96.

Ms. Boughton – There is some property there for sale so maybe they could buy that. I'm just trying to think of other ways to divert that traffic. As John said, I know there is a traffic meeting and flow of traffic in Victor, I've been here 44 years on High St, there were plans before to divert traffic off of High St off of 96, the Thruway and all of that, that goes back 44 years, we haven't made any progress in 44 years and I don't see any progress being made in the next 10.

Chairman Santoro – Of course that's a state road (SR 96) which makes it a problem.

Ms. Boughton – I know it is but we haven't made any progress in 44 years as far as traffic. It's not going to change in the next 10.

Chairman Santoro – Traffic goes through, they go to Farmington, to Canandaigua they go all points east.

Ms. Boughton – I know, it's going to be the way it is now forever. There's no alternatives in Victor. Obviously, I've lived here for 44 years, I've accepted it....

Chairman Santoro- ...Well I've lived here for 41 years and I've seen the same thing....

Ms. Boughton -And it's going to stay the same. So I don't know why they have a committee investigating it because it's not going to change.

Mr. Dave Schond from 846 High St – We own the northern border to this project. I have concerns that have already been brought up with some of the other projects with the clay soil, run off, the natural pitch of that land is right into our property, the new houses on the northern portion of that are right near our residential section of the yard. The flow of run off from that property all end up back to the north into my property. I just want to bring that to your attention.

Chairman Santoro – Thank you. Are there any other comments? *There were none.* Hearing none, we have a resolution to read. Again, this is just a sketch plan, not an approval of the project.

RESOLUTION

On motion made by Joe Logan, seconded by Al Gallina

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

1. A sketch plan application was received on September 20, 2018 by the Secretary of the Planning Board for a Major Subdivision entitled Piper Meadows Subdivision.
2. It is the intent of the applicant to subdivide 41.09 acres into 41 lots.
3. A public hearing was duly called for and was published in “The Daily Messenger” and whereby all property owners within 1,000 ft 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 October 23, 2018 at which time the public was permitted to speak on their application.
5. The Conservation Board reviewed the sketch plan on October 2, 2018 and comments were received.
6. The Codes Dept reviewed the sketch plan on October 15, 2018 and October 18, 2018 and comments were received.
7. There was a Coordinated Fire Service Site Plan Review on September 27, 2018 and comments were received.
8. The Village DPW reviewed the sketch plan on October 5, 2018 and comments were received.
9. The Victor Highway Dept reviewed the sketch plan on September 25, 2018 and comments were received.

NOW, THEREFORE, BE IT RESOLVED, that regarding the sketch plan application of S & J Morrell Builders, Major Subdivision entitled Piper Meadows Subdivision, drawn by Marathon

Engineering, dated September 20, 2018, received by the Planning Board September 20, 2018, Planning Board Application No. 4-SK-18, the Planning Board **acknowledges receipt of a complete sketch plat application;**

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

DISCUSSION

Mr. Logan- Ernie before we make the motion I asked Wes if he could briefly describe what a complete sketch plan application includes. I hope that will clarify where we are right now.

Mr. Pettee – A sketch plan application for a major subdivision includes just what it sounds like. There's a few drawings that are submitted. This one here and the one you see on the screen is just a colored rendering of what they've proposed. There's a small plan set in here that was submitted by the applicant as well as an inventory of existing natural resources and site resources. This is actually a very good submission for a sketch plan application. We don't always get documents that are this thorough so that's appreciated. As part of that plan set that they submit, we're looking for a schematic plan of the water, the water system and also a schematic plan for sanitary sewer, how the sewers are going to be handled, a schematic drainage map of the proposed drainage and also sediment and erosion control and tentative layout for roads and streets. That's what we have in front of us. They've submitted all of that information.

Mr. Logan – It basically tells the Planning Board and the public that the builder has done a lot of homework to say that the project is feasible. It doesn't mean it's a great project from everyone's perspective but it means it can be done, it can be engineered and that we can move forward and review all of the details. I hope that helps everyone as to where we are and how we try to move forward through the process with the builders.

DISCUSSION ENDED

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

Approved 5 Ayes, 0 Nays

INFORMAL DISCUSSION

SUMNER/MAGGIO SUBDIVISION

Rebecca Sumner

7880 Hidden Oaks
Zoning – Limited Development District

Applicant is requesting feedback from the Board for a 9 square feet “land swap” with adjacent neighbor in order to be considered part of the Pittsford School District. The property is owned by Rebecca Sumner consisting of 4.80 acres and is zoned Limited Development District. The second property is owned by Russel and Robin Maggio consisting of .83 acres and is part of the Royal View Subdivision and is also zoned Limited Development District.

Rebecca Sumner addressed the Board.

Ms. Sumner – I appreciate the opportunity to receive feedback on this. My neighbors, in the backyard, the Maggio’s are interested in having the same choice that I would like, Victor and Pittsford schools. From what I’ve been able to ascertain, when Royal View was laid out, it was stipulated that their subdivision remain the same size so I can’t purchase property from them nor can they purchase from me. They are happy to swap land.

So my question is, is this something that the Board would be able to give me feedback on? In your packet you have my letter of intent, a letter of agreement from the Maggio’s, a number of pictures and the survey.

Chairman Santoro – My question is have you looked into the issue of what taxes you’re going to pay?

Ms. Sumner – I don’t have school age children anymore, those days are gone. So if this were to be approved, I would have to obtain zoning approval, I would have two tax parcels. I would pay a small amount of tax to Pittsford but most of my taxes would still go to Victor just as the Maggio’s mostly their school taxes would go to Pittsford and a small portion to victor.

Chairman Santoro asked Ms. Sumner to explain one of the surveys in the packet.

Ms. Sumner – This is the survey of our property and when the survey was done, I guess the property has been surveyed 3 times, there was an artifact of a survey that was done incorrectly. I think it was in the 90’s. I purchased this in 2010 and the survey was done and it confirmed the original survey line but that is actually a dotted line. I think D.J. Parrone had done the survey and was off.

Chairman Santoro asked about the red box that had been drawn on the survey.

Ms. Sumner – That was just the area in question. These are the actual proposed swaps of property. I was trying to show you the whole area in question but also on the blown up one, you can see it better. It’s decidedly a minor subdivision.

Mr. Gallina – I have no real questions and I understand the intent. I guess I’m struggling with these little plots of land for the sole purpose of trying to establish the ability to go to a different school district. I don’t at this point have any questions, I was just contemplating the theory of it I guess.

Mr. Logan- I have a similar question. Are you adding property or are these independently.....

Ms. Sumner –Separate so it would be a spot here into theirs and a spot here into mine.

Mr. Logan – So it's landlocked, you can't get to it, it's not even a subdivision really. Technically, it is because it's a parcel that's going to be onto itself.

Ms. Kinsella – Yes, she's going to need variances for those. The reason they have to be that way is because if she added it to her parcel, then it wouldn't qualify for her to have that tax parcel in the Pittsford school district.

Ms. Sumner – Also, Royal View cannot be made smaller as a subdivision because of the terms of the subdivision.

Ms. Kinsella – So she still would have to go through a variance process.

Chairman Santoro – So she has to go to the Zoning Board of Appeals. Does she have to go to the Pittsford Zoning Board of Appeals too?

Ms. Kinsella – No, just the Town of Victor Zoning Board of Appeals. Royal View is still in the Town of Victor.

Mr. Logan – So where do you walk to to get to Pittsford schools? Do you walk across the lot to another road?

Ms. Sumner – Pittsford has already said if everybody is on board with this, they're fine. If somewhere down the line a family buys my house and they decide they want their kids to go to Pittsford schools, Pittsford would bus and come down the street.

Mr. Logan- So this parcel could not be separately sold to anybody?

Ms. Sumner – That picture (referring to the overhead screen) is actually the area. It would be 2 square yards somewhere in there. It's no-man's land at the top of the hill.

Mr. Logan – I understand the intent, it's just kind of an odd way. Don't get me wrong, it just seems like you're trying to do something just for the sake ofI'm not sure how to put this.

Ms. Sumner – I guess I would frame it this way; it's two neighbors who both want choice. Their kids are grown, mine kids are grown but somewhere along the line somebody might want the choice.

Mr. Logan – Well if I was that person, I would want to say that I'd better buy a lot in Pittsford instead of Victor and vice versa rather than going for the lot in Victor, know that you have to go to Victor schools.

Ms. Sumner – I moved to this house when my daughter was a junior in high school, her dad lived in Pittsford, so she stayed in Pittsford schools. I called Pittsford and said that I keep getting mailings for the census and I said that I didn't think I was in the Pittsford schools and they said "Oh no, you are". I said that I really don't think that I am. So it took about a year to straighten that out.

I just think it's a choice. If there is the ability to have a choice, I would like to have it available.

Chairman Santoro – Well, it would take some burden off of the Victor school district.

Mr. Logan - That's true, I mean Pittsford is going to pay a lot for that student to go to the Pittsford schools when they are getting hundreds in taxes versus thousands. I'm not sure what taxes you would pay on 2 square yards.

Ms. Sumner – It would not be a material import, I don't think.

Ms. Zollo – But the other family would pay all Pittsford school taxes?

Ms. Sumner – That's what they are paying now. They pay predominately Pittsford school taxes and then they would pay the Victor equivalent of a square yard.

Ms. Zollo – And the proposal is that the family would get to choose? (Yes) Then maybe 1 year they do Pittsford, the next year they do Victor?

Ms. Sumner – No from what Pittsford has told me, I've learned so much in this process, when you buy the house or have school age children or if my husband and I decide to adopt children now that we're in our 50's and 60's, we could flip a switch and we would have to declare our intent...this would be for a future family...we need to declare our intent to which ever district we want to....you can't flip back and forth. First of all that would be irresponsible parenting.

Mr. Seiter – The family physically living in the Pittsford school district, can send their child to the Victor school district for virtually no taxes.

Ms. Sumner – Oh no, if they decided they wanted to send their child to Victor, then the Pittsford taxes would come to Victor. Until somebody decides to change and avail themselves of that choice, nothing changes.

Chairman Santoro – So does she have to go to the Zoning Board of Appeals before we act on this? (Yes) Ok, that's your next step.

Ms. Sumner – So if I could be so bold since this is feedback, nobody thinks that this is horrible?

Chairman Santoro – No, it's just odd.

Ms. Sumner – It is odd.

Mr. Logan – It's odd. If you get your variances, would we stop it? I don't see a material impact to the town.

Ms. Sumner – I want to thank Cathy for all of her help. I've asked questions over and over.

Chairman Santoro made the statement that Ms. Templar was retiring at the end of the year.

Ms. Sumner – I appreciate your time and thank you.

The discussion ended at this point.

Motion was made by Joe Logan seconded by Al Gallina RESOLVED the meeting was adjourned at 9:00 PM.

Cathy Templar, Secretary