

A regular meeting of the Town of Victor Planning Board was held virtually on February 9, 2021 at 7:00 p.m. with the following members present:

PRESENT: Ernie Santoro, Chairman; Joseph Logan, Vice-Chairman; Scott Harter; Al Gallina; Joe Limbeck

ABSENT: None

OTHERS: Wes Pettee, Town Engineer; Councilman Dave Condon, Suzy Mandrino, Confidential Secretary to the Town Supervisor; Kinsella, David Heyneman; Lisa Boughton, Secretary

The meeting was opened, the Flag was saluted and the Pledge of Allegiance was recited.

APPROVAL OF MINUTES:

On motion of Al Gallina, seconded by Joe Logan.

RESOLVED that the minutes of January 26, 2020 be approved.

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| Ernie Santoro | Aye |
| Joe Logan | Aye |
| Al Gallina | Aye |
| Scott Harter | Aye |
| Joe Limbeck | Aye |

Approved 5 Ayes, 0 Nays,

CORRESPONDENCE:

There were none.

BOARDS AND COMMITTEE UPDATES:

Councilman Condon from the Town Board

Mr. Condon – Good Evening, Just wanted to let everyone know that we met last night and one of the discouraging little pieces of information was Governor Cuomo is taking back about 250 million dollars in aid which was coming out to the counties. That was going to be shared and 200 million is coming out of NYC and the other 50 million was coming from upstate by county and population. Our hit will be probably about 65 thousand dollars in loss revenue this year and first quarter of next year. While Barb Cole tells us we are in pretty good shape to weather that storm it is just a little disheartening that other counties need some help. We made some drastic cuts to some of our programs. Particular rec and what to trying to implement those

and get those up and running is going to be a continually haunting task as we continue to navigate thru these uncertain times.

On a positive note with rec. Some of you might be interested in this. We are going to be having a public hearing with Brian Emelson. He will be presenting to modify our codes a little bit on about park trails use. I do not know if you are familiar with these E Bikes which are kind of pedal assisted for more of our elderly population. As folks age up we think we are going to open those up to Class 1 which will allow those older population that have the pedal assisted battery to help them. It was good to see that we are trying to answer the needs of the community. Other than that Ernie not a lot going on. Still finishing up our pause. Trying to not make any drastic moves for the first quarter but also trying to anticipate trying to have some semblance of a rec program come this summer and have a focus on that. It will certainly look a lot different than it has in the past. That is what we are looking at as we move forward.

Chairman Santoro – Thank you Dave.

The legal notice for the public hearings appeared in “The Daily Messenger” along with “Under Review” signs being posted on the subject parcels. Post Cards were mailed to property owners within a minimum of 500 ft from location for the initial public hearing date of each application. For applications carried over please refer to the Planning and Building Office.

PLANNING BOARD reported by Lisa Boughton

Tuesday February 23, 2021

PUBLIC HEARINGS

- Ott Minor Subdivision, located at 1086 Strong Road, applicant is requesting to subdivide the parcel into 3 lots with one lot comprised of land on the west side of Strong Road and the land on the east side of Strong Road will be divided into two lots.
- Tovstukha Addition, located at 1135 Willis Hill Road, Applicant is requesting approval to construct a garage and residential addition to an existing single family residence to be used as a second dwelling unit for family or blood relative only. Also including the construction of an on-site wastewater septic system.
- Engebrecht Subdivision, located at 7980 Main Street Fishers, applicant is requesting to subdivide Lot 2 of the Smith Subdivision into two lots. This will be the second and third step in a three step process for a major subdivision.
- The Fairways Phase III, located at Championship Drive, applicant is requesting approval for Phase III of The Fairways Project consisting of 72 townhomes with Championship Drive extending to Gillis Road.

PUBLIC HEARING

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

HEYNEMAN SOLAR ARRAY

01-SP-2021

3 Fishers Hilltop Drive

Zoned – Limited Development District

Owner – David Heyneman

Tax # 5.02-2-22.000

Applicant is requesting approval to install a 10 kw ground-mounted solar array.

Mr. Heyneman – Basically one bank of 28 panels on a steel structure that would be anchored in concrete footings. The location behind a tree line so it is mostly screened. It is screened from the neighbors to the north completely and only neighbor who would be able to see it directly would be the Carriers just to the west of me. I have spoken with them and they are fine with it and I have also agreed to if necessary I can plant additional screening on their side.

Chairman Santoro – Do we have any calls yet?

Ms. Mandrino – No comments yet.

Mr. Limbeck – My big concern was screening from the other properties and if Mr. Heyneman said contacted the neighbor's and they have no objections than I have no objections either.

Mr. Gallina – One question. What is the approximate height of the solar panel array?

Mr. Heyneman – The highest point I Believe is about 10 feet. There is a pretty dense tree line to the north that screens it pretty well.

Mr. Logan – I was looking at the survey map and it shows an offset to the solar panels from the house 285.7 feet. I was looking at Google Earth and it is really only about 200 feet. I wanted to make sure you were not planning on moving trees at the screen line that you are going to put it basically at the tree line.

Mr. Heyneman – Exactly. No I am not going to remove any trees. It may not be exactly to scale.

Mr. Logan – Okay. I did not know how hard and set, it is a survey map, maybe the survey map does not reflect trees that are in that area. I assume that you are putting those panels to the south of the trees to get the best sunlight and that will make it even further from the property line so that is fine too. That is all I have Ernie.

Mr. Harter – I do not have any questions. My only comment would be that it looks well screened to me from what I see in the aerials.

Mr. Pettee – Looks to be a fairly straight forward application. This project was not referred to LaBella for review but I have looked it over and the draft resolution and I do not have any questions or concerns.

Chairman Santoro – Suzy, anyone else yet?

Ms. Mandrino – No comments.

On motion of Joe Logan, seconded by Joe Limbeck, RESOLVED, that the public hearing was closed.

RESOLUTION

Motion made by Joe Logan, seconded by Scott Harter.

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

1. A site plan application was received on January 19, 2021 by the Secretary of the Planning Board for a Site Plan entitled Heyneman Solar Array.
2. It is the intent of the applicant to install a 10 kw ground-mounted solar array.
3. A public hearing was duly called for and was published in “The Daily Messenger” and whereby all property owners within a minimum of 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 February 9, 2021 at which time the public was permitted to speak on their application.
5. The Action is classified as an Unlisted Action pursuant to the New York State Environmental Quality Review Act Regulations, and the applicant provided Part I of the Short Environmental Assessment Form.
6. The Conservation Board reviewed the project on February 2, 2021 and stated no concerns.

WHEREAS, the Town of Victor Planning Board reviewed the Unlisted Action on February 9, 2021 and identified no significant impacts; now, therefore, be it

RESOLVED, that the project, Heyneman Solar Array 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 David Heyneman, Site Plan entitled Heyneman Solar Array, received by the Planning Board January 19, 2021, Planning Board Application No. 01-SP-2021, 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.

Ongoing conditions:

- 1. That the site plan comply with Town of Victor Design and Construction Standards for Land Development, including Section 4.
- 2. That a building permit be obtained for solar array prior to installation.

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

This resolution was put to a vote with the following results:

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| Ernie Santoro | Aye |
| Joe Logan | Aye |
| Al Gallina | Aye |
| Scott Harter | Aye |
| Joe Limbeck | Aye |

Approved 5 Ayes, 0 Opposed

Motion was made by Joe Limbeck seconded by Joe Logan RESOLVED the meeting was adjourned at 7:13 PM

Lisa Boughton, Secretary