

A regular meeting of the Town of Victor Planning Board was held on February 22, 2022, at 7:00 p.m. with the following members present:

PRESENT: Ernie Santoro, Chairman Scott Harter; Al Gallina; Joe Limbeck

ABSENT: Joseph Logan, Vice-Chairman;

OTHERS: Wes Pettee, Town Engineer; Dave Nankin, Francis Rose, David Palmer, Glen Thon, Robert Zajac, Robert Jacobson, Brennan Marks, David wright, Ann Aldrich, Kathy White. Kim Kinsella, Project Coordinator; 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 Scott Harter:

RESOLVED, that the minutes of the meeting held on January 11, 2022, BE APPROVED.

Adopted Ayes 4, Nays 0, 1 Absent

On motion of Al Gallina, seconded by Scott Harter:

RESOLVED, that the minutes of the meeting held on January 25, 2022, BE APPROVED.

Adopted Ayes 4, Nays 0, 1 Absent

CORRESPONDENCE:

There were none.

BOARDS AND COMMITTEE UPDATES:

Town Board representative Dave Condon was not present.

PLANNING BOARD reported by Kim Kinsella

Tuesday March 8, 2022

PUBLIC HEARINGS

- Bristol Garden Gowing Greenhouses, located at 7432 State Route 96, applicant is requesting approval to construct (4) Westbrook greenhouses, 24' x 144' long x 14' high and (5) Westbrook greenhouses 24' x 120' long x 14' high for growing flower and vegetable plants.

- Delta Sonic Car Wash, located at 7463 State Route 96, applicant is requesting approval to demolish the existing building and to construct a 13,914 sf interior detail building located along NYS Route 96, a 10,257-sf exterior building car wash with 3,185 sf prep hut, located behind existing Taco Bell, a 13,164-sf indoor vacuum building and outdoor vacuum area located behind Wendy's, along with new lighting, landscaping, pavement and drainage.

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.

DISH WIRELESS AT BENSON ROAD

01-SU-2022

Benson Road

Zoned – LDD

Owner – Town of Victor

Tax Map # 6.00-1-1.120

Applicant is requesting approval to replace equipment on an existing wireless facility.

Richard Zajac representing Crown Castle on behalf of DISH Wireless.

Mr. Zajac – Installation of antennas on ancillary equipment on an existing cell tower. Specifically, DISH Wireless is proposing to install three new antennas at the 80-foot level of the existing 100-foot monopole. DISH is also proposing to install a 5 x 7 ground equipment pad. No tower height increase or ground compounds expansion is included with this scope of work. It does classify as eligible facilities request under Section 6409 of the rules of the FCC.

Chairman Santoro – Anyone from the public have any questions or comments? Hearing none.

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

Adopted Ayes 4, Nays 0, 1 Absent

Mr. Harter – You said you were substituting three antennae for one?

Mr. Zajac – This is a new installation. DISH Wireless does not have any antennas up there currently.

Mr. Harter – Ther is nothing up there at all?

Mr. Zajac – For DISH Wireless, no. It will be a new installation for us.

Mr. Harter - Is there an antenna there now?

Mr. Zajac – Yes there is an antenna there’s now but there is no DISH antennas on there now. The cell tower is owned by Crown Castle and DISHG is looking to lease space to put there antennas up.

Mr. Harter – You are hanging it on an existing tower, correct? I’m ok.

The Board had no further comments.

Chairman Santoro read the draft resolution.

DECISION:

On motion of Joe Limbeck, seconded by Scott Harter:

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

1. A Site Plan and Special Use application were received on January 7, 2022, by the Secretary of the Planning Board entitled DISH Wireless at Benson Road.
2. Applicant is requesting approval to replace equipment on an existing wireless facility.
3. The Town of Victor Planning Board reviewed the Type II Action on February 22, 2022, and identified no significant impacts.
4. 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 and an Under Review sign was posted.
5. The Planning Board held a public hearing on February 22, 2022, at which time the public was invited to speak on their application.
6. The application was deemed to be a Type II Action pursuant to the New York State Environmental Quality Review Act Regulations and classification as such concludes SEQR.
7. The application was referred to the Ontario County Planning Board under Section 239 of the General Municipal Law. On February 9, 2022, Ontario County Planning Board referred the application back to the referring agency as a Class 1.
8. The proposed use is designed and located to be operated such that the public health, safety and welfare and convenience are protected.
9. The proposed use will not cause substantial injury to the value of other property in the neighborhood.
10. The proposed use conforms to all applicable regulations in the district which it is located.

- 11. The Codes Dept reviewed the application January 28, 2022, and stated that an annual report is required to be provided indicating that property maintenance is being conducted on the tower and that the tower is not a hazard to the health and safety of the public.

NOW, THEREFORE BE IT RESOLVED that the application of Crown Castle USA Inc. agent of DISH Wireless LLC, Site Plan entitled DISH Wireless at Benson Road, drawn by Hudson Design Group, LLC, received by the Planning Board January 7, 2022, Planning Board Special Use Application No. 01-SU-2022 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 before construction begins.

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:

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

Approved 4 Ayes, 0 Opposed, 1 Absent

Applicant is requesting approval to construct (4) Westbrook greenhouses, 24' x 144' long x 14' high and (5) Westbrook greenhouses 24' x 120' long x 14' high for growing flower and vegetable plants.

Chairman Santoro – Has been removed until February 8, 2022, meeting.

DELTA SONIC CAR WASH

40-SP-2021, 10-SU-2021

7463 State Route 96

Zoned – Commercial/Light Industrial

Owner – Dilip Patel

Tax Map # 6.00-1-64.100

Applicant is requesting approval to demolish the existing buildings and to construct a 13,914-sf interior detail building located along NYS Route 96, a 10,257-sf exterior building car wash with 3,185 sf prep hut, located behind existing Taco Bell, a 13,164-sf indoor vacuum building and outdoor vacuum area located behind Wendy's, along with new lighting, landscaping, pavement and drainage.

Chairman Santoro – Has been removed until February 8, 2022, meeting.

LITE COMS PARKING EXPANSION AND SHED

01-SP-2022

7321 State Route 251

Zoned – Commercial/Light Industrial

Owner – 7321 Victor Mendon LLC

Tax Map # 15.00-1-9.111

Applicant is requesting approval to construct eight additional parking stalls to create a total of 14 parking stalls, to serve the new use of the building. Six additional stalls are shown as land banked for future needs. Also, requesting approval for a shed on site to store seasonal equipment.

Mr. Harter – I am going to recuse myself.

Robert Jacobson, owner, of Lite Coms

Mr. Jacobson – The building that we purchased was primarily a warehouse when we did and there were only six parking spaces, and we are going to be having more than six employees working out of the building. We have hired engineering to design eight additional spots that we will put in over the next month or two with weather permitting. On advice from our engineer, we also banked six more for future growth to get it on the record. The engineering work was done for both and need to put a shed for C o O. The previous owners left a snowblower and gas cans and they should not be in our primary building. We have a shed that is going to be delivered and will be on the back side of the circle to make sure we are 100 feet away from the building.

Chairman Santoro – Anyone from the public have any questions or comments? Hearing none.

Mr. Limbeck – No, very straight forward to me.

Mr. Gallina – Seems pretty straight forward so no real issues other than do you have any dimensions, height or width of the shed. I think we all visually understand what you are intending but wanted to make sure it does not end up being something big.

Mr. Jacobson – We submitted something, and it ended up being 12 x 24 feet if I remember right. It is 10 feet and has vinyl siding, windows, and doors.

Mr. Gallina – That is it. No other questions.

Chairman Santoro – I do not have any comments.

The Board was okay with closing the public hearing.

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

Adopted Ayes 3, Nays 0.

Chairman Santoro read the draft resolution.

DECISION:

On motion of Al Gallina, seconded by Joe Limbeck:

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

1. A site plan application was received on January 19, 2022. by the Secretary of the Planning Board for a Site Plan entitled Lite Coms Parking Expansion and Shed.
2. It is the intent of the applicant to construct eight additional parking stalls to create a total of 14 parking stalls, to serve the new use of the building. Six additional stalls are shown as land banked for future needs. The proposed shed will be used on site to store seasonal equipment.
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 22, 2022, at which time the public was permitted to speak on their application.
5. The application was deemed to be a Type II Action pursuant to the New York State Environmental Quality Review Act Regulations and classification as such concludes SEQR.
6. The Conservation Board reviewed the project on February 1, 2022, and provided comments.
7. The Town of Victor Fire Marshal reviewed the site plan and, in a letter, dated January 25, 2022, and provided comments.
8. The Town of Victor Code Enforcement Officer reviewed the site plan in a letter dated January 27, 2022, and provided comments.
9. LaBella Associates reviewed the site plan in a letter dated February 4, 2022, and provided comments.

NOW, THEREFORE BE IT RESOLVED that the application of Robert Jacobson, Site Plan entitled Lite Coms Parking Expansion and Shed, drawn by Professional Engineering Group dated December 2021, received by the Planning Board January 19, 2022, Planning Board Application No. 01-SP-2022, 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 the comments in a letter dated February 4, 2022, from LaBella Associates be addressed.
3. That comments from Code Enforcement Officer, dated January 27, 2022, 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 a building permit be obtained before the construction of the shed.

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:

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

Approved 4 Ayes, 0 Opposed, 1 Absent

PRELIMINARY APPLICATION

VALENTOWN MEADOWS

01-PS-2022

7241 Valentown Road

Zoned – Residential 2

Owner – Philip Freund

Tax Map # 1.02-1-21.000

Applicant is requesting approval for a clustered subdivision of a 28.6-acre parcel into 8 individual lots ranging in size from 1.58 acres to 5.87 acres. The property is currently divided by Valentown Road with an existing house on south side of Valentown Road and existing barn structure on the north side of Valentown Road. This will be the second step in a 3-step process for a major subdivision. The Sketch Plan was acknowledged complete January 11, 2022.

Brennan Marks of Marks Engineering

Mr. Marks – As you are aware, we were in front of the Board with a sketch plan and have taken into account some of your advice. I will give a little background on the project to start. It is a 28.6-acre parcel and is currently owned by CoMark Holding, it is not owned by the Freund family anymore. Application is to divide the parcel into eight lots, four of them being building approved lots along the frontage of Valentown Road and also the south side behind the existing house. The remaining lots in the rear, which is 5, 6, 7, we are not seeking building lot approvable at this time for those lots. The lots are focused in the grass areas and minimizing areas on the steep slopes and the stream that bisects the north side of the parcel. We are preserving those with a conservation easement as you can see in the shaded area, as well as a 75-foot stream buffer per the Town Code.

We received comments from this Board during sketch plan regarding site distances and safety entrances and what not and also from Town Code Enforcement Officer. The Fire review, the

Historian, the Town Engineer. We have addressed these comments received both by the application that was originally submitted as well as two response letters written back to the Planning Board. One on February 18, 2022, and also one today responding to the Town Engineers comments. Most of the comments received were pretty minor in nature. We have provided the truck turn movements and diagrams showing the fire apparatus being able to access the site to turn around and adequately maneuver the site for fire protection which is all over the lots. We have also responded back to the historian which was discussing of keeping the barn and the existing house lot on the same lot, however they are bisected by Valentown Road which we feel is a safety issue trying to cross the road from the house to the barn. We also feel that the barn would be better kept with a newly constructed house next to it and have more use out of it. The Town Historian has agreed to our comments that we have provided. We have not heard back from the Coordinated Fire Review. The other comments are Conservation Board is in favor if the project and likes the layout we provided and the minimizing the disturbances to the wooded steep slopes and stream area. They have only had one comment which is limiting the amount of angle points in the conservation easement to limit confusion in the future and have done that to the best of ability while protecting the woods. We do request a waiver from the Planning Board for four houses on a shared driveway which is lots 3, 4, 5, and 6. We have also started coordinating review with Monroe County Water Authority and is ample pressure at the road to serve these houses.

I have spoken with Town Engineer, and we have addressed some of his concerns. If Wes would like to speak about the comments, he received he can. Again, we are requesting an 8-lot subdivision with four lots being buildable and requesting preliminary subdivision approval.

Chairman Santoro – Wes, do you have comments on this one?

Mr. Pettee – The application submitted had a lot of information. It was a very good submission for a preliminary subdivision application including a document dated January 12, 2022, from Jean Pellet from Environmental Resources regarding the wetlands on site. There was documentation that there were no NYS DEC wetlands on the project site, however, there are three federal wetlands and none of those federal; wetlands extend out into the sites open field communities where development activities are proposed. That is helpful in assessing any wetland impacts.

We did issue a letter dated February 18, with a number of comments on the septic design and the applicant has had the opportunity to respond to this letter, we have not taken a in depth look at there response yet. We have some comments on stormwater drainage and then the common driveway waiver which the applicant specified fire department requirements for the driveway and asking for a detail for the proposed common driveway.

I have Wade in the Labella office taking a look at the sight distance to assure that we do not have any further concerns with the sight distance with the proposed driveways. We have noted and reviewed the site distance study that you provided and that was helpful. The one thing I would

like to ask with regard to lot 2 and the septic. You have the expansion area at a different location and uphill from where the proposed septic is going to be and seems it might require some form of pump from the septic tank, if that expansion area ever gets used. I guess we were wondering if it is possible to shift or adjust your site plan for lot 2 a little bit so that the expansion area is in close proximity to the leech field. Not anything you need to answer tonight.

MR. Marks – We have designed the septic system for four-bedroom units. The expansion of the systems might be very limited. It is not uncommon for us to show an expansion area in a different remote area which may require further design work or further testing. As long as we reserve that expansion area on that site without structures or driveways it follows the DOH guidelines.

Mr. Pettee – Another comment that Labella often comes up with. They are asking to create three lots that are going to be subject to further Planning Board review. Sometimes when we have an applicant come to the Planning Board and they have not done any soil testing like deep hole, perc test, then we put things on hold and say well we really need that information. The design professional has provided soils information, and labella has witnessed perc test and deep hole test for those three lots that are proposed to be subject to further review by the Planning Board. I do not think that is going to be too difficult to overcome. It is a little bit of a detail to address in the resolution and with some notes on the plans. That is all I have at this point.

Mr. Limbeck – I have three things. First, Wes commented on the comprehensiveness of the plan, and I wanted to comment that I learned a lot about the area from the archaeological study and thought that was pretty neat and had never seen it broken down like that before. Regarding the four houses on the shared driveway, how is that driveway going to be maintained? Is it going to be an HOA?

Mr. Marks – It will be maintained via a private road maintenance and access agreement. Basically, the four houses will be bound by the deed to maintain, and access point the driveway and to keep it up to code.

Mr. Limbeck – Will they each be required to contribute to plowing and maintenance?

Mr. Marks – We have a sample highway access agreement that we could provide to the Board that we have used on projects in the past.

Mr. Limbeck – I have driven by the site a few times now and while I have not gotten out of the car I have stopped and looked at the barn. Babette noted that it appeared to be 1850's vintage. I think at the last meeting where we discussed this it was mentioned that the gaining property owner would be responsible for whatever use. Do we know what kind of shape the building is in now? It looks a little rough.

Mr. Marks – It is an old barn. It has a new roof on it. Structurally I was able to look at the structure and notice it was not failing or structurally going to collapse. It is an old barn that needs some maintenance that we hope the new owner of that property would put into it.

Mr. Limbeck – From my perspective if I were the gaining property owner, I would be wary of a pig and a poke. I would not want to inherit a problem and it might benefit you and the gaining property owner if there was an engineering study done and whatever repairs or certification could be provided to the new homeowner. We have a structure that 150 years old and there is an opportunity to make sure it will stand for another 100 years or so and would be best if we took a look at it beyond what an untrained eye can see to both benefit the town and the gaining property owner.

Mr. Marks – I am sure that any savvy buyer would have that interest to have that inspection done on the barn and some type of certification structure but also the perspective buyer would find interest in that barn as an old 1850's timber frame barn which is actually very classic, and you do not see a structure like that and is not very common nowadays. It may be advantageous for a buyer to buy it for that reason but also the savvy buyer may have interest inspection and certification of an engineer.

Mr. Harter – I had a question. Are you creating all seven lots at this time?

Mr. Marks – Yes, we are going for final subdivision if preliminary is approved for all eight.

Mr. Harter – So it is subdivision for all eight but then effectively site plan approval for just the ones that are shown?

Mr. Marks – Correct. Not knowing how the market will react to the sale, some of those frontage lots may purchase the rear lots too.

Mr. Harter – Relative to that how will be treating on the utilities that serve those rear lots, will you be putting in the utilities, the electric, the gas and the water while you are putting the driveway in for the frontage lots. Looks like you are tying in independently, so the utilities are not going thru that area until you are ready to construct in the rear. Then your common driveway will tear up pretty good.

MR Marks – Any damage to the common driveway will be repaired by that lot.

Mr. Harter – I will say it is a nice layout.

Mr. Gallina - No questions.

Mr. Pettee – No comments right now.

Chairman Santoro – Anyone from the public wish to speak?

Ann Aldrich representing the Historic Advisory Committee

Ms. Aldrich – He did reference Babette. She contacted me saying that she understands the logic about separating the barn from the house. I personally think that barn and the house have been on the opposite side of the road for ever, but our wish is to preserve the barn because it is 1850 and is old. We do not want it to disappear from the town. We have had some barns go down in the last few years that were unauthorized but were torn down without our knowledge. We are wondering if something can be done to ensure the preservation. Could a covenant be put on the deed of the new lot that is formed? We would like to preserve it. I went out and looked at it with Babette and there is some things that need attending to, but I am not engineer. I do not know how much that would cost. I would think that whoever buys the lot that has that on there should be well aware and told what it would cost them or at least what their responsibilities are. They cannot just tear that down and there needs to be some protection there. I hope you take that into heart and try to preserve one of the few barns left in Vitor that is old.

Chairman Santoro – That is a question for the Town Attorney and will pass that along and get his comments. If you are making comments, please step up to the microphone otherwise we won't be able to get it on the record and it won't be complete.

Francis Rose of Valentown Road

Mr. Rose – The barn we are talking about. The lean to that just fell down were built by the same family and are identical. The lean to just fell down that belongs to Fred Rainaldi. What you need to do is see if you can buy some of that lumber from Fred to replace the boards that are gone. That barn will stand and has a new roof on it and has been reinforced on the sides with concrete. That barn is back together like Valentown Hall.

Now to get to your development here. I see you took my advice and moved that driveway up by my sister's property which is on the east side. As I have been thinking about since the last meeting. All the way to High Street the Town of Victor raised that road up. I would like to see if the town would approve and take that driveway that you have for those four houses and come right across the creek and put a nice bridge culvert in and connect to that driveway by the barn and that would be your safest spot to get out of there. I know because I have been working those two fields and have been going in and out of them. That top one with the four houses is a problem. Cars are coming not 40 mph. If they are doing 60, they are going faster. Is the original house being torn down?

Mr. Marks – It is our intent.

Mr. Rose – You are going to keep the Sears and Robach house? The original one burnt down years ago. Where that driveway is, is very dangerous also. I do not know if the town will allow

it but another bridge across that creek and connect it to the other driveway by the barn. You can then see to my place and also to my sister's place that bend. I do not have much problem coming out there by the barn. I have a problem at that other one. It is right on the curb of that bend. I have told the Town of Victor that they raised it that they maintain it. I am up this high on my property when it use to be level to the ground. I make them mow that back. I would like to see the same thing for safety reasons.

Mr. Harter – Didn't you say last time you were here that is where you wanted the entrance?

Mr. Rose – You had three there and that fourth one by my sister's property. That is where I have been going in and out and that is a big problem. If you eliminate that one and hooked it there. You can't just look at something today and approve it. You have to think about it. You have to study it. This is where we make suggestions. Unfortunately, those two houses you have on the north side they are going to be wet. That little indentation is caused by the power line. When they built the power line, they came out there and got stuck on my grandmother's property at the time and opened up springs. That is where that wetness comes from. There is water that runs all the way to that creek.

Other than that do not pollute my creek. You own a triangle down there. Anything else you want to ask me?

Inaudible from audience.

Ms. Boughton – I will not be able to hear any of this if you do not come up to the microphone.

Mr. Rose – The creek does not freeze and does not dry up.

Mr. Limbeck – To be clear then, the driveway for the four houses is an improvement from last time but has not gone far enough in your opinion?

Mr. Rose – For safety reasons. I have time to think about after I saw the plan. Same thing with the other two houses. Going into that driveway now where the house is a death trap.

Mr. Limbeck – I drive a school bus down thru there and I know how fast they go.

Mr. Harter – Could you indicate one more time where the wet area is?

Mr. Rose – Where the indentation is by the two houses to the north. It is all willow trees. This lot has always been wet and above is a spring. My father had a drainage ditch there so he could work the lot.

Mr. Harter – That is indicated as wetland area on there existing conditions map so that makes sense. It is protected by a conservation easement.

Mr. Rose – The creek right here goes across the road and into my property. It dumps out into Irondequoit Creek in Fishers.

David Palmer on Valentown Road

Mr. Palmer – That driveway there is a death trap. I suggest one of you drive up to Freund's house and pull in the driveway and back out and head to the mall. Look in your rear-view mirror, you have a semi on your butt. You will see nothing but grill at 50 mph. He will be scared too because he did not expect you there. I have parked in that driveway and picked up cans from the corner and you pull back out and next thing you know someone is right there. Also, same problem by my house.

We have kids on these crotch rockets coming around the corner. It is a racetrack and a cut thru from 31 to 96. Take that driveway there and move it down to here. There is a creek there and put sluice way in there. I do not believe he is going to keep the house and believe he just hasn't told you he is going to tear it down yet. It is an old Sears and Robach house. The original house burned down.

By the way, that whole lot is six to eight feet below grade of the road. What is he going to do with that? How is he going to fix that? He has to raise that some.

By the way, why were two perc tests taken? Did someone fudge one? One with a backhoe and one with a shovel.

Another question, one of those lots is 1.58 isn't it supposed to be minimum two?

Mr. Pettee – I can clarify that. The answer is no. The minimum acreage is not two acres. I will look it up. The density there is 0.5 units per acre which could equate to...

Mr. Palmer – How about some of you people take a ride up to Freund's and pull in the driveway.

Chairman Santoro – I have the same problem on Modock Road.

Mr. Palmer – Someday you are going to wonder why you can not feed yourself because all the farmland grows houses.

Mr. Pettee – Regarding lot sizes let me clarify so it is understood. In Chapter 211 of the Victor Town Code, Zoning. I am looking at the current Zoning Code. Schedule 2 in the R-2 zoning district which is where this property is located. The minimum lot size with lots with public water only. These homes will have public water but not have public sewer. The minimum lot size is 33,560 sf, less than an acre.

Mr. Palmer -So you look at the bedroom window and you're looking into the next guy's bedroom window.

Mr. Pettee – They are complying with the residential overlay district of .33 units per acre on the northside of Valentown Road and .5 units on the southside of Valentown Road, so they are compliant with the zoning with regard to lot size and density.

Mr. Palmer – How about moving that driveway to the other side of the creek? They are going to tear Frank's house down; they just have not told you yet. The house back there will not want to look at an outhouse. I am hoping someone will fix up the barn.

Chairman Santoro – They cannot rip out the barn without the Town Historian approving. They will be back again. We are in the early stages. Next meeting is March 8th.

Glenn Thon at Valentown Road

Mr. Thon – I have lived there 60 years and have been in this position before. About five years ago I made an application to subdivide 20 some acres behind our house. I was told I could not get water supply to part of my property because the town could not give me 50 lbs. of pressure. It is the same water lines that has been in there for years. In order to get four houses behind our house we had to put a roadway in of 1,500 ft built to town specs. As you remember when the fire truck got stuck and the house burnt down in Fishers, the pond went dry, and they lost the house. I had to put in water for the four houses and I wanted to put the main line across Valentown Road back to a turn around or the fire truck. It was the only way they would let me build the houses.

I have to put one house on four acres, and I was told that three acres was the minimum. Have our laws changed for the developer and the people that have been paying taxes for 60 years is getting hosed? I feel that I was misrepresented by the town if you are changing things after someone started a division. We have room for 24 acres and would not let me build there. Were any of you here five years ago?

Chairman Santoro – I was and so was Al.

Mr. Harter – I was.

Mr. Pettee – I can confirm for you that the zoning requirements for the Residential 2 zoning district and the Residential 3 and Residential 1. The dimensional requirements have not changed since I have been working with this Board, which has been more than 10 years.

Mr. Thon – I want to put the roadway to the specifications that the town calls for. I did that. I wanted to put a water line back to that turnaround for the fire trucks to get in there. When we went to put the water lines back there , Monroe Water came down and said you can not put a fire

hydrant back there. They wanted us to have three separate services going back there. Why did it have to do that? They have no fire protection back there. They are going to have to run a fire truck up to there and to the hydrant back on Valentown Road. Things are not running square. I do not think the property they want to develop there is going to have enough room for these septic systems and they are going to have to have raised beds because there is so much water in there.

Mr. Pettee – We have looked at the information and witnessed the soil testing and to my knowledge there is not the need to have a raised bed septic system. The conventional septic system will fit on this property, and it will accommodate a conventional septic system. It is shown by the soil testing. That information is available here at the town hall.

Mr. Thon – I was there when they took those tests. It was the middle of summer.

Mr. Pettee – For this project? When were the soil tests done for this project Brennan?

Mr. Marks – November 30, 2021.

Mr. Thon – I might be off a few days, but it is still a wet lot. The creek is right there. It is going to cause someone else problems later on because if those septic systems fail it will go down the creek. I would suggest that they have city sewers.

Chairman Santoro – There aren't any there.

Inaudible from audience

Mr. Thon – Make them put sewers in.

Chairman Santoro – That is up to the Town Board, we cannot do that.

Mr. Pettee – They are not in the Town of Victor Consolidated Sewer District.

Mr. Thon – Make them do that to build those houses.

Mr. Pettee – It is up to the applicant and the design professional. If they want to enter the sewer district and construct the additional sanitary sewer, they can propose that but they do not have to. If their soil test are telling us they can accommodate private individual subsurface septic systems. If they want to pursue it that way that is fine. The Town's Design and Construction Standards allows for that.

Mr. Thon – I am telling you know you better do it. The density is so close.

Mr. Pettee – How is this project violating the towns density requirement? I do not see it. They are meeting the density requirement.

Mr. Thons – Three acres per house.

Mr. Pettee – The density requirement has not changed. I do not know who told you that you needed three acres per house but that is incorrect.

Inaudible from audience

Mr. Pettee – If we want to resolve that issue.

Mr. Thon – I do not want to spend my tax money repairing something that you should of have the builder put in.

Mr. Pettee – To refocus on this particular project, and I understand you have had valid comments towards this project. If we want to resolve the issue of you maybe understanding what you were told needing a three-acre lot let us talk about that at another time at the town hall.

Mr. Thon – I think if you allow them with the density they want and the safety hazard that everyone here has tried to tell you, you are opening up the Town of Victor for lawsuits and a lot of problems of people running off the roads, people getting hit. I have already talked to the Highway Superintendent to get the road down to 30 mph. We have clocked them going 60-70 mph.

Do you remember when Valentown Road came off of High Street? I do. I do not come to complain. I live here and pay taxes. We are trying to tell you that you are relying on some test that were taken, and I am telling you of the experiences of cars over the shoulder in the mud.

Chairman Santoro – This public hearing will remain open all night.

Dave Wright of Victor Hiking Trails

Mr. Wright - I wanted to know if the Board received the letter before the sketch plan review from Brian Emerson, Parks and Recreation Director, dated December 16, 2021. It was concerning a request for a site walk and I hope the Board would be able to make arrangements for that. I will refer to the properties that butt up to the north property line and abuts with the High Point property. Mr. Rainaldi has been very generous in allowing us to have trails on his property and the Seneca Trail goes thru the western edge of his property and we think that the elevations and the wooded area on those three properties could afford an opportunity for these residents as well as other residents to have a loop trail at the top of the hill. It would be out of site from the houses and would be built down in the lower area. Victor Parks and Rec as well as Victor Hiking Trails see that as an opportunity but would like to do a site walk to see if it does

make sense or not. Maybe the slopes are too steep, maybe there is too many woods but would like the opportunity to walk it with the developer and see if it is an opportunity for a trail.

Chairman Santoro – Think we can set it up?

Ms. Kinsella – They can coordinate that with Lisa.

Chairman Santoro – Give Lisa Boughton a call and she will see about it.

Mr. Thon – Do you know where the highest point in Monroe County is?

Mr. Wright – I think it is Hopper Hills, but you are going to tell me something different.

Mr. Limbeck – It is Hopper Hills.

Mr. Thon – It is Baker. From that marker you can go all the way down the power lines and then you can go all the way down to the new road of Rainaldi property.

Mr. Wright – There is Monkey Run over by County Road 9.

Katherine White of Victor Valentown Museum

Ms. White – Our concern is the barn as well and if it comes to condition, we have resources if they want to contact us who can ace the barn. I do not know if any of you are aware but there was a barn on High Street, and it was across the street from our Board members, and they thought they were getting some restoration and fix it work and was a disaster. They brought someone else in who aced it. I know it is competition, but they were Amish built they know barns and they do it blindfolded and reversed the damage that was done by exterior. They put our two roofs on we are pleased with their work. Metal roofs are no longer the heavy type of roof that you think and are the fraction the weight of average shingles. That is one of the considerations that we made because it is not historic in our profile but that is why the barns are still up. We are looking at a long-term thing for us, but we were very pleased with the work that these individuals did and if it comes to that and they want someone to look at them we have resources in Tully NY and there is a barn restoration outfit. It is extremely high end. There are things available, and we are concerned about the lack of barns everywhere.

If there is a point where they can still be worked on the wood is valuable, it is chestnut, and any number of woods you do not see anymore. For us it was cedar. Our building is cedar and can not get any more. One of our issues is that we may actually use a building that is being raised to replace some of our boards that are in good shape. If it is at a certain stage and the new owner wants to go with it, we were very happy with the Amish work. They have to be transported but they are efficient. We would appreciate some consideration for the barn as well.

We walked thru the other barn they were talking about and do not know if you understand. The barns are set so you can walk out the basement and drive up on the road level.

Ms. White went on to explain what cribbing is and about the horse stalls.

Theses are neighbors and we go back as far as they do and stuff we were working on now with Victor, which was one of the premier grange sites in NY and it was why you are looking at Valentown. The tenants of the grange was to introduce farmers to culture and art and music.

If you want any help with the barn, we are happy to help.

Mr. Thon – Do you know why they call it Monkey Run? The people who farmed there were monquees. The kids were off picking up potatoes.

Chairman Santoro – This will be on the next meeting.

Motion was made by Joe Limbeck, seconded by Al Gallina RESOLVED the meeting was adjourned at 8:14 PM

Lisa Boughton, Secretary

