

A regular meeting of the Village of Victor Board of Trustees was held on Monday, March 6, 2023 at the Village Hall, 60 E. Main St, Victor, NY 14564

MEMBERS PRESENT: Mayor Gary Hadden
Deputy Mayor Michael Crowley
Trustee Carol Commisso
Trustee Robert Kelly
Trustee Michelle Chalupa
Director of Public Works John Turner
Village Clerk Pamela Hogenes

MEMBERS ABSENT: Village Attorney Reid Holter

OTHERS PRESENT: Meg CHaides - Village Planning Board, Drew Cusimano - Town Councilman, Lance Brabant - MRB, Matt Tomlinson – Marathon, David Hanlon – Hanlon, Doug Templeton – Hanlon, Jerry Goldman – Woods, Oviatt, Goldman, Brian McKinnon – Christa, Teresa Sansocie, Eric Sansocie and Lisa Woodard

Meeting was called to order by Mayor Hadden at 7:00pm.

Salute to the flag.

Public Hearing

Ms. Hogenes read the legal notice into record:

"That a public hearing before the Victor Village Board is hereby scheduled for 7 p.m. on March 6, 2023 at the Village Hall, 60 East Main St., Victor, NY 14564 to adopt the Village of Victor Municipal Separate Storm Sewer System (MS4), Stormwater Management Program.

A draft proposal of the plan is on file at the office of the Village Clerk, Village of Victor.

*By Order of the
Village of Victor
Board of Trustees"*

Open Public Hearing

On a motion made by Trustee Carol Commisso, seconded by Trustee Michael Crowley, the following resolution was ADOPTED 5 AYES 0 NAYS

Resolved, that the Village Board of Trustees will open the Public Hearing.

Mayor Hadden asked for comments from the Board – *No comments from the Board*

Mayor Hadden asked for comments from the Public. *No comments from the Public*

Close Public Hearing

On a motion made by Trustee Robert Kelly, seconded by Trustee Michelle Chalupa, the following resolution was ADOPTED 5 AYES 0 NAYS

Resolved, that the Village Board of Trustees will close the Public Hearing.

RESOLUTION #23-23

Adopt Village of Victor Storm Water Management Program (SWMP)

On motion by Trustee Michael Crowley, seconded by Trustee Robert Kelly the following resolution was ADOPTED 5 AYES 0 NAYS

WHEREAS, the Village of Victor Village Board of Trustees (Hereinafter referred to as “Village Board”) has conducted a public hearing upon the adoption of the documents prepared by MRB Group, D.P.C, the Village Engineering Firm, entitled “Village of Victor Storm Water Management Program (SWMP) Plan, dated February 2023; and

WHEREAS, the Village Board has given consideration to the April 15, 2022 letter provided to the Village of Victor, from Dr. Luke W. Scannell, NYSDEC, Region 8 Office regarding the Village of Victor Audit of the MS4 Program; and

WHEREAS, the Village Board has given consideration to the September 23, 2022 email provided to the Village of Victor, from Cecelia McAuliffe, NYSDEC, Region 8 Office regarding the Village of Victor Audit of the MS4 Program; and

WHEREAS, the Village Board has given consideration to the public hearing record conducted at tonight’s Village Board Meeting; and

WHEREAS, the Storm Water Management Program (SWMP) Plan’s stated intent is part of the Village’s ongoing effort to reduce the discharge of pollutants to the maximum extent possible and practicable by better management of the Village’s Municipal Separate Storm Sewer System (MS4), and is required under the MS4 General Permit.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board does hereby move to adopt the February 2023 document described above herein as the official Village of Victor Storm Water Management Program Plan.

BE IT FURTHER RESOLVED, that the Village Board does hereby direct the Village’s MS4 Officer to prepare reports, every six (6) months, to the Village Board on the contents of said Plan, identifying what, if any changes or amendments thereto may be necessary to sustain the Village’s compliance with the State’s MS4 General Permit, or other State mandated MS4 Legislation.

BE IT FURTHER RESOLVED, that copies of the Plan document are to be prepared and kept on file in the Village Clerk's Office, the Village DPW Department, and the Village Engineers Office.

BE IT FURTHER RESOLVED that the bi-annual reports from the Village's MS4 Officer to the Village Board are also to be placed in an Appendix to the Plan.

BE IT FINALLY RESOLVED, that certified copies of this resolution are to be provided to: Dr. Luke Scannel, Region 8 Office, New York State Department of Environmental Conservation, 6274 East Avon-Lima Road, Avon, New York 14414-9519; the Village DPW Department; and the Engineers Office.

Mr. Brabant explained his next steps going forward.

- Will contact the NYS DEC letting them know we have adopted the Plan
- Will update contents of the Plan
- Will deliver hard copies to the Village

Public Hearing

Ms. Hogenes read the legal notice into record:

"Please take notice that the Village of Victor will hold a public hearing on March 6, 2023 at 60 East Main Street, Victor at 7:00 pm. The sole purpose of the public hearing will be to determine if 160 School Street, Tax Map #28.05-1-53.000, should be rezoned from Industrial District to SCR-3 Senior Citizen Multiple Residential.

*By Order of the
Village of Victor
Board of Trustees"*

Open Public Hearing

On a motion made by Trustee Michelle Chalupa, seconded by Trustee Carol Commisso, the following resolution was ADOPTED 5 AYES 0 NAYS

Resolved, that the Village Board of Trustees will open the Public Hearing.

Mayor Hadden asked for comments from the Board – *No comments from the Board*

Mayor Hadden asked for comments from the Public. *No comments from the Public*

Mr. Goldman, Woods, Oviatt, Goldman Law Firm representing Christa Construction, Introduced Dave Hanlon, the Architect, Matt Tomlinson, the Engineer, Brian McKinnon, Christa and Vince Pettrone, real estate agent.

Mr. Goldman gave an overview of the project, stating they are proposing a 5 story, 112 unit senior apartment complex. The first floor will be parking. The parcel is currently zoned Industrial and they are requesting it get rezoned to SCR-3 Senior Citizen multiple resident.

Mr. Goldman also noted they came before the Planning Board for concept approval which was granted. Several variances will also be required from the Zoning Board for the project.

Mr. Tomlinson and Mr. Hanlon also gave further details of their proposal. If the Village Board approves the rezoning, the next step is for them to go to the Zoning Board and ask for the variances, if they are granted, they will go back to Planning for site plan approval.

Mr. Hadden stated Attorney Holter asked for several items from the applicants to be submitted prior to Village Board approval and all items were submitted.

Mr. Crowley asked, if this project doesn't go through, can the parcel revert back to the Industrial District. *Yes, it can.*

Close Public Hearing

On a motion made by Trustee Robert Kelly, seconded by Trustee Carol Commisso, the following resolution was ADOPTED 5 AYES 0 NAYS

Resolved, that the Village Board of Trustees will close the Public Hearing.

RESOLUTION #24-23

Re-zoning of Land – 160 School Street

WHEREAS, at the Village Board of Trustees ("Village Board") meeting of February 6, 2023, Christa Development Corp., ("Christa"), the contract vendee of the real property located at 160 School Street in the Village of Victor, more particularly described in Exhibit A which shall be attached to this resolution ("the Subject Property"), made an oral presentation of its request for rezoning of the subject property from I District: Industrial to Senior citizen zoning district SCR-3 in furtherance of its proposal to construct a five (5) story, 112 unit senior citizen housing building at 160 School Street ("the Rezoning Proposal"); and

WHEREAS, the Village Board, at its February 6, 2023, meeting, adopted a Resolution scheduling a public hearing to consider the rezoning proposal, with said hearing to be held on March 6, 2023; and

WHEREAS, Christa appeared before the Village Planning Board on February 20, 2023, to present the rezoning proposal and concept and received concept approval from the Village Planning Board; and

WHEREAS, in support of the Rezoning Proposal, Christa has filed a formal petition to rezone and an Environmental Assessment Form; and

WHEREAS, Frank Spezio, the owner of the Subject Property had **consented to/joined in** the Rezoning Proposal; and

WHEREAS, the public hearing was held on March 6, 2023; and

Whereas, the Village Board has considered the rezoning proposal and its potential environmental impacts.

NOW, THEREFORE, upon motion of Trustee Michelle Chalupa, seconded by Trustee Robert Kelly, it is hereby,

RESOLVED, that after due consideration of the Environmental Assessment Form and the standards of review under the State Environmental Quality Review Act (SEQR; Article 8 of the New York State Environmental Conservation Law and the regulations thereunder (6 NYCRR part 617)):

1. The Village Board finds the Rezoning Proposal to be an "Unlisted Action" under SEQR authorizing a single agency environmental review of the rezoning proposal, with a separate SEQR review to be conducted by the Village Planning Board at the site plan approval stage.
2. After consideration of the factors for environmental significance contained in the SEQR regulations, the Village Board finds that the Rezoning Proposal will not have a significant adverse environmental impact and that a negative declaration under SEQR shall be issued.

And it is further,

RESOLVED, that upon review of the rezoning proposal:

1. The subject property be, and hereby is, rezoned from I District: Industrial to Senior citizen zoning district SCR-3 in furtherance of the proposal to construct a five (5) story, 112-unit senior citizen housing building at 160 School Street.
2. Pursuant to Village Code § 170-12.2(A)(4), the Mayor and Board of Trustees grants concept approval, thereby authorizing formal Planning Board site plan review and application to the Zoning Board for necessary variances for the development proposal.

VOTE:

Mayor Gary Hadden
Deputy Mayor Michael Crowley
Trustee Carol Commisso

AYE
AYE
AYE

Trustee Robert Kelly AYE
Trustee Michelle Chalupa AYE

Exhibit A

Legal Description

160 School Street

Village of Victor, County of Ontario

ALL THAT TRACT OR PARCEL OF LAND being a parcel of land situate in the Village & Town of Victor, County of Ontario, and State of New York, as shown on the drawing entitled "Instrument Survey Map 160 School Street" prepared by Triple Point Land Surveying dated February 2023, being more particularly bounded and described as follows:

BEGINNING AT a point on the northern Right-of-Way of School Street, said point also being on the southern Right-of-Way of Rawson Road; thence

1. Along said Right-of-Way of Rawson Road, North 80°59'20" West, a distance of 650.00 feet to a point on the property line of lands N/F owned by Victor Self Storage, LLC; thence
2. Along said property line South 13°50'30" East, a distance of 430.91 feet to a point on the northern Right-of-Way of School Street; thence
3. Along said Right-of-Way North 59°34'00" East, a distance of 625.00 feet to a point, **SAID POINT BEING THE POINT OR PLACE OF BEGINNING.**

Intending to describe a 2.963-acre parcel of land.

Proclamation

Mayor Hadden extended the board's condolences to his family and read a Proclamation in honor of Carl Sansocie to his family members that were in attendance.

Privilege of the Floor

Drew Cusimano, Town Councilman, distributed and updated proposal for the Climb Aboard event. At the last meeting, the board asked Mr. Cusimano to provide more details regarding parking, placement for the equipment, food vendors, etc. The board also

wanted Mr. Cusimano to reach out to the surrounding businesses and the Fire Department.

Mr. Cusimano has met with the Fire Department, Tim Niver, Victor-Farmington Library and Dominic Dardano, Bistro 11.

Mr. Cusimano cited several business that are not open on Saturdays to potentially park in their parking lots. Mr. Cusimano estimates between 3,000 to 4,000 attendees for the event. He would like to close off most of Adams Street to line the street with vehicle displays.

Mr. Cusimano will continue to contact businesses and he will continue to keep the Village Board updated and attend a future meeting.

Clerk Report

Resolution #25-23

Acceptance of Minutes

On motion of Trustee Michelle Chalupa, seconded by Trustee Robert Kelly the following resolution was APPROVED 5 AYES 0 NAYS

Resolved to accept the meeting minutes from February 20, 2023.

Resolution #26-23

Payment of Bills

Whereas, the Village Board of Trustees has audited and approved invoices for payment, that appear on Abstract #19 using vouchers #1114-1170 and,

NOW, therefore on a motion made by Trustee Michael Crowley, seconded by Trustee Carol Commisso, the following resolution was ADOPTED 5 AYES 0 NAYS

Mayor Hadden noted a discrepancy with voucher #1123. It was pulled from the abstract until further explanation.

Resolved to authorize the Treasurer to pay invoices from Abstract #19 in the following amounts:

General	\$ 12,829.84
Water	\$ 5,218.66
Sewer	\$ 18,238.17
HH – High St. Improvements	\$ <u>13,212.25</u>
TOTAL	\$ 49,498.92

Resolution #27-23

Schedule Public Hearing, 2023-2024 Tentative Budget

On motion by Trustee Robert Kelly, seconded by Trustee Michael Crowley the following resolution was ADOPTED 5 AYES 0 NAYS

Resolved, that the Village of Victor Board of Trustees will schedule a public hearing for March 20, 2023 at 7:00pm for the tentative budget for fiscal year 2023-2024.

Resolution #28-23

Election Polling Place and Candidates

On a motion made by Trustee Michael Crowley, seconded by Trustee Michelle Chalupa, the following resolution was ADOPTED 5 AYES 0 NAYS

Resolved, that the next annual election of the Village of Victor will be held on Tuesday March 21, 2023, at the Victor Village Hall, 60 East Main Street, Victor, New York. Polls will be open from 12:00 noon to 9:00 pm. The following persons have been nominated for the office and terms set forth below:

Office of Mayor
Two (2) Year Term

Gary A. Hadden
70 Latchmere Dr.
Victor, NY 14564

Office of Trustee (2)
Two (2) Year Term

Michael L. Crowley
10 Woodworth St.
Victor, NY 14564

Michelle L. Chalupa
9 Valley View Circle
Victor, NY 14564

Director of Public Works Report

Mr. Turner reported the following:

- He will be in Albany March 7 & 8
- At an equipment expo March 16 – 20
- Digester cover has been delayed at the WWTP
- Trickling filter is complete

Trustees Reports

Carol Commisso – Met with the Trails and Rails steering committee, they are setting up a committee structure and identifying projects they want to work on. The next meeting is March 20.

Michelle Chalupa – None

Robert Kelly - None

Michael Crowley – Has received the lease renewal from Verizon and has forwarded it on to Attorney Holter.

Mayor Report

Mayor Hadden received correspondence from the USDA requesting permission to access Village property, mainly the Village right-of-ways to trap invasive species. Mayor Hadden consulted with Gene Pratt, chairman of the Tree Board and he is in favor of granting the permission.

Attorney Report

None

Adjournment

Meeting adjourned on motion at 8:25pm.

Pamela Hogenes, Village Clerk