

A public meeting of the Town of Victor Planning Board was held on April 11, 2023, at 7:00 p.m. with the following members present:

PRESENT: Joe Logan, Chairman; Joe Limbeck, Vice-Chairman, Al Gallina, Ernie Santoro.

ABSENT: Scott Harter

OTHERS: David Nankin, Daniel Graham, Jake Monacelli, Jeremie Stramonine, Steve Schultz, Tim Lochner, Councilman Ed Kahovec, Wes Pettee, Town Engineer; Kim Kinsella, Project Coordinator; Suzy Mandrino, Manager of Technology Support, 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 Limbeck:

RESOLVED, that the minutes of the meeting held on March 14, 2023, BE APPROVED.

Adopted Ayes 4, Nays 0, 1 Absent

CORRESPONDENCE:

There were none.

BOARDS AND COMMITTEE UPDATES:

Town Board representative Ed Kahovec was present.

Councilman Kahovec – The town just got its results back for the court audit and both deemed to be very good and on firm financial footing. No issues with the accounting or finances in the town. Secondarily, Mr. Condon brought up that you did a great job last meeting and it was recognized.

PLANNING BOARD reported by Lisa Boughton

Tuesday April 25, 2023

PUBLIC HEARINGS

- PMD Addition, located at 727 Rowley Road, applicant is requesting approval to construct a 16,800 sf addition to the east side of the existing 73,000 sf building to be used for assembly of automation equipment.

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.

PUBLIC HEARING

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

PMD ADDITION

06-SP-2023

727 Rowley Road

Zoned – Commercial/Light Industrial

Owner – Rowley Real Estate Prop, LLC

Tax Map # 15.00-2-34.211

Applicant is requesting approval to construct a 16,800-sf addition to the east side of the existing 73,000 sf building to be used for assembly of automation equipment.

Steve Schultz of MRB and Tim Lochner, owner of PMD

Mr. Schultz – It has been about ten years since we have been here when they got their approval and built the building. As you mentioned they are looking to build a 16,860-sf addition, roughly 280 x 60 and 25 feet tall. The finishes will be a metal outside with a four-foot block wainscoting, metal roof and colors will match existing building. It is not very visible from the road and is tucked in there. It will be in an existing parking lot behind the building and will be adding some parking on the main lot and it does not meet what is there now for Codes. I wrote another letter requesting a reduction by the Board for parking and that he does not need all the spaces required by the Code. A lot of people work from home now. The parking we have is sufficient.

There is a couple of couple of comments about drainage from the Town Engineer and we will use the existing drainage facility on site. We are only adding about 3,500 sf of impervious area. The drainage facility that was designed ten years ago and they are oversized and more than adequate for an additional 3,500 sf and is pretty minimal.

Chairman Logan – You are covering over already impervious space, correct?

Mr. Schultz – Correct. The only real area that we are adding is the parking adjacent to the lot and would cover grass. The parking lot here extends past. As far as lighting goes, we are only adding three lights and are the same lights that are the building now and moved to the new additions.

Chairman Logan – Are these walpaks?

Mr. Schultz – Yes, down facing Walpaks.

Chairman Logan – Ful cutoff and directly down?

Mr. Schultz – Yes. Right now, there are six or seven on the back of the building and now there will be no more than what is there now. We have received comments from various town agencies, and we can address those. We already addressed the Fire Marshal comments and landscaping was ok.

Chairman Logan – It is a public hearing, and we will start with the Board.

Mr. Gallina – The only question is where you are proposing the addition of parking and looks like a steep rise right there. Is there any retaining wall required to secure that slope?

Mr. Schultz – No. We are going to keep the same slope and just push it back. There is already a ditch there and there is a hill their setback some. We do not have to go back too far. We will put in a small ditch to collect any runoff from the hillside. Not as tall as the one behind the addition.

Mr. Gallina – That was my only question, and it is good to see local businesses thriving and expanding.

Mr. Santoro – I did have one and I just answered it for myself. I am all set.

Mr. Limbeck – I have two and both relative to parking. That area you indicated across the top proposed for potential additional parking. That is a fire lane essentially?

Mr. Schultz – There is probably about ten feet more asphalt beyond the addition. That will just come out.

Mr. Limbeck – I appreciate the rational about the reduced parking based on people working from home. I know that my daughter in particular has been working from home, but they are bringing people back partially during the week. I appreciate what the rationale is short termed but what is the prognosis long term for keeping people working from home? That is my only issue with the parking.

Tim Lochner, Owner

Mr. Lochner – We have developed a policy that we put in place for working from home and analyze each department and an example is our whole sales floor works from home. We find they are more productive as well. There is really no need to bring them back and it works very well. Same with purchasing and have had a look at that and a lot of those folks work from home, and it works out great.

Mr. Limbeck – That works. To mirror what Al said, I am thrilled that we have a local business that is expanding as well and appreciate that you have thought this out with them working from home.

Mr. Lochner – You have to take advantage of these opportunities with the folks. You need to keep them. There is a lot that can work from home. They have that makeup and chemistry to do that.

Chairman Logan – I had Suzy put up the building elevations for reference in case there are any questions regarding that. It looks like it fits the existing facade. I think it looks fine and unobtrusive and will fit the area. It is a setback. Anyone from the public interested addressing the Board?

The Board was okay with closing the public hearing.

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

Adopted Ayes 4, Nays 0, 1 Absent

Chairman Logan – I do not have any questions and was just thinking of the section of the parking area to the left that you are expanding. It looks like you are cutting some of the hill back and regarding the site plan.

Mr. Schultz – We are going to keep the same slope on the hill and just push it back. It will be vegetative and a swale at the bottom to collect the runoff before it enters the parking lot.

Chairman Logan – There is always questions about soil stability in that area.

Mr. Schultz – We had some issues with the bigger hill in the back initially and resolved those with some under drains and vegetation on the hill.

Mr. Pettee – Labella issued a letter yesterday April 10, 2023, with a few comments. They are not too concerned. We did talk about the building mounted light fixtures already and if you wouldn't mind providing us with the catalog cut sheet to confirm that they are full cutoff fixtures. For the Planning Board familiarity there wasn't a lighting plan included in the plan set, generally we would want to see a lighting plan but with three fixtures and given the illumination intensity is going to remain the same we do not anticipate a large increase in the footprint of the illumination. I do not know if there is a need for them to provide a lighting plan in this instance. I will leave that up to you, but Labella is comfortable moving forward with a catalog cutsheet.

Chairman Logan – Anyone on the Board have an issue with us deferring to Labella? The Board has no issues.

Mr. Pettee – There were a couple of questions regarding the stormwater area. The temporary sediment basin is a little more technical in nature and we would want MRB Group to describe for us how the infiltration capacity would be protected in the infiltration basin as a portion of it will be used temporarily as a sediment basin. Treatment of roof runoff we are looking for some comments on the quality of water expected from the new buildings roof, pre-treatment would generally be required prior to discharge for an infiltration basin. Otherwise, there is nothing to glaring that is standing out.

Mr. Schultz – I can respond to both of those. I looked through it and you had a good point about the sediment basin. We will move it to where the catch basins are and not have it in the infiltration basin. That would address that part of it. As far as the treatment of the roof runoff is concerned, it is a metal roof and there is no tar or beads from a shingle. Looking at the drainage calcs, that facility calls the infiltration basin as more of a pre-treatment for infiltration. This basin drains into this basin and the roof runoff will be pre-treated before it even goes into the basin. The infiltration basins were oversized and can accommodate it. We will put it all in a letter of response.

Chairman Logan – For the minutes we will call it the southeast basin drains to the southwest corner of the building?

Mr. Shultz – Yes. They are numbered on there. One drains to two and it gets treated twice.

Chairman Logan – It will not be acted on tonight. It is at the County Planning Board for tomorrow and we will be able to address this in a resolution at the next meeting. If you make a note of what you just talked about with the work and the drainage in the back of the building.

Mr. Schultz – We have a sediment basin we put in there and will move it back to the catch basin and put it on the plans.

Chairman Logan – Any other questions? We will see you next time.

FIRST LIGHT FIBER SITE PLAN MODIFICATION 08-SP-2023

7890 Lehigh Crossing

Zoned –Light Industrial

Owner – Ontario Count IDA

Tax Map # 14.02-1-6.140

Applicant is requesting approval to construct a 2,981-sf laydown yard for storage of Fiber installation equipment associated with ongoing operations. A new fence will installed around the new paved area.

Jake Monacelli of Aerosmith Development

Mr. Monacelli – We are a consultant with First Light and helping them obtain permits. At this location First Light already has a satellite office there and are looking to add a laydown yard. They are working throughout the area laying fiber cables. They need some extra area to act as laydown yard for storage of fiber and cable spools. They would be looking to extend that paved area by about 3,000 sf onto the back side. There is a conservation easement there and would be staying out of that and they would be looking to install a wooden fence around the area as well.

Chairman Logan – Will you be looking at landscaping like that?

Mr. Monacelli – Yes.

Mr. Limbeck – Are we talking about cable reels? Do you dispatch vehicles out of there now or is there bucket trucks?

Mr. Monacelli – I am not sure. I believe it is mainly pickup trucks and do not have big buckets trucks out of there. There may be some but mainly for equipment and staging area.

Mr. Limbeck – Any increase for truck traffic and deliveries?

Mr. Monacelli – I can get an answer on that. There would be likely a little.

Mr. Santoro – What effect does the storm sewer easement have on this?

Mr. Monacelli – That is under the area already paved and not in the expansion area. Any of the fence posts would be outside of that easement. There is a paved area over the easement already.

Mr. Gallina – Could you clarify. We had a photograph of fencing that was chained link with privacy screening and that is not what you are intending?

Mr. Monacelli – I checked, and the rep sent me those pictures and said this is what he would like.

Chairman Logan – So I Would call it a wooden stockade fence. I do not know if it is stated on the plans as that and should have it noted. This is a public hearing so if anyone wishes to speak.

The Board was okay with closing the public hearing.

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

Adopted Ayes 4, Nays 0, 1 Absent

Chairman Logan – I do not have any questions except if you are regrading for this new area, it looks like you will have to adjust the contours in that area and looks awfully close to the

conservation easement area. You are confident you can regrade and pave without going beyond that easement.

Mr. Monacelli – My background is not in engineering and design but will get with them for clarification.

Chairman Logan – As far as I know it is a no touch easement.

Mr. Santoro – There is a staff note on here for applicant to clarify if it is an eight-foot fence?

Mr. Monacelli – I will clarify that too.

Chairman Logan – Does it make a difference if it is six or eight?

Mr. Pettee – I do not know for show but seems like the limit for fencing might be six feet and if they want to go higher may need a variance. I can check on the Code.

Ms. Boughton – I think it is eight feet. There was discrepancies with the other fence that the mesh went up to eight feet, but the post went higher. If they change it to wooden then Code was okay with eight feet.

Mr. Pettee – No other comments from Labella.

Chairman Logan read the draft resolution.

DECISION:

On motion of Ernie Santoro, seconded by Joe Limbeck:

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

1. A site plan application was received on March 7, 2023, from First Light Fiber (the “Applicant”) by the Secretary of the Planning Board for a Site Plan entitled First Light Fiber Site Plan Modification (the “Project”) for the property located at 7890 Lehigh Crossing, Victor, NY.
2. It is the intent of the applicant to construct a 2,981-sf laydown yard for storage of Fiber installation equipment associated with ongoing operations. A new fence will be installed around the new paved area.
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 April 11, 2023, at which time the public was permitted to speak on their application.
- 5. The application was deemed to be an Unlisted Action pursuant to the New York State Environmental Quality Review Act Regulations and classification as such concludes SEQR.
- 6. The Town of Victor Code Enforcement Officer reviewed the site plan in a letter dated April 10, 2023, and provided comments.

WHEREAS, the Town of Victor Planning Board reviewed the Unlisted Action on April 11, 2023, and identified no significant impacts; now, therefore, be it

RESOLVED, that the project, First Light Fiber Site Plan Modification, will not have a significant impact on the environment and that a negative declaration be prepared; and be it further

RESOLVED that the application of First Light Fiber Inc., Site Plan entitled First Light Fiber Site Plan Modification, drawn by Erdman Anthony, dated January 30, 2023, received by the Planning Board March 7, 2023, Planning Board Application No. 08-SP-2023, 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.

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	Aye
Al Gallina	Aye
Scott Harter	Absent
Joe Limbeck	Aye

Approved 4 Ayes, 0 Opposed, 1 Absent

INTEGRATED SYSTEMS CHARGING STATIONS

09-SP-2023

50 Victor Heights Parkway

Zoned –Light Industrial

Owner – Integrated Systems Prop, LLC

Tax Map # 15.01-1-32.120

Applicant is requesting approval to install five (5) dual charging bollards in the pre-existing parking area.

Jeremie Stramonine of SA Construction

Mr. Stramonine – I will be doing the installation of the charging bollards.

Chairman Logan – You submitted a revised plan.

Mr. Stramonine – I improvised from the first one and altered the path and went with the five in a row where the existing parking spaces are instead of the one satellite off to the side.

Chairman Logan – I believe that one raised a few eyebrows.

Mr. Stramonine – I think it would have compromised the handicap parking and the turnaround.

Chairman Logan – You want five charge stations in front of the building starting at the handicap space. Any questions from the Board?

Mr. Gallina - Just the one I have is my confusion over the schematic is it indicates proposed building. Is that an existing building?

Mr. Stramonine – This is a site plan from when you guys were approving the initial building for 50 Victor Heights Parkway. Lisa was kind enough to let me have it to utilize the site plan. My first rendition was a little out of sorts. This was before the building was built. That is a pre-existing.

Mr. Gallina – Those were my only comments and certainly need the infrastructure if we are transitioning to electric vehicles. It is a step in the right direction.

Mr. Limbeck – I think it is an interesting move. I was particularly impressed with the cover letter and the vision that is expressed by the owners. I am curious that he mentioned residents having access to it as well as the employees and a cool deal. You pay to have it charged in a few places and I know I would be sneaking in.

Mr. Stramonine – The real deal is going to be publicly accessible and not a gated parking lot. As long as you have the required apparatus and the apps for the vehicle. I can install them all and imagine this will show up on the apps as an accessible charging area. This whole project is incentivized by NYCERTA as you are aware of. There is a 90% reimbursement on the make ready side to get these ready to install so they can be accessible to the public. That is the push.

Mr. Limbeck -It will have two cords per unit and do you know about Code and handicap parking requirements. Do we have to have handicap access to electric charging stations.

Mr. Stramonine – I put one there out of courtesy. If I was handicapped and had an electric vehicle, I wouldn't mind being able to charge. Just for clarity this is my design, and this is the first one for the company. This is a cutting-edge brand-new tech and not like any of the others. The bollards are satellites of the apparatus. The enclosure will be inside of the building from the blue line to the building. There is a utility room that is existing with the three-face panel coming in and some networking. That is where the actual enclosure that houses the brains of the chargers. This power supply as far as redundancies and sold on this more than the others. There is no power going to any of these bollards until someone activates it. The breaker will have to acknowledge the signal and it will accept you and then supply you with power. In comparison you can blow through one of these existing chargers and hopefully there is safety. I think this is the future of this.

Mr. Santoro – It looks like a good plan that is available to anyone who want to plug in.

Chairman Logan – I assume there is a charge to this. There has to be a way to recover this.

Mr. Stramonine- It is governed by software program and tons of different choices and options. They will be using proprietary software which you allows you to set all sorts of functionality. Peak time, off peak time, how many amps go to a charger and who can use which one. The next part is programming these and there is a charge to it. It is supposed to be what makes it a viable option. It is not about making money but as an option.

Mr. Pettee – A couple of questions for you. In the area where the bollard will be going, I am interested in hearing a little bit about the trenching and will you be saw cutting into the pavement or the sidewalk and how will that be restored and also what type of foundation is there for the bollards? Are you digging into the ground and providing a concrete foundation?

Mr. Stramonine – We would be going off of the recommended footing requirements for the bollards and their size and their weight. I think it is 12 x12 and 12 inches deep. We will be trenching 3 foot deep in conduit and there will be a pole box out around where it makes the turn and starts heading to the parking spaces and individual conduit will come out of the pole box to serve each bollard for expansion purposes. If and when it comes to adding more, we would have the ability to do so. That would be the process and three-foot trench and anchor bolts coming out and bollards with a two-inch piece coming out of that footing and can bolt them down. It will not be on the sidewalk and my approach would be to cut into the asphalt driveway and have my bollard footing come up to the same height as the sidewalk is. Rather than cut into sidewalk I was not happy about them being at asphalt level in case of being damaged from plowing.

Chairman Logan – It is a public hearing so if anyone has any comments?

Mr. Pettee – I do have another question. We have seen it in other instances. Is there any illumination that is released from these bollards?

Mr. Stramonine – I have seen some of those. These have the smallest by 1 dial LED on each side that shows that is activated and working.

Mr. Pettee – No red neon or anything?

Mr. Stramonine – No.

The Board was okay with closing the public hearing.

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

Adopted Ayes 4, Nays 0, 1 Absent

Chairman Logan read the draft resolution.

DECISION:

On motion of Ernie Santoro, seconded by Joe Limbeck:

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

1. A site plan application was received on March 7, 2023, from Jeremie Stramonine (the “Applicant”) by the Secretary of the Planning Board for a Site Plan entitled Integrated Charging Stations (the “Project”) for the property located at 50 Victor Heights Parkway, Victor, NY.
2. It is the intent of the applicant to install (5) five dual charging bollards in a pre-existing parking area for employees and residents.
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 April 11, 2023, at which time the public was permitted to speak on their application.
5. The application was deemed to be an Unlisted Action pursuant to the New York State Environmental Quality Review Act Regulations and classification as such concludes SEQ. R.

- 6. The Town of Victor Code Enforcement Officer reviewed the site plan in a letter dated April 6, 2023, and provided comments.

WHEREAS, the Town of Victor Planning Board reviewed the Unlisted Action on April 11, 2023, and identified no significant impacts; now, therefore, be it

RESOLVED, that the project, Integrated Charging Stations will not have a significant impact on the environment and that a negative declaration be prepared; and be it further

RESOLVED that the application of Jeremie Stramonine, Site Plan entitled Integrated Charging Stations, dated March 7, 2023, received by the Planning Board March 7, 2023, last revised March 23, 2023, Planning Board Application No. 09-SP-2023, 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 April 6, 2023, 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 start of construction.

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	Aye
Al Gallina	Aye
Scott Harter	Absent
Joe Limbeck	Aye

Approved 4 Ayes, 0 Opposed, 1 Absent

Motion was made by Al Gallina, seconded by Ernie Santoro, RESOLVED the meeting was adjourned at 7:41 PM.

Lisa Boughton, Secretary