

A regular meeting of the Town of Victor Planning Board was held virtually on April 27, 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 Ed Kahovec, Suzy Mandrino, Confidential Secretary to the Town Supervisor; Kinsella; Lisa Boughton, Secretary

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

APPROVAL OF MINUTES:

None at this time.

CORRESPONDENCE:

There were no correspondence.

BOARDS AND COMMITTEE UPDATES:

Councilman Kahovec and Councilman Condon from the Town Board.

Councilman Condon – I think the biggest news that we have is that I think most of you know that Barb Cole, Director of Finance, is retiring next month and we made an appointment of Rich O'Donnell who is a Victor resident. Rich comes to us with a host of experience and really happy with him coming on board. Barb is helping him with the transition and has turned over her desk. He is getting brought up to speed and looks to be a relatively smooth transition. As I told you last month, the pause was in place and we ended that. There have been some hiring's for summer rec and their assistance, some MEO operators for Parks & Rec. Things are moving along pretty smoothly and have been busy with some of the infrastructure and some of that. Appreciate all the efforts that the Planning Board continues to provide for us.

Mr. Logan – That sounds great.

PLANNING BOARD reported by Lisa Boughton

Tuesday May 11, 2021

PUBLIC HEARINGS

- TNT Fireworks, located at 4-20 Commerce Drive, applicant is requesting a Change of Use Permit to open a chiropractic office. Hours of operation will be Monday – Thursday 8am -4:30 pm, Friday 7:30 am – 4:30 pm and two Saturdays per month 8am – 12 pm.
- Crown Castle, located at 795 Old Dutch Road, applicant is requesting approval to modify existing wireless facility replacing and removing (6) antennae's, replacing (9) RRUs, Install (3) RRUs and install (3) cables.
- Wilkins RV of Victor, located at 7447 State Route 96, applicant is requesting approval to demolish the existing 13,318 sf showroom and construct a new 18,560 sf showroom that will be attached to the existing service building. The existing two entrance will be removed and a new consolidated entrance will be installed.

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.

GABRIELLI MINOR SUBDIVISION

6756 County Road 41

Tax Map # 28.03-1-7.000

Owner – L & L Specialty Co. Inc.

Applicant is requesting approval to split the existing 10.02 acre parcel into 2 lots. Lot 1 will consist of 4.0 Acres and contain the existing house structure. Lot 2 will consist of 6.0 acres.

01-MS-2021

Zoned – Residential 2

David Gabrielli

Mr. Gabrielli – We are splitting it into two parcels. It looks like they are off by .02 acres. It is a simple division of 6 and 4.

Chairman Santoro – The .02 is that just part of it or not?

Mr. Gabrielli – I do not know what happened to the .02. BME did this and actually did the layout and I just approved it. If they need to make a small modification to include the .02 I am sure they are willing to do that no problem.

Chairman Santoro – Start with the Board.

Mr. Harter – Relative to the lot acreage I noticed in the notes there is a typo regarding the lot acreage at the top. I think it is 10.002 but when they break out lot 1 and 2 under subdivision notes I think those numbers have a typo. That is one small comment. The other comment is for us the Board, should we have the applicant, as we have done with other subdivisions, identify a proposed driveway location for the new lot and look at the access aspect of it.

Chairman Santoro – Suzy, could we get the map up again?

Mr. Gabrielli – We are not developing the land so we are doing a simple division. We are going to be putting it on the market to sell and whoever buys it will have a whole design of what they want to do with it.

Chairman Santoro – There is one house on it already.

Mr. Gabrielli – Yes that is not going to change but he was asking about an entry way to the property. There actually is a temporary one. We recently had trees harvested off the property and to the left of those bushes. We did put a little driveway there so that they could bring the machines in and around the backside of the house. There is a temporary or permanent driveway. There is a pipe that goes across for drainage and gravel. That can all change on whoever buys the land and whatever they are going to do.

Chairman Santoro – They will have to come back to us and show us.

Mr. Harter – I do not have anything else but thought we should look at it the same way we look at the other subdivisions.

Mr. Gabrielli – The typos. Is there going to be a note of that? I do not have it in front of me.

Chairman Santoro – The total is 10.02.

Mr. Gabrielli – ok, they did 6 and 4 right?

Chairman Santoro – Yes

Mr. Gabrielli – We will modify that. Is that the only issue?

Mr. Harter – In your subdivision notes under total project site you have 10 acres Lot 1 and 8.39 Lot 2, 12.068.

Mr. Gabrielli – They really screwed that up. I think what happened was that we did a few changes and they probably didn't update that. No one from BME.

Mr. Logan – No comments. I have no problem with this application.

Mr. Gallina – In general, no questions or concerns but I guess building on Scott's point that if there is any issues with where the driveway is and site distance, topography and distance to adjacent driveway it would be nice to try to address that now before the lot lines are finalized then potentially do a lot line adjustment.

Mr. Gabrielli – I can tell you where those lot lines are now that there is no driveway going to be able to be put there. Just based on the terrain. That is why they choose it that way. There is plenty of frontage to put a driveway on the left. There is already an existing circle driveway on the right. To make a decision now to put a driveway there, it may not coincide with the next development.

Mr. Gallina – It may not nut to Scott's point we have had two or three recent applicants where we pursued that issue and really forced some type of conceptual identification of where the driveway is and spent two or three cycles on getting the applicant to come up with an acceptable answer before we approved those parcels. In the spirit of being consistent with our approach. I would be more comfortable if we did the similar approach on this one.

MR. Gabrielli – You want me to put a driveway in?

Mr. Gallina – at least conceptually that meets the highway access.

Mr. Gabrielli – There is one there now and we can leave it and draw that in.

Mr. Harter – I think that Mr. Gabrielli perhaps need to understand a little bit about the Access Management requirements. The purpose of the requirements is to position driveways in the best location optimally for distance right and distance left coming onto a highway. Boughton Hill Road is significant highway and the speed limit is 55. I believe the design distance between the driveways is supposedly somewhere in the neighborhood of 500 feet plus or minus. I do not think you can achieve that but what we have asked the other applicants to do is find an optimal location that would work and mitigate it to the best of your ability. We are not asking you to install a driveway, we are asking you to show us a location that would be feasible and reasonable that would probably still require a waiver.

Mr. Gabrielli – What determines what is feasible or is this something BME would know how to do?

Mr. Harter – Yes. BME was in fact the consultant with whom we were speaking with on the last subdivision on Strong Road and Boughton Hill Road.

Mr. Gabrielli – ok, so just tell them to put a conceptualized driveway in.

Mr. Harter – Most likely with other consultants they would need to take a look at the site and determine where the most optimal location is in respect to sight distance.

Mr. Gabrielli – This has to be achieved because now at this juncture? Can we just put a note that when they do a development they can do it then or because we may have to change the lot lines?

MR. Harter – You are proposing to create a new piece of property in the Town of Victor so all the current regulations come upon you and one of the regulations is to have compliance with highway access guidelines.

Mr. Gabrielli – Even thou we are not building anything there?

Mr. Harter – Not yet, that is correct.

Mr. Gabrielli – So the next people will and they will have to comply.

Mr. Harter – You wouldn't want to sell a lot to someone that did not have the ability to overcome that issue.

Mr. Gabrielli – Ok, I am sutra they won't have an issue doing that. I will relay that to them.

Mr. Harter – I think the BME people are aware of that requirement and can guide you to a good solution.

Mr. Gabrielli – If they are aware of it they should have put it in especially since if it is a standard operation to do so. I think that there whole thing to me was when someone goes to develop it that is when the details will happen. I can certainly relay this back to them.

Mr. Logan – To Scott's note also, if you just show the entrance to the driveway you do not have to dictate to where the driveway is going to go back into the property. You just have to show where the entrance is so then you put down the data regarding site distance and distance from other entrances. That is really all we are asking.

Mr. Gabrielli – I am sure they will have no problem drawing a driveway in and shouldn't take them to long to do.

Mr. Logan – they should be able to do that in short order. It is a detail that we would like to have.

Mr. Limbeck – I think Scott and Al covered it well.

Chairman Santoro – We do have a resolution prepared but it's missing some information.

Mr. Pettee – LaBella has a few comments on this subdivision. We just issued a letter today. My guess is that Mr. Gabrielli does not have a copy of this letter yet. We did copy BME Associates in on our letter. There are several technical, minor issue or details on the plans that can be easily resolved. There are two maybe three items. One of which you have already touched on. I want to talk little bit about general; requirements for subdivision applications.

The Towns Design and Construction Standards generally require subdivision applications to provide for wastewater service, whether it is going to be via the public sewer system or thru private septic systems on the lot. In this case there is no public sewer fronting on the property or on Boughton Hill Road. In this case generally for even a minor subdivision it is required that submissions of perc tests and deep hole tests be provided with the application and the reason for that is to help confirm that the lot is going to be buildable. If they are not going to provide that information then a waiver would be required by the Planning Board pursuant to Section 1.2 of the Design and Construction Standards.

In conducting these soil tests for septic would provide some assurance and clarity for future buyers and even probably improve marketability of a parcel so that the buyers sees that a lot does perc and will understand that if there was some trouble with the perc test in what might be required to overcome or provide some sort of wastewater component to the project. Recently the Town of Victor has considered other subdivisions where you waive that requirement for soil testing or perc test. The difference there at least in my current perception that there were existing buyers waiting in the wings ready to purchase these lots and understood the risks of buying a lot and then having to do this due diligence themselves to perform these perc tests and deep hole tests. They are ready and willing to do that so that was kind of a message that I think the previous applicants had provided to the Planning Board.

The other issue that we have touched upon is the Access Management Law of the town founded Chapter 55 of the Victor Town Code and generally that law as adopted by the Town Board you are obligated to comply with that at a certain degree unless a certain waiver is provided for subdivisions even if proposed development is not included with this particular application.

For example, your discussion about showing a conceptual driveway that is important even if a project isn't being developed right at this time because like Mr. Gallina said, if you finalize these lot lines and then you find out that you are not able to comply with the Access Management Laws in terms of separation distance between driveways and you have found that there is adequate sight distance for this conceived access to the lot it again would be unbuildable and

potential buyer might have to go back to the Planning Board to readjust these lot lines to help find a way to make reasonable access. I would agree with the Planning Board members that have felt that they at least need to show conceptually where this driveway access is going to be to the road frontage. I can note that the immediate subdivision to the west the Planning Board approved as Boughton Hill Subdivision a few years back. There are two lots just to the west of this project parcel where they are sharing and a shared driveway was created. That shared driveway is located at about 250 feet west of the southwest corner of the proposed lot 2. The existing looped driveway on this project parcel on lot 1, the separation distance between that western moist lot driveway on lot 1 and the subdivision to the west is about 650 feet. Based on my interpretation of looking at the access management code either a driveway for this lot 2 would not be able to comply with a separation distance requirements unless that western looped driveway access was eliminated or some form of waiver was provided. I wanted to bring those up to your attention that I do not think this is insurmountable but it is something that you have identified and need to take into consideration. I get a copy of that letter to Mr. Gabrielli. The Town Planning Department now has a copy as well.

Mr. Gabrielli – Could you explain the waiver part of it and how does that happen.

Mr. Pettee – So the Planning Board provides the waiver. Based on their review of the application and the information that you provide and the justification if you are going to request that waiver the Planning Board simply makes findings as to why this waiver might be reasonable. They would issue that waiver if they felt it was prudent.

Mr. Gabrielli – The separation between driveways needs to be how many feet?

Mr. Pettee – Well, at a minimum and do not quote me on this, it would need to be 440 feet but more like MR. Harter said roughly somewhere around 500 feet. I do not know exactly without taking a deeper look into this. The other thing we do not have here is any indication about sight distances and notations on the subdivision drawing. My guess is that sight distance probably isn't an issue because I do not think there are any vertical hills that would impede sight distance. That is something that we would want to see on the subdivision plan as well.

Chairman Santoro – BME can touch base with you Wes?

Mr. Pettee – Yes for the benefit of Mr. Gabrielli, BME Associates and the Town Engineer are very familiar with working with BME and we know the individuals there. We are happy to talk with them and coordinate with them and make sure your proposed subdivision here would meet the town's requirements.

Mr. Gabrielli – I am still at a lost because I do not know why BME did not perceive this happening if they do it all the time. We can get with them and see what they say.

Chairman Santoro – If you get with them in the next week or so we can get you on the next meeting.

Mr. Gabrielli – Before we can market this property we have to wait till next month?

Chairman Santoro – No, our next meeting is the second Tuesday in May.

Mr. Pettee – One of the things I would like the Planning Board to weigh in on is my comments on wastewater and septic and whether or not you might consider providing a waiver. I do not want to go down the road of getting in touch with BME and if you guys are willing to provide that waiver on the septic issue then that is fine. There is likely a little more time involved than just a couple of weeks if we are going to require them to go do soil testing and give us additional information.

Mr. Gabrielli – All that has been done on property one right?

Mr. Pettee – Yes, for example the soil testing and the perc and deep hole test would need to be done.

Mr. Gabrielli – Even though it was approved for the whole lot originally right because they did a perc test and did septic system, You are saying now the soil could be different because there is a lot division?

MR. Pettee – The septic system for lot 1, even thou it accommodated this one single family home, this testing was done in a particular location on that lot.

Mr. Gabrielli – Yes and we do not know where the location will be for if someone builds or they may not even build. Someone might use it for hunting or something.

Mr. Pettee – What it does it provides some assurance to the Planning Board that a lot can be built so that a future buyer does not get struck with a lot and realize it is not buildable because we do not have soil testing information, a perc test or cannot get wastewater system in there.

Mr. Gabrielli – That is part of their due diligence when they do that.

Mr. Pettee – Generally, this is the Planning Boards due diligence prior to completing a subdivision. It is one of the safe guards the town has as a tool to make sure lots are going to be buildable and that they do not run into a scenario where by an unaware owner purchase a lot and realized they can't do anything with it.

Mr. Gabrielli – Can we make a notation on the plans? Just say that this needs to be done.

Mr. Pettee – I think that is for the Planning Board to decide. That is one alternative if the Board is comfortable with that.

Mr. Gabrielli – I think that was recommended by BME to make notes since it is a simple division they had wrote me an email and they were saying that for future development a notation can be made on the plans and as long as it is noted on their it would be sufficient. That is up to you guys.

Mr. Logan – I was going to suggest that Mr. Gabrielli get back with BME and have they have a conversation. Here is what the Planning Board is telling us and here are his options. They can choose to come back before the Board and look for variances, they can choose to satisfy that but they can tell you how much time each option may take for approval and the risks involved. They certainly BME can have that conversation with Wes Pettee and iron out some of those concerns. Discussing it anymore here in the meeting I do not think is productive because there is a conversation that needs to be had between you and your engineer and then between BME and the Town's Engineer. That's what I suggest.

Mr. Gabrielli – I am new to this process and was relying on BME and the fact that you have a relationship with them to know all this ahead of time. I do not know why they did not foresee this happening.

Mr. Logan – That would be a conversation between you and BME then we can all move forward. It just is some details that need to be shown on the plans. I think you can be pretty confident that we are supportive of the application just details that we brought up.

Chairman Santoro – Are we done with this item for tonight?

QUATELA OFFICE BUILDING SIGN

11-SP-2021

7255 State Route 96

Zoned – Commercial/Light Industrial

Tax Map # 15.00-1-12.100

Owner – Rhino 96 LLC

Applicant is requesting approval to install (2) LED face lit, flushed mounted signs to the North and West elevation sides of the building.

Dr. Quatela owner of Quatela

Chairman Santoro – We have up on the screen what it is going to look like. It is familiar to the Board members. Is there anything else you would like to say? I will say that this building was approved initially and there was some conversation about the signage since you did not know what you wanted to do at that time. Here we are.

Dr. Quatela – It is essentially what we would like to do.

Mr. Bonanno – I actually have no further comments. Obviously as you can see the signs are drawn and this is what Dr. Quatela would like on the building. There won't be any more signage on the building correct?

Mr. Quatela – I am not certain. There are other tenants and not certain. For now this side of the building that is wall we are planning. The side we are using.

Chairman Santoro – You realize that if we approve this and you want additional signs you are going to have to come back again.

Dr. Quatela – I think at this time we realize that. We do not know what tenants might want.

Mr. Limbeck – I noticed that it is code compliant. I think it is very attractive and have no issues at all.

Mr. Gallina – I echo Joe's comments. No issues, no questions.

Mr. Logan – Typically on a building I would ask about that second sign on the west or north elevation. Normally you would have one sign on the building unless there is another road next to it on a corner. That sign would be normally allowed and then you wouldn't have one on the right side of the building. I guess I would be interested on Wes's perspective on that or Town Code Enforcement.

Mr. Limbeck – It is stated in the resolution Joe that it was Code compliant. I think folks coming down Route 96 I think would help motorist find the address a little bit.

Mr. Logan – It would if they wanted to have a pedestal sign in addition to this then that starts to add more signage to the site and we get a little sticky. If you are going to have multiple tenants then you want to direct them to the main entrance and then go left to one tenant and right to the other. If there is no prospect of future signage on the site other than the building I would go along with it but I need to look fully at the prospect of other signage and where it would be.

Dr. Quatela – I respect what you just said. Without knowing exactly what the tenants...prior to Covid I had a tenant outlay and then Covid changed the makeup of tenants so without knowing exactly what we are doing I cannot speak to what future signage would be. I can tell you that when you drive towards Victor this building comes up on you really quick. You can pass it unless you are making a hard right with your vision to look and see the building setback and see the signage. The thought of having that sign on the west elevation was to try to mitigate a little bit of that because I cannot tell you how many people I have directed out there and they just go buy and you have to be right on top of it to notice it.

Mr. Logan – Sorry for interrupting. Can I share my screen? This is the view from 96 towards the village. Am seeing a wall of trees here and you can barely see the roof line on the west elevation. Talk about coming up on it quickly. I am not sure why you really need that. Just for the sake of flexibility I would think that you would want a pedestal sign out here that would show what is in the building and have signage over each tenant space. Have your sign on the building here if you want but I would forgo this one for the moment and see how the rest of the occupancy plans out. It leaves you with more options to either put a pedestal sign or another sign on the building but not necessarily having two signs that didn't need. That is my perspective on this.

Mr. Harter - I have agreed with all the comments that have come forward and think Joe makes a good point and is up to the Doctor.

Chairman Santoro – This is the proposal that he has before us now and the one we either accept or not. That being the case does anyone feel strongly it is the wrong thing to do?

Mr. Gallina – I do not think it is the wrong thing to do. I think Joe makes some very good points around pedestal or monument sign for the purpose of drawing the passerby attention to the location for practical. I do not think there is a right or wrong answer but it is a consequence of putting up the signage now may have to be revisited down the road.

Chairman Santoro – Myself I am not a fan of pedestal signs. We have gone thru this with other applicants too.

Ms. Kinsella – Can I just interrupt to. A pedestal sign cannot identify tenants in the building without a variance from the Zoning Board. There is a pedestal sign there now and I think it has the address on it.

Ms. Stinardo – It does Kim. So the sign that is out in front now does meet code for the town of Victor and it says 7255 east. That is actually the name of the building. We are interested in potentially moving forward to consider a monument or a pedestal sign. There are quite a few going down 96 and Dr. Quatela hopes are that we bring some new business into the town. We're very excited about the building opening in June for Dr. Quatela second medical spa as well as another medical office. We want to do now is to make sure his medical spa is highlighted. We actually have quite a few spa clients that live in Victor, Farmington and Canandaigua. They may be going to the new location and make sure they are easily able to find it.

Chairman Santoro – I suppose that once they find it once they can find it again.

Mr. Logan – I said pedestal but I meant monument. Just like we would see at the pother business.

Ms. Kinsella – We don't allow those anyways.

Mr. Logan – I was offering an alternative at least on the signage. As Ernie said it is your choice to move ahead. I don't think honestly you need that west elevation sign because you won't see it unless you are in that parking lot on that side. I would suggest to put the one on the north side and if you still want to do it then make another one and put it in the side but see how it goes visibility wise. You are not taking the trees down to unblock that view. That is my opinion. I do not feel strongly that I would deny this given you an alternative perspective.

Dr. Quatela – I have a competitor who is just west of me that took over that linoleum carpet place and he has both a pedestal sign and a big sign on the building. His building is closer to the roads because it was grandfathered since it was there. In terms of visibility he has every advantage over what I have and we are going to be offering similar services. I struggle of the visibility of this building. I agree with everything that Mr. Logan said in terms of does it gives us that much more but I feel I am at a disadvantage already and I want to be successful. I want this thing to rock and really do well and be a show piece. That is why I did that. Even when it was proposed to put the sign there does it add a lot? It adds cost to me but I feel like I am at disadvantage because this persons pedestal has been grandfathered in. That was imperious of doing what I did.

Chairman Santoro – Suzy, any calls from the public?

Ms. Mandrino - No comments.

Chairman Santoro – What is the Boards pleasure here. You do have a resolution and we can read it or remove it. Should I read it?

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

RESOLUTION

Motion made by Scott Harter, seconded by Joe Logan.

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

1. A Site Plan application was received on March 19, 2021 by the Secretary of the Planning Board for Quatela Office Building Signage.
2. It is the intent of the applicant to install (2) LED face lit, flushed mounted signs to the North and West elevation sides of the building.
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 April 27, 2021 at which time the public was permitted to speak on their 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 Code Enforcement Officer reviewed the application on April 27, 2021 and stated the proposed signage is code compliant.

WHEREAS, the Town of Victor Planning Board reviewed the Unlisted Action on March 19, 2021 and identified no significant impacts; now, therefore, be it

RESOLVED, that the project, Quatela Office Building Signage will not have a significant impact on the environment and that a negative declaration be prepared; and, be it further

RESOLVED that the Site Plan application of Skylight Signs, entitled Quatela Office Building Signage dated March 11, 2021, received by the Planning Board on March 19, 2021. Planning Board Application No 11-SP-2020, 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 Quatela Office Building Signage design shall be consistent with the details as shown in the elevations dated March 11, 2021.
- 3. That a building permit be obtained for the sign 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:

Ernie Santoro	Aye
Joe Logan	Aye
Al Gallina	Aye

Scott Harter Aye
Joe Limbeck Aye

Approved 5 Ayes, 0 Opposed,

BOVEE DRIVEWAY

1550 State Route 444
Tax Map # 39.00-1-19.200
Owner – Chris Bovee

06-SP-2021
Zoned – Residential 2

Applicant is requesting approval to install a 12" 20 foot culvert and install a second driveway similar to existing driveway to accommodate travel trailer, which will be closer than the minimum 10 foot setback, which would require a waiver from the Design and Construction Standards.

Chairman Santoro – There was some discussion at the last meeting about the position of NYSDOT and my recollection was we already had the application in and was approved. My recollection is a little hazy about what else he was supposed to get.

Mr. Gallina – I don’t think that was it from the state but was to go before the County.

Ms. Kinsella – Yes, we were waiting for County comments. They are in your packet.

Mr. Limbeck – Essentially the County Planning Board is not going to make any comments one way or the other.

Chairman Santoro – I suppose the State has given permission to make the cuts. Anyone have any comments or questions for the applicant?

Ms. Kinsella – I do not see him.

Ms. Mandrino – No comments from the public.

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

RESOLUTION

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 March 5, 2021 by the Secretary of the Planning

Board for a Site Plan entitled Bovee Driveway.

2. It is the intent of the applicant to install a 12" 20 foot culvert and install a second driveway similar to existing driveway to accommodate travel trailer, which will be closer than the minimum 10 foot setback, which would require a waiver from the Design and Construction Standards.
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 27, 2021 at which time the public was permitted to speak on their application.
5. The Action is classified as an Unlisted Action pursuant to New York State Environmental Quality Review Act Regulations, and the applicant provided Part I of the Short Environmental Assessment Form.
6. The application was referred to the Ontario County Planning Board under Section 239 of the General Municipal Law. On April 13, 2021 Ontario County Planning Board referred the application back to the referring agency as a Class 1.
7. The Town of Victor Code Enforcement Officer reviewed the site plan in a letter dated March 18, 2021, and provided comments.
8. LaBella Associates reviewed the site plan in a letter dated April 13, 2021, and provided comments.
9. New York State Department of Transportation reviewed the site plan in a letter dated March 23, 2021, and provided comments. A NYSDOT permit was issued on March 22, 2021.
10. As currently depicted, the driveway would require waivers to the Town's Design and Construction Standards that require a horizontal minimum setback of 10 feet from the adjacent property line.

WHEREAS, the Town of Victor Planning Board reviewed the Unlisted Action on April 27, 2021 and identified no significant impacts; now, therefore, be it

RESOLVED, that the project, Bovee Driveway will not have a significant impact on the environment and that a negative declaration be prepared; and,

BE IT FURTHER RESOLVED, that the Planning Board waives the Town's Design and

Construction Standards to allow a horizontal minimum setback of less than 10 feet from the adjacent property line; and be it further

RESOLVED that the application of Chris Bovee, Site Plan entitled Bovee Driveway, dated March 8, 2021, received by the Planning Board March 8, 2021, Planning Board Application No. 06-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.
2. That requirements of the NYSDOT permit dated March 22, 2021 be adhered to.

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	Nay
Joe Limbeck	Aye

Approved 4 Ayes, 1 Opposed,

FISHERS LANDING FAÇADE MODIFICATION

7383-7387 State Route 96

Tax Map # 15.00-2-80.000

Owner – The DiMarco Group

Applicant is requesting approval to renovate the north facade of the existing 23,000 sf building including removal of a portion of the seam metal roof and conversion of the center element into a gable-end appearance.

08-SP-2021

Zoned – Commercial

Chairman Santoro – We do have some comments. Wes?

Mr. Pettee – I did see our architectural comments, Mark Kukuvka, from LaBella. He provided an email and was indicating that the green standing seam roof is generally more compliant with the Route 251/96 overlay design guidelines versus the elimination of that and having that abrupt

change from the vertical to the horizontal. He did indicate there were multiple styles and colors of standing seam roofs if the y wanted to change the green color. It is Mark Kuvka observation in comparing this design with the design objectives of the corridor. Certainly Mark was feeling that the center portion of the new façade does match what the design intent of the corridor is but the wings on the left and right appears that standing seam, roof would be more appropriate and meet the objectives. That is all we have for you.

Chairman Santoro – Paul, had you seen that?

Paul Colucci of the DiMARco Group

Mr. Colucci – I have seen that and did respond to Mark’s prior comments on the original elevation that we submitted in a written correspondence where we lowered the right and left side of that center element to give some vertical articulation. That is what I shared with the Board last time. It is our desire to remove the standing seam roof on the right side of that center element and create that gable section in the middle. As I reviewed with the Board a few weeks ago I felt like everyone responded very favorable to the modifications we proposed to make. We do not have any interest in keeping the standing seam left and right of that center element. We do want to carry the rest of the façade renovations that occurred in the back and around to the front and kind of tie this whole renovation together and also gives us a bit better replacement for signage for tenants. One of the major issues we have with all of our tenants is visibility of signage. As you know that building sits about 16 feet below the center of the road so trying to have the ability for signs to be a little more prominent and up as much and raise them a little to the driver height is the goal. I did also get correspondence back from Al Benedict as he reviewed my responses and my commentary we had last meeting where we are night seeking a variance for height. We are below the total height allowed for this façade renovation. We are hopeful that we can move forward with the renovations. We are excited to refresh this face of that building.

Mr. Harter – We were going to take a look at the lights? The wall paks on the south side?

Mr. Colucci – Scott that is a good point. I did drive by there and they are kind of forward casting and we will replace those with wal pak that are cutoff and down light. There is no site lighting off to that future pad area. When we will build the pad adjacent we will have the similar lighting in the plaza carried around. We will replace those wal paks on the east side of the building.

Mr. Logan – Paul you addressed my comments and I am fine with it.

Mr. Limbeck – I am fine with it as well. No comments.

Mr. Gallina – I am good as well.

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

RESOLUTION

Motion made by Scott Harter, seconded by Al Gallina.

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

1. A site plan application was received on March 9, 2021 by the Secretary of the Planning Board for a Site Plan entitled Fisher's Landing Façade Modification.
2. It is the intent of the applicant to renovate the north facade of the existing 23,000 sf building including removal of a portion of the seam metal roof and conversion of the center element into a gable-end appearance.
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 27, 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 Town of Victor Code Enforcement Officer reviewed the site plan in a letter dated March 11, 2021, and provided comments.
7. The Architect Consultant reviewed the site plan and in a letter dated April 26, 2021, offered comments.
8. The application was referred to the Ontario County Planning Board under Section 239 of the General Municipal Law. On April 14, 2021 Ontario County Planning Board referred the application back to the referring agency as a Class 1.

WHEREAS, the Town of Victor Planning Board reviewed the Unlisted Action on April 27, 2021 and identified no significant impacts; now, therefore, be it

RESOLVED, that the project, Fisher’s Landing Façade 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 Paul Colucci of DiMarco Family Victor, LLC, Site Plan entitled Fisher’s Landing Façade Modification, drawn by DesignworX Architects, dated February 15, 2021, last revised March 23, 2021 (A100), received by the Planning Board April 9, 2021, Planning Board Application No. 08-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.

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	Aye
Joe Limbeck	Aye

Approved 5 Ayes, 0 Opposed,

WILKINS RV OF VICTOR SITE DEVELOPMENT

09-SP-2021

REMOVED TILL NEXT MEETING

7447 State Route 96

Zoned – Commercial/Light Industrial

Tax Map # 15.00-2-19.111

Owner – BLW Properties of Victor, LLC

Applicant is requesting approval to demolish the existing 13,318 sf showroom and construct a new 18,560 sf showroom that will be attached to the existing service building. The existing two entrance will be removed and a new consolidated entrance will be installed.

FINAL SUBDIVISION

WILLIS HILL ESTATES, PHASE 2(Formerly Anderson Subdivision) 06-FS-2021

1025 Strong Road

Zoned – Residential 2

Owner – Woodstone Custom Homes

Applicant is requesting approval to create 23 lots, including 1 flag lot, on the east side of Willis Hill Road as a cluster subdivision using Town Law 278. The phase will include approximately 32 acres of conservation easement in addition to the 49 acres created in Phase 1. This is the third step of a major subdivision.

Lucas Bushen of Marathon Engineering

Mr. Bushen – We were here two meetings ago. We introduced the project and talked about all the details and the offsite sewer components and how it relates to the overall development. Since that meeting we have had to table it at the last one and was still waiting on some comments. Today we have all the comments from the town and LaBella so we will just like to talk about a few of those.

The first one came up at the last meeting was the regrading of this slope on Willis Hill Road. There is a bank that sticks out next to the shoulder. We are proposing to push that back and to create an open shoulder so that you can have visibility down the road way and from both of these intersections. There are some concerns about the 1:1 slope proposed. What we did was went a consulted with a Geotechnical engineering. He had confidence in what we proposed given the conditions of the soils out there. The existing bank is at a slope greater than 1:1 and we are proposing to push that back. There was some concerns that came thru in LaBella's letter about the stability of a 1:1 after you regrade it. In conjunction with performing test points on site and consulting with our Geotechnical engineer and just understanding the town's concern we are proposing to lay that slope back to a 1:2. Cut that slope to something that is more manageable. This will conform to the recommendations of the geotechnical engineer. I talked with the engineer from LaBella today on the phone regarding that slope. The 1:2 is something that they are comfortable with as opposed to a 1:1.

I wanted to bring that up here at the Board meeting. That is something we are willing to change to make everyone more comfortable with this slope. I understanding it is right on the town right-of-way. It is adjacent to the road. Better safe on this situation.

There are two and understand that there may be a draft resolution on the agenda tonight. If the Board is interested in going in that direction I wanted to point out that there are two waivers we are requesting.

The first waiver is for the provision of the landscaping plan. How we typically handle these is we provide a note on the plans indicating the requirements of the tree caliper size, how many trees required for lot and those are provided as a condition for the building permit for each lot. That's typically how we handle it and how we handled it on Blumont. Rather than putting together a landscaping plan that really does not mean much until you go and build these lots. That is one waiver that we do not provide a landscaping plan rather that requirement is covered in a note and verified at time of Building Permit.

The second waiver that we are asking for is similar to what we asked for in Phase 1 of this project. That is for a waiver from the Conservation Easement requirements for the markers. I will bring up a figure that shows the dots that are the conservation markers as they are required per town construction standards. As is typical there is sometimes so interim markers that do not provide much benefit. These ones are floating out in the middle of the buffer area. This is a slope 35 feet above the lots and setback into the wood line. Some locations that will be useful in identifying the boundary of the conservation easement that is essentially what I am trying to do here by laying out with the black dots. The red dots would be markers we are requesting relief from. Interim markers that are required per the letter of the standards but it is something we are requesting relief from. We think the black markers are sufficient.

That is what I wanted to layout.

Chairman Santoro – Let's go to Wes. He wrote a substantial letter concerning these things.

Mr. Pettee – We only got our comment letter out recently on April 23. One of the bigger concerns as identified in the beginning of our letter was regard to the steep slope and the bank reconstruction along Willis Hill Road. You can see that right her on your screen. That dark shaded area. You have a lot of contours that are really close together there and as probably all of you Planning members know from deriving along this road that bank is right up against the side of the road and causing one of the obstacles here as part of the subdivision proposal is that it limits sight distance for the proposed intersections. One of the things that the developer has offered to do to resolve the sight distance issue that his proposed roadways create is to cutback that existing slope. I do recognize that Lucas did indicate that the existing slope there is steeper than what their proposed 1:1 slope is. We know that there is some existing vegetation on the existing slope that helps solidify and hold those slopes together. My understanding is that if we cut away that vegetation and might be in the geotechnical letter indicates those pieces of vegetation help hold those soils together and then it takes a long time to reestablish that kind of solid stability if that vegetation is removed. We did provide some comments on their proposed 1:1 slope. We did have some concerns. I reached to you one of our geotechnical engineers at LaBella Associates to get some expertise and evaluation of what was proposed initially. So there

was some concerns based on that we really didn't have any slopes stability calculations although they did do some soil testing of the soils out there. There were not any calculations to substantiate the proposed design and confirm that the design meets the minimum recommended factors of safety.

Those are our articulated in general in our comments letter. I have invited to this meeting tonight Tom from LaBella Associates to answer questions and maybe also provide a better characterization or more expertise in terms of how it was evaluated. LaBella we had done some initial investigation out here back when the town was considering the capital project to perhaps install a Gabion wall. It has been put on hold and currently there is no schedule or anticipated at this point.

That was one of the big concerns with the final subdivision. Sometimes we get the best type of details ironed out in the preliminary subdivision and did not get the opportunity to do that. Beyond that we have several sanitary sewer comments and are really just cleaning up notes and adding some detail technical items and do not see them as show stoppers for this project. We have spent a lot of time with the developer and design professional hammering out where the sanitary sewer line is going to go offsite if it is going to be placed under the roadway and all of that.

We did talk about the conservation easement markers and potential need for the waiver and on the landscaping plan. There is another item where there might need to be a waiver which I have drafted a resolution and incorporated some of these into the draft and talk about a little more. One of them is the lateral separation on Lot 204. That is the lot that has the long driveway and the laterals generally we require that the laterals be separated by 10 feet measured at the outside diameter of the pipe. There would be 10 feet separation between the water service and the sanitary lateral. There would be 10 feet separation between the water service and the storm sewer laterals as well. Regardless of whether it is storm or sanitary we generally require that 10 feet horizontal separation for those laterals. As you can see here in the center of the screen it mentions the utility laterals on 204 maintain 5 feet separation between each with the water and sanitary sewer having that 10 feet separation. It is identified as on center and that is my understanding of that notation. The other one is the same lot 204 that I have drafted a potential waiver for.

Mr. Bushen – To speak to that while you are pulling that up. We not had the chance to address that comment but the rest of your comments we are comfortable addressing and that was also echoed by the Water Authority. They wanted those redid. That comment is addressed.

Mr. Pettee – The other one is the memo from the Fire Marshal and I noted that in Section 1 you obtained a waiver for not requiring that 30 foot by 10 foot pull off for the driveway. For this section it would be Lot 204. DO you need a waiver for that as well?

Mr. Bushen – If that waiver does not apply to this approval then yes. I apologize. I did not understand that to be waiver. I and Robert Graham and Sean McAdoo talked and these driveways are to them the same as the driveways that were approved in Phase 1. These pullover lanes are less critical to them then the turnaround that were designed at the apron.

Mr. Pettee – There are some comments that are pretty easy for the applicant to resolve but we have Tom here from LaBella and wanted to turn the meeting over to him or the Planning Board to ask questions for that slope. I will go back to that slope on the roadway. One of the concerns that we have is if that slope were to fail during construction or several years down the road it could be ,more than just a headache for the town to clean up if that slumps off into the roadway. It could be a health and safety issue if someone is driving by and the unfortunate event that the slope fails. Potentially it could involve injury possibly deaths. We want to protect the town's interest and make sure that it is done in a safe manner and provide this resolves the sight distance issue as well.

Mr. Smith – I thank you for that but we should remember how that we are backing the toe of the slope up approximately 10 feet away from the road edge and currently it is zero feet away from the road edge. Clearly the safety margin is considerable greater than it is now and plus I do appreciate there is vegetation that is established there but if you recall this slope is at least 75 years old if not older. There is no indication that this slope has been sloughing into the roadway over the 75 years. I am sure those trees were not there when it was initially established. I understand someone mentioned about a hypothetical modeling based on soil characteristics but the modeling is there in person. This slope has withstood time for 50 -75 years and is considerably more vertical than what we are proposing. I would like to clarify that Lucas said that he spoke to an engineer at LaBella regarding the geotechnical and assume that is Tom. To clarify we are proposing to modify that slope to almost a mow able slope at 2:1. We consider a 1:3 a movable slope. That is clearly not going to risk anyone's safety with a 10 foot margin at the road edge. I think it was proposed initially that if there was any concern during construction that we could address it. I still think that is reasonable that you can do all the hypothetical research you want but in reality that slope has withstood time and we are going to considerable reduce it. During construction if it looks like it could be problem we have always been cooperative with the town and I agree we should vegetate it immediately. Get something more than grass roots involved. I think we are showing more alarm than is necessary. We will have a Letter of Credit if there is something that going to happen I suspect it will happen before vegetation starts growing on it. That is clearly within in our time frame of when our letter will stand. I hope we talk about now is what Lucas originally commented on that we are recognizing the concern and suggesting the slope be reduced even further in addition the toe of the slope is moved away from the road edge which in itself will provide a safety condition.

Mr. Zaso – If I could chime in. I would agree that from our stance that aslope that is 1; 2 as I mentioned with Lucas today that is ok with us and recommend that for cut slopes in general. As far as I am concerned that the toe is going to be moved back 10 feet I think it is an answer to this point. When it was proposed to be 1:1 even thou it is steeper than that now it is still kind of

incumbent on the stage holder to basically have the calculations performed to have that substantiation that the factors of safety are going to be what they should be from the engineering standpoint. It is important to do that to make sure that everything has been completed engineering wise and you are providing a safe circumstance. We felt that was not the case in regard to how it was originally presented. Since it is being proposed as a 1:2 the need to do those calculations we feel are not required at this point.

Chairman Santoro – Wes, was that your associate?

Mr. Pettee – That was Tom our Geotechnical Engineer from LaBella Associates. That is all I have for right now.

Mr. Harter – My comment would be on the one on two things. I am glad they are ok doing it and glad the geotech from LaBella thinks it is a good solution. The only question I had for Lucas regarding the landscaping plan. I understand that you do not want to do landscaping around new homes to be built. Is there any landscaping proposed for the storm water pond areas as part of the design of the ponds?

Mr. Bushen – These are infiltration basins so there is no landscaping proposed within them.

Mr. Gallina – I agree with Scott's comments. I think the 1 vertical and the 2 horizontal is a good resolution to that. That was concerning but I am much more comfortable now.

Chairman Santoro – You and I drive that way a lot of times.

Mr. Gallina – I think it will be a nice enhancement. Certainly a dangerous situation there.

Mr. Limbeck – I agree with Al and Scott.

Mr. Logan – I appreciated Tom's comments and I agree with them. I could agree with the 1:1 slope at all. I've seen slopes down from my house go right into the middle of Dryer Road so steep slopes and much rather see this one 1:2. That is all I got.

Chairman Santoro – We do not have a resolution tonight.

Mr. Pettee – I have prepared one with Kim. We did not distribute that with the Board and will be happy to share that on the screen.

Ms. Boughton – I did just send it to everyone's email.

Mr. Pettee – There is some colored text in this draft resolution and also it relates to the waivers we have been talking about. One of them Lucas indicated they are not seeking since they

resolved the issue with the lateral separations. We will review those. There is one condition that I need to add to the end of the resolution that we discussed at the last meeting.

RESOLUTION

Motion made by AL Gallina, seconded by Joe Limbeck.

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

1. A final application for a Cluster Subdivision was received on or about February 17, 2021 by the Secretary of the Planning Board for a Final Subdivision entitled Willis Hill Estates, Phase 2 (formerly known as Anderson Subdivision) requesting to subdivide approximately 55.6 acres into twenty-three (23) residential building lots.
2. The Sketch Plan for the Anderson Subdivision was deemed complete by resolution of the Planning Board on March 10, 2020 and a SEQRA Negative Declaration, as well as conditional preliminary subdivision approval, was issued by the Planning Board on November 10, 2020.
3. It is the intent of the applicant to create 23 new home sites on 55.6 acres for Phase 2 under New York State Town Law Section 278, Clustering Provisions, as well as pursuant to Section 184, Article V, Clustered Projects, of the Victor Town Code.
4. The Conservation Board reviewed Phase 2 of the proposed subdivision on March 2, 2021.
5. The Town Engineer, Labella Associates, has provided a comment letter dated April 23, 2021.
6. 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 for each family unit, in lieu of park land shall be paid to the Town before issuance of a building permit.
7. Pursuant to Section 27-8 of the Town Code, a one-time charge for new connections to the Consolidated District sewer collection system, shall be paid to the Town before issuance of a building permit.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board hereby issues a waiver to Section 1.11, Paragraph 4 and 1.11.1.5 of the Town of Victor Design and Construction Standards for the purpose of not requiring a separate landscaping plan within the plan set; and,

BE IT FURTHER RESOLVED, that the Planning Board hereby issues a waiver to Section 2.9.16.4 of the Town's Design and Construction Standards for the purpose of not requiring the construction of a 30-foot by 10-foot pull over for Lots 204 and 223; and,

BE IT FURTHER RESOLVED, that the Planning Board hereby issues a waiver to Section 2.9.13.3 of the Design and Construction Standards so as to allow strategic placement of conservation easement markers consistent with the graphic presented by Marathon Engineering during the April 27, 2021 planning board meeting, which includes a total of 13 conservation easement markers total, 6 of which would be positioned around the conservation easement located on Lot 223, and the remaining 7 markers to be placed along the conservation easement located on Lot 204 including at critical angle points with adjoining Lots 205, 207, 208, 210, 211 and 212; and

NOW, THEREFORE, BE IT RESOLVED that the final subdivision application of Jeff Smith, Woodstone Custom Homes, 15 Fishers Road, Suite 202, Pittsford, New York, Major Subdivision entitled Willis Hill Estates, Phase 2, drawn by Marathon Engineering, Dwg # CO.1 through C7.3, dated February 16, 2021, received by the Planning Board February 17, 2021, Planning Board Application No. 6-FS-2021, BE APPROVED WITH THE FOLLOWING CONDITIONS:

Conditions that must be met prior to the Chairman signing the 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 before the Planning Board Chairman signs the approved film original(s), the developer should submit two (2) copies of electronic files to the Town. Copies of electronic files shall be forwarded to the Town Engineer to confirm that the data on the electronic files is the same as the approved subdivision plans.
3. That Section 4 Standard Approval Conditions for All Subdivisions (Major & Minor) of the Design and Construction Standards be met.
4. That the comments in a letter dated April 23, 2021 from Labella Associates be addressed.
5. That Project Specific Comments in the February 19, 2021 Coordinated Fire Service review be addressed, so that final plans depict driveways that meet the criteria of the New York State Fire Code and Town of Victor Design and Construction Standards, with the exception of the 30-foot by 10-foot pull over requirement for Lots 204 and 223 where a waiver has been issued.

6. That the comments from Sean McAdoo, Code Enforcement Officer, dated February 26, 2021 be addressed.
7. That all conservation easement markers be shown on the final plans consistent with the graphic prepared and displayed at the April 27, 2021 Planning Board meeting.
8. That comments from Town of Farmington Sewer Department dated March 15, 2021 be addressed.
9. That comments from the Town of Victor Stormwater Program Manager dated March 19, 2021 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 Standards for Land Development, including Section 4.
2. Two-year maintenance bonds shall be provided by the Developer to the town for all improvements to be offered to the Town for dedication. Maintenance Bonds shall be written by a surety licensed to do business in New York State and they shall be in the amount of ten percent (10%) of the final construction cost, as determined by the Engineer for the Town.
3. That approved subdivision maps, including conservation easements, lot consolidations and lot line adjustments shall be submitted in digital format, AutoCAD 2002, or latest version, effective January 1, 2004 (per Town Board resolution #193 of June 23, 2003).
4. That a pre-construction meeting shall be held prior to the start of construction.
5. Should the Town of Victor choose not to participate in the transport of earth as part of the embankment modifications located adjacent to the east side of Willis Hill Road, the Applicant is obligated to complete the transport and disposal of embankment material that would result in improved and safe site distances for the proposed roadway intersections with Willis Hill Road for Phases 2 and 3 of the overall subdivision.

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

Chairman Santoro – Any questions or comments about this before we move forward?

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

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

Approved 5 Ayes, 0 Opposed,

WAIVER

MILLER SITE PLAN FIELD CHANGE

05-FC-2021

7835 North Road

Zoned – Residential 2

Owner – Bethany Miller

Applicant is requesting a field change for a waiver to the Design and Construction Standards to allow roof drainage to splash block instead of draining into a dry well. Per Town Design and Construction Standards 2.7.9.3, dry wells shall be used for disposing of roof drainage where storm sewers are not available and soil conditions are suitable.

Chairman Santoro – Anyone on the Board have any questions?

Board members had no comments or concerns

RESOLUTION

Motion made by Joe Logan, seconded by Al Gallina.

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

1. A Field Change Request was received by the Town of Victor on April 13, 2021 from Michael Sponable for Miller Site Plan, 7835 North Road.
2. The request is for a waiver to the Design and Construction Standards to allow roof drainage to splash block instead of draining into a dry well. Per Town Design and Construction Standards 2.7.9.3, dry wells shall be used for disposing of roof drainage where storm sewers are not available and soil conditions are suitable.
3. The Town of Victor Code Enforcement Officer reviewed the Field Change Request in a letter dated April 26, 2021, and provided comments.

4. The Town Engineer reviewed the request and submitted comments dated April 27, 2021, determining the change had minimal to no impact to the stream.
5. As currently depicted, the subdivision would require waivers to the following sections of the Town's Design and Construction Standards:
 - a. 2.7.9.3, Dry wells shall be used for disposing of roof drainage where storm sewers are not available and soil conditions are suitable.

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Planning Board waives Section 2.7.9.3 of the Town's Design and Construction Standards, so as to allow roof drainage to splash block instead of draining to a dry well for the Miller Site Plan, 7835 North Road, drawn by Green Land Surveying, dated October 15, 2020, last revised April 7, 2021.

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

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 8:42 PM

Lisa Boughton, Secretary