

A regular meeting of the Town of Victor Planning Board was held virtually on May 25, 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:

On motion of Joe Logan, seconded by Joe Limbeck.

RESOLVED that the minutes of April 27, 2021 be approved.

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

Approved 5 Ayes, 0 Nays,

CORRESPONDENCE:

Jack Nettleton re: Mooney Pool and Pool House

BOARDS AND COMMITTEE UPDATES:

Councilman Kahovec from the Town Board.

Councilman Kahovec – Prior to the Town Board meeting we had a workshop and talked and put the residential overlay that is currently in effect and potential adjustments to density levels throughout the town. LaBella had done a survey and a study and met with some people at town hall and took a look at the town and identified some areas that potentially could go from all over density to a higher density or from a higher density to a lower density. There is a lot of discussion around it and I think the Board landed on at the end that it will be on a case by case

basis as a developer, for example, looks at an area and thinks the density is not correct which I am sure several of them will think they need more density. They can appeal to the Town Board and see if we can work thru it that way. One of the things I was personally opposed to was seeing the big jumps from highest density to rural going down or going from least dense to higher. Part of the discussion around that was the fact was I do not think it lends itself to the way the neighborhoods or areas are currently to make that big jump all at once. There will still be more discussion about this and I am sure as we go thru it there will be developers that come in with properties they want to develop and going to look for adjustments to the density we will look at that. Again another part of that discussion is the sewer system and what does that mean for that if the density changes, do we have enough capacity and what is the future if we do that. As we know done the road you have to incur infrastructure charges to either upgrade pump stations or add additional lines or whatever. Still a bunch to be talked about. We left it as basically as a case by case basis.

Mr. Limbeck – Ed, if you leave it on a case by case basis won't you be setting precedent with the first case that you approve and have to follow that for everyone that comes down the road?

Councilman Kahovec – It could potentially be a slippery slope and that was part of the discussion but I think if we follow the Comprehensive Plan and look at that and then again look at it as a case by case basis on where it makes sense or where it doesn't. It is potentially you could run into some issues down the road. We are trying to keep the esthetics of the Town of Victor. One of the comments I made was that as you go down Boughton Hill Road and start heading towards Farmington and all the growth and the building that is going on there and we come from horse farms and rural type of land, you have the golf course, and all of a sudden you have these building developments. I do not know if in that part of town that is really what we want and the comp plan also said anything south of that route was supposed to be agricultural and rural. I think there is going to be a lot of back and forth on this.

Mr. Limbeck – Why not make a ruling now that strives with the Comprehensive Plan and what the developer make their cases for a variance?

Councilman Kahovec – Again, future discussion. We are still looking at it. I think because there is 10-20 different areas that were identified in this workshop that could potentially could change density wise so I think that looking at that and just adopted that, I do not think everyone was comfortable and maybe that is not the right answer. We deferred to the case by case basis.

Mr. Pettee – I would be happy to follow up a little bit on that just so the Planning Board has a bit more background on where Labella was coming from on these potential areas where residential overlays could change.

The Comprehensive Plan adopted in 2015 identified several areas on a future conceptual land use map where residential density and where the town felt that the town would want to accommodate some changes in residential density. As I mentioned some have indicated a decreased in density and some locations indicated an increase in density. Some of the conversations that have been

had are the town probably isn't willing to go thru and do all of those as a group. It is such a major change that implementing all of that at once they are not feeling quite comfortable doing that. The other thing is for those areas that were identified as a potential decrease in residential density it sounds like the town does not want to move forward with decreasing residential density due to concerns largely with impacts to property owners and there has probably been some folks that have maybe sat on their property for a while and maybe waiting to develop it or maybe they're not. Reducing the residential density kind of sounds like some folks around town are not up for that.

There are some locations on that future land use map where the town might want to consider moving forward in changing those. It looks like the Town Board might want to adhere to the component of the Comprehensive Plan and part of that future land use map but as Ed said there is more discussion to be had and want to be careful and not jump the gun and do a full wholesale change on the residential density.

Mr. Limbeck – Who is going to make that decision on changing the density? Is that going to be the Town Board as well on a case by case basis?

Mr. Pettee – That is a Town Board decision because it is a component of the zoning. You have two zoning maps. You have your regular zoning map and then the residential overlay map. That can only be changed by the Town Board. Certainly they have the ability to seek Planning Board input. Maybe at some point they might refer something to you guys for your input.

Mr. Logan – I just see this as real problem for the Planning Board to justify not allowing an increase in density in some areas without having the guidance of the Comprehensive Plan. For instance, we just went thru these the two subdivisions, the Anderson and the one by the stables on County Road 41, where they were going to try to swap to go to higher density at Anderson and we said no because it is 3 acres per house on the Anderson Subdivision and they are bringing in sewer lines. What is to say that someone couldn't come along and expand the sewer line even further south and go from 3 acres to 2 south of Boughton Hill Road and County Road 41? As long as there is no guidance for what we have to base a decision on whether or not to increase the density because I do not see it going the other way, how are we supposed to make a decision on that? I could see identifying areas that we would potentially reconsider the density but not just saying all right it is fair game anywhere in the town. That is my problem with it.

Councilman Kahovec – Just so you know the map that they devised and came up with for the workshop was not just anywhere in town but specific pieces of land that were identified as being moved from one level to a different level. It was colored coded for least density to highest, least density to medium density or medium to highest. Those would be the increased or potential increase. They also identified high density to rural, high density to medium and medium density to rural which would be the three that go the other way. Each one has its own piece or portion of property that was identified in this map and the plan for our discussion so it is not like the whole town is up for grabs.

Ms. Kinsella – It is in the Comprehensive Plan currently. Those maps are in the plan currently and those were the suggested and adopted into the Comp Plan by the town back in 2015.

Mr. Logan – So the map that Wes is sharing illustrates the point I just made about going to a higher density, west middle part of the town, but they could have come back and asked for a higher density even not offering to swap for the lower density on the stables on the south side of County Road 41.

Ms. Kinsella – Correct.

Mr. Logan – So everything else that is not shaded looks like would not even be considered an opportunity to increase density for instance. Is that what I am seeing Wes?

Mr. Pettee – That is correct. Only where you see the cross hatching is where the Town Board would consider potential changes in the existing residential density. For example, down here on the south side of town where you see the blue cross hatching, the town doesn't want to move forward with anything. The blue represents a proposed change to a less dense residential development. The current residential overlay zoning district allows for a certain density and these blue areas would decrease that density. It sounds like the Town Board does not want to go thru with that component. The only areas that they would consider are those that have the red cross hatched and pink cross hatching. Many of which have already been developed. For example, up here in the golf course, Dorchester Park, and these have already been developed.

Mr. Logan – The blue hatching at the south part of town, is that all right now in the least density or is it high density because it is on 444?

Mr. Pettee – It is kind of middle. I will bring up that map too so you can see. Residential overlay zoning map. This is the existing residential overlay map.

Mr. Logan – A is least dense, B is medium and C higher. If someone came in with and even thou the Board would consider reduction in density in B for instance along County Road 41, a density that met B do we even have the opportunity to say well we think it is too dense because even thou it is in the medium density zoning we think it should be a lighter density. Right now if that is the zoning we got to allow them that.

Mr. Pettee – Correct. You could tell them you feel it is too dense but they certainly have the right to propose a project and develop according to the existing residential overlay zoning map.

Mr. Logan – You really are not gaining anything here except that we think there are some areas that of not need to be as dense or rural as the y are because this this and that. Whether it is sewers, neighborhood character or traffic. There is no change in density to make it less dense.

Councilman Kahovec – That really was about land owners rights kind of thing. People have this property and been zoned that way for quite some time and now to make it less dense may not be a fair thing.

Mr. Logan – You are giving the people who have it in a higher density targets and opportunity to increase the density.

Mr. Limbeck – It seems that there are big chunks of the map where they are increasing the density which far outweighs any reduction and density that is proposed. If you look at the Comprehensive Plan the surveys that were done, people come to Victor for the rural nature of things and increasing the density of things loses the attractiveness of the town. I am looking at the south west corner of town with that huge tract of land where we want to increase the density in the southeast corner with another chunk. It does not seem that we are hanging with the spirit of the Comp Plan in a lot of areas.

Councilman Kahovec – That is good feedback and I will take that back to the Board.

PLANNING BOARD reported by Lisa Boughton

Tuesday June 8, 2021

PUBLIC HEARINGS

- Guinan Minor Subdivision, located at 6465 County Road 41, applicant is requesting to subdivide the 116.964 acre parcel into two lots. The existing home will consist of 5 acres and the remaining 111.964 acres will make up the second lot. Applicant is requesting a waiver from Design and Construction Standards.
- Champion Hills Country Club, located at 675 Championship Drive, applicant is requesting a special use permit to remove the conditions that require Champion Hills Country Club to remain a private club
- Keystone Novelties Fireworks Tent, located at 7161 State Route 96, applicant is requesting approval to set up a 20'x40' tent to operate a retail sale of sparkler products for the 4th of July holiday. Operating hours will be from 9am – 9pm increasing to 10 pm on July 2 and 11 pm on July 3 and 4 with someone on the property 24 hours a day.
- 1086 Strong Road Subdivision, located at 1086 Strong Road, applicant is requesting **acknowledgement of a complete application** to subdivide 34.9 acre parcel into 11 single family lots including an existing house and garage. This is the first step of a major subdivision and only acknowledgement of a completed application will be considered at this meeting.

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.

MOONEY POOL AND POOL HOUSE

13-SP-2021

7618 Arbor Glen Drive

Zoned – Limited Development District

Owner – Scott Mooney

Tax Map # 6.01-2-19.000

Applicant is requesting approval to construct a 400 sf pool house, a 40' x 20' pool with a 4' high fence.

Scott Mooney of 7618 Arbor Glenn

Mr. Mooney – We would like to build a pool house and pool and fence. I will turn it over to Marathon Engineering to talk about it a little more.

Mr. Winen – We are proposing to construct a pool and pool house. The pool itself is 40' x 20'. The pool house is 20' x 20' or 400 square feet. Inside the pool house is a small kitchen, lounge space and a bathroom with an outdoor shower. The pool house does not have any sleeping facilities in it. It is just for enjoying the pool and the outdoors. The water service to the pool house is $\frac{3}{4}$ service that is run directly from the existing house and tap off the existing service to the house. The sanitary service is going to connect into the existing onsite septic system. We did receive comments from both Code Enforcement and Labella. We sent over written response earlier today. We can dive into those a little bit more specifically if you have any questions on them. IN general we do not have any issue making the requested changes. I believe the big one is whether tying the bathroom and kitchen into the existing septic system would cause any overloading issues. We did the original design for the septic system and was designed for 440 gallons a day. There is a certain safety factor built into that where having a party or friends over wont overload the system. It is going back to regular use and give the system time to regress and recover. I think that was the biggest one or most concern. We at Marathon do not believe there is going to be any negative impact to the occasional gathering at the pool house. No different than having a New Year's party during the winter. It is not increasing the use just because you have a pool house. We can answer any questions or comments.

Chairman Santoro – Wes, you had some comments. Have they been addressed?

Mr. Pettee – We did provide a letter on May 19, 2021. Just in general I guess we noted that this project appears to be fully compliant with the existing zoning regulations. No zoning variances are needed. The applicant is adhering to all zoning requirements. Setback and everything. We did have a comment on the trench drain and that they are going to address that comment and the additional flows to septic. That was our major concern and it seems the written response back from Marathon today and will satisfy LaBella in terms of existing septic system. There is an easement at the back portion of this property. It is a stormwater easement. This project will not impact anything in that easement nor will it impact the easement itself. That is it for us.

Mr. Gallina – No concerns. I would just suggest the applicant look at the six and eight foot concrete areas that look to be on the drawing and while that seems like a pretty ample period once you put a six foot lounge chair on their it does not leave a lot of room to walk by. For personal experience you might want to consider at least one area to be wider than what is proposed there.

Mr. Mooney – there is pretty good section north of the pool house and pretty wide and would be used for lounge chairs and outdoor tables. There is an area for that and such.

Mr. Gallina – Is the intent to leave any soil created from the digging from the pool. IS that going to stay on the property?

Mr. Mooney – Yes it is. The pool house is raised up above existing grade, for two reasons, one to balance the site so we do not have to export any materials and also allows us to drain to the septic tank by gravity so we do not have to use a pump for that.

Mr. Limbeck – I do not have anything. Looks like a nice project and like the looks of the pool house.

Mr. Logan – I was reading the correspondence with the objections from the Nettleton's. It seems they do not have the information that they are commenting on regarding the look of the building. Seems like the architecture is nice for the house itself. They feel they are going to be looking at it instead of trees. I do not see a lot of trees in between the two houses anyways. I am not sure what there other objection is. I agree with what has already been said about the look of it and what they are proposing seems fine. I do not know if you folks have had a chance to look at the comments.

Mr. Mooney – We have not seen that.

Chairman Santoro – Do you know him?

Mr. Mooney – Yes we know them. He came over a couple days ago to ask what was going on and we explained it to him. We have spent tens of thousands of dollars planting trees on our property. There is large trees between us and part of our landscaping plan is to plant more trees for privacy and to also respect their view as well. The Nettleton's are a wonderful family and we

respect their opinions and hopefully we can do this respectfully if we are allowed to. Our pool house is on the other side of the property of where they are at. Not sure of how much they would be looking at. Our plans is to plant as many trees as we can.

Mr. Logan – Which is their property? East or west?

Mr. Mooney – Top of the page.

Mr. Logan – They are higher than you in elevations?

Mr. Mooney – Our backyard is almost in a big mound. It trails off on both sides. We are a bit higher elevations then them.

Mr. Logan – I do not have any objection to your application I just did not know if you had a chance to consider what they said.

Mr. Mooney – We did not get a chance to look at the letter.

Chairman Santoro – Can you put it on the screen for them?

Mr. Logan read the correspondence letter.

Mr. Logan – It sounds like you folks have planted trees between the two houses. Eventually they would grow up.

Chairman Santoro – They are referring to a zoning variance which this is not. A variance is not required.

Mr. Logan – they are making more of comment on the structure that you are duplicating other space would be the pergola. Probably their personal preference than something that is important to you folks. I do not see any issues in regarding it. They have done a nice job on the architect of the building.

Mr. Harter – A couple things. I think it is good if they are going to do more landscaping as they indicated they were. I think that shows good faith and responding to neighbors' concerns. The site according to Wes does not require anything and is code compliant. The only question I had concerning the septic system is there a reservation area for the septic system seeing as how you were the original designers and if there is capacity issue can that reservation area be used?

Mr. Winen – There was room as a part of the original approval required. The 50% expansion area of the septic system and that is further downhill. That area is not shown on the plans but it is there. There is an expansion possibility. We do not anticipate that being needed.

Mr. Harter – I have no more questions.

Ms. Mandrino – I wanted to mention that Jack Nettleton was signed on to YouTube and made a comment that he is a minimal distance higher than the Mooney's.

Mr. Logan – The houses are on similar grade or plane.

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

Mr. Logan – They were asking about the building height. They said it was going to be 20 feet or more. It looks to me that it is about 16 feet tall and have 8 foot walls and a 12:8 pitch. It is not going up for 10 feet for 10 feet. That's 15 feet. It is shorter than what they may have the impression of.

Mr. Mooney – We initially had something that was built much bigger and we told the architect you need to make it smaller. We do not want to have a big structure in the back yard. We did go back and ask them to make the roofline minimal. We were going to have a giant sea of hardscaping either. We appreciate our greenspace. We do not want to look back and see cement either.

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 April 21, 2021 by the Secretary of the Planning Board for a Site Plan entitled Mooney Pool and Pool House.
2. It is the intent of the applicant to construct a 400 sf pool house, a 40' x 20' pool with a 4' high fence.
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 May 25, 2021 at which time the public was permitted to speak on their application.
5. The application was deemed to be a Type II Action pursuant to Section 617.5 of the New York State Environmental Quality Review Act Regulations and classification as such concludes SEQR.

- 6. The Conservation Board reviewed the project on May 4, 2021 and stated a silt fence be installed.
- 7. The Town of Victor Code Enforcement Officer reviewed the site plan in a letter dated April 22, 2021, and provided comments.
- 8. LaBella Associates reviewed the site plan in a letter dated May 19, 2021, and provided comments.

NOW, THEREFORE BE IT RESOLVED that the application of Chin-Lin Ching and Scott Mooney, Site Plan entitled Mooney Pool and Pool House, drawn by Marathon Engineering dated April 20, 2021, received by the Planning Board April 21, 2021, Planning Board Application No. 13-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 the comments in a letter dated May 19, 2021 from LaBella Associates be addressed.
- 3. That comments from Code Enforcement Officer, dated April 22, 2021 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. Should an underground stream be encountered during construction, the Developer is to address the encroachment and impact to the underground stream to the satisfaction of the Town Engineer.

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.

WADE MINOR SUBDIVISION

140 Cline Road

Owner – Jane Wade

Tax Map # 1.04-1-3.510

02-MS-2021

Zoned – Residential 2

Applicant is requesting approval to create two lots from an existing parcel. Lot 1 will contain 4.765 acres with the existing residence and farm structures. Lot 2 will consist of the remaining 24.640 acres. Lot 2 will continue to be used for agricultural purposes and therefore applicant is requesting a waiver from Design and Construction Standards.

Ms. Boughton – I have tried to get a hold of him and I have no response.

Mr. Pettee – Ernie, I can at least give you my comments while we wait. Fairly minor straight forward subdivision of land. We just asked for the Design Engineer to add a note about the project also being in the Residential A Overlay District. It is an unlisted SEQRA action and as far as the waiver goes, generally we would want to see some sort of soil testing to confirm a lot would perc. In this instance they are creating a 24 acre lot and carving off an existing house and there will be 24 acres. A fairly sizable chunk of land and do not have any plans to develop it and continued to be used for agriculture. As far as LaBella is concerned we do not have any issues if the Planning Board wanted to issue that waiver for not require a soil testing or septic.

Chairman Santoro – Thanks Wes.

Mr. Harter – I do not have any questions or comments.

Mr. Logan – Looks pretty straightforward and do not have a problem with it. Pretty wide open land like Wes was saying.

Mr. Limbeck – Is it usual to approve something like this without a representative from the property?

Chairman Santoro – They are not required to speak. They made their presentation and limited to their corners of their application.

Mr. Limbeck – I do not have any questions. I am good with this.

Mr. Gallina – Generally speaking no questions or concerns. The only thing I am wondering is to be consistent and if I recall recently we had an application for a similar situation on Boughton Hill Road and we required the applicant to at least show a proposed drive to ensure that sight distance could be adhered to. If nothing else other than to be consistent between applications it would be my only ask.

Chairman Santoro – Is there a proposed drive Wes?

Mr. Pettee – There is no proposed access point to this parcel. If that is something the Planning Board wants to require we can have them graphically illustrate that on the Mylar prior to presenting a Mylar for signature. Have them locate a potential access point. It does not mean it is going to be constructed there and provide some sight distances with that particular point. I do not think that is unreasonable. It is probably something the design professional would be willing to do and would be consistent with previous practice.

Chairman Santoro – Is that ok Al?

Mr. Gallina- I am perfectly fine with that approach.

Chairman Santoro – Suzy any comments?

Ms. Mandrino - No comments.

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

RESOLUTION

Motion made by Joe Logan, seconded by Al Gallina.

WHEREAS the Planning Board made the following findings of fact:

1. An application was received on April 27, 2021 by the Secretary of the Planning Board for a Minor Subdivision entitled Wade Minor Subdivision.
2. It is the intent of the applicant to create two lots from an existing parcel. Lot 1 will contain 4.765 acres with the existing residence and farm structures. Lot 2 will consist of the remaining 24.640 acres. Lot 2 will continue to be used for agricultural purposes and therefore applicant is requesting a waiver from 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 May 25, 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 the New York State Environmental Quality Review Act Regulations and a Short Environmental Assessment Form was prepared.
6. The Conservation Board reviewed the Unlisted Action on May 18, 2021 and identified no significant impacts.
7. The Town of Victor Code Enforcement Officer reviewed the site plan in a letter dated May 25, 2021, and provided comments.
8. LaBella Associates reviewed the site plan in a letter dated May 25, 2021, and provided comments.
9. That 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 fee for each family unit, in lieu of park land shall be paid to the Town before issuance of a building permit.

WHEREAS, the Town of Victor Planning Board reviewed the Unlisted Action on May 25, 2021 and identified no significant impacts; now, therefore, be it

RESOLVED, that the project, Wade Minor Subdivision 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 for Section 1.2 requirements for subdivision of land including Section 1.8.3.1 for individual subsurface disposal systems; and, be it further

RESOLVED, that the application of Jane Wade, Minor Subdivision entitled Wade Minor Subdivision, drawn by Freeland-Parrinello, dated April 12, 2021, received by the Planning Board May 4, 2021, Planning Board Application No. 02-MS-2021 BE APPROVED WITH THE FOLLOWING CONDITIONS:

Conditions that must be met prior to the Chairman signing the minor 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 shall be forwarded to the Town Engineer's office to confirm that the data on the electronic files are the same as the approved subdivision plans.
3. That Section 4 Standard Approval Conditions for all Subdivisions (Major & Minor) in the Design and Construction Standards be met.

- 4. That the comments in a letter dated May 25, 2021 from LaBella Associates be addressed.
- 5. That the comments from Code Enforcement Officer dated May 25, 2021 be addressed.
- 6. The applicant shall be aware that approval of a subdivision does not mean that the parcel is an approved building lot. Site plan approval is required prior to it becoming a buildable lot and before a building permit can be issued. This shall be noted on the subdivision plan.
- 7. Prior to signing of the mylar that the potential access point with sight distances be added to the plan prior to signature on the mylar.

Conditions that are on-going standard conditions that must be adhered to:

- 1. That the minor subdivision comply with Town of Victor Design and Construction Standards for Land Development, including Section 4.
- 2. 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).

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

TABLED TILL JUNE 8 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.

CROWN CASTLE

795 Old Dutch Road

Owner – Global Signal Acquisitions LLC

Tax Map #14.02-1-6.200/TWR

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.

02-SU-2021

Zoned – Light Industrial

Chairman Santoro – They were here last meeting outlining what they wanted to do.

David Killion of Crown Castle

Mr. Killion – I think we were just waiting for the County Comments and LaBella comments and I do not think there was anything or action that I needed to take on those. It is a basic antennae upgrade.

Mr. Limbeck – The County had a couple of comments about limiting Access Management by formalizing a cross access easement property to the north and possibly eliminating the southern access point. They also asked about potentially frontage landscaping and desire urban spacing of plants. I do not know if you have had a chance to look at that MR. Killion but the County approved it and did have comments suggesting that those were opportunities to improve the site.

Mr. Killion – I did not see that in what I received.

Mr. Limbeck – I am looking at the copy of the comments and in our packet. They did have the comments.

Mr. Killion – I am looking at it and I was not sent that.

Mr. Limbeck – Down at the bottom of the page.

Ms. Boughton – Joe, I believe that is for Geneva Planning Board. If it is the one at the very bottom.

Chairman Santoro – For the record, what was being referred to was for the Town of Geneva.

Ms. Mandrino – No comments.

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

RESOLUTION

Motion made by Joe Logan, seconded by Joe Limbeck.

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

1. A Special Use application was received on April 15, 2021 by the Secretary of the Planning Board entitled Crown Castle.
2. Applicant is requesting approval modify existing wireless facility replacing and removing (6) antennae's, replacing (9) RRUs, Install (3) RRUs and install (3) cables.
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 and an Under Review sign was posted.
4. The Planning Board held a public hearing on May 25, 2021 at which time the public was invited to speak on their application.
5. The application was deemed to be a Type II Action pursuant to Section 617.5 of the New York State Environmental Quality Review Act Regulations and classification as such concludes SEQR.
6. The application was referred to the Ontario County Planning Board under Section 239 of the General Municipal Law. On May 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 special use application in a letter dated April 27, 2021, and provided comments.
8. LaBella Associates reviewed the special use application in a letter dated May 20, 2021, and provided comments.
9. The proposed use is designed and located to be operated such that the public health, safety and welfare and convenience are protected.
10. The proposed use will not cause substantial injury to the value of other property in the neighborhood.
11. The proposed use conforms to all applicable regulations in the district which it is located.

NOW, THEREFORE BE IT RESOLVED that the application of David Killion, of Crown Castle, Site Plan entitled Crown Castle, project located at 795 Old Dutch Road, drawn by Kimley Horn,

dated March 1, 2021, received by the Planning Board April 15, 2021, Planning Board Special Use Application No. 02-SU-21 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

DISCUSSION ITEM

THE FAIRWAYS PHASE 3

Town Engineer to discuss the intersection of High Street and Gillis Road.

Mr. Pettee – Maybe I will start with the SEQRA findings. I have some screen sharing to do as well.

As part of the SEQRA mitigation requirements for the Fairways project overall one of the mitigation measures that was required indicated that paving of the shoulder on the west bound Gillis Road approach to High Street could offer right turn movements while vehicles wait to make a turn left. This will be accompanied by some vegetation removal on High Street within

the right-of-way near this intersection. As you can see on the graphic on the screen the graphic on the left. North is to the right. High Street is left and right and if you are going to the mall it is to the right and if you're going towards the village it is to the left. Gillis Road is on the left and there is two lanes there currently. This Finding Statement was made in 2006 and conditions have changed on High Street since 2006. For example, one of the changes has been the High Street reconstruction project. As part of that reconstruction project High Street was widened in some places and I think there is a turn lane on High Street to turn onto Gillis Road. That also included some drainage improvements so now there are some drainage infrastructure under this intersection and there are some gutters that wrap around the corner on High Street and Gillis Road.

In order to satisfy that condition Passero put together that plan and I can share that restriping plan and some other things I will share as well. This restriping plan does not include any additional pavement. The finding statement was interesting because it did not require an actual turn lane. It did not specify that a turn lane be provided. It just said pave the shoulder with some black top to allow for cars to squeak by and turn right. Wade Daley, one of our roadway engineers here at LaBella and Mark Years they have looked at this restriping proposal and it is a little bit substandard. The turn lanes that have been provided here are ten feet wide. Industry standard is more about 12 feet wide turn lanes. They are a little short there. This restriping plan also takes away some shoulder width so restriping that roadway they are talking away areas for pedestrian and bicycle traffic that might be on those roadways. It is not the safest alternative. The stop bar isn't quite positioned the way we want to see it as well. We might want to see the stop bar be little more parallel with High Street rather than perpendicular to the Gillis Road area. We have talked it over with Mark Years, Wade Daley and there are some potential solutions to this. We do not hank this is the best solution. We talked with Mark Taryien a little bit and got his input.

We cannot ignore it and let it go away. This was a SEQRA mitigation item and something that needs to be addressed and we need the Planning Board decide on some options and make a decision or give some guidance to what you would like to see.. One option might be to leave the intersection as it is and sacrifice any level of service decrease as a result of this connection. This proposed restriping plan and proposed paving was done because of the new connection to Gillis. Championship Drive is going to loop from High Street all the way to Gillis. Phase 3 is right here and what this phase was going to do was going to connect to High Street and theoretically you are going to have more traffic coming out of High Street and maybe turning left or right onto High Street. First alternative that might be feasible would be to do nothing alternative and sacrifice the level of service and recognize that there may be some delays there. We did ask Mark Years as a general question if he has noticed any traffic backups at this intersection of cars getting stacked up due to volumes on High Street. My recollection was that he indicated there was not anything significant in his memory that really stood out to him. That is one alternative.

Alternative two, might be to do some sort of adjustment of this particular arrangement. Maybe it is repositioning the stop bar so it is a bit more parallel with High Street. The way they have got it here we would not want it constructed that way because if someone were stacked in the left

lane the person that was trying to turn right would have to pull out a little farther into the intersection to see to turn right and might actually be pulling into the travelling lane of High Street.

Alternative three, might be to do some additional paving around this corner along with maybe some restriping here to provide the 12 foot turn lanes. The existing conditions here as you can see is some light stone lined swale. Maybe to do some additional paving here and might involve some vegetation removal on this property. You have an adequate shoulder for pedestrians and bicyclist and that would provide some turn lanes.

The fourth alternative might be to do something like the mitigation requirement indicated and actually do some restructuring of this side of the road, the north side of Gillis Road. Probably would involve removing vegetation in this location. I think there is utility pole here as well. You have this utility pole here. I do not know if this one would be effected. You can see there is catch basin here in the gutter that wraps around there is another catch basin. Maybe do some reconstruction on this side of the roadway versus this side.

Those are four alternatives that we wanted to bring your way and get your thoughts on. We do not have to make a decision tonight. Maybe what we can do is I can list these alternatives and identify some pros and cons of each. Somehow supplement the SEQRA findings with the information that you guys have today given the changed conditions at this intersection. I do not know if this drainage was here previous to the High Street construction project. It may not have been.

I can find out for sure. I have the design plans that I can look up and reference.

Mr. Gallina – When did you see the SEQRA was done...2006?

Mr. Pettee –Yes

Mr. Gallina – That is 15 years ago. Would it be worth to do a mini traffic study of wait times at the intersection to see if anything is even warranted if it is a non-issue? That bolsters the case that 15 years ago we thought it was going to be a problem but guess what it is not.

Mr. Pettee – That may be. I could discuss that with Kim and town staff and maybe that is the direction that we give the developer is to do a mini traffic study and tell us what is going on her with anticipated traffic that might be coming out of the new Championship Drive connection and maybe that would tell us that nothing needs to be done.

Mr. Gallina – My sense is that the additional traffic off of Championship Drive adds then people are just going to go out the other exit. The existing exit onto High Street which is further to the south. They will natural come out at a more convenient location.

Mr. Limbeck – As a person that has been travel this street to the mall for about 28 years, if you could close in on that intersection where the car pulling out, motorists coming out of Gillis Road make some pretty poor decisions. Part of it is that the Stop sign is about even with the end of the double yellow and rear of that car. It often appears that cars are pulling out without having stopped at all. If we were to move that stop line or put one on the pavement and move the stop sign up 6 or 8 feet they would have a better shot at seeing the oncoming traffic. Right now if the stop at the stop sign the property below them blocks the view of oncoming traffic for making a right turn and going up the hill. If you look at the 85% speed of traffic on High Street is about 50 mph. There is a lot of braking that goes on when people pull out. I think by putting a turning lane next to that is further going to compound or opportunities for error because their visibility is going to be reduced. I think keeping it as a single lane and maybe moving the stop sign a little bit so that they have more visibility to their left before they turn right to go up that hill it will improve the safety of the intersection. Traffic the way it is I do not see a need for an extra lane/. I do not think it is that congested. I think we can improve the safety by moving the stop sign. Maybe take out some vegetation to the left of it so they can see little better. That is pretty heavily forested.

Chairman Santoro – If you can move the double line to the left of it that would force them to go 90 degrees to the traffic and have a better view.

Mr. Pettee – I see what you are saying.

Mr. Harter – I agree with Joe’s comment. I live about half mile away from the intersection and go thru there every day. I think the two lanes side by side at least it would cause people to compete for sight distance trying to pull out of there. Right now with the single lane it is more controlled. I agree with the vegetation issue. The people pull way out there because they cannot see thru it. They pull way out and passed the stop sign and there is no stop bar. I think adjusting the stop sign certainly putting the stop bar further out there are good things to do. I also agree with a traffic study. I do not think it hurts to get some back up and see what is going on out here 15 years later.

Mr. Pettee – When we were thinking of the vegetation removal which side of the roadway are you talking about.

Mr. Limbeck – Left side. What is happening is that when you are retaking a right hand turn to go up the hill if you cannot see well what is coming you are not getting any speed and the traffic coming from your left is going 50. There apt to pull out in front of traffic that typically exceeding the speed limit.

Mr. Harter – I think there is vegetation issue on both sides.

Mr. Pettee – This is great. This is the type of feedback I am looking for. Let me take some of these ideas back to Wade and Mark Years and also talk with Kim about having the developer do a mini traffic study and see what we can bring back to you.

Motion was made by Joe Logan seconded by Joe Limbeck RESOLVED the meeting was adjourned at 8:13 PM

Lisa Boughton, Secretary

