

A regular meeting of the Town of Victor Planning Board was held on July 27, 2021 at 7:00 p.m. with the following members present:

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

ABSENT: Scott Harter

OTHERS: Wes Pettee, Town Engineer; Councilman Ed Kahovec, Suzy Mandrino, Confidential Secretary to the Town Supervisor; Kim Kinsella, Project Coordinator; Scott DeHollander, Linc Swedrock, 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 Al Gallina.

RESOLVED that the minutes of June 22, 2021 be approved.

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

Approved 4 Ayes, 0 Nays, 1 Absent

CORRESPONDENCE:

There were none.

BOARDS AND COMMITTEE UPDATES:

Councilman Kahovec from the Town Board was not present

PLANNING BOARD reported by Lisa Boughton
Tuesday August 10, 2021

PUBLIC HEARINGS

- Auction Direct Auto Body Shop, located at 1093-1099 McMahan Road, applicant is requesting approval to remove the proposed stockade fence that was proposed between the residence and the shop on 1994. The residential house will be used for storage.
- Hines Pole Barn, located at 6700 Woodbrooke Road, applicant is requesting approval to construct a 35 x 60' pole barn for storage.
- Victor Health and Wellness Plaza, located at 7249 State Route 96, applicant is requesting approval to propose a change of use to convert the existing building from a grocery store to space for four individual tenant spaces.
- Southgate Hills Phase 2, located at East Victor Road, applicant is requesting acknowledgement of a complete application to develop under the clustering provision 29 lots on 58.3 acres.

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.

FRANK LILL & SON STORAGE YARD

785 Old Dutch Road

Tax Map # 14.02-1-6.200

Owner – Lill Power Development LLC

Applicant is requesting approval to construct a 2-acre outdoor storage yard at the east end of the parcel for storage of piping and fittings.

17-SP-2021

Zoned – Light Industrial

Steve Schultz of MRB Group

Mr. Schultz – I was not at the last meeting that was attended by Luke Lill one of the owners of the property. Unfortunately he is in Columbus tonight. They are there for their meetings. I do not think there is much more to describe than what he presented at the last meeting. It is a storage yard behind the building. Is about 2 acres. We had some comments from various departments and the Town Engineer. We have addressed them all and resubmitted plans and response letters to everything.

Chairman Santoro – We are pretty clear on this. Do you have any questions at this point?

Mr. Logan – I was not at the last meeting. I wanted to know if you could briefly review your application again.

Mr. Schultz – The building is here on Old Dutch Road. Storage building in the back and behind that there is an open grass area that they want to use for lay down material. They have pipes and fittings and all that and they store them back here now on the grass and they want to put gravel down. We mitigated the drainage from this flows on the northern half and we put in a stormwater management and we put in another one on the southern half. We submitted the SWPPP and NOI and all that.

Mr. Logan – This is adjacent to and you have a couple of temporary structures out there for storage but there already is a rectangular pad just south of that.

Mr. Schulz – Yes and we are including that in this application and started it a bit and needed space.

Mr. Logan – That was my biggest question was I do not recall looking at that piece of that in the past and I know that we approved everything up front and I have seen things being stored there year after year.

Mr. Schultz – When he came to me I didn't know. We did the front part about seven or eight years ago. He came to me and said we want, I think they were getting millings from Wegmans as they were redoing the parking lot and said what we need to do. You are going to need to go to the Planning Board to get this approved and they are going to treat this back area that was already started as new. We treated all this in the stormwater as new and that is why we are addressing and including it in the application as new.

Mr. Logan – You are formalizing what has already been done plus adding to it.

Mr. Schulz – Yes that was the intent.

Mr. Logan – That is good advice.

Mr. Gallina – No questions.

Mr. Limbeck – No questions. I am looking at the letters from July 23 and it seems to address all of the concerns that they have. I am fine with it.

RESOLUTION

Motion made by Al Gallina, seconded by Joe Limbeck.

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

1. A site plan application was received on June 7, 2021 by the Secretary of the Planning Board for a Site Plan entitled Lill & Son Storage Yard.
2. It is the intent of the applicant to construct a 2-acre outdoor storage yard at the east end of the parcel for storage of piping and fittings.
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 July 13, 2021 and July 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 Conservation Board reviewed the project on July 6, 2021 and stated no concerns.
7. The application was referred to the Ontario County Planning Board under Section 239 of the General Municipal Law on July 14, 2021.
8. LaBella Associates reviewed the site plan in a letter dated July 13, 2021, and provided comments.
9. The Landscape Consultant reviewed the site plan and in a letter dated June 21, 2021, offered comments.
10. The Town of Victor Fire Marshal reviewed the site plan and in a letter dated June 24, 2021, and had no concerns.
11. The Town of Victor Code Enforcement Officer reviewed the site plan in a letter dated July 2, 2021, and provided comments.
12. The Town’s Stormwater Management Officer reviewed the site plan and in a letter dated July 9, 2021, offered comments.

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

RESOLVED, that the project, Lill & Son Storage Yard, 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 Lill Power and Development, Site Plan entitled Lill & Son Storage Yard, drawn by MRB Group, dated June 1, 2021, received by the Planning Board June 7, 2021, Planning Board Application No. 17-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 July 13, 2021 from LaBella Associates be addressed.
- 3. That the comments in a letter dated July 9, 2021 from Stormwater Manager be addressed.

Ongoing conditions:

- 1. That the site plan comply with Town of Victor Design and Construction Standards for Land Development, including Section 4.

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

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

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

Approved 4 Ayes, 0 Opposed, 1 Absent

SCOUT PATH

Aldridge Road

Tax Map # 16.00-1-2.120

Owner – DeHollander Design, Inc.

Applicant is requesting approval to subdivide the 8.84 acre parcel into five building lots ranging in size from .813 acres to 5.09 acres. The home locations will be accessed via two shared common driveways. Sketch plan was acknowledged on February 25, 2020.

03-PS-2021

Zoned – Residential 2

Scott DeHollander of DeHollander Design

Mr. DeHollander – Good Evening. This plan that we are looking at has been modified I think since it was shown. We may have talked thru it a little bit at the last meeting and our intent is to take some of the advice that we had early on to what we are trying to pack onto that front lot. Recognize that actually had the more significant of environmental features and should be inside a conservation easement as opposed to some of the property in the back. Our proposal has changed relative to lot 5 and we have included that frontage area in what was previously lot 4 and we moved lot 5 to the back. The numbering sequence is probably a little off but felt it was prudent to keep the lot numbering that didn't change consistent. Hopefully that makes sense to everybody. Additionally at the last meeting we were requested to do a delineation. We did that. Last week the environmental consultant confirmed that there are no wetlands on the site but there is the intermittent stream that we knew about to begin with that is now delineated. Drainage area that is adjacent to that. We do not believe that is regulated but we will submitting this delineation to the Corp for their final jurisdictional determination.

At this point we are hoping that the Planning Board has enough information to start SEQRA and continue with the preliminary approval process.

Chairman Santoro – Where are you with the Corp right now?

Mr. DeHollander – We will have the final report on Friday. We will submit it to the Corp. The jurisdictional determination is really a formality. DO not have an estimate on how long it will take but we do have confirmation from three experts. Our professional opinion the environmental consultant and the biologist is that there are no wetlands on the site.

Chairman Santoro – Thank you.

Mr. Gallina – No questions.

Mr. Logan – Again, I was listening to your explanation of lot 5 from the last one. I was looking at the grading plan and as I recall from the previous meeting there was a real challenge on that slope and that is why you were pushing things to the bottom of the hill rather than where lot 5 is

now. I guess I am trying to get a sense of how steep that is and what you are planning to do to carve a house into that hill.

Mr. DeHollander – The scale of the plan makes it look steeper than it really is. The lines drawn there are about 8% grade. Less than 10 % and all our driveway grades are less than 10%.

MR. Logan - And the slope the house is cut into or filled against is that a 1 on 3 or a 1 on 4?

Mr. DeHollander – All the grading we are showing is 1 on 3. Proposed grading. More shallower I think there may be some 1 on 5.

Mr. Logan – I do not know if I have the same plan you do. I am more concerned about right around the house and how serviceable it is for lawn mowing.

Mr. DeHollander – 1 on 3 is rideable. 1 on 2 probably not so much. There is the opportunity to grade those in a way where I do not think maintenance will be a problem.

Mr. Logan – Right now is it wide open or are you clearing that out?

Mr. DeHollander – We do show a clearing limit.

Mr. Logan – It is back a bit. I was just curious of the character.

Mr. DeHollander – It is not mature. There is mature hardwood stand on the property to the west of us. The area that we leave in conservation easement is the steeper slopes and more mature trees. These are 3 to 5 inch caliper. There may be some larger diameter Ash trees that are dying. I won't say it is absent of anything larger than that but for the prominence of the trees are less than 5 inch diameter.

Mr. Logan – That is all I have got.

Mr. Limbeck – I appreciate the effort you have made and the revisions you made to the plans. Anytime we add to the conservation easement I am always happy.

Chairman Santoro – The public hearing is still open so if there is anyone from the public wishing to speak. Hearing nothing and we do not have a resolution tonight since you are still working.

Mr. Logan – Can we close the public hearing or do we leave it open?

Chairman Santoro – I would leave it open.

Mr. Pettee – I do have a couple questions for the developer. Scott we did get to take a chance to take a look at the updated plan. Could you describe where the drainage will be headed from the

driveway that heads deep into the lot to the back two parcels? It looks like the contours seems to direct the drainage straight down to the roadway but it is not clear to us where that is going.

Mr. DeHollander – The intent is to route it thru the pond Wes. With road side swales we would be bringing it to the pond. I can give you a specific routing when I submit my revised drainage calcs if that would be helpful.

Mr. Pettee – That would be helpful. It looks there is a little bit of grading proposed in the right-of-way and I do not know if that will cause an issue and it may not. Is that to allow for alignment for the culvert that would go under the driveway?

Mr. DeHollander – Yes, there is not much of a road side swale right there and what we are doing is capturing the roadside drainage and creating a pocket to transmit it under the driveway so we need to put a cover over the pipe. That is why you see three feet of grading there.

Mr. Pettee – I think something that would be helpful for us to move the preliminary forward even with SEQRA would be an updated Engineers report. I know I saw an email maybe where it indicated that you would provide a final engineers report but I think for the purpose of this design we would need a report that reflects the changes. The existing report that we have is from your original preliminary submission with the previous layout and we would appreciate the opportunity to see that report refined so that it specifically addresses this particular design and we have this information behind this design to substantiate action on this plan.

Mr. DeHollander – Sure we can have that to you by the end of the week.

Chairman Santoro - Okay. We will move forward.

Mr. DeHollander – Thank you.

KWIK FILL SHED

7453 State Route 96

Tax Map # 6.00-1-29.100

Owner – United Refining Holdings Inc.

Applicant is requesting approval to install a 10' x 12' shed at the Kwik Fill Station property for additional storage space. An Area Variance was approved on April 19, 2021 by the ZBA.

19-SP-2021

Zoned – Commercial/Light Industrial

Ginny Schaffer representing United Refining

Ms. Schaffer – Yes we are requesting approval to install a 10 x 12 shed on the side of the building. I know there was a comment from the Board for the pathway for the doors. We will have the door opening towards the side of building where there is a sidewalk right there. We will create the pathway to the sidewalk that is already there.

Chairman Santoro – The Board have any questions?

Mr. Limbeck – what sort of items will you be storing in there specifically any petroleum products?

Ms. Schaffer - No, it is more brooms and shovels and ice melt, windshield wash, antifreeze and none perishable goods. Nothing flammable.

Mr. Logan – No I think I am fine with this.

Mr. Gallina – I am all set.

Mr. Pettee – No comments.

Chairman Santoro – Before you built this new building there was a storage unit in about the same spot. Do you recall that?

Ms. Schaffer – No actually I do not. Had to be a long time ago.

Chairman Santoro – Anyone from public have questions or comments?

On motion of Joe Logan seconded by Al Gallina, 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 site plan application was received on June 15, 2021 by the Secretary of the Planning Board for a Site Plan entitled Kwik Fill Shed Site Plan.
2. It is the intent of the applicant to install a 10' x 12' shed at the Kwik Fill Station property for additional storage space.
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 Town Code.
4. The Planning Board held a public hearing on July 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 June 25, 2021, and provided comments.

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

RESOLVED, that the project, Kwik Fill Shed Site Plan 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 United Refining Company of Pennsylvania, Site Plan entitled Kwik Fill Shed, drawn by R.W. Larson Associates, dated 2014, received by the Planning Board June 15, 2021, Planning Board Application No. 19-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 comments from Code Enforcement Officer, dated June 25, 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. That a building permit be obtained for the shed 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	Absent
Joe Limbeck	Aye

Approved 4 Ayes, 0 Opposed, 1 Absent

CROWN CASTLE/T-MOBILE

06-SU-2021

914 Brownsville Road

Zoned – Residential 2

Owner – Crown Castle

Tax Map # 16.00-1-42.211/CRWN

Applicant is requesting approval to replace (3) antennas, ancillary equipment and install (1) new microwave dish. No tower height extension or compound expansion proposed.

Richard Zajac for Crown Castle

Mr. Zajac – To be a little more specific to expand on that. T-Mobile currently has antennae’s at the 120 foot level at the existing 140 foot pole. They are also proposing to install minor ground equipment on the existing equipment pad and equipment cabinets. No tower height increase and no ground compound expansion. This scope of work actually does classify as an eligible facilities request under section 6049 of the rules of the FCC.

Mr. Gallina – No questions.

Mr. Logan – No questions.

Mr. Limbeck – What is the size of the diameter of the microwave dish.

Mr. Zajac – 39 inches.

Mr. Pettee – Nothing from LaBella.

Mr. Roeder of Ravenwood Golf Club

Mr. Roeder – I wanted to make sure there is no tree work being done or any trees being touched. Color of the antennae is it matching the current antennae that you have and the microwave dish to. What is the approach of the service or if the service will be different.

Mr. Zajac – The intent for T-Mobile is to improve their service both signal and capacity. The data is the big driver of this so there is more capacity and less strain on the device so it works quicker uploading. Improving their services from those two standpoints.

On motion of Joe Logan seconded by Joe Limbeck, 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. A Special Use application was received on June 17, 2021 by the Secretary of the Planning Board entitled Crown Castle/T-Mobile.
2. Applicant is requesting approval to replace (3) antennas, ancillary equipment and install (1) new microwave dish. No tower height extension or compound expansion proposed.
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 July 27, 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 July 14, 2021.
7. The Town of Victor Code Enforcement Officer reviewed the special use application in a letter dated June 25, 2021, and provided comments.
8. The proposed use is designed and located to be operated such that the public health, safety and welfare and convenience are protected.
9. The proposed use will not cause substantial injury to the value of other property in the neighborhood.
10. The proposed use conforms to all applicable regulations in the district which it is located.

NOW, THEREFORE BE IT RESOLVED that the application of Richard Zajac, of Crown Castle, Site Plan entitled Crown Castle/T-Mobile, project located at 914 Brownsville Road, drawn by B & T Group, dated June 3, 2021, received by the Planning Board June 17, 2021, Planning Board Special Use Application No. 06-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.
2. That a building permit be obtained for the antennae's 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	Absent
Joe Limbeck	Aye

Approved 4 Ayes, 0 Opposed, 1 Absent

MARY HORNUNG WILDLIFE SANCTUARY SIGN 20-SP-2021
240 Railroad Mills Drive Zoned – Limited Development District
Owner – Gary Reif
Tax Map # 5.01-1-35.000
Applicant is requesting approval to install a 60" x 30.5" wide, custom routed shape sign with the proposed sign height of 60". The proposed sign will designate a nonprofit wildlife sanctuary.

Amy Catalano with Vital Signs

Ms. Catalano – This woman named Bobby Reif contacted us a couple months ago requesting we design a sign for a wildlife sanctuary. We did and here we are and see there are a lot of questions about this. One of the Code enforcement Officer and I can answer.

Chairman Santoro – Lets take them one at a time. First one is please describe the general intent of use for the property.

Ms. Catalano – It is private property and her second home is on that property. It is not open to the public and is just a sign honoring her mother. That is who Mary Hornung is. She just wants to show that she is preserving the wildlife around so development. She purchased that land so no developer would go in and disrupt it.

Mr. Limbeck – Any particular wildlife she is trying to preserve?

Ms. Catalano - I think mainly she is a bird watcher so I think it is birds and that sort of thing.

Chairman Santoro – Second one is, please indicate how any existing structure will be used?

Ms. Catalano – It is a private residence there and will not have anything to do with the Wildlife Sanctuary. It is really just a sign on private property. The use of that property is just private use.

Chairman Santoro – Please indicate the need for any additional parking.

Ms. Catalano – There is no additional parking. Not open to the public.

Chairman Santoro – That is the next question. Will the general public be allowed admittance to structures? If yes to what extent.

Ms. Catalano – I would say no unless they are invited over.

Chairman Santoro – Will there be restrooms facilities? Portable or other?

Ms. Catalano – No.

Chairman Santoro – IS this endeavor for profit or not for profit?

Ms. Catalano – Not for profit.

Chairman Santoro – Please provide any changes intended to the site plan. If it is going to stay the way it is that is your answer.

Ms. Catalano – It's going to stay the way it is. The only thing we would do is install the sign after we go thru the standard procedure of contacting dig safe but no other disruption.

Chairman Santoro – Lastly, is there a business plan?

Ms. Catalano – No there is no business plan. There is no business.

Mr. Logan - This seems to be more that it is intended to be a like a historical marker would be along the side of the road to identify.

Ms. Catalano – I guess you could say that. It is more of an in honor of her mother type of thing.

Mr. Logan – Is there intent at all to have information at the sign people or at least a website on there that you can go to learn about her.

Ms. Catalano – Not that I am aware.

Mr. Logan – It is an interesting request.

Ms. Catalano – She is an interesting woman.

Mr. Limbeck – have the neighbors provided any feedback?

Ms. Catalano – I do not know how close...I have not actually been out to the site but I haven't heard of any feedback or any objection. I do not know how close the next neighbor is in that area.

Chairman Santoro – Is anybody here on this project? I guess there is no objection.

Mr. Logan – How far off the road is going to be set?

Ms. Catalano – twelve feet.

Mr. Limbeck – You can tell me the rationale for the size...five feet by 30 inches. It is kind of big for a vanity sign.

Ms. Catalano – Well, that was her original request that size so we designed within that. I think she wanted something substantial. She did not want a little park marker. Are you saying that it may be oversized?

Mr. Limbeck – Curious. It seems large but I cannot put it in perspective with the landscaping around it and how it would actually appear.

Chairman Santoro – Not going to be lighted is it?

Ms. Catalano – Not lit. No internal or external lighting. Colors blend with the surroundings.

Chairman Santoro – Code Officer also adds that additional reviews by the Planning Board and the Planning and Building Department may be required. Please be aware that this may not be an allowed use by zoning regulations. Do they have to go to the ZBA?

Mr. Logan – It's a private use.

Mr. Pettee – I suspect that based on the answers that the applicant has given that the use is not a problem because it is remaining residential.

Ms. Kinsella – That is what Al was concerned about if it was going to be like the Autoban Society that is in that area also where people can go and walk the property and that kind of thing.

That is why he was asking those questions because we did not have a lot of information as to the purpose of the sign. She has answered those questions and I think we need to go back to Code Enforcement and let him know that. It's private and there is no public that is going to be on the property. If it was it would change and be a different application in addition to the sign.

Mr. Nankin – Wouldn't it to be advantageous to add to the sign that says Private Property? You drive by and say OH I want to go in and see what this is about. I just thought it would be good idea.

Mr. Logan – It does say private on it. That is why I said is it kind of like a historic marker. You could stand there and read it and say what is it all about and someone is going to knock on her door and say what you are doing. People can still pull in.

Ms. Catalano – She can say it is not open to the public but without taking away from the sign.

Mr. Logan – It's a nice sign but something you would expect for some place that would be open to the public.

Ms. Catalano – Maybe a secondary sign that says private property. Not open to the public.

Mr. Logan – That is telling people that it is not open to the public would be pretty direct. It is private and there is plenty of private organizations that allow people to come in.

Chairman Santoro – You could probably add it to the sign that you are proposing.

Mr. Logan – Say private not open to the public on the bottom line.

Ms. Catalano – I like that.

Chairman Santoro – Anyone else from the public have a comment?

Mr. Gallina – Only question is jurisdictionally is there anything even to approve here? Based on the answers to the questions it seems like not.

Ms. Kinsella- It is in the LDD and we cannot issue the permit without your approval.

Mr. Logan – We have had the public hearing and now no one objects and because it is in a LDD that is why we did all this. Is there anything else?

Chairman Santoro – Al will have to review it again because he wanted the answers to these questions. We cannot close the public hearing or issue a resolution this evening.

Mr. Logan – I say we could close the public hearing and act on it once we get Al's comments back.

Chairman Santoro – What is the Boards desire?

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

Mr. Logan – All we really need to do is pass on your answers to Al and perhaps with a resolution. When you come back next you can tell us what you are going to put on a sing that would be different than what you have now. The private part of it.

Ms. Catalano – Ok, come back to another meeting?

Ms. Boughton – I can place you on the next meeting if you send in written comments of what you just said and I can pass that along to the Code Officer. I can place you on the next meeting on August 10.

BENSON ROAD DECK AND FENCE

212 Benson Road

Owner – Danielle Gary

Tax Map # 5.01-1-38.200

23-SP-2021

Zoned – Limited Development District

Applicant is requesting approval to construct a 16 x 12 foot deck and a 388 linear foot fence. This parcel is located in the Limited Development District.

Jake as a residential contractor

Mr. Tillack – The applicants just recently moved from Texas. Being a new home they need to construct a new pressure treated deck, 12 x 16 and a fence surrounding the property that meets all setbacks and offset requirements. Anyone have any questions?

Chairman Santoro – Any comments Wes?

Mr. Pettee – Nothing right now.

Mr. Gallina – No just the question we had several pictures provided. Are they just samples of structures? Would this be a second floor deck as depicted?

Mr. Tillack – Yes it would be second floor deck the way the property is and construction the grading does flow towards the rear. It is a walk out basement. Directly above the walk out basement and behind the kitchen would be the deck. The 4 x 4 platform for the staircase would be on the right side as pictured. In the picture there is a step down onto the platform. It would be the same height as the deck and make a right hand turn and then descend down the stairs.

Mr. Logan – Pretty much these questions. Wanted to make sure that was your intent.

Mr. Tillack – That is a sample there as far as post we would have three posts, 2 by ten floor joists, 2 by 12 beams to meet all code requirements for spans.

Mr. Logan –Fencing. You talked about 300 so feet of fencing. I saw the plan you gave an outline for it. Type of fencing?

Mr. Tillack – Type of fencing would be pressure treated fencing. Your structural rails would be 2x 4 depicted is a 1 x 6. Same style and around 4 feet. It does not exceed the front of the house. There is some zoning that if you are further than the front it cannot be taller than 4 feet. As far as front elevation it should be between 42 x 48 inches with the steel wire. Esthetically it would be very pleasing.

Mr. Logan – Basically for animals or pets or kids?

Mr. Tillack – Pets, kids and outline of the property for containment and to have a boundary line.

Mr. Limbeck – They took care of my questions for me.

Chairman Santoro – I do not have any further questions either.

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

RESOLUTION

Motion made by Al Gallina, seconded by Joe Limbeck.

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

1. A site plan application was received on July 1, 2021 by the Secretary of the Planning Board for a Site Plan entitled Benson Road Deck and Fence Site Plan submitted by Danielle Gary for the property located at 212 Benson Road, Victor, NY.
2. It is the intent of the applicant to construct a 16 x 12 foot deck and a 388 linear foot fence.
3. A public hearing was duly called for and notice of said public hearing was published in “The Daily Messenger” and whereby all property owners within a minimum of 500-feet of the Site 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 July 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 Section 8 of 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 application and provided comments in a letter dated July 19, 2021.

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

RESOLVED, that the project, Benson Road Deck and Fence 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 Danielle Gary, 212 Benson Road, Victor, New York, Site Plan entitled Benson Road Deck and Fence, located in the Limited Development District, received by the Planning Board July 1, 2021, Planning Board Application No. 23-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 comments from Code Enforcement Officer, dated July 19, 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. That a building permit be obtained for the fence 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	Absent
Joe Limbeck	Aye

Approved 4 Ayes, 0 Opposed, 1 Absent

TARGET DRIVE UP EXPANSION

22-SP-2021

7500 Commons Blvd

Zoned – Planned Development

Owner – Target

Tax Map # 6.00-1-3.410

Applicant is requesting approval to create 24 new drive up stalls with no-parking access aisles for delivery of purchased items. The six existing drive up stalls will be removed. Applicant is also proposing to install 12 two-sided stanchion signs and one beacon sign and relocating a second beacon sign.

Ben Diskin of Kimley-Horn

Mr. Diskin – What you listed was correct. 24 new stalls so it would be a loss of six stall but we are well above the required stall count at this property. That should not be an issue. The twelve station signs and the additional beacon signs and the two light poles to light this area for safety of delivery of goods in the evening times. That extra light is not covered directly with the poles already there. They are a little bit lower to magnify where there will be a lot more pedestrian activity and is away from the Target entrance. It is a little extra safety measure. They are still designing when I initially sent in these plans.

Mr. Pettee – We did provide a letter last week. July 22. One of the questions I had asked is about the drive up beacon and the intensity of the LED illumination. My guess is that is not probably too significant.

Mr. Diskin – I have a sample here. It is pretty much like a headlight of a car.

Mr. Pettee – That would be great. The other comment is based on what he shared tonight if they are going to be adding some light poles I think we need to see those and at least have

Code Officer look at those to be sure they are code compliant with Chapter 131 of the lighting code. That was not part of the submission package that was submitted to LaBella. I do not know if the town even has that.

Ms. Kinsella - We received it today. Code has not taken a look at it yet.

Mr. Diskin – We just finished that design and why it was a last minute thing and did not know if it was even something I could present on.

Mr. Pettee – The other comments were basic stop bar detail and locating that on a different plan sheet and signature block. Nothing more substantial than that.

Mr. Diskin – I wanted to address to the code comment about the parking lot condition. I went out there today and generally not in the best condition but also our work is not replacing pavement in the general area of the drive up stalls and actually in good condition. We can work with the town on proposing asset management plan which usually comes every three years with Target. In terms of our scope of work it does not necessarily seem to apply.

Chairman Santoro – Is the parking lot Targets responsibility or another land owner?

Mr. Diskin – It would be Target and they have an asset management team that allocates budget for all their stores on a yearly basis.

Mr. Limbeck – I am trying to figure out where this is relative to the bottle return area and the team member drive up door in that same area?

Mr. Diskin – Yes, there is door right there and a ramp for the crosswalk. They can come straight out of that door. That is why we are adding the lights there too to get extra visibility. It is near the corner of the store.

Mr. Limbeck – You are going to expand that crosswalk as depicted? The stop sign typically sits on the sidewalk in front of the store and is ignored totally.

Mr. Diskin – We are going to put in an actual stop. We are going to put in a full-size one with a stop bar.

Mr. Limbeck – Similar to what you have at the main entrance to the store and will the employees have to traverse that landscaped area?

Mr. Diskin – Typically the same way you enter parking lot you would go around it and thru the no parking aisle to hand the goods to people or open the trunk.

Mr. Logan – It looks like you are replacing one light pole and adding two more?

Mr. Diskin – It is not a replacement of a pole but showing we are going to connect to that circuitry within that light pole and extend it to the other two from that existing pole.

Mr. Logan – I am looking at Google Earth and there is a light pole there. You are going to tap into that?

Mr. Diskin – The line comes down that row and we are adding two in between.

Mr. Logan – Are you updating all the lighting in the parking lot. Those are older fixtures and not full cutoff LED.

Mr. Diskin – We had not had that. We are trying to address the drive up area specifically with the new LED fixtures that meet the code requirements but necessarily the entire site.

Mr. Logan – I tell you what I tell everyone else. Make a plan to do that. I would not require it personally for this application but I think it helps the general lighting levels of the mall to have the full cutoffs and LED's. Seems to be a lower light level than it used to light up the clouds. You are adding two poles that are shorter.

Mr. Gallina – I am all set.

Mr. Pettee – I have taken a quick look at the photometric plan as part of this lighting plan. Does the illumination rating shown on this photometric plan include the existing light fixtures on the lot?

Mr. Diskin – No. It is just the new proposed. I do not think we have record of what those fixtures are to actually create the photometric for it. That is why we did the two new ones.

Mr. Pettee – I wonder if it is something the town has or maybe we have it in our office. Generally what we ask is to show the cumulative effect of the lighting because this is good and shows what the new light fixtures are going to illuminate but there is a cumulative effect with the existing light poles. I think we would want to try to find out what that is so that we do not exceed that intensity that is allowed in the code.

Mr. Logan – I guess it follows along with what I was asking about the lights. I think we do need see what light will be when you are done with it or if you have to change out those two tall fixtures with different fixtures to reduce overall light because you have added additional.

Mr. Diskin – So the question there is if we would do nothing the lighting would remain the same. If we are adding the two lights then that would require us to replace other lights on the site.

Mr. Logan – I think if you add those two lights and the lighting is too intense for those areas and part of the reason is because the other light fixtures adjacent to it are adding are already at their limit and might have to cut down the level of the light from the tall ones or some combination of it. It is your option to figure out how to make the lighting not exceed the town code requirements. If it involves replacing a couple fixtures in the area then maybe that is what you need to do.

Mr. Diskin – Is that something you think you might have on record or something we need to approximate as best we can? We have done that before but how accurate it is going to be cannot know for sure.

Mr. Pettee – I can do a quick search but my guess is we probably don't at my office have a record.

Ms. Kinsella – We may in our files.

Mr. Pettee - I would suspect in this particular area where you are adding the two light fixtures the intensity probably dims in the area because of where the existing light poles are. You're looking at this area and the light poles are out here so it makes sense that you want to put two shorter poles. As Joe said you maybe if it results in exceeding those foot-candle illumination levels that with the new proposed fixtures just a dimmer fixture.

Mr. Diskin – If you have something and if not we will approximate it.

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

Chairman Santoro – You may not have to come back for that.

Councilman Kahovec – I have a brief update. I am addressing it more to Joe since he had big concern when we talked about the whole overlay. There was a really good spirited discussion yesterday about some of your concerns especially as it relates to the whole town as opposed to the individual single. One of the things we came up with is there is one that is going to be approved on East Victor Road and the discussion was about another one that we are going to be petitioned to approve. I can tell you that in the discussion about the petition that two Board members said no and we talked to Frank who is our legal attorney and he said each one as an individual you can vote it down. You do not have to accept what they are petitioning you to do to change. Even though the comp plan makes that recommendation it is a recommendation. Just so you know there is some give a take and will look at each one individually but we are talking about it a lot. Especially last night at Town Board and your concerns are being heard. Everyone did read the minutes and thought it was very good. Again there is a couple that is coming up and

there was some discussion about tabling a discussion or voting. For future three or four boards down the road they should have that opportunity depending on how things look at the time. The Board really does not have the appetite to do that A to C, the big jumps. I think your concerns are being addressed.

Mr. Limbeck – I appreciate the feedback and pretty excited there is no unanimity on the Board and also very pleased that you sought Town Council feedback on establishing precedence.

Motion was made by Joe Logan seconded by Joe Limbeck RESOLVED the meeting was adjourned at 8:00 PM

Lisa Boughton, Secretary