

A virtual meeting of the Town of Victor Planning Board was held on August 23, 2022, at 7:00 p.m. with the following members present:

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

ABSENT: Scott Harter

OTHERS: Jeff Smith, Bob Bringley, Brad Humberstone, Matt Oates, Lynn Stewart, Keith McDowell, Councilman Ed Kahovec, Wes Pettee, Town Engineer; Suzy Mandrino, Confidential Secretary to the Town Supervisor; Kim Kinsella, Project Coordinator; Lisa Boughton, Secretary.

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

APPROVAL OF MINUTES:

There were none.

CORRESPONDENCE:

Dave Anderson re: Victor Square Retail Addition
Amy Bartell re: Maguire Parking Expansion

BOARDS AND COMMITTEE UPDATES:

Town Board representative Ed Kahovec was present.

PLANNING BOARD reported by Lisa Boughton
Tuesday September 13, 2022

PUBLIC HEARINGS

- Victor Square Retail Expansion, located at 4-20 Commerce Drive, applicant is requesting approval to construct a 4,000-sf building addition on the south side of the Victor Square Shopping Center. Applicant is also requesting a reduction in allowable parking from the Town Code requiring 270 spaces to the proposed 202 spaces.

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.

VICTOR SQUARE RETAIL EXPANSION

15-SP-202

4-20 Commerce Drive

Zoned – Commercial

Owner – Victor Square Retail LLC

Tax Map # 6.02-2-47.100

Applicant is requesting approval to construct a 4,000-sf building addition on the south side of the Victor Square Shopping Center. Applicant is also requesting a reduction in allowable parking from the Town Code requiring 270 spaces to the proposed 202 spaces.

Matt Oates of Benderson Development

Mr. Oates – I would like to share my screen please. We also have the next application on for Victor Crossing so I will discuss them both. We are requesting for 4,000 square foot addition adjacent to the Bassett. It was what we presented to the Board previously. As part of that expansion, we had discussions previously with the Board in regard to a parking lot expansion in this area and then modifying the entrance coming into Victor Square. What we are proposing to do is to have a 40 x 100 deep building expansion, there will be a front sidewalk and a greenspace area on the side with sidewalk along up by the parking stalls. We will have a single entrance that comes in and ties into the front drive lane. The second entrance that comes in and continues into the side of the building will be eliminated and instead we are proposing a parking field on the side. We are showing additional nine land banked parking spaces over here. At the last meeting we had requested that we show where the conservation easement was for Victor Crossing to show that we were not going to be impacting that. We have that added onto the plan here and then we are proposing to keep the edge of pavement and land banked parking off of the conservation easement for the future.

In addition, we are proposing to rework the parking a little bit up in here to gain approximately five additional spaces in the front of this area as well. In regards to a resident request we are also proposing to add additional trees in this corner of the site to provide additional buffering for the resident in this area. We are showing them in here but however we have on the plans to field locate them as best as possible to provide maximum screening in that area. The project covers Victor Crossing as well as the property line for the two splits in here. We do have a site plan application in front of the Board as well for Victor Crossing because this portion of the site is on the Victor Crossing site. As part of it we will also need a side yard setback variance from the Zoning Board due to the parking crossing the property line. We are requesting a zero-foot side yard setback variance as well. As part of that we would ask if the Board liked this design that they make a positive recommendation for the project to the Zoning Board of Appeals as well.

I think that covers it and is fairly consistent with what we have shown the Board previously. If there are any questions, I will be happy to answer them.

Chairman Santoro – Joe Logan you had some questions the last time.

Mr. Logan – I am satisfied with what you are proposing, and I see the banked parking over there. Does that require some rework of the new pavement you are installing?

Mr. Oates – No, the banked parking would be built off of the existing pavement that is there. I would say as we get into the construction there is probably a 50/50 chance, we decide we go forward and do it all now because after with the conservation easement it has become such a small section it does not make sense to put most of this in now and leave this small section. It is a good chance we will do most of it and would not require any rework if it was left and done in five years. We would build right off the edge that is there.

Mr. Logan – Okay, I am fine with this and the way you have modified it and with the extra parking in front. I am good with it.

Mr. Limbeck – I have two things. I like the fact that you are putting eight trees and you are going site them based on actually being on site. Are you going to coordinate with the property owner behind there or had you considered that?

Mr. Oates – We absolutely can. We can reach out to the property owner and if it winds up and we set eight and really their area couple other spots, like ten or eleven are needed, we will do whatever is needed so that it gets fully screened.

Mr. Limbeck – Are they going to be coniferous?

Mr. Oates- Yes, we will do that.

Mr. Limbeck - I saw a note from the Fire Department about the turning radius on the driveway. Have you had a chance to look at that?

Mr. Oates – We have looked at it and the turning radius should work. We will have Costich add in an actual turning template to the drawings set so that it may be confirmed by Wes and be part of the approved set.

Mr. Limbeck – Very good. I am good with the plan then.

Mr. Gallina – Nothing in addition to what Joe and Joe already covered. I am good Ernie.

Chairman Santoro – Scott is not here. Suzy, any comments from the public?

Ms. Mandrino – Ye there are. Dave Wright, says thank you to Benderson for opening the emergency entrance on Willow brook Road for access to Walmart and the plaza. Dave Anderson says what are the total number of parking spaces in this plan.

Mr. Oates – There are 217 total spaces and includes the nine future and banked spaces as well.

Chairman Santoro – That includes the one that are there already?

Mr. Oates – Yes, that would be the total for the overall site, 217 spaces.

Chairman Santoro – How many new ones are there?

Mr. Oates – The new ones on the side are 13 and six new ones in front and nine land banked spaces.

Ms. Mandrino – Then Dave Wright, says I assume that the trail will continue and where the new trees are proposed.

Mr. Oates – Yes, we will not impact the trail that is there. The trail will stay.

Ms. Mandrino – Then Dave Anderson has another comment, he would like to meet with the applicant to discuss the landscaping plan.

Mr. Oates – We're fine with that.

Ms. Mandrino – That is all the comments at this time.

Chairman Santoro – Does Mr. Anderson have your contact info to do that?

Ms. Mandrino – He did not but I will ask him for that.

Ms. Boughton – I have it and can send it to you Matt.

Mr. Oates – Thank you.

Chairman Santoro – Any other comments from the Board? There being none you still have to go to the Zoning Board of Appeals. Has this been to the County yet?

Ms. Boughton – Yes, you have County comments for the building addition.

Chairman Santoro – Are we in a position now to close the public hearing?

The Board was okay with closing the public hearing.

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

Adopted Ayes 4, Nays 0, 1 Absent

Mr. Logan – Ernie, do we need to at least make a comment to the Zoning Board about the approach the developer is taking?

Chairman Santoro – Sure, what comment do you have?

Mr. Logan – I would recommend that they grant the variance as requested.

Chairman Santoro – Anyone else of that same mind?

Mr. Gallina – I support the recommendation as well.

Mr. Limbeck – I agree.

Mr. Logan – We can forward the meeting minutes perhaps with that in mind. We do not need a special resolution for that.

Ms. Boughton – I can type up the minutes and forward it to them.

Chairman Santoro – That should do.

VICTOR CROSSING PARKING EXPANSION

23-SP-2022

4-20 Commerce Drive

Zoned – Commercial

Owner – Victor Square Retail LLC

Tax Map # 6.02-2-47.100

Applicant is requesting approval for site plan modification in connection with the proposed improvements for Victor Square Shopping Center. Additional parking, land banked parking and improved access between properties has been proposed.

Please see above discussion for this project also.

AUCTION DIRECT CHARGING STATIONS

19-SP-2022

6520 State Route 96

Zoned – Commercial

Owner – 6520 Rt 96 LLC

Tax Map # 28.02-1-52.100

Applicant is requesting approval to install (2) two public charge point dual port stations, a new utility pole and conduit at the pre-existing Auction Direct site.

Chairman Santoro – This application has been removed until next meeting.

EASTVIEW MALL CHARGING STATIONS

18-SP-2022

100 – 1020 Eastview Mall Drive

Zoned – Commercial

Owner – Eastview Mall LLC

Tax Map # 6.00-1-12.100

Applicant is requesting approval to install (20) twenty EV charging stations in the front parking lot of Eastview Mall.

Lynn Stewart and Keith McDowell, Livingston Energy

Chairman Santoro – Is the existing Tesla station in that vicinity?

Ms. Stewart – They are but they are on the island just below it. What we are proposing 20 EV charging stations running a total length of trenching to the area where we are going to be building a pedestal of 115 feet. The EV charging stations themselves are 4 x 4 with one-foot footings. They can lie within each other and dual port configuration. Essentially there will be ten units across these ten parking spaces feeding into the transformer and pedestal here. Any trenching will be refilled in with native fill possible gravel required and also any pavement trenching same refold and new asphalt and striping. I will be flush with the existing striping. Also, I believe the Board had gotten a mistaken copy of our plans. Look at page 3. Here is that overhead that was presented earlier. The stations are not that big and not going to take up a whole parking space and will fit within the line and run to this transformer right here. This is our bollard detail. It will be anchored by three embedment, and this is the pedestal. We will also have bollards and parks stops to make sure these stations do not get hit and have on both sides.

Here is our line diagram. We have our electrician and the pedestals themselves; I know there is concern about illumination, these will not be illuminated units. The only illumination that will come is a tiny LCD screen that will be so you can read how much everything is and how much you are charged. Questions from the Board?

Mr. Gallina – No questions. I will defer to Joe.

Mr. Limbeck – I am curious how you determined that 20 was the right number of charging stations?

Ms. Stewart – Given the increase in EV and also cost effective for the mall and the funding that they have, 20 was the number to have best return on investment and to serve clients as the use for EV grows.

Mr. Limbeck – That is my only question.

Mr., Logan – I had a question about if you are not lighting them is there a tall lighting in the area that would light it up?

Ms. Stewart – Right in this area there is already preexisting lighting and we do not want to add to the light pollution in the area, so we are going to be utilizing the lighting that is in the parking lot.

Mr. Logan -That is the only thing I had.

Chairman Santoro – Suzu, any comments from the public?

Ms. Mandrino – None for this applicant.

Mr. Pettee – We issued a letter yesterday and I think the applicant has responded with an updated drawing set to try to satisfy some of our comments. I wanted to go thru a few of our comments with the Planning Board so they could chime in. One of the comments is number 2, the disturbance area. We are looking for the plan to show and identify where exactly the disturbance would occur. Maybe the plan on the screen now shows the actual trench location.

Ms. Stewart – Whenever we trench the largest, we ever trench is 16 inches. Conduit now is super small and do not have to lay it down it as much and do not need that wide of berth to set it down and get it set and buried. That is what this line is supposed to represent.

Mr. Pettee – That is really the only disturbance area. I have a question with the plan I see here it shows an equipment pedestal that maybe was not on the plan that I was looking at.

Ms. Stewart – That was updated and resent yesterday. I did it when I received your comments and redid it. The equipment pedestal is not going to be shared with the Tesla at all and will be on the one adjacent and above it to the area where we are building.

Mr. Pettee – Is that going to take up any existing green space?

Ms. Stewart – No. It will go into a transformer.

Mr. Pettee -That is not going to be on the landscaped island and will occupy an existing parking spot?

Ms. Stewart – It will be in the landscaped island but there is already a power source there. We won't be disturbing anything that is not already disturbed.

Mr. Pettee – My next comment was about the charging pedestal foundations, and I think you had a sheet that showed your foundation there. My question was whether there was going to be a concrete footing for those pedestals to sit on? It appears the existing parking lot surface that the call out shows that dotted line and looks like it is going to rest on top of the existing asphalt and maybe secured by a three-inch embedded concrete anchor.

Ms. Stewart – Correct.

Mr. Pettee – Is that going to withstand the freeze thaw of the climate here and snow removal and that sort of thing.

Ms. Stewart – Yes it will. It will take that freeze thaw and also have a bollard in front of it as well that will be down past the frost line at 48". You have two-point s of protection and security.

Mr. Pettee – Not realizing that there was going to be bollards proposed as part of the project and they are not on this plan. Could you add bollard detail to the plan set and identify the depth and height. Pavement restoration sounds like you have addressed that. If you have a pavement restoration detail that would be helpful.

Ms. Stewart – Do you want that in written form or preferred in the plan set form?

Mr. Pettee – In graphic form please. The parking stop detail, maybe you won't need those parking stops if you have the bollards.

Ms. Stewart – We like to be as safe as possible. Once we get on site, we will be able to better determine but for now we try to include everything for safety purposes because we do not want these things knocked over.

Mr. Pettee – How are they going to be secured to the ground?

Ms. Stewart – Same manners as the anchor embedment.

Mr. Pettee – I think that concludes the more substantive components of Labella comments.

Mr. Logan – Wes, I have a question for you. The parking stops that are put in are obviously they do not take zero space and there is a distance from the EV charger, and they need to be placed. IF you have a large pickup truck that is getting charged like a F-150E, how is that not going to stick out into the parking drive lane if you have these. If you go to Home Depot every pickup truck sticks out into the parking lane. I am curious how that works here.

Ms. Stewart – That is why we are going to determine on site whether bollard or stop and or both are feasible. We will be going with one or the other and most probably be a bollard in this case. If we can do both, we will ensure that our first concern is to not cause more hazard. That determination of and also our pre site walk with our electrician and civil engineer show that if we were to be a bollard and stop that we would have plenty of space for it. Unless it was an RV supersized.

Mr. Logan – I just get concerned about the fact that the trucks can be quite large and if they back in how they charge, if it is nose in.

Ms. Stewart – They can charge almost anywhere. We have taken that into consideration and our initial measurements show that with both we should have four feet of clearance room if not more.

Mr. Logan -Thank you.

Chairman Santoro – Anything else from anyone? Suzy, any comments?

Ms. Mandrino – No additional comments.

Chairman Santoro – Do we feel comfortable enough to close the public hearing and hear the resolution.

The Board was okay with closing the public hearing.

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

Adopted Ayes 4, Nays 0, 1 Absent

Chairman Santoro – Wes, some of your comments have to be met still.

Mr. Pettie – If there is not a condition in the draft resolution, we can have it as one of the conditions.

Chairman Santoro – It is in the resolution.

Chairman Santoro read the draft resolution.

DECISION:

On motion of Joe Logan, seconded by Al Gallina:

WHEREAS the Planning Board made the following findings of fact:

1. A Site Plan application was received on July 19, 2022, by the Secretary of the Planning Board entitled Eastview Mall #20 Charging Station.
2. It is the intent of the applicant to install 20 electric vehicle charging stations on ten dual port configurations with protective bollards.
3. A virtual public hearing was duly called for and was published in “The Daily Messenger” and whereby all property owners within 500’ of the application were notified by U.S. Mail. An “Under Review” sign was posted on the subject parcel as required by Town Code.

4. The Planning Board held a public hearing on August 23, 2022, at which time the public was permitted to speak on their application.
5. The application was deemed to be an Unlisted Action pursuant to the New York State Environmental Quality Review Act Regulations and classification as such concludes SEQR.
6. The Town of Victor Code Enforcement Officer reviewed the site plan in a letter dated August 15, 2022, and provided comments.
7. LaBella Associates reviewed the site plan in a letter dated August 22, 2022, and provided comments.

WHEREAS, the Town of Victor Planning Board reviewed the Unlisted Action on August 23, 2022, and identified no significant impacts; now, therefore, be it

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

RESOLVED that the application of Livingston Energy Group, Site Plan entitled Eastview Mall #20 Charging Station drawn by Livingston Energy Group, dated July 13, 2022, received by the Planning Board Secretary July 19, 2022, last revised August 23, 2022, Planning Board Application No. 18-SP-2022, 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 August 22, 2022, from LaBella Associates be addressed.
3. That comments from Code Enforcement Officer dated August 15, 2022, be addressed.

Ongoing conditions:

1. That the site plan comply with Town of Victor Design and Construction Standards for Land Development, including Section 4.
2. That a building permit be obtained before the start of construction.

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

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

Ernie Santoro Aye

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

Approved 4 Ayes, 0 Opposed, 1 Absent

MAGUIRE PARKING EXPANSION (FORMERLY NEWTEX) 20-SP-2022

8050 State Route 251

Zoned – Light Industrial

Owner – Dixit Enterprises LLC

Tax Map #14.02-1-3.110

Applicant is requesting approval to construct a 9,400-sf parking addition, creation of a west façade entrance and a modification of the loading dock on the east façade.

Brad Humberstone of Mitchell Design Build

Mr. Humberstone – I am representing the owner Dennis Maquire of Maquire Family Properties for this project. Mr. Maquire purchased this property a few weeks ago and he plans to subdivide the building. As many of you are aware, Newtex occupied this entire building for the past many years, and they are relocating operations and only need a quarter of the building. Mr. Maquire is leasing and subdividing the space in tenant spaces. Newtex is taking one of them and he has four other spaces to divvy up. What we know now is that he has two currently in the works and two other tenants that are unknown at this time.

The bulk of this proposal is for a parking expansion on the west side of the building bordering Old Dutch Road. What we are looking for is a 9,400-sf paved area of asphalt for a tenant which will be landlocked and will not have access to the east side existing parking lot. There is loading docks on that side and the main entrance to the building is on that side and we are creating another small entrance to each of these tenancies all on the east side. The fifth tenant, which is about a 7,500-sf leftover space from all the other. They do not have any access to the east side parking lot, so we need some type in ingress/egress for this future tenant which is unknown.

The plan is to create a parking lot around 18 spaces or so and we are showing a minor main entrance because they will not be able to use the current main entrance of the building. We are going to add canopy to give it some language of a main entrance. Depending on the use whether it be some type of storage facility or distribution we will be adding some windows to the building at the southwest corner and Old Dutch and 251 intersections. There is currently a swale there which drains down around the front and back to a pond which is on the northeast side of the property. It works and has been approved and in operation for many years. Unfortunately the regrading requires us to remove some trees along with asphaltting the parking lot there is some mature spruce trees that are taking up that space and we have to remove some large mature trees as well as some shrubs and other small trees. The intent is to

maintain as much of that intersection and corner full of landscaping as possible. We do a pretty good job of keeping grade untouched and leaving that landscaping intact but along Old Dutch Road there is too much grading to really keep a lot of those trees. We are replacing it with some new approved.

The other aspect of this parking lot is that there is an 80-foot setback per the Town Code, and we are proposing that be reduced 50 feet so that we have roughly a 30-foot setback from the right-of-way. This coincides very similar with the parking lot across the street. The ingress into the parking lot off of Old Dutch Road is situated across from the entrance into the parking lot at Danforth. We think that is a good setup as well. We are only asking too to be no worse than the parking lot across the street when it comes to the setback reduction.

The last piece of this site plan proposal is modifying the overhead doors, the loading docks, on the east side of the building. These are barely visible from 251. It is just because of the breakup of the tenancies; each tenant wants to have their own loading dock. One of them is going to share with the unknown tenant. We are really just resituating these loading docks. We have to make the loading dock pit which is actually level with the parking lot so that it does not decline into the site at all. We really just have to expand that concrete apron for the loading docks by a little bit to fit 6 total loading docks.

That is the bulk of what we are proposing and what we are hoping to have approval for. We have had a lot of comments have tried to be diligent with my responses over the last couple of weeks and days here. I am happy to answer any questions.

Chairman Santoro – Any comments from the Board?

Mr. Limbeck – I am looking at the note number two from Labella about the existing mature trees and vegetation and I looking at your response. It shows good intentions, but it does not show a lot of detail. I am curious if you have had a chance to further explore what you would do in terms of improving the façade and taking a more detailed look at removing those mature trees since you wrote your response on the 12th of August.

Mr. Humberstone – Are you referring you to the architectural responses?

Mr. Limbeck – Yes and the general concept of that there is mature trees there that are currently screening and were probably put in place to comply with that Route 251 corridor and the removal of the trees would seem to indicate that given that the back of the building is now an entrance of sorts and highly visible that the design might need to be improved to make it more attractive given it will not be screened by the mature trees.

Mr. Humberstone – I guess the has this been explored further at this point, not entirely. It is hard to determine what it is that you are looking for. I know Mark Kukuvka from Labella had some comments and they were very pointed and very specific comments. It is hard to answer that not knowing what the tenant is going to be and what they are going to desire. I

understand where you are coming from and what is it going to look like from the outside and you might have a general idea of what it is supposed to look like, but I do not think it should be something so dominant that it confuses you. We do not want it to be to main entrances. We want it to be an egress. We want to make sure that there is a parking lot for convenience for whoever this small tenant is. We want there to be parking so they have access. It may only be one employee, but we are setting ourselves up to have some type of approval for future parking lot. I do not think it is a façade that warrants pillars or anything similar to Danforth or even the buildings further west down the street or the main entrance of the current Newtex building. It is hard to determine this at his point and Mr. Maquire is going to have budgetary concerns. It is hard to answer that at this point and understand that may be a sticking point in this whole thing and that is really why my response to Mark's comments were almost DBD. We don't really know. We are trying to do enough to give an appearance of an entrance, but I do not anticipate it being anything more than a canopy and some side lights and windows and bushes. Depending on who is occupying that space. We showed an overhead door and that seemed to be a little problematic and understood the questioning and what is going in there and what is using that door. We are not getting a tractor trailer in there. It was for any equipment that may have to come in and out of there because we are cutting up the building from the inside. We are trying to get some pieces in place for any type of future tenant whether it is a month down the road or six months down the road. It is hard to pinpoint that at his point.

Mr. Limbeck – I understand what you are saying, and I will be interested in your final designs when they are brought in front of us.

Mr. Logan – I echo a little bit about what Joe was saying about the view on that building and I think that we could probably manage it with landscaping the length of the building and not just in front of the parking lot. You are removing all these big trees and they cover up a lot of the façade and as soon as they are gone it will be obvious that you have a very long featureless façade. I think with some strategically placed clumps of trees it will mature to hide most of the facing on that building. I was looking on Google Earth, if you put trees in a cluster around the transformers that are further down, and the gas risers and pipe sit will eventually grow up to be what you have now. It looks like you will be removing most if not all of it. I would be most interested in seeing that taken as the approach to shielding the building rather than spending a lot of money on fixing up a façade. I think that might not make it economically sensible.

I do also have a question about the loading dock. How could you possibly access it? I assume if you just put box truck and put it down on a dolly and roll it in, I guess but I am trying to figure out why you need a 12 x 14 door.

Mr. Humberstone – That question was asked, and we have since revised the drawings to show a 12 x 12 door and realize there is efface at 14 feet and a band and do not want to get into efface repair. We lowered that door to a 12-foot door and give us plenty of room. There was

no intent to get a truck in and out of there. It was more for what it could be in the future. The parking lot will not allow a truck to maneuver.

Mr. Logan – The other challenge I had with this design was putting in an ADA ramp in the middle of the paving area at the loading dock on the opposite side. You are putting wheelchair or other ADA effected people in the middle of a loading dock. It seemed to me odd that you would not have the door and I am sure it is about how you are managing the space inside but take that ramp and door and push it up to the north end of the loading dock series. If you want to comment on that but it does not seem safe.

Mr. Humberstone – Do you have the latest drawings, Joe?

Mr. Logan – I have what is in our drobox last week. I am looking at sheet C.102 and is the enlarged loading docks showing the ramp going out and turning around again by the face of the building.

Mr. Humberstone – You are talking on the east side of the building.

Mr. Logan – It is the new man door between two northerly loading dock doors and the other two. You have a lot of loading docks there and now you put a man door and a pedestrian ramp and stairs in the middle of all that. I am sure you will get semis that will come in there.

Mr. Humberstone – That ramp is gone. We realized that will be a nightmare. It made sense in theory. We had a common entrance. We are going thru the permit process for interior design and has been submitted and have had comments on this. We are addressing that as well. This is a common entrance for three of the tenants and we knew we would need ADA access and there was no way to really get that. At first, we were dead set on this idea that there had to be a ramp and stairs there and then it came apparent that it was a terrible idea. It was not a good spot to be surrounded by 6 loading dock.

Mr. Logan – You get a demi on either side of that ramp it would make a not ideal location.

Mr. Humberstone – We did not know if it was going to double back on itself. We removed that and figured out ways with existing doors that are positioned all around the building to get at least one ADA entrance/exit at grade into each tenant space.

Mr. Logan – Do you have a new layout to share with us?

Mr. Humberstone – On the interior?

Mr. Logan – Yes, either. If it is interior and shows where the exterior access is that would be great.

Mr. Humberstone – I do not have interior drawings, but I do have how we are planning to extend the sidewalk. I apologize if you do not have these in front of you. We sent revised drawings on Friday. I can share my screen. On the detail number three at the east side enlarged site plan. That shows the ramp disappearing that was in the middle of the loading docks. We are showing now a new man door to the north. The north space is the new Newtex. We have a shove able path that rises up a couple of feet and easily achieves the 1 on 12 ADA. It is not great, but it certainly is way better than in the middle of a big loading dock area. There is already a couple of at grade and ramp entrances around the building that we did not really have to deal with and hard for you to follow when you don't know about the demising walls and how they are set up.

On the west side of the building, we extended the sidewalk from the proposed parking lot to hit a whole bunch of doors. That was the simplest way to do things to capture a lot of those grade doors.

Mr. Logan – It looks like you have been thinking about it and made some progress on that. I want to remind you that when we are doing building renovations the outdoor lighting needs to be brought up to the current lighting standards. The wall paks need to be full cutoff. I wanted to get that in there too.

Mr. Gallina – The only additional question I would have been that splitting this up into a multi-tenant situation, how are you being assured that the parking is adequate for three at this point unknown uses?

Mr. Humberstone – I guess good questions. The three known uses are really the main one which is taking up the southern most portion of the building. It is an assembly space. Light manufacturing, distribution is why they need a loading dock and some warehousing.

Mr. Gallina – If I could interrupt you. In an assembly type operation that could be very labor intensive with dozens and dozens of employees, or it could be a five-person operation. How do you make that determination that the parking is designed to be sufficient to meet an unknown employee population?

Mr. Humberstone – At this point without talking to Mr. Maquire about that it is a good question and I do not have a direct question on that one. I guess that is why we need a little more parking on the other side to make sure we have some additional parking.

Mr. Gallina – We went thru great lengths talking about the west side not having access to the east side, so you have to parking over there so the west side was for the west side tenant not for the southerly tenant. Now we are starting to mix and match our potential parking.

Mr. Humberstone – Essentially the tenant that only has access to the west side parking lot. There is another large tenant that has access to the main entrance off the east side and connects all the way back thru on the west side. There is another one that cuts thru the entire

building and the northern most tenant essentially traverses the whole building as well. There is only one tenant landlocked from the east side.

Mr. Gallina – So again, I am having a hard time making any type of determination that the parking that is designed is sufficient to meet the building occupants needs. Some type of additional insight that it will be adequate.

Mr. Humberstone – That is something that I will have to look at the code and try to run some numbers and see. I will talk to the owner and see if he has any more information about employee counts. I do not have that information right now.

Chairman Santoro – Anything else from the Board or public?

Ms. Mandrino – No new comments.

Chairman Santoro – You have some answers to get to us based on what happened tonight. You plan on having them by next meeting?

Mr. Humberstone – Yes. When is the County?

Ms. Boughton – September 14th. It will be rolled over to the last meeting in September.

Mr. Humberstone – This is a fast-paced project and Mr. Maquire needs site plan approval so I am pushing to get all of this done so it can go to County. I will have answers to you very shortly.

Mr. Logan – When does everything need to go to County?

Ms. Boughton – The County has it already.

Mr. Humberstone – Any other big comments? A lot of comments were focused on Old Dutch Road. Any major ones about the loading docks on the east side?

Mr. Logan – The only comments I had were about the ramp. Other than that, I do not have an issue with that side of the building.

Mr. Pettee – Question for you from our first comment from our letter of August 11th. The stormwater pollution prevention plan, I saw your response and sounds like you are working with a civil engineer. To bring the Planning Board up to speed. They are in the Irondequoit Creek watershed and the amount of additional parking area would require some post construction stormwater management practice and that is also a major component and not related to architecture or loading docks. Do you have any updates on that today?

Mr. Humberstone – I do. I do not have definitive memo or letter from our stormwater engineer. We dug out this drawing and from 1999. This building had a stormwater detention facility expanded. This is current. It is a massive hole in the ground. From all accounts this satisfies what was proposed from a future building addition which was a 49,000 sf of building and around of 70,000 sf of impervious parking on the north. This was all part of a master plan which is why this proposed detention facility was built. They did not go thru with the rest of the building expansion and parking expansion. Essentially Wes, to answer your question, from everything we are seeing from this point a 10,00sf impervious addition to this site won't do much to what was already calculated to go into this detention facility.

Mr. Pettee – I follow your logic there.

Mr. Humberstone – I measured all this, and it is huge and current.

Mr. Pettee – We will await your formal response on that. What you have articulated tonight seems to make sense but will wait for that formal response.

Chairman Santoro – Is everyone all set? We will table this to the next time they are here.

PRELIMINARY APPLICATION

SOUTHGATE HILLS PHASE 3

East Victor Road

Owner – BRW of Greece LLC

Tax Map # 28.04-1-48.000

Applicant is requesting approval for a clustered subdivision of 10 single family lots on a 11-acre parcel. This is the second step in a three-step process for a major subdivision. The Sketch Plan was acknowledged complete on August 10, 2021.

3-PS-2022

Zoned – Residential 2

Chairman Santoro – This application has been removed until next meeting.

PRELIMINARY APPLICATION

STONE BROOK SUBDIVISION

1403 East Victor Road

Owner – Bruce DeSimone

Tax Map # 28.04-2-62.000

Applicant is requesting approval for a clustered subdivision of 85 buildable lots on 100 acres in the Town of Victor with 15+ acres in the Town of Farmington for a total of 115 acres. This

2-PS-2022

Zoned – Residential 2

is the second step in a three-step process for a major subdivision. The Sketch Plan was acknowledged complete March 22, 2022.

Jeff Smith of Woodstone Custom Homes and Bob Bringley

Chairman Santoro – This has been before us several times. Where do we stand on this now?

Mr. Pettee – You might recall at the last meeting we began going thru Part 2 of the long form EAF and there was a couple of unresolved questions that we wanted to revisit at this meeting. I have prepared a more finalized Part 2 EAF and Part 3. I wanted to go thru a couple of the items on those and also have a draft resolution that would issue a neg dec if the Board so inclined to go that route. I would be happy to go thru a couple of these items. Before I start. One of the questions I still have outstanding and does not need to be resolved before preliminary. I know the applicant has been working with the land trust on the open space. My understanding with a meeting we had with the Genessee Land Trust or Finger lakes Land Trust several months ago was that they might draft a memo of understanding with the Town of Victor if they were to take over ownership of open space for this project. I think they were looking to have the Town of Victor participate in some way in the future recreation or some maintenance component or improvements for the open space. Whether they be trail related or picking up trash along the stream bank or that sort of thing. I do not know if the applicant may have anything further in regard to whether the Land Trust has drafted a memo of understanding for the Town of Victor yet.

Mr. Smith -As of yet no, although we have not pressed them for it. What we are working on right now is Marathon Engineering has requested a digital file representing what their desire was in terms of their trail development and I think it was brought up at the last meeting of what is behind lots 33-43 give or take, that they were going to develop a trail off of the Auburn Trail on to some of the slopes there and wanted that property to go with the Genessee Land Trust rather than be a n open pace conservation easement for the lots. We have no problem with that and have drafted a map for them and received an initial preliminary digital file and Matt Tomlinson asked for more detail on it. Our intention to configure the open space so that trail development is possible for them, and I think at this point I agree with you Wes, if that one initial meeting went all right and did speak of a memorandum and I am sure they could produce that quickly. I don't think from my recollection that not they wanted so much necessarily labor support as much as support for grant funding and things like that and felt that the town needed to be supportive of their efforts but not necessarily providing them working people to maintain the property. They hope to do that with volunteers and the trail people. I think we can certainly add that to their list and reasonable that any approval has to be that we follow thru with that, and everybody gets along, and the town is supportive of their efforts. If that is some kind of condition, we are not working fast on it, but we have kept it going in terms of they had to get it thru their Board, and we had to get the digital files and all that. At this point we are very close to having all of that in order within the next couple of weeks.

Mr. Pettee – Thanks for correcting me and now that you had mentioned that in terms of land trust looking for the Town of Victor support versus actually providing labor to do work out there. I think you are right.

I will just go back to part 2 of the EAF and one of the questions we had that we are looking for more information was in regard to a potential threatened or endangered species specifically the Twin Leaf and we did get a little bit more information from Marathon on that and were able to check in with some of the online resources that NYS DEC has.

I am going to dig into the narrative that will go along with the environmental assessment form and impacts on plants and animals. Down here we just noted that the Twin Leaf is a plant that is typically encountered near the bases of slopes that were created by a stream cutting down thru the bedrock. These stream cuts exposed a calcareous bedrock and soil preferred by this plant, most often these plants are found near the toe of the slope and could be present within the floodplain zone of these small streams. A few populations are known for more up-land settings associated with the calcareous soils. These populations trend to be much smaller.

We also noted that the NYSDEC Nature Explorer Map indicates the last documentation of Twin Leaf in the town was on the west side of the town in May 2008. These descriptions would be consistent with what Marathon has indicated to the Planning Board in the past and that the development will be concentrated and focused on an area away from these lower lines toe of slope locations and away from the stream so there is going to be no to small impact on the Twin Leaf as a result of proposed project.

Mr. Smith – Wes, could I also note that the vast majority of the project is in existing agricultural use as its has-been farmed repeatedly and not much of an area that we would be impacting that would even have an opportunity to grow this.

Mr. Pettee – At the last meeting we did talk about how this project was going to impact agricultural land. We found there would be an impact to ag land and one of the things we noted was that although it has been actively farmed in the past the proposed project is consistent with the existing zoning that is out there and also, we are not fragmenting a larger expanse of agricultural farmland in the town. In that regard that is another reason why impact to agriculture is not as significant impact in SEQR.

The other thing I wanted to bring up was in regard to traffic. We talked a little about traffic and I went back and looked at the Access Management Plan that Lorenzo and his group assisted in putting together for the town back in 2018. I looked at the average daily traffic volume on East Victor Road that you can see is right here. The project location is right here. This 1,180 accounts for the southern portion of East Victor Road and that is the annual daily traffic. That is traffic going both ways over a course of 24 hours. The northern portion which intersects 96 is 1,260 and we know based on SEQR guidance a traffic impact study would not be required unless the peak hour resulted in 95 or more vehicle trips, and they came in at 91. I Wanted to give some perspective and compare that 91 at the peak hour versus 1,260 or

1,180. It seems like we were recognizing, and we talked and discussed a little bit about someone waiting on East Victor Road to turn right or left onto Route 96. Maybe there is a little bit of delay there and not necessarily a failing situation but there is nothing there that the Planning Board would require at that intersection as a result of this project.

Do any Planning Board members have any questions on that? Part 2 we did finalize that impact on plants and animals, you might remember that we went through these paragraphs here and the information we have on the Twin Leaf we have indicated no or small impact. I think that was the last question. I did change an impact to agriculture resources paragraph B, we changed that from a moderate to large to a no or small impact and that was in regard to Joe Logan's comments that we are not really severing agricultural land with this.

Impact on historical and archeological resources. That was the last time that we needed to follow up on with Marathon. You might remember that Lucas at the last meeting indicated that he had a no impact letter from the SHPO which he did provide to the town and to Labella. Although there isn't an impact to historic or archaeological resources which is triggered by the CHRIS mapper, we have indicated they are no to small impact in that regard.

With that I do not have anything further but did draft a Part 3 of the EAF and this is drafted to be a Neg. Declaration should the Planning Board decide to go forward with that.

Ernie, I will defer to you and the Board to ask you if you have any other questions on SEQR or any questions for the applicant other wise I can go through this draft resolution that is on the screen.

Chairman Santoro – Any questions or comments?

Mr. Pettee read the draft resolution

DECISION:

On motion of Joe Logan, seconded by Al Gallina:

WHEREAS, on or about May 10, 2022, the Secretary of the Town of Victor Planning Board received a Preliminary Subdivision application entitled Stonebrook Subdivision (the "Project") proposed on the east side of East Victor Road and at the terminus of Sunray Crest Drive, Tax Map No. 28.04-2-62.000; and,

WHEREAS, it is the intent of Jeff Smith, Woodstone Custom Homes (the "Applicant") to develop 85 single-family residences using the Town of Victor's Clustered Subdivision provisions found in Article V of Chapter 184 of the Victor Town, where the residences would be clustered on approximately 50-acres of the approximate 115-acre parcel, 15-acres of the lands being located in the Town of Farmington; and,

WHEREAS, the Town of Victor Planning Board (the “Planning Board”) classified the Project as Type I Action under State Environmental Quality Review Act, pursuant to SEQRA’s implementing regulations, and initiated the Lead Agency coordination process by transmitting Part I of the SEQRA Environmental Assessment Form and project information to Involved and interested Agencies; and,

WHEREAS, the Planning Board declared themselves Lead Agency at the July 12, 2022, Planning Board meeting, as no Involved Agencies objected to the Planning Board being lead agency, or 30-days had passed since Part I of the EAF was transmitted to them;

NOW, THEREFORE BE IT RESOLVED, the Town of Victor Planning Board, as Lead Agency, has carefully reviewed the Project, Part 1 of the Long Environmental Assessment Form, application materials, public comments and environmental record concerning the Project, as well as completed the applicable Parts 2 and 3 of the Long Environmental Assessment Form and has not identified significant adverse impacts; and,

BE IT FURTHER RESOLVED that no potential significant adverse environmental impacts were identified with the proposed Project using the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3), and the Town of Victor Planning Board hereby finds and concludes that the proposed Project will not present a potential significant adverse environmental impact and hereby issues a Negative Declaration; and,

BE IT FURTHER RESOLVED, A Notice of Negative Declaration shall be filed and/or published to the extent required by the SEQRA regulations, this resolution has been prepared in accordance with Article 8 of the New York Environmental Conservation Act.

Chairman Santoro – Suzy any comments from the public?

Ms. Mandrino – There was. Dave Wright says he agrees with Mr. Smith regarding the GLT, and he also says VHT has identified Twin Leaf growing in the open space.

The Board was okay with closing the public hearing.

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

Adopted Ayes 4, Nays 0, 1 Absent

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

Mr. Pettee – I do not have anything else right now but with regards to this project we need to finish our review on the updated plan set to cross our T's and dot our I's to prepare the Planning Board for a potential resolution on the preliminary subdivision on an upcoming meeting. The ball is in our court.

Mr. Smith – Do you think that will be done prior to the next available meeting?

Mr. Pettee – That is the goal.

Mr. Smith – We will work to press GLT to have something prior to that time as well.

Motion was made by Joe Limbeck, seconded by Joe Logan RESOLVED the meeting was adjourned at 8:23 PM

Lisa Boughton, Secretary