

A public meeting of the Town of Victor Planning Board was held on October 12, 2022, at 7:00 p.m. with the following members present:

PRESENT: Joe Logan, Vice-Chairman; Scott Harter, Al Gallina; Joe Limbeck

ABSENT: Ernie Santoro, Chairman;

OTHERS: David Nankin, Skye Hansen, Greg Buntich, Amy Fisher, Tom Orr, Trevor Haut, Bryan Tempio, Scott Reinhart, Kenneth Fanton, Ed Morrell, Maura Steed, Jerry Knaus, Bill Keyser, Philip Nelson, Todd Markevicz, Peter Gorman, Doug Eldred, Steve Hesband, Juliann Nelson, Councilman Mike Guinan, 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:

Bill Keyser re: 1086 Strong Road Subdivision
Maura Steed re: 1086 Strong Road Subdivision
Sheila Chalifoux re: 1086 Strong Road Subdivision

BOARDS AND COMMITTEE UPDATES:

Town Board representative Mike Guinan was present.

PLANNING BOARD reported by Kim Kinsella
Tuesday October 25, 2022

PUBLIC HEARINGS

- Crown Castle, located at Benson Road, applicant is requesting approval to modify and upgrade equipment on an existing wireless facility.
- Royal Car Wash Site Modification, located at 607-609 Rowley Road, applicant is requesting approval to construct a 3rd stacking lane with pay island, 15 additional vacuum stalls and 5 employee parking stalls.
- The Fairways Phase 3 Lots 303 & 316, located at Championship Drive, Applicant is requesting approval for resubdivision of Lots 303 & 316 into 8 individual townhomes.

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.

CARRYOVER FROM 9/27/2022 MEETING

VICTOR CDR & JEEP CAR WASH

22-SP-2022

6484 State Route 96

Zoned – Commercial/Light Industrial

Owner – Victor East Holding Co.

Tax Map # 28.12-1-36.100

Applicant is requesting approval to install an 1,880-sf external carwash to replace the internal carwash stations that were approved for the new commercial building.

Trevor Haut of Passero Associates

Mr. Haut – We are here for the third time and hoping for approval with conditions that we answer the technical comments in nature. A brief summary, on September 27 we had our meeting, and we submitted our letter about the hydraulic capacity that was approved and postponed until tonight so we could get some responses to these comments. Last week we sent in some comment responses and some revised colored elevations as well as the revised hydraulic demand letter and answered the Architect comments and the Labella comments. In addition, we briefly answered by email the additional comments from Town of Farmington Construction Inspector and Code. Any questions?

Vice Chairman Logan – I know the Architecture was one element of this conversation. I saw two different architectural renderings in the information we have. One was split block full height and the other one was brick part way up?

Mr. Haut – Yes it was partway up then went to an insulated board exterior. It is the one that has colored and insulation board that we are going with. We matched the existing façade of the dealership.

Vice -Chairman Logan – Any questions from the Board?

MR. Limbeck – No, I drive by it every day and the building has come along nicely and looks nice. This is going to be screened from the road I do not think it will detract any of that. I will defer anything else to Wes.

Mr. Harter – Pretty much the same. I would look to Wes to make sure they produce the calculations they need to produce for the impact associated with the pump station.

Mr. Pettee – Our letter dated September 26, 2022, identified one of the topics being the sanitary sewer pump station 7 and its capacity and we asked the applicant to provide a plumbing plan as well as calculations for the proposed design, which they have done. We have taken a preliminary review of the information provided and things are generally acceptable however we would like more of an opportunity to finalize our review of that and we have done in anticipation of things being ok, we have drafted a specific condition as part of this resolution that we can review if you are comfortable in moving forward on the rest of the project. Based on the remainder of the responses besides PS7 they have satisfied those issues and we will take a more in depth look and I think we will be okay.

Mr. Gallina – I have nothing else.

Vice-Chairman Logan – Nor do I. I think we are in pretty good shape in terms of what we asked for and what you have provided.

Vice-Chairman Logan read the draft resolution.

DECISION:

On motion of Joe Limbeck , seconded by Scott Harter:

WHEREAS the Planning Board made the following findings of fact:

1. A site plan application was received on August 9, 2022, by the Secretary of the Planning Board for a Site Plan entitled Victor Chrysler Dodge Jeep and Ram Car Wash.
2. It is the intent of the applicant to install an 1,880-sf external freestanding carwash to replace the internal carwash stations that were approved for the new commercial building.
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-feet of the project 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 September 13, 2022, and September 27, 2022, 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 application was referred to the Ontario County Planning Board under Section 239

of the General Municipal Law. On September 14, 2022, Ontario County Planning Board referred the application back to the referring agency as a Class 1 and return to local board with recommendations of approval.

7. LaBella Associates reviewed the site plan and, in a letter dated September 26, 2022, provided comments.
8. The Town of Victor Code Enforcement Officer reviewed the site plan in a letter dated September 9, 2022, and provided comments.
9. The Town's Stormwater Management Officer reviewed the site plan and, in a letter, dated August 23, 2022, and provided comments.
10. The Architect Consultant reviewed the site plan and, in a letter, dated September 12, 2022, and provided comments.
11. There was a Coordinated Fire Service site plan Review on August 16, 2022, and had no comments.
12. The Town of Farmington Water & Sewer reviewed the site plan on September 28, 2022, and had no comments.
13. The Town of Farmington Construction Inspector reviewed the site plan on September 27, 2022, and provided comments.

NOW, THEREFORE BE IT RESOLVED that the application of Victor East Holding Company LLC, Site Plan entitled Victor Chrysler Dodge Jeep and Ram Car Wash, drawn by Passero Associates, dated September 2020, received by the Planning Board August 9, 2022, revised site plans received October 5, 2022, Planning Board Application No. 22-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 from LaBella Associates in a letter dated September 26, 2022, be addressed. Further, that no signature shall be provided unless LaBella confirms, via the submission material provided by Passero Associates, that anticipated sanitary flow volumes from the free-standing car wash do not exceed the flows from the Chrysler Dodge Jeep car dealership site plan that was approved in 2021 (Project number 26-SP-20). Should sanitary flows exceed what was previously anticipated in 2021, the applicant shall coordinate with the Town Engineer to resolve any sanitary system capacity concerns related to flows, so that the Town Engineer is satisfied that no adverse impacts to the system would occur.

- 3. That comments from Stormwater Manager, dated August 23, 2022, be addressed.
- 4. That comments from Code Enforcement Officer, dated September 6, 2022, be addressed.
- 5. That comments from Town of Farmington Construction Inspector, dated September 28, 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. The building design plan shall be consistent with the architectural/landscape details as shown on the elevations, entitled Victor Chrysler Dodge Jeep and Ram External Car Wash, and details as shown on the site plan drawn by ALA Architects dated April 4, 2021, received by the Planning Board dated August 9, 2022.
- 3. That a building permit be obtained prior to construction of the car wash.
- 4. That a sign permit be obtained.

Vice-Chairman Logan – Is there a need for sign on that building?

Mr. Haut – We should on the elevations an option to have signage.

Vice-Chairman Logan – It is not a public car wash, correct?

Mr. Haut – No, could that be bridge we crossed when we go to building permit?

Vice-Chairman Logan – If you are looking to put a sign on yes.

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

Approved 4 Ayes, 0 Opposed, 1 Absent

PUBLIC HEARING

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

CROWN CASTLE/T-MOBILE

07-SU-2022

795 Old Dutch Road

Zoned – Residential 2

Owner – Global Signal Acquisitions, LLC

Tax Map # 14.02-1-6.200/TWR

Applicant is requesting approval to replace and upgrade antennas and equipment on an existing wireless facility.

Bryan Tempio representing Crown Castle

Mr. Tempio – We are looking to swap out the existing antennas for newer from six to nine. That is, it.

Vice-Chairman Logan – I was not sure if you were raising the tower or just adding.

Mr. Tempio – Not at all. Taking the antennas off and put brand new ones of equal or lesser size and same exact site.

Mr. Gallina -No questions.

Mr. Harter – You look familiar, and I think we have seen you a few times. I do not have any new questions. Replace in kind correct.

Mr. Limbeck – All set.

Mr. Pettee – Nothing from Labella.

The Board was okay with closing the public hearing.

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

Adopted Ayes 4, Nays 0, 1 Absent

Vice-Chairman Logan read the draft resolution.

DECISION:

On motion of Scott Harter, seconded by Al Gallina:

WHEREAS the Planning Board made the following findings of fact:

1. A Special Use application was received on August 31, 2022, by the Secretary of the Planning Board entitled Crown Castle/T-Mobile.
2. Applicant is requesting approval to replace and upgrade antennas and equipment on an existing wireless facility.
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 October 12, 2022, 2022, 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 September 14, 2022.
7. The Town of Victor Code Enforcement Officer reviewed the special use application in a letter dated September 21, 2022, 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 Janet Spatafora, of Crown Castle, Site Plan entitled Crown Castle/T-Mobile, project located at 795 Old Dutch Road, drawn by Infinigy, dated February 9, 2022, received by the Planning Board August 31, 2022, Planning Board Special Use Application No. 07-SU-22 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 antennas 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	Absent
Joe Logan	Aye
Al Gallina	Aye
Scott Harter	Aye
Joe Limbeck	Aye

Approved 4 Ayes, 0 Opposed, 1 Absent

BUNTICH IN GROUND POOL AND SEPTIC

28-SP-2022

377 Bridlewood Lane

Zoned – LDD

Owner – Greg Buntich

Tax Map # 6.01-2-7.000

Applicant is requesting approval to relocate 5 leach lines in the septic leach field to provide more space to install a 16’ x 40’ inground pool.

Greg Buntich owner and Pete Gorman of Marathon Engineering

Mr. Buntich – We took a good effort to get all the measurements on the and to make sure we are adequate distance away from the leach lines and property lines.

Vice-Chairman Logan – Could you just explain the site and the challenges.

Mr. Buntich – The leach field was centralized to the yard. We could have snuck a pool in here but did not want to get to close to that property line, so the idea was to move five leach lines over on this side and keep two of the existing ones and create more area there for the pool.

Vice-Chairman Logan – Will there be hardscaping around the pool?

Mr. Buntich – It will probably be in the spring. A patio here and a stone walkway out to the pool area and then also included a possible enclosure for the filter and heater.

Vice-Chairman Logan – Is the septic tank up here?

Mr. Buntich – Yes.

Vice-Chairman Logan – You are retaining that and rerouting to the new leach field from there?

Mr. Buntich – Putting in the new septic tank to give us a little more room here in case we want to put a patio here. Where it was currently would have probably been okay but the recommendation from a lot of people was to give ourselves a little more area so that we could use that for patio or walkway.

Vice-Chairman Logan – You are putting in a new tank?

Mr. Buntich – So we are going to abandon the old one.

Vice-Chairman Logan – Is there a reason why you would not put it near the leach field on the downhill side?

Mr. Buntich – If we were to put the patio or any type of walkway, we do not want to go over the septic tank and seemed to be easier to put it there and connect and bring it down.

Mr. Gallina – I have no questions.

Mr. Harter – I do not have any questions.

Mr. Limbeck – Is it flat surface now?

Mr. Buntich – Yes.

Mr. Limbeck – Will you be doing any landscaping around?

Mr. Buntich – Possibly closer to the house but the hardscape would go leading out to the pool. Do you mean trees or shrubs? That would be down the road but not this year. It is not in the budget. Definitely near the house thou. We have waited on doing something around the house and probably have mulch and planters.

Mr. Pettee – Three quick comments one of which Marathon may be able to address. In regard to the relocation of the leach lines, is there a minimum separation distance between the leach line and the side lot line and are you meeting that requirement?

Mr. Gorman – Yes, it is 10-foot separation from your side lot line and the way we are showing it right now is 10.3 feet.

Mr. Pettee – There is one more. The version of the plan I was looking at but is there a diversion swale around the top side?

Mr. Gorman – Yes, we have diversion swale up there and is existing in there for the way the system is now. The contractor will need to pull it down a little closer to get it outside the fence line.

Mr. Pettee – The last comment is to add a north arrow and a signature block on the plan.

Mr. Buntich – We can get that over to you tomorrow.

Vice-Chairman Logan – This is a public hearing. Anyone from the public?

The Board was okay with closing the public hearing.

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

Adopted Ayes 4, Nays 0, 1 Absent

Vice-Chairman Logan read the draft resolution.

DECISION:

On motion of Al Gallina, seconded by Scott Harter:

WHEREAS the Planning Board made the following findings of fact:

1. A site plan application was received on September 21, 2022, by the Secretary of the Planning Board for a Site Plan entitled Buntich In-Ground Pool & Septic.
2. It is the intent of the applicant to relocated 5 leach lines in the septic leach field to provide space to install a 16' x 40' in ground pool.
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 October 12, 2022, 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 October 4, 2022, and provided comments.
7. Labella Associates reviewed the site plan in a letter dated October 12, 2022, and provided comments.

WHEREAS, the Town of Victor Planning Board reviewed the Unlisted Action on October 12, 2022, and identified no significant impacts; now, therefore, be it

RESOLVED, that the project, Buntich In-Ground Pool & Septic 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 Greg Buntich, Site Plan entitled Buntich In-Ground Pool & Septic, located in the Limited Development District, received by the Planning Board September 21, 2022, Planning Board Application No. 28-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 comments from LaBella Associates, dated October 12, 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 for the pool prior to installation.
3. That a building permit be obtained for the septic modification.

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

Approved 4 Ayes, 0 Opposed, 1 Absent

VALVOLINE

26-SP-2022

7503 County Road 42

Zoned – Commercial

Owner – 7503 Main Street, LLC

Tax Map # 6.00-1-27.110

Applicant is requesting approval to demolish the existing building (formerly Denny’s Restaurant) and build a 2, 080 sf Valvoline Instant Oil Change.

Todd Markevicz of APD Engineering

Mr. Markevicz – We are here tonight to propose Valvoline Instant Oil Change facility. We are seeking site plan approval and a parking waiver. We are not proposing the required number of stalls for the zoning ordinance. We are a little shy of that. AS most of you know the site is located at the southwest corner of Main Street Fishers and Route 96. It is approximately 1.4 acres in size and zoned Commercial. It is the former home of Denny’s Restaurant. That building has been vacant for some time now and looking to reuse that. What you see in front of you here and on the screen is an aerial overlay of the existing conditions with the proposed conditions superimposed so you can get a magnitude of the project in relation to the existing site.

The scope will be including of the razing and rebuilding of the building. We will remove basically all of the existing asphalt there and the intent to reuse a number of the utility infrastructure and drainage. With that I will turn over this presentation to Skye and she will go thru the proposed features of the building and site and then we can talk about the building itself and go thru some of the comments and no that not all of them have not been received.

Skye Hansen of APD Engineering

Ms. Hansen – Up on the screen you can see the demo plan. We are removing the existing Denny's and asphalt. We are replacing all the asphalt on site and are reusing some of the utilities as water, sewer and stormwater and existing detention pond across the access road. You can see from this exhibit here that we are decreasing the impervious area by 28%. It is a lot of area that we do not have to redesign this detention pond for and can reuse that. The actual Valvoline building is 2,080 sf and has three service bays and 11 parking spaces which are going to be used for just employees. You do not get out of your car at this site and sure you have all been to one at some point. You go in 15 minutes max service. People are in the basement working on your car, so we do not need all that parking.

This is the landscaping plan and will have more lawn area and need landscaping to fill that. We had a landscaping consultant design a landscaping plan and with that we are removing some trees that are not in good conditions and invasive species.

Mr. Markevicz – One of the positive aspects of this particular is the reduction in the impervious surface. It is not often we see projects that have reuses that provide a benefit not only to the aesthetics of the area but also with the stormwater quantity as well. As Skye mentioned the intent would be to utilize all the existing stormwater infrastructure. The pond was built to accommodate the amount of impervious that is there to date. The Board is also aware of the application of Delta Sonic, and we are in possession of those plans and the work stops before their work begins. We have coordinated some of those aspects to have a combined project.

With the added greenspace we done significant amount of landscaping on the site. Obviously, some of the existing landscape that is there will be ripped out or trimmed up. Utility wise we are looking to reuse the existing mains and would tap in with new services. The building itself has three service bays and pretty typical if you have seen this type of building. As shown on our site plan we are showing nine vehicles queued up, obviously three more vehicles can be in the building itself.

Traffic wise I do not know if this Board had anticipated as part of Delta Sonic the overall traffic in the area which I know is somewhat of a concern but in this case, we are looking at five to ten vehicles max per hour. It is not a significant traffic generator.

With respect to the building, you should have received colored elevations. You can see there is a lot of tans and browns that have been incorporated into the building. The logo itself is red, white and blue. We are proposing three building signs with one on each of the main facades. One of the comments was referring to that. We will not be making the signage application the sign vendor will do that. We have some sample boards here to show colors. Very monotone building that we believe will fit in very well. Any specific questions?

Vice-Chairman Logan – Start with the Board?

Mr. Limbeck – I have a few at first glance. I like the renderings of the building and good start. I am also happy that you are removing the invasive spacious and phragmites. You are removing

them by hand methods only and I have been doing that on my property and they come right back so how do you eradicate them long term?

Mr. Markevicz – This would be maintenance of the overall property and no different then the town has criteria for stormwater maintenance. It is something that will have to be maintained and the owner will have to be aware.

Mr. Limbeck – I was hoping you had a secret that would help me. What kind of traffic counts are you anticipating?

Mr. Markevicz – Not every high, the max being somewhere between five and ten per hour. We are not looking to generate a ton of traffic. It is spread throughout the day. Their typical hours of operation is 8 am till 7 pm. They will get a decent amount of traffic early morning and around lunch hour and at end of the day.

Mr. Limbeck – As I am approaching from either direction on Route 96, I am going to see some sort of signage on the building but is not going to be necessarily clear to me how I am going to get in there. It would be instinctive to come up Main Street Fisher and try to come in and as we know that is a right in/right out. How are we going to indicate to folks that they get to your property? They will have to primarily enter from Route 96. I have seen signage up by the old Alex and Ani where it is a low-profile sign and lists all the business in the complex. I am curious if you have given any thought to how people are going to know how to get into your business.

Mr. Markevicz – We have given it some thought and obviously we are going to have signage, so you know it is there. As you mentioned with the new proposed right in/right out that does present some sort of challenge to get any traffic from entering that direction. Thru the use of signs would be the best mechanism. I think Valvoline no different than the Panera up the road will take some getting used to. Once customers have been there once, they will understand how to do it. I think the clientele is someone whose is used to it. You are not really grabbing too many individuals who are going to pass by on a first-time basis.

Mr. Limbeck – My thought is that it is not intuitive to turn in by Taco Bell to come into it.

Mr. Markevicz – You are passing the building so it does feel strange, but we can work to put some small ground signs or something to help direct the traffic.

Mr. Harter – One thing I notice is that it is high visibility on that corner. I agree with Joe's comment on signage. I was wondering as with Delta Sonic was to show us a view simulation with your landscaping in other words drawing similar to this but with landscaping that you have proposed to show us how it will look in the daytime and nighttime.

Mr. Markevicz – I am sure we can come up with something and give you a view perhaps from 96?

Mr. Harter – Whatever you can give us to help us understand the visual of this project. I do agree reduction of the pavement is a good thing. I assume that is why you need a parking waiver because you do not need the parking?

Mr. Markevicz – If you go back ten years and we have done a lot of Walmart and it is about getting as much parking as you can, and the world has changed, and everyone is trying to be a little bit more environmentally conscious.

In this case I think Skye mentioned the typical shift has about eight employees and the goal would be to have an enough space to have for the employees. There is no reason for the customer to exit the vehicle. They stay on the vehicle in the que, and they go thru the building and then they leave. Ther is no products for sale inside the building. In our case why spend the money to pay for parking that is not going to be used as well as a detriment to the environment. I fee lit is the best solution to all of us and understand that the code is what it is, but we would hope the Board understands the advantage of approaching it this way.

Mr. Harter – I think it makes sense for the waiver that you are requesting. No more questions.

Mr. Gallina – It is nice to see redevelopment and it has been a bit of an eyesore the last couple of years. I like the reduction in impervious surface. One question I had is that we talked about the right in/right out but was not sure if that was where we landed. I thought the owner of this parcel had challenged that thinking but do not remember if we finalized it.

Mr. Pettee – My recollection is the right in/right out was solidified in part due to the County DPW comments. They were requiring that and that was the towns traffic consultant from CPL concurring with that. There was a question raised by a representative of the property owner as they wanted to be sure they had legal access to the land locked or no curb cut onto 96 for this parcel. As part of the previous approval for Delta Sonic we assured that the developer provide and easement or access to this parcel so they could access this parcel both via County Road 42 and State Route 96. That satisfied this property owner.

Mr. Gallina – I am with Joe and thinking thru the directional signage to steer your customers to that. It won't be intuitively obvious to navigate thru the Deleta Sonic to get there so that might be something that needs to be contemplated.

Mr. Pettee – We are still working on our Twon Engineer comments and will have those out shortly for you and was wondering if maybe we could get the site plan up on the screen. Question for you, I definitely appreciate the proposed configuration represents 28% reduction in impervious surface and that isa good thing. For the rationale when someone were to exit the building on this side, what is the rationale for providing access to the left as well to the right? Example, is there aa benefit to having those people going just left out or right out and having more pervious surface in lieu of the pavement?

Mr. Markevicz – I think when we originally put this together access and maneuverability is always a concern on a commercial site. The original thought process was that if you had a couple vehicles all coming out at the same time, they have some options to move back and forth. That is probably the strongest argument of why we did it the way we did. Obviously if we have a full access to the front of the building from an emergency standpoint it gives a little more ease to circulate the site. If you are asking if Valvoline would consider perhaps limiting to one direction adding more greenspace?

Mr. Pettee – Just thinking outside the box. There is no requirement in Town Code.

Mr. Markevicz – We can explore that and can have a dialogue and come to a conclusion.

Mr. Pettee – Beyond that I am asking the Planning Board and do not think Labella has a preference either way or design consideration in terms of orientation of the building. In this particular configuration the three bays where you exit face Route 96. Are you satisfied with that orientation versus an orientation that would have those bays facing County Road 42 or Mian Street Fishers? We do not have preference but wanted to bring that up. In regard to the Architecture, initially when Valvoline came for a pre application conference, I had mentioned that this particular look seemed to fit the bill for what the overlay district requires. Maybe the signs above the bays at the entrance with the Valvoline colors could be toned down if the Planning Board was interested in doing that. I will defer that to you. This is a very prominent corner in Victor. There is a significant structure across the street at the Royal Car Wash. They did a nice job with the architecture there. I do not think there is anything wrong with this and there could be some additional thought put into architecture and we are not in the High Street or overlay district but for example a farm type structure or a barn like they did at North face or the New York Beer Project. Very interesting architecture for another prominent corner up there. I will conclude my remarks and get the engineering comments to you soon.

Mr. Markevicz – If I could just add that about the North face building and think they are beautiful buildings to but do not know how that would fit necessarily with the Burger King and Planet Fitness and the Chili's. We are not the architects; Greenberg Farrow are and can work with the Board and Labella.

Vice-Chairman Logan – Wes was reading my mind. My comments would have been more architectural and landscaped oriented. I will start with signs. I believe you're only allowed one sign per road and since you are on a corner you can have two signs on the building and would presume that the front and side signs on the cupola would be acceptable but the third sign in the back or front. Since the front does not have those red Valvoline logos on it that is the side facing 96 in your plan. I would prefer the building east west than north south. Too have those doors open all summer for cars coming in and out is not something that is part of the spirit of the architectural overlay district of Route 96 and if you look at the Royal Car Wash and the historical building right next to it. The Wendys down the street is all brick and the new car wash Delta Sonic has advanced their design to our comments meaning they have a lot of brick and materials that they reduced the amount of glass even though that is a significant amount of glass

for those buildings. They stepped up their architecture to fit the architectural overlay district so I would expect something a little more than just an efface type of structure. I do not even know what the elevation materials are below the middle of the door. Is that supposed to be brick or brick look?

Mr. Markevich – It is a brick wainscot?

Vice-Chairman Logan – Is it actually brick?

Mr. Markevich – It is just a façade.

Vice-Chairman Logan – I know the Planet Fitness is a plain jane kind of box building and that was built years ago before we had a more enhanced architectural code which is something I worked umpteen years ago. I think something more can be done with the efface portion of the building to have it look a little more historic. Did Mark Kukurka look at it?

Mr. Pettee – He did look at this design and did provide a comment letter and did not have a whole lot to say. In my conversations with him he felt that what was proposed seems to fit pretty well within the overlay district guidelines that are found in the zoning regulations. There was not a whole lot to hold them to for historic integrity or historic mimicking because we are not in the High Street Extension area. There is more regulations in that area.

Vice-Chairman Logan – I would agree with Mark's assessment that it meets the spirit since it has pitched roofs and some brick on the lower part. My biggest thing is the garage doors looking out at 96. Even if it was impossible to turn the building the other way, I would put a significant amount of landscaping in front of it to block the views of those doors. I would go along with that and make the same comment if you flipped it 90 degrees. I would put something towards Main Street Fishers and opposite side as well.

Mr. Markevich – What about a berm with a nice row of something?

Vice-Chairman Logan – We did some berming up the road with City Tavern and McDonald's. There is a detention pond and some berming and landscaping in pockets. I think we found over time that group landscaping works out well and gives you some visibility but tends to break up the corridor and allows for some screening. I would ask that you reorient the building in opposite direction and wherever the garage doors end up have some strategic cluster of trees. Signage is just two signs I believe and lose the one in the back. As far as signage goes directional or otherwise that is something you need to look at. I can see having an arrow sign ground mounted. Look at that to see how you can better direct or help people.

Colors you seemed to hit those pretty well.

Mr. Gallina – The last thing is that I was looking in more detail was the lighting plan. It calls out light poles but does not go beyond that.

Mr. Markevicz – We can provide cutsheets if they were not part of the package. They are the typical new LEDs type fixtures. An improvement from what is there now.

Vice-Chairman Logan – Howe tall are the light poles there now?

Mr. Markevicz – I do not recall.

Mr. Pettee – If I recall they were 22 feet. I think I do recall seeing some details about the light fixtures and above grade they were zero and full cutoff fixtures.

Mr. Markevicz -We are only looking to light up the area that is pertinent to us.

Vice-Chairman Logan – The lighting towards the building?

Ms. Hansen – There isa lighting plan.

Mr. Markevicz – There are some building type fixtures as well and the rest for security I the parking and garbage areas.

Vice-Chairman Logan – I assume hours of operations are into the evening?

Mr. Markevicz -Typically 8 am to 7 pm that may slightly vary and are still trying to figure that component out.

Vice-Chairman Logan – Typically we would have any lighting poles outside the building, but it is the walpaks and direct lighting.

Mr. Markevicz – The walpaks on this side don't really do a lot of justice for the parking so we are trying to provide some of that and do want the drive lanes lit somewhat.

Vice-Chairman Logan – I am thinking more after hours once everyone has gone and what is left. Take a look at what you really need versus leaving them all on.

Mr. Markevicz -I have not talked to Valvoline and do not know if they keep some on for security purposes or dim them halfway but I can find out.

Vice-Chairman Logan – I can open this up to the public. Any questions or comments?

Tom Orr Strong Road

Mr. Orr – I have a couple of quick questions. This looks like it the same as traffic pattern in and out as Denny's, correct?

Vice-Chairman Logan – It would go to the same access road.

Mr. Orr – I have been in Denny’s a million times, and I have never had a single problem with that. However the thought of going out onto 96 from Denny’s scares the heck out me. I think any connection out to 96 is a huge mistake.

Vice-Chairman Logan – They are not doing that.

Mr. Orr – The other question is that I am really surprised that you never get out of your car. How does anyone know that? I wouldn’t know that.

Ms. Kinsella – I am sure they tell you that you can not get out of your car.

Mr. Orr – There has to be someone to say that to stay in your car.

Mr. Harter – The employees do.

Vice-Chairman Logan – Any other comments from the public?

Mr. Pettee – I would leave the public hearing open based on some of the comments tonight. There may be some design change.

MINOR SUBDIVISION

LANDYHAN MINOR SUBDIVISION (Papke)

1130 Cork Road

Owner – Lance Papke

Tax Map # 27.00-1-19.100

Applicant is requesting approval to subdivide the existing 15.78-acre parcel into two lots. Lot 1 will contain the existing house and 4.38 acres. Lot 2 will contain the remaining vacant land of 11.4 acres.

04-MS-2022

Zoned – Residential 2

Vice-Chairman Logan – This application has been removed.

PRELIMINARY SUBDIVISION

1086 STRONG ROAD SUBDIVISION

1086 Strong Road

Owner – Trust the Ott Irrevocable Survivors

Tax Map # 26.00-1-13.100

04-PS-2021

Zoned – Residential 2

Applicant is requesting approval to subdivide 34.42-acre parcel into 11 single family lots including an existing house and garage. This will be the second step in a three-step process for a major subdivision. The Sketch Plan was acknowledged complete June 8, 2021.

Vice-Chairman Logan – I do want to bring up Doug that I did not say this at the last meeting when you got there but Babette started the meeting cause she had to leave early and she felt that the historic building on that corner really needs to be maintained and is concerned that the existing house could go into severe disrepair if it is left untouched.

Doug Eldred

Mr. Eldred – With the developer moving to South Carolina I will pass it along.

Vice-Chairman Logan – The interest is to save the building not to demolish it?

Mr. Eldred – There is no intention of that and do want to save the building and is not in the historic district but as Babette pointed out it has a pretty unique history. There is certainly no intent of demolishing it, but it needs some maintenance.

Vice-Chairman Logan – Thank you. I think you have some things you were looking at since our last meeting.

Mr. Eldred – I talked to the client about the comments from the last meeting Joe had a comment about putting a house over on this side.

Vice-Chairman Logan – My comment was more can you spread them out more. It sounds like you have addressed it.

Mr. Eldred – What we decided to do is that there was four lots here and now there are three lots. Those three lots go from 150 feet wide to 200 foot wide. We added this lot over her and now these three lots are about 225 foot wide. I think that started to address many of the comments that area was too congested. Looking at it now you do not have any visibility of the houses 1, 2, 3,4, and 5. There is existing vegetation here and that is why you are not seeing the landscaping here. These three you may have a little bit of visibility uphill and may be looking down the driveway. We do still plan on putting buffer plantings in all along the front where there is not any existing plantings. That is still part of the plan.

The other thing we did, and it was a good discussion was the houses on Strong Road and getting those pushed back and having it more in character with the other houses although they are fairly close across the road. I think it is a better visual situation and in more keeping with the overall. I moved those back to about 130 feet from edge of pavement. These three we did change the last time. Those stay the same.

Couple more specifics is with the wider lots have about a 40-foot strip of the existing vegetation along this side. I expanded the type A easement, the no touch, to include some of

the pasture grasses here. Those areas will preserve some of that meadow pasture grasses that Joe brought up before.

I have also included some berming in some strategic locations and mainly places where I could. A soft berm and is not a steep berm. The thought there was that it was sort of mimicking of the rolling nature of the property and provides a visual buffer. There will be some berming over here. There is not much I can do in some areas and will have to do some dense plantings along the road.

I think we are striving to get closer to that character of the neighborhood issue that has been coming up with the neighbors.

The other thing that struck me is that I was saying before in making these a type A easement, but I rethought that and said why don't we leave them as type B easements and just have a provision where you can not cut down without replacing trees. What that would do if it were type B is you can go in there and some more landscaping and trees and cut the lawn which would be more applicable to front yards. We would have a provision in type B that no tree removal where it pertains to buffer plantings.

It is pretty straight forward but believe there is a big difference here with an extra 50 foot on each of those lots and the berming will make a nice visual entrance into the property and try to replicate some of the drumlins. You are not going to really see these houses and very little visibility of these houses. There are septic's in the front on some and you will have trees ion front of these as well.

Vice-Chairman Logan – I noticed that you lines up the backs of the properties on 4,5 and 6. Instead of having them offset you made a straight line for the conservation easement across the back of those. I think that is much more efficient and easier for them to maintain and to understand where the limits are.

Mr. Eldred – Back here is the type A easement and that would be where the meadow grasses would remain.

Vice-Chairman Logan – In the front yard of lot 4, there is a line there surrounding the driveway?

Mr. Eldred – There will be berming here. That is the easement line for the type B. I think the plans have improved and it has cost quite a bit more money, but the client is willing to do it. It is a nice plan.

Vice-Chairman Logan – I asked you to do something, and you came back with a plan that helps meet my expectation of what I asked you for. I am going to open it up to the Board.

Mr. Limbeck - I like most of what you did on Taylor Road. I am disappointed to see a third lot on Strong Road. I would be happier with ten houses instead of 11. I would like to talk about the easements along Taylor Road. The concept is that I like the visual buffer and think that works. However with deciduous trees that visual buffer only works from May till mid-November. You were going to put some trees in as well to build up that buffer?

Mr. Eldred – There is not a whole lot of trees there and is fairly open. This will also be on a mound. With these lots here at the edge of the road the topography goes up at a steep slope and has a visual buffer by the topography itself all the way thru here. These trees would be on top of that and not just the trees.

Mr. Limbeck – The way it is written now you are proposing no removal without replacement. I think that language would need to be stronger and that will be mowed between the trees. The visual buffer is going to be reduced by clearing any unwanted bushes. There needs to be stronger language to preserve that. I would like the homeowner to be obligated to preserve that in terms of what could go on and gives them the leeway to add landscaping. A good size deciduous tree could start to decay, and they want it removed and put a sapling in place. The buffer is shot. Relative to the type A easement, I agree with your intent to fully restrict the use of the lands. Again the language needs to be stronger if we are going to preserve the character of the land. Not only live vegetation should not be removed but dead should not be as well. I think we should restrict the use of motor vehicles, no dirt bikes or things like that. I would suggest if there is trail there to leave it along. Do not build trails. I agree with your intent.

I am curious about grading plans as well. The drumlins area fabulous feature there. I would hate to see a lot leveled and a basement put in. I would rather see a house with a daylight basement.

Vice-Chairman Logan – I have Wes bringing up street views on Taylor Road looking east. IS there a particular view. You can see how the property rises and I think this is the western end. Your first house would be right there.

Mr. Eldred – There will be some trees preserved along the property line but will be some impingement into that area. The first three lots have the rising topography then it drops down. Now it is downhill topo.

Vice-Chairman Logan – On parcel 4.

Mr. Eldred – There is a valley up thru and is where I had to put the house in front or behind it. As you come down here further you will start to see the road grade going up.

Vice-Chairman Logan – You have parcel 4,5 and 6 in this area and go across the dip and back up.

Mr. Eldred -That is a four-to-six-foot rise. In these areas you will have some berming and trees planted.

Vice-Chairman Logan – I was going to comment on the Strong Road section and be careful you are not making a sight distance problem from those driveways.

Mr. Eldred – Ther are two driveways together and that is right at the crest of the drop down and the other one is halfway between that and the curve. There is a little bit of a break in grade here. All the things you are talking about would be written into the easement itself. Lisa, if there is a draft of that language, we could mark it up.

Mr. Limbeck – There are templates for all three easements.

Mr. Harter – I have one question. You mentioned the lots are now 225 feet wide along Strong Road.

Mr. Eldred – Lots 1,2 and 3 on Taylor are 200 feet.

Mr. Harter – Is that closer too or equal to approximately the frontage of the houses across the street?

Mr. Eldred – It is not as wide as the houses across the street. Those are 250. I am guessing. If you look at her rendering, you can see.

Mr. Gallina – No comments at his time.

Mr. Pettee – I do not have comments on the layout but would be happy to follow up on the issue that was brought up at the last meeting regarding the intersection of Taylor Road and Strong Road. I did some research with Wade Daley and Tom Miller. There was concern about the stop sign on Taylor Road and there not being stop signs on Strong Road. Multi way stop control is used when the volume of traffic on intersecting roads is approximately equal. I do not have in front of me the traffic volumes for each of these roads, but my guess is maybe the traffic volumes is somewhat different on Taylor Road then Strong Road. The restrictions on the use of stop signs in the Highway Design Standards. The decisions to install multi way stop control should be based on an engineering study. That engineering study can be done by a number of different parties. The criteria should be considered for the engineering study for a multi stop sign installation include where a traffic control signal are justified the multi way stop is in interim measure to control traffic while arrangements are being made for the installation of a traffic control signal. That is not the case here. Another criterion mentions that five or more reported crashes in a twelve-month period that are susceptible to correction by a multi way stop. Currently I do not have any data on crashes here at the intersection of Taylor and Strong Road. As the Town Engineer we would be happy to FOIL the County to see if we can get information on crash data. Minimum volumes should be considered, that includes vehicular volume entering the intersection from the major street approaches averages

at least 300 vehicle per hour for any eight hours on an average day. The combined vehicle and pedestrian bicycle volume entering the intersection from the minor street approaches and in this case, I think Taylor Road is the minor street approach, averages at least 200 units per hour for the same eight hours with an average delay to minor street vehicular traffic of at least 30 seconds per vehicle during the highest hour.

If the 85-percentile approach speed of the major street traffic exceeds 40 mph the minimum vehicular volume warrants are 70% provided in items 1 and 2.

Other criteria that may be considered in an engineering study may be the need to control left turn conflicts. Maybe one of the concepts is turning left off of Taylor Road to go north on Strong Road. I would have to get our transportation engineers involved in that. Another option would be the need to control vehicle pedestrian conflicts near locations that generate high pedestrian volumes and I do not think there is high pedestrian volumes out here. Another is where a road user after stopping cannot see conflicting traffic and is unable to negotiate the intersection unless conflicting cross traffic is also required to stop. Also, an intersection of two residential collector thru streets of similar design and operating characteristics a multi way stop control would improve traffic operational characteristics of the intersection.

That is a brief overview of the multi way stop applications and what might be considered in an engineering study. Given that the proposed traffic volume of this particular project is probably less than 100 vehicle trips in a peak hour. This project alone does not warrant a traffic study. If a traffic study was going to be done it might be something the town would do at some point in the future. Also wanted to mention that I remember looking at a subdivision in the vicinity of this intersection a year ago and Taylor and Strong Road and at that time we had our highway engineer visit the site and take a look at the sight distance to the north and south on Strong Road and I believe the sight distances were adequate in terms of being able to take a left off of Taylor Road and right. That does not account for people that might speed on Strong Road. It is hard to design for people who are not going to obey the speed limit. It is a concern whether it is perceived or real and am sure the neighbors in this community have found there are people who speed along Strong Road. The sight distance was adequate there and I believe also the stopping distance was adequate at that intersection.

Mr. Eldred – It has been over a year now, but we did count traffic at that intersection, and we provided it a year ago. It does meet any warrants as far as volumes go and the only things applicable would be the accident. The sight distance is adequate for the posted speed limit. I have not been there a thousandth of the time these folks have been and people do go pretty fast on Strong Road.

Mr. Pettee – Is there a perc test that will be happening?

Mr. Eldred – If we think that we are pretty good with the plan we have perc tests scheduled for Saturday.

Mr. Pettee – We still need to do our typical subdivision review and provide comments.

Mr. Eldred – The engineering needs to be updated from what we did before, and we are trying to get the plans sorted out first.

Vice-Chairman Logan – At this point I don't know what more we can add to this conversation. The public has seen a new rendition of the site. Maybe it makes some sense for them to allow them to digest it and make some comments at the next meeting. I will entertain a question or two.

Tom Orr of Strong Road

Mr. Orr – This is whole discussion about the traffic is stunning me. I am a hard core analytical, and data driven and none of the data presented here has anything to do with the actual problem there. Have someone go stand at that intersection with a stopwatch and look south. Do that during rush hour and tell me how long it takes for the time a car first appears coming over that hill to the time it hits that intersection. Unless you area teenager on a hot car most people will not have the time to make a decision to pull out onto that road. You are going to pull out onto that road and there is an 18-wheeler right on top of you. That is unacceptable. This whole conversation was a total waste of time. Do it right. The cars coming up Strong and going twice the speed of sound and they are right on top of you. There was annotation made about how close some of the existing houses on Strong Road were to the Road, well you might also point out that when most of those houses were built there were horses racing up and down the road not 18 wheelers. It's does not matter how close those existing houses are to the road when you are trying to figure out what to do with the new houses.

Mr. Pettee – It sound to me that the traffic is sue and the speed is an existing problem and not a problem being proposed by the new development. If it is a true concern this information should be shared with the Town Board so that they are aware.

Bill Keyser of Taylor Road

Mr. Keyser – What happened to the water main extension on these drawings?

Mr. Eldred -These drawings are not the utility drawings, and we only provided the graphic to try and get the layout issues resolved so we have to update the other plans. There will be water main extended.

Mr. Keyser – The developer will pay for that?

Mr. Eldred – Yes.

Vice-Chairman Logan – DO you know where the water line is coming from?

Mr. Eldred- From about 70 feet or so north of the Taylor Road and Strong Road intersection.

Vice-Chairman Logan – It is an extension of a line?

Mr. Eldred- It was extended with that other subdivision up there. We have to bring it about 700 feet to get the property.

Vice-Chairman Logan – It will go down Taylor Road and Strong Road?

Mr. Eldred – Yes, on south side of Taylor Road.

Mr. Keyser – How will the electricity, cable etcetera be delivered to these houses?

Mr. Eldred – From the existing power that is out there.

Mr. Keyser – Underground or poles?

Mr. Eldred – I have been out there many times and do not remember seeing poles but there are certainly some.

Mr. Keyser – How is the developer planning to transmit the electricity?

Mr. Eldred – They do a plan with RG&E to provide the power to the houses.

Vice-Chairman Logan -But the run from the utility pole lines underground all the way up to each house?

Mr. Eldred – Yes, there will not be any overhead poles going to the houses.

Mr. Keyser – I am concerned about poles along Taylor Road.

Mr. Eldred -There will not be any added poles. There could be a transformer added.

Mr. Keyser – I noticed on your illustration almost all of the houses have side loading garages. How binding is that in terms of future development? Does a builder come in and have the option of putting in front loading garages or are they committed to provide side loaded garages?

Mr. Pettee – I would be happy to address that question. I think that is a fair question. The graphic representation that you are seeing on this particular illustration is just that, a representation. The orientation of the building and roofline may change, the footprint may change a little bit and even whether or not it is going to be front load or side load garage.

Generally, it is important that this plan in front of you will come with a utility plan, grading and erosion control plan and largely the building application permit when filed needs to largely conform to what the subdivision plans indicate. There might be some slight variation by a foot or two but largely the grading needs to be the same and that provides the home builder and lot buyer the opportunity to pick their own unique custom home. For example, the lot access points, the driveway access points are solidified by the subdivision approval here at the Planning Board. In large part the building permit needs to conform with the subdivision plan with some minor variation.

Mr. Eldred – These are just rectangles and try to show what would generally be the width and depth for homes in this price range.

Mr. Keyser – But the future of side loading versus front loading is open to one's discretion.

Mr. Pettee – Provided there is not a major change in the grading plan and utility location on the lot.

Mr. Keyser – That surprises me.

Mr. Eldred – The only one I had front loaded was lot 5 because the septic system has to go to the right of the house and did not have room. It doesn't mean they couldn't do side load. If the house is narrow, it could be, but these are all custom homes, and they get their own architects. I like side load since you do not have garages out to front of the road.

Mr. Keyser – The developer will be selling these lots off to individuals. Could you give us a location of the location of some of the houses Mr. D'Anna has built.

MR. Eldred – He is not a home builder. He is the developer and sells the lots to other home builders.

Mr. Keyser – Do we have any other physical evidence of other developments that he has done.

Mr. Eldred – I do not know if he has ever done residential only commercial.

Mr. Keyser – You repeatedly talk about luxury and upscale million-dollar homes and yet nothing has been provided and no evidence of what they will look like.

Mr. Eldred – I do not know what they are going to look like. The reason I say they are going to be upscale homes is there is relationship between lot price and house price. You cannot buy a \$200,000 lot and put \$100,000 house. It is usually a 5 to 1 ratio.

Mr. Keyser- What do you anticipate the lot prices to be?

Mr. Eldred – I am not in the position to say that, but I would think \$150, 000 and up.

MR. Keyser – That is all my questions I have but I would like to make my presentation at this point.

Vice-Chairman Logan – How long is your presentation? We just had you speak for about 5 minutes.

Mr. Keyser - I have not updated this but and I have not updated my figures. The revised plan is still a stark contrast to the rural setting of the existing lots. I have not done the math to back up my figures since I just got the revised plans today. I don't believe they have deviated much. At the last Board meeting the developer stated within "eyeball shot on Strong Road there is about 20 lots that have a similar size and width". Here is a picture of the lots on Strong Road as well around Victor published in the residential overlay district map released on November 3, 2019. Residential A in light green is maximum density of .33 units/acres. Proposed development is the blue area in the upper left-hand corner. There is hardly any lots in here that are characterized by what the developer is proposing. The developer said he is building upscale luxury homes and we have not seen elevations or photos of homes that convinces us of his argument.

It does not matter to me if he has built upscale luxury homes with narrow lots or shorter setbacks. The bottom line is this development proposal flagrantly disregards the character of the neighborhood which we residents have come to value. I am glad he showed the video along the roads since it illustrates the beauty of this area that we have come to value. He has also said the developer needs to build 10 lots because the property was expensive. That is not our problem, and it shouldn't be the problem of the Board. I still stand by my analysis that I shared at the last meeting. If the zoning requirements of three lots per acre were applied to buildable land only, seven new lots would be the maximum in this space. Ten new lots is simply too many and is overcrowded. In conclusion I would reiterate my challenge in my last presentation. Take action to reject the development proposal. Follow the comp plan for the Town of Victor and I quote the two points from the Conservation Plan. Ensure that all elements of Victor communities character valued by its residents are preserved. Clearly this does not so that. Consider how the natural environment and cultural assets and the sensory primarily visual experience of a place and all combined define the community central quality. Just because this plan can be done does not mean it should be done.

Phillip Nelson t Taylor Road

Mr. Nelson – Three things I can remember. The plantings along Taylor Road to screen the lots will be very effective 20 years from now but in the meantime they are meaningless. Second, Maura is sitting back here and have not discussed this with her and she lives on Strong Road across the street, and I have sat on her front porch and would invite you to get a thermos of coffee and go drink it on her front porch. If you do that you will have a good appreciation of what we are trying to preserve. The last thing, the developer is trying to maximize his

profits and I do not blame him for that. However, I have rhetorical question. Is it fair for them to optimize their profits at my expense and my neighbors. Please consider that.

Ken Fanton at Taylor Road

Mr. Fanton – If the yare going to be bringing water lines down the south side of Taylor by the historic house is, where they have to dig is a very steep embankment to the back yard of t hat house. They will have to do significant amounts of dirt moving just to be able to find a place to put hat water main. If they take out that whole corner, you can get the visibility, so you won't have accidents at that corner. Right now, visibility is the major problem with that corner.

Another comment is as far as electric along the road. I get all my power from Honeoye Falls so when Victor is out, I have lights. When Honeoye is out the rest of Taylor is out. It is possible you will be getting power from two different places. It is not the County line unfortunately. Third, if you take a look at the land and take a look down the road and you will find that lots of 4 will be on a side of a hill and 5 and 6 are into a natural amphitheater area. These houses will be up and down all over the place and some cases significant movement of dirt. It seems that this layout, although better than last one, is still not in character with the land. Unless they build these houses into the sides of the berm hills it is really not going to fit in with the landscaping. If they took advantage of the natural amplitude that is there and built around it and put one house at west end of Taylor Road and no water line down, there. They would not have to bribe the neighbors with free connection of the water line.

Mr. Morrell of Taylor Road

Mr. Morrell – After the last meeting I think most of my neighbors on Taylor and Strong felt the development was done deal. Tonight I was gratified your concerns about the development that is going to be replace Denny's and how careful you were about the neighborhood and how it would effect it. Any governing body that is involved in the safeguarding in the people they represent needs a mission statement and guide to their decision making. The US government has one and is called the Constitution. Does the Planning Board have a mission statement? I looked it up and could not find one.

Is your mission statement what the developer alluded to at the very end of the meeting? That was as long as the plans are within the zoning code guidelines they should be accepted. It is my beliefs without a formal mission statement which you may have and need to look at again, the current Board members and future Board members have no serious guidelines for residential area specifically. I also contend that the Comprehensive Plan does have a basis for an extended mission statement. I have a few suggestions that are associated with the Comp Plan. The concept of sprawling “the preservation and enhancement of the town's esthetic qualities and prevention of inefficient and unattractive sprawling development as a primary goal” that should be a primary goal in a mission statement. Stop the sprawling.

As stated in the plan in index #9, the maximum yield. The maximum number of the developmental units that a given parcel might support and whether that number is lower than the permitted in the zoning code is a determination that must take into account the unique characteristics of that site. It is my understanding that the Ott property are in a different category.

One of the goals of CP from Section 5.3 is to promote development that has a low impact on the environment and maintains the character of the community and also states the manor of what the present system of open space set asides applies equally to all parcels. The Comp Plan also recognizes the Planning Board rights to decision making. The proposal addresses another problem in the CP section “the present residential open space provisions are similar to their industrial and commercial counterparts, in practice, different settings justify different approaches”.

It is my contention that the Ott Property justifies a better approach. We as a community have stated in the CP of a concern that the ongoing growth threatens the fulfillment of the very interest that binds them to their community and it fears that Victor identify with, could come to be a victim of its own. Our development is going to change Victor so much it will not look like Victor anymore.

Finally, without the development of a clear mission statement or a better mission statement about residential areas, future developmental proposals like his one will degrade the unique landscapes of Victor. Without a concise mission statement scenic landscape will be lost to the greed of developers. I implore you to look over that mission statement before you make decisions and maybe expand it.

Maura Steed of Strong Road

Ms. Steed – I am not very techie and have pictures that I have taken.

Ms. Boughton – I could not get it to go on a slide, but they are printed off.

Ms. Steed – My mind is going crazy with everything that has been presented tonight. I am having a lot of difficulty understanding how we keep coming down to the issue of moving the houses around. Just moving the houses around will make everything better. We have talked about the Comprehensive Plans and traffic patterns and road safety, and this has been brought up that this is not a flat road. There are some curves and when you are pulling out of the driveway from Taylor to Strong it is significant. I never pull out of our driveway without making sure there is no one coming in the other direction. I have pulled out and just seen the cars coming and if they are coming fast enough, they will have to go in the other lane, or I have riven to the other side of the road too. Iti s definitely a significant issue. It would be especially so with more driveways coming off into Strong.

We have brought up environmental issues on multiple levels and proposed septic's and wells and now they will have to be perc tested again. What about the test that have been done and how are they going to affect the people down stream from this subdivision and who are on wells and fine with being on wells.

The drumlins and the natural resources that they have brought to our area, and we have come to live on this area that has been here for such a long time. We are intended to the indigenous people and the Seneca people for being stewards of this land and I am really disturbed that we can not learn form this. They have water sources creek and streams and ponds and their impact on this area and the larger bodies of water they connect with, and we have a responsibility for not just here but how we effect what flows from here. We have the irreplaceable farmland, forever wild land and is great to have conservation area and all that surrounded by these enormous houses and certainly not having much wildlife coming into this area where there are these huge homes. I wonder why I was so impressed with the elevation that was shown on where you were addressing where the building was going to look on the land. There has no elevation done on what these houses are or where they are going to be placed on the land. This is not a level land and quite dramatic land and to have a house to be put on that and to not even be able to see it. It is one thing to look down at a flat map but to actually see an elevation rendering would be quite eye opening to how this does or does not fit into our neighborhood and the rural aspect of this area. It is so disturbing to see we have a possibility of losing this and it seems to me that this will mark a time of the perspective of everything in this part of Victor that is so rich in the agricultural land. We are not even working t o find ways we can bring in organizations to be imaginative and creative vision to preserve this land and not have the landowners lose money. If they need to make money and millions of dollars to destroy the land it is a very pathetic thing. I would like to think when my husband and I chose to live out here we felt it was because there was a high regard for nature and the land.

Vice-Chairman Logan – I noticed that Babette came in from her earlier meeting. I have addressed the Board and Doug of your earlier concern.

Tom Orr Strong Road

Mr. Orr – I am upstream from this, and I wrote my presentation a couple of days ago, but I did not see this. I have to admit this is a small step in the right direction and had I seen this earlier than this might not be so critical. I am not going to rewrite it on the fly and will leave it up to you might have been softened had I seen this earlier. Here goes.

Apologize in advanced. This whole process has gotten me a bit hot under the collar, but I must stress that not everyone that disapproves of this plan agrees with all I have to say. This is my cheat sheet and I need it because my memory has deteriorated such that without, I will make no more sense up her than this development plan does. This is my third time attending these meetings and the last one somewhat better than the first because no Board member was playing with their phones during the entire process. Thank you for that. I must repeat that it

might be possible to develop this property in a way that the neighborhood and the Board can be proud of. It will not make the developers quite as filthy rich doing it that way. That is the hurdle.

I understand we can not stop this development even thou developing this particular property should never happen at all. I do not understand the role of all the players here and the qualifications they have or more importantly, don't have for participating in the approval process. Is the Board qualified or simply authorized to make such decisions. One does not validate the other. This town has spent an enormous amount of time producing the comp plan and so far, have seen no effort whatsoever to use it to guide this approval process. Although that was the sole purpose of its existence. That plans stresses the necessary compatibility of any development with the surrounding and existing neighborhood.

Vice-Chairman Logan – Before you continue, I would appreciate it if instead of questioning the qualifications of the Board you stick to comments on the plan, please.

Mr. Orr – The qualifications are the issue.

Mr. Pettee – The public hearing sir is regarding the subdivision plan that is in front of the Board tonight not about the qualification, the education and the ability of this Board to review a subdivision plan.

Mr. Orr – Education is irrelevant.

Mr. Pettee- The public hearing is for the purpose of commenting on the subdivision plan. Keep it to the plan.

Mr. Orr – Okay, lets jump over this particular part. This town has spent an enormous amount of time producing the comp plan and so far, I have seen no effort to use it to help guide this approval process and that was the sole purpose of its existence. This plan stresses the necessary compatibility of any development of the surrounding neighborhood. I understand that the comp plan is not codified and therefore has no teeth, but it remains the will of the people of Victor. Now let's jump over the rest of this that you object to.

All of the recent high-density developments in this town already prove that the comp plan has been ignored. It is slowly eroding all of the reasons that many of the residents moved her for in the first place. Nope you don't want to hear that either let's go to this.

I have repeatedly heard that the developer and even some Board members say that no code are violated by this design. If blindly following the code is all that is required for approval, then I submit the approval process can be best and most accurately achieved by using a cheap simple computer and there is no need for a Board at all if just following the rules is all that matters. The Daily Messenger use to publish my editorials with some regularity and maybe I should write one up for this. Bottom line, do the right thing and raise the bar and it will be your legacy.

Mr. Eldred – I want to know how many people have had family members that have been living here in this neighborhood for 150 years and paying taxes on a piece of land. There could be some of you. Back in 2000 when they redid the Comprehensive Plan, they added the overlay district to this and what that means is prior to that you could build 30 homes on this property. The Ott family who lived here for 150 years or so had potential of making profit off of 30 homes. They put the overlay district on it and changed it to a maximum of .33 acres per lot. I was a farmer growing up and it is tough. Your value is in your land and if you want to sell your land and retire to it God bless you. You have the right to earn a profit on your land. This density is not high and is very low. Because you have a 5-acre lot there is something that is pretty interesting. The Town of Perinton has a 1:3:5 zoning district. 1 is if you have sewer and water, 3 is if you have just water and 5 is if you neither. All you people here had neither so it is not surprising that your lots might be in that 5-acre range but when you bring water in it is not surprising that you have 3 acre lots. These lots are very big, and the homes are going to be beautiful, and the landscape is pastureland. What if it was all wooded. There are other area where you can look at. If you want to preserve some lands do what the Town of Pittsford did, buy up development rights of property. Go to your Town Board and convince them to buy development rights. Otherwise the people who own property have the right to sell it for a reasonable price who have paid taxes on it for many many years. The reasonable price does revolve around how many lots they can get. This has the minimum number of lots that they can put on this property and make a profit. I am sorry and get a little tired of hearing people who just don't want houses in their back yard because they have beautiful views of vacant land for years. Their land at one point was vacant as well.

Vice-Chairman Logan – On that note I will end this discussion on this particular application. Public hearing does remain open and will have opportunity to comment when we see engineering plans come forward. It will show where house are put and what kind of grading there will be and driveways, drainage and utilities. If we do see something as a Board that does not appear to fit, we make modifications during that process. I sympathize a little with how you are concerned with what is being done across the road from where you live. That is why we go thru this process with a development that is a major subdivision. We always listen to your comments and receive them in writing and have them in the meeting minutes.

Motion was made by Joe Limbeck, seconded by Al Gallina RESOLVED the meeting was adjourned at 9:10 PM

Lisa Boughton, Secretary

