

A regular meeting of the Town of Victor Planning Board was held on Tuesday, January 14, 2020 at 7:00 p.m. at the Victor Town Hall at 85 East Main Street, Victor, New York, with the following members present:

PRESENT: Ernie Santoro, Chairman; Joe Logan, Vice Chairman; Scott Harter, Al Gallina

ABSENT: Joe Limbeck

OTHERS: Wes Pettee, Town Engineer Consultant; Councilman Dave Condon, Town Board Liaison; Dante Gullace, Stephan Gullace, Ruth Nellis, James Cretekos, Fred Rinaldi, Joel Sherman, Enrica, Sharp, John Tantillo, Ken Curry, Scott Morrell, Jeff Morell, Debra Hogan, Lisa Boughton, Secretary;

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

Chairman Santoro made the announcements regarding emergency exits; restrooms; attendance sheet; business cards; resolutions and agenda; conversations and cell phones.

**APPROVAL OF MINUTES**

On motion of Al Gallina, seconded by Joe Logan,

RESOLVED that the minutes of December 03, 2019 be approved.

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

Approved 3 Ayes, 0 Nays

On motion of Joe Logan, seconded by Al Gallina,

RESOLVED that the minutes of December 17, 2019 be approved.

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

Approved 3 Ayes, 0 Nays

**CORRESPONDENCE**

- Laurie Allan re: Clark Lot Line and Site Plan

**BOARDS AND COMMITTEE UPDATES**

Councilman Condon to report from the Town Board

Councilman Condon – I wanted to welcome our newest member to the Planning Board. I wanted to give you a little update that Jack is doing well. You know that he had some surgery and he says he is about 80-85% and he is starting to hold some office hours in the morning and is doing his cardiac rehab. Things are going good and I am trying to hold down the fort a little bit in his absence but anxious for his return. That is all for tonight.

Planning Board reported by Lisa Boughton

- January 28<sup>th</sup>, 2020
  - Public Hearing
    - Scout reserve Lot 2 Phase 2, 6771 Aldridge Road. Applicant is requesting approval for five new home sites on lot sizes ranging from .57 acres to 7.9 acres and a single unapproved lot approximately 10.29 acres. The property will be accessed via a private roadway from Aldridge Road.
    - Dick’s Sporting Goods Speaker, Fence and Scoreboard, 200 Eastview Mall Drive. Applicant is requesting to add speakers to light poles 20 feet above the surface of the approved playing field. Applicant is also requesting to modify outdoor field fencing from black netting to black chain link fencing and to add a scoreboard to the outdoor field

**EXTENSION OF TIME**

**WOODS AT VALENTOWN – SECOND 90 DAY EXT. REQUEST 35-SP-18**

High Point Drive

Zoned – Planned Development District

Owner – Woods at Valentown, LLC

Applicant received approval on April 23, 2019 to construct 288 for rent apartments within 12 buildings on 56.87 acres. The project will consist of underground parking and the buildings will be 3 stories for a maximum height of 48 feet. Applicant is requesting their second 90 day extension of this approval.

James Cretekos of BME Associates

Mr. Cretekos – We are looking for our second 90 day approval extension. We are finishing up approvals with various agencies.

(Chairman Santoro asked the Board for comments)

RESOLUTION

Motion made by Joe Logan, seconded by Al Gallina.

WHEREAS, in a letter dated December 9, 2019, James Cretekos from BME Associates requested a second 90-day extension of time for application titled Woods at Valentown, therefore, be it

RESOLVED, that the Town of Victor Planning Board grants the second 90-day extension of time for Woods at Valentown.

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

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

Approved 4 Ayes, 0 Nays, 1 Absent

**GULLACE PROJECT – SECOND 90 DAY EXTENSION REQUEST 19-SP-17**

Lynaugh Road Zoned – Multiple Dwelling

Owner – Lynaugh Road Properties, LLC

Applicant received approval on April 23, 2019 to construct 62 for-sale condominium townhomes, which would include 14 duplex units west of County Road 9 and 48 units configured within 2, 3 and one 4 unit blocks on the east side of County Road 9. Applicant is requesting their second 90 day extension of this approval.

John Tantillo from Knauf Shaw on behalf of applicant

Mr. Tantillo - We have our application into the Village Planning Board and were before them last month and we are anticipating being in front of them again for the February meeting to address some comments they have on the site plan. We request a second 90 day extension.

(Chairman Santoro asked the Board for comments)

RESOLUTION

Motion made by Joe Logan, seconded by Al Gallina.

WHEREAS, in a letter dated December 12, 2019, Dante Gullace requested a second 90-day extension of time for application titled Gullace Project, therefore, be it

RESOLVED, that the Town of Victor Planning Board grants the second 90-day extension of time for Gullace Project.

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

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

Approved 4 Ayes, 0 Nays, 1 Absent

**PUBLIC HEARING**

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

**SCHNEIDER STRUCTURE**

55-SP-19

7571 Modock Road

Zoned – Residential 2

Owner – Michael Schneider

Applicant is requesting approval to add an accessory structure consisting of a workshop and a 3 bay garage.

Mike & Sandra Schneider of 7571 Modock Road

Mr. Schneider – We have four slides here to explain and show roughly the situation. We moved here in 2002 and purchased this property and it is a 5 acre property. It is two different height elevations. The wetlands are the same as the road level and then rises sharply to the second level. This is the existing building and this is the proposed site tucked away in the corner here. *(Indicates slide #1 on screen)* I pointed out the septic system as one of Labella’s questions they had so that we are not interfering with the existing septic system. Next slide shows the site plan. I should point out that we retained the help of an architect Chuck Smith, from Design Works Architect in Fairport. The design right now is maturing. What we are proposing to do is to build a workshop, 30 x 60 sf footprint, one and half story with basement and then attached to it a 3 bay garage. The workshop is so I can ascend out of the basement with my woodworking tools into daylight and it is a hobby not commercial. The 3 bay garage is for the tractor and trailer so they can get out of the weather and into an implement. We started with a 2 bay and now we went to 3. One of the other questions we addressed with this is LaBella had a question about a sink. We want to put a sink in there so I can at least wash my hands instead of running back to the home. We wanted to tie that sink and drainage into the existing septic system. LaBella had a question what will you do with it. We want to hook it up to the back of the house into the basement. The feedback we had was that they were okay with that and were just concerned with digging up the septic system and modifying it. The next slide is my perspective rendering of the buildings and this would be when you come up the driveway and the 3 bay garage

and the one and half building. The upper storage is not a full floor. It is really a loft. It is for me to put a desk up there for drawings and a little less dust up there. The workshop with a basement and the garage has no basement. The last slide to show you photos of all three directions. It is towards the west and towards the back is surrounded by trees. That is right behind the house looking towards north. That is what we have prepared.

Chairman Santoro – Anyone from the public have any questions or comments? There are none so we will go to the Board.

Mr. Logan – I was looking at the size of this relative to your home. It is quite a large addition. You are adding three garage bays. How many bays are on the existing home now? (Two). Are you planning on renovating the house to eliminate those for some other use or are you keeping 5 bays?

Mr. Schneider – That would be for the two cars we have and those three bays are already assigned. A tractor, a trailer and the implements.

Mr. Logan – I can empathize with all of that. So the architecture looks very nice, obviously. You have done a good job matching what is out there. For the size of the structure you are tucked way back so no one is going to have a sense of where it is. Have you had any issues... I know when we did the subdivision up the hill we required radon systems to be installed in all the basements of those. I do not know if you have had a radon system in your house and would be doing that here but I would suggest strongly that you do that.

Mr. Schneider – It is planned. We have it in the house and will also plan to this. One is radon and one is Modock Springs.

Mr. Logan – Correct. That is all I had.

Mr. Gallina- No questions.

Mr. Harter – One question I have is on the site plan. Do we know what the surface elevations are around the workshop and the garage and is positive drainage can be achieved around the proposed structures?

Mr. Schneider – We did have a survey done in December. The architect is working with that right now. If you go back to a slide you can see the lower left. It just slopes up a little bit so what we are thinking and the architect talked to Al Benedict, there might be a small retaining wall but will be less than four foot and is under the threshold where the Town Engineer would have to assess the structure. There might be a retaining wall built there is a very slight slope. The design is maturing and we would submit that in detail with the permit application and Building permit application.

Mr. Harter – You have hired an architect and have said the architect has hired a surveyor.

Mr. Schneider – We do have the survey map.

Mr. Harter – That leads to another part of my question which is how the Town can be certain that the setback distances upon construction are actually 25 feet and 52 feet and the other dimensions if we don't have a survey to go by. You have taken a survey and you have copied it and it looks to me that you have put things on there and you have identified dimensions but what type of assurance does the Town have that these structures are actually going to be built in these particular locations.

Mr. Schneider – First of all we had an official survey done when we bought the building in 2002. That was done by Kent Surveying. That was the official survey and there are pins located on these back corners. They were identified by the surveyor who did this new survey for us.

Mr. Harter – Perhaps my question is more along the lines of is there a reason why the new survey is not part of what you are presenting to us?

Mr. Schneider – Because at that time I did not have it yet. They just did it in mid-December. I saw that one of the questions and should address it. Two open questions from LaBella. One is the showing of if we had to regrade something what would we do in terms of contours. The other is lighting. I want to make a comment about that too. First on the contours. We had that survey done to fully understand exactly that even thou it looks like it is slightly upsloping but we wanted to make sure exactly what the contours are. The survey in 2002 did not have a topography survey. It was typical of buying a new property they have to make sure the property lines are properly established when you purchase a property. It did not have the topography foot increment lines listed. The open question from LaBella. We intend to show that if that is ok at the time of the building permit. We would how we will regrade and what the topography is and what it will be. If we have to put in a small retaining wall in and if it addresses your question.

Mr. Harter – I am just familiar and this a question for the Board. I am more familiar with seeing that type of information on the application at this point of time as opposed to later on down the line when the permit is issued. Perhaps the Board has a policy that is accepting of this.

Chairman Santoro – Will you be submitting that survey that you referred to?

Mr. Schneider – Of course I can forward that.

Chairman Santoro – We will have to have LaBella take a look at that.

Mr. Pettee – That would be really helpful. The drawing that you prepared is certainly helpful in giving us terms of giving us schematic idea of what you intend to do. As you acknowledged in our letter we did mention we did not receive a formal site plan. Usually when we see a site plan it will have a professional engineers stamp or licensed surveyors stamp on it along with seal and signatures. That would help us answer that question or assure us the setback requirements are being met. We fully believe that you intend to meet the setback requirements but having that stamped professional drawing would go a long way.

Mr. Schneider – I can provide both. One is the official when we bought the property. I can scan that in and send it too. That was from 2002 that shows the property lines and the pins. That established the boundaries.

Mr. Harter – I think what I am getting at is if you look at the site plan checklist that type of information needs to be fresh as per your application so if you have this survey that you mentioned in December and can add these elements to this survey then I think you are taking care of us in the correct way and will be able to confirm what is on that drawing that indeed these numbers are achievable.

Mr. Schneider – The way I understand it correctly is just underlay or overly what I have on the site plan over the contours that we have received so that you would see that.

Mr. Harter – I would have your surveyor, engineer or architect do that.

Mr. Schneider – Perfect. Of course we can do that. The other question that we had that was still open is on lighting. We would comply with the dark sky lighting if that is acceptable to the Board. Our intentions was to show it with the building permit. We have two places for lighting. We will not have any external lights on columns or so. It is where the porch is and is recessed lighting. Standard recessed lighting for the exterior and in front of the garage. We thought with the building permit we will provide specifications for dark sky compliance.

Chairman Santoro – Do you think you can get that information to us within the next two weeks?

Mr. Schneider – Sandy will have to decide on what sconces she will want.

Mrs. Schneider – If you want us to choose the brand we will have to.

Chairman Santoro – We are mostly interested in the survey.

Mr. Pettee – Personally myself, from the Town Engineer standpoint I am not too concerned about the lighting because I believe that can be taken care of thru the Code Enforcement Officer when you file your building application. With a project of this scale. The one we are more concerned about receiving is an engineered site plan that shows your proposed building that shows your respect to the survey property and you're grading.

Mr. Schneider – It was what Mr. Harter would like correct? We will comply and send it. I cannot promise it will be in a week but we will try to do it.

Chairman Santoro – The only reason I ask is that we can put you on the next meeting.

Mr. Schneider – Yes, it will be to our disadvantage to have it later. We will do as quickly as we can. It is a small building so we want to do it right too. We will do this as quickly as we can and if it suits your schedule.

Chairman Santoro – If you can do it we will have it on the next meeting and if you cannot it will be on the meeting after.

Mr. Schneider – The one thing that didn't come up was the concern about the cupola and that was resolved with Al Benedict.

Mr. Pettee – I did receive some correspondence from Al and I am satisfied with that.

Mr. Schneider – To take away, it is delivering the site plan with the contours and it fully understood, the lighting is okay to submit with the building permit and showing the certificate for dark sky lighting.

Mr. Logan – On the original plan where it shows the septic system layout. It shows a proposed well. I am assuming you are on down water.

Mr. Schneider – That is an old map and it was the year the plan was accepted by the Town. The well was disconnected once Modock Springs.

Mr. Logan – Is it anywhere near the footprint of your new building?

Mr. Schneider – It is on the other side of the gazebo.

Chairman Santoro – We will wait for that and see you at the next time.

### **CLARK LOT LINE & SITE PLAN**

54-SP-19

168 Fishers Road, Pittsford

Zoned – Limited Development District

Owner – Phillip & Vendla Clark

Applicant is requesting to adjust existing lot line so that each of the parcels is compliant with current zoning regulations. A 3,200 sf single family home will be constructed on 140 Fishers Road.

Lucas Bushen of marathon Engineering

Mr. Bushen – Briefly present the project. Two main components of the application are the lot line adjustment between the current property that they own at 168 Fishers Road and the property they recently acquired at 140 Fishers Road. The lot line adjustment will be in order to configure both lots in a way that they are buildable and meet the zoning regulations. The second component of the application is for the construction of the single family residence on 140 Fishers Road. That construction will include a septic system for treating the waste water. It is a conventional septic system. We talked last time the potential feedback from the State Health Department but due to the fact that it is a single residence and a conventional system it is a local review only. We have received the feedback from the Town Engineer and we have addressed it in writing and revised the plans accordingly. We are working thru that approval. The other components of the design are the driveway which exceeds 10%. As outlined in the Town Standards that is the topography of the parcel in where the home sits in relation to the road. We have minimized the steep area of the drive as much as possible to create a flat area in front of the garage and also an area that tips back away from the garage bringing drainage away from the garage opening. There was also a site walk conducted this

meeting and the last and it was where we left it last. The site was walked so that the Board could get a feel for what the property is and that was conducted earlier this month and at this point feel we have addressed all the comments. We will answer any additional comments that you have.

Chairman Santoro – Wes and I went on the site walk and are familiar with what it looks like. My question is how will the pitch of the driveway compared to the one at the existing house?

Mr. Bushen – The one at the existing house is retained. It also sits further down the road. The road is going up as you head north so the new home will be slightly higher entrance point for the new home. They will be similar in terms of the configuration and topography. It is the same developer, if you will. The homes will have a very similar feel in terms of the buffers surrounding them and the topography and trying to preserve the natural topography of the area.

Chairman Santoro – Anyone from the public have any questions or comments? Hearing none we will go to the Board.

Mr. Harter – I had a chance to go thru the plans provided to me. Perhaps some of these things have been previously discussed. I would like to give you my take on it. One thing that jumps out at me at looking at the project is the amount of fill you will be putting beneath the garage and the corner of the house. It seems to approach an elevation increase from existing to about 10 feet. That is a lot of elevation overcome to hole a garage up. I did not see anything on the plans regarding compaction notes or how that is to be achieved. Will it be select fill? How is the sequence going to achieve that amount of fill being placed within a relatively small footprint that you have identified for this house construction?

Mr. Bushen – Everything under the building will be structural fill and will need to be brought in and compacted accordingly. The onsite cuts and fills will be used for the lawn areas and the patio areas and nonstructural areas.

Mr. Harter – Do you think you would put something on the plans relative to how that soil will be placed and compacted, since I did not see anything on there.

Mr. Bushen – We certainly can.

Mr. Harter – A call out on the site plan to the contractor so the person knows what is going on. First glance I do not think you can detect how much fill is going in there but it is substantial. The other thing related to slopes is you have one on two side's slopes on maybe three sides of the home. One on Two side slope you are proposing to put stabilization fabric down. Is the owner aware that that is not a mowable slope?

Mr. Bushen – The slopes around the house are kept to a one on three slope and I can verify this on the plan but that is certainly the intent because as you say we cannot mow one on two slope. There is a one on two slope in the rear of the property after the patio area it drops off back to the natural landscaping and that was the goal so as to minimize disturbance. All those areas greater than one on four will be stabilized with a fabric.

Mr. Harter – The one on two on that particular side of the house does not really give them a lot to work with.

Mr. Bushen – The one on two area should not be a maintained area.

Mr. Harter – The owner is aware of that? (*Yes*) You have an existing utility easement shown on the plat. I noticed there is a storm pipe that goes from the trench drain of the existing residence and it daylight out onto the proposed lot. Is there any reason why that utility easement could not be extended to include that f=drain onto the other property so that when these properties change hands there isn't a nuisance issue from a neighbor?

Mr. Bushen – That can be extended.

Mr. Harter – Highway access. How does the project comply with the recent Town of Victor adoption of Access Management guidelines?

Mr. Bushen – The driveways are spaced in such a way. This is really the only point to access this site in terms of if you head further north you are into the easement area where the powerlines come thru. It is also not as developable an area. If there is any specific concerns with the access I can speak to them.

Mr. Harter- Let me follow that up with another question. Is there a reason why the existing driveway that is owned by the same individual cannot be used as a common driveway and eliminate the connection all together?

Mr. Bushen – We have not explored that option but I would imagine it would limit what this applicant can do with these properties in the future if there is only one connection point to the highway.

Mr. Harter – I think that also ducktails into your driveway slope. I think you mentioned the maximum is 10% according to Town regulations. I think you are close to 20%. That is extremely steep. I am just wondering if there isn't a solution by the way of a common driveway that would eliminate that issue. You wouldn't have to try to achieve anything relative to access management since your access is already grandfathers in. I can only speculate that perhaps the owner does not want to do that but I think a 20% driveway slope is a steep one and difficult and dangerous. It is not dangerous on a July afternoon but is dangerous on a February morning. That is my comment on that. Your drawing shows a lot of work going on in a very small area and wondering where your stockpiles of soil you are working with will be placed and the level of protection that will be used to keep that from ending up in the pond?

Mr. Bushen – We can provide that level of detail and outline that on a set of plans.

Mr. Harter – That would be great if you could show where that is going. Another thing that jumped out at me when I looked at your plans was addition to the small area that I mentioned before. The leech field area is the only area that seems it is not going to be touched which is correct. With the correspondence that has come from the neighbor concerning the pond, is it possible to put some

construction fencing around the leech field area to keep heavy equipment off of it? (*Absolutely*) The equipment will be looking for a place to lay down in that area and I don't think we want them to do that on the leech field. Characteristics of that soil and it won't work well.

Mr. Bushen – I think that is a good idea and can incorporate that into the plans as well.

Mr. Harter – My over whelming take on the project is extremely steep driveway and there is a way to avoid the whole thing by way of a common driveway. You would be seeking a waiver from us for that slope. (*Correct*)

Mr. Logan – Scott makes some interesting points. I do not know if was the homeowner if I would agree to put the driveways together. Especially if you are driving between a framed garage and the existing two story house. It might be a little uncountable down the road depending on the owner of either house. I was concerned about the 20% slope on the driveway and assume Phil Clark knows what that really means in terms of the difficulty in getting out of the residence up onto the road. It looks like there is a flat area near the top and certainly in front of the garage a pretty good turnaround area so it seems to have forced your hand on the grade of the driveway. The further to south and south east you go the higher up you are. You are chasing the grad uphill so you don't have a choice. Good point about the leech field Scott. As far as the rest of the site plan goes I think he has addressed the other questions that I have had.

Mr. Gallina – As Ernie indicated I also the opportunity to do the site walk. I am convinced the current homeowner is very well understanding of the terrain and the topography and the site limitations. I think Scott you brought up some very good points but for practical reasons I think a shared drive would not work well between the two occupants. I see in Wes's comments that there are several comments around the ensuring that there is no leakage from the site into the kettle pond which is some of the residents concern. Otherwise, I am good with everything.

Mr. Pettee –LaBella did provide an updated letter, more recent is dated January 3, 2020. We did provide numerous comments on the septic system and also gave out opinion on the impact to the kettle pond. We did note that the proposed septic system meets the requirements of the NYS Department of Health appendix 75(a). Residential septic system design standards and those regulations require a minimum of 100 feet separation to a pond in addition DEC standards require a minimum 100 foot separation to a pond or a wetland. Based on the NYS Environmental Conservation resource mapper the area around the kettle pond in question is not a state regulated wetland or wetland check zone. Therefore the proposed system meets the requirements and the system is separated from the pond by a distance greater than 100 feet. The applicant has responded to our comments and we have not had the opportunity to provide or sign off yet and we can do that in the near future.

Chairman Santoro – Well, I think you have some questions to answer and think you can get them answered by the next meeting?

Mr. Bushen – Revising the plans according to the comments that were made?

Mr. Pettee – the comments include extension of an easement to allow the drainage from where the existing house is to daylight onto the neighboring property, and then maybe form of response to the common driveway and investigate that with the property owner.

Bob Bringley of Marathon Engineering

Mr. Bringley – Let me respond to that right now. I talked to Phil previously and he is not interested in a common drive. That is put to bed. There is no interest in doing that and would devalue you his existing home and the driveway goes right by it. It is not a viable option. He is sole engineer and has practiced for over 40 years. He was on the site walk and he laid it out. We meet all the requirements, the health department excreta. I would like to move forward right now. Just providing one easement for drainage..that pipe is going to be removed anyways. It handles the drench drain in front of the existing garage so he owns that home and he is building a new home before he sells it. All that legal stuff will be in place and I don't see why we can't move forward on granting approval tonight. There is really no questions to answer. We have been here more than once. We have walked the site and have addressed all the comments. Thank you and please consider that.

Mr. Pettee – The other item that we wanted to see on updated plans is identification of the soil stockpile location. Not saying that can't be addressed as part of a condition. I am just wanted to point out these things we are looking for. Some sort of note or depiction of construction fencing around the leech field area so that the contractor knows where to stay away from with their heavy equipment. Was there anything else? Compaction notes.

Mr. Bringley – In terms of the compaction. The building is being designed by an architect. We do not typically address, the building footprint is the architect's footprint. We do not address the structural fill underneath that building. That is part of the building architecture. We have made the architect fully aware of the elevations under that building. He is spec'ing the basement, the foundation, the structural part of that building. I do not feel comfortable in spec'ing the compaction underneath the building. That is not our responsibility at this point. That is the architecture responsibility that will be on the architects plans as part as applying for the building permit.

Mr. Harter – Would you add a note referencing the architect makes the call on that then?

Mr. Bringley – We do not need to add a note. It is his responsibility on his plans so no we are not interested in adding that note just to confuse matters. This is a site plan and have depicted that this building can be constructed on this site as proposed. We do not need to add that note. It is redundant.

Chairman Santoro – What does everyone think about that?

Mr. Logan – I do not have a problem adding a note onto the plans. I do not know what the severe objection to that. Your guys are designing the entire grading system. You have designed the leech field. The site needs to be suitable for a building to be placed on it and I would think it would protect the engineers of this site that notes be put on the plans that the fill needs to be constructed of particular type of fill like granular or structured granular fill compacted o 98% or better if you are

going to be putting on a structure over the top of it. I have no understanding why you cannot put a note on the plans like that and I would suggest doing it.

Mr. Harter – I would agree and I would think that putting the note on the plans gives the heads up to the site contractor that he needs to be aware that there is something special going on here and I do not see the harm to it. If anything I think it is better way to go and I know who is on this Board has seen some of the projects go to construction but anything you can do to communicate more to the person that actually builds the site. Anyone who can give more information to the contractor to help them build a higher quality project then you would otherwise there is benefit to that. That is my opinion.

Mr. Logan – We can put that as a condition of approval of the plans that that note be put on there to satisfy...

Mr. Bringley – We can put a note on the plan that the building fill or structure underneath that building is part of the architects design. We do not know what structural system he is going to use underneath that building. He may deem to do H piles or something different. We do not know the foundation design so it is not our requirement. I do not want to spec what the foundation fill is underneath the building. The fact that that is underneath that structure which is the responsibility of the architect.

Mr. Logan – Then put that note on your plans.

Mr. Bringley – That is what we will do.

Chairman Santoro – Anyone have any thoughts about having that as a condition?

Mr. Harter – I think that is a good idea.

Mr. Logan – I agree. We can move this along this evening as long as the conditions he can accept and that they are reviewed by LaBella as they come thru for approval.

Mr. Pettee – I think the only thing we want to be sure of here or you want to be sure of as a Board is whether or not you want to provide that waiver of a maximum slope is regulated in the Design of Construction Standards for driveways being 10%, whereas they are proposing a 30% driveway. That is just something you will need to think about.

Mr. Logan – Do we have an opinion from the Fire Department on that?

Mr. Logan – typically the grade would be the biggest concern to the Fire Department getting there equipment in and being able to service a fire if that were to ever arise. Otherwise they have equipment sitting up on the road. I suppose you might be able to craft a condition for that waiver indicating that you will provide that slope waiver provided that the Fire Department weighs in and is agreeable. Lisa, do you know if the Fire Department received this to comment on?

Ms. Boughton – They did not.

Mr. Logan – With a waiver I would suggest we do that. There is a parcel just outside the Village that we approved several years ago that has a long steep driveway that the Fire Department needed to weigh in on. I understand this house is not that far from the road but it still creates a challenge for the Fire Department to access it with the geometry and the steepness of the driveway cannot accommodate their equipment. I would suggest we get the Fire Department to weigh in on that.

Chairman Santoro – Anything else?

Mr. Harter – Is that a condition or do we wait for that to happen and then we vote?

Chairman Santoro – No, that will be a condition.

Mr. Logan – We can put a condition #4 and #5 I guess.

Chairman Santoro – I have already added to #4 with regards to the architect note with whatever not they want to add. #5 will be the opinion from the Fire Department.

## RESOLUTION

Motion made by Joe Logan, seconded by Al Gallina.

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

1. A site plan application (the “Application”) was received on or about October 16, 2019 by the Secretary of the Planning Board for a Site Plan entitled Clark Lot Line and Site Plan (the “Project”) submitted by Phillip and Vendla Clark (the “Applicant”) for the property located at 140 Fisher Road (the “Site”).
2. It is the intent of the Applicant to adjust existing lot line that separates 168 Fisher Road from 140 Fisher Road, so that each of the parcels is compliant with current zoning regulations. A 3,200 square-foot single family home would be constructed at 140 Fishers Road.
3. A public hearing was duly called for and notice of said public hearing was published in “The Daily Messenger” and whereby all property owners within a minimum of 500-feet of the Site were notified by U.S. Mail. An “Under Review” sign was posted on the subject parcel as required by Town Code.
4. The Planning Board held a public hearing on January 14, 2020 at which time the public was permitted to speak on the application.
5. Section 2.9.16.1 of the Town of Victor Design and Construction Standards allows for a maximum driveway grade of 10%, whereas the proposed site plan depicts a maximum driveway slope of 20%.

6. The Project 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.
7. The Conservation Board reviewed the project on November 11, 2019 and stated they had questions about tree removal with a home of this size. There are steep slopes and vegetation issues. A site walk was scheduled and completed on December 8, 2019.
8. A site visit was conducted on December 29, 2019 where Planning Board members and LaBella Associates had an opportunity to walk the site with the property owner. Attendees observed the topography, environmental characteristics, and a general layout of the proposed house and associated septic system location.
9. LaBella Associates reviewed the site plan and in a letter dated December 13, 2019, offered comments. LaBella Associates provided a subsequent comment letter dated January 3, 2020 that focused on the proposed septic design.
10. That pursuant to Section 27-8J of the Town Code, a recreation fee for each lot, or in the event of a multiple dwelling, a recreation fee for each family unit, in lieu of park land shall be paid to the Town before issuance of a building permit.

NOW, THEREFORE BE IT RESOLVED that the Town of Victor Planning Board hereby waives the requirement found in Section 2.9.16.1 of the Town of Victor Design and Construction Standards that would otherwise limit the maximum driveway grade to 10%, and allows for a 20% grade as depicted on the current site plan; and,

BE IT FURTHER RESOLVED, the Town of Victor Planning Board, as Lead Agency, has reviewed and considered Part 1 of the Short 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 Short Environmental Assessment Form and identified no 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 Action will not present a potential significant adverse environmental impact and hereby issues a Negative Declaration; and,

BE IT FURTHER RESOLVED that the application of Phillip & Vendla Clark, Site Plan entitled Clark Lot Line and Site Plan, drawn by Marathon Engineering, dated October 1, 2019, received by the Planning Board October 16, 2019, last revised January 7, 2020, Planning Board Application No. 54-SP-19, 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 January 3, 2020 from LaBella Associates be addressed.
3. That the comments in a letter dated November 19, 2019 from the Conservation Board be addressed.

Mr. Harter – We add the note of the protection of the leech field with construction fencing and the other was the extension of the private utility easement to include the pipe that is draining onto the newly created lot.

Mr. Logan – And submit it to the Fire Department for comment.

Chairman Santoro – I haven't gotten to that one yet.

Mr. Gallina – The architects note on the structural integrity.

Mr. Harter – Note regarding the structural fill as ordered or specified by the project architect.

4. That a note be added to the plan regarding protection to the leech field during construction, architects specification with regard to the fill, extend the easement to include the storm pipe.
5. That with regard to the slope waiver an opinion from the Fire Department with regards to their access be obtained.

**Ongoing conditions:**

1. That the site plan comply with Town of Victor Design and Construction Standards for Land Development, including Section 4.
2. Should an underground stream be encountered during construction, the Developer is to address the encroachment and impact to the underground stream to the satisfaction of the Town Engineer.
3. That a building permit be obtained before 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	Nay
Joe Limbeck	Absent

Approved 3 Ayes, 1 Nays, 1 Absent

**BLUMONT RISE SUBDIVISION**

02-PS-19

County Road 41

Zoned – Residential 2

Owner – Blumont Rise Stables LLC

Applicant is requesting approval to create 35 single-family home lots on 33.2 acres with additional 74.8 acres being subject to a Development Restriction Easement for a total of 108 acres.

Chairman Santoro – We are still waiting for Farmington Water & Sewer and Ontario County DPW. The deadline is January 16<sup>th</sup>, 2020. Part 2 of the EAF maybe started at this meeting and I do not know if we are going to be doing that or not.

Lucas Bushen of Marathon Engineering

Mr. Bushen – This is a 35 lot subdivision on Boughton Hill Road and includes portion of deed restricted land. In order to allow for the development under Town Law 278 as a clustered subdivision development. There has been a number of revisions to date and there are outstanding comments to date from agencies and the County that we are working on addressing. One of the key comments of which is the access management plan that we are in the process of trying to schedule a meeting with the Town and County DPW to work that comment. There are also NYS DEC and NYS Dept. of Health reviews that we are in the process of making an application to them to get their feedback and there approval on the project at a preliminary stage. We are in the process of doing that as well. At this point we are seeking preliminary approval. I understand that some of the feedback is still forthcoming from those agencies so if there are any additional comments that the Board has that we can address at this time we will be happy to do so.

Chairman Santoro – Anyone from the public have any comment on this project?

Joel Sherman at 7753 Lower Fishers Road

Mr. Sherman – I travel that way quite often when I go to Tops over on Mertensia. It is quite a speedway thru there till you hit 40 and realize you're going down a hill and you better slow down. My concern if it hasn't been addressed already is what we are going to do about the speed limit where there are two access points to County Route 41. I have noticed quite often not only do people go like hell thru there but they also pass on double solid lines. I have almost smashed up a couple times from some yahoo going by me when he shouldn't be. I am concerned about overall safety in that area and if they are going to address the speed limit in that area. Thank you

Chairman Santoro – That is a County Road so that the County is the one who has to set the speed limit.

Ruth Nellis 93 East Parkway

Ms. Nellis – I am sorry I couldn't hear. Has this project been presented to the County Planning Board for assessment?

Ms. Boughton – Yes, it did.

Ms. Nellis – There main concerns are drainage and traffic. You know that I have been dealing with a project myself but drainage is a big issue here in Victor and my other concern is has there been any renditions, elevations or pictures of what the houses will look like? As well as photos of the surrounding areas of the neighborhood. Frequently it seems to me when a project is presented we get almost blinders on and we look at the site plan but we are not seeing what is around this plan. I was wondering if any such photos or pictures have been presented.

Chairman Santoro – There was some conversation about running the sewer and drainage line up.

Mr. Pettee – Specifically to address your question on an elevation or how these building s are going to look with a subdivision application and the particular location of this project within the town there is no requirement for the applicant to provide elevation drawings for the proposed residential structures. That might be different if they were in the Route 96/251 overlay corridor and if it were if it were a multi-residential structure in that corridor. Then those types of drawings would be required. They are not required in this particular scenario. If they have something like that maybe they could present them.

Ms. Nellis – It would be helpful in making a decision.

Mr. Pettee – Understood.

Ms. Nellis – I do not know if you remember when the Harris Terrace project was presented on Main Street. In the Village. They presented an elevation, picture as well as a video of the neighborhood.

Mr. Pettee – The difference there from my perspective is that is a site plan application where a site plan often do require a depiction or elevation of the building. All four sides, eight sides or however many sides there are going to be. SO that was a requirement of the Village Planning Board at the time thru their site plan application requirements. I understand your concern.

Ms. Nellis – It is not an island onto itself. Thank you.

Chairman Santoro – Anyone else?

Mr. Harter – The only question I have is that it goes along with what the gentleman said before. Why the offset intersection? Why does that entrance have to come out there? Can it not just become a cul-de-sac and have one access point out to Boughton Hill?

Mr. Bushen – Unfortunately the two access points are a result of the new State Fire Code appendix D. Which requires two entrances for more than 30 lots.

Mr. Gallina – I think Scott in the very early preliminary renditions there was one cul-de-sac and we persuaded the applicant to go to this configuration.

Mr. Harter – That is for the emergency vehicles to come in from that direction and that is solely driving that connection.

Mr. Gallina –Not more than 25 units on a cul-de-sac.

Mr. Harter – Can you do a temporary? We have one over by the Walmart project. Can you do something like that? In other words, emergency vehicle could access thru there under an emergency situation. If you travel down to Brace Road a little further down the line there is a classic offset intersection condition and I do not know if you folks feel the same way about it as I do but I find that to be very problematic thing right there. Certain times of the day I am a little surprised to see this could potentially create something similar to that just a mile east of it. Doesn't feel right to me.

Chairman Santoro – I have never had a problem with the Brace Road.

Mr. Bushen – We have explored the temporary or limited access with different projects and they are not open to it. Specifically related to plowing and then want a town dedicated road and maintained year round just like everything else.

Mr. Pettee – You have mentioned that you are trying to set up a meeting with County Highway Department and maybe that meeting you are looking to talk about the very issue. Is that correct?

Mr. Bushen – Yes, And specifically how it relates to the new Access Management Plan and how these two T intersections relate to each other and what we can do to balance the Fire Code

regulations and the town requirements and what the County requires in terms of intersections on the roads. So that is what we are attempting to facilitate as a sit down and come to a solution on that.

Mr. Pettee - Who are you proposing being involved in that discussion?

Mr. Bushen – The Town Department of Public Works, the Town Engineer, and Kim Kinsella from the town itself and whoever else she sees fit to be involved.

Mr. Harter – So you did contact the Fire Marshal and the Fire Marshal was not supportive of temporary access thru there?

Mr. Bushen – We did not on this project.

Mr. Harter – You did not speak with the Fire Marshal?

Mr. Bushen - The Fire Marshal has been involved on this project. The temporary access has not been proposed since it has not been accepted in the past. In my experience I wanted to add that.

Mr. Harter – I would think that would be a critical light on to present to the Board so that we would have justification for what you are showing there. At least it would in my mind to the extent that the Fire Marshal says that he does or doesn't like it would influence my vote.

Mr. Pettee – I think that is a good point and I think maybe after you have the opportunity to have a conversation with Kim Kinsella on who else from the town might be involved maybe a Code Enforcement Official that has the responsible of enforcing the international Fire Code in this regard to the fire apparatus access roads. Maybe they can be involved in that meeting with the Count and Town Engineer and that sort of thing.

Mr. Logan – Scott, I am a little confused. Where is this location for your temporary or emergency access?

Mr. Harter – It is over by the Goodwill used to be.

Mr. Logan –No, for this site. Where are you proposed to be different than what is shown.

Mr. Harter – I would propose that truncate that 50 or 100 foot there.

Mr. Logan – You mean Road A on the westerly entrance to get rid of it?

Mr. Harter – Yes. Make it a hammerhead.

Mr. Pettee – With a crash gate?

Mr. Harter – Whatever is acceptable to the Fire Marshal.

Mr. Logan – I guess I am confused to what is the real problem is with the second entrance. It is a straight shot and the sight distances is very long. It is an infinite in terms of speeds on that road.

Mr. Harter – What about cars pulling out of the other with simultaneous turns coming out of both intersections.

Mr. Logan – You are talking about from East Victor? They can see cars coming one way or another from there. Offsets are almost everywhere in town.

Mr. Harter - Does this fall into the access guidelines conditions supplement to the Comprehensive Plan relating to speed limits and space between access points. That sort of thing.

Mr. Logan – I guess I defer to Wes.

Mr. Pettee – This type of scenario is explored in the access management plan. I suppose the Planning Board should take into account any decision how this particular proposal relates to that and whether or not it is conflicting. I did talk with one of our traffic engineers and they mentioned because of the existing condition to the north immediately if we look at East Victor Road. I think there is a house right opposite that. Given this particular design you have that offset intersection and there is not that much you can do unless you were to eliminate all together but the international Fire Code will not allow that with this number of proposed homes.

Mr. Harter – It was you folks who did the study right?

Mr. Pettee – Yes, Lorenzo from our office.

Mr. Harter – I attended the presentation he made and would be curious to know what his take is on this. Given that he did that study I would be very interested in his opinion.

Chairman Santoro – Can we get that?

Mr. Pettee – Absolutely.

Mr. Logan – Are your concerns Scott about the distance between East Victor Road and Road A entrance. Is that true? It is worth exploring for sure but I have a problem making a hammerhead without having that extra access. If we had to move it because there was a distance issue there than we certainly should consider that but I wouldn't want to get rid of it. Certainly because of the issues we have had with the number of houses we have had on a cul-de-sac and from a single entrance point. Right now we have 20 homes on that one cul-de-sac and if you put a hammerhead the other way now you're talking about all of the homes being restricted to the one entrance. Which is too many for a single entrance in the town.

Mr. Bringley – I think you eluded to it. We have studied this now for quite some time so we have had input from this Board, from the Town Engineer and on this configuration. It isn't like it was something that just came in. This has been looked at for months and months and if you remember that after we presented to this Board we made some modifications. Joe, you suggested that we make the project better. We then went to the Town Board to get approval for extension of the sewer district which took quite a bit of time. Since that time that same plan is before the Board and then the adoption of the Access Management plan. We also have had other conversation with County Highway, which has never had an issue with this configuration. The fact of the matter is we cannot eliminate an entrance. It is NYS Building Code. We cannot ignore it without a variance and unless we sprinkle all the units and that is not going to happen. This configuration is dictated by NYS Building Code and the fact of the matter is we have about a 100 feet centerline to centerline and there is adequate sight distance along this portion of the highway. Yes we do have to work things out with the County Highway because the County DPW started looking at it and made aware of the Access Management Plan comments after this configuration was already decided. I think that is the history and we just to remind everyone that is where we are today.

Chairman Santoro – We have spent a lot of time on this over several meetings to get to this configuration. I do not think we are in a position now to change it. This is the best we could do at the time and I think it is the best we have now. We are still waiting for Farmington Water & Sewer and Ontario County DPW and supposed to get it in by Thursday. That is the deadline. There is a note here Part 2 of the EAF maybe started. Are we in the position to do that?

Mr. Pettee – I think we should hold off on the beginning of Part 2 of the EAF. Maybe if there is some additional information that is to be gleaned from this meeting might be helpful.

Chairman Santoro – Everyone okay with that?

(The Board agreed)

## **RECOMMENDATION ON PDD**

### **HIGHLINE PARK**

7652 Main Street Fishers

Zoned - Light Industrial

Applicant is requesting to rezone two vacant parcels totaling 18.6+ acres on Main Street Fishers from Light Industrial to a new PDD.

Jeff Morrell of Morrell Builders

Mr. Morrell – I am not going to repeat the entire presentation. I am going to pull the highlight section out as well as provide the new information for this evening. Hopefully this will be relatively brief and as I said I will do the summary to give a little history of the project. Just a

refresher for the Board. This was the revision that we had made to our overall submission. Mr. Harter as you know this project is a down zoning of a Light Industrial parcel to a less dense class of a multi-family project. We are going from a light industrial to a residential application. From our original submission to this submission we made a number of alterations based on feedback we have received from the public and that culminated into the site plan that is before you right now. Basically those revisions were specific as follows. We had a request to increase our buffer on the western side of the site. The western side we increased this buffer zone to maintain the natural vegetation to 100 feet from 50. This was doubled and we did this by pushing the entire cul-de-sac to the right. We wanted to remove all visuals of the project from the Main Street Fishers corridor so we removed all the units along this area here to have a much larger open space block and present basically that hillside to Main Street Fishers.

We received feedback, although the entire project is sprinklered, we widened with dual access points at the entry in the unlikely event we needed to have redundancy for emergency access purposes. We have that. We removed an entire building footprint here so that we could subordinate the buildings to the rear and side so that all the visuals would be removed from Main Street Fishers as well. If you know the topography of the site it basically rolls up to a high point and then begins to troll down to the far back of the project as it falls down into the Gorbelt park behind. The site is surrounded on three sides by Light Industrial and is in the LI corridor and is now a transition zone as projected moving from the west side as a residential to the east side as being Light Industrial.

In addition as I mentioned we did that density reduction from a 160 units. We striped out 10% of the project reducing that to a 146 units and then some of the other significant advantages of the site are highlighted on the next slide. I will go right to summary of highlights. In this overall highlights the project. As I mentioned it is a transition zone from residential to light industrial. In this project as it relates to light industrial we are at 63% open space. LI is 35% open space. Our open space parameter is significantly larger. Matter fact it is larger on this project than a traditional residential application of a 50% open space requirement. Naturally in a residential application the impervious surface area versus light industrial is greatly reduced. We have a 45% reduction in impervious surface area and a 50% reduction in stormwater management and stormwater management facility. Storm volume as well as facility requirements. In working with Clark Patterson Lee on traffic this project not including the 10% reduction that we made in the density has anywhere between a 55-67% reduction in overall traffic. That was highlighted as a number one concern on Main Street Fishers because again we are down zoning from a light industrial to a residential application. We did are making a contribution to ultimately signalize the intersection at Route 96 and the Omnitech office park on a long term basis. Those funds would be put into escrow into the Victor Access Management funding to be utilized at that signalization or other access management plans within the corridor. Traditionally Light Industrial zoning does not have a low density residential right next to it. Traditionally there is a transition zone this does not and this is why we are introducing a transition zone here to accommodate the neighbors immediately to the west. We talked briefly on market need. The supply is highly restrictive in our area. Just responding to Councilman Gallina's comments last time. I did re-review that market study and it did include areas as far east as all of the Farmington area. It did not go all the way to downtown and actually ran from the Brighton corridor thru the Town of Mendon and as far north as Fairport and all of the

Farmington area. That market study area was very comprehensive and the whole purpose of this project is obviously we are very familiar with the residential housing in the area. We do construct a lot of single family residential. That market price point is extraordinarily high. Just to give you an example of our Piper lot costs are north of \$100,000 on a project recently approved so we would be constructing very high end homes and now there is this tremendous dichotomy within the Town of Victor with regards to housing supply against need and affordability. That was the last question on market need and this evening just wanted to address some of the sight lines with the front elevations.

Mr. Logan had mentioned the sight implications as it looks from west to east and so we did all of the elevation work. We had to get survey crews out there so that is what caused some of the delays and we wanted to shoot those elevations of those homes and match it with our grading so what you are looking at is a cross section of the project directly at or closest adjoin on the western side of the project. Here coming thru the project and all the way to the east side here. The peak of this residence is 640 feet it then moves from their property line which sits here thru a 100 foot buffer of undisturbed natural mature vegetation to our first single family residential unit. At sitting at a peak and what I am doing is not giving ground elevation but giving rooftop of gable elevation. Sitting at 626 feet and then that moves across the street scape and the open space in between and then our grade changes because we are in the back rear part of the site. Actually on this three story inclusive gable we're peaking at the top of that gable at 643 feet. The overall impact of height and elevation across the site is significantly mitigated and these are the distances, 150 feet from building to building then another additional 230 feet from this building line to the next street scape line. Then it is an incremental 200 feet before that three story element takes place and obviously the grade dropping. Approximately 580 feet immediately from east to west and I will show that on a top down perspective so you can see the measurements. The yellow line represents the sight line. Here is the home that I was speaking about. Here is the protective buffer of 100 feet, all of those mature trees are staying. It extends from this sight line approximately 550 feet to this sight line of the building across all of these elevations and also want to note that the structures here are residential in nature so they are gabled structures versus light industrial structure. Light Industrial structures are actually approximately 25 to 30 feet in max height elevation. Residents assuming in the wintertime, in the summertime obviously there is full foliage on the trees but in the wintertime on a light industrial application you would be looking down on top of the light industrial flat roofing section and that would be below. From two story element here into any light industrial application here you would be seeing rooftop. Basically the flat roof structures of an LI building.

Mr. Logan – Jeff, you have several duplexes and a two quads that are backing up perpendicular to each other south of the main building. Those are all about the same elevations?

Mr. Morrell – Correct, all about the same elevation. We come up here and this is basically the high point of the site and actually runs right along this side and on this side is where we are dropping down quite significantly. What we did was take this elevation line but correct but it all the same. Wanted to show again the residential nature this is what that three story building looks like. Arts and Crafts style construction in keeping with the homes along Fishers Road as far as a lot of those homes are ranch style homes and Arts and Crafts styles and colonial in style. Gable

rooftops and we would be doing a mixture of stone, beams and columns. We do have a lot of porch work on the structures because covered porches are very popular so we would be doing those in that colonial style and colonial rail. We would be doing stone on the first floor elevation and that is also an attractive look because when you do stone on that first floor it breaks the building height up by doing a mixture of stone and then we would be moving into a cedar impressions, siding you can see a combination of cedar impression shingles as well as horizontal siding. All windows are trimmed as well.

Again, it is a gable styling and then the closest structure, you can see these are fully detached units, as a single family all first floor ranch style homes throughout the rest of the project. It is a two car garage entry point with porch detail, again the same Arts and Crafts style tapered column and stone bases. As you come around to the rear these are covered porches going into a small patio in the back. Right to left gables. There is no second floor here. Those elevations that we provided is the top peak point but these are not two story structure. They are all single story but made from a gable an attractive look to include that window set up in that roofing structure. Carriage style garage doors as I mentioned, it is an attractive project this is a portfolio project for us in the Town of Victor so we would be owning and maintain this project in perpetuity.

Joe, I just wanted to mention also because you had brought up the question of light industrial and the potential loss of light industrial. Here is the light industrial corridor and I have presented on this even at the Town Comprehensive Planning workshop as the town was going thru the Comp Planning. Here is the entire tech corridor for the Town of Victor, the Route 251 corridor, at the time I had specifically talked about the over zoning of Light Industrial and the reason why that LI extended all the way out to the County Line is originally it was following the railroad beds. You have railroad bed here and here and those are now hike/bike paths for the town. The original concept of extending light industrial and zoning all of it Light Industrial was following those railroad beds so there is tremendous amount of Light Industrial application throughout the town but as I mentioned earlier there is no multi-family zoning. The opportunity to down zone a piece and address many public concerns in regards to traffic, open space and impervious surface area exists with the conversion of this property. It satisfies a critical housing need and it is not stealing critical LI infrastructure that cannot be solved on a long term basis with the Town of Victor. There are a number of Light Industrial parcels that could continue to address Victor's tech corridor for the long term. I wanted to address that as the last concern. I will open it up to the Board for any additional comments and appreciate your time this evening.

Chairman Santoro – This is only a recommendation that we will be giving to the Town Board this is not an approval or a denial. We are not ready to do it right now. Even though it is not a public hearing if anyone wants to make a short comment or question.

Enrica Sharp Fishers Road

Ms. Sharp – I am opposed to it. The Comprehensive Plan said this was our light Industrial and that was supposed to be the tax base. Part of the Comprehensive Plan which everyone worked on, my husband was on the water committee, my neighbor was on the traffic committee and things and everyone worked together on this. We did not want this sort of development in

Victor. Victor wanted to stay a rural setting with single homes, not density homes, not be like Henrietta, Greece and surrounding areas. Yes Victor has gone up. Two weeks ago in the Saturday paper the house prices in Victor were the highest. Higher the Pittsford, Perinton or anywhere else. The developer keeps building high priced homes. In allowing these PDD's and letting them have these three story buildings then our fire equipment has to be improved. Our fire department needs more training and things. I do not think they have the ladders for a three story buildings. It was always supposed to be two stories to keep the view and to keep it rural and things like that. I know he is down below the hill but still. I also do not like the incentive because the incentive seems to go away if he doesn't get what he wants. That almost turns into like a bribe to get someone to agree with him. The incentive thing does not seem to go over good. If you are going to keep changing the Comprehensive Plan shouldn't we have more people involved in this and not just the developer says we need something like this. I don't know too many people who have said they want density housing in Victor. The density housing just puts more people in a smaller area and adds to the traffic problem which Victor has and will have because we only have one main road thru Victor. Other towns have other roads you can go around and do things but Victor doesn't. I guess I am opposed to it as you know.

Joel Sherman Lower Fishers Road

Mr. Sherman – I question the math on part of the presentation. Reducing from 160 to 146 is not equal a 10% reduction. Do the math. The other thing I am wondering, there was a statement made amount the traffic density being reduced from 55-67% so with this new development and all of these new vehicles coming in to live and work there they must be displacing hundreds of cars currently in that location if we have reduced the density from 55-67%. I do not understanding.

Chairman Santoro – I think what they meant was if an industrial project went in as opposed to a residential project that would be the difference not that there is anything there now that is at that level. Am I right Jeff?

Mr. Sherman – So what we are saying is that again we are going to increase the density of traffic thru the hamlet of Fishers?

Chairman Santoro – Everything that gets built in the Town increases the density of traffic.

Mr. Sherman – I realize that and if anyone is familiar with the Log Cabin, Benson Road, Fishers Road area you know that is already a cut thru for people coming thru and driving like crazy. I walk my dog thru that area every single day and every single day I am taking my life in my hands. Let's add a couple hundred people that are going to be driving from that area. It is bad enough trying to turn left from Log Cabin Road to go up the hill on Main Street Fishers or even to turn right to go down to the post office with the way the traffic is now. I haven't seen a police officer down in Fishers by the fire department checking speeds maybe once in the last year. We down play traffic but traffic is what gets people killed.

Ruth Nellis 93 East Parkway

Ms. Nellis – Two quick questions. Is there a provision for overflow parking? I think of Victoria Woods especially the newest addition and how they have added additional parking spots for visitors. People moving into these structures often have possessions they do not have room for ..is there overflow?

Chairman Santoro – There is all parking in that area in the upper right and there is parking in the driveways.

Ms. Nellis – I understand that but when you think of your own garage and how many of you put two cars in your garage and you use your driveway for your parking area then you have graduating son or daughter with their car and where you going to put that. The last thing is that I would like Morrell to consider the landscaping. Especially for those units that are next too or adjacent to the Light Industrial.

Debra Hogan 580 Sauer Farms Drive

Ms. Hogan – Last time the Morell's were here there were several issues that were raised and I did not hear them addressed tonight. Specifically I have two additional concerns around traffic that I have mentioned in the past and I will bring those up again. The first is on the entrance if you look at that entrance on the right hand side where the apartments are you do your calculations you will find that that is approximately 500 feet. If you take the average car length to be 15 feet plus 3 feet gaps that means that road will only handle 28 cars queue. If the average queue time is a minute and thirty seconds you are looking at a 28 minute delay for the furthest car and not to mention the rest of the cars that are trying to get out at peak. To the gentlemen's point about traffic it is a major issue and we will see tempers flaring as people have to wait 45 minutes to get out of those apartments. The other thing I raised last time that there are issues with traffic study. It is four years old and a lot of changes that have happened. The data they presented on page 12 talks about 49 cars which I raised last time and said if you look at the price of these units and there are 120 units and only 49 people are coming out at peak does that make sense. These people have to work to pay for these mortgages. After I got home and thought about this and well you know there is another problem because I believe the town requires 1.5 spaces for every unit which would say it is not 120 units that they should be taking into account. Its 160 units for the apartments and so these traffic numbers do not assume that 1.5 cars as part of the traffic study. Now you are not looking at 100 cars coming out at peak you are looking at 150 with a queuing problem that can only accommodate 28 cars. To me the math does not work on this at all and have not taken that into adequate consideration. I personally believe that the PDD should not be approved until there is a real traffic study that is current.

Chairman Santoro – As I said before is that we do not approve the PDD, we only make a recommendation.

Ms. Hogan – I understand but I would ask you to not recommend going forward until a traffic study is appropriately done. Then finally regarding the market study. I raised these issues last time. They talked about the area but specifically there are several new housing that have not been taken into account in the market study. The place up there at High Point is going to have 200 however many.

Chairman Santoro – Those are going to be very expensive units to rent.

Ms. Hogan – You do not think these are?

Chairman Santoro – I do not know what their rentals are?

Ms. Hogan – The rentals start at \$1400 and in those townhomes are going for \$2500 a month.

Chairman Santoro – Is that more than that up at High Point? It is.

Ms. Hogan – I do not know what those are but I mean \$30,000 a year sounds like pretty high rent to me. Would you agree?

Chairman Santoro – Depends on how much money you make.

Ms. Hogan – They were referring this to as affordable housing. There is nothing affordable about it. The cheapest rental is like \$1250 a month for a single one bedroom. They have all the rents in the market study. They are very high and not affordable housing. This is upscale housing which is also consistent with who they want to rent there. Which is tech people and seniors who want to get rid of their houses and live in an apartment townhouse type situation. Again, I am not in favor of you guys recommending this go forward until we have additional data. Same data I asked for the last time.

Mr. Morrell – I am going to address the traffic study and the market study specifically the firm that was used to complete the market study was actually the same exact firm that was used to complete the Woods at Valentown so those components were considered. Matter if fact we received guidance from the town as far as a recommendation there to be in compliance with good market study data. The second with respect to traffic our entire traffic engineer, McFarland Johnson confirmed all of the traffic data with Clark Patterson Lee and confirmed all of the traffic data with Clark Patterson Lee. It was one of the prior slides and I just wanted to confirm that Clark Patterson Lee has basically stated their words “the methodology, scope, growth factors for the entire traffic study are confirmed and supported by Clark Patterson Lee” this is the town traffic engineer and any discrepancy with regards to trip generation, calculations and higher values actually were utilized by our traffic engineer to ensure a more conservative analysis in the traffic generation and that they had concluded that the proposed development would have little or no impact on the level of service to queue length and the intersection study. Those were all the traffic conclusions by CPL. In addition to that none of the implications with regards to the density reduction were included in that traffic study so we are 10% further below our traffic

study as proposed. The final was making that contribution to the Access Management Plan to anticipate alleviating future traffic concerns at Main Street and Route 96. Many of the comments that you hear from the public do regard traffic and that is exactly why we are proposing this project as a reduction from Light Industrial impacts to a residential. Although I can't eliminate traffic we are going to increase traffic in the area and we are going to do it at a much slower rate than a light industrial application which immediately exasperates a higher traffic profile in the am and pm hours. I wanted to comment with regards to that on the Board and will continue to address any other issues that CPL brings up thru the Town Board process if there is incremental data that we need to supply to the town we would certainly do so.

Ms. Hogan – I just have two quick counters. First of all on page 16 of the market study where they list the locations that were looked at. The Woods at Valentown which was 288 units and Willow Rise which was 45 units which is 333 units is not included in there published data. You can say it is there but if you look at page 16 it is definitely not there. Regarding the traffic study I actually talked to Jennifer last time after I was here and asked her about this issue of the queuing problem and she agreed with me that there will definitely be a problem so again that is not raised in the traffic studies but will have an impact.

Mr. Logan – I would be interested to her Jennifer's comments or her reaction to Ms. Hogan's remarks. Short of that I think we have really covered the traffic issue with Clark Patterson's review. If you could pose those comments to Jennifer I would appreciate it. Nothing else on that. Jeff, I appreciate you providing the elevations as I asked before. It is helpful. The renderings are nice and I do favor the style of architecture personally and I think they will look nice. They are still quite large a buildings but they are back and down away and up against light industrial it enhances that part of the neighborhood in terms of view. I am in favor of that architecture.

Mr. Harter – Jeff, do you have any comment on the queuing problem that was alleged and the second part of my question is the traffic study is recent and has been updated? It is fresh sort of speak.

Mr. Morrell – Correct. I do not have any issues on the queuing issue for a number of reasons. Whenever we do a traffic study we have to go to the extreme on the conservative side and the last thing that we are not allowed to do is account for the demographics within the project. We actually have designed this for basically a large portion of the demographics to be in that empty nester category. We are looking at two specific marketplaces. One being there young professional to cater to the tech work force and the other to be an empty nester. The empty nester is an off peak distribute traffic profile and we are extremely familiar with that traffic profile and because we build a tremendous amount of empty nester homes. So all of the project from here over is single story empty nester product and we really do not anticipate queuing to be of significance at our entry and exit points we are not introducing them to the am and pm hours. Hopefully that helps address your concern,

Mr. Gallina – What is the number of parking spaces that are currently proposed for the site.

Mr. Morrell – I don't have the exact number but I do believe the ratio is 2.44 because we need to subscribe to a specific multi-family ratio. Excuse me it is 2.1 in the multi-family area. The national average for multi-family is about 1.7 so we are over parked. Right now the national average has actually been dropping over the past five years because of the shared economy. The zoning code hasn't quite caught up with it at this point. I think our parking ratio is really good and do not want to introduce more. We have a plan of open space to introduce land banked parking if we want I just do not want to increase impervious surface area if it is not necessary so we could look at that on the site plan as incremental land banking opportunities and just not use them if they were not necessary.

Mr. Logan - Quick question Jeff. Is there a plan to incorporate charging stations for electric and hybrid vehicles? (*Absolutely*) So there would be accommodation for that in the entire development?

Mr. Morrell – In the units themselves and we have parking within the building to have fully covered parking. We are looking at basically a charging station for Tesla vehicles or any EV vehicles with 45 amp circuit. We will be equipping the site to handle EV functionality on the project and we are seeing those cars absolutely everywhere. We are really hoping that continues and we are going to make sure the project is future proof for that. That corridor is very demanding of the EV requirement.

Mr. Gallina – The only other comment and I do agree that the architecture on the buildings is nice and on the scale of the buildings I still believe it is too large for the area and personally would like to see two story facility versus the three story. I know there is an economic equation that has to be factored in there too but I do believe the buildings are too large a scale for the area.

Chairman Santoro – What is your feeling on going thru the 11 criteria? Tonight? Scott just got into this and Joe has not seen any of it I think.

Mr. Pettee – Maybe we have a couple of options here. One option it might be that you provide some initial feedback on each one of these numbers if you have something off the top of your head. Alternatively I can draft the 11 criteria based on what we have heard to date and provide that you for review and comment at the next meeting.

Mr. Logan – I would suggest that is pretty efficient or more efficient than trying to go thru it hear as a group without Joe especially. Our next agenda is fairly light. We only had a couple items. It has worked before Wes when you have put something together as a draft and we been able to comment on it.

Chairman Santoro – I think we have done it that way before. Everyone is in agreement with that and that is what we will do. Next meeting Wes will have provided draft of the 11 criteria and we will discuss it.

## **ARCHITECTURAL REVIEW COMMITTEE**

Chairman Santoro – One other item. With Heather not on the Board anymore we need.....

(Public approached the podium to introduce themselves to new Board member)

Chairman Santoro – We need to fill the gap in the Architecture Review Committee and it has been proposed by staff to delay that until the next meeting when Joe can be here. It has expressed interest in it.

Mr. Gallina – Just a question Ernie. Back when we had seven member Planning Board there was more of a need for an independent or separate Architectural Review Team to preview things but honestly in the last two years we have had very little need for anytime of preview and it all comes to the full Board anyway. I am wondering if it is an obsolete need at this point.

Chairman Santoro – I tend to agree with you quite frankly. How does everyone feel about that?

Mr. Logan – It has been friend for sure but honestly the whole Board needs to review it anyway. We see the architectural details as proposed prior to the meetings and also and they get forwarded to our Architectural Consultant correct?

Chairman Santoro – Let’s keep the committee intact even thou it does not do anything. Just in case there is an emergency.

Mr. Gallina – Which I am fine with. I certainly will volunteer to participate again.

Chairman Santoro – So Joe Limbeck has expressed an interest in going on the committee.

Mr. Logan – That is great. We will volunteer him.

Chairman Santoro – That is good. He is on.

*(During discussion of Architectural Review Committee there was public discussion regarding Highline Park PDD that was inaudible)*

There were no other discussions.

Motion was made by Joe Logan seconded by Scott Harter RESOLVED the meeting was adjourned at 8:55 PM.

Lisa Boughton, Secretary



