

A regular meeting of the Town of Victor Planning Board was held virtually on January 26, 2021 at 7:00 p.m. with the following members present:

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

ABSENT: None

OTHERS: Wes Pettee, Town Engineer; Councilman Dave Condon, Suzy Mandrino, Confidential Secretary to the Town Supervisor; Jeff Smith, Rocco Venezia, Jack Dianetti, Michele Richards, Helen Zamboni, Andrey Tovstukha, Fred Shelley, Babette Huber; Town and Village Historian, 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:

On motion of Al Gallina, seconded by Joe Logan.

RESOLVED that the minutes of January 12, 2020 be approved.

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

Approved 5 Ayes, 0 Nays,

CORRESPONDENCE:

Sue Nerwin re: Ultimate Grace
Nancy & Mike Magee re: Ultimate Grace
Philip Nelson re: Ott Minor Subdivision

Chairman Santoro – Babette sent something in late.

Mr. Logan – Was that the one on Ultimate Grace?

Ms. Huber – No. It was on Willis Hill.

Mr. Logan – Ok

REAPPROVAL**BLUMONT RISE SUBDIVISION RE APPROVAL**

01-FS-2021

County Road 41

Zoned – Residential 2

Owner – Blumont Rise Stables LLC

Applicant is requesting re-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. They received approval on April 28, 2020.

Chairman Santoro – For history for the Board. They asked for a re-approval and re-signing of the mylars and I did that the first time around reluctantly. This is a Board decision to do not just me. Jeff why don't you let us know why you why you want to do this.

Mr. Smith – I want to thank you for your time tonight. We are well behind on our planning for the Blumont Subdivision. Even though as you stated we were approved by the Planning Board of April of last year we didn't receive the Department of Health NYS approvals until two months ago in November 2020. That on top of the fact that we had some issues I think Wes is familiar with in terms of Farmington drainage and we were held in limbo for quite a few months. Recently we have found one other issue. My attorney late fall we found when the new owner of the Blumont Stables had acquired the property and had Scott Harter actually had staked the rear boundary line was not where I had intended it to be down a hedge row but instead thru some fence areas. We stepped back and began the process of modifying all our plans with the intention of transferring the silver of about three quarter of acre to the stables and correcting our rear property line. Why I don't know but I think it is the new owner and the new owner attorney and whatever and it is still not done. My attorney Tony Mastrodonato, was conservative kind of guy and said he would really like that transfer done before the filing so that the deed records are proper and we are getting closer to that. I think there was some issue of taxes that held up the transfer for whatever reason. I really hasn't been something I have been involved in it is something the attorneys have been trying to push forward. Ultimately we would like a little more time for this re-approval and get a couple months to file and would probably be able to quicker than that. Certainly I do not think that transfer will be that long. Also will somewhat buy us more time on the building cycle because we are so far behind in our planning on the subdivision because of the approvals of other agencies. I think to the large extent the NYS was due to Covid but that is getting to be a common excuse and I think the town of Victor has done admirably well compare to most other agencies we deal with in terms of getting things done. I guess we would very much appreciate a re-approval which buys us a little time to get the sliver of land transferred to the stables for us then to file the subdivision probably the following month. Otherwise we are expired on the 29th as I understand it. I pleased to answer any questions you may have.

Chairman Santoro – Board have any questions for Jeff?

Mr. Gallina – I don't have any questions on what Jeff has indicated but why we would we need a re-approval versus a typical process would be approve a 90 day extension. We can do that twice so why would this be a different approach in this instance.

Ms. Kinsella – He has had two 90 day extensions. He had his final plans signed. He had 62 days to file those at the County Clerk's Office. That 62 days runs out I think he said the 29th so that means that he would have to come back for re-approval of the final subdivision.

Mr. Gallina – Thanks Kim for that.

Mr. Logan – Is this essentially lot line adjustments for lots?

Mr. Smith – Yes, for the Blumont Stables it was a rear adjustment of the entire subdivision and affected about 5 of our lots. It was really an oversight of the engineer. I had very early in the game given aerial and showed where the property boundary should be for the division of the 35 lots and the stables property and they never did put the wood lot areas back that far on the map. Nobody really knew and I guess when Scott Harter's firm staked it it was like "oh" not how I had intended it. It was a fairly simple process in terms of the redrawing of the boundary on our maps but has not been a simple process getting the deed recorded and transferred. It is technically still part of our property as I understand.

Chairman Santoro – Did this result in a delay of getting your property on the tax rolls?

Mr. Smith – I guess it could yes. To the extent of depending on when the tax rolls are closed. That I think it is somewhat random every year somewhere between January and March I think the properties are status recorded. It is not our motivation I can tell you that.

Mr. Logan – My experience has been that the tax roles have been in March generally speaking. It is right in the time frame there. I do not have a problem with this. Sounds like a bunch of lot line adjustments for a property for a subdivision that has not been built yet. No harm no foul I guess.

Mr. Smith – The other thing is Lisa made me aware of the benefit of it is the problem was the original Planning Board approval was so far in advance than all our other approvals that were required and so technically the building permits have to be made at a certain date now that is really unrealistic compared to when we have sufficient approvals to move forward. As much as anything it resets the clock a little bit in terms of building time frame but mostly this point is the legal aspect of trying to get the land recorded first.

Chairman Santoro – We lost Joe Limbeck.

Mr. Harter – I do not have any questions. I am here and had some computer difficulties and that is why I showed up late.

Chairman Santoro – That is it then. We can put it up for a vote. Are we going to resign the mylar?

Mr. Gallina – I am fine.

Mr. Logan – I am fine also.

Mr. Harter – I am fine.

Chairman Santoro – We will resign the mylar.

Ms. Kinsella – You have a resolution.

Ms. Boughton – You do. It is the dropbox. Suzy can pull it up on the screen. There it is.

Mr. Logan – Can you see it Ernie?

Chairman Santoro – Everything got small all of a sudden.

Mr. Logan –Ernie, would you like someone else to read it if you can't see it?

Chairman Santoro – Yes why don't you do that.

RESOLUTION

As modified Motion made by Scott Harter, seconded by Joe Logan.

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

1. Final Subdivision approval was granted by the Planning Board on April 28, 2020 for Blumont Rise Subdivision to create 35 single-family home lots on 33.2 acres with additional 74.8 acres being subject to a Development Restriction Easement and Conservation Easement for a total of a 108 acre project site located at Tax Map Number 40.00-1-28.100.
2. Two access points to County Road 41 (Boughton Hill Road) are required pursuant to Appendix D, Section D107.1 of the New York State and International Fire Code, which states “Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads”.
3. In a final subdivision application/letter dated January 11, 2021, Jeff Smith, Woodstone Custom Homes, indicated that the owner has had issues due to Covid and the fact that the State Department of Health had just approved the subdivision on November 3, 2020. Due to that and continuing discussions between LaBella and the Town of Farmington regarding their storm water easements, very little progress had been made in finalizing easements and other matters until December of 2020.
4. Jeff Smith of Woodstone Custom Homes is requesting re-approval of the project.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby issues a waiver to Section 2.7.9.2 (Roof and Basement Drainage) of the Town's Design and Construction Standards for certain lots where access to the storm sewer system are not feasible. This Section would otherwise require rooftop drainage to be conveyed into a storm sewer or into a drywell; and,

BE IT FURTHER RESOLVED, that the Planning Board hereby issues a waiver for lots 15, 16 and 17 to the portion of the Town's Design and Construction Standards Driveway Layout Detail that requires a driveway to be 10-feet from the side lot line, allowing said driveways to be placed as depicted on the Final Subdivision plans; and

NOW, THEREFORE BE IT RESOLVED that the request of Jeff Smith, Woodstone Custom Homes, for re-approval of the Blumont Rise Final Subdivision April 28, 2020, drawn by Marathon Engineering, Sheets 1 through 18, plans signed November 11, 2020, Planning Board Application No. 01-FS-2021, BE APPROVED WITH THE FOLLOWING CONDITIONS:

Mr. Logan – Were the lines changed between April and the time Ernie signed them?

Mr. Smith – They were changed after April of 2020 yes. They were changed September 2020.

Mr. Logan – Can you scroll back up a little Suzy. The now therefore be it resolved the last one before the conditions. It says for re-approval of the Final Subdivision April 28, 2020 but it has been redrawn since then. Is that right?

Mr. Smith – Yes. The rear boundary sliver of three quarter of an acre was redrawn was in fall of 2020. As we understood it that is on the plans was an administrative change to the boundary.

Mr. Logan – Ok. We should put in saying that Final Subdivision April 28, 2020 and as revised on whatever date. September or whatever.

Mr. Smith – The sheets 1-18 signed November 11 by that time they would have been revised by November 11.

Mr. Logan – It does not indicate that they were changes to those plans. Do you understand what I am saying Ernie?

Chairman Santoro – Yes. I signed the re-signing less than a month ago.

Mr. Smith – Yes your first re-approval plans had been changed prior to that. That is correct.

Ms. Kinsella – We can find out what that date was and add that into the resolution.

Mr. Logan – I want to make clear that it is we are not signing the April 28 plans. The April 28 plans modified on whatever date it is.

Ms. Kinsella – We will figure it out.

Mr. Logan – Ok. That helps.

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 Section 4 Standard Approval Conditions for all Subdivisions (Major & Minor) of the Design and Constructions be met.

Ongoing conditions:

1. That the major subdivision comply with Town of Victor Design and Construction Standard Land Development, including Section 4.
2. Two-year maintenance bonds shall be provided by the Developer to the town for all improvements to be offered to the Town for dedication. Maintenance Bonds shall be written by a surety licensed to do business in New York State and they shall be in the amount of ten percent (10%) of the final construction cost, as determined by the Engineer for the Town.

3. That approved subdivision maps, including conservation easements, lot consolidations and lot line adjustments shall be submitted in digital format, AutoCAD 2002, or latest version, effective January 1, 2004 (per Town Board resolution #193 of June 23, 2003).
4. That a pre-construction meeting shall be held prior to the start of construction.
5. That all conservation easements show placement of markers on final plans.
6. Should an underground stream be encountered during construction, the Developer is to address the encroachment and impact to the underground stream to the satisfaction of the Town Engineer.

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

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

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

Approved 4 Ayes, 0 Opposed, 1 Absent

Mr. Logan – You still have a quorum.

Chairman Santoro – I took that out of order because I wanted to get it done.

Mr. Smith – Thank you for your time this evening. I appreciate it.

BOARDS AND COMMITTEE UPDATES:

Councilman Condon from the Town Board

Mr. Condon – Nothing new Ernie. We are meeting in person. Jack has said that if anybody wants to go virtual we would go back to virtual. We have had a couple Board members that at different times Zoom in. It has been working out ok but I think until the vaccines become readily available I do not think there is any rush. I think that it is up to individual Boards to make their decisions on doing that. I think this works out all right and Suzy does a great job with getting committees and I think people have been pretty good about sending in correspondence and has been working out as well as can be expected. Other than that nothing new to report.

PLANNING BOARD reported by Lisa Boughton

Tuesday February 9, 2021

PUBLIC HEARINGS

- Heyneman Solar Array, located at 3 Fishers Hill Top Drive, applicant is requesting approval to install 10 kw ground-mounted solar array in the Limited Development District.

PUBLIC HEARING

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

TABLED FROM 1/12/2021 MEETING**OTT MINOR SUBDIVISION**

1086 Strong Road

Owner – Trust the Ott Irrevocable Survivors

04-MS-2020

Zoned – Residential 2

Applicant is requesting to subdivide the parcel into 3 lots with one lot comprised of land on the west side of Strong Road and the land on the east side of Strong Road will be divided into two lots.

Chairman Santoro – Staff comments are the Conservation Board completed their site walk last Saturday January 16 and they have no concerns. We are waiting for sight distances to be provided. Who is here for this project?

Rocco Venezia of Venezia & Associates

Mr. Venezia – We emailed those over around lunch time today? Kim, did you get it?

Ms. Kinsella – Yes, I think Lisa sent it and is probably in the dropbox.

Mr. Venezia – If you noticed I took two sight distances. Both on east side of Strong Road. Taylor Road appears to be okay. One was at the north property line and one was at the south property line. The only one that jumps out at me is for the north property line south to Taylor Road is only 300 feet and then when you try to take different sight distance along Strong Road you just understand it is difficult at best to make it work. It is not an easy stretch of road but you already know that and that is why you have me doing this.

Chairman Santoro – We appreciate that. Anyone from the Board have any questions on this sight distance map?

Mr. Logan – I do. Rocco, you said the north or the south property line you have sight distances? I cannot see it on the drawing. It is small.

Mr. Venezia – The very south property line not the dividing line.

Mr. Logan – That is the 936.5 feet?

Mr. Venezia – No, it is 450 and 460.

Mr. Logan – There it is. Okay. Where would you put a driveway then on the northerly property which is Lot 2?

Mr. Venezia – Against all what I think everyone would like to do since they do not like lights shinning up the driveway and all that, I would probably put it in line with Taylor Road so that there is no more confusion there. Put it in line with Taylor Road and if the house ends up being on the

north side you curve it and go into the house. That would be the logical thing to do. The driveway on Lot 3 the southern parcel you use the driveway that is there.

Mr. Logan – You are describing a comment I made at the last meeting so I can see your point. I do not have a problem if that is the best place to put it on that lot. Than you just curve it or pull the house once side or another.

Mr. Venezia – What I would do is drop the house so it is not in line with the driveway. Drop or push it forward to the north.

Mr. Logan – That is the only question I have on that one.

Chairman Santoro – I think Wes has some comment on this.

Mr. Pettee – With regards to sight distance I guess something else the Planning Board might want to consider with regards to the Access Management Plan is the consolidation of driveways and whether or not if individually we can look at these lots when they come back to the Planning Board for individual site plan. Maybe depending on looking at what those potential driveways or access points look like you might want to require the driveways for these two lots, Lots 2 and 3, be consolidated into one where there is a shared driveway ingress and egress point. That is one alternative to resolving the sight distance issue if there is one. I think you have to look at when an access point is actually proposed is when you have to look at it and take into consideration the geometry of the roadway, the conditions that are out there, the traffic volumes and that sort of thing. Right now the sight distances that he has listed on the map are not at the exact point of where a driveway is going to go I don't think. Just food for thought.

I do have some other comments on Access Management and the town's official map. I might be good to see if anyone else on the Board has any comments about the sight distance.

Chairman Santoro – Anyone else Scott or Joe Limbeck, if Joe is back, or Al?

Mr. Harter – I have a comment on the sight distance and that would be I guess at this stage when properties are being related it seems to me to be the opportune moment to take a look at this issue versus establishing property lines and then trying to establish sight distances afterwards. I think we are having a discussion at the right time. I was wondering if the town's traffic engineer could take a look at this project and tell us whether the sight distances are safe.

Chairman Santoro – We can send this to Jennifer can't we?

Ms. Kinsella – Yes.

Mr. Harter – Or Lorenzo. I think Lorenzo was the person who did the Access Management Plan.

Mr. Pettee – I did run this by one of our roadway guys, Wade Daley, a PE at LaBella. He said there is no quick answer and that each location should be evaluated separately as there are factors that vary along the roadway. Vertical grade, horizontal alignment, stopped condition, turning right, turning left, and types of vehicles. With that said assuming the following if the road was straight, horizontally and vertically, assuming the stop condition on the side street and normal passenger car in a 40 mph main road, based on the AASHTO Green book a left turning vehicle would need a sight triangle of 500 feet and a right turning vehicle or crossing vehicle needs a sight triangle of 430

feet. So those numbers get adjusted based on the road grade and the design vehicle. It wouldn't hurt to either to run it by Lorenzo and/or Jennifer.

Chairman Santoro – Probably Lorenzo would be the one to do. Joe Limbeck is back. We lost you for a while.

Mr. Limbeck – I got problems with my router tonight. I am not sure what is going on. I mirror what Scott had to say. I think nailing down that the sight lines are is fundamental to approving this.

Mr. Gallina – I would agree with Joe and Scott on this one. Again if we can reach out to our consultants and have them weigh in on it we will have that determination and then decide from there.

Chairman Santoro – Wes, you had a comment or two on the possible road extension of Taylor Road.

Mr. Pettee – I know the potential property owner or the existing property owner had a question about the Towns Official Map and depiction of a future local roadway. I was wondering Suzy if I could share my screen.

Ms. Mandrino – You should be able. I had checked it.

Mr. Pettee – I am going to zoom in here. This is the Towns Official Map which was adopted concurrently with the Access Management Plan. You will see there is all sort of colors on this map and I will zoom into the Taylor Road area. Here is Taylor Road in yellow and Strong Road. The subject property that we are looking at is right here. The blue dash line that appears to connect the intersection of Taylor and Strong with the intersection of Willis Hill and Pine Tree Drive. That was something that was conceptualized during the Access Management Plan and the town has the opportunity to reply or developer to provide some form of access or take into consideration this official map. The blue path is not necessarily set in stone it was more we relooking at the nodes, the town was looking at the nodes, and was thinking if this property were to be developed the town would somehow require a connection between Strong Road and Willis Hill Road. We also want to take a look at some of the maps in appendix B of the Access Management Plan.

Mr. Logan – On the last map there was also a route that was going onto our using the driveway north of that in the Anderson Subdivision. We covered a connection in the discussion of that project.

Mr. Pettee – We did talk little bit about this in the Anderson project and there was talk about conserving the open space and clustering the subdivision to try to retain some of that rural character. There was discussion during SEQRA about that particular connection there.

Mr. Logan – It was more of a connection using the driveway that they proposed than just extending it down to Strong rather than just on the border which is where the driveway is, the long one to the existing home, and then the long property line to the east. That line you are showing.

Chairman Santoro – The terrain is very hilly and steep all the way across.

Mr. Pettee – It is worth the Planning Board discussing this and for example this is a map we want to take a look at it. This is figure 9 of appendix B of the Towns Access Management Plan. It

shows the natural resources and constraints in conjunction with these conceptualized future local roads. As you can see here. Here is Taylor Road and here's Strong and here is our future conceptual roadway. You will see the pink shaded area is areas of steep slope. Those are areas where there is 20% slope or greater. There is some engineering challenges right with making this type of connection and certainly the alignment of this particular roadway probably would not occur based on the topography of the land. There would need to be some other type of horizontal configuration.

Also, I wanted to take a look at one more map. The priority areas. As part of this Access Management Plan this figure 14 is part of appendix B. The town selected and identified priority analysis areas where really they wanted to focus the efforts on access management and also to look at the roadway connections to these areas. You can see throughout the town there is these yellow blobs and the Taylor Road are and Strong Road over here where this project is located we are not in one of those priority areas and my point is the official map, even though it is a guide for future roadways, it does provide the Planning Board some latitude and the ability to vary their requirements. For example private land owners and developers of land shall not imping upon opposed location of these future roads unless approved by the town Planning Board. Town Planning Board shall have broad direction to adjust the exact connection points of future local roads thru existing roads and in the geometry of such future local roads as long as the Planning Board finds that such adjustments are in harmony with the towns Access Management Plan in Chapter 55 of the Town Code. Where does that leave us here?

In the dropbox you will see that there is an email that I had composed to Kim back in November and was about this particular property and hadn't realized this was a particular project until recently. Just because that road is shown on the official map does not mean the town oils committed to constructing that road themselves. There is no commitment made by the town to construct that road it is for future developers for laying out a subdivision for example the Anderson property. Rather than doing that connecting road they wanted to do the cul-de-sac and there was reasons as to why the Planning Board allowed for that. This is another one of those example where we are taking a look at the existing conditions out there and whether or not this is a priority areas for making that connection. You have the direction over where and how these conceptual roads are placed on a line. Unless you feel strongly this is a location of where you want to have a future roadway then I think you have the ability to not require it. Any questions?

Chairman Santoro – I for one do not think that is feasible route today considering the terrain is just doesn't apply. It is really rough and to close to existing houses and buildings.

Mr. Logan – Two notes for the driveway to be placed opposite Taylor Road: 1) you have cars that drive pretty quickly North on Strong, and 2) the sight distances really poor with the approach curve. You are creating a crossing where you are going to have people trying to run across Strong Road from the driveway, and there will be an added conflict with cars going south at that intersection, which isn't terribly safe to begin with. Is that accurate or a reasonable observation Wes?"

Mr. Pettee – That seems fair.

Chairman Santoro – I agree with that. Scott, you are big on access management.

Mr. Harter – I agree with that comment from Joe.

Mr. Logan – I do not have a problem not requiring or pursuing this further because of the terrain,

because the intersection is not a great intersection to have a four way unless a four way stop which would not make anyone happy out there. You are adding conflict. That is my opinion.

Mr. Gallina – I agree with your comments Ernie as well as Joe's. I do think Wes, looking at it as we did the due diligence on the access management plan and the likelihood to build out is the right approach but in this case I can support not encumbering that property with future access.

Mr. Limbeck – I agree and this was a consideration I was not aware of and probably something we could keep in mind with future applications as well. Probably behoove us to take a look at this map when we are looking at future projects as well.

Chairman Santoro – Anyone else have anything? I do not think we are ready for a resolution tonight.

Ms. Mandrino – Ernie, there is one comment from the public. Sarah Conzano she lives at 23 Rothbury Circle, she is buyer for Lot 3 and 1086 Strong Road. They would consider a shared driveway and they have disused it with the buyers of Lot 2.

Mr. Harter – That is helpful information.

Chairman Santoro – No one else. That is the only one? Ms.

Mandrino – That is the only one.

Chairman Santoro – As I said I do not think we are prepared for a resolution tonight. We still have some research to do on the sight distance and we will see what happens for the next meeting. If we are able to put this back on we will. It is a short agenda next time.

Mr. Venezia – I have a question if I can. We just sit back and kind of wait for you guys to decide it or are we going to propose something. What is your take on that?

Chairman Santoro – You have already proposed something unless you want to change it.

Mr. Venezia – All I did was give you additional information to verify what we all knew. At this point I have not proposed anything. If I was to propose something to the Town of Victor I would propose is to eliminate the driveway to the barn, I would propose a driveway right across from Tylor Road that would curve and come in both of the lots because that would be the safest move. Construct the house sites so that if there was this whatever road you could still build the road and these lots could be accessed off that road. I think that is the correct move here and would be my proposal. That is the safest move. We get rid of a driveway and we put in a driveway right by Taylor Road where there is already an intersection and I think it is a win win but maybe I am wrong.

Chairman Santoro – I think the Board really wants to get thru the comment on the sight distance question.

Mr. Pettee – I think Rocco makes a good point in term of finding the location of where you want to have this driveway. His though process and having it directly opposite Taylor Road is that the best placement considering the sight distance and safety concerns that the Planning Board might have. Maybe it is. If we could maybe understand what that sight distance looks like from that point that you are talking about that would be helpful.

Mr. Venezia – Here is my concern. My concern is that and I appreciate Scott Harter’s comment but we are going to leave this open ended with nothing resolved. I would like to propose something to solve the problem. Let me see how much sight distances is at that particular intersection. If I meet the 450 or 430 there is no concern. I think there is a chance we can do that. Having said that then I have proposal in front of you that...I am just afraid that ok you guys decide where it is going to be and that doesn’t really work for me. I do not see any kind of resolution anytime in the future.

Chairman Santoro – You are going to be on the next agenda.

Mr. Venezia – Yes but who resolves it. Do I come up with a proposal or you?

Mr. Pettee – It is the applicant that comes up with the proposal, you figure out the best place where you think the driveway should go and submit it to the town for review.

Mr. Venezia – So what I just said is what I am going to do. I am going to talk to both owners and come up with an access easement across from Taylor Road, show you what the sight distances are, hopefully they will be adequate and believe they could be and if they are not adequate we will put up a sign or something. I do not know what else to do. Having said that we will be adding a driveway across from where you are already have a road coming in and we will be eliminating the other driveway to the barn. To me that has to make it better but let me do the work and present that to you so that you can make a decision. That is my suggestion.

Chairman Santoro – We will do that.

Mr. Venezia – Then I have a direction.

Chairman Santoro – Can you do it by the next meeting. It is two weeks from tonight?

Mr. Venezia – Yeah I can do that. If you can put us on that agenda I would greatly appreciate it.

Mr. Logan – I have been looking at the plans and the views on Google Earth street view, and ask Rocco if he could tell us what the sight distance is from the lot line location as proposed between lots 2 & 3. Putting a driveway there might be more ideal in terms of sight distance. I know it is an offset from Taylor, but you would be sharing space on the property lines and could wrap around behind the barn from the north. You go behind the barn and then take off to either parcel from there without slicing off the corner of one lot to make a driveway.

Mr. Venezia – I have to talk to the people that are buying the lots. They might not like my solution you know what I am saying.

Mr. Logan – I am suggesting that you look at sharing the property line with the driveway for both parcels.

Mr. Venezia – It will be hard to do Joe because if I bring a driveway out to Taylor Road I can’t get the proper acreages. I can’t really do that.

Mr. Logan – I am saying the property line is where it is. I am not telling you to change the property line. I am saying move the driveway to where the property line is showing on your plans.

Mr. Venezia – I could do that.

Mr. Logan – My suggestion is at least....

Mr. Venezia – How do I get the barn on the proper property?

Mr. Logan – It's on the right property right now isn't it?

Mr. Venezia – I move the driveway north of the barn?

Mr. Logan – Put the driveway on the lot line that is north of the barn.

Mr. Venezia – you don't want me to line it up with the intersection? You want me to line it up with my property line?

Mr. Logan – Right. I frankly have never liked the fact that it was lined up with Taylor Road but I think the sight distances is better where I am suggesting.

Mr. Venezia – That is the worst. I checked that and the reason why I did not show it you guys because it is horrible there.

Mr. Logan – Is it?

Mr. Venezia – Yes it is not good there.

Mr. Logan – It is hard to see from street view I guess than. I am looking at a pretty decent view. North towards Taylor Road from that location.

Mr. Venezia – What are you looking at? Mr.

Logan – On street view.

Mr. Venezia – Ok, we will look at it. I just talked to the crew briefly about it and maybe I got the wrong impression. Your suggestion is to move the driveway to that line.

Mr. Logan – If it turns out its better Taylor Road then that is the way it is. You are looking at sight distances you do not have to show us plans for both. Just say here is what we found at this sight distances and is better Taylor Road, fine.

Mr. Venezia – That is good.

Mr. Logan – I do not want you to do a lot of engineering just check those couple of spaces. Right now all we know is sight distance at the north end and sight distance at the south end of three. The north end of two and south of three and there is nothing in between that we can see. Those two spots come back with your best plan with those two locations in mind.

Mr. Venezia – Are you okay with that Scott Harter?

Mr. Harter – I am ok. I also think that it should be reviewed by the Town Engineer and confirmed. That's all.

Mr. Venezia – I will get to you as quick as I can.

Chairman Santoro – Ok, we will put you on the next agenda.

VICTOR HILLS GOLF CLUB CONVEYANCE PLAN

06-SK-2020

1397 Brace Road

Zoned – Residential 2

Tax Map # 28.04-1-56.111

Owner – Five J Enterprises LLC

Applicant is requesting **acknowledgement of a complete application** to subdivide 3.09 acres from a parent parcel of 123 acres. This is the first step of a major subdivision and only acknowledgement of a completed application will be considered at this meeting.

Chairman Santoro – Staff comments were Planning Board may want to discuss whether additional land shall be preserved on conservation easement.

Jack Dianetti of Five J Enterprises

Mr. Dianetti - I saw some information yesterday or today. I had a lot resurveyed break off the eastern portion of the lot where the east end is for the trail and the parking for the hiking trail so that we could preserve access to the main parcel off a Break a Day. They've been on my mind since the very beginning. That I didn't want to lose to the property from that direction because there's no certainty that we're going to sell the land behind it. If we were to do that that we would be able to have access no matter who the buyer is. Right now the buyer for the lot that we're trying to subdivide off is David Riedman who has a right of first refusal on the uh the main parcel that came along with his purchase of the lots and the gravel pit. Also we're trying to do is subdivide this so that he can exercise his right of first refusal and we can be paid for that parcel. He has no intentions of developing that even if he were to buy the back parcel he's indicated that that would be area that he uses for open space partly because of the hiking trail, partly because of the wetlands, the mitigation area right behind it. There's a wetland mitigation area that is something we had to construct when we built the golf course. It's under a permit from the army corps of engineers and DEC and cannot be disturbed. It doesn't stop the right away people when they come through from knocking down everything in there to keep the trees from growing up into the ponds but we're not allowed to do anything with it or change the characteristics of the mitigation area. I don't think that's going to be much of an issue it wasn't really an issue with the Conservation Board. As far as the remaining parcel there's open space and additional conservation easement that's required with the future development of the parcel. We've already locked in uh the vast majority of all the natural resources that are on the natural resource inventory we have multiple co-occurrence areas that are utterly under protection but it might be difficult to expand.

Chairman Santoro – Jack, you are fading in and out.

Mr. Dianetti – I am sorry. I am sure it is probably my connection here. We have a significant amount of area available for future open space. Most of the co-occurrences all the co-occurrences of natural resources and most of the individual natural resources that are identified for preserving are already being preserved but we can extend the boundaries on those to provide greater buffers.

Chairman Santoro - Jack, when you turn your head that is when you fade out.

Mr. Dianetti – Ok, I am trying to look at my notes. I shouldn't need them. All we really want to do is convey this parcel to Dave Riedman and not looking to get it approved as a building lot. Sight distance would be something we are not that concerned about cause the roadway that is proposed gives us sight distance all the way to both intersections. There is very little difficulty there. We are just trying to do is sell this small piece of property to him. We had another buyer for it and he matched the offer. The other buyer was going to buy it as is and come in and make an application for a building lot because I told him I wouldn't do that anymore. That is basically what we are trying to do here.

Chairman Santoro - Anyone from the Board have questions?

Mr. Harter – I guess the question I had and I read thru the material and maybe this is technically a major subdivision but perhaps because of all the conservation easements associated with the golf course it may not be all that important. That is what I am reading thru and my interpretation correct?

Mr. Dianetti – From my perspective?

Mr. Harter –Sure.

Mr. Dianetti – We gave up 42 acres of a conservation easement already on the property for approval of the cluster subdivision that Dave Riedman put it on East Victor Road. There still enough acreage left to provide at least 50% more in comparison to the development of the number of units that are remaining. The development rights that are left on the property which I believe is 39. There is plenty of land there to do that with and there is also able to put 28 units ion 14 acres in the gravel pit and the previous plan that was reviewed for future development in the area that borders Break of Day Road on significantly less than 50% of the parcel. I think there is plenty of land there to accommodate any future needs. Doesn't mean we couldn't set something aside now and would just be in additional expense as we don't really know what is going to happen with the property.

Chairman Santoro - Anyone else have questions?

Mr. Logan - Nothing from me.

Mr. Gallina – I am all set, thanks Ernie.

Mr. Limbeck – Nothing from me either.

Chairman Santoro – Do we have a resolution on this? I keep missing them.

Ms. Mandrino – There is one comment from You Tube. It is from a Maggie Ref. Are there plans to sell any other portions of the golf course on Brace Road?

Chairman Santoro – I think that is question that is way in the future. I do not know if Jack can answer that and probably has some idea of what he wants to do but we are not here tonight to do that. It is just one little parcel he wants to break off and sell. Is that about it Jack?

Mr. Dianetti – I do not know what is going to happen down the road. We have already expressed an interest in doing something on part of the east course or the parcel that is owned by Five J. I am

not pushing for that and I think anyone who knows me knows that my intent is to keep the golf course running for as long as possible. If it were to be developed there is a plan that has been looked at by the Planning Board were we purposed the development would take place in the area off of Break Of Day. Nothing was approved and if we were to go to that site to develop it that would be the only site proposed for development as far as I can see. We would be back to square one with the development in the gravel pit and going thru the whole process all over again because unit is a Phase 2 but not an approved phase. It was just something to show where the future expansion could take place. It is an area where it would make the most sense to do something with development if we were going to do it. I have no intent at this point in time in doing anything but I could die tomorrow so what the rest of the family does is up to them.

Chairman Santoro – Any other comments?

Ms. Mandrino – No other comments.

Chairman Santoro – Do we have a resolution on this?

Ms. Boughton – You do. I sent it to your email just now.

Chairman Santoro – I am having trouble switching back and forth. I can read it from here. Everyone ready for this.

RESOLUTION

Motion made by Joe Logan, seconded by Al Gallina.

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

1. A sketch plan application was received on December 22, 2020 by the Secretary of the Planning Board for a Major Subdivision entitled Victor Hills Golf Club Conveyance Plan.
2. It is the intent of the applicant to subdivide 2.8 acres from a parent parcel of 123 acres.
3. An “Under Review” sign was posted on the subject parcel as required by Town Code.
4. The Conservation Board reviewed the sketch plan on January 5, 2021 and stated no primary action, given the data available, at this time.
5. LaBella Associates reviewed the sketch plan and made comments dated January 25, 2021.
6. The Codes Department reviewed the sketch plan and made comments dated January 12, 2021.

NOW, THEREFORE, BE IT RESOLVED, that regarding the sketch plan application of Five J Enterprises LLC , Major Subdivision entitled Victor Hills Golf Club Conveyance Plan, drawn by BME Associates, dated October 2020, received by the Planning Board December 22, 2020, Planning Board Application No. 06-SK-2020, the Planning Board **acknowledges receipt of a complete sketch plat application;**

AND, BE IT FURTHER RESOLVED, that the Planning Board Secretary forward a copy of this resolution to the applicant.

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

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

Approved 5 Ayes, 0 Opposed

PUBLIC HEARING

ULTIMATE GRACE

966 Strong Road
Tax Map # 14.02-1-21.000
Owner – Anne Shean/Michele Richards

07-SU-2020
Zoned – Residential 2

Applicant is requesting a special use permit to create a two resident hospice facility with room to “rent “ for family members.

Chairman Santoro – Staff comments are that we are waiting for County comments so we will not have a resolution tonight. County is meeting next Monday?

Ms. Boughton – Not till February.

Chairman Santoro – Another comment here. If rooms are rented and considered Bed & Breakfast then subject to Town Code 211-20A(2) and 211-19B(3)(a-h). Planning Board should discuss parking and where and how many spaces to be available. I see that Michele is here.

Helen Zamboni representing Michele Richards

Ms. Zamboni – All we are really here about is the hospice itself for Special Use Permit. What I understand from talking with Michele, she can certainly answer more questions, is that family members of the patients who are there can stay in the 2 suites that are available to them as hospice residents and they won’t pay separately for that. In other words there is space available for family members to stay with their loved one but that is not Bed & Breakfast itself. The Bed & Breakfast is something completely different in a different building and that is not what this application is about. I know you have probably heard that the chateau, I think is what it is called Michele, yes that that is to be planned to be turned into a Bed & Breakfast but that is a whole different thing. This is just focused on the operation of the 2 bed hospice.

Chairman Santoro – Babette are you there?

Ms. Huber – I am.

Chairman Santoro – Do you have some comments?

Ms. Huber – I think it is a great idea for that house which is historic to be used. It is a wonderful

way to use it.

Chairman Santoro – Do you see any issues at all in regard to the historical nature of it?

Ms. Huber – No I don't. I live on Strong Road so I think it is a great addition. The house will be used, that's another thing.

Chairman Santoro – Anyone from the Board have questions or comments?

Mr. Gallina – No thanks Ernie. I do not have any questions.

Mr. Harter – I have a couple comments. I think it is set back in a way that seems nice and appropriate for what it is being used for. I do not have any objection to it. I am curious to know what the public thinks of it when we close the comments from the public.

Chairman Santoro – We did have a couple comments.

Mr. Limbeck – I think it is a good use of the property as well. Am curious. Is this going to become a non-profit organization at some point in time? I am curious how it is going to be organized and run?

Ms. Zamboni – Let me start with that and turn it over to Michele. No it is not going to be operated as non-profit. It is private pay so the family and patients will make arrangements directly with the nursing service providers and aides they want. They are paying for the residency and use of the space separately to Michele's company that will operate the hospice. I am sure some people worry about the fact that this is a big building and that it could be much bigger as a hospice. The fact is, maybe you know this, but under New York Law two bed hospice operations are essentially not regulated by the New York State Department of Health. You get any bigger and now you might as well be 100. It's very restrictive and no interest at all in expanding the hospice to be a larger number of units because living and operating under those regulations is just a non-starter.

Mr. Limbeck – Thanks Helen. That doesn't have a bearing on how I will vote on this. I think it is a worthy endeavor. I was just more curious on how it was going to operate. Thank you.

Mr. Logan – I will echo Babette's comments as well and what Scott said. Certainly very supportive of this and think it is a good use of the building. It is a nice setting. I have been in that building before and after it was completely renovated so I can appreciate the amount of work it took to get it where it is now and it will be used.

Mr. Pettee – My computer crashed and rebooted so I have not heard any of the conversation. Which project are we on?

Chairman Santoro – Ultimate Grace.

Mr. Pettee – I do not have any comments. I am sorry I missed the conversation.

Mr. Logan – There was a question on parking. Is there enough parking?

Chairman Santoro – Yes, What are you going to do about that?

Ms. Zamboni – It is just a two bed two resident hospice. Obviously there will be nursing help and

the like coming and going at different times. Michele I do not know what is there on the ground. I have not seen any physical plans about that.

Ms. Richards – Basically we do not see there being any more traffic than there would be if a single family was living there. In terms of the spaces there is more than enough for what it is that we are looking to do. However on the list at some point there is to do something with the driveway in terms of resurfacing it.

Ms. Huber – Ernie, I have a question. Are you buying this property or are you leasing it?

Ms. Richards – I am purchasing it.

Ms. Huber – Perfect.

Chairman Santoro – You are aware of its history I assume?

Ms. Richards – Do you mean the fire and everything? The previous use?

Chairman Santoro – It is known as the round house and rather distinctive.

Ms. Huber – I will come down the street sometime Michele when you are there. I am the Town Historian by the way. I can give you a really nice history of that house. It has an interesting history.

Ms. Richards – I would love to do that thank you. It was one of those things where I had the vision and had the opportunity to go there and it all fell into place. I feel that God is calling me to do this ministry and to do this and that space is ideal for families and people who are transitioning in getting ready to pass away,

Chairman Santoro – We do not have a resolution for you tonight since it is still at the County. Do you think we will have that back by next meeting?

Ms. Boughton – We will not. Their meeting is on February 10.

Chairman Santoro – Our second meeting in February we will try to have you on and get this resolved.

Ms. Huber – Were the comments from the public positive?

Chairman Santoro – They had questions about...let's see.

Ms. Mandrino – there is one comment on YouTube if you want to hear that.

Chairman Santoro – There is a comment from Mike and Nancy Magee, 967 Strong Road. Had a question about the word “rent” and I think you have answered that. Ask how Ultimate Grace will be funded. You answered that to. It will be private funding. They ask if the hospice situation doesn't work out will rooms still be “rented” and is this area approve4d for rental property. The way I understand your proposals is it is not going to be rented that it is going to be for people in the hospice and their families. Correct?

Ms. Richards –Correct.

Chairman Santoro – Sue Nerwin at 998 Strong Road. Is obtaining this permit a condition of the sale of this property or is Anne Shean going to continue to be the owner and Ultimate Grace going to rent the premises? As I understand it you are going to buy it. Is that correct?

Ms. Richards – That is correct.

Chairman Santoro - I have had extensive experience with hospices. They do not charge rent to families. That is what you said. It is part of the entire stay of the person using the hospice. How many people are going to be permanent residents? You said there would be two, correct?

Ms. Richards – Correct.

Chairman Santoro – They are not permanent and they are transitional. How is Ultimate Grace supported financially? I guess it what they pay to be there. 966 Strong is a very large residence - around 7500 sq. ft. It's difficult to believe that a hospice can sustain itself with only two end-of-life residents at a time with the enormous overhead of rent (or mortgage), utilities and salaries. I recall hearing of a cost well above \$1000/month just for heat for that home. I assume you have a financial plan in place to make this operate successfully? You are nodding yes.

Ms. Zamboni – We absolutely do yes.

Chairman Santoro - How many rooms are going to be rented out and will those be to family only? I assume that is correct. You have two suites you said you had. Does the town monitor this in any way? The Health Department is the monitor. If someone should complain about the condition of the premises or any activities going on their then the town will take a complaint to look into but otherwise the town does not do a regular inspection of that. Should Ultimate Grace Cancel out at some time, is the special use permit null and void or does it stay with the property? Generally stays with the person who makes the application for it. If anyone else takes it over they may have to get another application for a Special Use Permit but that is the way it works.

If Sue Nerwin is listening I hope that answers your questions. Suzy, anyone else?

Ms. Mandrino – There was just the one and her questions may have been answered but I will read what she wrote. Marsha Senges, who will be the caregivers for the residents? How will this differ from Serenity House?

Ms. Richards – I cannot really speak about the Serenity House but how this particular place will be run will by Ultimate Grace staff and that goes anywhere from somebody with an educational background to something completely different that loves to care for people all the way to our ends depending on really what the family requests is how we staff it.

Chairman Santoro – We will have you around the meeting after next we should have the County comments by that time and hopefully we can take care of it. That is all we can do for tonight. Helen do you have anything else?

Ms. Zamboni – Yes all set.

TABLED FROM 12/15/2021 MEETING**TOVSTUKHA ADDITION**

31-SP-2020

1135 Willis Hill Road

Zoned – Residential 1

Owner – Andrey Tovstukha

Applicant is requesting approval to construct a garage and residential addition to an existing single family residence to be used as a second dwelling unit for family or blood relative only. Also including the construction of an on-site wastewater septic system.

Chairman Santoro – Staff comments is the Town Historian has concerns. This parcel is a HIGH value on the Historical Inventory. From LaBella that a waivers requested to Section 2.7.9.3 (drywells), Section 55-8 of the Access Management Code allows PB to grant waiver to the standards for spacing of driveways to be 245 feet based on posted speed limit of 40 mph. Request to verify the perc rate.

Fred Shelley from BME Associates

Mr. Shelley – Along with me is the applicant Mr. and Mrs. Tovstukha are in attendance as well as the applicants architect Mr. Richard Krapf is also here. I agree and echo the opening statement from the Chairman in regard for our request for approval. Looking for approval for final site plan approval as discussed or the construction of the new garage and residential addition to existing home. We have reviewed the Town Engineer and the Town Code Enforcement Officer comments and addressed those in writing. I believe those have been addressed to satisfaction.

Where the few requests or waivers to the town development in regard to drywells and as well as driveway spacing and believe from our last meeting we were in pretty good shape with those with the Board. However at the last meeting there were discussions in regard to the proposed architecture of the addition. Since the last meeting the applicant has worked with his architect and submitted new drawings and also some colored renderings of the proposed addition. Submitted those to the town for the towns review and comment. I believe that Andrey has been working with the Town Historian on that. At that I think unless Andrey has anything else to add would open that to comment from the Board.

Mr. Tovstukha – based from the last meeting we took some of the comments to basically, first we created renderings to have a better visual for everyone to see what the plan is and also modified the overall architecture of the house where we eliminated one of the enclosed porches and changed the roofline on the back of the house to make it appear somewhat smaller based on that. I think the renderings, the colored renderings, have a better presentation as far as what it will look like for the visual. I know the concern was the size of the addition. I think setting it back and chosen the 3D rendering, if you are able to pull those, it kind of shows what it would look like if we were to do this. Is there a way to show 3D renderings?

Ms. Mandrino – I only have the three so unless Wes has the others.

Mr. Krapf – I have them on my computer just not sure how I can share them. I have never done that before. I have them open on my computer.

Chairman Santoro – Should be something at the bottom of your screen that says share.

Mr. Shelley – Can you see that?

Mr. Tovstukha – Richard it is the white siding.

Mr. Krapf – These are the older ones. I do not have any with the white siding.

Ms. Huber – I never saw any of these drawings.

Mr. Krapf – The idea was to take what was painted red siding and change it to white horizontal siding similar to what is on the house. If I also to believe that the metal roofing was to be changed to shingles similar to the existing house. The house is also made significantly smaller with the reduction of the porch in the back and change in the roof slope. Again all the siding has been changed so that is all horizontal siding similar to the house and the same stone patterns that is on the house would be wrapped around the base of the addition to further make it compatible with the existing house.

Ms. Huber – First of all I never saw any of these drawings. I appreciate that Mr. and Mrs. Tovstukha have stayed in constant contact with me and there changes to the roof and siding etcetera have been very appropriate. However we still have this very ...we have a problem with the size and I know that the Board received very late the comments from the Architecture preservation from Landmark Society and can I read part of it?

Chairman Santoro – Has the applicant seen this?

Ms. Huber – Probably not.

Chairman Santoro – It is dated January 21 last Thursday.

Ms. Huber – It is the one I sent to Lisa today at 5:30pm.

Chairman Santoro – It is a different one.

Ms. Boughton – I sent your email out about 6:30.

Chairman Santoro – I saw that.

Ms. Huber – Just to make a summary of what she had to say was that this house is of high historic value and is a cobblestone. It is a challenge or us as historians, as Planning Board to put an addition onto a historic home of this unique historic value. She says the design of the proposed addition should be of amassing a scale set back in the design should not overpower the original home. I think this is probably the crux of the matter at this point. A new addition should always be subordinate to the historic building. It shouldn't be competitive in size, scale or design with the historic building.

I have talked with Mr. Tovstukha about trying to...I do not want to be a negative nanny but I do want us to put on an addition to a historic home that is going to work for the home and it is challenging. This project is challenging but it is important that we get it right. I think it is also important that we get the expertise of a preservation architect who might be able to work with the Tovstukha's architect to come some sort of compromise for this building. This site is on an incline. I see this picture here and I see that the three car garage is going to be looking right out to the road. It is not going to be something subservient to the original home. It's going to stand out like a sore thumb. I honestly want to work with the homeowner. I want them to have an addition if they want it but for me this is defiantly overshadowing the cobblestone. I cannot support this addition.

Chairman Santoro – Anyone on the Board have questions for either the applicant or Babette?

Mr. Limbeck – Yes, I understand what Babette is saying but looking at the cobblestone on this picture it is a square box and the only thing significant to me is its age I think. So, I am trying to envision what we would be subservient to their rectangular structure that we have currently. I am having trouble visualizing what would be acceptable to Babette if you look at the current cobblestone building.

Ms. Huber – It should be smaller. It should be behind the building.

Mr. Krapf- If I can talk to that little bit. We have made this building significantly smaller than the original plan. There is the program spaces that go into this have to be a certain size to be functional and practical. There are a minimum they can be at this point. The house does set back from the cobblestone house and these drawings are a little bit misleading because the garage or the addition is I believe about two feet or more down from the cobblestone house. There is a little bit of a slope there. The house is setback and is lower. It is separated from the cobblestone by a breezeway. I believe with some landscaping there that can be obscured. I do not see how it is much different than if there was a second house on that property by a different owner. Yes it is connected but I mean it is at the minimum size it can be. I believe there might be a little more that can be done with the grading to lower the roofline a bit. There is some minor changes that can be made but pretty much at the minimum size it can be for the program it contains.

Ms. Huber – It is my understanding that the addition was going to be behind the house?

Mr. Krapf – It is set back from the face of the house. I do not know if it is behind it. The house has an addition that you can see to the back that is really just a rectangular box that is attached to the cobblestone. I do not think it could be behind all of that.

Mr. Shelley – If I could interrupt for just a moment. I will try to share my screen. We will see if that comes thru. It will give the white building and also another aspect or view of your house. Do you see the white addition showing up now? Do we see my mouse jumping around at all? This is the front of the existing cobblestone. Obviously the front of the new building and to echo some of the things Andrey had mentioned is I believe these renderings are representing a drop of this building over what we had originally shown to kind of get our rooflines lined. The front line of the cobblestone is in front of the proposed garage. I believe we are still honoring what was represented on the site plans. Lisa, if you are able to pull up the site plan that we had prepared or I can pull that up.

Ms. Boughton – Let me see if Suzy has that on there.

MS. Mandrino – Is that the side elevations and the floor plan?

Mr. Shelley – Specifically the setback of the proposed addition as compared to the frontline of the home.

Ms. Boughton – I do not have that on the power point but it is in the dropbox.

Mr. Shelley – I will try to open that up. Do you see the BME proposed site plan. The existing home and I will give this a shot from the hip. We have an existing 40 foot front setback, actually the cobblestone is actually in front of that. We will put that at maybe 38 feet and then we

have...Andrey how wide do you think the porch is out front? Maybe 8 foot or 6 foot?

Mr. Tovstukha – It is 8 foot front to back. Width is a little wider and think it is 16 feet maybe.

Mr. Shelley – 16 north and south and I guess what I am getting at is the dimension from the porch to the right of way, I would put that at about 30 feet from the right-of-way. We can add 15 feet so we will say we are 45 feet from the roadway. The proposed addition is going to be an additional ten feet behind the front setback so we have eight foot or maybe twelve foot to the corner of the house plus another ten. We do have a setback. The cobblestone will sit proud and closer to the public right-of-way and it will sit closer to the roadway. It will be seen as closer to the road than this proposed addition.

Ms. Huber – I would like to see the drawings because the town did not get those drawings of the colored renderings.

Mr. Tovstukha – I swear that I sent them. I do not know what happened. I did send it. The other thing is there is a line of trees that we will keep and block except for the little driveway and there is going to be a fairly large tree in between the addition and the house. It will be from the road when you drive north it will be blocked by the existing house. If you drive south it will be blocked by a line of trees. Goal is to have the cobblestone as a front centerpiece and addition is more for practical use.

Mr. Shelley – Andrey you talked about keeping this 36 inch pine up front and maybe shifting the driveway to the north. We do have this row of pine trees along the roadway and have a fairly large substantial 36 inch pine out in front of the site that can help buffer and transition between the proposed addition and the existing home.

Ms. Huber – In the addition is the garage front loading?

Mr. Shelley – front loading towards the road yes. It looks like we have some carriage or barn type doors that are proposed out there.

Chairman Santoro – Let me take it to Wes. Any comments on the septic?

Mr. Pettee – I think we did provide some comments on the site plan itself including septic. BME did respond to those comments. I think we would like to see an updated site plan however there was some discussion about removing one of the driveway access points. I think we would like to see some updated plans there and I think maybe that is a little bit dependent on the architecture. Sounds like based on the feedback from the clients, architect for the applicant, the structure may have been reduced in size from what was previously depicted on a site plan. I think it was 1,900 square foot addition and do not know if that has changed at all from the site plan perspective.

Mr. Tovstukha – The overall perimeter of the addition...nothing really changed with the site plan. We changed the roof line and removed one of the second floor enclosed porch. There is no change to the site plan.

Mr. Shelley – The massing of the structure is significantly smaller that it was in the first submission.

Mr. Pettee –Understood.

Mr. Shelley – We to address your one comment with the driveways. There is a couple of driveways on the site but the one driveway which would be the center driveway we discussed removing that with the applicant and willing to do that as part of the approval process and would be happy to provide that on updated plans. Essentially it would be removing the access that is existing north access or would be future center access to the home. Essentially we would be able to provide 98 feet between the two driveways as opposed to the 30 foot of existing separation out there. We would be able to increase that.

Chairman Santoro – What was the issue with the septic system?

Mr. Shelley – I believe we had a comment regarding some of the percolation rates but we reviewed our records and we are consistent with what the plan had represented with our field notes. We are happy to work that out with the Town Engineer.

Mr. Pettee – I do not see that being a sticking point at least from LaBella perspective, the septic information. That can easily be resolved.

Mr. Shelley – I believe the only other question was the waiver. We had two waivers that we are requesting. A waiver to allow two driveways. The speed limit out there the town requires 245 feet between driveways. We are able to provide 98 feet whereas there are currently two driveways around 25-30 feet between each other. Originally we had sent plans that would give a total of three driveways on the property and none of those would meet the access management bill that came thru per Section 55-8. We can remove the one on the center provide access to the new addition and then also the south portion of the site and provide roughly 100 feet between each other. The other waiver that we are requesting was a waiver for connection to storm sewers, drywells, the big thing with this site is where the addition is and then proximity where we can put a septic system out there. If we were going to discharge it would be towards the septic system which isn't typically a favorable situation to have rooftop runoff into the ground while we are trying to also add sanitary waste water into the ground for treatment. One benefit to the site is fairly sandy and good percolation test rates out there so we will anticipate that a lot of the water would eventually soak into the ground before running too far off site. That was one thing we would provide to the Board.

Chairman Santoro – We will go to the Board now.

Mr. Gallina – A couple comments. Certainly the 3D renderings help visualize what proposed addition does in conjunction with the existing home. I like the migration to the white horizontal clapboard on the first floor elevation and shingles versus the metal roof I think are all good enhancements. One question on the height. I certainly expect the fact that the existing structure probably has a very low second floor ceiling and the applicants looking to not have to tuck while he walks on the second floor. Looking at the left side elevation and it almost appears that it is a three story building. To the extent that the roofline can be brought down not to diminish the second floor height but seems like almost an attic or full walk up third floor and if we can bring that down a bit that may help with the concern that most of us have with the scaling. That is my thoughts and comments.

Mr. Harter – Were there comments forth coming from a preservation architect that we have not gotten yet?

Ms. Huber – No, just Cynthia Howk who is not an architect. She is a preservation consultant from the Landmark Society. She is an architectural preservation consultant. I would like to recommend that the Planning Board think about having the plans looked at by a preservation architect

consultant and see if there can be some compromises made so that we can have an addition put on that the Tovstukha will be happy with it and I will happy with it and the Planning Board would be happy with it.

Mr. Krapf – I have some concerns about a person who is not a registered architect making comments about the design because I am not sure they understand all the code issues and all the other issue that go into the planning of it.

Ms. Huber – It would be an architect. Are you talking about Cynthia Howk's comments as a preservation consultant?

Mr. Krapf – You had said she is not an architect.

Ms., Huber – She is not an architect but she has had 40 some years in the business and all she was giving a comment on was how additions are to be put on to historic homes and her comments were it is to massive and not supposed to be ...what we are supposed to be looking at is the historic building not the addition. That is what we should be focusing on. If we can somehow get the addition, which is good that is has this breezeway or attachment to it, that is a positive because if something happened in the future you could take that away and your building would still be there. All of the changes that were done to the materials were great. All she did thou was to speak to the size and how it compliments or does not compliment the architecture of the historic building. She was not talking as an architect. What we would like to see is a preservation architect look at this addition and give some comments.

Mr. Krapf – As someone else spoke before. The existing building is what it is. It was built at a time when things were not under the same codes as they are now. I am restricted on certain heights, ceiling heights etcetera and the program sizes of the various elements, the bedrooms and so forth, they have to be certain size to be efficient. I think that we are within 6 feet or so of the height of that existing building and it is my understanding that some changes to the grading could happen to make that even less. I am not so confident that it can be made significantly smaller without taking out a program elements. I just do not see how a preservation architect is going be able to make that happen. It has to be what the code requires and what is efficient and meets the needs of what the client is looking to have in the building.

Ms. Huber – I think that is your key right there. What meets the needs of the client? The client wants a three car garage and I think that is what driving that addition.

Mr. Tovstukha – Not necessarily. Three car garage does drive it but if you reduce it to a different number it reduces the living space upstairs. It is combination of three car garage and living space upstairs.

Mr. Shelley – The living space is really what is driving this right? The garages is the bonus for you?

Mrs. Tovstukha – Exactly.

Mr. Shelley – I would put it to the Board as an open question. To poll the Board for their opinion if the Board thinks it might be better if we lower the height and even the Town Historian, Babette, is it the height or the general face of the building that is too large, is it something that I can look at on the site plan. As mentioned, this drawing is it the height difference between the two roof peaks. Something that we can look at. There are also other things that we could explore as vegetative

screening. If we try to propose, there are sidewalks between the house and the garage, perhaps some large pine trees or evergreen is planted out front to detract from the face of the addition. If that might be away of mitigating the concerns.

Ms. Huber – That would begin to mitigate and also on this rendering you have windows without mutton bars and then on the one I have there is mutton bars. It is different. The garage doors are different.

Mr. Shelley – Different good or different bad?

Ms. Huber – The one I see on your screen right now is different bad. I liked the one, the drawing I see in front of me had the steel roof, which Andrey said was taken off. I see you have a compatible roof but the garage doors are not the same, the windows are not the same. The windows are totally different than the windows on this other rendering. So somehow we need to get these two things together plus trying to reduce the roofline.

Mr. Krapf – We are trying to minimize the overall expense to the owner. These renderings are not inexpensive to produce. The architecture drawings are the drawing that I would ask you to look at in terms of what a window would really look like. These drawings are 3 dimensional drawings and have done their best to make it look like my architectural drawings but there is a limit to what I think we can expect the owner to spend on services like that. It is not an inexpensive proposition.

Mr. Tovstukha – To be honest with you I did not really anticipate showing ...this is like close approximation but as far as final design of windows I did not think that was part of this process right now for this meeting.

Mr. Krapf – The windows would have all those detail on them.

Ms. Huber –Right, you see how the window are further down then your other drawing and also do you want to have the garage doors facing towards the road. I don't think the town has always been happy with front loading garages.

Mr. Gallina – I think the septic leech field may preclude that.

Mr. Logan – I have been quietly listening to the conversation back and forth between Babette and the applicant. I haven't seen this up on any of the screens yet and I know Babette you are concerned with the height of the building. This is what we have dated the 20th. Is this the correct architect rendering from a line work perspective.

Mr. Krapf – Yes that is except for the roof.

Mr. Logan – So the roof is not right what we are showing or just the style of the roof?

Mr. Krapf – The materials would be shingles. It is still showing a metal roof. It would not be.

Mr. Logan – So this is about nine and half foot difference in the two roofs. Between the existing roof and the upper roof on the addition is what I am seeing in the numbers.

Mr. Krapf – Right but that I do not believe that is 100% accurate because there is a slight slope to the land to the addition side. That brings the addition down somewhat.

Mr. Logan – You are saying the building is lower on the ground level?

Mr. Krapf – I believe it is a couple feet lower on the addition side which would bring the rooflines more together.

Mr. Logan – I do not see the rendering of the, in the upper left side elevation, I do not see the house rendering in front of it.

Mr. Krapf – I did not put that in there.

Mr. Logan – That is one of those things that I think I had hoped to see was that. You show this here how the cobblestone and new but I think what Babette is talking about is this is a house on Victor Mendon Road that has a significant amount of additions around it and all of it is lower than I guess I admit that this one is two story with a lot of height to it. They have taken this small addition over here and is matching the architecture of the original building. You can all see this I hope. If you look behind it there is a red garage. Here is all this material and is beyond and in addition to the original. The original building is actually the one up front here the square and added several other out buildings plus and looks like a two car garage here. It is red siding and it kind of complements the red brick. You do not see any of those additions that are on the same scale as the sexing building from the road.

Ms. Huber – You are exactly right Joe. I think thou that unfortunately the Willis Hill site I think cannot do that because of the way the land lies there.

Mr. Krapf – We are pinned from developing from behind the house because of the property line. My point was that the massing and those can wrap around the building and not be so high above it. Right now we are talking about 9 foot plus the overall scale of the building is quite large. On the existing building there are additions around it that from behind the small building is kind of non-descript. We showed a new rendering a little bit of an angle. It really doesn't look great and you will be covering it up with some of your addition if you did this. Could you take that piece behind add to it, take the side piece and add to it, put a garage right behind it where the driveway wraparound? Rather than putting a whole new building without touching the newer pieces of the historic building and accomplish the same thing with the space needs that your client is requesting. That is what I am asking and the spirit in which I am bringing up the other examples and showing the difference in massing between this and adding on something that doesn't dominate the old building. I think Babette that is probably what you have been trying to say.

Ms. Huber – I have been trying to say it and thank you for showing it Joe.

Mr. Logan – I have seen that house for a long time driving back and forth around the area and I always like what they did to compliment the architecture on it. When you started talking about this I said I need to bring this up. Anyway. Unless you want me to keep this elevation up I can stop sharing my screen. That is my point.

Chairman Santoro – Babette, have you and the applicant had a face to face meeting on this?

Ms. Huber – No we have not. I know that probably to go out to the site would be a good idea.

Mr. Tovstukha – I have offered.

Ms. Huber – Yes, you have. I am just in the Covid age. I had my first Covid hot so maybe I am a

little safer. I did note in one of the mails the architect did send to Andrey that he did say that there is an eight foot difference between the existing house and the addition and the engineer has some flexibility with the grade elevation.

Mr. Tovstukha – Basically there is a three foot way in the grade where we would have to get it down to reduce the overall height difference by five feet. Because the house would be setback from road point of view since the objects closer to the road appear larger. It would negate the difference in height from the road looking back. That is an option. As far as Mr. Logan mentioned it, the height is the issue. The existing house in the second floor I did have to duck basically cant come close to the side walls closer than four feet before I hit my head on ceiling. The vertical part if the existing house is a challenge as Richard mentioned that with the new codes that would be the challenge going forward. I am not really sure what we can do about it. As far as developing on the back the layout of the property conflicts without neighbor as far as setbacks. That piece of land with a bunch of trees and the big pine tree is perfect location as far as hiding anything behind without jeopardizing the look of the cobblestone. Cobblestone is the reason why we bought the house. It is an essential piece as far as we are concerned. We didn't buy a museum either. Life is what it is and we need extra space and that is the plan we came up with. I spent a lot of time trying to figure out what the best way to do this and that is what we came up with.

Ms. Huber – The driveway would be right off of Willis Hill and you would not use the other two driveways?

Mr. Tovstukha – We would eliminate one driveway which would be in the middle.

Ms. Huber – The drawing that I have here shows a very wide sway to the driveway. 37 feet. The driveway is the least of the concerns.

Mr. Shelley – If I may share my screen and to clarify the driveway. This was the driveway we were talking about removing a portion of for the curb cut. That is the one in the middle and basically we have a proposed driveway here where we have it called out as a stabilized construction access. The driveway in the center would be pulled out and maintain a patio and maybe provide a connection from the southerly driveway. A driveway from the south that comes into the rear of the house, rear garage.

Ms. Huber – Do you have a picture on here? All I see is mountains?

Mr. Shelley – The one I see here is the driveway pointing right at the white sided portion of the house and perhaps up to that pine tree up in front will remove that curb cut and maybe give a connection so we have access. 16 foot entrance coming into the proposed addition than 37 feet. It is three car garage and need enough room to get into that driveway as well. It would be the center driveway here. That would be removed. That curb cut would be removed so that we could provide roughly 100 feet between the proposed north driveway and the existing south driveway.

Mr. Limbeck - I am good. I am confused as to where we are going. We seem to have been going in circles a little bit now.

Chairman Santoro – That is exactly what I was thinking. I would suggest that the applicant and Babette speak to each other if not face to face certainly by the telephone. If Babette is not too concerned about Covid you could go out there and stay outside if it is not too cold.

Ms. Huber – I would like to see those renderings though and see if we can do some sort of reduction

in the height of the building. Maybe some vegetation around it. I guess we are not going to reduce it anymore in size it doesn't sound like. It doesn't sound like we can put the addition onto the back of the building. It's challenging but also it is important.

Mr. Shelley – If I could ask the Board to get direction and appreciate your comments Babette. To give us some sort of quantitative goal. Are we looking at no higher than the existing building? Roofline to roofline no higher or within two feet of the existing building? We do have certain grades we need to meet so basically I would hate to put the applicant back and forth between the Board, the Historian and the architect and unfortunately me again just to play around with all of these. I guess if we could get kind of general consensus from the Board of what they would like to see. We already are setting the building approximately 15 feet behind the existing cobblestone. If we can get it within a certain number of feet that the Board would find acceptable that would give us a target for the applicants architect to work with and us also to see floor elevations on. Perhaps we can develop some new plans and bring them back to Babette for basically a final look thru. Sounds like materials are generally ok wither roofing and siding that they seem to be fairly well accepted. Babette if that sounds right I understand the garage doors you didn't really like but could work with the architect on that. I think the big thing is for us to figure out heights. Our footprints are going to stay about the same. If I could ask the Board that if the consideration is on that aspect.

Chairman Santoro – That is what we have spent most of our time tonight on is the height of the building. I think you need to speak outside of the meeting to try to get these issues resolved. You are not going to get it resolved no matter how long we talk tonight. It is going on either the next agenda or the one after that depending on how far along you have gotten. My suggestion is you get in touch with Babette and she will need some renderings and hopefully come to an agreement. I did stop meant to exclude you Wes. You have anything.

Mr. Pettee – I do not have anything further. I will follow up with Fred regarding the site plan. That is all I have got.

Mr. Logan – Juts a couple of comments as long as Fred is asking. I think it was a nice improvement with the rendering that we saw. Sorry we couldn't see it prior to the meeting. The windows are way too tall on the original one on that dormer. It was so out of place and scale. The roofing is quieter with the not metal and matching shingles to the cobblestone. It looks like you lowered the roof on the breezeway and not sure why. You raised the sill and eaves. It looks funny in the architectural rendering not the photo sim. I cent see it there. I would like to see those. Yes, height is an issue. If actually he building would be lowered relative to that and then the driveway a little flatter back and you have step up to the cobblestone. Do not know if that is a feasible concept or not. That might help shrink the dominance of that addition to the cobblestone. Trying to offer some comments and I understand your challenges with property line and setback and all that. Kind of wish you had looked at doing more with the old pieces of the building that were not historic to reduce the size of the addition itself. I think we are beyond that. If I had to say anything more it would be try to reduce the height of the building either by lowering it more for the driveway be flatter towards the road and roofline would naturally come down or take the large peak down lower flatten out a little bit. That is my two cents.

Chairman Santoro – Would a hip roof make any difference or is that impractical.

Ms. Huber – It would not compliment the cobblestone.

Mr. Shelley – I am no architect but I think that might be a more contrast.

Chairman Santoro – Keep talking to each other and if you’re ready to come back at the next meeting let us know. I think that is all we are going to do tonight.

EXTENSION OF TIME

COVERWALLET PARKING EXPANSION – 2nd 90 day Extension 02-SP-2020

7910 Lehigh Crossing Zoned – Light Industrial

Owner – Bluestone Creek Development, LLC

Applicant received approval on April 28, 2020 to construct 50,500 square feet of additional parking for a total of 320 parking spaces. The land banked parking approved in original application is also to be constructed at this time. Applicant is requesting their second 90 day extension of this approval.

RESOLUTION

Motion made by Joe Logan, seconded by Al Gallina.

WHEREAS, in a letter dated January 15, 2021, MRB Group requested a 90-day extension of time for application titled Coverwallet Parking Expansion, therefore, be it

RESOLVED, that the Town of Victor Planning Board grants the second 90-day extension of time for Coverwallet Parking Expansion.

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

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

Approved 5 Ayes, 0 Opposed

COVERWALLET SUBDIVISION - 2nd 90 day Extension 01-MS-2020

7910 Lehigh Crossing Zoned – Light Industrial

Owner – Bluestone Creek Development, LLC

Applicant received approval on April 28, 2020 to move the west lot line of lot 5, “90’ feet, lot 6 will go from 7.59 acres to 6.49 acres in the Lehigh Crossing. Applicant is requesting their second 90 day extension of this approval.

RESOLUTION

Motion made by Al Gallina, seconded by Scott Harter.

WHEREAS, in a letter dated January 15, 2021, MRB Group requested a 90-day extension of time for application titled Coverwallet Minor Subdivision, therefore, be it

RESOLVED, that the Town of Victor Planning Board grants the second 90-day extension of time for Coverwallet Minor Subdivision.

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

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

Approved 5 Ayes, 0 Opposed

Mr. Logan –Before you do that. Lisa are we going to get architectural renderings that you didn’t see.

Ms. Boughton – I just asked them, emailed them, I do not know if it was too big and it didn’t come thru. I told them to try to send me a link for it. I hadn’t see those and just the three elevations.

Mr. Logan – Stick them in the dropbox and we can grab them that way. Thanks.

Motion was made by Joe Limbeck seconded by Al Gallina RESOLVED the meeting was adjourned at 9:22 PM.

Lisa Boughton, Secretary