

A regular meeting of the Town of Victor Planning Board was held on Tuesday, April 9, 2019 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, Al Gallina, Rich Seiter

ABSENT: Heather Zollo

OTHERS: Wes Pettee, Town Engineer, Mike Guinan, Town Board Liaison; Kim Kinsella, Project Coordinator; Lisa Boughton, Secretary; Lee Wager, David Nankin, Carl Petito, Ed Kahovec, Al Monteverchio, Marian Monteverchio, Kale & Vera Mandrov, Paul Colucci, Jeff Smith, Nancy Mc, Craig Welker, Amanda Reid, Sherrif Ibrahim, Paul Zelter, Rick Castrichini, Kevin Dey, Bob Bringley

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.

CORRESPONDENCE

There was no correspondence received for this meeting.

BOARDS & COMMITTEE UPDATES

Councilman Guinan had nothing to report from the Town Board

PLANNING BOARD reported by Kim Kinsella

- April 23rd meeting
 - Gullace Project – Decision to be made by the Planning Board
- Public Hearing
 - 179 Miles Cutting Lane – upgrade of current fence
 - John Welsh at 6900 Cherry St – Requesting to build 4,000 pole barn
 - Woods at Valentown on High Point Dr – Requesting to construct 288 for rent apartments within 12 bldgs
 - Piper Meadows Subdivision at 860/870 High St – Requesting 41 lot subdivision

APPROVAL OF MINUTES

On motion of Al Gallina, seconded by Rich Seiter

RESOLVED that the minutes of March 26, 2019 be approved.

Ernie Santoro	Aye
Joe Logan	Abstained
Heather Zollo	Absent
Al Gallina	Aye
Rich Seiter	Aye

Approved 3 Ayes, 0 Nays, 2 Abstained

PUBLIC HEARING

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

WOODS AT VALENTOWN

High Point Drive
Appl No 35-SP-18
Zoned – Planned Development District
Owner – Woods at Valentown, LLC
Acreage – 56.87

Applicant is requesting approval 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.

- o *This application has been tabled until the April 23, 2019 meeting.*

TAHVEN ASSOCIATES

7398-7400 NYS Route 96
Appl No 9-SP-19
Zoned - Commercial
Owner – Pel Associates

Applicant is requesting to remove 11 parallel parking spaces along NYS Route 96. The existing 42 space parking will be expanded to 67 spaces.

Mr. Robert Bringley from Marathon Engineering addressed the Board along with Justin Hamilton who is the Contractor, Sherrif Ibrahim, the owner.

Mr. Bringley – Basically, they purchased the building that’s shown on the overhead. All of the structure is existing. They are looking at adding additional parking. So as we’re looking at the drawing, to the right side or the south, we’re going to add parking and then to the north side, we’re going to add parking. So currently there is a total of 42 spaces on the site and there are 11 parallel spaces which were added at the site plan approval which really go along the west portion of the site but they more or less restrict the fire lane in front of the bldg. We’ll be removing those and adding the parking as shown on the colored site plan and that will account for a total number

of spaces of 67 from the existing 42. This parking is needed for the owner's business who will hopefully will involve a lot of people coming and going to the site. So it's important for his operation to get this additional parking. In the original approval as noted on the plan, there were some variances granted. A 0 setback line along 96 and then setback to the road directly to the east. We will not be exceeding those variances granted so there are no additional variances granted for this application, we're under the green space requirements. The building will get a complete facelift and redo but will remain its current size.

So that's it in terms of my introduction. If you have questions for myself or the owner/operator of the facility, please start. Thank you.

Chairman Santoro read some staff comments. – The Rochester Linoleum sign was not approved and will be removed? (Yes) You are also wishing to put up a wall sign? (Correct) Is that going to take the place of the Rochester Linoleum sign? (I believe so, yes)

There were comments from the audience that were inaudible due to not being at the microphone.

Chairman Santoro asked for public comments and there were none.

Mr. Seiter had no comments.

Mr. Logan – I recalled when the building last had a major renovation/addition, there was an issue with ground water on the southeast corner. It was like an underground spring and there were some problems there. Did that ever get resolved?

Mr. Bringley – I don't know because I wasn't involved. Justin do you have any knowledge in the bldg with ground water?

Mr. Logan- It wasn't in the bldg it was outside.

Mr. Justin Hamilton from Hamilton Stern Construction – When I went to a meeting with Al Benedict early on in the process before we actually brought Marathon on board, there was a comment made that the run off from Rowley Rd was actually coming down to the southeast corner that you're referencing. There's drainage in the back of the bldg that they may have installed to accommodate this. There's a drainage swale behind the bldg as well as a catch basin. They may have accommodated for that.

Currently there are no issues with ground water inside the bldg. It may have been rectified.

Mr. Logan – It was not an inside the bldg issue. It sheeted across the parking lot in that southeast quadrant.....

Mr. Hamilton -coming off of Rowley Road.

Mr. Logan – Yes, it was in the back. The swale was kind of filled in...it was washed across the driveway, there was silt everywhere and it was just a recurring maintenance issue. So I'm suggesting that when you're looking to improve the lot, widen it out which I don't have an issue with the proposal but what I am concerned about and as we add at the end of all these proposals is if any groundwater is found that the problem has to be resolved. So I'd like to see that addressed in your final set of plans for approval.

Mr. Bringley – Yes, we can do that, that's no problem. Thank you for noting that.

Mr. Logan – Otherwise I don't have any...I know there are a lot of cars that use the lot for the salon and obviously you need the parking.

Mr. Gallina – Other than the signage changes, are there any proposed changes to the façade?

Mr. Bringley – I'll call Justin back up because he's the expert on the façade.

Mr. Hamilton – Currently you enter the Rochester Linoleum space, it's kind of a half-round store front. Where you enter the center, the way that we're orientating the inside of the space, we're going to redo the vestibule so the doors are going to be kicked to the right. There's a set of double doors about half way down to the bldg to the north on the northeast side of the bldg, those are going to be eliminated and turned to stationary glass panels. We're probably going to do some kind of painting on the exterior of the bldg. we may even paint the cultured stone to give it a different look but that's it as far...we are adding one exit point on the north corner of the bldg, call it the northeast corner of the bldg, actually the northwest corner of the bldg, entering out to the north side of the parking lot where the new proposed spaces are.

Mr. Gallina – We would need to see final elevations along with colors and samples along with the signage. In general, I'm certain in favor of the reuse of the property.

Mr. Hamilton – Thank you

Chairman Santoro – You received Al Benedict's comments of March 29th? (Yes and we're okay with those)

Mr. Pettee – LaBella did review this project. We issued an April 2, 2019 letter. We do have a comment on Stormwater based on the model that was provided. The existing Stormwater facility appears to accommodate the increase in run off due to new and impervious surfaces. We are taking a look at the original design plans for this project and we want to confirm something about the 18" diameter outlet pipe on the utility plan and on the pond outlet structures. So I need to follow up with Mary Steblin in our office about that Stormwater comment.

Landscaping – We did note that there were several trees that were going to be taken off of the project site and they are going to plant a few trees as well. But it looked like the comparison between the two, it wasn't necessarily that they were replacing everything that is

being taken away. So we did want to ask about any thoughts or what their approach to adding new landscaping.

Otherwise, there are just some technical items in here and not a whole lot beyond that.

Chairman Santoro asked if the applicant received LaBella's comments and they stated they had.

Mr. Bringley – We feel we can address those comments.

Chairman Santoro asked about the Ontario County comments.

Mr. Bringley – We did and someone from our office attended their meeting today. So they were set with the project and didn't feel we needed to go any further with the County.

Chairman Santoro – We don't have their comments yet. We'll need to wait until we receive them. Anything else? Hopefully we'll get that before the next meeting.

Mr. Bringley – Okay, we're all set. Thank you

SKETCH PLAN APPLICATION

BLUMONT RISE SUDIVISION

6300 CR 41

Appl No 1-SK-19

Zoned- Residential 2

Owner – Blumont Stables, LLC

Applicant is requesting approval to establish 35 single family home lots on 33.2 acres with two access points onto County Road 41 with remaining 74.7 acres being Conservation Area.

Chairman Santoro read the staff comments.

Chairman Santoro – The Fire Marshal would like to see the water main size increased and looping the mains on both Road A and B. Also would like to see hydrant locations on site plan and would like to see a landscape plan, fire access road 6 ft wide on either side of the hydrant, an intermittent stream exists but does not appear on USGS maps.

Mr. Bob Bringley from Marathon Engineering addressed the Board.

Mr. Bringley – Jeff Smith from Custom Homes is sitting over there. I'll give you a little background for where we've been since we appeared before this Board informally about 3 months ago. Since then, we've been exploring a number of different things. We've walked the site with the Conservation Board. We attended a number of Town Board meetings, 2 or 3 prior to making a formal request for extension of the sanitary sewer district. Last month we did attend a public hearing on the same sewer district extension. There was virtually no public opposition

to extend the district. There were people in support of extending the district. We have requested people to the north, if they want to be included within that district and most of them have replied in a positive fashion. I think the only person that didn't respond is the horse farm immediately to our west. So at this point, we're waiting for a decision by the Town Board to extend the district if they so desire to act on our formal application.

In addition to that, we met with the Conservation Board last week so we can address any of their concerns. One of their main concerns was to protect the Federal wetland which is directly to our south, you can see that on the black and white picture (referring to overhead screen), it's the dotted area to the south. There is a little intermittent stream that travels from the west to the east, it goes across the owner's property and then discharges into Mud Creek which is directly to our east into the Town of Farmington.

So this application is basically a 108 acre lot. The zoning allows for (R2 with an A overlay) 35 homes. Jeff has requested to do that under Town Law 278 which allows us to get some relief from some of the R2 zoning requirements. Basically, the relief that we are requesting is strictly related to the lot size and some of the dimensions on the lots. We will abide by the setback requirements along the front and the side but we feel this is a good application in terms of minimizing some of the lot sizes. What that does, is give us a whole different market or expands the market for people who want larger lots. Some of these lots are 2 to 3 acres and some, the smallest on this parcel is roughly 17,000 sf.

One of the concerns of this Board was some of the lots that we had previously were about 15,000 sf and some of the Board members felt that those might be a little on the small side. But Jeff thinks by having a varied lot size really helps. So in terms of doing that, how we accomplished airing this out a little more, is we actually took the cul-de-sac and pushed it back a little more. That opened that center portion up so between the cul-de-sac section and the section of road that runs parallel with Rt 41, there's about 3.5 to 4 acres in those back yards now. Before it was a little crammed back in there so we opened that up. So that was one of the changes that was made for this Board from the previous Sketch Plan that we submitted to the Board. So we feel that would help in this concern of maybe some of those lots were a little crunched, particularly that corner. So you can see now that corner lot is relatively large in terms of acreage per square feet.

This project as I stated, will be serviced if the sewer district is extended by sanitary sewers, water is available. We talked a little bit about drainage. It currently drains in two directions; about 3/4 drains to the north and a portion of it drains to the south. We'll be providing Stormwater detention along Rt 41 and that will discharge to the east directly to Mud Creek. The owner to the north was previously concerned about drainage crossing his farm field, we're going to either restrict the drainage going to the north or we're going to take it all directly to the east.

So this parcel again is 108 acres, roughly about 70% of it or 70 to 75 acres will be deed restricted in some fashion. That is all of the land to the south that you can't see on this picture (referring to the overhead screen). But in you packet, it shows the entire 108 acres, again, roughly about 70 + acres will be deed restricted from being further subdivided in any way. We're proposing that would remain and the ownership of the landowner to the east which owns about an addition 60 acres which Jeff is purchasing the total parcel from him. The total parcel is over 165 acres. You can see the town lot line on the east side which Victor is to the west and Farmington is to east. So the current owner would retain that land, retain access to his Blumont

Stables which is located directly off of that page being show, directly to the south and then retain all the land further, all the way almost to the Town of Bloomfield. That area, again, will be preserved from future subdivision. It will continue to be farmed or who knows what will happen in the future but it will probably continue to be farmed in some form or fashion.

So that's the proposal with the modifications that we have made since we were here before. We'd like to get a nod to go to preliminary/final with the extension of the sewers. So that's where we'd like to take this. If there are any questions or anything that Jeff or I can address, we'd be more than happy to try to do so.

Chairman Santoro – This is not a public hearing but we'll take brief comments from anyone in the audience. There will be a public hearing after the Sketch Plan has been acknowledged which we can do tonight and not need to wait for County comments. *There were no public comments.*

Mr. Gallina – I guess the question would be how contingent is this plan on the sewer district extension. Is the project still able to go forward if septic is required or would you need to make modifications?

Mr. Bringley – If sewers are not extended, then it would have to be a septic proposal but it would probably include the entire parcel. Is Jeff willing to do that? I don't think so. (Mr. Smith shook his head no). We've been before the Town Board so many times preaching why we think this extension of sewers is a good idea, that it's good planning, it's good in every aspect that we can see if this project is going to be developed. So we're just hoping that the Town Board can see their way to an extension.

Mr. Gallina – If I recall from the previous preliminary drawings, I think from the local community members' concerns were regarding traffic and drainage. I think those were the big "2" that I recall. I don't remember if any traffic study or impact study was done but we'd want to see something relative to the impact on traffic before moving to the final stages. (OK) That's it for now.

Mr. Logan- Where does the sewer line end currently?

Mr. Bringley – It ends to the north at Southgate about 200 or 300 ft to the south of there....pick up a manhole and if I remember, it's about 1500 ft to our property.

Mr. Logan – Is that the Town's sewer or does it go to the Village? *It was stated it goes to Farmington.* Like Al, I recall the conversation about drainage and making sure that it doesn't add to the flow into the farm field to the north of 41. It sounds like you're going to be addressing that. (Yes) Otherwise, is Blumont retaining the balance of the property? Do they have any intent of doing anything more with the property other than have the horse barn? Like subdivide it?

Mr. Bringley – They won't be able to subdivide it.

Mr. Logan – They could subdivide their Farmington piece maybe.

Mr. Bringley – If they could get access to sewers which I don't believe.....it would be very difficult for them to get access to sewers. The 65 acres in Farmington, they technically could apply for something there but the balance of the land by the time the deed restrictions are all written would prevent them from doing any further subdivisions.

Mr. Logan- It seems to be they have that large parcel that would be conservation deed restricted on the Victor side. I'd hate to see them use that to say that now there is all of this land that is now next to the parcel in Farmington that we should be able to cram in this many more homes in based on that. I just wanted to see how that deed restriction is going to play on the Farmington side of the lot line.

Mr. Bringley – I don't believe they're going to deed restrict any of the land on the Farmington side.

Mr. Logan – They shouldn't be using the parcel within Victor as a basis for justifying a certain density development arrangement on the Farmington side. That's my opinion.

Mr. Bringley – I don't think they legally could as the way the code is written in Farmington. I didn't look at what the zoning even calls for on that piece but they would be somewhat restricted because they don't have access to sanitary sewers.

Mr. Logan – But when they do....

Mr. Bringley -Even if sewers are extended, even that parcel drops down so it's limited in terms of how much you could gravity service it. It would require a pump station and then they would be pumping into Victor sewers, so.....

Mr. Logan- Okay, that's all I have.

Ms. Kinsella – So is Jeff buying the piece in Farmington also? So he's only purchasing the piece in Victor. The remainder piece would stay in someone else's ownership which I don't believe could be used.

Mr. Logan – It sounds like that permanent easement will be attached to the Blumont Stables parcel in Farmington.

Ms. Kinsella – I don't believe that's the case.

Mr. Jeff Smith – This is entirely a separate tax parcel in the Town of Victor and it's under subdivision approval within Victor. Al (Montevecchio) will be retaining title to that 70 acres, give or take, behind this 35 acres that's being developed. So he will have title to the tax parcel in Victor, 70 acres under a conservation easement. He will still retain title to the other portion of his land in Farmington. If he ever choose to develop the Farmington land, he will be under Farmington's regulations to do so. If there is already a conservation easement in the Town of

Victor, I would agree with him, it's not going to count towards Farmington's rules and regulations.

Mr. Al Montevecchio – I'm the owner of the Blumont Stables, all this land and the part that is in Farmington also. The part that is in Farmington is a horse farm. It's been up for sale, we haven't any sale of it yet but it really goes down about one-half mile in and it's all woods and creek and then opens up into a wide area where all of the facilities are. Those facilities, what my plan is, is to enhance the sale of the property which also would include farm land for the facility and we've been told by your planners and everyone at the Town that that land can be used to put barns on or anything that is agricultural which is great for the facility. So they will have that piece plus the other piece and we would sell that probably as a total.

Mr. Logan – So the two parcels would still technically be separated by a lot line because it's in two different towns or is that being combined as one lot.

Mr. Montevecchio – It's not one lot. You guys in the town won't let us do that! Its two towns.

Mr. Logan – I'm just trying to make myself understand how that lot works.

Mr. Montevecchio – Is that clear now?

Mr. Logan- Yes, thank you. It does look like there are a few barns already on that parcel.

Mr. Pettee- We also had an opportunity to review this project as well, the sketch plan and based on the materials that were submitted to our office for review it appears the sketch plan submission is complete. I did want to show a graphic that will help some folks digest what is being proposed her in terms of a cluster subdivision.

We have got a 108 acre parcel where the development is being proposed as a cluster development where the development would be closer to County Road 41/Boughton Hill Road. This area here is the 33 acres where the subdivision would be clustered. The hash marking in the back area, which is 74.7 acres that the applicant is proposing to preserve. A restriction easement or conservation easement of some form and as a comparison sake, what a conventional subdivision would look like in this area. Here is County Rd 41 where this vertical dashed black line and then here is a more of a conventional layout for the same number of lots. What they are proposing is making all these lots smaller and clustering them up her towards County Rd 41 and we can see the development limit is about where this liner is. The homes will be up in this area but the rear property line for those homes will be back farther. This little bend in the tax parcel is the boundary of the creek. You see this bend right here coincides with these rear property lines and if you go back to previous map and it coincides where the rear property lines would be in the cluster subdivision.

All of this is part of their cluster subdivision would be preserved as open space and not developed as residential properties. What that would do obviously would shorten the length of the road that would be constructed on this parcel. If this property would be developed like this this is what could be developed without sanitary sewer. This would be something without sanitary sewer this would be more along the lines of onsite septic systems. Providing that sewer

line there would be no Pump Stations it would be a gravity line. This allows for a shorter length of roadway and other utility lines; power, water supply and that infrastructure would be shorter. Maybe less costly to maintain. On the other hand you have got a sanitary sewer system in this area now that wouldn't be developed under the conventional development proposal. I wanted to show you the difference there between the conventional and the cluster.

We did evaluate back in January and took a look at the existing sanitary sewer conveyance system and we did determine that the conveyance lines do have the capacity to accommodate this proposed development as shown here. The pump station is near the corner of East Victor Road and Route 96 and that pump station also has the capacity and there is no concerns in that regard with sewer. We did mention this project would appear to be a type 1 SEQR action requiring the long form and we provided some substance behind that to help explain that rational. There appeared on our GIS system we showed a little tiny bit of 100 year floodplain back in this corner of the property. Barely touches the corner of the property but obviously if this were the project there wouldn't be any impact with the regard to the floodplain.

Mr. Logan – On that drawing you are looking at. The driveway is in what's conservation easement. Is the driveway still staying there?

Mr. Pettee – That is a good observation for at this point. It is worthy of asking the applicant.

Mr. Bringley – The driveway is intended to stay there yes.

Mr. Logan – It may not make sense to designate that as part of the conservation easement if you are going to use that as a driveway. Someday someone may want to improve it for access with pavement or additional homes.

Mr. Bringley – Either we could write the restricted area to include that to maintain that. Either way I think it is fine with us. We just need to work out the details with guys a lot smarter than me.

Mr. Pettee – We had some minor comment for the applicant to address and can be addressed at the preliminary plan stage. I did notice one of the County comments which is probably worthy of talking about in sketch plan. There are two access points to Boughton Hill Road and it did not seem like the County Engineer was too hot on allowing two curb cuts onto County Road 41. Especially with one of them being somewhat close to the East Victor Road intersection. Maybe that is worthy of exploring or talking about.

Mr. Bingley – We were going to schedule a meeting to go over that.

Chairman Santoro – We have a Resolution. It is not an approval of the project it is acknowledging receipt of a complete sketch plat application

RESOLUTION

On 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 March 5, 2019 by the Secretary of the Planning Board for a Major Subdivision entitled Blumont Rise Subdivision.
2. It is the intent of the applicant to subdivide 35 single family lots on 33.2 acres. The remaining 74.7 acres will be conservation easement/deed restricted.
3. In a letter dated April 4, 2019, LaBella Associates sent a summary of their findings.
4. Al Benedict, Code Enforcement Officer, reviewed the sketch plan and made comments dated April 1, 2019.

NOW, THEREFORE, BE IT RESOLVED, that regarding the sketch plan application of Jeff Smith, Woodstone Custom Homes, 15 Fishers Road, Suite 202, Pittsford, NY, Major Subdivision entitled Blumont Rise Subdivision, drawn by Marathon Engineering, March 5, 2019, received by the Planning Board March 5, 2019, Planning Board Application No. 1-SK-19, 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.

Ernie Santoro	Aye
Joe Logan	Aye
Heather Zollo	Absent
Al Gallina	Aye
Rich Seiter	Aye

Approved 4 Ayes, 0 Nays, 1 Absent

INFORMAL DISCUSSION

1256 BRACE ROAD

Owner – Edward Angelo

Zoned - Com/Li

Acreage - 22.5 acre

Applicant is requesting to create two parcels on each side of Brace Road. Parcel one consists of 12.5 acres to the east and south of Brace Road. They are proposing to construct a 59,500 sf building to be occupied by Horsepower Motorworks, a premier specialty restoration and service center with climate controlled storage for classic and high performance vehicles.

Paul Colucci with the DiMarco Group

Mr. Colucci – I am here tonight joined by Angel Boev with ANC Holdings LLC and Paul Zelter who is with Horsepower Motorworks. We are here tonight seeking informal review with the Board for the parcel that we are calling 1256 Brace Road, the address of the property. ANC Holdings has entered into a purchase agreement with the current owner, Edward Angelo, for the acquisition of approximately half of the current holdings that would be subdivided. Approximately 12.5 acres on the east side of Brace Road. The purpose of the application is to construct a 60,000 sf building for Horsepower Motorworks. They would be the principal tenant. Horsepower is currently located at 825 Phillips Road. They have been before this Board and may or may not be familiar with our operation. They are principally engaged in specialty restoration and service for classic and high performance vehicles. They also provide climate controlled storage for these types of vehicles. If you are not familiar with their operation I will let Mr. Zelter speak little bit about that. They are deemed as motor vehicle repair. The property being zoned commercial light industrial they are permitted use within that district however this particular parcel abuts a residential district to the south. The application would require obtaining a couple variances. One for the separation from the residential property line where a 1000 feet is required. We would propose a 120 feet which is to the south side of the building from the nearest residential property. Then also would require a variance for relief the requirement of 500 feet from any offsite residential structure. We would be about 233 feet from the property to the south.

The properties it is quite visible from Route 96 and is a very desirable location for a commercial property. As we have seen some of the other uses be developed, the Jeep Chrysler dealership moving down this corridor, Auction Direct being more of a motor vehicle locale within the Route 96 corridor. Mr. Boev sought the property that was up for purchase based on two requirements. One they are outgrowing their current facility. Their business is very successful. Two they are coming up on their lease. It is a bit of time is the essence type of situation. As we looked at this piece of property we met with Kim and Al and had an informal staff sit down and talked about some of the challenges that the site may face. Notably the two variances that would be required from the Zoning Board. They ironically are the same two variances that they have in their current location on Phillips Road they have precedence on that parcel that there were two variances granted for this particular use.

Mr. Logan – On that parcel if I am not mistaken, is it Eastview Manor that is the residential offset. That is up the hill and down the backside and is a different buffer than this might be.

Mr. Colucci – This parcel has a federal wetland in the western portion of the site. There is also flood plain which exists and runs thru the back third of the property. We did so some filed survey for some preliminary. Took some elevation shots along the roadway, Brace Road and the

topography and some spot shots across the property to just orient our site to the FEMA flood plain map that exists. It does appear accurate. The flood plain is as mapped on the property. What we don't believe it as accurate, none the less it is a FEMA map and we would look to develop our site and raise the building up approximately two feet above that flood plain and then we would modify the flood plain by providing some compensatory storage on the lower side. We would essentially harvest out some material on the eastern portion of the site, raise the building and allow the flood plain to work its way around. The property immediately to the east of us on the other side of the tributary to Fish Creek is also in the flood plain as well as other buildings that are on Papparone Drive on the east side of the tributary to the creek.

The building that is showing up with the red roof on the site actually did file a LOMA and they got that building out of the flood plain. I have lived in Victor for some time and I have never noted this area to be flood prone. I have spoken to people who have lived here much longer than me and this may have been back prior to some of the modifications that were made to the culverts associated with Route 96 and the Route 96 improvement project that happened quite some time ago. We believe we can develop the site to sufficiently keep the building up and out of the flood plain and not affect the flood plain so that we would not have to do any map amendments. Nonetheless the flood plain is mapped there. Sanitary sewer is located just to the south on Brace Road. There is a stub. We haven't done any survey of the elevation of that sewer. We believe just given where the topography is higher as you go up Brace Road we would be looking at a small lift station to deal with sanitary waste. There is water located on Brace Road. We haven't done flow test yet and would do such to make sure we had sufficient flow and pressure to fire protect the building and provide domestic water supply. I will let Paul Zelter and Angel talk a little about the reasoning why they targeted this property and the interest that they have based on their business needs. This is a business that is in Victor now and we want to retain them and I think it worthy to just hear from them a little bit.

Mr. Zelter – As Paul has just told you we primarily do high end restoration, custom cars and things of that sort. We are not looking to do anything different in this building. We are running out of room with what we currently have.

Chairman Santoro – What is the size of the building you're in now?

Mr. Zelter – 40,000 sf and this would be approximately 60,000 with about a 5,000 sf office. That is part of the issue right now is that we have no front office. People have to drive around the back of the building to get to our entrance.

Chairman Santoro – Didn't you add on to the building on Phillips Road at one point?

Mr. Zelter – The building was added on to before we purchased the business in the back for a spray booth and repair area.

Mr. Logan – Are your maintenance and painting facilities in this new building proposed to be about the same size in sf as in the old or are you looking to expand?

Mr. Zelter – Slightly larger for the body shop portion of it. The mechanical shop will stay about the same size maybe a little bit larger. We are adding on some more storage space and office space.

Mr. Boev – I am actually a neurosurgeon who has a car disease and I am treating it. I don't want to cure it! Paul and I are partners at Horsepower and we have been very fortunate. We bought the business in June of last year and has been around since 2011. We have been very fortunate that we have seen a 417% increase in business and revenue over the past 9 months and in the first 3/4 quarters of this and looking to increase that even more. We would like to stay in Victor. We like the area and the land is in the perfect location. We are not an automotive business, there are automotive business around us and will certainly draw business. Our customer base continues to increase. We have been fortunate enough that recently that we won the Chairman's Choice Award for our restoration within a four and half months at Amelia Island Concours of the East Coast. Given this a green light will not only allow us to expand our business but also try some visitors from out of town to Victor which will help the Town itself. We would like to stay in Victor, we like where we are and it has been very good to us and this is an even better location. Thankfully we need the expansion and that's why we are here. We have engaged the DiMarco group and have other partnerships in other real estate ventures as well.

Mr. Seiter – Distance to the residential. Can you repeat that variance you were asking for?

Mr. Colucci – Commercial light industrial automotive repairs have permitted use but there is a provision in the Code that states the facility needs to be greater than 1000 feet from a residential property. We would be 120 feet from the property to the south which is a residential boundary to the facility.

Mr. Seiter – Pretty significant variance.

Mr. Colucci – The current Phillips Road is 50.1 feet is the variance they have where they are today. Similar variance there is just that much closer where we would be able to provide at least a 100 foot of buffer from this residential property to the south to the drive you are seeing circling the building.

Chairman Santoro – On Phillips Road thou they have that big hill behind there.

Mr. Colucci – Topography is different. The way we tried to situate the building is too push it as far north as we could. You can see that I am leaving some area for storm water management. We also have an embankment that Brace Road comes down and is high. We don't have the ability to access off of that portion that is too north of the building. The access would like to be off from the southwest. We would envision providing a suitable buffer. We would be looking to harvest some material from the lower portion of the site to raise the building slightly but also we will have a fair amount of topsoil that would not be replaced and we would likely berm and landscape along the back to provide that buffer.

Mr. Logan – You said you couldn't come off of the north side onto Brace Road, why was that?

Mr. Colucci – As you come down from 96 and you are heading to the south and then west along Brace. Brace is elevated above the property and there is a guide rail that is in place as there is an embankment where Brace is slightly higher than the property. That guide rail does taper off and ultimately there some power poles and guide wires that we would wind up having to conflict with. If I push the driveway further west and maybe even all the west closer to where I am showing that storm water management area we could probably could get a driveway there. But I think the maneuvering, that sometimes these vehicles come in on lowboys and larger vehicles, to make that maneuvering swing right up an embankment would be a bit of a challenge. Just looking at this conceptually we are proposing the access to the southwest but we can investigate other means of access.

Mr. Logan – I'm looking at Google Earth at street view to see what kind of elevation change. I know where you are talking about and it does come down from 96 and if you go beyond one of these utility poles you are only talking about a four or five foot rise. Even if you left the driveway entrance where it is proposed on Brace and move the whole building that way, wouldn't you be able to do something like that and pull it away further from the residential lot? Take the building north and you would have 50 foot longer driveway or something.

Mr. Colucci – We would wind up moving it further into the flood plain. The flood plain runs thru the back third of the property. So I am trying to keep the building as much as I can out of the flood plain rather than push it all the way up and in. I am going to have to raise the building and adjust the flood plain so it can continue to have its volume.

Mr. Logan – If you're going to be doing that why don't you shift the flood plain further south and move the building further north. Basically swapping, you are doing this earthwork anyway. Take a look at it and see what you can do.

Mr. Colucci – Certainly something worth looking at. Marathon is also working with us on this so it is something we can look at. Certainly one of the reasons why we are here tonight is seeking that kind of input. If the goal is to move that as far away from the residential property as possible that is something we would look to do to minimize the requested variance.

Mr. Logan – I would do that honestly from my perspective. You don't have 1000 feet on this lot from residential. We understand that you need a variance. If we can work with you to get the building to have as minimal impact as possible there is still a lot of trees in between you and the parcel to the south and across the road. It is going to be quite large building. For perspective

that is half the size of Walmart. If you can move the building further north I would be in favor of that and certainly want to try to help you make this work as best we can and to keep the impacts to a minimum.

Mr. Colucci – That is a great comment that is a benefit of this informal review. We can feel out what is reasonable and then we can work that into a full application.

Mr. Logan – Honestly then the flood plain becomes south and east of your building and more contiguous then wrapping around it. If you have the storm water management facility to the south of the building and the flood plain around it then you have two sides of your building not three surrounded by the flood plain.

Mr. Colucci – We will look at it when we do the full topography on the site. I believe the storm water is going to be up in that north westerly corner. It is the lowest part.

Mr. Logan – The flood plain itself can be shifted or reworked.

Mr. Colucci – We conceptually showed some modification as we are thinking about how this building is going to be raised up. From an operational perspective they have about 15 employees and get about two to three visitors a day. It is not a high traffic generator by any means. We are showing some bank parking. The reason we are showing that banked is they do have on occasion car shows, just given the nature of the vehicles and these are special type of events that do not occur with any high regularity but we would look to have the ability to have same vehicles staged in nicer weather for some types of car shows.

Mr. Gallina – I pretty much echo Joe’s Comments. If we can shift it north if that is feasible. If possible to flip the drive and if that’s not feasible at least shift the building. I certainly would also like to try to make this site work for you.

Mr. Colucci – We will look at some turning maneuvers and if the driveway could come off of the north side that is certainly something we will look at.

Mr. Gallina – Then of course adding as much landscape, buffering or berm to the southern portion of the property as well.

Chairman Santoro – It is one story but hall tall will it be?

Mr. Colucci – I think the height limitation in this district is two stories or 35 feet. It would potentially be a taller building on one portion. There will be high bay space for the vehicle repair as they go on lifts and what not but then also the climate control storage they actually stack the vehicles in lifts. It is not the type of storage that someone is just going to say “hey I’m on my way home from work and let me grab my car and take it for a spin.” They have to schedule ahead to have a vehicle moved out of storage because they are brought in and put on lifts. I think this building could be somewhere in the 30 foot range and we are aware we are in

the Route 251/96 overlay district so we have to go thru architecture review. One of the reasons they are also wanting to relocate from Phillips Road is also visibility. They want a very nice aesthetic building so we would work with them and there next stage we would show you some architectural concepts.

Chairman Santoro – What is the time4 of construction?

Mr. Colucci – Very soon. Too complete it is a bout and 8 month construction schedule and there hopeful they can be under construction this season.

Mr. Pettee- I am looking at the sanitary sewer map *Brings it up on the screen* and this property does not appear to be in the sewer district. It looks like the flows would go to the Village treatment plant.

Mr. Colucci – There are two sewers in the vicinity. One is behind Motovate, which is now the Jeep Chrysler and then there is one just south on Brace Road just across from the residence to the south of us.

Mr. Pettee – This is a subject property. You have the manhole over here which is Anthony Drive and it flows to Farmington treatment plant and you have this manhole flows to the Village waste water treatment plant.

Mr. Colucci – Is this the district boundary?

Mr. Pettee – You see the two different shades of brown, lighter shade indicates those properties flow to the Village and this darker indicates the flow to the waste water treatment plant over on McMann Road. You will see other examples of this. Silverton Glenn, Proximity Lane all flow to the Villages waste water treatment plant. This is the Victor consolidated sewer district. All this dark brown flows to the Farmington treatment plant.

Mr. Colucci- Everything in white is?

Mr. Pettee – That is outside the sewer district. They are not connected to the Town sewer system. This map is a little deceiving because there is a Village sewer system and it is not mapped on this particular graphic that I am showing.

Mr. Colucci – So the district extension would really be if we went southwest, would be to the Village district?

Mr. Pettee - It still would be part of the Town of Victor Sewer District but flow to the Village

Mr. Colucci- That is a process where we do a report and then we apply to the Town?

Mr. Pettee – Map plan report. It would be a petition to the Town Board to extend the sewer district.

Mr. Seiter – I like the business and what you are putting in there but I am a little troubled by the casual reduction of almost 90% on the buffers. I would to see in the site plan a generous amount of screening on the south side of acoustical and visual. Your right up there against Serenity House which kind of contradicts the term.

Mr. Logan – There is a reasonably large tree buffer to the south of the building correct?

Mr. Colucci – One of the intentions was to leave that and try not to do any grading in that area.

Chairman Santoro – This is not a public hearing but if there are any neighbors around who want to make comment do so now?

Craig Wilker on Dorchester Park and President of the HOA.

Mr. Wilker – One of my concerns is that the variance for an auto place to be a 1000 feet from a residential areas was for a reason. When Boosted Creations was over in Phoenix Mills we could constantly in the summertime hear people revving their cars and doing different things and constantly test driving their cars around. They love the corner there on Brace Road. I have a sports care too and am same way. All the car dealers use that as their test drive so a lot of that traffic comes around there. A concern of a 60,000 sf building with a dyno. The dyno creates a lot of noise. I had an apartment complex that backed up to a similar facility on the west side of the city and I constantly got complaints from my tenants from the noise from the dyno. Their cars are on there for quite a while and their tuning the cars and that creates a nuisance. That is one of the things we would be concerned with would be the noise and traffic another concern. I used to live in Macedon near Log Cabin where they used to have car shows and always seemed when it was time to leave everyone had to show off their cars. It was disturbing and the Town had a really difficult time with that. The noise, the traffic and the size of this building as you enter Brace Road to us doesn't seem like it fits. This is not on 96 and is on Brace Road it does get some visibility. As our neighborhood that is our concerns.

Rich Castrichini on Bradhurst Street

Mr. Castrichini – My general concern would be the amount of traffic that is going to increase onto Brace Road onto 96. As you can see it is an abnormal road. The road itself is in a little bit of disrepair with adding a third car dealership to the area it will bring a lot more traffic. My concern is coming around the bend.

Chairman Santoro – It is not going to be a dealership.

Mr. Castrichini – Apparently they are doing excellent business and they are going to bring in more people that is my concern. The other dealerships already use that road to test drive their cars and top of everyone else coming down there our concern is if the driveway can be moved over closer to 96 and Brace.

Mr. Logan – That is another good piece of input for the developers to justify moving that driveway.

Ms. Reed – I work at GW Lisk and part of my job is to commission high horsepower dynamometers for commercial vehicle engines. Very large displacements 13 liters and such. So I have some familiarity with the equipment and the sound provisions that are needed for it. One of my engineering concerns would be the type of enclosures and sound attenuation you plan on using for the dynamometer and would you transfer the enclosures you may use at your current facility or would you commission new enclosures?

Mr. Zelter – We currently have over 100 cars inside of our building. We don't test drive cars around the neighborhoods or doing anything like that. All of our performance work is done on a dynamometer in this facility it would be a soundproof room. It is loud for us too so we don't want to hear it all day. In the soundproof room with the exhaust fan you do not hear it. As far as traffic going thru, we don't run an operation like that. My guys don't go out and drive \$100,000 dollars' worth of cars. We don't take those out for joyrides. The traffic we have coming thru there is very minimal. We don't have 20 vehicle delivered to us a day. I probably have half a dozen vehicles a week that go in and out for restoration and collision and mechanical work. We don't have people driving around the neighborhoods doing that stuff. I understand it. It is not the type a business that we run and we are respectful of our neighbors. That being said please stop down to our facility and see what we have.

Mr. Pettee – Hearing a little bit more of the potential sound impacts of this project. If and when you get to the point of submitting an application if there is anything you can provide for us in terms of back up info, details, specification on whether it be a soundproof room or enclosure. Anything to help us evaluate the sound impacts of a project like this.

Nancy McKay of Bradhurst Street

Ms. McKay – Does your current facility have a soundproof room? *No* I talked to a friend who has a business right next to the current business and he is like it is loud but he had great things to say about you guys. He wouldn't want it near his house. Now I will have to deal with my husband driving by there every day.

Mr. Zelter – Just to make it clear, on a dynamometer the way we have it set up right now is it is actually pointing outside. When they run a car the exhaust goes outside. We just moved it in there late fall last year and have not built a soundproof room around it. When I say soundproof it's not soundproof it is sound deadening with the hope that you don't hear it outside the building. In the new facility that will definitely be an addressed issue.

Ms. Reed – One further consideration would be any alternative fuels that may be planned within the engines so high performance vehicles depending, nitrous oxide or drag racing engines, just a consideration that is on my mind.

Mr. Zelter – Some vehicles run 93 octane some to run a 100 octane racing fuel. We do not store any of the fuels on site.

Mr. Colucci – This was very helpful and appreciate you giving us your comments. We want to be respectful of the neighborhood,

There were no other discussions.

Motion was made by Joe Logan seconded by Rich Seiter RESOLVED the meeting was adjourned at 8:17 PM

Lisa Boughton, Secretary

