

A regular meeting of the Town of Victor Planning Board was held on Tuesday, May 14, 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, Heather Zollo

ABSENT: Rich Seiter

OTHERS: Wes Pettee, Town Engineer; Mike Guinan, Town Board Liaison; Lisa Boughton, Secretary; Lee Wager, David Nankin, Chris Fedick, Mike DeNisco, Andrew Leja, Mike DeNisco, Matt McComber, Doug Pearschal, Rob Brenner, John Brosan, Kevin McIntee, Duje Tadin, Rita Kaplan, Scott Mevell

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

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

APPROVAL OF MINUTES

On motion of Heather Zollo, seconded by Joe Logan

RESOLVED that the minutes of April 23, 2019 be approved.

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

Approved 4 Ayes, 0 Nays

CORRESPONDENCE

There were none

BOARDS & COMMITTEE UPDATES

Councilman Guinan had nothing to report from the Town Board

PUBLIC HEARING

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

BELL ATLANTIC MOBILE D/B/A VERIZON WIRELESS 12-SP-19, 3-SU-19
200 Cobblestone Court Drive Zoned - Commercial
Owner – Victor Cobblestone LLC

Applicant is requesting an antennae upgrade on existing wireless telecommunications facility on the roof of existing building.

Robert Brenner, Attorney with Nixon Peabody

Mr. Brenner – We are here this evening seeking a special use permit for a Verizon Wireless antennae upgrade at our existing Cobblestone Court site. It is at the plaza located at 200 Cobblestone Court Drive. It is located in the Town's Commercial Zoning District and Route 96/251 Overlay District. To briefly summarize the project, what we are doing here is upgrading the existing Verizon Wireless equipment mounted to the face of the building with the latest technology to allow optimal performance on the 4G LTE network. The net impact on improvement here is that there is actually a reduction in panel antennae's. There is currently 10 and we will have 8 post upgrade and there is currently in addition to the 10 panel antennae's, three remote radio heads, we will have four. The number of pieces of equipment mounted to the building will actually decrease. The antennae size, based on the change in equipment, is relatively negligible. It is about an inch increase in height and about two inch increase in width. We have also specified on the project plans that we will continue to match the coloring of the existing strip mall building with the newly installed antennae's to maintain the existing character. There is no ground level improvement modifications associated with this project so the generator will not be changing and the equipment cabinets that power the antennae's will not be changing either. So that is primarily the project we are proposing. It is a routine upgrade for Verizon Wireless. Happy to address any specific network questions you have or project specific questions you may have. I would add that this is an important site to the company and the reason

for the upgrade is to allow it to function without us needing to come in for another macro site in this location. This as outlined is heavily taxed site and pulling a lot of traffic from Eastview

Mall, the plazas around this particular plaza and also it is picking up some traffic from the thruway interchange.

Chairman Santoro – Anyone from public with comment or questions? *None*

Mr. Logan – One question about the painting to match the building. Last time they were upgraded they did not match the pattern of the paints so the different colors. The original paint scheme was to match. I want it requested for that to be done.

Mr. Brenner- You are talking about the banding on the building? Correct. We would be amendable to that.

Mr. Gallina –My two questions were on the size and the colors so I am all set.

Mr. Pettee – This is fairly straight forward. LaBella did produce a comment letter dated May 10, 2019. We had three comments. One was looking for signature blocks on the site plan drawings. Everything looks to be very complete as part of what they submitted for the application. The structural capacity analysis that was completed found that based on the results of the structural analysis found the existing rooftop RH frames and pipe mounts are adequate to support the proposed loading. We do not have anything further.

Chairman Santoro - Motion to close public hearing Joe Logan, second Al Gallina.

RESOLUTION

Motion made by Al Gallina, seconded by Heather Zollo.

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

1. A Site Plan and a Special Use application were received on March 27, 2019 by the Secretary of the Planning Board entitled Verizon Wireless.

2. Applicant is requesting approval for the removal of one (1) 850 MHz panel antenna; three (3) 750 MHz panel antennas; three (3) AWS panel antennas; three PCS panel antennas; three (3) AWS RRH units; one (1) 2 circuit OVP Box; and up to twelve coax cables; installation of four (4) 700/AWS panel antennas; four (4) 700/PCS panel antennas; four (4) AWS/PCS RRH units; and one (1) 6-circuit OVP box. No ground improvements are associated with this project.
3. A public hearing was duly called for and was published in “The Daily Messenger” and whereby all property owners within a minimum of 500’ of the application were notified by U.S. Mail.
4. The Planning Board held a public hearing on May 14, 2019 at which time the public was invited to speak on their application.
5. The application was deemed to be a Type II Action pursuant to Section 8 of the New York State Environmental Quality Review Act Regulations and classification as such concludes SEQR.
6. The application was referred to the Ontario County Planning Board under Section 239 of the General Municipal Law. On April 10, 2019, Ontario County Planning Board referred the application back to the referring agency as a Class 1.
7. The proposed use is designed and located to be operated such that the public health, safety and welfare and convenience are protected.
8. The proposed use conforms to all applicable regulations in the district which it is located.
9. The Building Department reviewed the application on May 8, 2019 and stated that an annual report is required to be provided indicating that property maintenance is being conducted on the tower and that a building permit is required for the proposed antenna work.
10. LaBella Associates reviewed the application on May 10, 2019 and had comments.

NOW, THEREFORE BE IT RESOLVED that the application of Bell Atlantic Mobile Systems of Allentown, d/b/a/ Verizon Wireless, 275 John Street, Suite 100, West Henrietta, New York, Site Plan entitled Bell Atlantic Mobile Systems of Allentown, Inc., dba Verizon, located at 200

Cobblestone Court Drive, drawn by Costich Engineering, received by the Planning Board March 27, 2019, Planning Board Site Plan Application No. 12-SP-19 and Special Use Application No. 3-SU-19 BE APPROVED WITH THE FOLLOWING CONDITIONS:

- 1. That the site plan comply with Town of Victor Design and Construction Standards for Land Development, including Section 4.
- 2. That a building permit be obtained before construction begins.
- 3. That the color match the banding color pattern behind the panels.

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 following results:

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

Motion passed 4 in favor, 0 opposed, 1 absent

CROWN CASTLE (SPRINT)	13-SP-19, 4-SU-19
795 Old Dutch Road	Zoned – Residential 2
Owner – Global Signal Acquisitions, LLC	
Applicant is requesting to modify existing wireless transmission equipment on the existing cell tower.	

Andrew Leja, Attorney with Barclay Damon

Mr. Leja – Here with a respect to an eligible facility request for an existing tower at 795 Old Dutch Road. The tower is 135 feet tall and the height will not change. It has currently 6

antennae's located at that height. Those antennae's will be replaced with similar sized antennae's. They may be a few inches larger but not physically appreciably different than what is there now. There will also be some remote radio heads installed behind those antennae's which are small boxes. Also the cabling down the tower will be replaced, the existing coax will be replaced with hybrid cabling. There will be some small splitters being installed as part of this situation as well. Again no physical changes of any consequence to the tower or the antennae's themselves. We have had communications with your Town engineer as late as today. There was a letter prepared, they removed the structural analysis of the tower and confirmed its ability to hold the new antennae's without any problem. I would defer to the m for any other comments they had in respect to the contents of the application.

Chairman Santoro - Anyone from public with comment or questions? *None*

Mr. Logan – You mentioned that the structure is capable of it, there is a structural note that says that the shaft has to be reinforced? From 0 to 40 feet prior to equipment installations.

Mr. Laja – There will be some additional stress increase capacity in accordance with this. Just as a safeguard. Nothing that is actually necessary for it but it is something the engineer thought was appropriate.

Mr. Pettee- We did provide a letter as recent as today on the application. In our third comment the only thing of substance is really the third comment. The structural analysis dated September 18, 2018 section 4.1 of what was in the application mentioned that the mono pole in its foundation will have sufficient capacity to carry the proposed loading configuration once the proposed modifications are installed. There is a bullet point that indicated “install proposed modification for the attached drawings”. So I think there is some minor upgrades to the structure itself to provide that structural integrity and that we suggested that part of any resolution that were to be approved, we suggested some language indicating “A building permit, as required by Section 83-4 of the Victor Town Code, shall be obtained based on the information presented in the Special Use Permit application packet, specifically located within Tab #4” We coordinated this comment with the Towns Code Enforcement Officer. That is all we have.

Chairman Santoro - Motion to close public hearing Joe Logan, second Heather Zollo.

RESOLUTION

Motion made by Al Gallina, seconded by Joe Logan.

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

1. A Site Plan and a Special Use application were received on April 1, 2019 by the Secretary of the Planning Board entitled Crown Castle – Sprint.
2. Applicant is requesting approval for the removal of six (6) panel antennas and installation of six (6) new panel antennas in the same location and at the same antenna centerline height of 135’ on the existing tower; installation of three (3) RRH’s; removal of three (3) coax cables and installation of three (3) new hybrid cables; and installation of six (6) splitters at a tower located at 795 Old Dutch Road.
3. A public hearing was duly called for and was published in “The Daily Messenger” and whereby all property owners within a minimum of 500’ of the application were notified by U.S. Mail.
4. The Planning Board held a public hearing on May 14, 2019 at which time the public was invited to speak on their application.
5. The application was deemed to be a Type II Action pursuant to Section 8 of the New York State Environmental Quality Review Act Regulations and classification as such concludes SEQR.
6. The application was referred to the Ontario County Planning Board under Section 239 of the General Municipal Law. On May 8, 2019, Ontario County Planning Board referred the application back to the referring agency as a Class 1 with comments.
7. The proposed use is designed and located to be operated such that the public health, safety and welfare and convenience are protected.
8. The proposed use conforms to all applicable regulations in the district which it is located.
9. The Codes Dept. reviewed the application May 12, 2019 and stated that an annual report is required to be provided indicating that property maintenance is being conducted on the tower and that a building permit is required for the proposed work.
10. LaBella Associates reviewed the application May 14, 2019 and had comments.

NOW, THEREFORE BE IT RESOLVED that the application of Crown Castle, agent for Sprint, 3 Corporate Park Drive, Suite 101, Clifton Park, New York, Site Plan entitled Crown Castle – Sprint, located at 795 Old Dutch Road, drawn by French Parrello Associates, dated January 15, 2019, last revised March 20, 2019, received by the Planning Board April 1, 2019, Planning Board Site Plan Application No. 13-SP-19 and Special Use Application No. 4-SU-19 BE APPROVED WITH THE FOLLOWING CONDITIONS:

1. That the site plan comply with Town of Victor Design and Construction Standards for Land Development, including Section 4.
2. That a building permit be obtained before construction begins.
3. A building permit, as required by Section 83-4 of the Victor Town Code, shall be obtained based on the information presented in the Special Use Permit application packet, specifically located within Tab #4

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 following results:

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

Motion passed 4 in favor, 0 opposed, 1 absent

179 MILES CUTTING LANE

10-SP-19

Owner – Duje Tadin

Zoned – Limited Dev. Dist.

Applicant is requesting approval to upgrade current fencing from a chain link to a black aluminum fencing.

Duje Tadin at 179 Miles Cutting Lane

Mr. Tadin – We were here about a year ago with an addition project at same location and that is now almost completed. When we moved to the property there was a chain linked fence that takes about half of the back yard. Some of it had to be removed as part of the project and now we are looking to have aluminum fencing instead of chain link and encompass the full back yard of the property. It will not go forward of the front of the house. Looking at 54” height.

Chairman Santoro - Anyone from public with comment or questions? *None*

No questions from the Board

Chairman Santoro - Motion to close public hearing Al Gallina, second Heather Zollo.

RESOLUTION

Motion made by Joe Logan, seconded by Heather Zollo

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

1. A site plan application was received on March 8, 2019 by the Secretary of the Planning Board for a Site Plan for 179 Miles Cutting Lane.
2. It is the intent of the applicant to upgrade an existing fence and install an additional 500 feet of fencing in the backyard.
3. A public hearing was duly called for and was published in “The Daily Messenger” and whereby all property owners within 500’ of the application were notified by U.S. Mail. An “Under Review” sign was posted on the subject parcel as required by Town Code.
4. The Planning Board held a public hearing on May 14, 2019 at which time the public was permitted to speak on their application.
5. The Action is classified as an Unlisted Action pursuant to Section 8 of the New York State Environmental Quality Review Act Regulations, and the applicant provided Part I of the Short Environmental Assessment Form.
6. The Conservation Board reviewed the project and had no comments.

WHEREAS, the Town of Victor Planning Board reviewed the Unlisted Action on May 14, 2019 and identified no significant impacts; now, therefore, be it

RESOLVED, that the project, 179 Miles Cutting Lane - Fence, will not have a significant impact on the environment and that a negative declaration be prepared; and, be it further

RESOLVED that the application of Dujé Tadin, 179 Miles Cutting Lane, Pittsford, New York, Site Plan for the upgrade of an existing fence and installation of an additional 500 feet of fencing, located in the Limited Development District, received by the Planning Board March 8, 2019, Planning Board Application No. 10-SP-19, BE APPROVED WITH THE FOLLOWING CONDITIONS:

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 a building permit be obtained for the fence prior to installation.
3. That the site plan comply with Town of Victor Design and Construction Standards for Land Development, including Section 4.

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 following results:

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

Motion passed 4 in favor, 0 opposed, 1 absent

UPSON PORCH REMODEL

7979 Oak Brook Circle
Owner – David Upson

14-SP-2019

Zoned – LDD

Applicant is requesting to remove existing wood deck and enclosed porch and replace with new

enclosed porch. The new enclosed porch will be the same length and will extend 10.5 feet further out.

Chris Fedick for Andrew Fedick Contracting

Mr. Fedick – The scope of the project is we are going to remove an existing enclosed porch and wood deck. The bottom line is we will be adding 266 sq. feet to the enclosed porch and 96 sq. feet to the footprint of the existing deck. The addition to the enclosed porch will be matching cedar siding, same color. Project should take 6-8 weeks depending on weather.

Chairman Santoro – Anyone from public have question or comment? *None*

Mr. Logan – You have a stone veneer screen?

Mr. Fedick – There are two fireplaces. There is wood fireplace on the upper deck and also a wood fireplace on the first floor. That is the chimney you are looking at there. It will be a stone veneer.

Mr. Logan – It just seems awfully tall. I do not know if that is a requirement for the chimney.

Mr. Fedick – I believe it is to Code on the height.

Chairman Santoro - Motion to close public hearing Joe Logan, second Al Gallina.

RESOLUTION

Motion made by Joe Logan, seconded by Heather Zollo

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

1. A site plan application was received on April 5, 2019 by the Secretary of the Planning Board for a Site Plan for David Upson.
2. It is the intent of the applicant to remove an existing wood deck and enclosed porch and replace with a new enclosed porch. This property is located within the Limited Development District.

3. A public hearing was duly called for and was published in “The Daily Messenger” and whereby all property owners within 500’ of the application were notified by U.S. Mail. An “Under Review” sign was posted on the subject parcel as required by Town Code.
4. The Planning Board held a public hearing on May 14, 2019 at which time the public was permitted to speak on their application.
5. The Action is classified as an Unlisted Action pursuant to Section 8 of the New York State Environmental Quality Review Act Regulations, and the applicant provided Part I of the Short Environmental Assessment Form.
6. The Building Department reviewed the application on May 8, 2019.

WHEREAS, the Town of Victor Planning Board reviewed the Unlisted Action on May 14, 2019 and identified no significant impacts; now, therefore, be it

RESOLVED, that the project, David Upson – Porch Remodel, will not have a significant impact on the environment and that a negative declaration be prepared; and, be it further

RESOLVED that the application of Andrew Fedick Contractors, Inc., 5 St. Regis Drive So., Rochester, New York, Site Plan to remove an existing wood deck and enclosed porch and replace with a new enclosed porch at 7979 Oak Brook Circle, which is located in the Limited Development District, received by the Planning Board April 1, 2019, Planning Board Application No. 14-SP-19, BE APPROVED WITH THE FOLLOWING CONDITIONS:

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 a building permit be obtained for the fence prior to installation.
3. That the site plan comply with Town of Victor Design and Construction Standards for Land Development, including Section 4.

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 following results:

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

Motion passed 4 in favor, 0 opposed, 1 absent

LA-Z-BOY

15-SP-19

40 Eastview Mall Dr.

Zoned – Commercial

Owner – East Brook Properties, LLC

Applicant is requesting to convert 16,000 sf of the existing Stickley Furniture Store into a new La-Z-Boy Furniture Showroom. A new entrance tower would be constructed along with new concrete steps and ADA access sidewalk to the new entrance.

Mike DeNisco represent MJD Furniture 3 d/b/a La-Z-Boy Home Furnishing and Décor

Mr. DeNisco – I am an independent furniture dealer. I have three stores and this would be fourth store. I am proposing to convert the eastside of the current Stickley Furniture store approximately 16,000 sq. ft. into a La-Z-Boy Home Furnishing and Décor. Stickley Furniture is still going to be Stickley Furniture and I will be directly to the east of them. The front tower is a La-Z-Boy prototype required facade that they work with me and our architect to put the design in but their front tower is to their branding and it is required for me to follow guidelines of their tower. The building will be 16,000 sq. ft. We have added some stone to the bottom of the piers to keep in sync with the current Stickley building. We changed our prototype cooping to be the same shape as Stickleys to keep in sync with the design of their building. The tower is 25 feet tall and there will be four steps to the front entrance due to the slope of the driveway. The color combinations is a color combo that is a La-Z-Boy color combinations. The interior portion of the store is also a design prototype La-Z-Boy called a “new concept design” that my three current stores have as well. As you can see we will be looking to add a sign on the eastside of the building as well so that there is some presence that we are on the eastside of the building. There will be a handicap accessible ramp on the right side of the front doors. The sign will be a 141 sq. ft. of front signage on the building. Again, its 16,000 sq. ft. I know the architect from

LaBella had some questions and we responded to the questions. My architect unfortunately could not be here tonight so I am here representing.

Chairman Santoro – Anybody from the public have any comment or questions? *There were none.*

Ms. Zollo – Are you planning to get area variances for all of the additional signs you're adding to the building? *Yes.* Have you appeared before the Zoning Board of Appeals yet?

Mr. DeNisco – No, next Monday.

Ms. Zollo – I know you said that this is their prototype but you may be aware that often we don't accept the prototypes from the companies. I would like to see you try to work with our architect or thru the Architectural Review Board to make it fit a little better. I think the contrast between the blue of the Stickley building going to the beigey color is too stark and I think the loss of the little peaked roof over the entryway is, as our architect said, a downgrade.

Mr. DeNisco – Sure, I am willing to work with our architect and work with the Board and try to work within the guidelines of that you require as well. I have to have everything approved by La-Z-Boy as well.

Chairman Santoro – We have been thru this with other companies.

Ms. Zollo – Those would be my comments that we try to get it to comply a little bit better and we will wait and see what the Zoning Board of Appeals says. How large is the sign in the front?

Mr. DeNisco – It would be a 141 sq. ft. and I think we are allowed 121 sq. ft. by the Code.

Mr. Logan – I would be interested to hear from Code Enforcement, Al perhaps, that once this is put on and now you have a large Stickley sign as well. It also adds to their sq. footage. Now theirs is probably smaller than could be, I don't know that, I do not know where theirs ends up.

Mr. DeNisco – Theirs is below the required.

Mr. Logan – If you are adding a whole other sign that's larger than what you are allowed, does the sum of those two equal or exceed the Code requirement. I would like to get a reaction from

Code Enforcement on that and evaluate that as well. I agree with Heather about the façade. We have spent a lot of time with the buildings all around town frankly, but in Eastview Mall they

have spent a lot of effort to provide architectural façade upgrades that work within our architectural design guidelines. To put something like that without having it blend better with the arts and crafts theme of those two buildings in the square, I don't think it looks like it would fit honestly. If they can put some more arts and crafts detail to it I think that would go a long way. I am sure there is an architect that could come up with something like that and still allow the La-Z-Boy logo and things to be put in there properly and still bring out a difference in façade treatment from La-Z-Boy and Stickley to separate the two businesses. I appreciate that but I think it needs to go further to meet the theme of that plaza.

Mr. Gallina – I ditto Heather and Joes comments on the architectural.

Mr. Pettee – There were two comment letters that came from LaBella. One was from the architect, Mark Kukulka, to which we have already spoken of, and then a separate letter dated May 8. A letter we provided for town engineering purposes. There are a couple of minor comments about asking the design professional to provide a location map inset, correct the direction of flow symbology for the sanitary sewer line, requesting a Zoning note on the plans. As far as the landscape, there is a landscape buffer noted on the floor plan. Where you see the internal working of what is happening and there is also a callout on the external portion of the building for a landscape buffer. We are looking for a little more detail in terms of the species of vegetation to be planted there. As well as the size of the plantings.

The signage we did ask about and deferred to the Towns Code Enforcement Officer with regard to the number in sq. footage of allowable additional signage. The lighting we are looking for any type of clarification that the applicant might have as to the extent to which new lighting or substantial modifications to existing lighting would be made on the exterior of the building. Do you plan on any exterior lighting changes or modifications at this location?

Mr. DeNisco – We would be adding lights on our front to front piers but as for any other lights I am not aware of adding any other lighting.

Mr. Pettee – Just on the façade, the building mounted lighting.

Mr. Logan – We don't have that lighting detail yet? Or do we?

Mr. Pettee – We do not have a spec sheet that sometime we would request for any exterior light fixtures. That might be helpful if you could provide a spec sheet on the proposed fixtures.

Mr. Logan – If you could say the direction of any sconces, they should be facing down not up and down. I don't not know if you have things like that on there. We try to make things as dark sky compliant.

Mr. DeNisco – They do face down.

Mr. Logan – there is a lot of buildings that have treatments that have lighting downward but we do not like the upward looking ground mounted sign lighting and the up and down sconces.

Chairman Santoro – It appears you have a little bit of work to do. We can put this on the next meeting and if you have everything accomplished we will have a resolution for you.

Mr. DeNisco – I just want to understand back to your comment please, about the coloring of the building. Are you saying that the tan color is not acceptable or is that something we have to change?

Mr. Gallina – I think in the architects letter he references the stark contrast between the existing building.

Mr. DeNisco – From what I understand is the architect was concerned about the break point in the paint and my architect spoke to him and explained the break point was going to be at one of the pilasters on the building. So that is was not going to be a stark line all the way down.

Mr. Gallina – Independent of the transition just the overall block color, if there is another color scheme that could be a little more cohesive.

Mr. DeNisco – I will work with La-Z-Boy and see if that is possible on that.

Mr. Pettee – Something that might be helpful is...you have a very nice colored rendering up here on the display. Would your architect be able to provide the entire span of that building to show how things would look? For example on the right side of the building where Stickley is versus where you are.

Mr. DeNisco – I could definitely have him do that. Do you mind if I hand you something? There is an updated picture. This shows the stone, bottom of the piers. I will work with him to get a whole rendering for you.

Chairman Santoro – Am I correct in understanding that on the east side of the building the Stickley sign that is there is going to remain and yours would be in additional sign? *Yes*

Mr. Logan – The existing building has a main entrance to Stickley but then there is another pillar to the left of theirs that appears to be where your fourth window is on the right. It looks like you are removing it? Right now from the end of the building you are showing at the third window is your new entrance. The fourth window is where there is a small pillar to the left. That is why it would be good to get the entire building and show what you are removing versus how you are putting it on and then the architectural treatment and perhaps something that helps the color blend a little bit more. I know it is at a pillar but it still is pretty abrupt.

Chairman Santoro – Do you think you can have everything ready at the next meeting?

Mr. DeNisco – Sure going to work for it.

Mr. Logan – I am glad you are coming in. It is a good business to have in the town and we appreciate that and just want to make sure we can keep a good cohesive architectural scheme in the plaza that is there. They have spent a lot of time and money putting hat together and it looks quite nice.

Chairman Santoro – We will keep the public hearing open since you are coming back.

LEHIGH CROSSING LOT 9

7901 Lehigh Crossing

Owner – Bluestone Creek Dev, LLC

Applicant is requesting approval to construct a 33,600 sf flex space bldg. to accommodate office manufacturing, and warehouse space for multiple tenants.

16-SP-19

Zoned – LI

Kevin McIntee with MRB Group

Mr. McIntee – We are applying for the development of Lot 9 of the Lehigh Crossing Subdivision

We are proposing a 33,600 sf. Building to be used as flex space office and warehouse. I believe Most of you are pretty familiar with the various lots that have come in so far, especially 5 and 8. This building is proposed to be basically identical to Lot 5 to the north of Lehigh Crossing. The landscaping, the size of the building, the parking is almost identical, the lighting a well. We are proposing to install landscaping across the back. That was an issue for Lot 8 next door, it is for the screening Lehigh Valley trail. That landscaping is going to extend from what was installed in Lot 8 and extend to where there is currently pretty good screening about half way thru our current lot. Open up to any questions. We did respond to all the comments we have gotten.

Chairman Santoro – Anyone from public have any comment or questions? *There were none.*

Mr. Gallina – Again overall, it is very much keeping with the rest of the buildings on the site so I don't have any real issues. The only thought would be that if you could do anything to vary the front façade a little bit so that it is not four identical entryways. Mix it with some variations.

Mr. Logan – I had the same comment. I have no problem with the building. I would like to have it a little more variation. Do not mind the theme it is just some different facades. I think there are others, if not in this subdivision, in others that do vary the face.

Ms. Zollo – I would concur with their comments about the façade. Some kind of architectural features to give it a little pizazz. Are these four doors there for four different tenants? Not just one?

Mr. McIntee – In theory. I do not believe that he does not have tenants fully lines up at the moment so it does depend. That was also one of the comments that we will come back to at least the Building Dept. to get approval for the tenants and make sure they are to Code. Lot 5 one client took up half the building so it could be one or two or four tenants could occupy the building.

Ms. Zollo – Are all the other buildings there leased?

Mr. McIntee – I believe so. The other half of Lot 5 is under construction for leasing.

Mr. Pettee – LaBella also provided a comment letter on this project. Letter dated May 7, 2019. One of the first things we identified is with regard to the SEQR as part of the overall preliminary subdivision of this project. When the Town Planning Board gave preliminary approval on the 12 lots they completed SEQR for the overall development that incorporated some threshold for

development. As long as the future site plans that are brought to the Planning Board do not exceed those parameters there would be no need to revisit SEQR. This is still the case so there is no Environmental Assessment Form that needs to be completed for this project. SEQR was completed in its entirety for the build out of this project. We did not look at one specific lot back during the preliminary subdivision. The Planning Board did the entire site. So SEQR is complete for the purpose of this application.

We did have a few minor comments, technical items on the plan documents that the applicant has already responded to. One thing we did ask about is in regard to the building facade on the east side of the building not the side that fronts on the public roadway but the side would front towards the trail that connects to Lehigh Valley trail with Fishers Park. We were curious as to how that façade would present itself to trail users. For example, if it were just a blank wall with no windows it may appear the building or entity has turned its back on those trail users. It looks like the rendering that was provided tonight it shows that there are some windows there and the façade is broken up a little bit. Similar to what other buildings are in the development.

Mr. Logan – Both the east and west elevations but especially the east is one big blank wall with a couple of small windows for the back 2/3 of the building. Is there a way to reflect some of the coloring or façade change that towards the front of the building back thru those side panels?

Mr. McIntee – As far as I am aware that line is in general the break line between the warehouse and the office space. I would have to talk to the owner depending on what he would like to see.

Mr. Logan – On the east side facing the trail. Because the trail is featured in here as a significant public amenity it would be nice to have some better update.

Mr. McIntee – To address that, we did propose to install a couple of trees in the right of way in good faith. To help with the screening. I know there was mention of going to Town Board as also. How involved in that process are we to be?

Mr. Pettee – To plant the trees in the trail right of way? I think we should coordinate with Brian Emelson, Parks and Recreation Director. Maybe we can coordinate with Kim and touch base with Kim.

Mr. McIntee – Are hope was that we could work with directly with the Parks Department and not have to go to Town Board.

Mr. Pettee – I suspect that might be how it would be approached. Another comment that we provided in here. Number 13 it is not a critical issue but it revolves around Access Management. The Town is going thru an Access Management Plan now and more or less for the busier portion of the Town, in terms of traffic. We asked about whether there were opportunities to provide shared access here with a neighboring lot, specifically Lot 8 to the west. It appears there were two driveways that were immediately adjacent to each other on the two lots. It is a dead end road and a cul-de-sac at the end we are not too concerned with Access Management in this location. There is no thru traffic and probably very little benefit to providing Access Management and I think the applicant did already respond in writing to that. We felt because the Town is undertaking this Access Management Plan it is something we want to look at with various applications that come to the Planning Board as we move forward. This does not appear to be a critical location.

Mr. McIntee – One of the big issue with that would be the parking. There are two lanes of parking. It would definitely limit the parking between both lots. The shared parking could be an issue and you are probably losing about 20 spaces overall. The other issue with that, due to the length of the parking in the front and the fire code requires two entrances or a turn around, which is not very feasible without a second entrance.

Mr. Pettee – We also looked at the proposed location of the ingress and egress drives. Initially I was kind of wondering about that location on that circular road feature. I did talk with our transportation division and really there is a lot of pavement width in that circular road feature and nothing that is limiting sight distance who might be pulling out of Lot 9. There is no safety concern in that regard and there does not appear to be any problem with the configuration of the access drives.

Mr. Logan – I would like to make sure we can get architectural comments satisfied. The façade has the same entry look on all four facades on the front and on east side. There is a warehouse look and your right up against the trail. Pretty tall and bland façade. You are right next to the property line with the building and you are towering over the top of the trail with it. Is there a way to break up that one face facing the trail that the warehouse portion of it, to maybe reflect the colors or architectural treatments further forward on the building?

Mr. Morrell – It almost echoes the same building we just built on Lot 5. With what we did with the back part of the building is all panels. It can still have office in there and we actually can add windows and we have done windows before. We just don't do it know. This is flex space and it depends on how far they flex with the office space. We have actually break up and put windows

in. If you go to cover wall it, we have windows all the way to the back of the space and glass for their break area and patio. Right now it is, this is how it is but we certainly add depending on what the tenants needs are. It does change. It is all office all the way to back of the space and can change drastically. That could happen and maybe we can do some screening.

Mr. Gallina – Maybe some additional foundation plantings. Arborvitaes or something to provide some screening and buffer.

Mr. Morrell – With what I have seen because they are end caps we do add quite a bit of windows on those sides. People want to have glass in that area. It does happen quite frequently.

Mr. Logan – Can you modify the façade so that if you need to put windows in it is all set to go rather than changing the entire façade to add windows?

Mr. Morrell – The cover wall is prepped so that we can add headers and just add windows and doors and all sort of treatments but with this it gives me the flexibility since I don't know how far the office space will go. Typically with a warehouse they might add more transoms or windows also. What I have seen is we add a lot of treatment to it. These things are done for a reason to give us flexibility and more cost effective.

Mr. Logan – Can we look at more additional screening? *Yes*

Ms. Zollo – You said this is practically a mirror image of Building 5? *Yes* How about you have 3 sections of four windows on the front of this building. What if on the two end most ones you leave the middle one the same the two on the either side of that you put some type of fake brick archways. Just to give it a little something. *Ms. Zollo motioned for Mr. Morrell to come look at sketch*

Mr. Morrell – On those sides it does change substantially.

Mr. Logan – I think in principal we are find with building the site but the architecture is still unsure. Can we look at final architecture when it comes in and approve it conditionally? Maybe when Scott knows when it will look like.

Mr. Morrell – I have no problem with that. We haven't put it to final plans yet and I can do some change up on it to liven it up a bit more.

Mr. Logan – Subject to architecture review, otherwise I am set.

Mr. Morrell – We would just submit it and you would take a look at it? *Yes*

Chairman Santoro - Motion to close public hearing Joe Logan, second Al Gallina.

RESOLUTION

Motion made by Joe Logan, seconded by Al Gallina.

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

1. A Site Plan application was received on April 9, 2019 by the Secretary of the Planning Board entitled Lehigh Crossing Lot 9.
2. It is the intent of the applicant to construct a 33,600 sf flex space bldg to accommodate office, manufacturing, and warehouse space for multiple tenants.
3. A public hearing was duly called for and was published in “The Daily Messenger” and whereby all property owners within 500’ of the application were notified by U.S. Mail. An “Under Review” sign was posted on the subject parcel as required by Town Code.
4. The Planning Board held a public hearing on May 14, 2019 at which time the public was permitted to speak on their application.
5. The proposed site plan does not change the Action for which the SEQR Negative Declaration was issued on March 8, 2011 for the Major Subdivision.
6. The Conservation Board reviewed the project on May 7, 2019 and commented that the landscape consultant should review the proposed landscaping.
7. The Building Department reviewed the project May 8, 2019 and commented on parking, lighting and limits of disturbance.
8. Labella Associates reviewed the site plan and submitted comments in a letter dated May 7, 2019.
9. The Ontario County Planning Board reviewed the application on May 8, 2019 and returned the application to the referring agency as a Class 1 with comments.

NOW, THEREFORE BE IT RESOLVED that the application of Morrell Builders, 1501 Pittsford Victor Road #100, Victor, New York, Site Plan entitled Lehigh Crossing – Lot 9, Sheets G-1 thru G-5 and D-1, D-2 drawn by MRB Group dated April 4, 2019, received by the Planning Board Secretary April 9, 2019, Planning Board Application No. 16-SP-19, BE APPROVED WITH THE FOLLOWING CONDITIONS:

Conditions to be addressed prior to the chairman’s signature on the site plan:

1. That no final signatures will be given on the plans until all legal and engineering fees have been paid as per Fee Reimbursement Local Law adopted November 25, 1996.
2. That the comments in a letter dated May 7, 2019 from LaBella Associates be addressed.
3. That comments in a memo dated May 8, 2019 from Martin Avila, Code Enforcement Officer, be addressed.
4. That comments from Robert Graham, Fire Marshal, dated April 15, 2019, be addressed.
5. That comments from Keith Maynard, Stormwater Program Manager, dated April 30, 2019, be addressed.
6. That approval is subject to final architectural review by the Planning Board.

Ongoing conditions:

1. That the site plan comply with Town of Victor Design and Construction Standards for Land Development, including Section 4.
2. That at the request of the Planning & Building Department, a pre-construction meeting shall be held prior to the start of construction.

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

This resolution was put to a vote with following results:

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

Motion passed 4 in favor, 0 opposed, 1 absent

FISHERS RUN FILL

21-SP-19

Fishers Run

Zoned – Light Industrial

Owner – Reh Stark Real Estate I, LLC

Applicant is requesting to utilize clean fill taken from the current Fishers Run Road Rehabilitation Project and place it on property #6.00-1-58.11. Area of disturbance will be less than 1 acre.

Matt McComber with Macedon Excavating

Mr. McComber – That is correct. We will be top soiling and seeding the entire area of disturbance after completion of the projects.

Chairman Santoro – My recollection there is quite a bit of a gully in there.

Mr. Logan –It drops off a lot and the drainage goes northwest towards the thruway. We looked at this site when there was a proposal and we think we approved it with a significant amount of grading for additional warehouse facility. Is this going to be a permanent fill situation with this material that goes in there?

Mr. McComber – Yes it will be a permanent fill. We are disturbing about 1% of the entire site so it is not a huge impact.

Mr. Logan – It is kind of the open space area of the site, correct? This goes way back.

Mr. McComber – it will be close to the roadway and we will have the appropriate erosion control methods and everything.

Mr. Logan – The last time we did a fill permit something like this on Rawson Road, we asked them to remove all the topsoil with the fill in it and put the topsoil back on top of it. Is this something you are planning on doing? That way we can get the grass reestablished.

Mr. McComber – LaBella issued a comment letter and have some revised plans that you haven't seen. We will be stabilizing, putting in top soiling and seeding the whole thing.

Mr. Logan – I do not know what happened to that approved building application but can we at least do a cursory review of that plan to see if we are putting material that would be difficult to excavate for foundations if it is put in the wrong place? The building we approved on the end lot

there and they put material in a place that then they have to dig thru asphalt debris and other things to put a foundation in, is that compromising the ability to do a good job with the foundation of a newbuilding or not.

Mr. Pettee- It has been several years since that project had been reviewed and approved. My understanding this area is about a quarter of an acre.

Ms. Zollo – Joe I think what you are asking goes along with our stormwater program manager's comments. They are working thru to rebuild the failed stormwater facility. Without having a final design it is hard to know what the final grades in the lot need to be. It is likely that stormwater facility will have to be made significantly bigger than was originally designed. This would involve removing fill that is already on the lot. Adding more could compound the problem.

Mr. McComber – We are not going to be anywhere near the creek or stream or wherever the facility is. We are going to be roughly 70 feet away from where that existing creek is.

Ms. Zollo – I am talking about the stormwater facility that was designed for this Lot. Not the creek.

Mr. McComber – The entire site is going to be pretty low. We have had our surveyor look at it and the entire site is pretty low. We are not looking to do a whole lot here, maybe 2,000 yards so its no like putting in 40,000 yards of material.

Ms. Zollo – I think it goes along with what Joe said. We need to see what was approved for that.

Mr. Gallina – For example, it would be ideal to put the fill under what would have been a parking lot or driveway versus in the stormwater management plan or where the building foundation would be. It is not opposition to putting it on the site as strategically locating it on the site.

Mr. McComber – We can put the fill wherever you have approved. We can get a new grading plan and work around that so everybody works on that.

Mr. Pettee – On the screen you can see the project parcel. They are proposing to place the fill in this area right here. About a quarter of an acre. There is an existing knoll or hill in this area and looking to fill adjacent to that. I think I have access to past projects and see if we can find it.

Mr. Gallina – There was a lot of work to try to optimize the location of the building to make it fit the site. There really isn't a lot more options. If you want to build there you kind of want to know where it is going to go.

Mr. Logan – it says plus or minus 27 acres on the For Sale on the front of that Lot.

Mr. McComber – We have been talking with Brian Reh, the owner of the property, and he is okay with us putting in all the fill on the site. If we need to move it more to the west.

Mr. Logan – I would like to make sure we are not doing something that is going to preclude the ability of having to redo something or messing something up for drainage. There was a failed culvert out there. There is a whole retention area that was a challenge when we looked at this site last time.

Ms. Zollo – Why are we rebuilding the road?

Mr. McComber – The Town wanted to widen the existing Fishers Run. We are widening the road three feet on both sides and then putting in new gutters.

Mr. Logan – It is pretty narrow for trucks and things.

Mr. McComber – It is about 22 feet right now so there are widening it.

Ms. Zollo – Is this a dedicated road? *Yes*

Chairman Santoro – I was told there is a little bit of urgency on this because you are in the process of removing it.

Mr. McComber – We have already started the project and the road widening. Taking out all the dirt on the road.

Mr. Gallina – I am not hearing an opposition to the fill and the applicant can work with the Town Engineer to strategically locate the fill to integrate with the last approved building site plan.

Mr. Logan – I want to make sure the right eyes are looking at it to help to put it in the right place.

Mr. McComber – We do not want to cause no more problems for the Town or anything. It is not like we are doing massive operations here. It is basically what is coming off the existing roadway.

Mr. Logan – I am with Al, is we can make a provision with the Town Engineer to work and review the site, look at the plan when you get a chance to get it. Is there an address to that? Was it a Gorbel Project?

Mr. McComber – Gorbel owns those adjacent four properties.

Mr. Logan – I did not know it was their intentions to build on this property?

Mr. McComber – I know after talking with Brian Reh the intention was to build a softball field out there. That is why they are looking to have this fill since the site is pretty low as it is. They are looking to bring it up and not import as much fill. That is my understanding.

RESOLUTION

Motion made by Al Gallina, seconded by Joe Logan.

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

1. A site plan application was received on May 8, 2019 by the Secretary of the Planning Board for a Site Plan entitled Fishers Run Material Stockpile.
2. It is the intent of the applicant to utilize clean fill (approximately 2,000 cubic yards) taken from the current Fishers Run Road Rehabilitation Project and place it on vacant property at the end of Fishers Run (Tax Map No. 6.00-1-58.11). The area of disturbance will be less than 1 acre. It is also the applicant's intention to grade and compact the new fill per the grading plan submitted and hydro-seed the newly disturbed areas at the completion of the Fishers Run Road Rehabilitation Project.
3. A public hearing was duly called for and was published in "The Daily Messenger" and whereby all property owners within a minimum of 500' of the application were notified by U.S. Mail. An "Under Review" sign was posted on the subject parcel as required by Town Code.
4. The Planning Board held a public hearing on May 14, 2019 at which time the public was permitted to speak on the application.

5. The Action is classified as an Unlisted Action pursuant to Section 8 of the New York State Environmental Quality Review Act Regulations, and the applicant provided Part I of the Short Environmental Assessment Form.

WHEREAS, the Town of Victor Planning Board reviewed the Unlisted Action on May 14, 2019 and identified no significant impacts; now, therefore, be it

RESOLVED, that the project, Fishers Run Material Stockpile, will not have a significant impact on the environment and that a negative declaration be prepared; and be it further

RESOLVED that the application of Macedon Excavating and Paving, Inc., 1711 Wayneport Road, Macedon, New York, Site Plan entitled Fishers Run Material Stockpile, drawn by Gayron de Bruin Land Surveying & Engineering, P.C., dated May 8, 2019, received by the Planning Board May 8, 2019, Planning Board Application No. 21-SP-19, BE APPROVED WITH THE FOLLOWING CONDITIONS:

Conditions to be addressed prior to the chairman's signature on the site plan:

1. That no final signatures will be given on the plans until all legal and engineering fees have been paid as per Fee Reimbursement Local Law adopted November 25, 1996.
2. That the comments in a letter dated May 14, 2019 from LaBella Associates be addressed.
3. That comments from Code Enforcement Officer, dated May 17, 2019 be addressed.
4. That the applicant work with the Town Engineer with regard to the placement of the material stockpile contents, particularly with regard to stormwater management.

Ongoing conditions:

1. That the site plan comply with Town of Victor Design and Construction Standards for Land Development, including Section 4.

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 following results:

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

Motion passed 4 in favor, 0 opposed, 1 absent

Mr. Pettee – The project was entitled Heritage Packaging. Town of Victor project 13-SP-2013. I have a copied of signed mylars in here. This is a copy of the grading plan. You see Fishers Run right here and there are two knolls and appears to be the extent of the northwestern portion of where your fill is placed. What we can do at our office is that this site plan is no longer valid as it may have expired in terms of the property owner being able to construct his. They would need to come back to the Planning Board.

Mr. Gallina – There probably not many options if you were too come back with a similar configuration.

Mr. Pettee- We will take a look at this approved plan to why the bioretention area was located at this location and determine the best placement of this fill for Fishers Run and avoid any areas that we need to.

Mr. Gallina – The logical place would be all that parking lot.

Mr. Logan – If they are trying to level it for a softball field. The reason the bioretention pond was there probably because it is low and it was a good convenience place to put it. So if we fill it in, they will have to shift it around somewhere else. I don't know if that is a bad thing but it would preclude the use of that spot. I know that it let out into the drainage to the north along the thruway parallel to the thruway to some culverts. There was some failure there to that drainage culvert and went under the thruway to Irondequoit Creek across the north side by Fishers.

There were no other discussions.

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

Lisa Boughton, Secretary

