

A regular meeting of the Village of Victor Planning Board was held on Wednesday, September 25, 2019, at the Village Hall, 60 East Main Street.

MEMBERS PRESENT: Chairperson Meg CHaides
Vice Chairperson Peter Kowal
Member Charles Criss
Member Jeffrey Swan
Planning Clerk Roseanne Turner-Adams

MEMBERS ABSENT: Member Steven Van Dyke

OTHERS PRESENT: Babette Huber, Kathy Rayburn, Jim Joseph, Anita Bruckner, Kevin Bruckner, Wilma Townsend, Mayor Gary Hadden, Lou Siciliano, Anthony Siciliano

Meeting called to order at 7:00 PM by Chairperson CHaides.

Salute to the flag.

Resolution #07-19PB
Acceptance of Minutes

On a motion made by Charles Criss, seconded by Jeffrey Swan, the following resolution was ADOPTED 4 AYES 0 NAYS

Resolved, to accept the minutes dated July 24, 2019.

Louis Siciliano/Raydoc Property Management LLC
Demolition – 34 West Main St.

Mr. Lou Siciliano stated that his initial purpose for purchasing 34 West Main St. is because it is right next door to another property that his Dad owns which has always had a parking issue. Mr. Siciliano explained that when the apartments were built back in the 1970's, parking was for 1 vehicle per unit and there are 10 units so there are 10 parking spots. Mr. Siciliano stated that there has also been an issue with where to have the snow plow put the snow and when this opportunity to purchase 34 West Main came up he thought of using the back of it for parking and snow. Mr. Siciliano stated that the home is in pretty rough shape so it would be more cost effective to take the building down and make parking on the whole lot. Mr. Siciliano stated that the initial thought was to put up an additional building in the back to match the existing ones but was informed that a new building could only be put in the front where the current home is. Mr. Siciliano stated that he would like to have parking in the back and a grassy area in the front. Mr. Siciliano showed pictures of the inside of the home and explained that there is mold and asbestos and quotes from contractors showed that it would cost \$350,000- \$375,000 to rehab the house. Mr. Siciliano stated that he spoke with Alex at

New Energy who said that he might be interested in recycling the barn wood but was not interested in the staircase.

Mr. Siciliano stated that the current plan would be to demo the house and the barn and make the front just grass and the back of the property would be parking.

Ms. CHaides asked how long Mr. Siciliano anticipates before putting another building up. Mr. Siciliano stated that it would depend because right now there is no plan for a building but would like to know what type of building the board would like to see. Mr. Siciliano asked if the board would prefer a home or a brick building like the one across the street. Ms. CHaides stated that she would like to see commercial/retail on the first floor with apartments on the second floor and would have to conform to the central business district standards. Mr. Siciliano asked if he is required to put a building back up there. Ms. CHaides stated that it would be a board decision. Mr. Siciliano stated that if he were to put up a new building it would be 1-2 years depending on the type and size of the building. Mr. Siciliano stated that he would like to look into grants. Mr. Criss asked how long it usually takes to get grants. Ms. Rayburn stated that it would be a year at minimum. Mr. Criss stated that he has a concern about pavement creating drainage issues. Mr. Siciliano stated that he agrees. Mr. Criss stated that the fact that the home has asbestos creates major expenses. Mr. Siciliano stated that an asbestos report costs \$3,000 to \$4,000 so it is on hold until he figures out what to do.

Discussion regarding drainage

Mr. Siciliano stated that he understands what the Planning Board is trying to do as far as the look for the Village. Mr. Siciliano stated that he owns other properties in the Village and tries to keep them up to date in order to conform to Village standards.

Chairperson CHaides read the legal notice into the record:

“A public hearing will be held before the Village of Victor Planning Board on Wednesday, September 25, 2019 at 7:00 p.m. in the Village Hall, 60 East Main Street, Victor, New York, to consider:

The application of Louis Siciliano/Raydoc Property Management LLC, for a site plan modification to demolish 34 West Main Street. The applicant proposes to demolish the main structure used in the past as a single family residence and a barn in the rear used for storage. Per the Town Historian this structure was built in the late 1800's and has some historical significance per sections 133-18 B and 11-4 L (2). The project is located in the Village Center District.”

On a motion by Peter Kowal and seconded by Charles Criss, Ms. CHaides opened the Public Hearing

Babette Huber-Village Historian

Ms. Huber stated that she is coming to the Planning Board with information, not an opinion. Ms. Huber stated that 34 West Main was built in 1877 and when the historic resource inventory was done by the landmark society the home was placed at the medium historic importance level which means that the home has sufficient architectural quality and integrity to be a potential local landmark and a contributing element to a historic district.

Ms. Huber stated that the Village has 315 properties of historic value which means that they are over 50 years old. Ms. Huber stated that 69 homes are of high historic importance, 153 homes are of medium historic importance and 94 of are low historic importance. Ms. Huber explained that she would not be here if the home was of low historic importance.

Ms. Huber stated that part of the Dadras plan is to preserve and enhance the Village historic character and identity. Ms. Huber stated that when she was looking at the code it says that if someone is demolishing a building, new plans have to be approved prior to demolition.

Ms. Huber stated that she visited the property and that the barn is structurally not safe and the inside of the home is not in good shape and stated that the staircase is really the only thing of redeeming character inside. Ms. Huber stated that she wants to understand the process because the code reads that in no case shall the time between demolition and the commencement of new construction exceed six months.

Ms. Huber stated that he hopes that Mr. Siciliano will work with Kathy Rayburn to look at multiple use grants. Ms. Huber stated that she is worried about the streetscape and would encourage that the house not be demolished until a plan is in place but that the barn be demolished for parking.

Ms. Huber stated that she would like to see the house renovated but if that is not feasible she would like to see a new structure that would complement the rest of the buildings in the area.

Kathy Rayburn- Victor Local Development

Ms. Rayburn stated that she echoes many of Ms. Huber's sentiments and doesn't want to be repetitive. Ms. Rayburn stated that she encourages the applicant and Planning Board to step back and look at the revitalization plan and that area in particular. Ms. Rayburn stated that she spent some time with Ms. CHaides, the Mayor and the Siciliano's reviewing the plan and discussed shared parking. Ms. Rayburn stated that she has not had a chance to look into grants or tax credits that might be able to help rehab the house or build a new structure. Ms. Rayburn stated that more time is needed because of the code which reads that in no case shall the time between demolition and the commencement of new construction exceed six months.

Kevin Bruckner-Ashwood Lane & owns Mead Square Commons

Mr. Bruckner stated that he is completely in favor of seeing the house demolished and that just because a house is over 50 years old doesn't mean that it has historic significance and doesn't think that this house does. Mr. Bruckner stated that he is in favor of Mr. Siciliano demolishing the house and barn contingent on a plan to put something else in place. Mr. Bruckner stated that it doesn't seem feasible to renovate the house because it would be \$375,000 to renovate and the end result would be another single family house. Mr. Bruckner stated that the Village needs more functional commercial properties along Main Street. Mr. Bruckner stated that what he would like to see for that site is a building that has retail commercial space on the first floor with apartments on the second floor. Mr. Bruckner added that the building would probably not be very big if he wants to use the rear of the property for parking. Mr. Bruckner stated that any approval for demolition needs to coincide with approval for replacing the structure. Mr. Bruckner stated that he thinks the existing structure needs to come down and a new structure needs to be built that fits in with where the Village is going in the future as opposed to where it has been in the past.

Anita Bruckner-Ashwood Lane & owns Mead Square Commons

Ms. Bruckner stated that she is completely in agreement that it would be a good thing if that home, along with a couple of others are taken down. Ms. Bruckner stated that feedback from her tenant base is that Victor is a dying Village without walking traffic and anything that survives is service related. Ms. Bruckner stated that her tenants Yotality and Zoom Tan are gone and one of her other tenants is relocating to the Yotality space so it is not a new user. Ms. Bruckner stated that she agrees that there needs to be a plan in place before the house is demolished. Ms. Bruckner stated that it was a requirement of the Planning Board that Mead Square Commons be all brick and it added to the cost significantly and that requirement needs to apply here also.

Ms. Bruckner stated that there were two other structures that were taken down on the same side of the street that are now completely grass and asked why they were taken down without a plan in place. Ms. Bruckner stated that in a central business district to have blank spots it doesn't lend to cohesiveness.

Mayor Hadden stated that the structures were taken down because they were condemned. Mr. Hadden explained that there were tenants with children living in unsafe conditions. Mr. Hadden stated that they are vacant spaces now because of access to the property because there is a configuration behind those buildings that prevents access. Mr. Hadden stated that it is being looked at as part of the revitalization plan for the future of that side of Main Street.

Ms. Bruckner asked if this should be part of the overall game plan before demolition. Mr. Hadden stated that the Siciliano's purchased the property for parking but are more than willing to work toward the revitalization plan. Ms. Bruckner asked if the property is condemnable. Mr. Hadden stated that the asbestos situation needs to be addressed and

quotes are needed to know demolition cost versus rehabbing the home to see which is more cost effective.

Mr. Siciliano stated that the most cost effective thing would be to take the building down. Mr. Siciliano stated that if the barn were taken down he could get 12-16 parking spaces. Ms. Huber asked if the Planning Board would allow the demolition to be done in pieces. Ms. CHaides stated that because there is not a plan in place for the house she would like to take a look at the Dadras plan which was adopted in December 2018 and look at the Village as a whole.

Mr. Swan stated that there should be a blueprint with drainage prior to demolition. Mr. Siciliano stated that the contractor is aware of the drainage plan requirement. Mr. Swan stated that he is familiar with the property as he used to have a machine shop in the back and agrees that parking is an issue and agrees that something needs to be done.

Mr. Siciliano stated that before he purchased the property he made sure that the home wasn't in a historic district. Mr. Siciliano stated that he is glad that the Village wants to see a plan. Mr. Siciliano stated that his family owns other properties in the Village and at 111 East Main Street when it was rehabbed 10 years ago it went \$100,000 over budget because they wanted to do it right. Mr. Siciliano stated that he brother just rehabbed a property across from Dunkin Donuts and that his family tries to keep the look consistent with the Village. Mr. Siciliano stated that the reason that they didn't want to put another building up initially is that it is hard to find good renters and they have had rental properties for 30 years in this area. Mr. Siciliano stated that he would be happy to put parking out back and grass up front because it would be more cost effective due to the scarceness of renters.

Mr. Siciliano went into detail about costs and things that they are running into as landlords.

Mr. Siciliano stated that he prefers to take the house and barn down and plan for a building once grants are obtained.

Mr. Swan stated that he would like to see a plan with a timeline so that there is not a hole or skeleton in the Village.

Mr. Siciliano stated that is initial plan was to have the house and barn down and put a base of gravel to set for a year before winter.

Mr. Bruckner stated that a building that sits vacant is not good because of vandals. Ms. Bruckner suggested building a one story building that has a façade that makes it look like a two story to cut down on cost.

Discussion between Mr. Siciliano and Mr. & Mrs. Bruckner regarding ideas for building

Mr. Criss stated that a plan needs to be submitted for the building before parking is approved.

Ms. Rayburn stated that there is language in the code as far as hardship and that is where the number can come into play as far as demolishing and rebuilding. Mr. Siciliano stated that he would like to see what grants are available.

Mr. Kowal stated that the code was changed so that there are 6 months between demolition and building in order to protect the Village.

Mr. Siciliano stated that the demolition company said that there is enough room in the back to put their equipment so would not be on the street.

3 persons spoke in favor of the application and 0 persons spoke against the application
1 person gave information

On a motion by Peter Kowal and seconded by Jeff Swan, Ms. CHaides closed the Public Hearing

Chairperson CHaides read the comments from Department of Public Works Director John Turner into the record:

I do have a few comments on the proposal to demolish 34 West Main Street

- I am good with the demo, but prior to installing of parking lot, he needs to submit a site plan. drawing, and come back to Planning Board
- Prior to demo needs asbestos survey done, copy to Village
- All debris/ block needs to be removed to a minimal of 4 foot
- Backfill with compactable material, crusher run or gravel
- Road needs to free of mud and debris
- Village sewer and water need to be cut and cap at ROW
- New York State Dot should be aware of Demo, Contact Greg Trost

John Turner
DPW Director

Chairperson CHaides read the comments from Sean McAdoo of the Fire Department into the record:

Thank you for the opportunity to review the site plan modification for 34 West Main St.

We have no comments on the demolition of the building, except to advise the applicant we would appreciate the opportunity to drill one or two nights in the building (no fire) to practice search and

rescue skills. We would not do any destruction to the property. If the owner is interested in this, please have him reach out to us.

We are curious as to the final layout for the expanded parking. Access of the buildings along the north side of West Main Street can be problematic for us, and we would appreciate the opportunity to comment on the final layout to improve our access in that area.

Thank you,

Sean McAdoo,
Chief

Chairperson CHaides read the comments from Wade Beltramo of NYCOM into the record:

While permits are required to demolish structures, the issuance of such demolition permits pursuant to the Uniform Code is ministerial in nature. Stated differently, local officials do not have any discretion as to issuing the demolition permit so long as the owner meets the relevant safety standards.

The Village could adopt its own demolition standard or you could place a moratorium on demolitions while you consider amending the Village's zoning. See the attached sample local laws. These samples have not been reviewed by the NYCOM staff. Consequently, we recommend that you have them reviewed by the village attorney before you use any of the language contained therein.

If the proposal complies with the Uniform Code and the existing Village's zoning, site plan, and other land use regulations, I'm not sure there is much that you can do legally to stop it.

Ms. CHaides asked the Planning Board if they would like to table the application until more information is received as far as grants or to give them permission to demo the barn in the back and return with a more formalized plan for the front.

Mr. Kowal stated that demolishing the barn is not going to do anything because they would have to come back with a parking plan.

Discussion regarding Fire Department comments

Mr. Kowal stated that he would like to table the application until more information is obtained.

Mr. Criss stated that he would like to let them take the barn down and have a plan for the parking and for the front of the property. Mr. Criss explained that he would like some commitment that something will be done with the front of the property if the house were demolished.

Ms. CHaides stated that she would like to give permission to let them demolish the barn and get started with parking for the apartments and then to have them come back with a plan for the demolition of the house and replacement.

Mr. Kowal stated that they could demolish the barn but would have to come back to the Planning Board for a parking lot plan. Mr. Siciliano stated that they would put down an 8" base of stone for a year so it settles.

Mr. Swan stated that the applicant should take a step back and get a plan so an engineer looks at it. Mr. Swan stated that Victor also has a tree board that would look at any future plantings.

Mr. Siciliano stated that once he found out about the Dadras plan he put the brakes on the project and will get more information.

Ms. CHaides stated that what she is hearing is that the Planning Board should table the project until more information is obtained for an overall plan. Ms. CHaides stated that it will give Ms. Rayburn some time to scope out grants. Ms. CHaides stated that the applicant can then come back with a comprehensive plan for the whole property which will be reviewed by the Village Engineer.

Ms. Bruckner asked if the building were to be condemned would he need to have a plan. Mr. Criss asked if the two condemned homes that were demolished were treated an eminent domain. Mr. Hadden stated that the Village did not take the properties. Ms. Rayburn stated that the properties were put up for auction. Ms. Bruckner asked who took the buildings down. Mr. Hadden stated that the Village had someone take them down and the cost was added to their tax bills.

Mr. Anthony Siciliano stated that before they purchased the property his Brother talked to the Code Enforcement Officer to inquire about taking the house down and he was told that there was not an issue. Mr. Siciliano asked if he knows about the Dadras Plan. Mayor Hadden stated that he is aware of the Dadras Plan and that in the comments from Wade Beltramo of NYCOM that were read into the record said that the Village cannot stop the demolition of the building unless you have it in your code. Mr. Hadden stated that our code doesn't prevent them from taking that building down but that a plan is needed first.

Mr. Swan stated that with six months to put something back up after demolition people usually come to the board with a plan prior to demolition.

Discussion regarding demolition and code as well as failed projects in the Village with condemned homes

Ms. CHaides stated that she would like to have a motion to table the application until a plan is in place with a construction schedule. Mr. Kowal stated that he would make a motion to table the application until the applicant returns with a plan. All were in agreement except for Charles Criss who disagreed.

Village Board Liaison Report-Bob Kelly

Mr. Kelly stated that at the last Village board meeting the access management plan was approved and there was a fair amount of discussion and concern from people who want to protect the railroad. Mr. Kelly stated that their concern is that this is the beginning of the end of the railroad. Mr. Kelly stated that everyone that was there assured them that it had nothing to do with the railroad but the official Village map showed proposed future roads where the railroad is. Mr. Kelly stated that the only customer of the railroad is Victor Insulators. Mr. Kelly went into some detail about the meeting discussion.

ADJOURNMENT

Meeting adjourned on a motion at 8:32 pm

Roseanne Turner-Adams, Planning Clerk