

**REGULAR MEETING OF THE
TOWN OF VICTOR CONSERVATION BOARD
October 15, 2019 – 6:30 pm**

A regular meeting of the Town of Victor Conservation Board was held on October 15, 2019 at 6:30 pm at the Victor Town Hall, 85 East Main Street, Victor, New York, with the following members present:

ATTENDING: Matthew Matteson, Chair; Andrew Phillips, Vice Chair; Joe Limbeck; Keith Parris
ABSENT: Patrick Coleman

Chairman Matteson called the meeting to order at 6:32pm.

On the agenda is review of Victor Chrysler Dodge Jeep Ram and The Village East Apartments. A resident on Erica Trail is attending to discuss her conservation easement and Willow Rise Apts.

- Meghan Bowman, 6443 Erica Trail asked for privilege of the floor to discuss planting in her conservation easement. Matthew Bowman is in attendance.

Willow Rise Apartments has started development behind their house. There will be a sidewalk on the property adjacent to them. The Bowman's have an easement in their back yard and currently have a fence along the side, up to the easement. (Photo provided with white line showing existing fence and black hashed line showing the fencing that is proposed. Also proposing pine plantings that are identified on the photo by black circles, in the back of the easement.) This is intended to block the sidewalk traffic and car lights that will shine into their second story. The back of the property is at the top of the roof line of the house. All the trees that would block the new development are deciduous with only a few evergreens.

Mr. Bowman brought to the board's attention that even though there was a lot of talk about conserving the rock wall, a bulldozer came over the rock wall instead of going on the road. The developer is now Affronti 104 Construction and no longer Morgan McMahon Properties. Perhaps this requirement was not relayed to them?

There's a 25 foot section of land between the road and Mr. Bowman's property, all the way from Erica Trail back to the tree line. Originally, Morgan McMahon said they could probably install the fence on the Bowman's property, with their permission. Mr. Bowman does not think the new developers would install the fence, so he completed half this summer. Now that construction has started, there's a lot of traffic and he would like to get the rest of the fence installed.

Mr. Bowman said at closing they were told they could do anything with the easement, except build a permanent structure. It was discovered they were given the wrong paperwork. There was supposed to be no mowing. Ryan Homes regional manager met with all the home owners and went to the Town to get permission to finish grading the land. Planning Board made them stake the easements. Property owners were told they could continue to mow. Mr. Bowman thinks easement says he can plant with approval from CB. The board recommends the Bowmans review their exact conservation easement language to determine if plantings are allowed in the CE.

The homeowners have a pending lawsuit against Ryan Homes because of misinformation given to neighbors about land behind them (thought it was going to be a park).

The Board agreed it sounds like a no touch easement. Was the original intent of no touch to give the homeowner the cover they were hoping for? The board discussed the difficulty of changing easements; that all homeowners must agree and the process is costly. The plans have changed several times since this project came before the conservation board. Mr. Bowman said all the trees that were supposed to be on the property line were taken out. In the 5/2/17 conservation board meeting minutes, the board comments on plantings, slopes, berms and privacy. This is what the planning board considered for the original plans. Property owners seemed satisfied with this.

The conservation board would like to see if planning board would discuss with developer about creating a barrier. Determine what the developer committed to and if it's deciduous trees, maybe switch to firs and approach developer to provide other half of the fence. Working with the planning board and the developer seems to be the best option.

- Village East Apartments modifications, 7410 Forest Trail 44-SP-19
Conifer Village @ Eastview LLC
Revised materials and response to comments. Applicant is requesting to add additional parking for a total of 83 spaces plus 15 land banked.

The board has no further comment. Only change was more striping to obtain additional parking. Previously completed, and asking for approval.

- Victor Chrysler Dodge Jeep Ram Overflow Parking, 6560 Anthony Drive 48-SP-19
Zoned – Commercial/Light Industrial, Owner – Route 96 Properties LLC
Applicant is requesting approval for overflow parking on two separate lots.

Mr. Limbeck brought up a prior conversation about vehicles getting too close to the water. Concern with vehicles encroaching upon the front wetland area. Can CEO look into this?

Board reviewed the site plans and checked the grade and streams. According to OnCor both lots appear to be on non-level land. The board is concerned with surface run-off into wetland and stream areas. The board is requesting that berms or barriers be constructed on the downhill side of both parking areas to prevent surface run-off into these areas.

The smaller lot is of particular concern. Very crowded. Can owner stay on pavement on the back side of building? Protecting the wetlands for both sites is a concern.

Other Business:

Board commented nice job for Al Benedict's letter to the new homeowners regarding their conservation easements.

On a motion by Keith Parris, seconded by Andrew Phillips, the October 1, 2019 minutes were unanimously approved. Mr. Limbeck abstained, as he was absent from the last meeting.

On a motion by Joe Limbeck, seconded by Andrew Phillips, and by unanimous decision the meeting was adjourned at 7:14 pm.

Information and plans available for review at the Planning & Building Office located at 85 East Main Street. All public are welcome to attend meetings. Written comments may be directed to planning@town-victor-ny.us or mail to Planning at 85 East Main St., Victor, NY 14564 prior to meeting. For additional information call 585-742-5040.