

A regular meeting of the Town of Victor Planning Board was held on May 22, 2018 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 Consultant; Cathy Templar, Secretary; Councilman Dave Condon, Town Board Liaison; Kate Crowley, Conservation Board; Jack Dianetti, Michael Broker, Al Herdeman, David Cox, Jeff Ashline, Monica J. Barry-Hamann, Wendy May, James Cretekos, Anthony Daniele, Alan Emerson, Maggie Broker

APPROVAL OF MINUTES

On motion of Al Gallina, seconded by Rich Seiter

RESOLVED that the minutes of May 8, 2018 be approved.

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

Approved 4 Ayes, 0 Nays

The legal notice for the public hearings appeared in "The Daily Messenger". Post Cards were mailed to property owners within a minimum of 500 ft from location of each application along with "Under Review" signs being posted on the subject's parcels.

BOARDS & COMMITTEE UPDATES

PLANNING BOARD reported by Cathy Templar

- June 12, 2018
 - Public Hearings
 - 8081 Siding Court located in the Limited Development District for an in ground pool, shed and fencing.
 - Champion Hills is requesting approval for a 40x80 seasonal tent

Chairman asked for updates from any of our other Boards or Committees and there were none.

PUBLIC HEARING

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

179 MILES CUTTING LANE

App No 2-SP-18

Owner – Dujé Tadin

Acres – 1 SBL# 5.01-1-36.060

Zoned – Limited Development District

Applicant is requesting to construct an 1136 sf addition to existing house and is located in the Limited Development District.

Mr. James Cretekos from BME representing applicant addressed the Board.

Mr. Cretekos – For just a brief update, since the last time we were in front of the Board. Since that time, we have completed the testing for the septic system including the deep hole and percolation test. Based on the results, we have revised the design and resubmitted the final proposed septic plans back to LaBella and the Code Enforcement Officer for their review. They have provide comments based on that which we have provided written responses to last week. At this point, I believe that we have addressed all of their comments. As far as I know there are no other outstanding items since the last time we were in front of the Board. It was just making sure that we had finalized the septic system and satisfied LaBella.

I have had a chance to read through the draft resolution and I don't have any comments or concerns with it. Unless you have any other comments, I think we're all set.

Chairman Santoro asked the public for comments and there were none.

Mr. Pettee – LaBella did have an opportunity to comment on the most recent set of plans. Our letter is dated May 16, 2018 and we noted some concerns with some of the math and calculations. However, the applicant has responded to those and we're satisfied with the responses. So we don't have any further issues with the proposed project.

Mr. Gallina, Mr. Logan, Mr. Seiter and Chairman Santoro had no further comments.

Chairman Santoro asked for a motion to close the public hearing. Motion made by Al Gallina, seconded by Joe Logan.

RESOLUTION

On motion made by Joe Logan, seconded by Rich Seiter

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

1. A site plan application was received on January 22, 2018 by the Secretary of the Planning Board for a Site Plan entitled 179 Miles Cutting Lane Building Addition.
2. It is the intent of the applicant to construct a +/- 1,136 sf addition to the existing single

family home.

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 February 27, 2018 and May 22, 2018 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 Town of Victor Planning Board reviewed the Unlisted Action on May 22, 2018 and identified no significant impacts.
7. The Conservation Board reviewed the project on February 6, 2018 and stated that the drip edges be clearly marked around the 24 ft caliper tree noted in diagram prior to excavation work.
8. A Coordinated Fire Service Site Plan review was done January 25, 2018 and had no comments specific to this project.

NOW, THEREFORE BE IT RESOLVED that the application of Dujé Tadin, Site Plan entitled 179 Miles Cutting Lane, drawn by BME Assoc, dated January 2018, received by the Planning Board January 22, 2018, last revised drawing dated May 18, 2018 received by the Planning Board Secretary May 21, 2018, Planning Board Application No. 2-SP-18, 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 comments from Code Enforcement Officer, dated May 8, 2018 be addressed.
3. That comments from Labella Assoc dated February 7, 2018 and May 16, 2018 be addressed.

Ongoing conditions:

1. That the site plan comply with Town of Victor Design and Construction Standards for Land Development, including Section 4.
2. Should an underground stream be encountered during construction, the Developer is to address the encroachment and impact to the underground stream to the satisfaction of the

Town Engineer.

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

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

Approved 4 Ayes, 0 Nays

MAY, WENDY

7238 St Route 96

App No 29-SP-17 & 3-SU-18 Site Plan & Special Use

Owner – Joseph May Jr

Acres – 1.70

Zoned – Commercial

SBL # 15.00-1-31.111

Applicant is requesting approval to sell seasonal plants and gifts on site and leased portion of adjoining lot to include a tent. The property owner is Joseph May and consists of 1.70 acres and the adjoining parcel Pace Windows located at 7224 St Route 96 is owned by Victor Assoc, both are zoned Commercial.

Wendy (owner of May's) and Joseph (owner of the parcel) May addressed the Board.

Ms. May – I would be selling seasonal plants and gifts and some potting soil and things like that, other garden supplies. I was looking to put up a tent to be able to shade some of the plants that can't be in the sun at all times. Valentine Day, I'm looking to use the garage building to sell the roses and other arrangements because they can't be out in the cold air.

I am looking to put up a sign where it says MAY'S on the top and the bottom portion would be changeable for any sales or promotions that I'm doing. Then when I'm closed, the bottom where the changing piece would be would obviously be blank.

Chairman Santoro – So it would just slide out or be pulled off and another one be put in its place? (Yes) The same color theme?

Mr. May – The changeable part would be on a white background where the sign is going to be a purple background.

Chairman Santoro asked for public comments and there were none.

Mr. Seiter, Mr. Logan, Mr. Gallina had no comments. Chairman Santoro asked for a motion to close the public hearing. On motion made by Joe Logan, seconded by Al Gallina the public hearing was closed.

RESOLUTION

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

1. A site plan application was received September 1, 2017 and a special use application was received on April 20, 2018 by the Secretary of the Planning Board entitled Mays.
2. It is the intent of the applicant to display and sell seasonal plants and gifts on site along with leased adjoining property to include a 20' x 30' seasonal tent.
3. It is the intent of the applicant to construct a sign measuring approximately 6.5 ft in height by 5.25 ft in width to be placed in front of existing house with changeable copy.
4. 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.
5. The Planning Board held a public hearing on May 22, 2018 at which time the public was permitted to speak on their application.
6. 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.
7. The Town of Victor Planning Board reviewed the Unlisted Action on May 22, 2018 and identified no significant impacts.
8. The application was referred to the Ontario County Planning Board under Section 239 of the General Municipal Law. On May 9, 2018 Ontario County Planning Board retained application as a Class 1 and was returned with comments.
9. The applicant received authorization from Victor Associates LLC to utilize a maximum of 25' x 60' of the adjoining property and shall be reviewed and renewed at the end of each year.
10. The applicant received a front setback variance of 25 ft from the Zoning Board of Appeals on May 21, 2018.

NOW, THEREFORE BE IT RESOLVED that the Site Plan application of Wendy and Joseph May received by the Planning Board Secretary September 1, 2017 and Special Use Permit application of Wendy May received by the Planning Board Secretary April 20, 2018, Planning

Board Application No. 29-SP-17 and 3-SU-18, 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 comments from Code Enforcement Officer, dated May 2, 2018 be addressed.
- 3. That the conditions of approval from the Zoning Board of Appeals dated May 21, 2018 be adhered to.

Ongoing conditions:

- 1. That a tent permit be obtained from the Building Dept.
- 2. That a sign permit be obtained from the Building Dept.
- 3. That the applicant provide a letter from owner of adjoining property authorizing use of their property at the beginning of each year.

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

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

Approved 4 Ayes, 0 Nays

VICTOR HILLS HOLIDAY LIGHT SHOW FESTIVAL 2019

1460 Brace Road
 App No 4-SP-18
 Appl No 2-SU-18
 Owner – Audrey Dianetti, Victor Hills Golf Club & Jack Dianetti
 Zoned – Residential
 SBL # 28.03-1-3.110, 28.03-1-2.980, 28.04-1-1.100, 28.04-1-1.200

Applicant is requesting approval for a 1.75 mile long festival of lights to take place during the Thanksgiving/Christmas season spread out over the north course, holes #1, 7-9, 10, 12-14. This portion of the golf course is owned by Audrey Dianetti, Jack R. Dianetti, Jill Zito and Jamie Dianetti. This is the first time this application has been before the Planning Board.

Mike & Maggie Broker addressed the Board.

Mr. Broker – Good evening and thank you for your time this evening. We are proposing to put on what's going to be called the Victor Hills Festival of Lights. *Referring to the power point presentation that Mr. Broker brought.* We have M.A.C. Lights which is an entity that is pending and being formed based on approval of the light show moving forward. I have a quick power point presentation to show an overview of what we're looking to do. The agenda that I have is a proposed business plan, proof of concept, a site plan with a proposed route, some of the comments that have been sent to us from the different Boards touching on items that they've asked for, an operations plan and other services that will be at the venue at the time of the event.

The first slide is basically a brief overview. The intention is to partner with Victor Hills Golf Course and create a Christmas light show that is going to include 12 theme oriented sets dispersed throughout the course. This would include a lighted tunnel and assortment of lights throughout the wooded areas as you drive through the route. It will be a car driven path so people that come will be able to enjoy the show in the comfort of their own vehicle.

The proposed path is approximately 1.75 miles in length and the hope is to create a unique, memorable and safe holiday experience for the community and for all ages. They will drive throughout at a controlled rate of speed. We will have some markers for that. The drive will take approximately 25 to 30 minutes. At the completion of the light show they will have the ability and option to come up to the pro shop/clubhouse/restaurant area where there will be refreshments as well as Santa and they will also be able to get free s'mores for all of the kids that come.

The next slide is just to show proof of concept. We are basically mirroring an existing light show that was done at Stone Hedge Golf Course in Factoryville, PA. We've been in constant communication with the women that runs the golf course there and working along side them to put together this whole plan and again mirror what they did successfully there the last holiday season. Their light show runs from the same time, Thanksgiving to Christmas Eve and had approximately just under 10,000 vehicles that came for the light show. They average between 100–150 cars during the week nights and 700-800 cars on the weekends. Again, their pavilion clubhouse served food and beverages as already described.

These are just some pictures of the light show to give you an idea of what some of the theme sets look like and to what extent we are looking to put into the lights and the surrounding wooded areas as well as along the fairways on that 1.75 mile route.

This is just some Facebook reviews of that light show at Stone Hedge. There were 255 reviews and every single one of them was 5 stars. Some of the comments that were made; people were concerned a little bit with the price, people were concerned with the distance. But after they went through the show and experienced it, there was nothing but rave reviews and comments of setting and creating a family tradition in their community to visit these types of displays and shows.

Some of the requirements that are going to take place as well as comments that were sent to us from the different departments. One is there's obviously going to have a car path

renovation done to support the vehicles driving along the proposed route. There are lighting and electrical plans and the light impacts, traffic control plan, emergency access plan, vehicle breakdown plan, inclement weather as well as addressing insurance concerns.

What you see here is the proposed site plan. The top left corner is the actual route and in the bottom green section, there is a green circle which is the existing pro shop/restaurant/clubhouse where the vehicles would start. Across the street from the clubhouse will be parking for people that decide to stay. Across the street from clubhouse will also be the queue line for the proposed route where they will cross the road and start the light show. They will run the route in this counter clockwise fashion, then exit to the south of the clubhouse through this other parking lot creating a good separation of space between where they are entering and where they are exiting.

After the show they can either come down Brace Road and enter into the parking lot which will have parking attendants that are all able to communicate via their radio system and if they want to leave, we'll direct them to CR 41 by pulling a right out of the parking lot.

Some of the concerns are light pollution. The proposed site plan is concentrated for the show traffic into the interior of the course as best we possibly could. What that does obviously is help keep the vehicles away from the surrounding residential properties to minimize the potential impact on the neighbors. Vehicles will only be operating their running/fog lights along the designated paths which is also incrementally marked by illumination. All of the lights for the show will be LED lights which are energy efficient, nontoxic, and recyclable. There is no heat, low lumen intensity, low glare disbursement, no emissions and noiseless.

The traffic control plan and I apologize, I should have prefaced this with this is kind of the 1,000 ft view. There are a lot more details that have been laid out in the full proposal. The site plan includes the route that can hold approximately 100 vehicles with 60 ft of space between each vehicle. The queue line can hold approximately 76 vehicles. Again, it's on the golf course property on the loop that I just displayed. The entrances, the queue line, the route will all be monitored by attendants with the ability to communicate via a radio system and the parking lots of Victor Hills can accommodate up to 130 additional cars if they decide to stay and visit the snack bar and see Santa.

Vehicle breakdown and emergency access plan. There are 3 designated vehicle pull off locations on the light show route. We are putting in gravel pads so that if a vehicle is having trouble or issues, we can pull it off to the side and keep the light show going. There are also a couple spots that we can reroute the traffic and turn them around. If a vehicle breaks down and they can't move, we'll push them off of the car path for the time being and then after the show concludes, we can pull the vehicle out with tractors and equipment from the golf course to tow them back to the parking lot where they can then get their vehicle in the evening.

There are several routes to get to the light show in case of an emergency. The golf course is a large parcel of property and provided there is no snow on the ground, there's numerous places to get to almost every single point in the light show, numerous ways to get there. We can use golf carts and golf course mobile equipment if needed. In the event of inclement weather, there're be two snowmobiles on site for the entire length of the show with a pull behind, two person passenger sled which pictures of that were also included in the main proposal.

There's also an alternate access point for a larger vehicle if they need to on Brace Road, across from the east course parking lot. There is basically a utility road that we can access to get vehicles in there if needed as well.

In the event of bad weather, snow or ice, the light show may have to be closed an evening or two as needed to get the route into safe conditions. The route will be plowed, salted, sanded as needed and maintained as necessary to maintain a safe environment for the patrons and the crush stone path will be inspected on a daily basis and repaired as needed to maintain the integrity throughout the event.

M.A.C. Lights will maintain a special events general liability insurance policy throughout the course of the light show and Victor Hills Golf Course also maintains its own policy.

The projected time line; this is for the fall 2019 just to put everything into place. The car path preparation would begin sometime around the early part of September 2019. I expect it to take approximately 1 month to complete. The light setup would begin in October 2019 with the intention to open the day after Thanksgiving. It would run 7 days a week from the day after Thanksgiving until just before New Year’s Eve. My proposed timing is Sunday thru Thursday from 5:00pm to 10:00pm with Fridays and Saturdays 5:00pm to 11:00pm. We’re closed on Christmas Eve.

The other things that we’ll be doing, as I said there will be food and beverages upstairs, there’ll be free pictures with Santa and free s’mores for every child. We’re going to put up a tent on the outside portion of the building and do a small heated tent for the s’mores to keep the flames outside.

That’s it and thank you for your time. I hope to see you there if we can make it happen.

Chairman Santoro asked for public comment.

Mr. Al Herdeman – I live across the road (6711 CR 41). The hours are pretty much covered. What time would you start in the evening? (5:00pm) Until?

● Sunday thru Thursday from 5:00pm to 10:00pm with Fridays and Saturdays 5:00pm to 11:00pm

Mr. Herdeman - I live across the road (6711 CR 41). The hours are pretty much covered. What time would you start in the evening? (5:00pm) Until?

Mr. Broker – I do have a map that I could provide. I don’t know the exact distances but I can find them out.

Mr. Herdeman – In other wards how far from our house is it? It would be nice to know. I look at that (referring to the overhead screen), I don’t know where the County Road is and where Brace Road is.

Mr. Dianetti – All of the entrances that are being used are the same entrances and parking lots that are being used by the golf course currently. The difference is that the paths are now going to be used by vehicles other than golf course maintenance vehicles and golf carts. What they are going to be doing is widening those paths where necessary and building paths that are away from current paths because we’re trying to take some of these paths and some of the light show away from the golf course and into the woods where it’s going to be hidden from the general public and not be causing a problems to the residents in the area. So the main difference is the vehicles are going to end up mostly on the golf course which is why we’re taking precautions to make sure that they stay on the car paths.

Mr. Broker and Mr. Dianetti showed Mr. Herdeman on the map where the paths would be in comparison to his home.

Mr. Herdeman – The traffic and clean up and stuff like this. In other wards you pretty much figure it'll all be on the golf course, not on the road. Are you planning this for next year, not this year? (2019, not this fall) Music? (Not now) No noise?

Mr. Broker – Presently for the light show that is proposed, there will be no music in coordination with the existing lights.

Mr. Herdeman – Okay, that's pretty much it.

Mr. Logan – Would there be music broadcasted into cars so you could hear the sound system?

Mr. Broker – It's something that I'm looking into and it's still a possibility. I'm still trying to coordinate that between the light show vendor...the one in PA doesn't presently to that so that's something that she doesn't have any grounds to give me some guidance on. We're in the process of looking into it but my initial reaction is that it'll probably be something that would be added the following year, there's a handful of stuff to get in line this year.

Ms. Kate Crowley - The Festival of Lights looks like a lot of fun which would preface our comments. We would encourage you to limit the use of net lighting. The reason for that is sometimes large birds like Barred Owls and Great Horned Owls can get caught in the webbing. I know that you're going to do the displays back in the trees. In lieu of using it because you're going to be using it, our suggestion is that it needs to be inspected daily, the first thing in the morning in case there's a bird caught, then you can release it.

The second recommendation that we had is that lights be turned off shortly after the event. That's also because sometimes birds and other wildlife can get affected especially because of the volume of lights that you'll be using. It's just in consideration of the wildlife.

Do I remember that there are some path improvements near one of the streams?

Mr. Broker – That was the first version, so we're not doing that.

Ms. Crowley – Ok so other than that, the Conservation Board did not find anything that stands in the way.

Mr. Logan to Ms. Crowley – You had presented the fact that you'd be using salt on the pathways, isn't that going to be an environmental issue for the wetlands?

Ms. Crowley – It would be with any of the streams that are nearby and also the wetlands that are on the course. You just want to be careful. There is an ice and snow treatment that you can use and I know they use it a lot of times on commercial parking lots that is far less impactful to wetlands. So you might want to take a look at that.

Chairman Santoro asked for any other public comments.

Ms. Monica Barry-Hammond from Boughton Hill Road – As I'm sure all of you know that I've lived here all of my life and I'm about 81 years old now so lots of changes have taken place. I came back to Victor because it was sort of quiet but as we all know it's growing and so forth and so on. Already on our road there are a lot of cars going up and down the road and naturally because you've had to close off Main St to fix up the bridge and I understand that. But then I think about Christmas and Thanksgiving with even more and what they have planned seems very logical to me and I hope it works. But some concerns, I think with the volume increasing even more than now, I can tell you traffic probably starts at 4:30 in the morning by my home and it probably doesn't let up until 8:30. Then to get into the evening as many of you travel those roads, you have car to car from School St on down to past my house quite a bit. Any ways, that is a concern to me. That's all I really have to say. They certainly seemed to have looked at those things and I suppose the only other thing I can say to you is if I owned a golf course, I wouldn't want cars driving over it. But good luck to you.

Ms. Broker – One of the things that is important for us to distinguish is for the golf course itself, on a daily basis we have during the summer and it's kind of expected that we would have traffic from 7:30 in the morning to 8:30 in the evening for things like our leagues, our tournaments and our open play. So some of that traffic in the winter, like you said, goes away. But for the most part, it's still pretty steady. I travel those roads every day myself. It would simply be an extension of that same traffic pattern, particularly in the evenings because we do have a lot of cars that visit our course for the leagues in the evening. We're hoping that the golf course, the parking lots and the queue line that we have absorb some of that concern that you have. I don't know if that addresses some of what you're seeking.

Ms. Barry-Hammond – I only have one short story and it's probably boring for most of you but it's part of my life. When I left Victor the first time to go to school in the continue education, I was probably made fun of and bullied a lot which was fine because I lived in Victor and they figured farmers were not as intelligent as city people and so forth and so on. And I keep thinking that it's too bad they still don't have that opinion because now they don't mind coming out here! Thank you.

Mr. Dianetti – This really isn't a comment, I just want to correct the record. The golf course has 6 owners. Jay Dianetti and Jacqueline Midlam are also owners of the golf course. Audrey Dianetti is more than a majority stock holder, she owns over 50% of Victor Hills Golf Club Inc. which owns a large portion of what the work is being proposed on. The bulk of the rest of the land is owned by Audrey as part of Jack Dianetti's estate. The tax maps have not been changed and updated, but that is her property, not the golf courses. So she is one that is giving approval for the use of her property and the majority of the Board has voted for the use of the Victor Hills property which is owned by all 6 of the people. I just wanted that to be clear to everyone because this is obviously something that doesn't have unanimous support by the family. But this is an alternative to other types of development on the course, it's an alternative to other types of activities. There has been a lot of things floated at the golf course that would be good for us in the winter and one of them is snow mobiles and having competitions. The other one is cross country skiing and as everyone knows that the snow covering in Victor because of the hills is not consistent and it takes a lot of effort to keep the trails in conditions for cross country skiing. The

other thing is having weddings and other large types of activities that tend to create more disturbance later into the evening and also generate quite a bit of traffic. So when they came forward with this proposal and Maggie is my daughter and Mike is my son-in-law and she is the restaurant and banquet manager at the golf course and they have close ties to the golf course and they don't want anything bad to happen to it either. But this is a way for the golf course to operate in the off season and generate revenue and keep people employed over the winter and be able to pay our tax increases that we seem to be getting!

Chairman Santoro – My understanding is that this property is owned by a trust?

Mr. Dianetti – A portion is for estate purposes it's an unclaimed trust. There was 89 acres and we've subdivided a couple lots off of it over time as a way to generate additional revenue. That land was put into trust and my sister Jacqueline Midlam is the Trustee for that and she had objections for using it. That property would have been the most advantageous to the golf course in terms of the paths that would have been added which would have allowed us to use the south back earlier in the year with carts and get people around the course when it's pretty wet in the spring. But this, I think is a better route. It's on the interior of the course, there are a lot more trees for them to utilize for the lighting. To me, it's just a better place to put it. We've been around, the Superintendent has looked at the property and looked at the proposed pathway, he's comfortable with it, I'm comfortable with it. When we went around, they talked about not taking down any trees but I talked about not moving a lot of dirt. I told them to try to follow the existing grade, the flatter the better. It's better to take down a couple of trees than to try to take down a big hill. My conservation side says don't take down the trees but my practical side says a couple of trees vs moving thousands of yards of material is a much better way to go.

Chairman Santoro – So your sister has no interest in the land?

Mr. Dianetti – She would object any place on the golf course.

Chairman Santoro – But they're not going to have a problem with this plan.

Mr. Dianetti – No, she doesn't have control over the whole golf course, just the part that was put into the trust, she's the Trustee for it. So the rest of the golf course, majority rules and Audrey is the majority, 54%.

Chairman asked for any other comments or questions.

Mr. Gallina's comment was inaudible.

Mr. Logan- I was having a hard time seeing how you were going to drive cars around the golf course, it's a significant investment on your part. Are there a lot of permits that you need to get and wait for in order to wait another year to do this?

Mr. Broker – From a permit perspective, no. It's just that it's a lot of work and a lot of planning and site preparation to make this happen.

Mr. Logan – It shows September 2019 starting the project and we're not even to September 2018 and was curious as to what other planning you have to do in advance of that.

Mr. Broker – The reason why it's delayed until the fall of 2019 is because the theme sets are custom built and they take 9 to 12 months to make. To make the lights and the paths happen, it's a fall of 2019 project.

Ms. Broker – We could have the paths ready for this year but we wouldn't have the lights ready. So that was our schedule.

Mr. Seiter had no comments.

Mr. Pettee – The only comment I have is that at some point we're going to need to go through a SEQR form.

Chairman Santoro instructed the secretary to ask the Planning Board attorney Joe Picciotti if this would need a SEQR review.

Mr. Pettee – My only comment would be a procedural aspect, nothing in regards to the actual application just what action the Planning Board needs to take.

Mr. Logan – Is there an opportunity for people who would rather walk the site?

Mr. Broker – There will not be. It would be unsafe to try to do both so it will just be auto driven.

Chairman Santoro – Do you have to buy the lights?

Mr. Broker – Oh yes.

Mr. Dianetti – This is their project. They're renting from the golf course and this is their project. I'll be a consultant to them and I'll be overseer for the golf course to make sure there aren't any problems but this is their project, this is something that they are investing in and they will be paying the golf course and base it on a per vehicle charge. They're not going to guarantee us \$X and be buried by it, they have numbers they have to reach to make payments. But this is their enterprise that they are trying. They've done all of the research, they're working with the people in PA and the vendor that provides the lights, they're teaming up with some of these people and they're talking about alternating and switching lights from one to the other so they can vary every year without having to go out and buy new lighting. So they have all kinds of things in the works and they are both very intelligent and very industrious people and I have absolutely no doubt in my mind that they will be more successful than I've been!

Mr. Logan- On those lines Jack, if it takes that much investment, does the golf course have a commitment, does the enterprise have a commitment for a number of years for this?

Mr. Dianetti – We have to give them 8 years. So once it starts, we're committed to providing it for up to 8 years which doesn't bother me because I'm one of the people who doesn't want to

sell it and have it stay in the family. I have a business plan that eventually allows this property to go to Ganondagon but for the family to get their money out of their investment for 45 or 50 years. But eventually this will become a part of a much bigger worthwhile project for the community and maintain as much of the greenspace that we have as possible. That's a plan that I would be happy to share with anyone who is interested.

Mr. Logan – Is there a target number of vehicles per season?

Mr. Broker – The numbers that we need are 9,000 to 10,000 vehicles conservatively. The population in PA is a lot less than what we have here. It's going to take a little bit for this to build some steam and awareness. My suspicion is that we can probably get to the 9,000 to 10,000 number and hopefully some more in years to come.

Mr. Logan – It's a neat regional attraction. I've never heard of doing this before at this scope.

Mr. Broker – There's one in Erie, PA, there's Lights on the Lake in Syracuse and then the Avon light show at the drive thru but none of them to this extent, this elaborate as well as none of them have the additional services of food and beverage and Santa, the add ons.

The question was asked of what the next step would be. Mr. Pettee suggested that this would be discussed at the next staff meeting and check into SEQR review before being able to draft a resolution.

The discussion ended.

APPLICATIONS

ROYAL CAR WASH – SIGNAGE

607 Rowley Rd

Appl No 5-SP-18

Owner – Royal Wash Victor, LLC

Acres – 1.10

Zoned – Planned Development District

SBL# 6.00-2-76.100

Applicant is presenting their proposed signage and as a condition of approval, the Planning Board had requested their return for review and approval. The property is owned by Royal Wash Victor, LLC consisting of 1.10 acres and is zoned as a Planned Development District. This is the first time the applicant has been before the Planning Board with the sign package.

David Cox from Passero Assoc and Anthony Danielle from Royal Car Wash addressed the Board.

Mr. Cox – We have our signage package which includes a lollypop pole mounted sign which is 20 ft tall, 36 ft square area for signage and that will be back lit. We will also have 3 building mounted signs. The one on the very end facing SR 96 is a 32 sf Royal Car Wash sign. In the middle facing Rowley Road is a 62 sf Royal Car Wash sign with the gooseneck lighting. On the other side facing the entrance is also Royal Car Wash sign with the gooseneck lighting. So those are the 3 building mounted signs. They are per code and per the Planned Development District so we're not asking for any variances, it's all within code.

Chairman Santoro asked for any questions from the public and there were none.

Mr. Seiter had no questions or comments.

Mr. Logan – I'm not a fan of lollypop signs and I don't know if it meets the architectural standards and actually discourage it and encourage ground mounted signs. I know there used to be one at this site, they never came before the Board for approval. Every time a lollypop sign like this or any other that's come before the Board, we've in the past, especially along that corridor have rejected it. So that's my main comments.

The signage on the building, I have no problem with. It's going to look like the signs that you see on similar bldgs. That's not my concern, it's more the lollypop, the pole mounted sign should really be a ground mounted monument sign. That's my understanding of the architectural standards.

Mr. Danielle – I think with the Town Board, a couple of the hardships that we dealt them from our side was that there is significant landscaping at that corner that's on the DOT ROW. Having the older structure left there, you can see from the picture (referring to the overhead slide) the line of sight from the corner and again, it's not that you're not going to see the building, we're not saying that but there is a lot going on on the site. There's an old house that's left there, the pole mounted sign that was there before was in this area and we're moving it closer to the corner. This lollypop is smaller than the lollypops that we have at the other sites if that helps at all, but it is a lollypop sign.

Mr. Logan – The blue doesn't bother me because as I go up and down the 96 corridor, I know that most of them are in the Village but there are lots of blue signs along here. The big issue to me is the fact that it's a pole mounted sign that we discourage. I was curious if there was a way to put a monument sign up where you can take advantage of being just over the top of the landscaping that's there. I mean there are some lights there and the corner wall on the Town's gateway.

Mr. Daniele – I think that is way down in there. Then there are four 20 – 25 ft tall trees behind that landscaping. Frankly, even the pole mounted sign when those are in full bloom is going to be obscured probably 50% from view, at certain angles you're obviously going to see it.

Mr. Logan – I'm scrambling to find the meeting that we had, you had some photo sims in the area looking from Route 96 towards the Cole & Parks building over that landscaping.

Mr. Gallina – When we first had the discussion I think I expressed similar comments to Joe’s, I’m not a big fan of the lollypop. Again, understanding that the landscaping does present some challenges there but if there was a way to solve for something that was more of a monument sign that would certainly be preferred. But to the extent that we ended up with the lollypop, I think if we could drop the *free vacuum*. To me that diminishes the quality of the look of it. I mean the Royal Car Wash sign itself with the shield in the middle is kind of aesthetically pleasing and then the *free vacuum* cheapens it.

Mr. Danielle – The free vacuum is important for bringing people in. Is there a suggestion of...I mean I don’t know how I would incorporate that on the building to any extent that is not going to look worse than what you’re saying. Putting up another sign, I don’t think anybody really wants that. We could make the free vacuum smaller I guess. At one of our sites, I think it’s on the top which looks different, I don’t know if it’s necessarily better.

Mr. Pettee – Just a thought, could you put the free vacuum sign, a smaller version next to the vacuums or above the vacuum devices themselves?

Mr. Logan – People aren’t coming in to get a free vacuum, they’re coming in to get a car wash and then get the bonus of a free vacuum.

Mr. Pettee – I do have a reference, not to distract from the current discussion. As I recall, as the Planning Board was making a recommendation to the Town Board, I believe there was a statement that the Planning Board wanted to reserve the right to review signs during the course of site plan review. However, as was adopted by the Town Board and updated code, the Royal Car Wash at Cole & Parks Planned Development District regulations, Section 211-27.11(C) which describes area and dimensional requirements such as setback, building footprint, buffer, etc *shall be as set forth that Royal Car Wash at Cole & Parks Planned Development District map plan as follows* and there is a subparagraph on signage. It mentions that the project has a Royal Car Wash brand lollypop style pole mounted sign, 20 ft in height and 36 sf in area, each face. This is in keeping with the existing pole mounted Cole & Parks sign which is 20 ft in height and 55 sf in area.

So even though the Planning Board had made that recommendation to the Town Board, they went forward and adopted this code which seems to permit the lollypop sign.

Chairman Santoro – If there wasn’t that Chili sign across the street on a pole, I’d have more of a problem with it.

Mr. Logan – I’m looking at Google Earth and you can see where the plantings and things like that, where it’s a relatively old street view but you’d still have to get up pretty high to see it. So I’m sympathetic to your plight and I’m sure that’s why the Town Board left it in.

Chairman Santoro – Could you make the free vacuum a little smaller?

Mr. Logan – Or just put it somewhere else on the property. How about the entrance sign where it could say “Enter here and get a free vacuum” or something like that.

Mr. Danielle – If I could propose, the way the letters are spaced out on that yellow thing underneath, with all frankness, it's only 5" tall so to make it smaller, I think it would become illegible from the road which doesn't help anybody. But maybe "squishing" it in where now it kind of extends beyond the width of the sign on both sides, maybe making that tighter, still have the same words and letters the same height but squeezing it so it doesn't protrude beyond the width of the sign. To the eye it would look smaller and it would also not stand out so much as an appendage to the circle.

Mr. Pettee – How many square feet is the circle alone?

Mr. Cox – It's a little less than 6 ft., its 5'6".

Mr. Logan – It's 23.75 sf approximately for the circle.

MR. Pettee – So the code is indicating that you're allowed 36 sf.

Mr. Danielle – By adding it as part of the circle, it would look more round from a visual standpoint, it wouldn't be sticking out on the sides.

Mr. Logan – At this point, the colors don't phase me.

Mr. Danielle – I did read the comment (referring to the Town Historian's comments) and I think when my brother was here a few months ago and this happens on other towns, it's the Royal Car Wash but the blue is actually a navy blue. I think the concern that Babette had is the royal blue is not a dark blue, it's a light blue and our sign, in fact, is a darker blue. If that would satisfy the Board, we could make that modification to reduce the size of the free vacuum portion.

Mr. Logan – Honestly, I don't think that does anything one way or the other. It would be nice to move it and put it somewhere else on the property and keep the sign simpler.

Mr. Danielle – Also from a legal standpoint, if I start throwing up signs that say free vacuum, I may be having a different issue because I'm not sure that I can just put up signs everywhere.

Mr. Logan – I'm just suggesting maybe at the entrance.

Mr. Danielle – And we're also using it as a tool to lure people onto the site and advertise the fact that the car wash does provide free vacuums.

Mr. Logan – Is that only if you get a car wash?

Mr. Danielle – It should be but we don't police it. If people are abusing it, we'll ask them not to and there are signs there that say the vacuums are for Royal Wash customers. But there's nobody out there that will kick you out if you just pulled up and vacuumed.

Mr. Pettee – Giving Joe's comment, do other Board members feel the same way? Do you want to see him squish those letters together? Or do you want to leave it the way it is?

Chairman Santoro – I think squishing them together would make for a smaller looking sign even though it has the same language on it.

Mr. Danielle – I agree.

Mr. Logan – I would certainly encourage reducing the footprint so if you can do that and you're amendable to it. I don't know how much you think you can squish it. As long as it's not any wider than the lollypop.

Mr. Danielle - Correct, without looking at it graphically, but I could go at least that small.

Discussion took place as to the wording of the resolution condition.

Chairman Santoro asked for any other questions or comments and there were none. A motion to close the public hearing was made by Al Gallina, seconded by Joe Logan. The public hearing was closed.

RESOLUTION

On motion made by Joe Logan, seconded by Rich Seiter

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

1. A site plan application was received on May 3, 2018 by the Secretary of the Planning Board for a Signage Plan entitled Royal Car Wash, for the property located at 607 Rowley Road.
2. It is the intent of the applicant to install four signs at the Royal Car Wash location. One 20 ft tall lollypop style pole mounted sign and three building mounted signs.
3. The Code Enforcement Officer reviewed the application May 8, 2018 and has no further comments as the proposed signs are compliant with Code 211-27.11C(8).

NOW, THEREFORE BE IT RESOLVED that the Planning Board hereby approves the signage plan received May 3, 2018, Drawing No C101 revised April 9, 2018 and Exterior Elevations showing Signage Changes Drawing No A-200 dated April 18, 2018, Planning Board Application No. 5-SP-18, 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.

Ongoing conditions:

1. That a sign permit be obtained from the Building Dept.
2. That the 20 ft tall lollypop style sign shall be turned off at close of business.
3. That the building mounted signs shall be turned off at close of business.
4. That the parking lot signs shall be turned off one-half hour after the close of business.
5. That the security lighting is allowed between one-half hour before sunset to one-half hour after sunrise.
6. That the *free vacuum* portion of the lollypop style sign be no wider than the circular portion of the lollypop style sign.

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

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

Approved 4 Ayes, 0 Nays

QUATELA OFFICE BUILDING MODIFICATION

7255 St Route 96

Appl No 17-SP-17

Owner – Rhino96 LLC

Acres – 2.10

Zoned – Commercial/Light Industrial

SBL# - 15.00-1-12.100

Applicant is requesting a modification to the approved building elevations. The property is owned by Rhino96 LLC consisting of 2.10 acres and is zoned Commercial/Light Industrial.

Mr. Jeff Ashline from Mossien Architects addressed the Board.

Mr. Ashline – I'm here representing Dr. Quatela and Rhino96 LLC. I'm here proposing some modifications to the originally submitted exterior elevations for the project. In dealing with the owner and the recent selection of a HVAC contractor, we were essentially required to increase the building height slightly to accommodate the HVAC equipment in between the floor and ceiling assembly. So what we did is we raised the building slightly to allow us to have some ceiling space in order to accommodate the proposed HVAC equipment which was different than what we had originally kind of led down that path. We are still within the allowable

requirements. We didn't really change the overall aesthetic look. You've done most of the work to show what the proposed changes were.

We can start with the north elevation which is the Route 96 façade and just to preface, in all cases, the building height would have grown 2 ft per floor so for a total of almost 4 ft overall. There wasn't a lot of change here other than the advancement of and in coordination with the owner, advancement of the design we like to think. So we went from a taller version to a more circular (referring to the window design in the entryway), better representation of what the owner wanted at the end of the day. There is a strip along the front (half way up) which was a trellis or an arbor however you wanted to look at it. The owner came to us and stated that it would be hard to maintain that. You'll get spider webs and debris and so forth that seems to inhabit that space. So what we went to, in this case, was a slightly pitched standing seam roof. It's very, very subtle but it allows us to create an accent on the building. So we entertained that and thought it would be a good use of space.

We are in coordination now with the owner's interior designer from France who is detailing the spa portion of the space which would be at the northeast end of the building which is where Dr. Quatela will have his space. As they were proceeding with the interior design, they decided to eliminate the spa entry which was previously on the northeast end of the building, the short end. Now what we are proposing is to mimic the nice detail that we like on the main façade and bring it over to the end as well. We just don't need the end entry. We're not doing the interior design but we're trying to coordinate that and trying to help them with that. We have updated this end of the façade and the opposite end which is kind of facing south. The previous version had an entry but again, the only secured tenant in the building right now is Dr. Quatela himself. So we were potentially anticipating and this was earlier in our design concept that the two ends may be the same but we wanted to distinguish in coordination with Dr. Quatela and his folks a slightly different end of the building facing the south.

The last elevation facing the train tracks, once we were able to get into the refinement of where the stair locations were and stair exits, we were able to come up with a more refined pattern of the windows. Also, what we had done and as I mentioned we removed the entrance to the spa on the north end, we were able to give back a little bit better detail on the tracks facing side, a little more refined than what was originally designed.

Again, we think we're keeping within the same parameters. All of the same windows, all the same materials, same roofing. Again, the building grew a little bit in height and we were able to kind of enhance and refine the building as we got into it a little bit more with the owner and their needs.

Chairman Santoro asked for public comment and there were none.

Mr. Seiter – The building height increase, did the HVAC change from the original design?

Mr. Ashline – We never had a contractor on board. They have a contractor that does work for them at their other facility and they were hoping to go with them but they wanted to bid it out. Then at the end of the day they ended up going with them anyway so we did not know. We were originally talking about vertical furnace type units that would have duct work in this area. Then they moved to putting heat bump units in the ceiling similar to what we have in our office and what you have here, cassette type units in the ceiling that would allow for greater flexibility

because the future tenants may change. It was one of those things that we would have loved to plan for early on but the direction was different.

Mr. Logan- I'm looking at the fact that you eliminated the two end entries. That would be an egress point. Does the Fire Dept have any comments on that?

Mr. Ashline – There were comments on that which we received. We had not necessarily planned because we didn't know, again, when we designed the spaces, we ran different scenarios and I worked with Sean McAdoo (Code Enforcement Officer) with the permit that we received just after the New Year. We had planned for potential future doors. In the plan that Sean had seen we had shown some door locations in different areas and we noted on the elevations that there may be future doors if required. For instance, if I want to take this portion of the space and you want this portion, we would both need exits. The fact that there is no door here now wouldn't help either of us potential because we didn't know the delineation of the space. So we had noted on the elevation *additional first floor tenant entry doors on east and west facades to be located once tenants are secured.*

Just to say, yes we know we need to be compliant. One of the comments that we received from Mr. Benedict (Code Enforcement Officer) was *the applicant has indicated that some doors were removed from the plan which would be on the north end of the building. The applicant shall be aware egress doors may be required to be installed in these areas regardless of a tenant for that area if required by the NYS Building Code.* At least for the minimum of the Quatela space on the first floor, we have maintained our egress distances, we've maintain that there will be 2 points of egress for the occupant load and is still in compliance. Future spaces, they need a door on the back of the building facing the tracks, we know that. If that's a requirement and in reading the conditions at the end *further modifications be brought to the Planning Board for approval.* Would a door facing the tracks be a requirement to come back in? Would that be handled during the tenant fit out? Whoever the tenant is whether they hire us or they hire their own folks, they're going to need to come to the Town for a building permit to build out the space. At that point, that would need to be coordinated and confirm. We were trying to be proactive and say that there is going to be doors. If they have a tenant that takes the whole floor, go for it. I mean, you try to plan for it the best you can. We did receive a comment and I did acknowledge that.

Mr. Logan – I don't believe they would come before the Board just to modify the building once it's been approved. As long as it fits the architecture and meets code, there is no reason to see us, it just needs to go to Codes.

Ms. Templar – I wasn't sure if you wanted it to come back for another modification.

Chairman Santoro – Not for any minor modifications.

Mr. Logan – If they are building an addition or tearing down a wall and rebuilding it somehow, sure.

Mr. Ashline - And just so everyone is aware, we did not modify the footprint from the 2 versions that you see (on the overhead screen), it's more a decoration.

Mr. Logan- It's a nice looking building.

Mr. Ashline – We hope that we can start tomorrow if the contractor gets out there and moves some water around.

Mr. Logan – He's done that already, there's a big pile of gravel and they tried straw. It's a pretty wet site.

Mr. Ashline – It is and we've gone back and forth and I know that the owner loses sleep thinking basement, no basement. But at the end of the day, if you don't build a basement, you can't go back and put it in. So he's come to the resolution that we're going to give it a shot, we're going to get the water out of there and we have a good contractor that can do that.

Mr. Gallina had no questions.

RESOLUTION

On motion made by Joe Logan, seconded by Al Gallina

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

1. A Site Plan modification was received on April 30, 2018 by the Secretary of the Planning Board entitled Quatela Wellness Center.
2. Applicant received approval to construct a two story 20,000 +/- sf commercial office building on 2.11 acres to include monument signage on September 13, 2017.
3. Applicant received building elevation modifications December 12, 2017.
4. Applicant is requesting to modify the December 12, 2017 plan by increasing the roof elevation from 32'-1" to 36'-93/4". To modify the north elevation's windows and entrance doors. To modify the east and west elevation entrance door. To modify the south elevation's windows and doors.
5. That sign package design remains to be submitted and reviewed by the Planning Board.

NOW, THEREFORE BE IT RESOLVED that the Site Plan modification entitled Quatela Wellness Center Exterior Elevations, drawn by Mossien Associates Architects, received by the Planning Board on April 30, 2017, Project # 2017-04, Sheet A-201, Planning Board Application No. 17-SP-17, BE APPROVED WITH THE FOLLOWING CONDITIONS:

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

- 1. That comments from the Code Enforcement Officer dated May 7, 2018 be addressed.

Ongoing conditions:

- 1. That the site plan comply with Town of Victor Design and Construction Standards for Land Development, including Section 4.
- 2. The building design plan shall be consistent with the details as shown and described on drawing entitled Quatela Wellness Center Building dated April 30, 2018, Sheet A-201 drawn by Mossien Associates received April 30, 2018 by the Planning Board Secretary.
- 3. That all signage be code compliant and subject to the review and approval of the Planning Board.
- 4. That a building and sign permit be obtained from the Building Dept.

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

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

Approved 3 Ayes, 1 Nay

There wasn’t any further business to be discussed.

Motion was made by Al Gallina seconded by Joe Logan RESOLVED the meeting was adjourned at 8:30 PM.

Cathy Templar, Secretary