

TOWN OF GATES  
PLANNING BOARD MINUTES  
MARCH 25, 2019

The regular meeting of the Gates Planning Board was called to order at 7:28 PM by Chairman Wall.

PRESENT MEMBERS: M. Wall, Chairman; T. May, D. Chamberlain, J. Ruiz, Daniel Schum, Attorney; K. Rappazzo, Dir. Of Public Works; Lee Cordero, Councilman

ABSENT MEMBERS: J. Wilkinson, G. Lillie, J. Argenta, M. Ritchie, Costich Engineering;

The first matter on the agenda was approval of the February 25, 2019 Planning Board Minutes. Ms. May made a motion to approve the minutes as received. Mr. Chamberlain seconded the motion. All were in favor; **the motion carried.**

**763 HOWARD ROAD – MEDICAL OFFICE**  
**OWNER: Dr. Robert Fallone Jr., DDS**  
**LOCATION: 763 Howard Road**  
**ENGINEER: Evan Gefell, P.L.A.**

**PRELIMINARY/FINAL SITE PLAN APPROVAL**  
**Neighborhood Business (NB) Zone**  
**1 Lot**

Mr. Evan Gefell of Costich Engineering was present this evening with Dr. Robert Fallone regarding the redevelopment of 763 Howard Road. They are looking for site plan approval of a 0.55 acre parcel that is zoned Neighborhood Business as a 6,300 sq. ft. single story office building at 763 Howard Road. They have appeared before the Zoning Board of Appeals at their January 14<sup>th</sup> meeting to obtain 3 area variances associated with the project. They have addressed the comments from the town which are reflected on the site plan. They have also received comments from DOT and have reviewed the county comments. He reviewed the changes since last meeting.

NYSDOT wants them to relocate their driveway entrance as there is an existing drainage inlet on Howard Road and because it is a state system, they do not want them to be anywhere near it. They have decided to flip the site, mirror the site, and still achieve what they intended to do with the original layout. Corner will have architectural features, address the corner from Buffalo Road and Howard Road, they will continue with the landscaping. With the comments from the Town Board, they have shifted the parking to the south, which allows for landscape to be added in between the sidewalk and the building. Other changes – were connecting the storm system to the state system and they prohibited that for the same reason they don't want anyone touching their utilities. They don't maintain them and there is no battle with them. If they say not, then it is no.

He went on to say that they have had to come up with an alternative solution. He went on to say that right now it sheet flows to the back southwest corner where they will have a detention area. It will be burned up and they are proposing to have a weir that if it gets to a certain threshold, it will be controlled and slowly released to the south to a natural drainage area.

Mr. Wall asked if they have any topography of where it is going to spill. He asked if anything will go downstream. Mr. Wall went on to say they want to make sure there is no negative impacts to the surrounding property as well as their property. He said that one thing that will help is if there is topo south of the site on where they are proposing it to go.

Mr. Gefell stated that when they did the boundary, they had to set points with elevation. They do have a known elevation in the furthest corner that shows that it is lower. They did not go out and get the topography themselves but from other resources they can see that it is going that way. They understand the concern. They do not want to impact others. They are stuck in a hard place now with the state not letting them tie in. That would have been the

best solution. They are reducing the smaller events and hope to work with the town and capture more and reduce the reduction for the 50 and 100 year storm event. Those are the main changes.

Dr. Fallone showed the materials for the exterior of the building which he had mentioned at the last meeting. Asphalt roof will be black, bluish regular siding on the building, mostly the shaker siding and cultured stone for the lower half.

Ms. May asked if they could clarify the fencing.

Mr. Gefell stated that it will be a 6 ft. white vinyl fence. There is an existing chain link 4 ft. fence there now on the property line and arborvitaes. They are proposing to protect the arborvitaes during construction and they will add to the buffer. The way the fence is laid out now it is kind of staggered pattern. With the proposed and having staggering, it will be broken up and certain parts will be hidden across the western property line.

Ms. May went on to say that at the last meeting the board asked that a letter be sent to the tenants of the trailer park and the property manager and asked if it was done and how they felt about this project.

Mr. Gefell stated that they did not send a letter. He went on to say that with no disrespect they felt that this project has been advertised for a long time as a public hearing and zoning and legally done in the papers, that they did not have to contact the tenants and property manager.

Ms. May went on to say that a letter would be courteous to at least to the property manager. She appreciates that they advertised but sending a letter shows that they are a good neighbor. Mr. Gefell agreed with her.

Ms. May asked about the 2 separate offices. She wanted clarification of what type of offices would go in there. Dr. Fallone answered by saying one of them would be a dental office.

Ms. May asked about landscaping. She thanked them for keeping the arborvitaes and wanted them to elaborate with the flip how the landscape is projected to look.

Mr. Gefell stated that the landscape in the front is just mirrored and stayed the same. The two main anchors on both sides are going to be a service berry, which is a native species, great fall color berries and foundation plantings that vary in variety and heights.

Ms. May asked for clarification on the fill specifications for the basement. Is it going to have a basement?

Mr. Gefell added that there is an existing basement. On the outside to use the structural fill and compacted in lifts and will provide the actual speck on how that will be done so that before they put the crushed stone base down and the pavement that there will be no settling. The remainder will be underneath the building. It was assumed at one time that there was going to be a basement so now he will hatch that whole area to accommodate for that minus where the footers are going to be. That is something that he will add to the plans.

Mr. Chamberlain said that on sheet CA100 actual site plan 25 ft. buffer zone – add to map. Take a particular look at where they have the handicap ramps, where they are actually positioned on the sidewalk, they are in front of other people's parking spots and he stated to Mr. Gefell that it would be advantageous to move them up to the striped areas or to move the striped areas so they coincide with one another. Mr. Gefell stated that the way this will work, the 6 inch reveal curb and then ramps down and ramps down. Mr. Gefell brought the drawing over to Mr. Chamberlain to take a closer look at it. He stated that they added bollards in the sign. Bollards with the sign above it.

Mr. Chamberlain stated that the construction entrance is very short. They only have 25 ft. but the detail calls for 50 ft. which is a standard. Mr. Gefell said that is correct. Mr. Chamberlain went on to say that where the concrete washout area is, should be 50 ft. minimum from any drainage area. It needs to be maintained in a better area. Somewhere probably closer to the building he suggested and away from the drainage that they have proposed on the south side of the property. Mr. Gefell agreed.

Mr. Chamberlain went on to say that the detail, they are using something that they have rarely have seen. Using 18 inch diameter is fine. 10 mil. Plastic should be fine. Wording needs to be changed.

Ms. May asked if with flipping the parking if they still have cutoff light shield. Mr. Gefell said yes. They have updated the contours with the flip.

Mr. Rappazzo stated that going back to drainage, point where discharge point is. The concern is that it is not going to go that way. Really need him to do more investigation to control outflow. Mr. Gefell agreed.

Mr. Rappazzo also stated that when they get topo on the southside of the property line, make sure that they are blending grades properly.

Ms. May thanked Mr. Gefell for the attention to the esthetic beauty of the building and the fences for the neighbors.

Mr. Cordero asked to add to the letter that is given to the property manager to pass it on to the neighbors.

At this point the meeting was open to the public. There were no comments.

At this point the Planning Board was declared in Executive Session.

Mr. Wall made a motion to **TABLE**Preliminary Site Plan Approval for 763 Howard Road based on the following conditions:

1. Please provide additional information that will satisfactorily address the drainage / outfall concerns. The Board and the DPW are concerned with the stormwater that will outfall from the site, currently located in the southwesterly corner, into the adjacent properties.
2. The outfall should be controlled / channelized so that there are no impacts to the adjacent properties. Items to analyze are, but not limited to, additional freeboard to the stormwater feature, piping to the NYSDOT system, underground detention, etc.
3. Please provide topographic information to the property directly south of your project as well as the area where the stormwater will ultimately discharge. The Board and the DPW will need to validate that there are no adverse impacts to the adjacent properties post-development.

In addition, please address the additional comments:

1. Please revise the proposed fencing and fencing detail material to 6' vinyl fence. Please revise the fence installation location to the west of the existing shrubs (shrubs to remain).
2. Please provide a letter to the Property owners notifying them about the project / proposed improvements.
3. Please add the 25' buffer area to the plans.
4. Please revise the Stabilized Construction Entrance to comply with the DEC dimensional requirements.
5. Please revise the Concrete Washout Location to comply with the separation distance between the area and a stormwater management feature.
6. Please revise the Concrete Washout Detail per the direction of the Town DPW.

Ms. May **SECONDED** the motion, all were in favor, the **motion carried**.

The meeting was **ADJOURNED** at 7:59 PM.

Respectfully submitted,

Linda M. Saraceni  
Recording Secretary