

The Town of Gates **Planning Board** held a **Special** Public Hearing on Thursday, October 15, 2020 at the Gates Town Hall Meeting Room, 1605 Buffalo Rd., beginning at 7:00PM

MEMBERS PRESENT:

Mike Wall	Chairman
Joseph Argenta, Dan Schum	
K. Rappazzo Lee	Town Attorney
Cordero Mike	Director of Public Works
Ritchie Davis	Councilman, Town Board
Ferris	Costich Engineering, P.E. Alternate

VIA ZOOM: Theresa May

MEMBERS ABSENT:

Juan Ruiz, and Andrew Gartley (recused)

Chairman Mike Wall called the meeting to order at 7:07PM and noted that this Special meeting which was advertised per the Town requirements.

**ACQUEST DEVELOPMANT COMPANY, LLC
PRELIMINARY / FINAL AND RE-SUB MAP REVIEW
LOCATION: 2600 MANITOU RD
GI (General Industrial Zoning District)**

Attorney Dan Schum noted that Pursuant to the Governor's Executive Orders, we have one member [Theresa May] of the Board who is participating via Zoom and will be visually attending with the ability to comment and or question though-out this meeting which will be recorded and with that said we have a Quorum.

Michael Huntress, with Acquest Development, Thanked the Board and all present for rescheduling last week's meeting to tonight and apologized for that, but needed to complete drawings and update the application process, in hopes of a negative declaration, sub-division approval, and preliminary site approval for a 280,000 S.F. warehouse with 17,000S.F. office space, 76 loading docks, on just over 30 acres at 2600 Manitou Rd.

Mr. Huntress, complimented not only the Board, but the Town Staff. Through-out the years have dealt with many municipalities, but dealing with this Town has been amazing and the cooperative design process of getting this application submitted worked out very well. Having the Civil Engineer work hand in hand with the Town to incorporate comments as the process went along is very appreciated.

Mr. Huntress introduced Tim Webber with Acquest Development and Randy Bebout, with TY Lin International to help answer any questions.

Chairman Michael Wall asked Mr. Bebout to go over briefly the revisions since the last meeting

Mr. Randy Bebout, quite a bit has happened in the past week or two. Site plan has not changed, number of parking spaces has not changed, very minor changes to the plan, anything to advance this design. The most significant change has been with the storm water design. Taking a little different direction than prior plan, due to this project evolving a bit, but still meeting ALL the requirements. Initially had a long skinny tension basin along the proposed south property line, but been able to shrink down along west of property line encroaching to lot 2.

The Storm water design has changed, which is still a work-in-progress...massaging and working through details. In a good place right now, and can answer any questions from board if need be.

The sub-division plan [draft plan] submitted with application on Wednesday and is waiting for Town staff comments.

Utilities need some refinements, but no major changes. Watermain loop around the building, 1 communication port at Les Harrison Dr. instead of the initial 2. Sanitary sewer has not changed, to go out to sanitary sewer west to Manitou Rd., need to submit to Monroe County, hopefully next week. Has had a conversation with DOT, needs to be boarded with no open cut.

Landscaping and Lighting...NO changes

Have had preliminary talks with Water Authority and are on board, just need to get finalized details

Building;

NOTE:

Building is now mirrored top to bottom

Moved five [5] feet South, due to grating difference on the North side

Water flows off Les Harrison Dr. will add Catch Basins along Les Harrison Drive to collect and conveying to the West

Not wanting to tear more pavement than needed, will stick catch basins in and manholes behind them

Mr. Bebout added there was some discussion with Town staff about concerns the Fire Marshall had that was relayed to him concerning; **[Using Visual Displays]**

- Excess to rear portion of the building which is secured. Ideally if grading elevations was not an issue, an excess would be considered in the Northeast corner. A possible excess point could be added at the truck turn-around point, which is behind the gates. It would be close to the front gates, but would be separate from the trucks entrance with a lock [for security reasons] of some sort [with accessibility]
- Lack of connectivity from rear trucking area to employee parking area, with concern if Fire truck comes in through employee parking area, it would need to go back out onto Manitou Rd. There is not a resolution to that, because of grade differences between the two areas
- Fire Department connection, on where it needs to be.... Sprinkler Room right now is located northwest corner of the building on the front face of the warehouse, but open to moving to the comfort of the fire marshal

Theresa May, asked to go over the plan for landscaping and green space area

Mr. Bebout, using the Visual Display, showed that most of the green areas are storm water mitigation areas, which potentially will have some findings, but haven't gotten that far as of yet. This project takes out a certain amount of trees for the construction, but the proposal to replaced where ever is not a stormwater area. Also, adding trees in the front and side areas, at the intersection of Manitou and Les Harrison as well as the entrance

at Les Harrison. Trees along the east and west Islands in parking area. Trees and planting along the front of the building. As far as the islands, it'll be left to the tenant to decide. Not proposing to add trees along east side

Mr. Argenta asked if in speaking with the sprinkler consultant, were there any of concerns that would impact the layout of the building or with the size of the sprinkler room or the pumps

Mr. Bebout, preliminary is, there is adequate pressure, no needs for tanks, but will need pump. There is a hydrant layout, but NO, nothing to change site layout.

Chairman Wall, on demolition plan, shows two gravel drive access, one on west and other on north sides, but locations are different on erosion control plan

Mr. Bebout, will need to confirm, but the intention is to use the existing drive on Les Harrison drive then move down

Chairman Wall added the Town would probably prefer the construction drive coming out of Les Harrison Dr., it's not on the travel of Manitou Rd, but off the beaten path. Also asked about the Geo Tech report mentioned the last time, any surprises found?

Mr. Bebout, no rock is in the vicinity as anticipated, with some areas at 5 ½ feet, but most at 7 feet, but will not impact. Getting the GEO Tech report was a main driver for revising the storm water retention in the northwest corner

Chairman Wall asked how high will retention wall be

Mr. Bebout, at the highest point, probably 6-7-foot range, at the northeast corner and dwindle down at the west. It does not show clearly in the plans, just indicated

Chairman Wall asked about the conversation with DOT and its effects

Tim Webber with Acquet Developments, spoke with Monroe County DOT and NY State DOT two months ago and are well aware of this project. Traffic and back study and they are actually happy with the staggering the driveway from Manitou.

Some comments from DOT was to channelize the out-bound truck lane [which is currently be looked at and worked on]. Will confirm within the next day

Chairman Wall asked if any Board members had questions....None...then side table....

Kurt Rappazzo...None at this time

Attorney Schum, not an engineer, and does not comment on site plans, only SEQR when at that point.

Mike Ritchie, did review comments made prior meeting and were responded to correctly, and did receive revised plans and will dive into those shortly and provide comments when/if necessary

Lee Cordero, None at this time

Chairman Wall opened to Public....No one addressed.

Executive Session

Attorney Schum, the Board has reviewed Part One [1] that was prepared by the applicant and is a very thorough Part One, which this is a Type One action that involves a building in excess of 100-thousand square feet or 10-acres of development or more, so the Board is required to complete the SEQR review under the long form and determine whether or not the action as proposed should proceed to a full environmental impact study or alternatively whether or not the Board can find that the applicant has any mitigating matters with small or larger impact on the environment.

Based on the comments from the Board members, Mr. Schum completed Part One [1] for the Board's consideration. Normally it's reviewed question by question, but would like to go to the conclusion first and then return to significant areas of Part Two [2] of the application.

The proposed development of 278,500 Square feet of warehouse and office building on 34 acres of Industrial Zoned land is consistent with the town's existing land use plans and usage of adjacent parcels. While there will be a small impact on existing lands during constructions due to ground disturbances, filtration and run off, the applicant will mitigate these impacts through continuous stormwater management practices during and after construction.

There are no identified impacts on surface water, nor ground water. Proposed project has no impact on flooding or air quality, nor does it affect agriculture resources to any extent.

No identified esthetic, or historical impact, no archeological resources are near the site or have been identified as being adversely impacted.

No existing open space or recreation areas are impacted by the development of the site, no critical environmental areas located within or adjacent to the site.

Major impacts to the proposed site, ARE on the existing transportation system and potential increased energy use and the impact on noise and lighting during construction.

The project site is an existing industrial park and was and is developed lands with a near access to major state and county arterial roadways, capable of handling the anticipated increase of traffic to be generated by the proposed use.

Interior access roadways are proposed to be rearranged and redeveloped as to regulate and control the egress and ingress to and from the site.

Post the constructional noise will be maintained at a minimal level and site lighting will be by the dark sky security type, the proposed use will generate an increased energy demand, but not inconsistent with local utility providers present capabilities.

In conclusion, the proposed development and redevelopment of this site is consistent with existing Zoning Codes and Land Use Policies of the Town of Gates, and will cause only minimal environmental impact during the construction phase which have been identified and adequately addressed by the applicant.

The project will have no significant impacts on the environment and therefore for this determination shall be considered a negative declaration of environmental significance with respect to proposed action and may proceed without further regards to the provisions of SEQR.

That is the conclusion the Board reached after reviewing the impacts under part two [2]

In summary there were some impacts noted on land that were small to no impact and those had to do with disturbance of the soil during construction phase

There were no geological impact features, no significant impact by the proposed use.

Impact on surface water are minimal, stormwater control management practices that are proposed and will be reviewed and approved by Town Engineer will adequately protect the ground water and surface water.

No proposed run-off on this property that would cause excessive flooding on this or adjacent property and accordingly no significant impact of flooding are identified.

The impacts of air are minimal, which are due to construction disturbance during the construction phase. The applicant will try to minimize as much as possible.

There are no significant impacts on plants or animals in the existing area as identified in Part One [1], which is consistent with the development of the site as it has already been developed.

No agricultural resources, not taking land out of agricultural production to create this site, because it has already been developed for similar use.

Esthetic resources, this land has already been developed in a huge industrial complex since the 1960's and accordingly impacted if any on development proposed is minimal, the building itself, the elevations are not going to visually impact any adjoining areas to any significant effect.

There are no historical or archaeological resources being disturbed as result of the proposed use.

No open space or recreation areas within the site area that will be removed. No critical or environmental areas. There are adjacent wet lands and areas that will be minimally impacted, but minimized by the stormwater management that will be conducted by the developer during and after construction.

The major impact, which was identified by the Board is on transportation, which this project does propose significant increase in truck traffic in the area, but this site was designed many years ago with direct access to the arterial roads, which in the developer's proposal to improve and redesign the interior roads to address any concerns of the Board.

It's unknown if under Part One [1] on the developer total impacts under use, although the utility company assured the developer there's adequate energy facility to service the proposed use.

There will be minimal noise, odor and light impact during construction and post construction some ambient noise with traffic generated by the trucks, but not greater than the property line that is normal

There is no impact on human health identified in Part One [1] and accordingly no impact has been determined by this Board

This project is consistent with the Adopted Land use plans of the Town of Gates and is also consistent with the character of the surrounding community. Both positive impacts in terms of the Towns involvement in this project. Based on those decisions made by this Board and reduced to writing by himself [Attorney Schum] the summary that was read in the beginning is consistent and the project will result in no significant adverse impact on the environment and an environmental impact statement is not needed nor prepared.

Accordingly, this negative declaration is issued and would encourage the Board to adopt this as the findings of the Board in respect to the environmental significance.

Chairman Wall asked if there were any final thoughts...None

Attorney Schum added All involved agencies have been notified of this application as required by SEQR, it is a coordinated review and we have given due notice to all involved agencies and considered any of their responses prior to the Boards action for environment significance

Chairman Wall, so be it, agencies did have the opportunity to respond, we do declare the Town of Gates the Lead Agency. As spoken, the project has been found Type One [1] Action and based on information and materials presented to this board and under review of the board and Town Attorney, the applicant had mitigated the impact to all pertinent environmental concerns and this development is consistent with the Adopt Land Use and surrounding areas. The executive summary Attorney Schum provided goes into greater detail of why we are declaring this a negative declaration. There is no significant negative adverse impact to the environment.

Therefor no further SEQR action is required.

Davis Ferris, seconded the motion, all in favor

MOTION CARRIED

Chairman Wall, motioned to grant Sub-division plan approval for 2600 Manitou Rd, based on map labeled SUB-1, October 13, 2020, with no further conditions as a board can see on map

Joseph Argenta, second the motion, all in favor

MOTION CARRIED

Chairman Wall motioned to **APPROVE PRELIMINARY Site Plan** for 2600 Manitou Rd with the following conditions:

- 1 The Town Engineers' review of the application provided before us
- 2 Applicant is to provide final drainage calculations to the Town Engineer for review and approval.
- 3 All conditions set forth by the Monroe County Dept. of Planning and Development are to be incorporated into the Final Site Plan
- 4 All signage shall conform to the Town of Gates standards.
- 5 The Gates Fire Marshal shall review and approve the plan prior to final site plan review.

Joseph Argenta Seconded the motion, all in favor

MOTION CARRIED

Chairman Mike Wall made a motion to adjourn the meeting,
The meeting was ADJOURNED at 7:45PM

Respectfully submitted,

Lily Alberto
Recording Secretary