

The Town of Gates **Planning Board** held one (3) **TABLED** Preliminary and one (1) Preliminary Site Plan Review Public Hearing on Monday, December 20, 2021 at the Gates Town Hall Meeting Room, 1605 Buffalo Rd., beginning at 7:30PM

MEMBERS PRESENT:

Mike Wall	Chairman
Theresa May	
Juan Ruiz	
Joseph Argenta	
Andrew Gartley	
Lee Cordero	Councilman, Town Board
Kurt. Rappazzo	Director of Public Works
Mike Ritchie	Costich Engineering, P.E
Rob MacClaren	Alternate Town Attorney.

MEMBERS NOT-PRESENT:

Dan Schum	Town Attorney
Ken Martin	Alternate

Chairman Mike Wall called the meeting to order at 7:30 PM and began with the Pledge of Allegiance and a Moment of Silent Prayer.

Chairman Wall, motioned to approve the November 22, 2021 Planning Board Minutes as sent to the Board.

Mrs. May second All in Favor...Aye Opposed....None

MOTION CARRIED

OLD BUSINESS

**PRELIMINARY/FINAL SITE PLAN REVIEW
GATES TOWNHOUSES
OWNER: Atlantic Funding & Real Estate, LLC
ENGINEER: Bergmann Associates
LOCATION: Canal Landing Boulevard
REFERENCES: None
PUD (Planned Unit Development) Zone**

Chairman Wall, doing some recording keeping. The first **tabled** item, Gates Townhouses (Canal Ponds Business Park) are here prepared to present, but **tabled** items #2 Doud Apartment Homes (898 Buffalo Rd) and #3. Rochester Christian Church Ministries on the agenda will continue to be **TABLED** per request of the applicants. No action will be taken while they are finishing their plans.

Chairman Wall motioned to UNTABLE Atlantic Funding & Real Estate, LLC, Canal Ponds Business Park

Mrs. May second All in Favor...Aye Opposed....None

MOTION CARRIED

Brian Bury, Bergman Associates, from the last meeting plans have been revised slightly and have added a secondary access point outlet, as well as modifying the intersection (**used rendering to show**)

Plans were also updated showing details to landscaping along the perimeter, bio-retention areas, and individual buildings itself. They will extend Canal Landing Blvd to a point (**used rendering to show**) with full access to Bellwood and to a secondary access point (which was requested by the Town of Greece)

Also, have building elevations, with handouts, as well as samples to show. Buildings will be two (2) different colors alternating buildings a grayish (**used rendering to show**) the brown will be a shingle siding-type material, awnings, windows and entry points will be a bronze metal.

Three-story with garages

Mr. Argenta asked if garage doors will have windows?

Mr. Bury responded, yes. Also, they received comments from Mr. Ritchie and nothing “stood-out” to them and can address all of them and will work with Mr. Ritchie and Mr. Rappazzo to get them done. One of the comments brought up were the driveways. On the site-plan buildings #3, 4 and 5, driveway dimension from the building to the end double lined in reality it (22) twenty-two feet.

Mr. Gartley asked for the samples to be passed around

Mr. Argenta asked if the awnings will be canvass or metal? Also, the entry doors, bronze?

Mr. Bury replied, the awnings will be metal

Mr. Spaziano, the doors will be a modern look (**used rendering to show**) the window trim is all bronze

Mr. Argenta asked about the parking, with the existing apartments across the street, using this parking, but different property, is it the same owner of both parcels? Where is the property line?

Mr. Spaziano built those apartments and then sold them

Mr. Bury, (**used rendering to show**) showing that there are a few spaces which are impacted by the other property, the easement

Mrs. May, at the last meeting, she asked about tenants being allowed to have animals and is now following up on if so and will there be pet stations, she didn't see on the plans

Mr. Spaziano, yes, pets will be allowed under (25) twenty-five pounds and pet stations will be in the common areas, they're not shown in the plans though

Mrs. May also asked if there will be a playground or benches for tenants to sit or a picnic table?

Mr. Spaziano relied there will be picnic tables in the center common area.

Mrs. May asked for clarification on the landscaping vision

Mr. Bury they are primarily focused on the entry points (**used rendering to show**) mainly to help warm up and enhance the entrances. Adding trees to enhance the entry and adding some shade in the summer

Mrs. May, also asked if there would be a grill on the property for the tenants to use?

Mr. Spaziano there will be three grills in the common. Also, he owns the property to the North and there will be a berm (**used rendering to show**) all along the line on the Greece side of approximately (12) twelve feet

Mr. Gartley looking at the elevations, asked if the brown/black things are sunscreen over the windows

Mr. Spaziano they're boxed out, like seen on some Urban style buildings, they hang with (2) two bars, two/three feet, they vary. **(used rendering to show)**

Mr. Gartley also asked about the garage doors being glass?

Mr. Spaziano, no they are trimmed with a silver panel in them to match the detail in the building

Mr. Gartley. **(used rendering to show)** the front elevations doesn't show stairs. He also recommends adding a (2) two-inch sill or even a thin brick, especially at the garage doors, in case people hit it

Mr. Spaziano the stairs have been removed and replaced with a ramp. Also, he was going to go with the high impact material up to the height of the garage

Mr. Argenta asked what the depth of the floor plan is of the building itself, front to back?

Mr. Spaziano believes it's (34) thirty-four feet

Mr. Argenta asked if the entry door is the same elevation as the garage door

Mr. Spaziano, yes, it'll be enough room for a little office

Mrs. May asked about the safety and how does a tenant enter, with a passcode and also asked about the lighting in the garage and if there will be electric car charging stations?

Mr. Spaziano, there will be a passcode for entry and can add electric car stations later, but does own the property next door and between BJ's and the warehouse and is looking at adding a Tesla charging station there. The garage will have instant LED lighting as you drive in automatically, they're sensor lights. He also added that all the refuse is inside with totes, that will get picked-up weekly. No outside garbage

Mr. Gartley asked what the distance is between building #7 to #6 and #6 to #5, because it was said there is a (16) sixteen-inch reveal

Mr. Bury everything is minimum of 30 feet

Mr. Argenta asked if the units will be sprinklered

Mr. Spaziano, no there will be firewalls between each one that goes all the way up and no one above. It meets all the ADA

Mr. Gartley, what happens to the storm water from the roof

Mr. Spaziano, from the roof, internal and goes to the storm system

Chairman Wall, there is an auxiliary parking across buildings 3 & 4, possibly add a sidewalk between them, it could be inconvenient for people walking also the flip side between building 5 & 6 could possibly use sidewalk as well. Also, in the auxiliary parking to the East, possible add a few more spaces. Also look into adding sidewalk between building 6 & 5 for convenience for people walking to the front doors of the proposed buildings. He continued.....knowing Mr. Spaziano no longer owns the property across the street and looks like losing (8) eight spaces from the property line into the property and feels the Town would need a letter of some sort from the adjacent property owner stating they are OK with the loss of those spaces even if they were not to be there to begin with.

Mr. Spaziano doesn't think it'll be an issue to get a letter because the other owner has done work as well and Mr. Spaziano owns the road and the Blvd. they have utilized.

Chairman Wall knows the Town Fire Marshal has looked at the previous plans, but not sure if about the revised plans and needs him to sign off on as well

Mrs. May, due to the location maybe consider adding a bike rack in the common area, especially being by the canal.

Side Table

Rob-none Kurt-nothing for now

Mike Ritchie-did issue comment letter, most are technical in nature, and doesn't feel there will be issues addressing them. Would like to deeper look into the SWIP. Also, possibly incorporate into the final plan, where Canal Landing Blvd. transitions from (4) four lanes down to (2) two, maybe do better transition instead of just a blunt change for a smoother transition.

Councilman Loughlin-nothing for now

Public—None

Executive Session 7:57PM—7:59PM

Mr. Argenta asked about the Town of Greece being OK with everything because at some point there was objections

Mr. Bury, they have meet with the Town of Greece to discuss how to get traffic from one end to the other. Greece was OK with two things... #1. Extending Canal Landing Blvd., full pavement section, pass the project entry which would allow all traffic to come through and open exist point (**used rendering to show**) and also provided a better path. At some point Greece thinks this will get extended out to Lexington Ave. and that will be on them to take charge of. Mr. Rappazzo asked if they have shared these revised plans with them? Mr. Bury replied they saw the sketch originally. Mr. Rappazzo, at the discussion they all had months ago. Mr. Bury they have the lasts updated plan

Mr. Spaziano, the section was basically reserved (**used rendering to show**) to get to that and moved everything up from the original plans. Also, those building have underground parking for (200) two-hundred cars. Right now, they are using (75) seventy-five of them because they are charging them. When he owned them, there was No charge, so the building is not being used as it was before. In the winter people will pay and it fills back up, but in the summer time people park all over the place. There is a lot of parking there, but no longer included with the apartment, it's an extra cost.

Mr. Rappazzo, not knowing the direction the board is going to take on this matter, but if considering Final approval get some sort of acceptance from the Town of Greece.

Chairman Wall motioned to declare the Town of Gates the Lead Agency, this project an Unlisted Action based on the testimony of the applicant and submitted documentation, find no negative impact to the environment, and no further SEQR action is required.

Mr. Argenta second All in Favor...Aye Opposed.... None

MOTION CARRIED

Chairman Wall motioned to **Grant Preliminary / Final Site Plan Approval** for Atlantic Funding & Real Estate, LLC, Canal Ponds Business Park, Rochester, NY, in a (PUD) Planned Unit Development District with the following conditions:

- 1 Final drainage calculations be provided to the Town Engineer for review and approval

- 2 All conditions set forth by the Monroe County Dept. of Planning and Development are to be incorporated into the Final Plans.
- 3 A note to be added to the Final Site Plans:
 - a. Any Signage will conform to Town of Gates standard
 - b. The applicant is to pay particular attention to the maintenance and cleanliness of the bordering roads to the property during the construction phase to the satisfaction of the Town's Dept. of Public Works
- 4 The Gates Fire Marshal shall review and approve the plan prior to the signature of the Planning Board Chairman.
- 5 All necessary Easement agreements are to be reviewed and approved by the Town Attorney
- 6 All stamps of approval from all regulatory agencies, including the Fire Marshal, are to be affixed to the Final Site Plan prior to the signature of the Planning Board Chairman.
- 7 A letter of credit is submitted to the Director of Public Works in the amount sufficient to cover drainage, landscaping, and As Built survey
- 8 The building is to be constructed according to the renderings and building samples provided to the Board tonight. Beach houses shaped shingles, in textured fine sand, polished nickel, and lush pearl texture Agra line. Any deviations from the colors may require Planning Board review and approval.
- 9 The applicant provides to the Town Engineer the final SWPPP for review and approval.
- 10 The active recreation areas show picnic tables and grills on the site plan, also dog stations, if pets are allowed to the complex.
- 11 The applicant finalizes the agreement with the Town of Greece before the Planning Board signs off on the application. (Proof of discussion may be a quick email from the Town of Greece that they accept the plan as presented)
- 12 The landscape plan has a (2) two-year guarantee on the plantings
- 13 A letter of acknowledgment from the adjacent property owner in the context of the parking spaces that will be removed due to the project presented before the board

Theresa May, seconded.

All in Favor...Aye

Opposed...None

Chairman Wall Amended motion to include

- 14 The applicant to address any and all final comments from the Town Engineer and /or the Dept. of Public Works

Joe Argenta, seconded. All in Favor...Aye

Opposed...None

MOTION CARRIED

NEW BUSINESS

PRELIMINARY/FINAL SITE PLAN REVIEW
GATES TOWNHOUSES
OWNER: Ryan Goodwin
ENGINEER: Landtech
LOCATION: 20 Industrial Cir
REFERENCES: None
GI (General Industrial) Zone

Chairman Mike Wall, asked if the applicant was present to speak on the project.

John Sciarabba, Landtech, owners have been looking for a property to properly house their well-established roofing and interior metal business. They are currently in Chili and have purchased property in Riga and have

been looking around for over a year. Mr. Goodwin found this site about (6) six-months ago and thought this was the perfect site with existing foundation. In an area they want to be in, Gates. A well-established industrial park. Looks like it's all ready to go with a (14,000) fourteen-thousand square foot block already there, areas of parking. Back in the 1900's it was approved for building and then something happened. Over time, not knowing what transpired. The lot is about 1.2 acres, (145) one-hundred and forty-five feet wide and about (350) three-hundred and fifty feet deep. Has existing foundation and sanitary sewer. The site is cleaned up, existing gravel ready to go for building and construction.

The challenge in speaking with Mr. Rappazzo is the foundation and what's going on with it over time. They hired TSC engineer who did an evaluation which he dropped off. In 2008, FEMMA studied Monroe County and now there is a new flood plain elevation and flood plain in this area. This elevation of flood area in this area is 561. Which basically is saying anything in the Industrial Park area can flood. Looking at this site particularly, the top block of foundation is 560.8 which doesn't seem bad until you look at the code, which now makes it required to bring up foundation as proposed to 563.2 and that's the challenge of the property. The foundation is suspect, but now these grades. He tried deterring Mr. Goodwin, but he really wants to be in Gates, it's a great property and is looking at raising it up. Proposing to add a sidewalk in front of the building and a ramp to (1) one-man door as employee entrance as well as a ramp to the loading dock. In the rear of the build a proposed overhang for stock to be stored outside and wants it to be under cover. Another issue is parking. It fluctuates with construction season. There would only be about (4/5) four to five employees in the building on a daily basis, but for the size of the building and doing the math and with the code it would require (32) thirty-two spots. They show (22) twenty-two in attempt to adhere code. There is (1) one handicapped spot in front near the ramp as well as parallel spots, in the back

There is a minimal level of disturbance, it's really only (15,000) fifteen thousand feet. Most of it is associated with. The applicants are aware of the obstacles and are confident they can make it work and are hoping to work out something with the Town Staff and Engineering. The Engineer comments did mention the wetlands offsite and need to study that. As far as the building, Mr. Goodwin is a craftsman in his trade and wants to build a (28) twenty-eight-foot building. Metal panel building, flat black with copper trim, which is his thing. They have not pursued showing architectural plans yet because of these issues that are still out here. He has spent a lot of money already. Mr. Goodwin knows what he wants

Mrs. May for clarification, who would be using the parking? Employees, vendors, big trucks?????

Mr. Sciarabba, big trucks, dropping off product. Right now, there are (5) five employees and he's looking to go (10) ten. There will be a yard guy, getting trucks ready and loaded. Most of their employees are working on construction projects. Some office staff. No show room, no clients coming to this location, no retail operation. Purely industrial in nature.

Mrs. May, when they finalize their plan could they add landscaping to beautify, a tree, flowers anything

Mr. Sciarabba, this area is challenged because of trucks and being in the industrial park, but will try

Mr. Gartley what was the result of the structural evident

Mr. Sciarabba dropped off report and offer some challenges with it, but didn't look in dept

Ryan Goodwin wants to utilize for the base of their floor and do actual footers of steel. They will actually take out the corners and put in columns and concrete and steel building

Mr. Gartley, there is (20) twenty parking spots (**used rendering to show**)? Is confused on where the spots are

Mr. Sciarabba proposing (22) twenty-two on the plan, they are along property line and in the back

Mr. Gartley there will be a loading dock (4) four feet higher than grade?

Mr. Sciarabba there will be a retaining wall

Mr. Argenta, following up on parking, it was said to be required to have (32) thirty-two spot by zoning?

Mr. Sciarabba, because the of the square feet

Mr. Argent asked if a variance is required?

Chairman Wall aske Attorney MacClaren

Attorney MacClaren honestly there's not a building there and not intending to use what's there for the building, but believes a Variance would be required

Mr. Sciarabba, could the Town look into the history to see if a Variance was already established there

Mr. Argenta asked what the business would be. Sheet metal fabrication???

Mr. Goodwin, yes sheet metal. Commercial roofing and sheet metal, siding, flat roofing

Mrs. May asked if there would be any hazmat

Mr. Goodwin, No hazmat

Mr. Gartley (**used rendering to show**) what are (3) three pile-on, steel things in the back?

Mr. Sciarabba those are in the center of the foundation as supports for whatever was proposed to go in there. They are (8) eight-feet tall, steel high beams

Chairman Wall asked if they are filled with concrete?

Mr. Goodwin replied, yes

Mr. Gartley, we would need to see some elevations, materials. Would it be a flat roof? Would look for drainage if so. Exterior lighting, would it be LED down lighting?

Mr. Goodwin, yes flat roof

Mr. Sciarabba, try to keep light to a minimal

Chairman Wall, West to the proposed building there are lines with arrows, is that to indicate the drainage?

Mr. Sciarabba, currently is draining down, south to North

Mr. Argent would need to check for turning radius for vehicles coming into loading dock, getting in and out

Mr. Sciarabba this building is consistent with what happens in an industrial park, loading docks are right in front.

Mr. Gartley, this is preliminary, but the back door, would it swing out, maybe have a landing there

Mr. Sciarabba, yes will look into with the architect

Chairman Wall thinks this is a good use for the site with just a couple details that need to be worked out

Side Table

Mr. MacClaren-none

Mr. Rappazzo-is excited, it's nice to see a relic like this get new life. Absolutely have to do due diligence with the wetland stuff, but not adding any pavement, what is pervious is staying pervious and doesn't think there are concerns he has with that work and is satisfied with the flood plain storage as well as long as stormwater volumes match up, whether it's coming from the sky or coming out of the creek it's volume.

Mr. Ritchie-echoing what Kurt said and with that location there is only so much you can do, with the flood plains but will work with them along with Mr. Rappazzo and come up with the best solution available. Ned to be sure it doesn't cause any issues and is done in a stabilized way.

Councilman Loughlin-appreciates utilizing this space and bringing their business to The Town of Gates and all the comments and wants to reiterate what everyone has said to please be cognizant of the flooding and the other properties

Public—None

Executive Session 8:28PM—8:30PM

Chairman Wall motioned to **TABLE** this application for 20 Industrial Park Circle. The board is not apposed to the plan, but needs additional details before making a decision on the application.

1. Confirm if variances will be required for the on-site parking
2. Building Elevations and Building Samples need to be presented
3. The Gates Fire Marshal shall review the plans prior the next meeting
4. The applicant addressing the Dept. of Public Works and the Town's Engineers comments, mainly with the drainage and flood plain issues

Mrs. May second

All in Favor...Aye Opposed.... None

Chairman Wall motioned to adjourn the meeting

Mrs. May, second

All in Favor...Aye Opposed....None

The meeting was ADJOURNED at 8:32PM

Respectfully submitted,

Lily Alberto

Recording Secretary