

The Town of Gates **Planning Board** held two (2) Tabled Preliminary/Final Site Plan Review Public Hearing and one (1) Concept Site Plan Review and one (1) Preliminary/Final Site Plan Approval on Monday, March 28, 2022 at the Gates Town Hall Meeting Room, 1605 Buffalo Rd., beginning at 7:30PM

MEMBERS PRESENT:

Mike Wall	Chairman
Joseph Argenta	
Theresa May	
Juan Ruiz	
Dan Schum	Town Attorney
Kurt. Rappazzo	Director of Public Works
Mike Ritchie	Costich Engineering, P.E
Cosmo Giunta	Town Supervisor

MEMBERS NOT-PRESENT:

Andrew Gartley	
Ken Martin	Alternate

Chairman Mike Wall called the meeting to order at 7:33 PM and began with the Pledge of Allegiance and a Moment of Silent Prayer.

Chairman Mike Wall asked for a motion to approve the February 28, 2021 Planning Board Minutes as sent to the Board.

Theresa May motioned Juan Ruiz second All in Favor...Aye Opposed....None

MOTION CARRIED

OLD BUSINESS

Chairman Mike Wall reviewed the agenda with the two (2) items that are **tabled**; #1. Stephan Galvano requesting Prelim approval for the expansion of the existing church at 3177 Lyell Rd. This application has been tabled pending the resubmission of engineering plans and details.

Chairman Wall motioned to **UNTABLE** this project to discuss a One (1) month extension.

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

Chairman Wall stated that the applicant is working on details and feels a one (1) month extension should give them enough time to get things in line and re-present to the Board.

Chairman Wall motioned to **TABLE** 3177 Lyell Rd. to a One (1) month extension, which, at that point, the Board will need to decide on the application.

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

Chairman Wall, #2 **tabled** applicant for Ryan Goodwin for 20 Industrial Park Circle will continue to be **TABLED** per request of the applicants in order to get more details together. Unlike the first project, this has not been tabled for as long.

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

MOTION CARRIED

NEW BUSINESS

CONCEPT SITE PLAN REVIEW
40 Hytec Circle
OWNER: James Cucinelli
ENGINEER: Marathon Engineering
LOCATION: 40 Hytec Circle
REFERENCES: None
LI (Limited Industrial) Zone

Chairman Wall stated that this will be a concept review and no approval will be given tonight. A letter will be sent to the Town Board from the Planning Board with our recommendations on the approvability of the plan. Chairman Wall asked if the applicant was present to speak on the project?

Matt Donaldson, here for concept review for a proposed rezone from currently being limited industrial to multi-residence. Looking at property to be split off the existing Industrial zoning and rezone to Multi-residential. The total size is slightly smaller than the typical Multi-Family residential total required by zoning by (5) five-acres. This piece's address is 40 Hytec Circle, but also fronts on Midway Dr. **(using map to show area)**.

They are looking to maximize the value of the property and thinks this opportunity provides a benefit that at times in the area of light commercial, retail or multi-family can be used as a transition between single-family residential to an industrial as this is. This is an area that is really underutilized, and in working with Mr. Cucinelli and his family the opportunity was brought up to put ten (10) units in, **(using drawing to show)** which is what they are proposing and they think it complies for the most part with the majority of the zoning and the intent of the multi-family residential. They would be complying with the number of units per acre that's required which is six (6) units per acre within multi-family. There are a couple of small engineering details to work through, in receipt of a concept review letter from the Town engineer relative to wetlands, and a few other things, but prior to proceeding with the Town Board, wanted to get some input from the Planning board. It's intended to be a mix of some ranch and two-story town homes with two to three (2-3) bedrooms **(elevations provided)** for the board to see what the intention is for them to look like. They will have good sized yards, individual garages, separate driveways, and are proposing a required buffer between industrial and residential uses. The current proposal is to split that, the zoning code requires the last one in to provide the buffer, in this case Mr. Cucinelli owns both pieces, so the proposed buffer to split, sixty-foot (60) industrial and forty-foot (40) representing the set backs for the multi-family, common stormwater management and show potential future expansion to the max density allowed.

Mr. Argenta looking at the drawing just received, looks like three (3) separate parcels?

Mr. Donaldson, the intent is to be one parcel

Mrs. May will these be to rent or own and concerned with green space, looking at trees being cut down for the building, what is the plan for replanting the trees and having nice green space. Realizes there will be yards, but will they be fenced

Mr. Donaldson they will be for rent. There will be a fifty-foot (50) front set back which is slightly larger than the existing front setbacks required in a single family, so they will sit a bit further back from the road and will have a decent size front yard. Also, showing a thirty to thirty-five-foot (30-35) rear yard. The setback is really intended to not clear any of the trees where they exist today. They will be **(using drawing to show)** installing a berm and the green space would be created around the lot itself and will have detailed and specific clearing plan when the project moves forward

Attorney Schum there's an opportunity to address what the code requires, which is a one-hundred (100) foot back on the property that they own that is not being proposed for the rezoning and that buffer starts at the property line, then there is a rear set back to the rear of the buildings themselves, but as it is in a "shared sort of speak" if either parcels were to be sold in the future and not together, there would be a concern of in continuity, this is the opportunity for the town to assure regardless of what happens, this property would have the hundred (100 foot buffer to the industrial.

Mr. Donaldson feels they have the ability to solve this several different ways. File as a conservation's easement, potentially expand the acreage in order to comply and shrink the rear line a little bit, which would reduce the rear yard and still be room in the set back, but are willing to work with the town and the developer to get the result everyone is looking for.

Mrs. May, realizes it's too early for samples, but would like a feel of what they will look like, color

Mr. Cucinelli, it's a bit early, but looking at stone work, neutral colors, possibly two-tone beige, natural, but will have more details as they progress. He attached two (2) elevations for the board to see.

Mr. Argenta asked if the units will be ADA assessable and if there will be basements?

Mr. Cucinelli the units consist of a total of four (4) ranches and six (6) two-story, so the ranches can be made fully accessible and there will be No basements.

Attorney Schum asked about the garbage being individual and not central?

Mrs. May added about electric be separate as well?

Mr. Donaldson haven't really⁶ talked about the utilities being individual yet,

Mr. Cucinelli added the utilities will be separated

Mr. Ruiz asked what the square footage per unit is?

Mr. Donaldson about 1000-1300.

Chairman Wall what is the plan for the eighteen thousand (18,000) square foot building with loading docks in the future

Mr. Donaldson there is no plans at this time, just to show they are not shoehorning

Side Table

Mr. Rappazzo none

Mr. Ritchie issued a comment letter and had no comment beyond that

Supervisor Giunta the rezoning application will be heard on April 4, 2022 at the Town Board meeting. He is interested in the remaining parcels. He asked is they are separate parcels?

Mr. Cucinelli they are separate with different ownership

Attorney Schum if they are set up as rentals will not be able to sub-divide and sell later

Mr. Donaldson it's intended to be the project presented long term

Attorney Schum they will need to address the whole storm water management an offsite facility can manage this and would go with the property.

The stormwater management agreement obligates typically the owner of the property where the stormwater facility is located to continue the long-term maintenance, as its proposed it's not on this property, but on the adjoining property, so that stormwater maintenance would be basically a three-party agreement, the developer of the apartments, the owner of the adjacent facility and the town.

Mrs. May asked, since they are being rented, who is responsible for snow removal?

Mr. Cucinelli the property owner will be responsible for the snow removal as well as the lawn, shrubs and cosmetic of the property.

Open to Public

Bruno Falone, he owned the property for many years and sold all the adjacent lots to Mr. Cucinelli and others. When it was originally proposed there was a one-hundred (100) foot buffer zone on Mercer Ave. it was not the intent (when it was passed in the 1970's) to protect the people on Mercer Ave. to prevent looking into the light from the LI Zoning area. Mr. Donaldson said the area is underutilized, but Mr. Falone feels that is in his eyes only. He also doesn't understand why the town would

Change the zoning from LI to Multiple Residence and loose tax spaces and put a burden on the people in the area. He wants to know who is benefitting, not the town and doesn't agree with cutting hundred-year old trees. He owns ninety-six (96) units and knows what goes into it and feels there is no need for these. He is opposed to the rezoning. He also feels more notices needed to be displayed of the intent for the residents in the area to know about this proposed plan.

Attorney Schum told Mr. Falone he has valid points, but are being made at the wrong meeting. He needed to address the Town Board, next Monday, April 4th at 7:00pm, because if the property does not get rezoned than the concept for the rezone goes away.

Chairman Wall, asked if anyone else was here to speak on this. None, but he kept the Public Hearing open for the Town Board to decide on the rezoning, but as far as the Planning Board some initial concerns are;

- *The buffer requirement, what will happen with
- *The impact on the wet lands with the buffer issues
- *The sub-division line being set
- *Stormwater agreements

These being the initial thoughts and concerns before going forward. Mr. Falone brought up good issues with what was the original intent was and with the buffer zone, but will be addressed with the Town Board not the Planning Board. He will write a letter to the Town Board with the concerns raised in this meeting.

PRELIMINARY / FINAL SITE PLAN REVIEW

2234 Chili Ave.

OWNER: Splash Car Wash, Inc

ENGINEER: DDS Engineering

LOCATION: 2234 Chili Ave.

REFERENCES: None

NB (Neighborhood Business) Zone

Chairman Wall, this will be a preliminary/final site plan review and asked if the applicant was present to speak on the project?

Cade Kruger, DDS Engineering here tonight to propose building renovations, site improvements to an existing car wash facility at 2234 Chili Ave. The project site is a 3.74-acre parcel that is zoned (NB) neighborhood. The improvements will consist of site circulation improvements, new concrete pavement, as well as a full remodel of the existing building exterior and internal wash component, in addition new landscaped areas and lighting.

The existing drainage on site generally flows away from the building in all directions where it's captures outside draining structures and carry to little black creek and also a portion to the southwest. The ingress and egress to the site will be provided via the existing private drive, no changes to the existing traffic pattern, no DOT Permits will be applied for. The facility will be utilizing the existing water service and sanitary service as well.

They will be attending the April 4th Town Board Meeting for a Conditional Use Permit as a result of change in ownership.

They received the Town Engineer comment letter and will continue to work with Mr. Ritchie and town staff to address any engineering concerns.

Site circulation, the business motto for Splash is the vacuum spaces are all internal and meant for members and paying customers, which is why you need to go through gate or wash tunnel to get to the vacuums. There is also a bypass lane in case someone changes their mind and doesn't want to pay for a wash, the gate will be lifted and they get leave.

The dumpster, not in a great spot, but generally garbage pickup would be scheduled for off peak times, so hope it would work without conflict which the hours of operation is 7:00am-8:00pm.

The vacuum spaces are powered by seventy-five (75) horse pack motor, high tech units with silencers and they can provide sound disciple information, with somewhere in the thirty-eight (38) disciples. There will be No pre-wash being done, just high-pressure wash being done internal.

Mrs. May asked about the lighting plan

Mr. Kruger explained it's still in process of getting the photometrics based on the location and the lights on and around the sight, but basically lights will be relocated on site and probably add one or two pole lights if needed, but mainly wall-packs

Mrs. May asked for the hours of operation to be clarified.

Dave Clements, Splash Car Wash, typically open to the public at 7:30am, but will have attendants there at 7:00am and close depending on the locations between 7:30 and 8:00pm with clean-up afterwards, but to the public about twelve (12) hours. He added the actual hours of operation will be firmed up by the next meeting.

Mrs. May asked about the color scheme, if it's the same as on the rendering

Mr. Kruger replied yes (**using drawing to show**) blue metal roof and greys and neutral colors for the façade, cultured stone, wood panel

Mr. Clements has been with for the past twenty-seven (27) years, Classy Chassy was their brand and still is, but have also merged with Splash and are currently converting to the (**using drawing to show**) including the Buckman sites they have acquired with the same concept, updating with technology.

Mr. Argenta asked if the overhead doors (**using drawing to show**) on the south side of the building in use?

Mr. Clements those will not be used for the wash, just maintained for storage and maintenance to water treatment, etc.

Mr. Argenta sked if someone wants to come just to vacuum their car they wouldn't be able to?

Mr. Clements in order to comply with the traffic patterns they are presenting, you would need to make your way to the entrance of the wash, if someone doesn't want to pay or get a wash there will be away to get them around. The point is after spend an absorbent amount of money to create a benefit for people to pay, they want to protect that.

Mr. Argenta, looking at the aerial, doesn't look like there is much landscaping right now

Mr. Clements, what is there now is overgrown from the past twenty (20 years and they want to make it esthetically pleasing, with structured ground covering and trees

Chairman Wall understand the Fire Marshall has looked at this and one of his initial comments is the proposed bollards, that there should be some sort of different system with removeable bollards, with a suggestion of cones or drums to be able to give access to emergency vehicles.

The dumpster access is somewhat problematic if during business hours, but if garbage is picked up off hours they can just gone in against the grain and grab it up and go.

As far as traffic control, the westerly stop bar, where it is located now, Chairman Wall suggests it gets moved closer towards the actual intersection, reason being if someone is coming from the gas station wanting to use the carwash, where the stop bar is now could be a tough reach for the driver to what the other driver is doing before making his own move. It would eliminate the contact point.

The easterly new drive coming in the vacuum area off the car wash should probably have some traffic control with a minimum of a sign.

Chairman Wall continued with the landscaping plan, would typically like to see an up to two (2) year guarantee on the plantings and suggests possibly relocate the plantings proposed on the north end part of the property which no-one will see, not adding cost to the project be relocated to the islands in the vacuum and queuing lanes, which could be a better use of the money and plantings, which would also been seen on Chili Ave.

Side Table

Mr. Rappazzo, one of the key benefits to that site is that it's at the intersection with a light and there is a lot of pavement and usually a lot of action going on and is sure some of that will be streamlined now with the new process and new layout, but will still have a lot of traffic for the gas station coming in and out of there, so we want to be sure to not do anything to restrict traffic or cause issues at that point.

Mr. Ritchie told Mr. Kruger they will need a SWPPP on the site, whether or not a Stormwater permit or not, but as mentioned in his letter, Little Black Creek that's on the property with the proposed basin to the west of the site, recommends they relocate it to each end of the discharge line and cut at the end of the parking lot pavement to be properly treated before it reaches the creek

Mr. Kruger agreed

Chairman Wall asked Mr. Ritchie if he sees any show stoppers?

Mr. Ritchie believes there is nothing that can not be addressed by Mr. Kruger

Mr. Rappazzo looking at any comments and if they would result in impacting a SEQR determination

Mr. Ritchie mentioned it is a redevelopment and will not have any real increase on impervious area, anything really would be a benefit

Supervisor Giunta no questions

Open to Public None

Closed Public Hearing

Executive Session 8:15PM—8:17PM

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.

Mrs. May second

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

MOTION PASSED: NEG. DEC.

Chairman Wall motioned **Preliminary/Final Plan Approval** for the application for 2234 Chili Ave. Rochester, NY in a (NB) Neighborhood Business Zone District with the following conditions:

1. The following notes are to be added to the Final Site Plans:
 - A. The Detention Pond/Drainage/Culvert/etc. is privately owned and maintained.
 - B. No outside storage vehicles and or materials are to be permitted on this property
 - C. All Signage will conform to Town of Gates standards.
 - D. 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.
2. All conditions set forth by the Monroe County Dept. of Planning and Development are to be incorporated into the Final Site Plan.
3. The applicant is to submit the Final Site Review Fee to the Town of Gates prior to the signature of the Planning Board Chairman on the Final Plan
4. The Gates Fire Marshal shall review and approve the plan prior to the signature of the Planning Board Chairman
5. Snow Storage location clearly defined and added to the Final Plan

6. The applicant includes a detailed lighting plan including catalog cuts and photometrics shall be review and approve the plan prior to the signature of the Planning Board Chairman
7. 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.
8. A letter of credit is submitted to the Director of Public Works in the amount sufficient to cover drainage, landscaping, and As Built survey.
9. The building is to be constructed according to the renderings as presented to the Planning Board
10. The applicant is to move the westerly stop bar closer towards the Point of Curvature of the curb, which will be a safer stop location for traffic to the signalized entrance. Additionally, there should be a stop bar located for the traffic leaving the carwash to the vacuum area.
11. The applicant should relocate the proposed plantings from behind the building to the island between the vacuums and vehicle queuing lanes. Landscaping at this location will enhance the aesthetics of the property.
12. To separate and channelize traffic better, the applicant encouraged to use drums or traffic cones instead of bollards. If bollard-use is still proposed, they should be removable for emergency vehicle use.
13. The applicant is to show the vacuum hose, motors, and trash cans for the vacuum stall area.
14. The applicant is to review the durability of the pavement surrounding the existing catch basins; the addition of concrete apron around the structures could benefit the Owner with less future maintenance of broken pavement around the catch basin. This is for consideration, not a condition of approval.
15. Any and all Final comments from the Town's Dept. of Public Works and Town Engineer are to be addressed

Theresa May, seconded. All in Favor...Aye Opposed...None

MOTION PASSED: Preliminary and Final Site Plan Approval

Mrs. May motioned to adjourn the meeting

Mr. Argenta, second

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

The meeting was ADJOURNED at 8:25PM

Respectfully submitted,

Lily Alberto
Recording Secretary