

The Town of Gates **Planning Board** held one (1) Tabled Request for one (1) Tabled Amended Site Plan Approval, one (1) Subdivision Approval, and one (1) Prelim. Site Plan & Subdivision Approval, on Monday, August 28, 2023 at the Gates Town Hall Meeting Room, 1605 Buffalo Rd., and beginning at 7:30PM

MEMBERS PRESENT:

Mike Wall	Chairman
Joseph Argenta	
Kirk Kettinger	
Juan Ruiz	
Ken Martin	
Dan Schum	Town Attorney
Mike Ritchie	Costich Engineering, P.E
Cosmo Giunta	Town Supervisor

MEMBERS ABSENT:

Kurt. Rappazzo	Director of Public Works
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Chairman Mike Wall called the meeting to order at 7:35 PM and began with the Pledge of Allegiance and a Moment of Silent Prayer.

Chairman Wall asked for a motioned to approve the July 24, 2022 Planning Board Minutes as sent to the Board.

Joe Argenta motioned Ken Martin second All in Favor...Aye Opposed.... None

MOTION CARRIED

AMENDED PRELIM & FINAL SITE PLAN APPROVAL

Gates Taco Bell (Lyell Avenue)
OWNER: Wegmans Food Markets, Inc
ENGINEER: APD Engineering & Architecture
LOCATION: 2317 Lyell Ave.
District: GB

Chairman Wall shared the applicant sent an email asking for this to continued being tabled and are waiving the sixty-two (62) day requirement and confirmed the town attorney reviewed the request.

Attorney Schum agreed and noted the applicant is reviewing other alternatives, concerning their application

Chairman Wall motioned to **Continue to TABLE** Hospitality Syracuse Inc. and additional thirty (30) days.

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

FINAL PHASE I SUBDIVISION APPROVAL

Gates PUD-Residential Development

OWNER: Italian American Community Center

ENGINEER: Passero Associates

LOCATION: 500 Frank Dimino Way & 3410 Buffalo Rd

District: PUD

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

Jerry Goldman, attorney, was here last month and attained final Phase I Site Approval, but through misstep did not request Subdivision Approval. He believes all is in order relative to this application

Chairman Wall asked about the easement agreements that needed to be reviewed

Mr. Goldman indicated that there are easement agreements that need to be reviewed for Conservation Easements and have talked about it with the Board and staff. In addition, there is a need to petition for the Lighting District and spoke with council earlier; we are preparing those documents and working to get them done, but understand there will be no signatures on any plans until the completion of the application processes relative to, and respect that it will be a condition of the Subdivision Approval.

Chairman Wall it also goes along with the stormwater maintenance agreement, the conservation easement agreement which was mentioned as well as the lighting districts and the dedicated road ways.

Attorney Schum agreed, that’s the list he has and will need to review, approve and get them filed and to furnish the Liber and Page to appear on the Subdivision Map.

Mr. Goldman, they do not currently own the property and typically would like to see the plan filed before, but understands at the same time the board would like to know those easements and grievances are in place.

Side Table

Mr. Ritchie, all set for now

Supervisor Giunta, nothing at this time

Open to Public

None

Executive Session 7:39pm-7:40pm

Chairman Wall motioned to **Granted Final Subdivision Approval for PHASE I of 500 Frank Dimino Way & 3410 Buffalo Rd** with the following conditions:

- 1 All conditions set forth in the July 2023, Planning Board Approval still remain active and current.
- 2 The Town Attorney review and approve the Conservation Easement agreement, the stormwater maintenance agreement, the lighting district agreement, and the dedicated roadways.
- 3 The applicant is to follow those easements with the County of Monroe and the appropriate Liber and Page be added to the mylar prior to Planning Board Chairman’s signature.

Mr. Argenta...seconded.

All in Favor...Aye

Opposed...None

MOTION PASSED: FINAL PHASE I SUBDIVISION APPROVAL

FINAL PRELIM SITE PLAN & SUBDIVISION APPROVAL
40/45 Hytec Flex-Space/Light Industrial Development
OWNER: Cucinelli Family LLC
ENGINEER: Land Tech Surveying & Planning P.L.L.C.
LOCATION: 40 Hytec Circle
District: LI

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

John Hotto, Land Tech Surveying and Planning, 1105 Ridgeway Ave. representing Chris Leva the developer. The first step is the subdivision of the property. The original property is about eleven point two five (11.25) acres, Lot AR-6 and are proposing to subdivide into two lots, Lot AR6-A and AR6-B. The project site for Preliminary Site Plan Approvals is on Lot AR6-A.

The existing property (the manufacturing facility) will remain.

We are showing a hypothetical addition to the property (**used renderings to show**) and strictly for site planning purposes and forward planning, due to the positioning of the two sites, they are replacing some parking which is being removed for Lot AR6-A.

There will be some drainage coordination between the two (2) lots. Preliminary Site shows (**used renderings to show**) two (2) buildings. Building #1 is about eleven thousand, seven hundred (11,700) square feet and Building #2 is about twelve thousand, one hundred (12,100) square feet. It's for Light Industrial Production and Distribution facility with office (**used renderings to show**). Building #2 will be like a flex-storage facility.

Will provide sixty-two (62) parking spaces to be shared by the two (2) buildings. The existing water main and sewer behind Hytech Circle are readily available for the new project site. New Fire-Hydrants are also proposed (**used renderings to show**). The one-hundred (100) foot buffer space will be maintained, but are proposing based on drainage patterns a drainage swell in the buffer, but will be enhanced with vegetation and no plans of disturbing any existing vegetation realizing it is an important buffer to the neighborhood.

There will be a centralized enclosed masonry dumpster to be used by both buildings.

Based on the comment letter from Mr. Ritchie, it was brought to their attention, they will be required to apply for a rear yard setback variance and will work with the Town on that. They also via email responded to the other comments from Mr. Ritchie's letter. Site plan was revised.

Mr. Argenta, the second parcel needs to have elevations shown, to show parking, existing and new. Building two (2) shows loading docks, he asked if it's loading bay or recessed bay?

Mr. Hotto (**used renderings to show**) to show some.

Mr. Argenta would also like building elevations to be shown as well.

Mr. Martin proposed building #1 says it to be a flex space/storage, but asked what the plan for it is, storage? Mr. Hotto replied yes.

Mr. Martin on the utility plan, shows six (6) sanitary units, is that for individual toilets per unit? Mr. Hotto replied Yes.

Mr. Argenta asked on the flex space, if the parking is set for different potential uses?

Mr. Cucinelli, there are Code requirements they need to follow, there is a sixty (60) space requirement for these type and size building and they actually have sixty-two (62). This will be pure storage.

Attorney Schum, in the past, the Board, depending on the tenant would need to go to the Building Dept. and apply for the proper permits and at that time would look at the proper uses.

Mr. Martin, sticking with parking, looks like there may be a need for one (1) more handicap spot. He also asked the applicant in future plans to have the lines match and adjust the scale for the line weights to make legible.

Chairman Wall going through the Town Engineer's letter, there are a couple items that appear that could change the layout of the site. #1. The SWPPP report, the slop is pretty deep and the drainage concerns with the maintenance of that area. To address DEC requirements. There is also Federal Wetlands that could impact them. He also recommended they work with the Town of the parking requirements on what the proper ratios would be for the flex building, so that parking requirements can be set. Also, looking at the plan and how it's set right now, splitting one (1) lot into two (2) with the possibility of one (1) lot being sold down the road. There will be to be a cross access easement between the two (2) parcels. He understands the grading plan is deep. The silt fence, may need to be adjusted once the final grades get settled. Will get with Fire Marshal for the hydrants. Asked if the building will be sprinkled and it will be.

Mr. Hotto this will not be manicured lawn. It will be left in a vegetated state, to help filter out pollutants.

Chairman Wall asked if any soil testing has been done to see what types?

Mr. Hotto the soils are D Soil, and the bedrock, three (3) feet, but haven't done any test digging on this site

Chairman Wall asked if the swale is the appropriate measure if there is D soils?

Mr. Hotto, it's not infiltration basis, so not a factor here.

Mr. Martin, if the plan is to leave in vegetated swale, the water will be stagnant

Mr. Hotto the vegetation will be water tolerant. A vegetated swale collects water and allows to move through wet, tolerant vegetation, but once at the final design stage will address those issues.

Mr. Argenta, feels the existing building will need to be part of the planning, there is grading and parking and other things, whether it is part of this application or a separate one, but needs to be addressed

Mr. Hotto really was looking and showing hypothetically, not knowing for sure what the owner will decide to do with in the future.

Attorney Schum at a minimum a parking easement/agreement will be needed

Chairman Wall asked if a planting table had been worked out yet?

Mr. Hotto, not yet at prelim stage.

Chairman Wall asked for a photometrics on the landscaping and lighting plan as well.

Mr. Hotto, yes, it will be hundred (100) watt LED, sixteen (16) feet tall, no need to over light the place

Side Table

Mr. Ritchie did issue a comment letter and obviously the buffer and variances, would like to see the SWPPP and vegetated swales.

Supervisor Giunta asked if EGT is expanding? Mr. Hotto replied No.

Open to Public

Kyle Saverese, 6 Jordan Ave. right behind the buffer spoken of (**used renderings to show**) asked what Preliminary meant?

Attorney Schum explained it's a public hearing to present, it's more than a concept, a preliminary plan of the proposed concept

Mr. Saverese asked what the variance for buffer is?

Attorney Schum explained the Planning board does not handle variances, that is the Zoning Board of Appeals, which is another public body that requires a separate application. The reading of the ordinance says the setback, where the buffer ends and the applicant is proposing to vary from that standard to the buildings.

Mr. Saverese is concerned with noise that could come with this, load docks and trucks. He would also like to know the Methodology behind letters and notices getting out. He received a letter, but not all his neighbors did and doesn't think there are enough notices. He also concerned with the swales in his own backyard and is concerned if water will just be sitting there, there are all types of wildlife living there.

Charlie Stuhler, 11 Jordan Ave. did receive a notice. The neighborhood is already wet, after rain, snow everything floods, it's a problem.

The practical piece is coming off Trolley Blvd. onto Lee Rd. is already a struggle and to bring more traffic, is more concerning to her. There are already tons of racing up and down Trolley, so doesn't know how conducive this will be. Will the neighborhood continues to be safe?

Executive Session 8:11pm-8:14pm

Chairman Wall motioned to **TABLE the Application for Prelim. Site Plan and Subdivision Site Approval of 40 Hytec Circle.** for the following further information:

1. The applicant to address the comments in the Engineers letter dated August 25, 2023.
2. Applicant to provide a Traffic Assessment to the Board including projected traffic on Trolley Blvd and Hytec Circle
3. The Applicant is to finalize the Design to be variance-free, or seek relief from the Zoning Board of Appeals.
4. The Applicant is to provide Building Elevations, including the height and materials / colors.
5. The Applicant is to work with the Town Engineer and the Department of Public works to ensure the Flex Space is appropriately designed with the parking space criteria.
6. The Site Plan shall be ADA compliant.
7. The Applicant is to clean-up the plans, including line-weights and drawing scales.
8. Any easement agreements will need to be reviewed and approved by the Town Attorney.
9. The Fire Marshal is to review the Plan.

Mr. Martin...seconded.

All in Favor...Aye

Opposed...None

The meeting was ADJOURNED at 8:16PM

Respectfully submitted,

Lily Alberto
Recording Secretary