

The Town of Gates **Planning Board** held one (1) Tabled Request for Final Site Plan Approval, and one (1) Prelim. & Final Site Plan Approval on Tuesday, May 28, 2024 at the Gates Town Hall Meeting Room, 1605 Buffalo Rd., and beginning at 7:30PM

MEMBERS PRESENT:

Juan Ruiz	Alternate Chairman
Joseph Argenta	
Kirk Kettinger	
Ken Martin	
Brandon Stuhler	Alternate
Dan Schum	Town Attorney
Kurt. Rappazzo	Director of Public Works
Mike Ritchie	Costich Engineering, P.E
Cosmo Giunta	Town Supervisor

MEMBERS ABSENT:

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

Alternate Chairman Ruiz motioned to approve the April 22, 2024 Planning Board Minutes as sent to the Board.

Ken Martin second All in Favor...Aye Opposed.... None

MOTION CARRIED

FINAL SITE PLAN APPROVAL
Brodner Equipment Site Improvements
OWNER: TLB Realty Enterprises LLC
ENGINEER: LandTech Surveying & Planning P.L.L.C.
LOCATION: 3918 Lyell Rd; 3948 Lyell Rd and 707 & 711 Elmgrove Rd
District: LI

The applicant sent an email requesting for this application to continued being tabled till next month.

Manitou Road Flex Suites
OWNER: 3500 Buffalo Rd LLC
ENGINEER: MRB Group
LOCATION: 3500 Buffalo Rd
District: LI

Attorney Schum, this matter was tabled last month for Coordinated Review from involved agencies. All involved agencies have either responded or more than thirty (30) days have past since notice was given to them.

Joe Argenta motioned to **UNTABLE** Manitou Road Flex Suites, 3500 Buffalo Rd.

Kirk Kettinger second All in Favor...Aye Opposed.... None

Mike Ritchie, issued a comment letter in April and received responses May 9, 2024 with the comments being met and has no further comments, except for general housekeeping items prior to the project commencing to construction.

Open to Public hearing None, **Closed the Public Hearing**

Executive Session 7:33pm-7:35pm

Attorney Schum, the board needed to consider SEQR, due to the size of the project and the square footage, it is automatically a Type I Action, which was the reason for the Coordinated Review. Reading the town engineers comment letter, it appears all significant environmental issues if any have been addressed on site. Stormwater retention, storm water management, there seems to be no major stumbling blocks to granting this application and no environmental concerns of any significance that the board could identify and with that in mind the board could entertain an application to declare this a Type I Action and based on the application and information submitted by the applicant and reviewed by the town engineer, the town could issue a negative declaration of environmental significance.

RESOLUTION AND NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE

Joe Argenta motioned

WHEREAS, 3500 Buffalo Road LLC has made application to the Town of Gates Planning Board for approval to develop the Manitou Road Flex Suites on certain lands in the Town of Gates pursuant to plans for the same prepared by MRB Group Engineers and made a part of such application; and

WHEREAS, such plans have been reviewed by the Town Engineer and a Public Hearing has held and conducted by the Gates Planning Board upon such application; and

WHEREAS, pursuant to SEQR notice was given to all involved agencies of the intent of the Gates Planning Board to be lead agency with respect to the application, and all agencies either responded or more than thirty (30) days have passed since the giving of such notice; and

WHEREAS, as lead agency the Gates Planning Board found and determined that the proposed project was a Type I Action due to the size of the project and the extent of the development of the site as proposed; and

WHEREAS, before the Planning Board may consider the approval of the project it must consider the effects of the proposed project upon the environment, if any;

NOWTHEREFORE, be it RESOLVED by the Town of Gates Planning Board as follows:

SECTION I. That the Board finds and determines that the proposed project is a Type I Action pursuant to SEQR.

SECTION II. That after a full and complete review of the proposed project and after having given a hard look at the impacts of the proposed activity upon the environment the Board has determined that it is appropriate to issue this Resolution and Negative Declaration of Environmental Significance.

SECTION III. That the reasoning and rationale supporting this Negative Declaration include, but are not limited to the following:

1. That the development of the project in accordance with the plans submitted will result in no impacts whatsoever on any lands outside the boundaries of the project site.
2. That the control of all surface water and drainage will be confined to the project site pursuant to the Storm Water Control Facilities to be constructed as part of the approved plan.
3. That appropriate erosion control will be maintained during the project construction period.
4. That all Environmental Impact Requirements of the Town Engineer have been adequately addressed by the developers engineer and incorporated in the final plan.

SECTION IV. That this Resolution is and shall be considered a Negative Declaration of Environmental Significance with respect to the proposed project, which now may proceed without further regard to the provisions of SEQR.

SECTION V. That notice of this Negative Declaration shall be given as required.

Brandon Stuhler...second All in Favor...Aye Opposed.... None

MOTION PASSED: NEG. DEC.

Joe Argenta motioned to **Grant Preliminary & Final Site Plan Approval of Manitou Road Flex Suites, located at 3500 Buffalo Rd. in a LI Zone** with the following conditions:

1. 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
2. A letter of credit is submitted to the Department of Public Works in the amounts sufficient to cover drainage, landscaping.

3. The building is to be constructed according the drawings as presented to the Planning Board.
4. All comments from the NY State and or Monroe County Department of Transportation be added to the final plans.
5. 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 Work
6. The applicant is to submit the final site plan review fee to the town prior to the signature of the Planning Board Chairman.
7. All conditions set forth by the Monroe County Dept. of Planning and Development are to be incorporated into the Final Site Plan.
8. The dumpster is to be constructed according to the drawings as presented to the Planning Board.
9. All Signage shall conform to the Town of Gates standards.
10. Lighting is to be as proposed in the drawings.
11. The applicant will add wheel stops in front of the buildings where there are striped areas.

Kirk Kettinger...seconded. All in Favor...Aye Opposed...None

MOTION PASSED: PRELIMINARY & FINAL SITE PLAN APPROVAL

Alternate Chairman Ruiz motioned to **Adjourn the meeting**

Mr. Martin...seconded. All in Favor...Aye Opposed...None

The meeting was ADJOURNED at 7:39PM

Respectfully submitted,
Lily Alberto
Recording Secretary