

The Town of Gates **Planning Board** held three (3) Tabled Preliminary/Final Site Plan Reviews and one (1) regular Preliminary/Final Site Plan Approval Public Hearings on Monday, July 26, 2021 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	
Andrew Gartley	
Dan Schum	Town Attorney
Lee Cordero	Councilman, Town Board
Kurt. Rappazzo	Director of Public Works
Mike Ritchie	Costich Engineering, P.E.

MEMBERS NOT-PRESENT:

Ken Martin	Alternate
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Chairman Mike Wall called the meeting to order at 7:37 PM and began with the Pledge of Allegiance and a Moment of Silent Prayer.

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

Mrs. May motioned
Mr. Gartley second
All Agreed None Apposed

MOTION CARRIED

OLD BUSINESS

Chairman Wall stated this meeting was properly posted and published as required by law. There are some Old Business that was tabled from the June 28th meeting as well as new business. Starting with the first application on the agenda from Atlantic Funding & real Estate, LLC., requesting Preliminary /Final Site Approval will continue to be **TABLED** per request of the applicants.

The application on the agenda from Perrotta Gates Center Sub Lot 2 requesting Preliminary /Final Site Plan Approval will be **Withdrawn without Prejudice**

Chairman Wall motioned to **TABLE** this application till the applicants can provide the additional information this board needs to make any further decisions.

Mrs. May second
Agreed ALL Apposed None



Chairman Wall going back to Old Business, motioned to **UNTABLE** application

Mrs. May second
Agreed ALL Apposed None

PRELIMINARY SITE & SUBDIVISION PLAN REVIEW
Byrne Dairy & Deli
OWNER: Kaywood Dev. LLC
LOCATION: N/W Corner of Spencerport & Long Pond Roads
ENGINEER: Plumley Engineering
REFERENCES: None
G. B. (General Business Zoning District)

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

Erin Brown, presented the Board with updated Site-Plans, which circled around the comments received from the engineer. (Thursday, July 22), which they tried to address was including a pedestrian access from Long Pond Rd. (northerly boundary line). Also, creating a need for a retaining Wall, which has been added and can provide details for it. As well as added extensive landscaping.

A few things requested from the last meeting, 1st. They did receive the Conditional Use Permit from Town Board (June 7, 2021) Meeting, 2nd. They are on the Zoning Board agenda for (August 9, 2021) to get a Variance, due to the findings of the surveyor and the (2) two front yards (being a corner lot), but did move things with the engineer.

3rd. Their engineer replied on July 23, 2021 (hoping the Town engineer received the letter with comments)

Mr. Ritchie, relied he has not yet had time to completely review, but believes he can work with the engineer on it.

Ms. Brown continued in discussing with their engineer, he would update the SWIFT to include.

The maintenance agreement will be forth coming, once approvals take place along with Letter of Credit, especially once the building permit is applied for.

On the Site-Plan itself, the engineer did revise along the westerly boundaries to include a swell for any run-off, the water would be directed to the catch-basin.

Truck turning templates were provided as of today (July 26, 2021)

Dumpster Enclosure Details were sent last Friday (July 23, 2021) as well as shown on the Site-plan the light-poles have been removed, which were a concern

Chairman Wall asked what are the materials the dumpster enclosure will be made of?

Ms. Brown, fractured block, typically stick with PVC, but understands the Manitou Rd location had fractured rock, which is sometimes preferred.

Chairman Wall the town prefers masonry construction, and may be a condition of this board to have it similar

Mr. Gartley asked what is the drop off from the sidewalk to the storm-water management. The concern is how it could affect the retaining wall

Ms. Brown will look into and get clarification to better address that

Mr. Argenta, asked if the sidewalks along the front and side are flush with the pavement?

Ms. Brown, referring to the porches, yes, they are

Mr. Argenta's concern is with landscaping, as it matures, it doesn't block views, it looks like things are far enough back, but wants to be sure

Ms. Brown, understands and referred to the landscaping plans, where it details everything. The tallest would be the Red Maples and everything else is low to the ground (2-feet or less) for the visibility factor.

Mr. Gartley, that's a great point, with the parking there, what says a car doesn't go over

Ms. Brown, there will be parking bollards put in at both spots

Chairman Wall, asked what the width of the sidewalk from the bollards to the face of the building and is ADA compliant

Ms. Brown, it's 28-feet. Between the bollard and the sidewalk there is about a foot

Mr. Gartley, what about from the bollard to the building

Ms. Brown there is about 12-feet between bollard and building.

Chairman Wall asked if Board had more questions, None, then continued to the side table

Mr. Rappazzo—None

Mr. Ritchie—just that in the revised plan, the runoff be sent for a treatment

Councilman Cordero—would like to see the retaining pond, maintained to keep debris and children out, grassed mowed

Ms. Brown, yes and they keep all the sites maintained.

Public--None

Executive Session

Chairman Wall motioned to declare the Town of Gates the Lead Agency for this project pursuant to SEQR regulations and finds that this project is a Type II under SEQR with no negative impact to the environment, and no further SEQR unlisted action is required.

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

MOTION PASSED: NEG. DEC.

Chairman Wall motioned to **Grant Preliminary / Final Site Plan, and Subdivision Approval** for Byrne Dairy at N/W Corner of Spencerport and Long Pond Roads. Rochester, NY in a (GB) General Business Zone District with the following conditions:

- 1 Infiltration Test Data shall be added to Final Plans
- 2 The following note to be added to the Final Site Plans:
 - a. Detention Pond and Drainage features are to be 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.
 - e. The building is to be constructed according to the renderings and building samples shown to the Planning Board
- 3 Final drainage calculation are to be provided to the Town Engineer for review and approval
- 4 All conditions set forth by the Monroe County Dept. of Planning and Development are to be incorporated into the Final Site Plan.
- 5 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.
- 6 For Recording Keeping purposes:
 - a. The date of the Conditional Use Permit Approval (June 7, 2021) be added to the plans.
 - b. The date of the Zoning Board Variance Approval (**if approved** at ZB Meeting August 9, 2021) to be added to the plans.
- 7 The Retaining Wall details are to be added to the Final Plan.
- 8 The Dumpster Enclosure shall be constructed out of masonry materials (similar to the Manitou Rd site) to the discretion of the Town Engineer and /or the Dept. of Public Works
- 9 The proposed sidewalk and retaining wall shall be checked for ADA compliancy.

- 10 The downspouts / stormwater runoff from the canopy shall be treated prior to entering stormwater drainage facility.
- 11 A copy of the MCDOT permits shall be provided to the Town for our records.
- 12 A Stormwater Maintenance agreement be reviewed and approved by the Town Attorney the Town Engineer and /or the Dept. of Public Works
- 13 Any and all Final comments from the Town’s Dept. of Public Works and Town Engineer

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

MOTION PASSED: Preliminary and Final Site Plan and Subdivision Approval

Chairman Wall, motioned to **UNTABLE** this application
 Mrs. May second
 Agreed ALL Apposed None

PRELIMINARY SITE /FINAL SITE PLAN REVIEW
Westmar Plaza Redevelopment
OWNER; Westmar Plaza LLC
ENGINEER: Passero Associates
LOCATION: 2111-2159 Buffalo Rd
REFERENCES: None
(GB) General Business Zoning District

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

Matt Newcomb, Passero Associates, on behalf of the developer. Most are aware of the location and condition of the plaza. It’s about (14 1/2) fourteen and a half acres. The developer is under contract to purchase the land. The rendering presented is not the full extent of the plan and will work on to get a better vision for the next meeting.

They will need to get a Conditional Use Permit from the Town Board, which they will be requesting for, on August 2, 2021. This CUP will be tied to a Climate Control Self Storage Facility, which will be located at the old Big Lots area. **(using a rendering to show)**, showed the location of the storage area, as some tenants plan to stay, some relocate, U of R Med expressed interest in expanding and additional 10,000 square feet.

Along with the storage portion of the project is a small addition of 14,000 square foot to get as a manageable square, to economically make this project work.

Self-storage is not generally a traffic generator, doesn’t require a lot of parking, so as a result of making this a use in there, they plan to “green-up” the site as much as possible.

Their vision, which they call “Pad Sites” is not part of this application and could be a bit confusing, because it says proposed, but is actually their vision.....potential coffee shop, restaurant,. Another site they are looking at that could be a potential for something more is the existing Line-X building **(using a rendering to show)**. They would like to rehab it and potentially make it a brewery or restaurant, making it more attractive. These will also require CUP

Part of the project is to add “green islands” Pedestrian Circulation **(using a rendering to show)** will provide more convenient access parking. Their intention is to clean up the driveway from the zigzags, it seems to be preferable to have a straight shot in and out. Also, with the self-storage, less parking spaces is needed and it opens up those spaces for a potential farmers market. Then it would be about finding a convenient time to have the farmers market.

Along with all these site improvements, there would be a face-lift. The intent is it would look like the existing U of R building looks like, all across the plaza, to be consistent and dress-it-up. The self-storage component would look like a retail building with glass as almost an adaptive reuse. The developer would love to see a big box go in, but those types of stores are few and far between now. The goal would ultimately be to dress this up, to attract some people and maybe a tenant like Target or something else eventually wants to come in, and because it's an "adaptive reuse" it can get changed back. Self-storage places are basically just containers that get moved around, so easy converted back to retail or whichever use that's more attractive. The developer would love to see a big box store go in, they are long term leases and much more economical than with the self-storage, but there is a need which showed in market studies for additional self-storages in the area. The facility across the street is 98% leased out and they feel they can provide a very competitive product. The initial feedback will be valuable for them going through this process and will be back in about a month with more of a final plan after the feedback from the town board.

Mr. did see Mr. Ritchie's comments, are very agreeable to the majority of them. He recognizes they will need to get a Variance for the building coverage. It's 15% and currently at about 25% building coverage and are going to put it up at around another percent as part of the building addition, but that additional percent does not include those "pad-sites" because it's more of their vision for the site. Also, the additional space for parking for the U of R expansion, but it is still looked at as "shopping" space and looking at the parking requirements it is very similar to what the U of R would need. So the spaces are there and to do it right and thinks they are covered there. Everything else seems to be straight forward and once they receive Town Board feedback will get into the nitty-gritty

Mr. Argent, asked if the addition is going to be the same height as the existing building and looking at the drawing and a couple of the others, which is correct?

Mr. Newcomb yes it will be the same height and the one shown tonight is the most current plan drawing, but will be sure to get copies of the drawings dropped off to the Town

Mr. Argenta, the U of R to the right, looks like a couple blocks that are empty, is that part of U of R or Self-storage?

Mr. Newcomb it's part of the self-storage, the goal is to take some of the "difficult to rent space" in the back corner and turn it into storage. **(using a rendering to show)** the tenants that will be moved.

Mrs. May, loves that Mr. Newcomb is advocating for esthetic beauty, but there is an area she noticed that needs esthetic beauty is the Pixley Rd side of the old Big Lots and wants to know the plan to beautify that side?

Mr. Newcomb currently there is parking in that area **(using a rendering to show)**, it will be removed and landscaping will be added along with a fake parapet wall a little higher than the building to give it some mass. Apologized for not have better renderings to show.

Mrs. May asked if these were the color schemes **(using a rendering to show)**

Mr. Newcomb replied, Yes, it is

Mrs. May, knows the parking lot is pretty rough and wants to know if it will get redone? Also, in the self-storage units, what are they looking to put into those units? With a Farmers market, is worried about hazmat materials.

Mr. Newcomb, yes, the parking lot will get redone and typically residential storage units are used to store excess furniture, bicycles, so it's climate-controlled items, no chemicals. Its typically residents running out of space, children moving back home and running out of space for the extra stuff.

Mrs. May asked the hours of operation projected, will they have a key?

Mr. Newcomb they will access with a key-fab, it'll be a drive through facility. Drive-up, use key-fab and doors open. Assumes (but NOT sure) during regular business hours there will be an attendant, but for the most part will be a 24-hour access, with lighting and cameras

Mrs. May, just wants to clarify for safety that it's well lit

Mr. Newcomb yes it will be well lit with LED and be sure it is well enough lit to provide enough as anyone coming in and going

Mrs. May asked about the Farmers market being just a vision or a reality?

Mr. Newcomb, the developer wants it, but doesn't know if he knows the vehicle to make it happen or not yet, but is reserving that space and loves the idea of having it as a farmer's market. Also, in speaking with Town staff, they seem to think it would be a nice thing for the town.

The developer wants to bring people in. Its like”If you build it, they will come” situations. They really need to do some work on this facility, green it up and get the pedestrian pathways in there, give connectivity to Buffalo Rd, access to U of R (who are really interested in staying and expanding if this is cleaned up)

They also spoke briefly with the Town Supervisor (Cosmo Giunta) about a Community Space, he's not familiar on what that would look like, but there is space available for community space.

Mr. Gartley asked what the circulation would be, bringing stuff into the storage?

Mr. Newcomb the goal would be to have some sort of access (**using a rendering to show**), but looking at a possible of having a second access point. Trying to NOT put garage doors on the front of the building, trying to keep it more retail looking as possible. Driving physically through the building in the front and out the back.

Mr. Gartley, just for clarification, the addition can not be seen from the road, correct?

Mr. Newcomb (**using a rendering to show**) correct, you won't see it, it boxes into the back corner. It's currently impervious surface now (parking area). Not increasing impervious area, just square footage to the number needed to afford to make all of these changes/improvements

Mr. Gartley the three building be proposed are part of the Boards reviewing now or not?

Mr. Newcomb, no. The developer's goal is to have two pad sites here, he wants to attract tenants, he's hoping for Starbucks (who has some interest). So, he's hoping to pull someone in, but looking at the building now is difficult to say, yes, they want to be here until it gets improved. So, they are planning for those as well as planning for this to be something different than car shops. A really cool brewery could go in...just some ideas

When they come back, hopefully with better plans to show and have been approved for the Conditional Use Permit

Mrs. May to piggyback on Mr. Gartley's comment and to clarify, if someone is dropping off a couch, they would drive through the garage door. Just want to be sure about the added traffic and safety

Mr. Newcomb there is an existing docking area and you would drive in and drop off at your unit and drive out. Not sure exactly how the interior stipulation is as of right now. There would actually be a reduction in traffic as well as parking. Not too many people at rush hour are bring couches to their storage units, typically it's done at night or weekends

Mr. Ruiz asked if the developer has had similar ventures to be able to compare?

Mr. Newcomb knows they have in the past, but would need to ask about sites and will be sure to have that information sent via email to Kurt Rappazzo. Passero has given facelifts to other plazas that needed it as well, not just this one. Tenants will not come in looking as it is now.

Mr. Argenta asked how many self-storage units will there be and will any be accessed from the exterior?

Mr. Newcomb not sure how many units, sorry and none will be accessed from outside, will need to go through the building with various sized storages, with none being bigger than 10x10. Will be climate controlled

Chairman Wall, conceptually this is a good plan, but when moving through the process will need to see plan for dock spaces as part of the code, especially for the existing businesses, like Mark's Pizzeria and Johnny Box spring, assuming all those deliveries are made in the back, but would like to see. On the East side behind Mark's and that stretch (**using a rendering to show**) there's a lot of asphalt and essentially uncontrolled, so possibly looking at pavement stripes to make drive-outs

clear and docks clear. Just for the developer to look at, on the North side, next to Mark's Pizzeria, parking spaces may be able to be added there and still have a wide enough emergency vehicle access (just something to look at). On the Southside of the project, there is 163-spaces, (backside of building) which are kind of cut off of anything. Since punching holes for access, might want to look into as pedestrian access. It would give connectivity, especially if there is a farmer's market. Also, handicap spaces, according to the plan all loaded towards the southside of the project, might want to look at expanding across, with a better distribution of handicap spaces, again to give accessibility.

Mr. Gartley, the snow removal will need to be identified where it will be. Also, asked if they received a survey?

Mr. Newcomb, they have a boundary survey and it's one reason why they are not presenting a final plan is because they are waiting for the final. They don't intent on changing much, but it'll show the existing utilities.

Mr. Gartley, suggesting because off Pixley it slops down, might need parking there for the restaurant
Also, identifying build materials and color renderings

Mr. Newcomb will provide all that when they return

Chairman Wall asked if Board had more questions, None, then continued to the side table

Mr. Rappazzo—Vison plan is great. Will need to see a Construction Plan, to show how the site is intended to look when it's done. Show already those pads in places. How the front of the building is going to be? That way when someone else does come in to build those, we have. Do you plan to leave the utility connections?

Mr. Ritchie—Nothing at this time

Councilman Cordero—None

Public--None

Chairman Wall, this is a conceptual plan and will keep Pubic Hearing Open, and asked if there is anyone who wants to address? --None

Executive Session

Chairman Wall motioned TABLE this application for Westmar Plaza Developments. It's a Conceptual Plan and speaking for the Board understands wanting this development out there, just need to get through the final details. The applicant has been taking notes as far as some concerns from the board, which are some of the details needed to be able to make a decision on this project and will also give the applicant time to go through the Town Board approvals

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

MOTION PASSED:

Chairman Mike Wall made a motion to adjourn the meeting, Mr. Gartley second. All in Favor

The meeting was ADJOURNED at 8:28PM

Respectfully submitted,

Lily Alberto
Recording Secretary