



# Town of Gates

1605 Buffalo Road  
Rochester, New York 14624  
585-247-6100

## Meeting Minutes

October 15, 2024

**MEMBERS PRESENT:** Bill Kiley, Chairperson; Don Ioannone; Steve Zimmer; Alan Redfern; Dave Ferris

**MEMBER(S) NOT PRESENT:** Tina Albanese-Stauffer

**ALSO PRESENT:** Robert Mac Claren, Esq., Board Attorney  
Lee Cordero, Councilman & Zoning Board liaison

A public hearing of the Gates Zoning Board of Appeals was called to order by **CHAIRPERSON KILEY** at 7:30 p.m. at the Gates Town Hall.

**CHAIRPERSON KILEY** explained the purpose and procedure of the Zoning Board.

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**CHAIRPERSON KILEY** - Explains process and role of the ZBA; applications published in daily record and on town website;

**CHARIPERSON KILEY** – first order of business is to accept minutes from the September, 2024 meeting;

**MOTION – MR ZIMMER** – Motion to accept minutes from September, 2024 meeting.

**Second – MR REDFERN**

*All in favor, minutes approved.*

*Mr. Ferris abstains*

APPLICATION NO 1.

**THE APPLICATION OF GEORGE MAREK SEEKING AN AREA VARIANCE FOR THE PROPERTY LOCATED AT 2206 BUFFALO ROAD FROM ARTICLE V, § 190-22(H) TO ALLOW A FREESTANDING SIGN WHICH WILL ENCROACH INTO THE 15 FOOT SETBACK BY APPROXIMATELY 7 FEET.**

**GEORGE MAREK** – 650 Lake Avenue, Hilton, Petroleum Services; wants to put a sign up that replaces the one that was in the corner; only realistic place it can go; cannot go in corner anymore; utilities cut across tanks now; has to replace tanks soon; has to move tank hole; problem is bedrock at six feet; already dug out, but with utilities, it is a problem; no way to put it in the corner; this is the most logical place; do not want it to sit in front of sign; next to it, no one would see either sign; canopy is in the way

**MR FERRIS** – can you move it to other side, instead of towards road ?

**MR MAREK** – blocks canopy; canopy blocks sign; up against other sign, side by side; existing sign is at the edge of property line; when you drive down the road, see both; thought about in front of driveway but would stick out; would need to break rock closer to canopy to get new tank

**CHAIRPERSON KILEY** – is seven feet from the edge of sign?

**MR MAREK** – correct, puts within almost a few inches of other sign

**MR FERRIS** – width of sign?

**MR MAREK** – 70 inches; 67 to center

**MR FERRIS** – almost ten feet from center of road to edge of sign

**MR MAREK** – yes

**CHAIRPERSON KILEY** – questioning how long ago there was a sign there

**MR MAREK** – there was some kind of sign on that same corner, if you look where sign is going, there is a big post still sitting there; put one of those advertising cardboards over it; there was definitely one in the corner because the old footing is in the bushes

**CHAIRPERSON KILEY** – is this where the old sign used to be (on map)

**MR MAREK** – in bushes can see where it was; something in center, standard signs

**CHAIRPERSON KILEY** – sign is just advertising, prices?

**MR MAREK** – yes, two

**CHAIRPERSON KILEY** – instead of on canopy, understood

**MR IOANNONE** – lighted, twenty-four hours or dusk to dawn?

**MR MAREK** – business hours, sign would go off when he leaves  
**MR IOANNONE** – prices, rotate or stationery?  
**MR MAREK** – no flickering

**CHAIRPERSON KILEY** – setback, no environmental impact

**PUBLIC HEARING** – no one in attendance

**MOTION – MR IOANNONE** – Motion to table application as presented

The Board was unable to make a determination with respect to any of the requested variances as the Board did not receive the required response from the County Planning Board prior to the meeting.

The Application will now be heard on Tuesday, November 12th, at 7:30pm.

Please note that the following facts are not in dispute:

- 1 The Applicant sought variances from with respect to the setback for a freestanding sign at the property located at 2206 Buffalo Road, Town of Gates (the “Property”);
- 2 The Property is located on a State or County road and the County response is required but was not received prior to the August meeting.
- 3 The required public hearing was opened, held, and closed at the meeting and no parties appeared to support or object to the Application; and
- 4 This application involved a Type II action, under the State Environmental Quality Review Act (SEQRA) and the Board found that no further proceedings under SEQRA are required.

**MR FERRIS**– Second

*All in favor*

**MOTION** - to adjourn – **MR ZIMMER**  
Second – **MR FERRIS**

Respectfully submitted,

Clare M. Goodwin, Secretary  
Gates Zoning Board of Appeals