



Town of Gates

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

Meeting Minutes

September 11, 2023

MEMBERS PRESENT: Bill Kiley, Chairperson; Don Ioannone; Alan Redfern; Steve Zimmer; Dick Lippa

MEMBER(S) NOT PRESENT: Dave Ferris;

ALSO PRESENT: Robert Mac Claren, Esq., Town/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 August, 2023 meeting;

MOTION – MR LIPPA – Motion to accept minutes from August, 2023 meeting as corrected.

Second – MR IOANNONE

All in favor, minutes approved.

MOTION – MR IOANNONE – Motion to lift the table

Second – MR ZIMMER

APPLICATION NO. 1

**THE APPLICATION OF HOSPITALITY SYRACUSE INC.
REQUESTING VARIOUS AREA VARIANCES IN CONNECTION TO
ADDITIONAL AND INCREASES IN OVERALL SIGNAGE AT 2317
LYELL AVENUE**

CHAIRPERSON KILEY – Voting on issues tonight as went through discussion last time; applicant has nothing new to add. First item is the directional signs; can you take two directional signs and go from 3 square foot allowed to what is requested

MOTION – MR IOANNONE – Motion to approve as submitted

1. Requested area variance from Article V, Section 190-22B(3) for the Property to add two (2) 4 square foot directional signs where only 3 square foot signs are allowed. This variance was approved by a unanimous vote of the Board. Please note that the size increase only applies to the directional signs located on the Property, the variance does not apply to the proposed directional sign located on the adjoining parcel.

Second – MR LIPPA

Member Vote Tally

Mr. Lippa - yes

Mr. Zimmer – yes

Mr. Redfern - yes

Mr. Ioannone - yes

Chairperson Kiley - yes

Variance approved 5-0

CHAIRPERSON KILEY – Monument sign setback six inches as opposed to fifteen feet because of the geography

MOTION – MR ZIMMER – Motion to approve

2. Requested area variance from Article V, Section 190-22H for the Property to allow proposed monument sign to be set back 6 inches from Lyell Avenue right of way line where 15 feet is required. This variance was approved by a unanimous vote of the Board.

Second – MR REDFERN

Member Vote Tally

Mr. Lippa - yes

Mr. Zimmer – yes

Mr. Redfern - yes

Mr. Ioannone - yes

Chairperson Kiley - yes

Variance approved 5-0

CHAIRPERSON KILEY – #4 – 20 square foot sign on east side of building

MOTION – MR LIPPA – Motion to approve

3. Requested area variance from Article V, Section 190-24C for the property located at 2317 Lyell Avenue to allow for a proposed 20 square foot building mounted sign on eastern elevation where only 15 square feet is allowed. The variance was approved variance was approved by a 4 to 1 vote of the Board.

Second – MR REDFERN

Member Vote Tally

Mr. Lippa - yes

Mr. Zimmer – yes

Mr. Redfern - yes

Mr. Ioannone - no

Chairperson Kiley - yes

Variance approved 4-1

CHAIRPERSON KILEY – #3 – increase to allow signage for the whole building, 75 square feet which includes 20 feet just approved

MOTION – MR ZIMMER – Motion to approve

4. Requested area variance from Article V, Section 190-24B for the Property to allow proposed 75.4 square foot of building mounted signage where only 50 square feet are allowed. The variance was approved variance was approved by a 4 to 1 vote of the Board.

Second – CHAIRPERSON KILEY

Member Vote Tally

Mr. Lippa - yes

Mr. Zimmer – yes

Mr. Redfern - yes

Mr. Ioannone - no
Chairperson Kiley - yes
Variance approved 4-1

Please note that the following facts are not in dispute:

- 1 The Applicant sought variances from with respect to additional signage and increases in the overall size of signage property located at 2317 Lyell Avenue, Town of Gates (the “Property”);
- 2 The Property is located on a State or County road and the County response was required and received prior to the September 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 an unlisted action, under the State Environmental Quality Review Act (SEQRA) and the Board found that no further proceedings under SEQRA is required.

MR LIPPA – comments on other restaurants, suggests sending coupons in the mail; asks what they are doing as a franchise

MIKE MCCRAKEN – social media; sign up clubs where you can get recurring coupons through the mail; could do more coupons, mostly electronic

MR LIPPA – younger group, sauce errors; make good first time; young adults, other factors in competition

MR MCCRAKEN – hoping signs get attention; looking for persons who do not know they are there

MOTION - to adjourn – **MR REDFERN**

Second – **MR IOANNONE**

All in favor

Respectfully submitted,

Clare M. Goodwin, Secretary
Gates Zoning Board of Appeals