

The Town of Gates **Planning Board** held one (1) Final Site Plan Approval on Monday, June 24, 2024 at the Gates Town Hall Meeting Room, 1605 Buffalo Rd., and beginning at 7:30PM

**MEMBERS PRESENT:**

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

**MEMBERS ABSENT:**

|           |           |
|-----------|-----------|
| Mike Wall | 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.

Chairman Ruiz asked for a motioned to approve the May 28, 2024 Planning Board Minutes as sent to the Board.

|                          |                      |                    |                  |
|--------------------------|----------------------|--------------------|------------------|
| Ken Martin .... Motioned | Joe Argenta...second | All in Favor...Aye | Opposed.... None |
|--------------------------|----------------------|--------------------|------------------|

**MOTION CARRIED**

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**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**

Town Attorney, Dan Schum verified that the Legal Notice was properly published as required by law.

Chairman Ruiz asked if the applicant was present?

Bob Winans, engineer with Land Tech, as well as Tim Baum, owner of Brodner Equipment. They were before the board in April 2024 and went through the project and received Preliminary Site along with Final Sub-Division Approval.

They submitted updated plans and letter of response to the Town Engineers comments as well as the comments made from the Planning Board at last month's meeting along with housekeeping items.

One of the biggest items was about the access lane between the existing building and the new building being a bit narrow of twenty (20) feet, so they changed the width of the building down to fifty-five (55) feet, taking five (5) feet off the width of the building making it a twenty-five (25) foot driveway between the buildings.

One of the comments made in the letter was about possibly adding a fence or buffer between the new building and existing house. In the undated plans it shows they added a six (6) foot fence between the residential home and the property.

Mr. Winans added in the letter he received today (6/24/2024) from Costich doesn't see anything they can't address prior to sign off. He also had architectural plans he passed out.

Tim Baum contacted the architect at ALA and was given a rough idea of what they want to do. He knows he need a sprinkler system and heating system, but still in the process of figuring that out, getting ideas and prices. As far as the outside of the building, the color (passed out a photo of a similar building and color scheme) the lower gray, white and darker gray roof. He intends on dressing up the new building a bit more with possible brick facing. He's been getting ideas from buildings around town. Mr. Baum wants something special and for people to be wowed when they see it. Once he gets approval, he will look further into this and get pricing.

Mr. Argenta asked to confirm what Mr. Baum is looking to do in the front of the building?

Mr. Baum responded, like a fancy brick, you see on store front buildings as you drive around town, but not yet one these plans, just something to dress it up a bit.

Mr. Argenta asked if they will have gutters and how will water splash, will it be piped down?

Mr. Winans responded, yes there will be gutters and they will tie into storm system.

Mr. Stuhler asked what the peak height of the building is?

Mr. Martin responded twenty-two and a half feet (22 1/2) he just saw on plan, but asked about the difference in the pitch between the two (2) buildings and sked why?

Mr. Baum responded it's a higher building by two (2) feet, it'll be eighteen (18) feet inside, so they can use their pallet rack, which doesn't fit in the existing building.

Mr. Argenta will a wash bay required here?

Mr. Baum responded, yes, he has already spoken with someone about it and will supply details to the board. He is pushing to have this, so in the winter they don't have to go outside and have wires get wet and freeze.

Mr. Argenta in the drawings they received there is information about lighting fixtures, but no photometrics is included.

Mr. Winans responded, no, it'll be wall packs over the doors, so very minimal, facing down and about six-eight (6-8) feet from the doorway

Mr. Argenta with it being over the doors, would like to see a photometric.

Mr. Martin especially with selling the residential home, so the buyers do not have to deal with the lighting

Mr. Rappazzo, knowing that was a potential concern asked if the door on the west could be moved to the north face, so the light doesn't point towards the house

Mr. Baum responded will go over with the Fire Marshal and see what he wants.

Mr. Argenta asked if it stays as is, will there be a concrete pad?

Mr. Baum responded, yes

Mr. Martin the new proposed asphalt for parking is, there was a shed, there is no showing of grading, currently there is a low spot

Mr. Stuhler with the current grading, and adding asphalt it will create a pond right at the fence line, so it will be to be raised up

Mr. Winans with the big pile of dirt discussed at the previous meeting, he intended to use to fill in. He agreed and will add and show grading.

Mr. Rappazzo added the towns preference would be no water gets drained to or pushed to the single-family lot. So, it all drains away from it.

Mr. Winans agreed.

Mr. Argenta sees a detail of granite curve

Mr. Baum it's there now, but ends about fifteen (15) feet west of the driveway

Mr. Argenta the details show a gate, what is it made of?

Mr. Baum explained it's an existing gate and is more for security

### **Side Table**

Mr. Rappazzo, none at this time.

Mr. Ritchie, did issue a comment letter and feels the applicant did adequately respond most of the comments in the letter and there are a few loose ends, technical in nature, but nothing that can't be resolved.

Supervisor Giunta, none at this time.

Mr. Stuhler asked on the westside if downspouts will be added will it just go into the grass into the swale and the eastside will go into the storm

Mr. Baum replied, yes, into the swale, they will need to reroute to tie into. He was waiting for the latest from the architect to tie thing in.

Attorney Schum asked the town engineer if he was ok with the stormwater to be submitted later?

Mr. Ritchie replied, that was his comment, it appears to be a limited disturbance, under the threshold to require any stormwater to be done, so he just wants Mr. Winans to look at that, but thinks they have plenty of room if they need to mitigate and has no issue, but it should be a condition of approval.

Mr. Winans they will double check and supply an exact layout, it's a bit different because it's an existing site and a lot of the work will be on existing stone and existing asphalt

**Open to Public**

None

**Close Public Hearing 7:49**

**Executive Session 7:49pm-7:52pm**

Chairman Juan Ruiz motioned to **Grant Final Site Plan Approval of Brodner Equipment Site Improvements** located at **3918 Lyell Rd; 3948 Lyell Rd and 707 & 711 Elmgrove Rd.** in a **LI Zone** with the following conditions:

1. All conditions of the Preliminary Site Approval are to be incorporated into the Final Plan.
2. 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
3. A letter of credit is submitted to the Department of Public Works in the amounts sufficient to cover drainage, landscaping along with certified As-Built Survey on-site features.
4. All comments from the NY State and or Monroe County Department of Transportation be incorporated into the final plan.
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 Review Fee to the town prior to the signature of the Planning Board Chairman.
7. Building elevations and materials must adhere to the approved specifications.
8. No Outside Storage of Vehicles and/or materials will be permitted on the property.
9. All conditions set forth by the Monroe County Dept. of Planning and Development are to be incorporated into the Final Site Plan.
10. The Dumpster Enclosure is to be shown on the final plan.
11. A Drainage Report must be incorporated into the final plan.
12. All necessary easement agreements are to be reviewed and approved by the Town Attorney.
13. All Signage is to conform to Town of Gates standards.
14. A detailed Lighting plan with catalogs and photometrics must be included to the final plan.
15. A Drainage Report must be incorporated into the Final Plan.
16. Any changes must be approved by the Planning Board Chairman.
17. The applicant is to submit samples and colors to be approved by the Planning Board Chairman.
18. The site grading in the vicinity of the catch basin are to be shown in the Final Plan.

Joe Argenta...seconded.

In Favor...Four (4) Aye

Opposed...One (1) Nay

**MOTION PASSED: FINAL SITE PLAN APPROVAL**

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Chairman Ruiz motioned to **Adjourn the meeting**

Ken Martin...seconded.

All in Favor...Aye

Opposed...None

The meeting was ADJOURNED at 7:52PM

Respectfully submitted,

Lily Alberto

Recording Secretary