

The Town of Gates **Planning Board** held one (1) New Item and three (3) Tabled Items on Monday, July 28, 2025 at the Gates Town Hall Meeting Room, 1605 Buffalo Rd., and beginning at 7:30PM

MEMBERS PRESENT:

Juan Ruiz	Chairman
Joseph Argenta	
Denise Cambisi	Alternate
Ken Martin	
Brandon Stuhler	
John DiCaro	Town Attorney
Kurt. Rappazzo	Director of Public Works
Mike Ritchie	Costich Engineering, P.E
Cosmo Giunta	Town Supervisor

MEMBERS ABSENT:

Kirk Kettinger	
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 motioned to approve the May 19, 2025 Planning Board Minutes as sent to the Board.

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

MOTION CARRIED

PRELIMINARY SITE PLAN APPROVAL

135 FedEx Way Storage Facility

OWNER: Steve Capizzi

ENGINEER: LandTech

LOCATION: 135 FedEx Way

District: General Industrial Zoning

Chairman Ruiz asked if the applicant was present?

Tucker Velepec, LandTech proposing to build a 7,000 sq. ft building along with a parking lot. Building will have certified water from the existing building on the property as well as be serviced by public sewer on FedEx Way. They revised plans from the comments made on the comment letter from the town engineer and are looking for Preliminary and Final Site Plan Approval.

Mr. Argenta asked if they received they have already submitted to the State DEC?

Mr. Tucker replied, they do not need too. It's only when there are informational wetlands on the property.

Michael Lubezki, a developer on the project, working with the owner. He added information per the new regulations map, only the magenta colored area is required a DEC letter. There is an existing building that should show there are no wetlands.

Mr. Martin's understanding is the State made that an information only map and an application does need to be Provided of no wetlands. He asked if they had the possibility to get an outside person to do a delineation. It could be a faster process.

Mr. Lubezki feels they will not be required a delineation

Mr. Argenta added along with that letter from DEC, the board also needs, building elevations, photometrics

Mr. Stuhler clarified that the board needs to see the blueprint of the building, what it's going to look like, the colors, height, as well as the letter from the DEC on the wetlands.

Mr. Lubezki the plan is to make it look like the existing building. He asked if they could get an approval with a contingency on receiving the letter?

Mr. Martin, there have been several projects come before the board and there has not been approvals with contingencies with those either.

Attorney DiCaro the reality is this boards position is to have the DEC letter prior to any approvals including SEQR. So, the take-away from this meeting is to know what the board requires for approvals and then to gather it all for the following meeting.

Mr. Martin the boards stance is that even without the DEC letter, the board would listen to the information presented for the project and then give feedback for the following meeting, when the letter has been acquired and then streamline the process as much as possible. He has actually seen the existing building on the property that has been referred too, and has no issue with the new building going up to look the same, but not all board members are aware of that area. Having elevations, building materials and other information helps for everyone to be on the same page.

Mr. Lubezki understands, they will do the work, get the letter. He was curious to get a feel for what the board was thinking about the project

Attorney DiCaro doesn't see any issues or any big problems, but the board definitely needs to see the items discussed.

Mr. Martin to confirm the items asked for: Exits out of the building, possible sprinklers, what the egress looks like and the space around it, elevations, colors, etc.

Side Table

Mr. Rappazzo, none

Mr. Ritchie, it's been this boards stance since January 2025 when this rule changed over even though it may seem unnecessary, the board has remained consistent with every application including other applicants present waiting on approval due to the DEC letter. So, until the Town gets evidence from a State level, it'll continue handling it this way. It does take time approximately 100-days from the day it's submitted. Also, per his conversation with John Sciarabba, the stormwater management needs to be taken care of, the towns threshold is lower than the

states. Also, look at FedEx Way as a whole and making sure what's being proposed is consistent. A huge SWIPT is not necessary, but an engineer's report to provide the town with enough information to make a judgment call.

Mr. Lubezki, the reason they hadn't provided the DEC letter sooner is because this is part of an existing building.

Mr. Ritchie, it's still a project that requires site-plan approvals and SEQR. There are other projects that are part of an overall plaza that at first sight looks like it's not necessary. Possibly as the town gets more information it can change some of its requirements.

Supervisor Giunta, none

Open to Public

None

Juan Ruiz motioned to **TABLE Preliminary & Final Site Plan Approval of 135 FedEx Way Storage Facility** located at **135 FedEx Way** in a **General Industrial District** for DEC letter.

Joe Argenta...seconded.

In Favor...Aye

Opposed...None

MOTION PASSED: PRELIMINARY & FINAL SITE PLAN TABLED

PRELIM. & FINAL SITE PLAN APPROVAL

Verizon's Wireless Telecommunications Facility

OWNER: 3500 Buffalo Road LLC

ENGINEER: Costich Engineering, D.P.C.

LOCATION: 2870 Manitou Rd (formerly 3500 Buffalo Rd)

District: Limited Industrial Zoning

Chairman Ruiz asked if the applicant was present?

Jared Lusk, Nixon Peabody, representing Verizon. They presented almost 6-months ago on January 27, 2025. They received the letter from DEC at the end of May 2025 and have provided that information along with responses to the additional comments and revised site plans.

Mr. Argenta asked if there have been any changes to the layout?

Mr. Lusk, only to address the Engineer comments and suggestions.

Side Table

Mr. Rappazzo would like to ask this board to add a structural analysis of the tower.

Mr. Lusk, the tower hasn't been designed yet. Once the application is approved, they will send out the team to drill and do an analysis of the ground and send to the tower company which they take the information for the design of the tower, but that's once they receive an approval.

Mr. Ritchie, none

Supervisor Giunta, none

Open to Public

None

Executive Session 7:50pm-7:51pm

Chairman Juan Ruiz motioned the Board declare this an Unlisted Action and based on the review of the impacts on the environment that the board has discussed and the town engineer has reviewed, and the board is Granting a negative declaration of environmental significance and no further SEQR action is required.

Joe Argenta...second

All in Favor...Aye

Opposed.... None

MOTION PASSED: NEG. DEC.

Chairman Juan Ruiz motioned to **GRANT Preliminary & Final Site Plan Approval of Verizon's Wireless Telecommunications Facility** located at **2870 Manitou Rd (formerly 3500 Buffalo Rd)** in a Limited Industrial District with the following conditions:

- The Fire Marshal must review and approve the Site Plans before the signature of the Planning Board Chairman.
- All regulatory agency stamps of approval, including from the Fire Marshal, must be affixed to the Final Plan prior to the Planning Board Chairman's signature.
- A letter of credit, sufficient to cover erosion control and restoration along with certified as-builts, must be submitted to the Director of Public Works.
- The Applicant must 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 Department of Public Works.
- The applicant must submit the Final Site Review Fee to the Town of Gates prior to the Planning Board Chairman's signature on the Final Plan.
- Building elevations and materials must adhere to the approved specifications.
- No outside storage of vehicles and/or materials will be permitted on the property.
- Compliance with conditions set by the Monroe County Department of Planning and Development is required.
- All necessary easement agreements must be reviewed and approved by the Town Attorney.
- All signage is to conform to the Town of Gates standards.
- A detailed lighting plan must with catalogs and photometrics must be included in the Final Plan.

MOTION PASSED: PRELIMINARY & FINAL SITE PLAN APPROVED

Joe Argenta...seconded.

In Favor...Aye

Opposed...None

Doud Resubdivision
OWNER: 898 Buffalo Road LLC
ENGINEER: DDS Companies
LOCATION: 898 Buffalo Rd
District: Residential Zoning

Chairman Juan Ruiz added, per the applicants request this Agenda item has been **WITHDRAWN**.

PRELIMINARY SITE PLAN APPROVAL

Gates Plaza Pharmacy Redevelopment Plan
OWNER: 570 Delaware XXVII
ARCHETECTIC: James Allen Rumsey
LOCATION: 2 Spencerport Road
District: General Business Zoning

Chairman Ruiz asked if the applicant was present?

Matt Oates, Benderson Development, requesting Site Plan Approval for the existing building into multi-tenant to accompany a coffee shop. It's 2500 square feet (**Used Rendering to Show**) It's 2-stages, Site work and Architectural work. The plan is to remove the drive-thru portion and add a 5-foot drive-thru (**Used Rendering to Show**). Greenspace will increase by 6%. There will be a patio in front. Architecturally, they will use the main structure, but proposing to take down the columns. There will be windows and wood elements along the side (**Used Rendering to Show**). Since previous presentation in January have received the Negative Declaration from the DEC. Also, what came out of the January presentation, they removed the ATM and changed the flow of traffic. He looks forward to working with the town.

Chairman Ruiz, what else is going in besides Starbucks?

Mr. Oates, they have received some interest, but nothing definite.

Mr. Argenta asked if there were any building elevations and lighting?

Mr. Oates replied he has not seen any currently, but will sure to have them.

Mr. Stuhler asked about the dumpster in the back and the pick-up time due to traffic and busy time.

Mr. Oates agreed and will look into.

Mr. Argenta asked if the dumpster will be a masonry enclosure instead of wood?

Mr. Rappazzo, it's currently chain-link

Mr. Oates, uses a composite, in a natural color, it holds up better.

Side Table

Mr. Rappazzo no comments, except he appreciates all the efforts and is looking forward to it.

Mr. Ritchie, they have provided responses to the comment letter previously and had no additional comments.

Supervisor Giunta, asked when they're coming in

Open to Public

None

Executive Session 8:04pm-8:07pm

Chairman Juan Ruiz motioned the Board declare this an Unlisted Action and based on the review of the impacts on the environment that the board has discussed and the town engineer has reviewed, and the board is Granting a negative declaration of environmental significance and no further SEQR action is required.

Joe Argenta...second

All in Favor...Aye

Opposed.... None

MOTION PASSED: NEG. DEC.

Chairman Juan Ruiz motioned to **GRANT Preliminary Site Plan Approval of Gates Plaza Pharmacy Redevelopment Plan** located at **2 Spencerport Rd** in a Limited Industrial District with the following conditions:

- All conditions set forth by the Monroe County Department of Planning and Development must be incorporated into the Final Plan.
- All conditions of the Sketch Site Approval must be incorporated into the Final Plan.
- The applicant must provide building elevations of the proposed building, indicating side elevations, building height and pitch of roof.
- Samples of building materials must be presented at the final site review.
- No outside storage of vehicles and/or materials will be permitted on the property.
- All signage is to conform to the Town of Gates standards.
- The applicant must submit the Final Site Review Fee to the Town of Gates prior to the Planning Board Chairman's signature on the Final Plan.
- The Fire Marshal must review and approve the plan before final review.
- All necessary easement agreements must be reviewed and approved by the Town Attorney.
- The final plan must show snow storage areas clearly defined.
- A detailed lighting plan with catalogs and photometrics must be provided for Final Site Review.
- All comments from the New York State Department of Transportation must be incorporated into the Final Plan.
- The dumpster details and its enclosure must be clearly defined on the Final Plan.
- All **requirements from the DEC including Approval Letter** are to be included in the Final Site Plan.

MOTION PASSED: PRELIMINARY SITE PLAN APPROVED

Denise Cambisi...seconded. In Favor...Aye

Opposed...None

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

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

The meeting was ADJOURNED at 8:12PM

Respectfully submitted,
Lily Alberto
Recording Secretary