The Town of Gates **Planning Board** held a Public Hearing for (3) three items on Monday, 4September 28, 2026 at the Gates Town Hall Meeting Room, 1605 Buffalo Rd. beginning at 7:30PM.

MEMBERS PRESENT:

Ken Martin	Chairman
Kirk Kettinger	
Brandon Stuhler	
Angelo Ciresi	
Rick Campoli	
John DiCaro	Town Attorney
Randy Minster	Superintendent of Public Works
Mike Ritchie	Costich Engineering, P.E
Cosmo Giunta	Town Supervisor
Joseph Argenta	Alternate

ABSENT:

Juan Ruiz	Alternate

Chairman Ken Martin called the meeting to order at 7:34 PM and began with the Pledge of Allegiance and a Moment of Silent Prayer.

Chairman Ken Martin motioned to approve the August 24, 2025 Planning Board Minutes as sent to the Board.

7Brandon Stuhler…second
All in Favor…Aye Opposed…. None

The Town Attorney, John DiCaro verified that the Legal Notice was properly published as required by law.

St. Theodore's Catholic Church Preliminary & Final Subdivision Approval

Owner/Applicant:	**St. Theodore's Catholic Church**
Location:	**168 Spencerport Rd.**
Identifier:	**104.14-1-3.1 and 104.14-1-4.1**
Engineer:	**Costich**
District:	**R-1-8 Residential One Family**

Chairman Ken Martin added, per the applicants request the application is to continue to be **TABLED** and moved to **Monday**, October 26, 2026.

This application is **TABLED**.

Gates Federal Credit Union **Preliminary (Building Addition) Site Plan Approval**

Owner/Applicant: **Kelly DeFranco, CEO (Gates FCU)**
Location: **2870 Buffalo Rd.**
Identifier: **118.15-1-34.11**
Engineer: **SWBR**
District: **Neighborhood Business (NB)**

Chairman Ken Martin asked if the owner/applicant was present?

Bethany Ramsey, SWBR this is a permitted use within the neighborhood district and no subdivision is proposed. This proposed plan for a building addition with a reconfigured entrance, parking lot redevelopment and ATM drive-thru relocation. The 3,150 square-feet addition will be a single-story, wood-frame with the exterior consistent with existing building. The new entrance will include a new ramp for accessibility (used renderings to show). They did receive a comment letter from the Town Engineer.

Chairman Martin, 15% setback is non-conforming. A Variance would be required.

Ms. Ramsey, the 25-foot setback already is a buffer along with parking setback.

Chairman Martin, in terms of adding to the buildings existing floor plan what will be going in?

SWBR, there will be a Community Room, more office space (used rendering to show)

Chairman Martin asked about the ramp and confirmed it is 49-foot

Mr. Minster asked if the public uses the old section then is it already accessible and the ramp not needed?

Ms. De Franco the existing building will be for employees and the ramp will be needed

Chairman Martin understand, what will be most impact from parking area, ramp or stairs. He is also concerned with the neighbor next door and that perspective needs to be considered. Also, a lighting plan, per code so there is No spilling.

Mr. Stuhler as far as the ATM with cars going through and cutting back to not go all around, maybe reconfigure the route

SWBR will revisit ATM location

Chairman Martin asked about the ATM lighting as well. To be sure there is no spillage, but understands the safety end of it.

Side Table

Town Engineer Mike Ritchie submitted his comment letter, but added a dry well test and a lighting plan, to be sure it screened to the neighbors.

Randy Minster, none

Supervisor Giunta, none

Open to Public

Adam Norton, neighbor appreciates adding more trees or planting to buffer and prevent people from cutting through. Possibly relocation the ATM, he doesn't want the lights becoming like disco lights flashing into his home or to feel like people are looking in while in the lane waiting.
This is a lot of building directly to him (used rendering to show).

Ms. De Franco the canopy will be gone and won't face his property.

Mr. Norton wants to sure the setback is maintained and wants as much buffer as possible.

Chairman Martin in some cases, the developer puts up a 6-foot fence between to help buffer.

Mr. Norton would prefer trees and vegetation, not a fence. He and his family like nature as much as possible.

Chairman Martin the code does state a buffer. He also requested a photo of the ATM and photometric to be included.

He asked if anyone else wanted to speak? Hearing none, closed the public hearing

Executive Session
7:58pm-8:00pm

Chairman Ken Martin this application needs more tweaking.

Chairman Ken Martin motioned to **TABLE Preliminary (Building Addition) Site Plan Approval of Gates Federal Credit Union** in a **Neighborhood Business District (NB).**

Angelo Ciresi …seconded. In Favor…Aye Opposed…None

MOTION TABLED

7-Brew **Preliminary Site Plan Approval**

Owner/Applicant: **Brew Team, LLC**
Location: **2344 Lyell Ave.**
Identifier: **104.15-1-1-67**
Engineer:
District: **General Business (GB)**

Chairman Ken Martin asked if the owner/applicant was present?

Larry Adler with Brew Team, LLC. There are currently eighteen (18) locations in NY and locally, Webster, Greece and Henrietta. This location was originally an Arby's and in a General Business district. 99% impervious and 1% greenspace.
7-Brew is a drive-thru only that serves coffee and handcrafted drinks, no food except prepackaged muffin tops only.
It's a 510 square-foot pre-manufactured building (used rendering to show) with cars coming in from Lyell Ave. two (2) lanes with barista/greeter taking orders and payment then car moves up to receive order. There is an enclosed dumpster (used rendering to show) and a canopy to give relief for the greeters.
NY DOT didn't like the access from Cornelia and thought coming in from Lyell would provide more stacking ability.

Mr. Stuhler asked if the guardrail on Cornelia would remain there or removed?

Mr. Adler, they can do either, leaving it in place or removing it and possibly add curbing

Supervisor Giunta asked who owns the guardrail, because Cornelia is a private road? Arby's could have put it in at one time, but doesn't know

Mr. Stuhler asked what the Hours of Operation are?

Mr. Adler, Sun-Thurs 5:30am-10:00pm Fri & Sat 5:30am-Midnight

Supervisor Giunta asked if the green on the rendering is greenspace and what type?

Mr. Adler will revise the greenspace plan

Chairman Martin asked about the type of lighting and signs?

Mr. Adler, three (3) building signs. A medallion for Lyell and then on both sides (used rendering to show) and on the roofline with trademark their blue light that gets turned off when closed.

Mr. Stuhler asked if there will be signs on the roadside?

Mr. Adler, there are no monument signs

Mr. Campoli (used rendering to show) if people come in from the plaza, will they still be able to get in line of have to go through Lyell?

Mr. Adler believes they can still get into the drive-thru lane (used rendering to show)

Chairman Martin, especially when it first opens and it's all new, the queue will be long then the line shown and then there is only two ways for it to go…backup onto Lyell or snail into the plaza

Mr. Adler they will have a plan to address that and will typically meet with the plaza owner as well, using their blue traffic cones and go through the process.

Attorney DiCaro asked about how long is someone in line?

Mr. Adler because there is no food it's typically about 3-4 minutes a lot quicker then a Dunkin or other places because of food orders.

Side Table

Town Engineer Mike Ritchie likes the new layout better, he knows they don't want big trees blocking the building, but possibly add some landscaping maybe lower shrubs. They are under the threshold for stormwater management. There's not a lot from engineering perspectives

Randy Minster asked if it a permanent location for the building or could it get shifted a bit? North to give area to get into the queue a little more space?

Mr. Adler, given the previous comment, that may need to happen.

Supervisor Giunta, none

Open to Public

Josh Osgood, 29 Sungrove Lane was wondering, what the idea is or if it was thought through the situation of the turning lane, turning left into the drive (used rendering to show) or going eastbound in the morning wanting to get their coffee so, they get in that middle lane to turn left and while they're occupying that lane trying to make this turn, the cars leaving thinking about turning left are blocked by that car, So, both side are waiting and as soon as this thing fills up (used rendering to show) you have no one leaving, no one going in and essentially creating lines and gridlock at this choke intersection. It feels like to make this work it almost needs to force people to turn right out at a minimum.
He added, there's other questions beyond traffic, but feels like the traffic is asking for trouble

Mr. Ritchie, typically the NYS DOT has the say on curb cuts and the alignment of how, but that's a good comment. It's their (NYS DOT) road, their curb cut. He thinks it's a solid point and there's opportunity for somebody to turn into Cornelia and if not go around.

Val Foote, 29 Sungrove Lane is concern with this going in, blocks the other plaza business, by taking parking spaces (used rendering to show) and being able to go through the plaza and now it will be a dead end and added two lanes

Attorney DiCaro, clarified Ms. Foote is only concern now, people have always used Cornelia for egress

Ms. Foote, yes, but it was bigger and because of this project will not be (used rendering to show)

speculations are the point of these meeting, especially taking spaces and part of the road (used rendering to show) so anyone trying to use the plaza runs into a dead end or into the fire lane which problematic because it is meant to keep in clear.

Attorney DiCaro honestly that's all speculation and there is no way of knowing

Ms. Foote that is the point of these meetings is to speculate and to protect potential issues

Attorney DiCaro, yes, reasonable speculations

Ms. Foote feels there is reasonable speculation, when creating smaller space for this one business, while cutting off space for the existing business as well as causing back-up of traffic especially with the extra traffic from Starbucks .1 mile away. There is a lot of concern with traffic studies and traffic disturbance especially how narrow this is to access the plaza.

Chairman Martin, that is something that could be discussed with the plaza owner, and how parking will be adjusted in that area and understands and sees her concern, there really can't be a "dead end" situation, even if it's used as an access way out, it's a tight corner trying to make a left turn

Attorney DiCara, it behooves the plaza owner and applicant to make certain they mitigate appropriate ingress, egress and use plan or it will be a failed business

Chairman Martin agrees it would be a great idea for the plaza owner and business owner to meet to come up with a plan. This is only a Preliminary Meeting to get information and concerns. There needs to be a plan for the vehicles and the path ways going in and out. It will change between now and the next meeting

Ms. Foote, this concern is not just for this application, but the affects on the existing businesses

Chairman Martin, 7-Brew brings more cars, but that's also more exposure to the other business in the plaza, which then is a positive.

Ms. Foote, it's not going to help the existing coffee shop that's already there. She understands this is business and supply and demand, but it sucks for them.

Mr. Richie, there was a traffic study submitted, providing more detail and the average gap needed for vehicles to turn into the plaza from Lyell. In reference to roughly 15 seconds on average to turn in. He referred to Mr. Alder to expand upon or even provide more information in terms of source of origination, if they're all going to be coming from Lyell, coming from West and kind of cut through the Plaza and going to the site? Where the percentage of trips would be likely to enter it may be 90% coming from Lyell, but anything that can assure that distribution a little bit better could help the board better understand how the traffic impacts.

Mr. Adler, they can take a look, but was going to bring that up to the board, they did a traffic study and they actually use our 7-Brew stands as the traffic generators and they beat the ITE International Traffic Engineering. They are more conservative and with respect to this area here this is a Preliminary Plan and his guess, is that this (used rendering to show) will be a through lane to the egress, and absolutely the Plaza owner has to sign on it.

He's had a couple of failed concepts and honestly if Arby's was still there and successful, they wouldn't be having this conversation.

Chairman Martin, we're all looking at this thing as it is currently existing right now, but when there's a discussion with the Plaza owner there maybe a solution developed with a new thoroughfare for the Plaza. He visited the area and it's like a no-man's land with no striping and needs some king of direction.

Attorney DiCaro, the board heard it' going to be packed, but asked what is the reality he expects?

Mr. Adler, when the open, the first couple weeks are tough, they go out into the community with samples to big offices, local hospitals and have giveaways, but then calms down. With this location there will be 35 spaces to que which is much bigger then other locations and typically there is eighteen (18) to twenty-two (22)

Mr. Stuhler, it's like any other new business in the beginning it hectic. He asked if there is music playing on the outside?

Mr. Adler there is music that's played inside the building and right outside the door

Chairman Martin asked what volume it's played at, especially with neighbors in the area?

Mr. Adler will need to find out.

Supervisor Giunta asked how transactions are taken and if it's cashless?

Mr. Adler they can accept cash, but it's 95% credit card and there's two sets of sliding doors one on each side of the of the building and that's where the greeters will come out this door here (used rendering to show) and there's one there. So, if someone happens to walk-up they can serve them.

Chairman Martin couple of his concerns are the sound and lighting. Neighbors shouldn't have to listen to music all night and all day, especially if it's not their taste in music.

He asked if anyone else wanted to speak? Hearing none, closed the public hearing

Executive Session
8:38pm-8:39pm

Chairman Ken Martin this application is in s similar situation as the previous and needs more tweaking and information.

Chairman Ken Martin motioned to **TABLE Preliminary Site Plan Approval of 7-Brew, located at 2344 Lyell Ave.** in a **General Business District (GB).**

Kirk Kettinger …seconded. In Favor…Aye Opposed…None

MOTION TABLED

Chairman Ken Martin motioned to **Adjourn the meeting**

Angelo Ciresi seconded. All in Favor…Aye Opposed…None

The meeting was ADJOURNED at 8:40PM

Respectfully submitted,
Lily Alberto
Recording Secretary