

TOWN OF GATES
PLANNING BOARD MINUTES
June 22, 2020

The regular meeting of the Gates Planning Board was called to order at 7:30 PM by Chairman Wall.

PRESENT MEMBERS: M. Wall (Chairman), J. Ruiz, J. Argenta, D. Gartley, D. Schum, (Town Attorney), K. Rappazzo (Dir. Of Public Works), L. Cordero (Councilman), M. Ritchie (Costich Engineering)

ABSENT MEMBERS: T. May

The first matter on the agenda was approval of the May 26, 2020 Planning Board Minutes. Mr. Argenta made a motion to approve the minutes as received. Mr. Ruiz seconded the motion. All were in favor; **the motion carried.**

GIZZI REAL ESTATE HOLDINGS
OWNER: Gizzi Real Estate Holdings LLC
LOCATION: 3035 Buffalo Road
ENGINEER: Schultz Associates P.C.

PRELIMINARY SITE APPROVAL
NB (Neighborhood Business)

Mr. Kris Schultz of Shultz Associates was present to speak about the project. Also present were John Gizzi, Joe Gizzi and Patrick Laber from Shultz Associates.

The project was before the Zoning Board last month. They had to clean up area variances; one for separation on east side of building to the property line which resulted from a jog in the property line. The proposed building is actually further away from the property line than the existing building on site. They spent some time looking into building coverage in relation to some changes in the town code – looking for lesser amounts of lot coverage. He states that they basically went over the whole area and looked at what was typical and the Zoning Board agreed that in this instance it did make sense. A lot had to do with the basis of the site being a re-development site. Tonight they are looking for initial approval for 3035 Buffalo Road.

Mr. Schultz went on to say that they are going to mirror the existing building east of this site. Some slight changes in the architectural, but for the most part the buildings will be similar. They are fortunate on this site because the parcel to the west is also owned by Gizzi Real Estate Holdings and they gives them a lot of freedom for access on to the site, the parking and the storm water. The existing building at 3041 is Heuther Heating and Cooling. That building will stay in place. Their access off Buffalo Road will be the access 3035 Buffalo Road will be using. There is a reciprocal cross access easement for that access for the Heuther building and for the existing building (Schmeg's Building). They do not have to worry about a new curb cut onto Buffalo Road. It also gives them a nice controlled access when they are coming in, basically they have to come in nice and slow and not flying into the site.

Mr. Shultz stated that they did get the plan out to Monroe County Planning and got those comments as well as comments from the town engineer. They went through all of them. They can address each of those concerns. He went on to say that with the plan they were able to do a few things to help out the 2997 Buffalo Road building. On the south end of the building, they will continue asphalt access drive. This was put in at 2997 more as a service road for the tenant but because the sites are so long and not a ton of room linking the asphalt drives between the two sites, basically allows for both emergency access thru in those cases or someone came in with a large truck, they would not have to back out. Town Engineer talked about removing some parking spaces and what they will do instead is hatch the area and be similar to a handicap loading area. So they do not anticipate any cars parking in that area and it will be kept open. He went on to say that they are taking

advantage of the existing storm water management basin on 2997 Buffalo Road and plan on expanding it to the west and also developing a separate storm water detention facility at the south west portion of the property. The site will be served with all utilities, sanitary, storm and water.

Mr. Schultz commented on the letter received on June 20th from the town. Need to do infiltration testing to show that the ponds will take in some of the water. This is really the first site (2997 Buffalo Rd.) he has done on the west side of Monroe County that actually the water infiltrated into the soils. This past week did some percolation tests in the area of the new pond expansion to show that again they would be able to do a little bit of infiltration accounting for the total run off.

Mr. Wall asked if the infiltration tests that they did are within the proposed storm water facilities? Mr. Schultz answered that that is correct. Mr. Wall stated that that is good that they did the infiltration testing. Mr. Shultz stated that they will provide the information to the satisfaction of the town engineer.

Mr. Ritchie said that they likely will get similar results. He went on to say that it is tough without having that to say yes or no to the storm water design. Once Mr. Schultz sends that to the Town Engineer it will all make sense.

Mr. Schultz spoke about architectural. Mr. Wall said that the goal was to be a cohesive look to the other building and the board was taken back by the deviation from the architectural elevations from the existing building that they are building adjacent to.

Mr. Joe Gizzi stated that some of the changes that were made were based off of the experiences they have had in the past with prior buildings. They are looking to make modifications to this building so that it would be easier to build out to their tenant's needs. When having predefined entry ways that were specific to one suite, it made it difficult to give a tenant an exact size that they want because they were predefined by the door locations. What they did here was add a lot more glass to the building in which is a very nice look and lower panels below the glass are insulated. There is a bronze panel that will match the overhang awning. That gives them the ability to relocate the door a couple panels to give the tenant an exact size.

Mr. John Gizzi stated that it gives them flexibility with this building vs. the existing building where they are locked in to 40 ft. wide units. This style building is used a lot in Florida. It gives them a lot of flexibility. Window sections are edge to edge. Doors are six footers. They can easily remove any panel and move a door around.

Mr. Wall went on to say that it builds in flexibility to tenants. Mr. John Gizzi said yes. They kept the roof line the same. It has the hip roof in the front and the back and should look equally as nice at the building next door.

Mr. Shultz stated that there is a crosswalk proposed between the front sidewalk at 2997 Buffalo Road. Ramping on both sides. He went on to talk about the rear of the building couple parking spaces, they are going to slide the spaces to the south and it will pick up one space and take the 20 ft. area and cross hatch it like a handicap space so that it will discourage people from parking there at any time. That reduces the total number of parking spaces along the west face of the building to 29. So they looked at where they could pick up the space and further down the list on Number 5 the Town Engineer talked about the Heuther Building. The spaces that are diagonally on the west line are as they are today and also along the frontage and added one space because they had room. They looked at Heuther's Building and realize that it is a heating and cooling supply place and the space for customer parking is limited where a majority of the building is for parts storage. So they looked at the town code relative to what was the demand on that and there is a portion under parking spaces required that talks about service and repair shops retail stores in that instance the parking space is one space for every 300 sq. feet. So if you divide it out, they would need to have 8 parking spaces for Mr. Heuther. They show nine existing plus one extra so the lost space that they had along the west face of the proposed building is easily

picked up actually one space over from their total count. Mr. Schultz will be providing all this information to the Town Engineer.

Mr. Schultz spoke about the parking schedule on the plan. They need to correct it. The 83 spaces on the plan will be 93. They will be one space over what the town requires.

Mr. Wall stated that a couple of spaces seem to be extremely tight. Mr. Schultz stated that they can reconfigure.

Mr. Wall had a concern over wheel stops vs. curbs. Mr. Schultz stated that wheel stops were put in so that folks will not drive into pond.

Mr. Wall said that the board has a concern that they would like to have curbs instead of wheel stops. It is more permanent. He asked to replace them. Mr. Schultz said sure.

Mr. Wall talked about the vehicle loading areas. He said to Mr. Schultz that this is required by code and he wants to see templates of how trucks can come in and out. Mr. Schultz agreed.

Mr. Wall said that the parking spot calculations the town is not quite comfortable with the ratio shown plus the parking lot layout. He asked that they work with the town engineer and Dept. of Public works to finalize and resolve the parking space calculations so that they know exactly. He wants them to do it right. Mr. Schultz agreed.

Mr. Gartley asked about the 2 spots that are asphalt that they are connecting them to the west, so those are the spots they are going to take out and stripe? Mr. Schultz answered yes. Mr. Gartley asked if this building will be sprinkler? Mr. Joe Gizzi answered yes. Mr. Schultz then went on to talk about that they will duplicate what was approved on the other building at 2997 Buffalo Road.

Mr. Schultz stated that they will be proposing reciprocal easements between the two parcels. The Heuther parcel and 3035 Buffalo Road. This will not only cover access and parking but any utilities that are shared.

Mr. Schum stated that the easement is fine but if the parking for this parcel is going to be dependent on using some parking on the adjoining properties, then they are going to need some sort of restriction that neither parcel can be sold or transferred without the other only because the parking easement is one thing but right now they are owned by the same party. If one of the two parcels were sold, obviously the easement will go with the parcel that is sold, but we don't have any control over the future use of one of the two parcels is going to be and that could impact whether or not the parking in the future is sufficient to support both parcels. Mr. Schultz stated that it makes sense. Mr. Schum said that they would want the buyer to know that immediately.

Mr. Schultz stated that what they did on the proposed sidewalk on the east face of proposed building is that is set up so that during an emergency people go out the back door and they have a hard surface to walk on. They mirrored that from 2997. Town Engineer said that one sidewalk is needed. They are going to propose the sidewalk on the new building and extend the pads and then the existing storm sewer will be freed up.

Mr. Wall said that maybe they could look at making it delivery vehicle loading areas. Instead of sidewalk maybe look at asphalt. Mr. Schultz said they will look into that.

Mr. Schultz talked about utility plan. Heuther has the sanitary sewer. Salvage the lateral. Do what you have to do to service the new building. Town Engineer says that it's a good idea to put a clean out where you make the new connection. Looking at utility plan, you see an existing and proposed sanitary lateral. He went on to say that behind Heuther building you see a sa. The records that Pure Water has is sketchy at best and this is where they are showing the sewer. They actually went out and field verified a lateral on that one. They will be doing the same thing here. Further west of here there appears to be an 8 inch sanitary main that this lateral runs from.

This lateral services two parcels. Typically if you have a lateral service to more than one parcel owned by Pure Waters and the town. Again it is a little sketchy and will be working with Pure Waters to tighten up exactly what is going on.

Mr. Schultz then went on to talk about the 12 inch storm, they typically when doing storm sewer, they put it in nice and flat because they don't want to blast water down to the pond as fast as possible.

Mr. Schultz noted about the fence. Showing modification of basin behind 2997 and town engineer pointed out that they want to keep the top of the berm at a five foot width and they can certainly do that.

Mr. Schultz spoke about the landscape plan. Tree protection detail was put on plan because if you notice on the south side of site, showing existing trees, there is a potential that a tree trunk is on the line or goes through it. Obviously a tree in that situation will not be cut down. Any of the existing trees on property line they would potentially keep. They will be adding additional landscaping along the south line but if there were any trees on the line they would protect them.

Mr. Wall stated that where the dumpster enclosure is located might be a tight area to get a garbage truck in and out of. They may want to look at turning it at a 45 degree angle. It would be much easier. Mr. Schultz agreed. Mr. Wall said they have had complaints from neighbors and wondering if a more appropriate screening buffer between this property and 2997, having a fence down there. Complaints of lights. Additional buffering practice down there. Mr. Schultz said that putting a fence would be counter productive.

Mr. Wall is concerned about the deviations that were made from the existing building at 2997 Buffalo Road. The dumpster enclosure was changed. Three trees that were not installed. The board is concerned what deviations are going to be made with this new building. Mr. Schultz said changes were occurring during construction and brought through the Building Dept. He says not every change was brought there. He said that if there are items that the board is concerned with, they certainly can pass it along to Mr. Rappazzo and client can work with him to resolve.

Mr. Wall discussed the asbuilt survey. He asked if one has been provided to the town? He wanted to know if it shows as built of the existing storm water pond. Mr. Schultz answered yes. Mr. Wall asked if there were any deviations from as proposed to what was built. Mr. Schultz said not to the extent. The plans conform to the design. He said it was accepted. More discussion about the pond at 2997.

Mr. Laber stated that they modeled the pond for the infiltration basin on 2997 Buffalo Road based on what was put in. So if there was a small deviation, the Building Dept. had us take a look at that and make sure that everything still functioned well and they did that. The model and the SWIP for 3035 Buffalo Road is actually based off that as built storm water bottle. So they are actually working off what was put in.

Mr. Argenta asked about building elevations. Talking about being able to move doors around to accommodate the client but it looks like the column spacing kind of address where the doors are shown. So if you start moving doors and your column spacing goes out the window because it is not going work as you show it.

Mr. John Gizzi stated that the columns are forward from the building about 7 ft. to 8 ft. So they are not in tight to the building itself. Mr. Argenta stated that he understands that but the spacing is closer to the doors is farther away. Mr. Gizzi stated that it could be easily adjusted. Mr. Argenta also said that the canopy should show on the elevation how far it comes out and it does not show. Mr. John Gizzi said they will make sure to show them. Columns are 2 ft. from the curb. They measured to make sure a vehicle cannot hit the columns.

Mr. Argenta asked about the landscaping plan shows that its tight to the building and under the canopy. It is not what you really want to do, is it. Mr. John Gizzi stated that the canopy is quite high, it does fall under some of the canopy.

Mr. Gartley stated that they have a great idea to split up the building for future use. He had questions on the colors. He asked them to label what the colors would be. Mr. John Gizzi stated that all colors will match the canopy and the window and also the panel below. They will not be changing colors. Use the same siding (Dark Gray) and same roof and 2997 Buffalo Road. The new building will look the same as other building but much more glass on it.

Mr. Wall asked them to have the building at 3035 look more like the building at 2997. He would like it to look more cohesive to the other building. He said they have to come up with a different plan or message what we have to make it look more cohesive to building on the east. It will have a different look. Mr. Gizzi stated that it will not look like a flea market. Mr. Wall said that the point being, they are going to have to work on the elevations because the board is not quite happy with what they have in front of them right now. For the deviations from the plans from before, they understand about the street trees and items like that and garbage disposal/dumpster but he said that is the process of going through site plan approval. Mr. Wall went on to say that these are conditions that they have for approval, and if those were not met at 2997, as a board they are asking what is going to happen on this site at 3035. They need to document what the actual deviation were and just to make sure that they are carrying through on the site to the west. Mr. Shultz said yes.

Mr. John Gizzi said that the other building has a different owner. Mr. Wall stated that we allowed the buildings close together because of the cohesive look. He said that we just have to massage the elevations so that we have it closer to the eastern site. Mr. John Gizzi said they will take a look at it and see what they can do. Some tenants in the first building took more space than they wanted. They did not have the flexibility to go bigger or smaller with the first building. That was the whole concept with the current building to be flexible to attract tenants.

Mr. Rappazzo said that it did go well with 2997 building. Mr. John Gizzi and himself worked great together trying to work through some of the changes. He says they want to see that success on this site.

Mr. Ritchie said that they went through his comment letter and a lot of what was said makes sense. He said that he will look out for revised plans and the response to the comments and he says that he thinks a lot of the stuff can be addressed. He looks forward to seeing that.

Mr. Cordero said that he agrees with everything Mr. Wall said.

At this point the meeting was open to the public. There was no one to speak for or against this project.

At this point the board was declared in Executive Session:

After discussion among the Board Members, Mr. Wall made a motion to **TABLE Preliminary Site Approval** for 3035 Buffalo road with following comments:

1. Receiving infiltration date and locations of the test sites
2. Working with the Town Engineer and the Dept. of Public Works to resolve the parking ratios.
3. Building elevations we would like a more cohesive look to the building to the east. It might require providing building color elevations so we can see and understand what the building is going to look like.
4. Would like to look at a fence or some additional buffering between the properties to the south.
5. We need turn truck templates to prove that a truck can get in to the delivery vehicle loading areas **and** **_____** exits. Likewise with the garbage disposal area. Looking for safety of a vehicle to get access to the space and to get out.
6. Looking for the eastern plan and understand the deviations from the approved plans.
7. Ask the applicant to look at curbing areas instead the use of curb stops.

8. Look at the parking layout as presented. Keep in mind that we are looking at it from an overall aspect of the safety of vehicles parking and preventing damage to other vehicles as they park.

Mr. Argenta seconded the motion, all were in favor, the motion carried.

Mr. Wall made a motion to adjourn the meeting, Mr. Ruiz seconded the motion, all were in favor, the motion carried.

The meeting was ADJOURNED at 8:45 PM.

Respectfully submitted,

Linda M. Saraceni
Recording Secretary