



# Town of Gates

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

## Meeting Minutes

February 13, 2023

**MEMBERS PRESENT:** Bill Kiley, Chairperson; Christine Maurice; Don Ioannone; Alan Redfern; Dave Ferris

**MEMBER(S) NOT PRESENT:** NA

**ALSO PRESENT:** Robert J. Mac Claren, Esq., 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; must have at least three votes to approve application; applications published in daily record and on town website;

**CHARIPERSON KILEY** – first order of business is to accept minutes from the, January, 2023 meeting; no changes or corrections;

**MOTION – MS MAURICE** – Motion to accept minutes from January meeting.  
**Second – MR IOANNONE**  
*All in favor, minutes approved.*

APPLICATION NO 1

**A REQUEST FROM PATHSTONE DEVELOPMENTCORP. ASKING FOR AN EXTENSION ON AN AREA VARIANCE APPROVAL FROM ARTICLE XX, SECTION 190-102 TO ALLOW FOR MORE UNITS PER BUILDING THAN ARE ALLOWED FOR A PROPOSED 2-STORY APARTMENT BUILDING TO BE LOCATED AT 1049 WEGMAN ROAD, WHICH WAS GRANTED ON AUGUST 11, 2021**

**MOTION — MR IOANNONE – Motion to continue variance**

Your application with regard to the above request came to be heard before the regular monthly meeting of the Gates Zoning Board of Appeals (“Board”) originally on August 9, 2021 and was approved as discussed and presented, permitting the proposed 45 units to be housed in a single, two-story building, by a unanimous vote, of the members of the Board who were present at the meeting.

This approval was strictly conditioned on, among other things, pursuant to Section 190-194, entitled Notification of Decision, Town of Gates Code, your client obtaining “...necessary permits from the Building Department within the six-month period prescribed by Town Law, and commence construction within one (1) year of issuance. Failure to obtain a permit and commence construction will terminate this variance, making it thereafter null and void.” Additionally, Section 190-194 specifically provides that “A building permit must be obtained within six months of the decision date; substantial construction must start within one year.” The six (6) month period for your variance will expire on August 9, 2023.

As a request for an extension of the six (6) month period was received prior to expiration thereof, the Board has approved an extension of your variance for a period of six (6) months from the current expiration date to August 9, 2023.

**Second – MR REDFERN –**

*All in favor- variance extended*

**MOTION - to adjourn – MS MAURICE**

**Second – CHAIRPERSON KILEY**

All in favor

Respectfully submitted,

Clare M. Goodwin, Secretary  
Gates Zoning Board of Appeals