

TOWN OF BATAVIA PLANNING BOARD
REGULAR MEETING, JUNE 20, 2017, 7:30 P.M.

PRESENT: Chairman Kathy Jasinski, Gordon Offhaus, Don Partridge, Paul McCullough, Paul Marchese, Jeremy Liles and Jon Long

ALSO ATTENDING: Steve Mountain, Greg Post, Matt Mahaney, Dan Lang, Secretary Brittany Witkop, Sharon White, Chad Zambito, Jim Krencik and Mark Gutman for The Daily News, Maria Pericozzi for The Batavia, John Battaglia of Ensol, Project Engineer for Fleet, Debbie Gawron, President of Fleet, Sydney Clark, Employee of Fleet, and John Clark, Dan Compitello of Cypress Creek Renewables for Muckdog Solar, Karen Rauscher for Muckdog Solar and Engineer with Langan, Jay Nichols and John Gerace. Also several members of the public attended.

ABSENT: Member Lou Paganello

Alternate member will vote.

MINUTES MAY 16, 2017 PUBLIC HEARING FOR FOREFRONT POWER

Paul McCullough made a motion to approve the minutes as submitted. Seconded by Gordon Offhaus. Vote unanimous for approval.

MINUTES MAY 16, 2017 PUBLIC HEARING FOR MUCKDOG SOLAR

Don Partridge made a motion to approve the minutes as submitted. Seconded by Jeremy Liles. Vote unanimous for approval.

MINUTES MAY 16, 2017 PUBLIC HEARING FOR FLEET MAINTENANCE

Gordon Offhaus made a motion to approve the minutes as submitted. Seconded by Jon Long. Vote unanimous for approval.

MINUTES MAY 16, 2017 REGULAR PLANNING BOARD MEETING

Don Partridge made a motion to approve the minutes as submitted. Seconded by Paul Marchese. Vote unanimous for approval.

FLEET MAINTENANCE INC. - SPECIAL USE PERMIT REQUEST FOR SALES, SERVICE AND REPAIR OFF OF STATE STREET ROAD, BATAVIA AND SITE PLAN REVIEW

John Battaglia of Ensol, Project Engineer for Fleet, Debbie Gawron, President of Fleet, Sydney Clark, Employee of Fleet, and John Clark are here tonight to meet with the board. Per John Battaglia, the traffic estimation is for 87 vehicles per day or 174 trips when at full capacity. Kathy Jasinski asked him, 'how many trucks do they service per day?' Per Debbie there will be 16 bays, but each needs a technician so ten to twelve trucks would be feasible. Generally the trucks are in and out the same day, but the industry average is a 72-hour turn around. Per John Battaglia, after further studies of the water flow, the parcel where Fleet will be built drains toward the thruway, not across State Street. Due to managing the storm water three things should occur, water reduction, maintaining water quality, and the maximum volume and discharge must be less than before the build occurred. New York State actually requires proof of reduction of water/flooding impact when you propose a project such as this. Also per John, the Storm Water Pollution Prevention Plan is in place. All detergents are safely stored and the industry is very strict in that area. Per Kathy Jasinski, she spoke with Tom Lichtenthal, Highway Engineer and The Batavia Town Board is looking into legislation that will prohibit jake breaks. Tom said the road is fine and will hold up to the traffic. Steve Mountain added that the majority of the area that Fleet is being built on does flow north toward the thruway. However, yes, the property BOCES is on does flow east across State

Street. There are several contributing factors as to why that area has water and drainage issues. Municipalities will continue to try and work on those to further improvements. Steve also added that the town will petition New York State for a reduced speed limit in that area. Per Dan Lang, the project meets code, except that they need the special use permit for sales, service and repair. Please note that last night, 6/19/17, The Town of Batavia Zoning Board of Appeals, tabled one of the sign requests and that will be brought back once more information is received. As a part of the approval for the special use permit, Fleet will have to abide by the following hours of operation, Monday through Friday from 7 a.m. to 7 p.m., Saturday from 8 a.m. to 4:30 p.m. and Sunday they will be closed. The only exception will be if an emergency occurs and they must open. Debbie Gawron is okay with this provision. Jon Long made a motion to approve the special use permit which was seconded by Jeremy Liles. Vote was not unanimous for approval. Paul McCullough said no to the Special Use Permit, however, the rest of the board said yes and the permit will be issued.

In regard to the site plan, John Battaglia said they met with The Town of Batavia Zoning Board of Appeals last night, 6/19/17, and all signs were approved except for one (80 foot tall) that would be a pole sign next to the thruway. Fleet has been asked to apply to the NYS Thruway Authority and see what their response is to the sign and then they will meet with the zoning board again. There will be two enclosed dumpsters on site. There will be a truck wash with an oil/water separator and they will go through a permit process for this. There is adequate space for fire and emergency vehicles on the premises as well as two fire hydrants. State Historic Preservation Office paperwork is complete, the geo-technical and wetlands investigations are also done. Town water will connect with city sewer. Paul Marchese made a motion to approve the site plan based on final engineering approval. Seconded by Don Partridge. Vote unanimous for approval.

Genesee County Planning Board recommended approval with modifications for the special use permit and disapproval of area variances.

MUCKDOG SOLAR LLC - SOLAR FARM, 2901 PEARL STREET ROAD, BATAVIA - LAND SEPARATION AND SET PUBLIC HEARING

Dan Compitello of Cypress Creek Renewables for Muckdog Solar and Karen Rauscher Engineer with Langan are here tonight to present to the board. A conforming lot is necessary for Muckdog Solar Phase I and II to move forward per Dan Lang. SEQR will encompass both phases. Don Partridge made a motion to approve the land separation, which was seconded by Paul Marchese. Vote unanimous for approval. Paul McCullough made a motion to set a public hearing for the project on July 18, 2017, at 7:30 p.m. Jeremy Liles seconded the motion. Vote unanimous for approval.

JAY NICHOLS - LAND SEPARATION, 3298 W. MAIN STREET ROAD, BATAVIA

Jay Nichols and John Gerace are present tonight for this request. Per Dan Lang, the separation will take two non-conforming lots and make two lots that are exactly the same size. The intent is to be able to sell the home. Anything moving forward on the lots will require a variance. Dan does recommend approval. Paul Marchese made a motion to approve the land separation. Seconded by Gordon Offhaus. Vote unanimous for approval.

ALVORD BUILDERS FOR PARMENTER AUTO/TIRE SHOP - SITE PLAN REVIEW, 4531 WEST SAILE DRIVE, BATAVIA

Dave Alvord is here tonight and states that the build is a 60 x 60 foot addition and he gave the Town of Batavia a letter of intent that the addition will be used for loading dock purposes, shipping and receiving. The project meets zoning requirements. Genesee County Planning Board recommended approval. In regard to SEQR, Part II, Short Form, this will not be necessary due to the size of the addition per Steve Mountain. Don Partridge made a motion to declare Type II Administrative Action, which was seconded by Jon Long. Vote

unanimous for approval. Jeremy Liles made a motion to approve the site plan for the addition, which was seconded by Gordon Offhaus. Vote unanimous for approval.

ZONING ENFORCEMENT OFFICER REPORT

Per Dan Lang the following are in the works:

1. Pete Zelif would like to build a new airplane hanger. It must go to Genesee County Planning first.
2. Batavia Downs would like an off-premise sign on Park and Veterans Memorial Drive.
3. Dan Lang is working with Felipe Oltramari to update the existing Zoning Map with the Future Land Use Map.

CHAIRMAN REPORT

Per Kathy Jasinski, there is a training request form in the packet tonight if you would like to go to the Niagara-on-the-Lake trip, 7/21/17, to see the 'townville' concept. It will count for 6 hours of training and the cost is \$75. Please turn the request into Teresa Morasco.

Although the agenda says we will have an update on Big Tree Glen, Kathy would prefer to wait until the entire board is present.

Gordon Offhaus made a motion to adjourn the meeting at 8:30 p.m. Seconded by Jon Long. Vote unanimous for adjournment.

Respectfully submitted,

Brittany Witkop
Secretary

Kathleen Jasinski
Chairman