

**CORRECTED MEETING MINUTES  
TOWN OF BATAVIA PLANNING BOARD  
REGULAR MEETING, July 16, 2019, 7:00 P.M.**

**PRESENT:** Chairman Kathy Jasinski, Paul Marchese, Paul McCullough, Lou Paganello, Don Partridge, Jeremy Liles and Steve Tanner.

**ALSO ATTENDING:** Mike Pettinella of The Batavian, Brian Quinn of The Batavia Daily News, Phil Hinrich of Batavia Starter, Jay Hurzy of Sign and Lighting Services Company, Marc Kenward of Erdman Anthony Consulting Engineers, Steve Long and Emilie Flanagan both of Borrego Solar Systems, Dan Lang, Bruce Gerould, Steve Mountain, Sharon White, and Secretary Kim McCullough.

**ABSENT:** Gordon Offhaus and Jonathan Long.

Alternate member, Steve Tanner, will be voting tonight.

**June 18, 2019 REGULAR PLANNING BOARD MEETING MINUTES.**

Paul Marchese made a motion to approve the meeting minutes.

Seconded by Jeremy Liles.

Vote unanimous for approval.

**Phil Hinrich owner of Batavia Starter Company, 3282 West Main Street Road, Batavia – Site Plan Review for 6-10 temporary vendor areas at his business.**

Was tabled at last meeting.

Paul McCullough made a motion to un-table this item.

Seconded by Paul Marchese.

Vote unanimous for approval.

He wants to rent out his property to farm market people, people to sell antiques, crafts and possibly have a food truck. Would do this on Thursday, Friday and Saturday or Friday, Saturday and Sunday. Parking was brought up, Mr. Hinrich stated he can have people park behind his building. Per Dan Lang it is zoned commercial. Would ~~need~~ like to see signs stating no roadside parking. Mr. Hinrich stated he would have entrance and exit signs, if required he would put up cones as well. Mr. Hinrich would put up temporary signage for the event. These signs can go up 2 weeks prior and come down the day after the event. Would like to start in 2020, does not feel there is enough time to start it this year. Would run Memorial Day through Labor Day, may run it a little longer depending on the weather. Dan Lang stated commercial district and was appreciative of Mr. Hinrich calling and letting the Town know what his intentions are. Per Dan Lang, County approved with modification of Mr. Hinrich getting driveway permit approval but he already has this permit and approval. This is a type 2 SEQR, action is required and duly noted as such. Mr. Hinrich was told to come back in the Spring of 2020.

Don Partridge made a motion to approve Site Plan Review.

Seconded by Paul McCullough.

Vote unanimous for approval.

**GCASA Inc. (John Bennett) – 5258 Clinton Street Road, Batavia (former Bohn's Restaurant) – Application for Special Use Permit** – use existing structure for an indoor recreation facility. No representation from GCASA. Per Chairman Jasinski a Special Use Permit is needed. Per Dan Lang a community center can be in any district except commercial, the property is zoned commercial and allows for a recreational center therefore a Special Use Permit is needed. Per Dan Lang Mr. Bennett will be doing a presentation at the Public Hearing. County Planning sees no impact. Set Public Hearing for August 6, 2019 at 7:00 pm.

Lou Paganello made a motion to set the Public Hearing for August 6, 2019 at 7:00 pm.

Seconded by Steve Tanner.

Vote unanimous for approval.

**Sign and Lighting Services Co – Fresenius Kidney Care – 4185 Veterans Drive, Batavia, NY** – Application for sign package. Jay Hurzy from Sign and Lighting Services Co, gave a presentation for 3 new signs for Fresenius Kidney Care. Replace 3 panels and interior signage. Per Dan Lang this meets all of the requirements of the zoning, this is a type 2 SEQR, action is required and duly noted as such. Per County Planning poses no impacts.

Paul Marchese made a motion to approve the application for sign package.

Seconded by Jeremy Liles.

Vote unanimous for approval.

**Borrego Solar Systems - Seek Lead Agency for 5230 Batavia Elba Townline Road, Batavia NY, for solar farm.**

Jeremy Liles made a motion to seek lead agency.

Seconded by Paul McCullough.

Vote unanimous for approval.

**Borrego Solar Systems – 5230 Batavia Elba Townline Road, Batavia NY** – construction of and operation of an 8.99 Mw (DC) ground mounted community solar system. The size of the land is 52.2 acres. the land is currently actively tilled farm land, and 20.45 acres will be used for the solar system. 4 new utility poles will be used at this site, due to having to cross the road. 2 residences – they are not owners of the property, a third neighbor is also affected by this, but would like it put in his yard. Per Emilie from Borrego, they pushed the site down so it would be hidden away from the residence, by the hill. They are proposing putting a row of trees at the top of the hill and they would not be able to see the solar farm. The 2 residences effected will have 2 rows of trees provided for screening. Set Public Hearing for August 20, 2019 at 7:00 pm.

Steve Tanner made a motion to set Public Hearing on August 20, 2019.

Seconded by Lou Paganello.

Vote unanimous for approval.

**Zoning Enforcement Officer Report.**

Solar Farms on hold for Trousdale – was denied by ZBA – waiting for attorney affirmation.

Mr. and Mrs. Saile’s solar – 100 acres needs to be developed at a time – they only want 20 acres – this does not meet zoning or comprehensive plan.

Galloway Road Solar going to County Planning in August.

Bed Bath and Beyond site has several businesses looking at the space.

Kmart is up for sale – too expensive for Batavia Downs.

State Farm – Sign Site Plan.

**Chairman Report.**

There is an opening on County Planning if anyone is interested.

Next meeting is August 6, 2019 at 7:00 pm.

Sharon White had nothing to add.

Steve Tanner made a motion to adjourn the meeting at 7:49 pm.

Seconded by Jeremy Liles.

Vote unanimous for approval.

Respectfully submitted,

Kim McCullough  
Secretary

Kathleen Jasinski  
Chairman