

**TOWN OF BATAVIA PLANNING BOARD  
REGULAR MEETING, January 21, 2020 - 7:00 P.M.**

**PRESENT:** Chairman Kathy Jasinski, Paul Marchese, Paul McCullough, Don Partridge, Jeremy Liles, Jonathan Long, and Brooks Hawley.

**ALSO ATTENDING:** Brian Quinn of Batavia Daily News, Chris Barton of First Light Fiber, Sharon McWethy, Sally Ross, Bruce Gerould, Dan Lang, Steve Mountain, Sharon White and Secretary Kim McCullough.

**ABSENT:** Lou Paganello and Steve Tanner.

Alternate member Brooks Hawley will be voting tonight.

Jonathan Long has been promoted to an official member, Steve Tanner promoted to first alternate and Brooks Hawley appointed to the Planning Board and will serve as second alternate.

**December 17, 2019 – PUBLIC HEARING MEETING MINUTES.**

Paul Marchese made a motion to approve the public hearing meeting minutes.

Seconded by Paul McCullough.

Vote unanimous for approval.

**December 17, 2019 – REGULAR PLANNING BOARD MEETING MINUTES.**

Jeremy Liles made a motion to approve the regular meeting minutes.

Seconded by Jonathan Long.

Vote unanimous for approval.

**Tabled Item of Erin Liesenfeld, First Light Fiber, 8450 North Ag Park Drive, Batavia – Special Use Permit.**

There was no representation by Erin Liesenfeld at last meeting therefore this was tabled.

Don Partridge made a motion to untable this item.

Seconded by Paul Marchese.

Vote unanimous for approval.

**First Light Fiber, 8450 North Ag Park Drive, Batavia – SEQR Resolution to Adopt a Negative Declaration.**

Chris Barton made a presentation on this project. Fence in a 50'x50' perimeter in order to install a prefabbed shelter along with a 50KW generator. The generator will only be ran if there is a power outage or for maintenance. This would be a wire line installation, which would work with the current area lines that run along Main Street. Purpose is so the fiber network can reduce latency and increase capacity of what can be transmitted on the area line that runs along Main Street and throughout the region. Suggestions made for making this fit into the current setting of the Ag Park. Low maintenance plantings and the plan be a architecturally pleasing site are requested by the Planning Board.

**RESOLUTION TO ADOPT A NEGATIVE DECLARATION  
REGARDING FIRST LIGHT FIBER**

**WHEREAS**, on November 4, 2019, FirstLight filed an application for site plan approval to construct a project in the Genesee Valley Agri-Business Park, consisting of a fiber optic utility compound, and

**WHEREAS**, on November 4, 2008, the Town of Batavia Planning Board adopted a Generic Environmental Impact Statement (GEIS) with regard to the entire Genesee Valley Agri-Business Park with regard to the development of 307.3 acres of land for agri-business and industrial development, to be completed over three (3) phases, and

**WHEREAS**, Section 617.10(d) of the State Environmental Quality Review Act (SEQR) requires that when a GEIS has been prepared, the Lead Agency must review the Environmental Impacts of any proposed project thereafter to determine

whether or not any subsequent proposed action will be carried out in conformance with the conditions and thresholds established in the GEIS, and

**WHEREAS**, the Town of Batavia Engineering Department has reviewed the application and has prepared a spreadsheet, a copy of which shall be annexed to the Planning Board Minutes, whereby the environmental thresholds set forth in the GEIS were compared to the FirstLight fiber utility compound , and

**WHEREAS**, the FirstLight project itself did not exceed the EIS thresholds, however the total water usage within the Park was exceeded by a previous project.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Town of Batavia, New York, that the environmental impacts of the First Light Application and the thresholds set forth in the Generic Environmental Impact Statement for the Genesee Valley Agri-Business Park were reviewed, and the FirstLight proposal will not result in any significant adverse environmental impacts with regard to the thresholds addressed in the GEIS; and

**BE IT FURTHER RESOLVED** that based upon the foregoing, the Town Planning Board does hereby make a negative declaration that the FirstLight Application will not result in any significant adverse environmental impacts and a Supplemental Environmental Impact Statement does not need to be performed, and

**BE IT FURTHER RESOLVED** that the Town Planning Board Chair is hereby authorized and directed to prepare a Negative Declaration Notice of Determination of Non-Significance with regard to the First Light Application.

Dated:

OFFERED BY: \_\_\_\_\_ Jeremy Liles \_\_\_\_\_

SECONDED BY: \_\_\_\_\_ Jonathan Long \_\_\_\_\_

**CERTIFICATION**

**I, Kimberly McCullough, Secretary of the Town of Batavia Planning Board DO HEREBY CERTIFY that the forgoing is a true and correct transcript of the action taken by the Town of Batavia Planning Board on the 21<sup>st</sup> day of January, 2020.**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Secretary**

Jeremy Liles made a motion to approve the SEQR Resolution to Adopt Negative Declaration.

Seconded by Jonathan Long.

Paul Marchese abstained.

6 approval votes.

1 abstained vote.

**First Light Fiber, 8450 North Ag Park Drive, Batavia – Special Use Permit.**

Chris Barton made a presentation on this project. Fence in a 50’x50’ perimeter in order to install a prefabbed shelter along with a 50KW generator. The generator will only be ran if there is a power outage or for maintenance. This would be a wire line installation, which would work with the current area lines that run along Main Street. Purpose is so the fiber network can reduce latency and increase capacity of what can be transmitted on the area line that runs along Main Street and throughout the region. Suggestions made for making this fit into the current setting of the Ag Park. Low maintenance plantings and the plan be a architecturally pleasing site are requested by the Planning Board.

Paul McCullough made a motion to approve the Special Use Permit per agricultural pleasing site along with plantings around the area.

Seconded by Brooks Hawley.

Paul Marchese abstained.

6 approval votes.

1 abstained vote.

**First Light Fiber, 8450 North Ag Park Drive, Batavia – Site Plan.**

Chris Barton made a presentation on this project. Fence in a 50'x50' perimeter in order to install a prefabbed shelter along with a 50KW generator. The generator will only be ran if there is a power outage or for maintenance. This would be a wire line installation, which would work with the current area lines that run along Main Street. Purpose is so the fiber network can reduce latency and increase capacity of what can be transmitted on the area line that runs along Main Street and throughout the region. Suggestions made for making this fit into the current setting of the Ag Park. Low maintenance plantings and the plan be a architecturally pleasing site are requested by the Planning Board.

Jonathan Long made a motion to approve the site plan pending final engineering approval.

Seconded by Don Partridge.

Paul Marchese abstained.

6 approval votes.

1 abstained vote.

**Sharon McWethy and Sally Ross – Presentation** – regarding 5G wireless telecommunications expansion effects on environment and public health. Ms. McWethy has made a presentation to the Town Board as well. She wanted the documents emailed and would like the secretary to email them to the Planning Board.

**Brandon Lewis owner of the Firing Pin** – has obtained the property were Polar Wave was and stated he has several things he would like to do out there, wanted to open the door and throw there out there to see what it would take to get them approved. Would like to do some shooting out at Polar Wave, location is good for this and is zoned for Outdoor Recreation. There would need to be a Public Hearing and there would need to be a Special Use Permit for it being a shooting range. Will probably need to limit hours – daylight hours. If doing special event then would need a Special Use Permit. Another idea he has is a Drive-In Movie Theater. Very happy to be accommodated since he was not on the agenda for tonight

**Zoning Enforcement Officer Report.**

Dan Hale – Has to go to County Planning first – put a house on lot on Clinton Street – Mr. Hale tore down the existing mobile home, is in a commercial district, no house on property for over a year and would need variances. Would like to place a home on this property. Needs Special Use Permit and Public Hearing.

Old Navy – permits in the works for them.

Ultra Beauty – renovating a portion as well.

**Chairman Report.**

Kathy has nothing new and our next meeting will be on February 4, 2020 at 7:00 pm.

Sharon White had nothing to rely from the Town Board, but stated Sharon McWethy has dropped off a video for them to watch.

Jonathan Long made a motion to adjourn the meeting at 8:24 pm.

Seconded by Brooks Hawley.

Vote unanimous for adjournment.

Respectfully submitted,

Kim McCullough  
Secretary

Kathleen Jasinski  
Chairman

01/21/2020-RegularMtg