

**TOWN OF BATAVIA PLANNING BOARD
REGULAR MEETING MARCH 21, 2006**

PRESENT: Chairman Kathleen Jasinski, Members Robert Rumble, Toni Platek, Gordon Offhaus, Don Partridge and Paul McCullough

ALSO ATTENDING: ZEO Clint Worthington, Secretary Sharon White

Town Engineer Andrew Schmieder, Deputy Supervisor

Dan Underhill, Amy DiSalvo, Kurt Schwab, Mr. Privatera

And Representatives from Milton-Cat

ABSENT: Members Lou Paganello and Paul Marchese

MINUTES OF MARCH 7, 2006 MEETING

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

**MICHAEL OGNIBENE/RON LAESSER – 8400 LEWISTON RD – DISCUSSION
ON VOTE AT MARCH 7, 2006 MEETING**

Chairman Jaskinski advised the Board Members that the vote taken on this application at the March 7, 2006 meeting for a car dealership to be located at the former Batavia Machine and Tool Co. was not an approval.

Town Attorney Kevin Earl is checking into how this motion needs to be handled and who can vote again on the matter. Further information will be available at the next meeting.

MILTON – CAT – W. SAILE DR – SITE PLAN REVIEW

Representatives from Milton Caterpillar presented a site plan for the Board to review.

The proposed project is for a Caterpillar dealership to be built on 62 acres on W. Saile Dr. Genesee County Planning Dept recommended approval with modifications – the site is sensitive to surrounding residential uses and has known groundwater migration problems. The facility will be prominent, with a 30 ft. high, 144,000 sq. ft. building in an area where the tallest home is only 20 ft. high and 2400 sq. ft. To address these impacts the following modifications are required: 1) the applicant shall maintain the proposed grassy and evergreen buffer areas between neighboring residential property and industrial activities on the site so long as the residential uses remain; 2) the applicant shall furnish an acceptable storm water management plan to the Town for review by the Town Engineer and 3) a landscape plan shall be prepared as a method to absorb a portion of the storm water runoff and also to soften the visual impact the facility may have on surrounding uses. The soil types and depth to the water table were not furnished within the environmental assessment form and this information should be provided to the Town. With these required modifications the proposed use should not pose any significant impacts upon surrounding land uses that include single-family homes, an airport and cropland. The Zoning Board of Appeals approved an Area Variance for this project.

Toni Platek made a motion to recommend the Planning Board be lead agency. Seconded by Paul McCullough. Vote unanimous for approval. Applicants will return in one month with the Part II SEQR completed.

**TOWNE CENTER AT BATAVIA – VETERANS MEMORIAL DRIVE – SITE
PLAN REVIEW**

Chairman Jaskinski advised the Board that no further information is available to present on this project. Genesee County Planning Dept recommended disapproval. Their reasons

being that the overall concept appears to be consistent with the long range plans for the area; however, a project of this size may pose a significant potential impact on traffic circulation and without a completed traffic study to review it is not appropriate to take action at this time. A thorough traffic analysis was conducted when this commercial subdivision was originally reviewed around 1991. Since that time, there have been a number of changes to the area's traffic generation and/or patterns not only in the Town but also within the City of Batavia. The shortfall in parking provided by the hotel and banquet facility needs to be addressed as well. The parking being proposed varies substantially from what is required by the Town's Zoning Ordinance and the project is located in an isolated area highly dependent upon motor vehicle travel. Given the amount of development that has already occurred, it may be advisable to once again look to extending Veterans Memorial Drive south to NYS Rt. #5. It is further recommended that the shortfall in parking be addressed either by designing more on-site parking into the plan or by enacting a shared parking arrangement between the hotel and the retail plaza. Paul McCullough made a motion to recommend the Planning Board be lead agency for this project. Seconded by Toni Platek. Vote unanimous for approval. Chairman Jasinski received one (1) letter from DOT indicating that any work done in the state right of way needs a work permit and coordination with the DOT Maintenance Office.

PATRICIA & JOHN WILL – 9292 PUTNAM RD – SPECIAL USE PERMIT

An application was presented from John & Patricia Will to obtain approval to operate a Bed & Breakfast at their home at the above location. The SEQR was determined to be a Type II action – not subject to review. Gordon Offhaus made a motion to set April 4, 2006 at 7:30 pm as the date and time for a Public Hearing. Seconded by Robert Rumble. Vote unanimous for approval.

ZEO REPORT

Mr. Privatera from Earths Energy spoke to the Board about wind towers. A general discussion ensued on the process for erecting a wind tower. Towers come in 20 ft. sections; they are erected on site using a crane; the tower produces dc electric and a converter changes it to ac; extensive site evaluation is done in regards to wind that is created at the proposed site; if no wind, of course, it is not feasible to erect the tower; for residential and agricultural areas a 10,000 watt system can be anywhere from 60 to 120 ft. high; the size is determined by the terrain; costs are anywhere from \$40,000 to \$60,000 with a five (5) year warranty; the tower can pay for itself in less than ten (10) years; life expectancy of the tower is thirty-five (35) years.

CHAIRMAN REPORT

Deputy Supervisor Dan Underhill updated the Board on several items happening in the Town – proposed sewer extension onto Saile Dr; master plan committee being formed; possible extension of road by BJ's to either Kelsey or Pratt Rd.

Chairman Jasinski advised that Wal Mart could proceed. But no plans for the building have been submitted yet.

Frank Spiotta, representing Offhaus Farms, spoke to the Board about rezoning 630-640 acres on Rt. 98 to commercial. This would be an extension of the commercial zone. This is the area between Gateway Corporate Park and Offhaus Farms. Don Partridge made a motion to send a letter to the Town Board advising the Planning Board has no objection to this rezone. Seconded by Robert Rumble. Vote was 4 yes with 1 abstention by Gordon Offhaus. Motion passed.

Gordon Offhaus made a motion to adjourn the meeting at 9:30pm. Seconded by Don Partridge. Vote unanimous for adjournment.

Respectfully submitted,

Kathleen Jasinski
Chairman

Sharon White
Secretary