

TOWN OF BATAVIA PLANNING BOARD
REGULAR MEETING AT AUGUST 17, 2010

PRESENT: Chairman Kathleen Jasinski, Members Gordon Offhaus, Paul McCullough, Paul Marchese,

Lou Paganello and Toni Platek

ALSO ATTENDING: ZEO Clint Worthington, Secretary Sharon White
Town Engineer Steve Mountain, Town Attorney Kevin Earl,

Paul Mrozek, Richard Martin and Ray Nichols

ABSENT: Members Robert Rumble and Don Partridge

MINUTES OF PUBLIC HEARING—JULY 20,2010—NATHANIEL
DEVELOPMENT CORP.—SUBDIVISION

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

MINUTES OF REGULAR MEETING—JULY 20,2010

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

RAY NICHOLS—2720 PEARL ST RD—SELF STORAGE BUILDINGS—
SPECIAL USE PERMIT

An application was presented to obtain approval to construct a 34 unit self storage building at the above location.

Genesee County Planning Dept. recommended approval with modifications—that no outdoor storage be allowed given the size of the lot. With this required modification the proposed self-service storage unit should not pose Significant impact. The Town granted area variances in 2004 with County approval for the same lot size and front yard setback for a proposed motor vehicle repair shop on the same lot. It is recommended that the applicant obtain a driveway permit from NYSDOT for the change in use prior to final approval by the Town. There will be 14 units 10' x 20'; 12 units 10' x 10' and 8 units 5' x 10'. Paul Marchese made a motion to approve the Special Use Permit subject to Town Engineers approval.. Seconded by Toni Platek. Vote unanimous for approval.

RICHARD STEWART—8244 STATE ST RD—SPECIAL USE PERMIT—
HOME OCCUPATION II

An application was presented to obtain approval for a home occupation - fence business.—at the above location—former Stan's Harley Davidson property. Genesee County Planning Dept. recommended approval with modifications—

modification is that there shall be no outdoor display or storage of any materials associated with the business. With this required modification, the proposed Home Occupation II should not pose significant impact. A public hearing is needed. Paul Marchese made a motion to set Tuesday, Sept. 7, 2010 at 7:30pm as the date and time for the public hearing. Seconded by Gordon Offhaus. Vote unanimous for approval. Genesee County Planning Dept. recommended disapproval for a 3' x 4' sign (12 sq. ft.). Maximum allowed is 4 sq. ft. The proposed sign is three times larger than allowed and granting such a large variance may pose significant impacts upon development policies of the Town.

MICHAEL FONTAINE— 1777 CHURCH RD.—DARIEN CENTER—LAND SEPARATION

An application was presented to obtain approval for a land separation at 3316 Pearl St. Rd. (former Pat;s Meat Market). One (1) lot into 3—200 ft. frontage for each lot. Lou Paganello made a motion to approve the land separation. Seconded by Gordon Offhaus. Vote unanimous for approval.

JOHN PARISE—PEARL ST RD—LAND SEPARATION/PARCEL MERGE

An application was presented to obtain approval for a land separation/parcel merge for land owned by Mr. Parise

That abuts Ryan DeWitt property. Part of this property is also in the city. The purpose of the separation/merge is to allow for a larger parking lot. Toni Platek made a motion to approve the application. Seconded by Lou Paganello. Vote unanimous for approval.

CHRIS SUOZZI—10 VALLE DR.—LAND SEPARATION/PARCEL MERGE

The ZEO advised that the Zoning Board of Appeals rejected the application due to the way the house was being placed on the property. Mr. Suozzi purchased additional property to make two conforming lots in order to build a house as requested. Paul Marchese made a motion to approve the land separation/parcel merge. Seconded by Lou Paganello. Vote unanimous for approval.

HAGEN ESTATE—GALLOWAY RD—LAND SEPARATION

An application was presented to obtain approval to separate the barn from the home. One parcel will have 560 ft. of frontage and the other 520 ft. Lou Paganello made a motion to approve the separation. Seconded by Paul McCullough. Vote unanimous for approval.

CHAIRMAN REPORT

JEFFREY FRENS—PEARL ST RD—Issue will continue to be tabled. Will address at a later date.

NATHANIEL DEVELOPMENT CORP.

The SEQR was presented and reviewed. After the SEQR was completed, it was determined that there are many potential impacts. Paul Marchese made a motion to declare the SEQR as a positive declaration. Seconded by Gordon Offhaus.

Vote was 5 yes and 1 no by Toni Platek. Motion passed for positive declaration. Nathaniel Development will now have to tell the Planning Board how to mitigate the areas of concern. The will return to the Board at a later date.

Gordon Offhaus made a motion to adjourn the meeting at 8:16 pm. Seconded by Lou Paganello. Vote unanimous for adjournment.

submitted,

Respectfully

Kathleen Jasinski
Chairman

Sharon White
Secretary