

**TOWN OF BATAVIA PLANNING BOARD
PUBLIC HEARING DECEMBER 19, 2006**

**RE: CHARLES T. RADLEY – 8930 HARTSHORN RD – HOME OCCUPATION
II**

The public hearing was called to order by Chairman Kathleen Jasinski at 7:30 pm. The legal notice, as published in the Batavia Daily News, was read by the Secretary.

The purpose of the public hearing is to obtain approval for a change in designation of Home Occupation I to Home Occupation II for an auto detail shop.

When no comments or opinions were expressed, the public hearing was closed at 8:15pm.

Respectfully submitted,

Kathleen Jasinski
Chairman

Sharon White
Secretary

**TOWN OF BATAVIA PLANNING BOARD
PUBLIC HEARING DECEMBER 19, 2006**

**RE: VERIZON WIRELESS – 175 CALKINS RD. – ROCHESTER –
COMMUNICATIONS TOWER**

The Public Hearing was called to order at 7:35 pm by Chairman Kathleen Jasinski. The legal notice, as published in the Batavia Daily News, was read by the Secretary.

The purpose of the public hearing is to obtain approval for an 88 ft. communications tower to be placed on Genesee Community College property.

Jared Lust and Tom Greiner from Nixon Peabody Law Firm and Steve Lingard from Verizon made a presentation to the Board on the proposed project.

When no comments or concerns were expressed, the public hearing was closed at 7:52 pm.

Respectfully submitted,

Kathleen Jasinski
Chairman

Sharon White
Secretary

TOWN OF BATAVIA PLANNING BOARD

PUBLIC HEARING DECEMBER 19, 2006

**RE: GENESEE COMMUNITY COLLEGE FOUNDATION – 1 R. STEPHEN
HAWLEY DR – STUDENT HOUSING**

The Public Hearing was called to order at 7:40 pm by Chairman Kathleen Jasinski. The legal notice, as published in the Batavia Daily News, was read by the Secretary.

The purpose of the public hearing is to obtain approval for construction of two (2) multi family residences on property zoned agricultural/residential.

Rick Henry and Jason Armstrong from Clark Patterson Associates and Rick Ensman, Director of the GCC Foundation appeared before the Board with a presentation of the proposed project.

When no comments or opinions were expressed, the public hearing was closed at 8:20 pm.

Respectfully submitted,

Kathleen Jasinski
Chairman

Sharon White
Secretary

TOWN OF BATAVIA PLANNING BOARD

REGULAR MEETING DECEMBER 19, 2006

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

ALSO ATTENDING: ZEO Clint Worthington, Secretary Sharon White
Town Engineer Steve Mountain, Jared Lusk, Tom Greiner,
Steve Lingard, Rick Henry, Jason Armstrong and Rick Ensman

ABSENT: Member Lou Paganello

Alternate Member Paul Marchese will be voting at tonight's meeting due to the absence of one member.

MINUTES OF NOVEMBER 21, 2006 MEETING

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

VERIZON WIRELESS – GENESEE COMMUNITY COLLEGE – SPECIAL USE PERMIT

An application was presented to obtain approval to construct an 88 ft. high communications tower on the northern section of the property (near Batavia Stafford Townline Rd.). The tower will not need to be lighted as the height is below the requirements for FAA. An 11 ft 7" x 20 ft. equipment shelter will also be built. Genesee County Planning Board recommended approval with modifications – 1) the carrier route all emergency 911 calls originating in the County to the Emergency Dispatch Center at the Genesee County Sheriff's Office in Batavia in accordance with Genesee County Local Law and 2) that the applicants allow any public safety equipment be mounted on the telecommunications tower as needed in the future. The SEQR was presented and reviewed. Paul Marchese made a motion to declare the SEQR as an unlisted action. Seconded by Paul McCullough. Vote unanimous for approval.

Robert Rumble made a motion that the Part II Short Form SEQR be declared a negative declaration. Seconded by Gordon Offhaus. Vote unanimous for negative declaration.

Paul Marchese made a motion to approve the Special Use Permit subject to the modifications as outlined by the Genesee County Planning Board and also that if the tower is ever obsolete and/or no longer in use, the removal of the tower facilities shall take place by the applicant within 12 months cessation. Seconded by Don Partridge. Vote unanimous for approval. Robert Rumble made a motion to recommend site plan approval. Seconded by Gordon Offhaus. Vote unanimous for approval.

CHARLES T. RADLEY – 8930 HARTSHORN RD – HOME OCCUPATION II

An application was presented to obtain approval to change his Home Occupation I to Home Occupation II as Mr. Radley wishes to hire an employee for his auto detail shop. Genesee County Planning Dept. recommended approval with modifications – The proposed Home Occupation II should be able to blend with the rural residential character of the area and should not pose any nuisance to nearby residents provided the following

required modifications are met to address the appearance, traffic and noise generated from the use: 1) no outdoor storage, enclosed or otherwise, of machinery, parts, serviced vehicles or tools may occur on the property, 2) all mechanical repair and testing shall occur indoors with appropriate emissions ventilation to reduce the impact of noise from the use, 3) a driveway turnaround shall be provided for visitors to the property so backing out will not be required, 4) the storage and disposal of new and used waste oils, fuels, and coolants shall comply with all applicable state and federal laws, 5) all on premise signage for the use shall be four (4) sq. ft. or less as required by the Town of Batavia Zoning Ordinance, and 6) no retail sales of new or used parts or equipment may occur on the property. Robert Rumble made a motion to approve the Special Use Permit for a Home Occupation II subject to a driveway turnaround being provided. Seconded by Paul Marchese. Vote unanimous for approval.

GCC FOUNDATION – ONE R. STEPHEN HAWLEY DR – STUDENT HOUSING

Rick Henry from Clark Patterson appeared before the Board to make a presentation on the proposed new student housing. The applicant wishes to construct an administration building and two (2) residential buildings. Land separation/parcel merge is also required. The buildings will be located off Batavia Stafford Townline Rd. south of the existing dormitories. Paul Marchese made a motion to recommend approval of the Special Use Permit. Seconded by Toni Platek. Vote unanimous for approval.

Robert Rumble made a motion to approve the site plan subject to the land separation/parcel merge of the property. Seconded by Toni Platek. Vote unanimous for approval.

ZEO REPORT

The ZEO stated that he would like the Board to do a site visit at the Ashley Distribution Center in Gateway II Corporate Park. It was decided to meet there on January 16, 2007 between 6:30-7:00pm prior to our next meeting. ZEO will check with Ashley to see if this date and time is convenient for them.

CHAIRMAN REPORT

Chairman Jasinski stated that the Comprehensive Plan is coming along nicely and would like the Planning Board Members to attend the January 10th presentation of the plan.

Gordon Offhaus made a motion to adjourn the meeting at 8:45 pm. Seconded by Robert Rumble. Vote unanimous for adjournment.

Respectfully submitted,

Sharon White
Secretary

Kathleen Jasinski
Chairman