

TOWN OF BATAVIA PLANNING BOARD
REGULAR MEETING FEBRUARY 17, 2009

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

ALSO ATTENDING: ZEO Clint Worthington, Secretary Sharon White

Town Engineer Steve Mountain, Chad Zambito, Steve Tanner, Jason Parmenter, Bill Welsh, Charles Gugel, Roger Muehlig, Bill Benton and Jeff Thompson

Alternate member Don Partridge will not be voting at tonight's meeting due to a full board in attendance.

MINUTES OF GENESEE VALLEY AGRI BUSINESS PARK PUBLIC HEARING -
FEBRUARY 3, 2009 - ROADWAY AND STORM WATER MANAGEMENT

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

MINUTES OF GENESEE VALLEY AGRI BUSINESS PARK PUBLIC HEARING -
FEBRUARY 3, 2009 - STORM WATER MANAGEMENT POND

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

MINUTES OF REGULAR MEETING OF FEBRUARY 3, 2009 MEETING

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

GENESEE GATEWAY LOCAL DEVELOPMENT CORP - RESUBDIVISION OF LAND

Steve Tanner from Clark Patterson Lee and Chad Zambito from GCEDC submitted proposed grading, lighting and landscaping plans. One change on the site plan map was to connect the driveway over to the parking lot in order to meet fire code. Genesee County Planning approved the application. Robert Rumble made a motion to approve the re-subdivision application contingent upon the drainage plan being acceptable by everyone including the adjacent land owners. Seconded by Paul McCullough. Vote unanimous for approval.

Toni Platek made a motion to approve the site plan review contingent upon the drainage plan being acceptable by everyone including the adjacent land owners. Seconded by Lou Paganello. Vote unanimous for approval.

JASON PARMENTER - 4535 W SAILE DR - SPECIAL USE PERMIT FOR MOTOR VEHICLE REPAIR

An application was presented to obtain approval to operate a motor vehicle repair business with tire sales and storage at the above location (former IJR property). Genesee County Planning Board recommended approval with modifications - Prior to Town approval, the applicant shall have the plans reviewed and deemed acceptable by the Co. Hwy. Supt. to make sure they comply with all site limitations; any motor vehicle and equipment parts and dismantled vehicles and equipment including new and used tires shall be stored within a building or structure or within a fence of a height to be determined by the Town Planning Board so as to prevent public view of such items from any direction; the site plan and the operation be configured in such a way that it does not infringe on neighboring properties; the storage and disposal of all new and used waste oils, lubricants, fuels, coolants and other hazardous materials shall be conducted in a manner consistent with all applicable State and Federal laws; the parking spaces shall be resized to conform with the Town's requirements or the applicant will have to apply for and obtain an area variance for undersized parking spaces; the applicant shall have the Co. Hwy. Supt. review and deem acceptable the sign package for the use even if a GML 239 County Referral is not necessary.

Paul Marchese made a motion to approve the application subject to the Co Hwy Supt. approval of the sign package. Seconded by Gordon Offhaus. Vote unanimous for approval.

CHARLES GUGEL - 4169 W MAIN ST RD - SITE PLAN REVIEW

An application was presented to obtain approval to re-occupy an existing restaurant and to add outdoor cooking. Charles Gugel stated that he plans to lease the building. This will be a second location and will be adding pizza and subs along with outdoor cooking for ribs and chicken. Ribs are done in smokers and the chicken is done on portable grills. The storage of firewood will be in the dumpster area. He will utilize the dumpster at his Brooklyn Ave. store. A brief discussion ensued on the smoke that could be generated from this outdoor cooking and how it may interfere with traffic at the intersection. It was the consensus of the Board to have Mr. Gugel come back on June 1st and September 1st to address any complaints that may arise. This will be an informal discussion on how things are going. Toni Platek made a motion to approve the application to re-occupy the existing restaurant with outdoor cooking. Seconded by Paul Marchese. Vote unanimous for approval.

ZEO REPORT

Rite Aid Drug store - W. Main St. Rd. - fence around dumpster was blown over by the wind. It is the consensus of the Board that they should rebuild the fence.

Don Partridge - 4957 Ellicott St. Rd. - proposed possible third windmill. There is a new model on the market which is four (4) times efficient and will be more than enough to meet his needs.

CHAIRMAN REPORT

Comments in writing on the consolidation were submitted to the Chairman. She will forward them to Town Supervisor Post.

There will no meeting on March 3, 2009. Next meeting will be March 17, 2009.

Gordon Offhaus made a motion to adjourn the meeting at 8:31 pm. Seconded by Robert Rumble. Vote unanimous for adjournment.

Respectfully submitted,

Kathleen Jasinski
Chairman

Sharon White
Secretary