

TOWN OF BATAVIA PLANNING BOARD
REGULAR MEETING JULY 16, 2013

PRESENT: Chairman Kathleen Jasinski, Members Don Partridge, Jonathan Long, Paul McCullough,
Paul Marchese, Lou Paganello and Jeremy Liles

ALSO ATTENDING: ZEO Dan Lang, Secretary Sharon White, Town Engineer Steve Mountain
Tony Mancuso, Kathy Zeliff, Roger Muehlig, Mr. & Mrs. Morrill and
Chuck White from Barton and Loguidice PC

ABSENT: Member Gordon Offhaus

Alternate member will be voting tonight due to the absence of one (1) member.

MINUTES OF JULY 2, 2013 MEETING

Jonathan Long made a motion to approve the minutes as submitted. Seconded by Jeremy Liles. Vote unanimous for approval.

TIM HORTON'S/BENDERSON DEVELOPMENT

Per request of Matt Oates from Benderson, another extension for the SEQR was requested until the first meeting in August 2013. Paul Marchese made a motion to table the request for the extension to the SEQR until all information is received. Seconded by Don Partridge. Vote unanimous to table.

Jonathan Long made a motion to extend out the SEQR process until all information that the Town Engineers have requested is received. Seconded by Don Partridge. Vote unanimous for approval.

PETER ZELIFF—OAKWOOD ESTATES SUBDIVISION

Church White from Barton and Loguidice PC, gave an update on the proposed subdivision. Water service is only available from Route 5, so construction of the subdivision will begin at Rt #5 and move north. Genesee County Planning Dept. approved the project with modifications—the required modification is that the applicants must provide and show all of the major subdivision requirements that are listed in Section 204-6 and detailed in Sections 204-13 and 204-14 of the Town's code (street lighting, sidewalks, street shade trees, landscaping, recreational amenities) that are not included in the subdivision plat prior to final approval by the town. Although some of these requirements, specifically pedestrian provisions are noted in the SEQR documentation, they do not appear on the subdivision plat. In order to create a livable community, it is critical that these requirements be addressed. With this required modification, the proposed subdivision should not pose significant impacts. A brief discussion ensued on the types of homes that would be allowed. Member Lou Paganello asked if lots don't sell for \$300,000 homes what is in place to prevent smaller, cheaper homes from being built. It was stated that a Homeowners Association will control this. Member Jeremy Liles asked if there will be drainage retention ponds. It was stated that there will be ponds they just are not on the plat but will be on the more detailed plans. Other items of discussion were the Town does not take on storm water maintenance responsibilities so this is something that needs to be worked out with the developer; the right of way needs to be acquired as it crosses National Grid transmission lines; architectural drawings need to meet Board's satisfaction; final engineer's review and archeological survey. The SEQR was presented and reviewed. Don Partridge made a motion to declare the SEQR as a negative declaration. Seconded by Paul Marchese. Vote unanimous for approval. Paul McCullough made a motion to recommend preliminary approval of the project. Seconded by Don Partridge. Vote unanimous for approval.

Paul Marchese made a motion to approve one (1) sign—Development Complex— to be placed on Route 5. Seconded by Lou Paganello. Vote unanimous for approval.

DAVID WALTHER—8778 ALEXANDER RD—POND

Genesee County Planning Dept. recommended disapproval due to the pond being proposed too close to the lot line. Also the pond would be located on two separate parcels. The Zoning Board of Appeals addressed it and approved it. It will be one (1) ft off the lot line. The pond will be 60' x 85' and Genesee County Soil approved indicating it may be beneficial to the property as it has standing water. Public Hearing is needed. Lou Paganello made a motion to set Tuesday, August 20, 2013 at 7:30pm as the date and time for the public hearing. Seconded by Paul McCullough. Vote unanimous.

JOSEPH KOWALCZYK—PEARL ST RD—LAND SEPARATION/PARCEL MERGE

Don Partridge made a motion to approve the land separation/parcel merge. Seconded by Paul Marchese. Vote unanimous for approval.

ZEO REPORT

Dog Crazy Day Care—Jennifer Gross—4372 Batavia Elba Townline Rd—boarding/grooming facility and possible dog kennel. Public hearing is being requested. Jeremy Liles made a motion to set Tuesday, August 6, 2013 at 7:30 pm as the date and time for the public hearing. Seconded by Jonathan Long. Vote unanimous.

CHAIRMAN REPORT

Training availability for members will be held on Wednesday, July 31, 2013 at the Village of Bergen Offices. The presentation will be on the Comprehensive Plan.

Jonathan Long made a motion to adjourn the meeting at 8:55pm. Seconded by Lou Paganello. Vote unanimous for adjournment.

Respectfully submitted,

Kathleen Jasinski
Chairman

Sharon White
Secretary