

TOWN OF BATAVIA PLANNING BOARD  
REGULAR MEETING, MARCH 21, 2017, 7:00 P.M.

PRESENT: Chairman Kathy Jasinski, Members Gordon Offhaus, and Jeremy Liles, Don Partridge, Paul McCullough, Paul Marchese, Lou Paganello, and Jon Long.

ALSO ATTENDING: Steve Mountain, Bruce Gerould, Dan Lang, Secretary Brittany Witkop, Sharon White, Sheila Hess and Barb Johnston, Tim Ahrens of Forefront Power and Jodi Hunt of Tetra Tech.

Alternate member will not vote.

MINUTES FEBRUARY 21, 2017 PUBLIC HEARING MEETING

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

MINUTES FEBRUARY 21, 2017 REGULAR MEETING

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

COMPREHENSIVE PLAN REVIEW, MAKE RECOMMENDATION FOR PUBLIC HEARING

The last time we met to discuss the Comprehensive Plan was in December 2016. Sheila Hess and Barb Johnston went back through the plan and are here to night to provide the Planning Board with revisions that have been made. A few of the additions/revisions are:

- \*An Analysis of the Town of Batavia Budget and how the build-out would affect the town fiscally. Build-out refers to the entire land-use map. Cost versus revenue.
- \*An updated future land-use map was given to board members for review. The board pointed out a couple of changes they would like made which include removing two Valle Drives as one is actually Edgewood, changing the land near South Bennett Heights east of the swamp to business, and the area bordering the NYS Thruway, Veterans Memorial Drive, Lewiston Road and South Main Street should be changed to a smart growth area.
- \*All changes that Sheila and Barb worked on are in the Summary of Recommendations and the new draft of the Comprehensive Plan that they provided to the board tonight.
- \*A cover page for the plan will be drafted.
- \*The acknowledgement page has been started. Sheila Hess will send it out for review.
- \*Sheila Hess is making a small brochure to summarize the plan and will provide that as well.

The board members should review the draft for accuracy.

Per Steve Mountain the Batavia Town Board would like to have a special meeting on March 29, 2017, to call a public hearing. The next Town of Batavia Board meeting is April 19, 2017. A motion was made by Paul Marchese in favor of recommending the Comprehensive Plan and setting the public hearing. Seconded by Jeremy Liles. Vote unanimous for approval.

FOREFRONT POWER - SOLAR FARM PROPOSAL AT 8169 BANK ST. RD. & AT 7755 OAK ORCHARD ROAD

In regard to 8169 Bank Street Road -

Tim Ahrens of Forefront Power and Jodi Hunt of Tetra Tech are present. Lou Paganello made a motion for the Town of Batavia Planning Board to seek lead agency. Seconded by Don Partridge. Vote unanimous for approval. Genesee County Planning approved the project with modifications requiring the applicant to obtain documentation from the State Historic Preservation Office as to the project's impacts on archaeological resources. They

also recommend the applicant complete an application for 9-1-1 Address Verification to the Genesee County Sheriff's Office. Further recommendation is given to the Town to revisit, in particular, the impact of solar energy systems on prime farmlands. Lou Paganello would like to know what percent of land the Town will allow going forward for the solar projects cumulatively. This will be discussed at our next meeting. The board moved forward with the Full Environmental Assessment Form, Part II, Identification of Potential Project Impacts led by Don Partridge. A motion was made by Don Partridge to declare a negative declaration on SEQR. Seconded by Jeremy Liles. Vote unanimously approved. The Batavia Town Board is requiring a decommissioning bond approved by the Town Attorney, Andrew Meier on this project. Don Partridge made a motion to approve this request. Seconded by Paul Marchese. Vote unanimous for approval. The site plan and special use permit for this project are contingent on final engineering approval by Steven Mountain and/or Tom Lichtenthal. Forefront Power has also agreed to let the Town know what seeding mixture will be used for planting to attract bees. Gordon Offhaus made a motion to approve the special use permit. Seconded by Paul McCullough. Vote unanimous for approval. Paul McCullough made a motion to approve the site plan. Seconded by Jeremy Liles. Vote unanimous for approval.

In regard to 7755 Old Oak Orchard Road -

Tim Ahrens of Forefront Power and Jodi Hunt of Tetra Tech are present. Paul McCullough made a motion for the Town of Batavia to seek lead agency. Seconded by Paul Marchese. Vote unanimous for approval. Genesee County Planning approved with a recommendation that the applicant complete an application for 9-1-1 Address Verification to the Genesee County Sheriff's Office. Further recommendation is given to the Town to revisit, in particular, the impact of solar energy systems on prime farmlands. The board moved forward with the Full Environmental Assessment Form, Part II, Identification of Potential Project Impacts led by Don Partridge. A motion was made by Don Partridge to declare a negative declaration on SEQR. Seconded by Lou Paganello. Vote unanimously approved. The Batavia Town Board is requiring a decommissioning bond approved by the Town Attorney, Andrew Meier on this project. Paul Marchese made a motion to approve this request. Seconded by Jeremy Liles. Vote unanimous for approval. The site plan and special use permit for this project are contingent on final engineering approval by Steven Mountain and/or Tom Lichtenthal. Forefront Power has also agreed to let the Town know what seeding mixture will be used for planting to attract bees. Paul McCullough made a motion to approve the special use permit. Seconded by Gordon Offhaus. Vote unanimous for approval. Jeremy Liles made a motion to approve the site plan. Seconded by Lou Paganello. Vote unanimous for approval.

#### ZONING ENFORCEMENT OFFICER REPORT

Per Dan Lang, Bruce Newton was unable to be here tonight, but he has approached the Town about a development along Tonawanda Creek on Mill Road. Possible builds could be a pole barn, shed, and/or a house. Mr. Newton is concerned about how the Comprehensive Plan will impact projects/builds on his property. Per Dan the area is zoned commercial. New buildings/structures need to be 100 feet from the creek bank and must meet flood plain requirements. To make any decisions or give guidance the Town will need more information from Mr. Newton on any projects he is interested in pursuing.

Per Dan, a few things that will be coming to the board are:

1. Mercy EMS - Moving to Gateway II
2. A new development next to Home Depot. It will go to Genesee County Planning first.
3. More solar projects.

## CHAIRMAN REPORT

Per Kathy Jasinski, there is an upcoming trip to Albany with Assemblyman Steve Hawley in May. If anyone would like to go please put in a request with Teresa Morasco, Town Clerk.

Our next meeting will be on April 4, 2017 at 7 p.m.

Gordon Offhaus made a motion to adjourn the meeting at 8:30 p.m. Seconded by Lou Paganello. Vote unanimous for adjournment.

Respectfully submitted,

Brittany Witkop  
Secretary

Respectfully submitted,

Kathleen Jasinski  
Chairman