

**TOWN OF BATAVIA PLANNING BOARD
REGULAR MEETING, February 2, 2021 - 7:14 P.M.
VIA ZOOM CONFERENCING
Meeting ID: 969 8516 8120
Password: 401761
Phone: 1-646-558-8656 US (New York)**

Because of the Novel Corona Virus Pandemic and state and federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive order 202.1 issued March 12, 2020 suspending the Open Meeting Law, the Town of Batavia Planning Board meetings was held electronically via ZOOM video conference/call conference instead of a public meeting open for the public to attend in person. Minutes of the meeting will be posted on the Town of Batavia Website.

PRESENT: Chairman Kathy Jasinski, Paul Marchese, Paul McCullough, Don Partridge, Jonathan Long, Steve Tanner and Brooks Hawley.

ALSO ATTENDING: Jim Taravella Engineer of LaBella Associates, Andrew Schmieder of LandPro Equipment, David Cuizynski Project Manager for LandPro Equipment, Kaelynn Roche of Batavia Solar, Paul Williams Operations Manager for LandPro, Mr. and Mrs. Wood, Janice Smith, Tim Morrow, Dan Lang Building Inspector, John Della Penna ZBA Chairman, Sharon White Town Board Member, Teressa Morasco Town Clerk, Sarah Sauka is Host for the Zoom Meeting, Mike Pettinella of the Batavian, Alecia Kaus of Video News Service, and Secretary Kim McCullough.

ABSENT: Lou Paganello and Jeremy Liles.

Alternate Member(s): Steve Tanner and Brooks Hawley will both be voting.

January 19, 2021 – REGULAR PLANNING BOARD MEETING MINUTES.

Paul McCullough made a motion to approve the regular Planning Board Meeting Minutes.
Seconded by Brooks Hawley.
No Additions or corrections.
Vote unanimous for approval.

January 19, 2021 – TROUSEDALE SOLAR FARMS PUBLIC HEARINGS MEETING MINUTES.

Paul Marchese made a motion to approve the regular both Public Hearing Meeting Minutes along with the responses from Cypress Creek's responses.
Seconded by Jonathan Long.
No Additions or corrections.
Chairman Jasinski asked for roll call to be taken.
Don Partridge abstained from the vote.
All Planning Board Members voted Yes to approve.

Land Pro Equipment – 4554 Saile Drive, Batavia, New York – Construct a sales and maintenance building along with a storage building. Declare Lead Agency.

Paul McCullough made a motion to seek lead agency.
Seconded by Jonathan Long.
Vote unanimous for approval.

Land Pro Equipment – 4554 Saile Drive, Batavia, New York – Construct a sales and maintenance building along with a storage building. Long Form SEQR Part 2. SHPO – No impact letter received. Per DOT there is a Driveway Permit needed. Per Steve Mountain there will be no traffic study as it fits in with all of the existing studies.

Steve Tanner lead the Planning Board through the Long Form SEQR Part 2.
Steve Tanner made a motion to approve the Negative Declaration.
Seconded by Jonathan Long.

2/2/2021-RegularMtg

Vote unanimous for approval.

Land Pro Equipment – 4554 Saile Drive, Batavia, New York – Construct a sales and maintenance building along with a storage building. Site Plan Review of the Land Pro Equipment project. Maintenance of ag/turf equipment with sales as well. Will employ 65 individuals. Question was brought up about the parking and how many spaces there will be for handicapped and regular parking. 6 Handicapped spaces at the front entrance of the building and total number of parking spots for both employees and retail customers are 70. Has there been a SWIP prepared and they stated they are working with Pinewood Engineers on this item. This Site Plan is contingent upon final Engineering review and approval. Per Chairman Jasinski County Planning approved with modifications for SWIP and SHPO.

Don Partridge made a motion for Site Plan Approval and is contingent upon final Engineering review and approval.

Seconded by Paul McCullough.

Vote unanimous for approval.

Batavia Solar LLC – R. Stephen Hawley Drive – Special Use Permit to install a ground mounted solar system for the Genesee Gateway Local Development Corporation. Per Chairman Jasinski this is an introduction to this project. Jim Taravella went over the project for the public hearing and had nothing to add. Question was asked by Steve Tanner as to how many poles there would be, answer was Mr. Taravella believes there are 4 poles as required by the electric code. Also, Steve Tanner would like to see a screening plan, would like the screening not only looking out their back window but the side window and over to the driveway. Steve also said there should also be some mounding and trees planted as well, would like to also see a simulation of 1, 3 and 5 year perspectives on the trees and how much screening they are providing. Mr. Taravella stated they would work with both Batavia Solar and the Wood Family for the simulation. Paul Marchese would like to see screening on College Road and to encompass the whole site were possible so people are not really seeing this from the road from any direction. Paul McCullough asked about standard ground cover of flowers under the solar panels. Dan Lang stated that he would get the list over to them as to what the mix should be for the ground cover under the array. Per Chairman Jasinski the Engineers are requiring a Long Form SEQR. Seek Lead Agency status.

Paul Marchese made a motion to seek lead agency.

Seconded by Brooks Hawley.

Vote unanimous for approval.

Janice Smith – 9149 Creek Road – Special Use Permit to use existing pole barn as an event venue. Per Chairman Jasinski stated that Ms. Smith had already made a presentation for the Public Hearing and asked the board if they had any questions for her. Brooks stated that there are 157 parking spots and wanted to know if it was going to asphalt or paved or just regular grass and if it is a flat area, concerned with rain and weather and cars getting stuck. Ms. Smith replied grass to keep it as original as possible, it is a flat area and has been farm land forever. They have not given any thought to the weather and that it is a warm weather venue, nothing during the early Spring or late Fall. Dan Lang did do a site visit and stated it is solid ground. Dan also stated he was there during the completion of the barn and it was rather wet and he did not have any difficulty himself. Paul Marchese stated the only question left on his mind is with the noise from a band, are we going to have any issues from the neighbors complaining about that or time limits for your venue, doesn't want to restrict her in any way but doesn't want to have her back here because the neighbors are mad at you. Ms. Smith replied that sound would carry either East or West with the way the wind blows and there are no neighbors either way for miles. Going North or South the neighbors are my parents. Chairman Jasinski stated if there were complaints from the neighbors then we would speak to you about it.

Steve Tanner made a motion to approve the Special Use Permit.

Seconded by Brooks Hawley.

Vote unanimous for approval.

Zoning Enforcement Officer Report.

Per Dan Lang – Does not have anything else coming in right now. There are a few things in development, no submittals yet for any of them.

Chairman Report.

Kathy stated that they spoke with the Town Attorney and we can have small group discussions as long as there was no

quorum. If there was a project that you would want to discuss her and Dan could put together a discussion group. If you would like to do this please contact her if you have something you would like to talk about.

Next meeting will February 16, 2021 at 7 p.m.

Sharon stated she had nothing to add and that there would be a Town Board Workshop tomorrow night (2/3/2021).

Brooks Hawley made a motion to adjourn the meeting at 8:00 pm.

Seconded by Steve Tanner.

Vote unanimous for adjournment.

Respectfully submitted,

Kim McCullough
Secretary

Kathleen Jasinski
Chairman