

**TOWN OF BATAVIA PLANNING BOARD
REGULAR MEETING, March 16, 2021 - 7:14 P.M.
VIA ZOOM CONFERENCING
Meeting ID: 987 0031 5502
Password: 515113
By 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 McCullough, Jeremy Liles, Jonathan Long, and Steve Tanner.

ALSO ATTENDING: Don Partridge, Jerry Leone Civil Engineer with Cypress Creek, Geoff Johnson Cypress Creek, Nick Hawvermale Civil Engineer of Cypress Creek, Mike Sweeney, Brandon Lewis Owner of The Firing Pin, Mary Smith, Kathleen’s iPad, Colleen, Greg Post Town Supervisor, Steve Mountain Town Engineer, Dan Lang Building Inspector, John Della Penna ZBA Chairman, Sarah Sauka is Host for the Zoom Meeting, Sharon White Town Board Member, Alecia Kaus of Video News Service, and Secretary Kim McCullough.

ABSENT: Paul Marchese, Lou Paganello and Brooks Hawley.

Don Partridge will not be participating in tonight’s meeting and will recuse himself; he is here as a land owner per Chairman Jasinski.

Alternate Member(s): Steve Tanner will be voting.

March 2, 2021 – REGULAR PLANNING BOARD MEETING MINUTES.

Jeremy Liles made a motion to approve the regular Planning Board Meeting Minutes.

Seconded by Paul McCullough.

No Additions or corrections.

Vote unanimous for approval.

Chairman Kathy Jasinski read a letter from Christopher and Christine Long. They are against the project because they feel it will hurt the environment, wildlife, and safety to their family and the community.

TROUSDALE #1 and #2 SOLAR PROJECTS, 5117 Ellicott St. Rd., Batavia, NY – Untable – SEQR Review.

Paul McCullough made a motion to untable the SEQR Review.

Seconded by Jeremy Liles.

Vote unanimous for approval.

9C D-I Special Vote for Impact

Paul McCullough No to Small Impact

Jeremy Liles No to Small Impact

Jonathan Long No to Small Impact

Steve Tanner No to Small Impact

Kathy Jaskinski No to Small Impact

TROUSDALE #1 and #2 SOLAR PROJECTS, 5117 Ellicott St. Rd., Batavia, NY – SEQR Review. Per Dan Lang only one action form needs to be filled out for both of the solar project for SEQR. Dan stated that these projects go hand in and it is one overall project as far as the environmental goes. They are not being separated or segmented. They are still two separate projects and will be treated that way with the Site Plan Review and Special Use Permit. There was a coordinated review done.

Steve Tanner made a motion to approve a Conditional Negative Declaration.

Seconded by Paul McCullough.

Vote unanimous for approval

Trousdale Solar I (Don Partridge) – 5117 Ellicott St. Rd., Batavia, New York – Construct a 5-MW solar project on ag/vacant land. Site Plan Review. Contingent upon modifications made by both Planning Board and Town Engineering.

Requested modifications accepted by the developer are:

Additional screening to be added to supplement neighboring hedgerows where needed.

Berms will be installed to raise the screenings.

Additional Screening will be added in the future in the event the existing hedgerows do not screen or are removed in the future.

Removal of all private poles and reduction of National Grid poles to minimum allowed by National Grid. (ie. electrical equipment to be ground mounted).

Conditions of Approval:

- Contingent upon final review and approval by Town Engineer.
- Annually replant any dead trees and other screening plantings.
- Install and maintain ground cover plantings for pollinators.
- If project is transferred to another entity, the Town shall be notified.
- Decommissioning estimate shall be approved by the Town Engineer.
- A decommissioning agreement shall be in place prior to any work on site.
- All topsoil removed shall remain on site.

Steve Tanner made a motion to approve the Site Plan Review contingent upon modification recommendations made by both Planning Board and Town Engineering.

Seconded by Paul McCullough.

Vote unanimous for approval.

Trousdale Solar II (Don Partridge) – 5117 Ellicott St. Rd., Batavia, New York – Construct a 4-MW solar project on ag/vacant land. Site Plan Review. Contingent upon modifications made by both Planning Board and Town Engineering.

Requested modifications accepted by the developer are:

- Additional screening to be added to supplement neighboring hedgerows where needed.
- Berms will be installed to raise the screenings.
- Additional Screening will be added in the future in the event the existing hedgerows do not screen or are removed in the future.
- Removal of all private poles and reduction of National Grid poles to minimum allowed by National Grid. (ie. electrical equipment to be ground mounted).

Conditions of Approval:

- Contingent upon final review and approval by Town Engineer.
- Annually replant any dead trees and other screening plantings.
- Install and maintain ground cover plantings for pollinators.
- If project is transferred to another entity, the Town shall be notified.
- Decommissioning estimate shall be approved by the Town Engineer.
- A decommissioning agreement shall be in place prior to any work on site.
- All topsoil removed shall remain on site.

Jeremy Liles made a motion to approve the Site Plan Review contingent upon modification recommendations made by both Planning Board and Town Engineering.

Seconded by Steve Tanner.

Vote unanimous for approval.

Trousdale Solar I (Don Partridge) – 5117 Ellicott St. Rd., Batavia, New York – Construct a 5-MW solar project on ag/vacant land. Special Use Permit. Contingent upon modifications made by both Planning Board and Town Engineering.

Requested modifications accepted by the developer are:

- Additional screening to be added to supplement neighboring hedgerows where needed.
- Berms will be installed to raise the screenings.
- Additional Screening will be added in the future in the event the existing hedgerows do not screen or are removed in the future.
- Removal of all private poles and reduction of National Grid poles to minimum allowed by National Grid. (ie. electrical equipment to be ground mounted).

Conditions of Approval:

- Contingent upon final review and approval by Town Engineer.
- Annually replant any dead trees and other screening plantings.
- Install and maintain ground cover plantings for pollinators.
- If project is transferred to another entity, the Town shall be notified.
- Decommissioning estimate shall be approved by the Town Engineer.
- A decommissioning agreement shall be in place prior to any work on site.
- All topsoil removed shall remain on site.

Paul McCullough made a motion to approve the Special Use Permit contingent upon modification recommendations made by both Planning Board and Town Engineering.

Seconded by Jonathan Long.

Vote unanimous for approval.

Trousdale Solar II (Don Partridge) – 5117 Ellicott St. Rd., Batavia, New York – Construct a 4-MW solar project on ag/vacant land. Special Use Permit. Contingent upon modifications made by both Planning Board and Town Engineering.

Requested modifications accepted by the developer are:

- Additional screening to be added to supplement neighboring hedgerows where needed.
- Berms will be installed to raise the screenings.
- Additional Screening will be added in the future in the event the existing hedgerows do not screen or are removed in the future.
- Removal of all private poles and reduction of National Grid poles to minimum allowed by National Grid. (ie. electrical equipment to be ground mounted)

Conditions of Approval:

- Contingent upon final review and approval by Town Engineer.
- Annually replant any dead trees and other screening plantings.
- Install and maintain ground cover plantings for pollinators.
- If project is transferred to another entity, the Town shall be notified.
- Decommissioning estimate shall be approved by the Town Engineer.
- A decommissioning agreement shall be in place prior to any work on site.
- All topsoil removed shall remain on site.

Jeremy Liles made a motion to approve the Special Use Permit contingent upon modification recommendations made by both Planning Board and Town Engineering.

Seconded by Steve Tanner.

Vote unanimous for approval.

Brandon Lewis – The Firing Pin – 3269 Harloff Road, Batavia NY – Set Public Hearing for Special Use Permit.

Set Public Hearing for April 20, 2021 at 7:00 pm to use recreational land for firearms training, general recreation, fitness training and Drive in Movie.

Mr. Lewis gave an overview of the project.

Jonathan Long made a motion to set the Public Hearing.

Seconded by Steve Tanner.

Vote unanimous for approval.

Zoning Enforcement Officer Report.

Dan – Gave the Planning Board the heads up about Dave Ficarella coming. Mr. Ficarella is working a site plan and sewer issues.

Ulta Beauty will have a spring start to construction.

Steve Mountain – Updated the Planning Board on HP Hood and Clark Patterson for building a water storage tank. Will need to update the Generic SEQR that was done for this area. There will be an increase water use for this project.

Chairman Report.

Continue to do your online trainings.

Next meeting will April 6, 2021 at 7 p.m.

Good job done by all tonight.

Sharon stated she had nothing to add.

Supervisor Post commended all on the job well done tonight.

Steve Tanner made a motion to adjourn the meeting at 8:25 pm.

Seconded by Jonathan Long.

Vote unanimous for adjournment.

Respectfully submitted,

Kim McCullough
Secretary

Kathleen Jasinski
Chairman