

**TOWN OF BATAVIA PLANNING BOARD  
REGULAR MEETING, May 18, 2021, 7:00 P.M.**

VIA ZOOM CONFERENCING

Meeting ID: 959 7033 3179

Password: 261811

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, Don Partridge, Jeremy Liles, Jonathan Long, and Steve Tanner.

**ALSO ATTENDING:** Kim S., John Della Penna ZBA Chairman, Steve Mountain Town Engineer, Matt Mahaney Fire Inspection/Zoning Ordinance Compliance Officer, Alecia Kaus of Video News Service, and Secretary Kim McCullough.

**ABSENT:** Paul Marchese, Lou Paganello and Brooks Hawley.

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

**May 4, 2021 REGULAR PLANNING BOARD MEETING MINUTES.**

Paul McCullough made a motion to approve the regular Planning Board Meeting Minutes.

Seconded by Jonathan Long.

Vote unanimous for approval.

**May 4, 2021 PUBLIC HEARING MEETING MINUTES – COR Veterans Memorial Drive Company LLC – Drive-Thru for Chipotle.**

Steve Tanner made a motion to approve the Public Hearing Meeting Minutes.

Seconded by Paul McCullough.

Vote unanimous for approval.

**Public Comments – None.**

**Bob Dickinson – 4028 West Main Street – Batavia NY** – Special Use Permit to construct a building for the storage of trucks in a commercial district at his existing business. Per John Della Penna, ZBA Chairman – Public Hearing was last night for a variance for 10' on side yard, where 30' is normally required and was approved. Per Matt Mahaney a 10' setback was requested opposed to the 30' setback. Site plan is showing construction will outside of the flood zone, there are no issues as far as review goes. County Planning Board approved stating the proposed storage building should pose no significant county wide or intercommunity impact. This is also a type 2 SEQR so there is no review.

Jonathan Long made a motion to approve the Site Plan Review.

Seconded by Don Partridge.

Vote unanimous for approval.

**Zoning Enforcement Officer Report.**

**Matt Mahaney** – There are no new applications or inquiries to report on. They are continuing along with the existing approvals from the Planning Board – for Ulta and Old Navy both are finally under construction. Regarding Jerry Arena – they have been keeping an eye on it. Dave Ficarella's Senior Housing – he is actively working on getting all of the documentation in, to be submitted in the County Planning Board and would also be forwarded over to the Town Planning Board for review so a Public Hearing can be set to go forward.

**Steve Mountain** – Asked John Della Penna about the parking for Rochester Regional Health. John stated they did, Tom Brach was there to explain it to the ZBA and they approved it also. Steve made the suggestion that the Planning Board make a motion to amend the Site Plan Review for Rochester Regional Health, through the mitigation that was needed they now need the smaller parking spots.

**Rochester Regional Health – 8103 Oak Orchard Rd., Batavia, NY** – Amendment to Site Plan Review – Per Steve Mountain the parking spots will be 9X18 instead of the 10X20. Kathy sought a motion to concur with the ZBA.

Don Partridge made a motion to Amend the Site Plan Review.  
Seconded by Paul McCullough.

Steve Tanner – Abstained – Due to his place of employment being the ones asking for the modification to the parking spots.

All Other Planning Board Members voted Yes to approval.

**Chairman Report.**

Kathy has been in contact with Chris Moser and stated that since so many were not the board when it was approved, they would like to do an onsite Special Use Permit Review on Tuesday, May 25, 2021. She asked if members would be available to go and what time. There will be an event going so it will be heard by all. Kathy stated she needs quorum; she will send out an email to everyone and respond back to her.

Kathy will be attending and all will meet there at Harloff Road

Paul McCullough – 6pm

Steve Tanner – 6pm

Don Partridge – 6pm

Jeremy Liles – 6pm

Jonathan Long – 6pm

John Della Penna – 6pm

Sharon McWethy wants to come back to the Planning Board with more information about 5G. Kathy stated there is really nothing the Planning Board can do, she is going to send her a letter encouraging her to give us information the more we know the better it is for us and that she could attend a work session with the Town Board.

Steve Tanner made a motion to adjourn the meeting at 7:14 pm.

Seconded by Paul McCullough.

Vote unanimous for adjournment.

Respectfully submitted,

Kim McCullough  
Secretary

Kathleen Jasinski  
Chairman