

# PLANNING & DEVELOPMENT COMMITTEE

## *MINUTES*

May 21, 2019

6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

Members present: *Matt Gray, Tammy Hathaway, Duane Preston*

Members absent: Edward Flynn, Robert Knipe

Others present: Meg Chilano – Recording Secretary, Doug Randall – Code Enforcement Officer

### **I. Roll Call**

Roll call of the members was conducted. Three members were present and Chairman Duane Preston declared a quorum.

### **II. Call to order**

Mr. Preston called the meeting to order at 6:05 pm.

### **III. Previous Meeting Minutes**

There were no corrections to the minutes. Mr. Preston assumed the motion and the minutes were approved as written by unanimous consent.

**RESULT: Approval of April 16, 2019 meeting minutes.**

### **IV. Proposals**

- A. Site Plan Review and Area Variance for the construction of a 6,000 sq.' pole-style building on this undeveloped parcel. The uses will include an area of approximately 900 sq.' for retail sales, and 5,100 sq.' for storage and service operations related to the Cedar Street Sales and Rentals business

Address: *52 Cedar St.*

Applicant: Guy Clark (owner)

- Actions:
1. Review application
  2. Public hearing and discussion
  3. SEQR
  4. Action on Site Plan and recommendation to the ZBA for Area Variance

#### **1. Review Application**

Mr. Preston read the summary of the proposal. The applicant explained that his business needs to physically grow in order to accommodate his two sons who wish to join the business. Currently, the loading dock is a tight fit for trucks which block traffic while using the dock.

## **2. Public Hearing**

**MOTION:** Mr. Gray moved to open the public hearing; the motion was seconded by Ms. Hathaway, and on roll call, was approved 3-0.

**RESULT: Public hearing opened at 6:07 pm.**

Mr. Gray asked about the reason for the distance of the building from the road, and Mr. Clark said that it is because of the loading dock and the need of trucks to have room to maneuver around it. He explained that this is also the reason why parking will be situated in the front of the building; it is the only place where there is room.

Mr. Schmieder, architectural engineer for the project, asked the board if it would be possible to eliminate or reduce the landscape buffer requirement in order to allow more room for trucks to swing wide when approaching the loading dock.

Mr. Randall clarified that additional bushes would serve no purpose because they will benefit no one and no one will see them.

Mr. Gray asked about landscaping the front as an alternative, and Mr. Clark said he will landscape and make it look good. He indicated that 15' from the front property line will be shrubs and flower boxes and the lawn area will have scattered plantings.

Mr. Gray asked about drainage, and Mr. Schmieder answered that there is already a drainage area. Also, the loading dock will drain to the same wet area.

Mr. Gray asked about lighting. Mr. Clark point out that deliveries are made during the day so lighting at night will not be necessary except for a wall light with a diffuser above the loading dock.

There was no one from the public who wished to speak, and no calls, letters, or email concerning the proposal.

**MOTION:** Mr. Gray moved to close the public hearing; the motion was seconded by Ms. Hathaway, and on roll call, was approved 3-0.

**RESULT: Public hearing closed at 6:17 pm.**

## **3. SEQR**

Mr. Preston asked if the board had reviewed part one of the SEQR application and they indicated they had. The board went through the questions for part two.

**MOTION:** Mr. Gray moved to approve a negative declaration of SEQR; the motion was seconded by Ms. Hathaway, and on roll call, was approved 3-0.

**RESULT: Negative declaration of SEQR**

## **4. Discussion and Action by the Board**

**MOTION:** Mr. Gray moved to approve the Site Plan; the motion was seconded by Ms. Hathaway, and on roll call, was approved 3-0.

**RESULT: Site Plan approval.**

**MOTION:** Ms. Hathaway moved to recommend approval for parking in the front of the building to the ZBA; the motion was seconded by Mr. Gray, and on roll call, was approved 3-0.

**RESULT: Recommendation to the ZBA to approve the Area Variance for parking.**

B. City Council has requested that the Planning and Development Committee review permitted zoning of public storage units in the Batavia Municipal Code, to include application and implementation matters, as well as potential revisions, and make recommendations to City Council for consideration

Applicant: City Council

Actions: 1. Discuss storage unit information  
2. Action by the board

### 1. Review Application and Discussion

Mr. Preston summarized the proposal. City Council has requested for the PDC to review the zoning code regarding large item outdoor storage units. City Council would like recommendations for which districts would be acceptable for placement of such storage facilities, and what restrictions and conditions should be put in place concerning their usage.

The board reviewed the proposed changes to the code regarding public storage units. Mr. Gray asked if the terminology has to include the word “public,” and Mr. Randall explained that the code already address warehouses, and the warehouse type of storage must differentiate from the public type.

Mr. Gray observed that the amount of off-street parking might be prohibitive and proposed that 1 space per 20 units might be more acceptable.

After discussing the possibility that changing the terms of “no materials or products on site” could create an opportunity for sales which could not be controlled, the board elected to keep the terminology as it is.

### 2. Action by the Board

**MOTION:** Mr. Gray moved to send the recommendations for changes to the code regarding public storage units to the City Council; the motion was seconded by Ms. Hathaway, and on roll call, was approved 3-0.

**RESULT: Refer public storage units code changes to City Council.**

V. **Setting of Next Meeting:** June 18, 2019

### VI. Adjournment

Ms. Hathaway moved to adjourn the meeting at 6:33 p.m.; the motion was seconded by Mr. Gray. All voted in favor.



Meg Chilano  
Recording Secretary