

PLANNING & DEVELOPMENT COMMITTEE

MINUTES

April 25, 2017

6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

Members present: *Edward Flynn, Matt Gray, Robert Knipe, Duane Preston, Marc Staley*

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

I. Roll Call

Roll call of the members was conducted. Five 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 minutes were approved by unanimous consent.

RESULT: Approval of March 21, 2017 meeting minutes.

IV. Proposals

- A. Change the present use of this existing mixed use building located within the R-3 residential district

Address: *115 Washington Ave.*

Applicant: Robert Gerace (real estate agent for owner)

- Actions:
1. Remove application from table
 2. Public hearing
 3. Action by the board

1. Remove Application from Table

Mr. Preston read the summary of the proposal. He noted that discussion regarding the application had taken place during the previous PDC meeting.

MOTION: Mr. Flynn moved to remove the application from the table; the motion was seconded by Mr. Gray, and on roll call, was approved 5-0.

RESULT: Application removed from the table.

2. Public Hearing

MOTION: Mr. Gray moved to open the public hearing; the motion was seconded by Mr. Knipe, and on roll call, was approved 5-0.

RESULT: Public hearing opened at 6:08 pm.

There was no one present who wished to speak. There were no letters or emails regarding the project, and no phone calls had been received.

MOTION: Mr. Flynn moved to close the public hearing; the motion was seconded by Mr. Knipe, and on roll call, was approved 5-0.

RESULT: Public hearing closed at 6:10 pm.

3. Action by the Board

MOTION: Mr. Knipe moved to approve the Special Use permit; the motion was seconded by Mr. Staley, and on roll call, was approved 5-0.

RESULT: Special Use Permit approved.

B. Sketch plan review for construction of a 29,456 sq.' one story wood frame building for uses as a racing paddock

Address: 8315 Park Rd. (Batavia Downs)

Applicant: Thomas Fraser, PE (designer)

- Actions:
1. Review application
 2. Discussion
 3. SEQR
 4. Public hearing set for next meeting, 5/16/17

1. Review Application

Mr. Preston read the summary of the proposal. Mr. Fraser described the project. He explained that they thought they had enough room but the state agency that regulates racing said that the area had to be bigger.

2. Discussion

Mr. Knipe asked if they had thought about solar power, considering amount of roof area. Mr. Fraser answered that without a lot of subsidies, solar panels do not fit into their budget.

Mr. Gray asked if there is enough room for the emergency evacuation of horses and Mr. Fraser said that there is sufficient room along the back side of the track.

Mr. Knipe asked if they had reached out to the residents of Redfield Parkway regarding possible disturbance from the track lights. Mr. Fraser said that as engineers, his firm had not; however, he stated that the project is dark sky compliant.

Mr. Preston noted that a public hearing regarding the project will be called for the next meeting.

Mr. Staley asked if there will be trailers parked in the lot across the street from the facility and Mr. Fraser responded that it will not be necessary because there is room for parking along the south side of the new building and the trailers will fit there.

Mr. Preston asked if there will be living space for the judges and Mr. Fraser said no.

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. Flynn moved to approve a negative declaration of SEQR; the motion was seconded by Mr. Knipe, and on roll call, was approved 5-0.

RESULT: Negative declaration of SEQR

4. Public Hearing: set for next meeting, 5/16/17

Mr. Flynn asked if the board could expect anything new before the final Site Plan review, and Mr. Fraser answered no. However, he addressed an issue concerning storm water management and said that storm water inlets would be protected during the construction process. Mr. Fraser said that as a re-development project, they would treat the submission as a Chapter 9 and do all of the inspections they are required to perform.

- C. Site Plan Review for construction of a two story, two family dwelling on this unimproved parcel. On 12/15/16 the Zoning board of Appeals granted a requested Use Variance to permit the construction of a two family dwelling on this R-1 residential use district

Address: 151 Oak St.

Applicant: Fred Mruczek (builder)

- Actions:
1. Review application
 2. Public hearing
 3. Discussion and action by the board

1. Review Application

Mr. Preston read the summary of the application. He reported that the Genesee County Planning Board recommended approval and noted that the board recommended planting trees on the property to replace those that would be removed during construction.

Mr. Knipe recalled that the last time the project came before the board, the members had discussed a single driveway rather than the two that had been proposed.

Mr. Mruczek referred to documents from neighbors adjacent to the rear of the property which stated that the neighbors would prefer two driveways in the front instead of a single driveway with parking in the rear.

Mr. Flynn asked if there are currently two aprons in front of the property and Mr. Mruczek answered that there is only one. Mr. Randall noted that while approval of aprons is the concern of the DOT, there is room for an additional 10' wide driveway.

Mr. Knipe clarified that the proposed two driveways would strictly be driveways without additional parking spaces.

Mr. Staley, Mr. Gray, Mr. Preston, and Mr. Knipe agreed that the appearance of the neighborhood is not greatly affected by the additional driveway because there is still a large green space in the front. Also, the five letters obtained from the owners of the properties to the rear of this parcel stated that they would prefer no parking behind the building. Additionally, the two proposed driveways would be permitted without the need for a variance.

2. Public Hearing

MOTION: Mr. Knipe moved to open the public hearing; the motion was seconded by Mr. Flynn, and on roll call, was approved 5-0.

RESULT: Public hearing opened at 6:41 pm.

Mr. DelPlato is the neighbor directly behind the property. He stated that he would prefer that the parking remain in the front.

MOTION: Mr. Flynn moved to close the public hearing; the motion was seconded by Mr. Knipe, and on roll call, was approved 5-0.

RESULT: Public hearing closed at 6:43 pm.

3. Discussion and Action by the Board

Mr. Gray asked Mr. Mruczek to address the County's recommendation to plant more trees. Mr. Mruczek said he would comply with what the PDC said they wanted.

MOTION: Mr. Gray moved to recommend approval of the site plan with the stipulation that Mr. Mruczek plant two deciduous trees in the front yard; the motion was seconded by Mr. Staley, and on roll call, was approved 4-1-0.

Votes in favor: 4 (Matt Gray, Robert Knipe, Duane Preston, Marc Staley)

Votes opposed: 1 (Edward Flynn)

Votes abstained: 0

RESULT: Approval of the site plan.

D. Sketch plan review

Address: *552, 554, and 556 East Main St.*

Applicant: Eric Schaaf (Marathon Engineering)

Actions: Review plans

Applicant will return with a second sketch plan review after consideration of the PDC's recommendations concerning the need for more parking spaces.

V. Other/New Business/Updates: none

VI. Setting of Next Meeting: May 16, 2017

VII. Adjournment

Mr. Flynn moved to adjourn the meeting at 7:05 pm; the motion was seconded by Mr. Staley. All voted in favor.



Meg Chilano

Bureau of Inspection Secretary