



# GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID

**T-02-BAT-03-24**

Review Date

**3/14/2024**

Municipality  
Board Name  
Applicant's Name  
Referral Type  
Variance(s)  
Description:

**BATAVIA, T.**

**PLANNING BOARD/ZBA**

**Howlett Farms Grain LLC**

**Site Plan Review**

**Area Variance(s)**

**Site Plan Review and Area Variances to upgrade a grain storage and animal feed production mill.**

**Building Height**

**Maximum allowed: 35 ft.**

**Existing silos: 124 & 124 ft.**

**Proposed silos: 135 & 135 ft.**

Location  
Zoning District

**2773 Pratt Rd., Batavia**

**Agricultural-Residential (A-R) District**

## PLANNING BOARD RECOMMENDS:

**WITHDRAWN**

EXPLANATION:

**Withdrawn per the Town**

Director

March 14, 2024

Date

If the County Planning Board disapproved the proposal, or recommends modifications, the referring agency shall NOT act contrary to the recommendations except by a vote of a majority plus one of all the members and after the adoption of a resolution setting forth the reasons for such contrary action. Within 30 days after the final action the referring agency shall file a report of final action with the County Planning Board. An action taken form is provided for this purpose and may be obtained from the Genesee County Planning Department.

**SEND OR DELIVER TO:**

GENESEE COUNTY DEPARTMENT OF PLANNING  
3837 West Main Street Road  
Batavia, NY 14020-9404  
Phone: (585) 815-7901



**DEPARTMENT USE ONLY:**  
GCDP Referral # T-02-BAT-03-24

**\* GENESEE COUNTY \*  
PLANNING BOARD REFERRAL**

RECEIVED  
Genesee County  
Dept. of Planning  
3/1/2024

Required According to:  
**GENERAL MUNICIPAL LAW ARTICLE 12B, SECTION 239 L, M, N**  
(Please answer ALL questions as fully as possible)

**1. REFERRING BOARD(S) INFORMATION**

**2. APPLICANT INFORMATION**

Board(s) Town of Batavia

Name Howlett Farms Grain, LLC

Address 3833 West Main Street Road

Address 1112 East River Rd

City, State, Zip Batavia, NY, 14020

City, State, Zip Avon, NY, 14414

Phone (585) 343-1729 Ext. \_\_\_\_\_

Phone (585) 750-2995 Ext. \_\_\_\_\_ Email pegan@howlettfarms.com

MUNICIPALITY:  City  Town  Village of Batavia

**3. TYPE OF REFERRAL:** (Check all applicable items)

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Area Variance    | <input type="checkbox"/> Zoning Map Change         | <input type="checkbox"/> Subdivision Proposal |
| <input type="checkbox"/> Use Variance                | <input type="checkbox"/> Zoning Text Amendments    | <input type="checkbox"/> Preliminary          |
| <input type="checkbox"/> Special Use Permit          | <input type="checkbox"/> Comprehensive Plan/Update | <input type="checkbox"/> Final                |
| <input checked="" type="checkbox"/> Site Plan Review | <input type="checkbox"/> Other: _____              |   |

**4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:**

A. Full Address 2773 Pratt Rd Batavia NY 14020

B. Nearest intersecting road Powers Rd

C. Tax Map Parcel Number 2.-1-39

D. Total area of the property 13.2 Acres Area of property to be disturbed 1.5 Acres

E. Present zoning district(s) Ag Res

**5. REFERRAL CASE INFORMATION:**

A. Has this referral been previously reviewed by the Genesee County Planning Board?

NO  YES If yes, give date and action taken \_\_\_\_\_

B. Special Use Permit and/or Variances refer to the following section(s) of the present zoning ordinance and/or law

Town of Batavia zoning schedule A

C. Please describe the nature of this request Applicant is requesting a variance for rear set back ,and height variance

for new grain bins

**6. ENCLOSURES** – Please enclose copy(s) of all appropriate items in regard to this referral

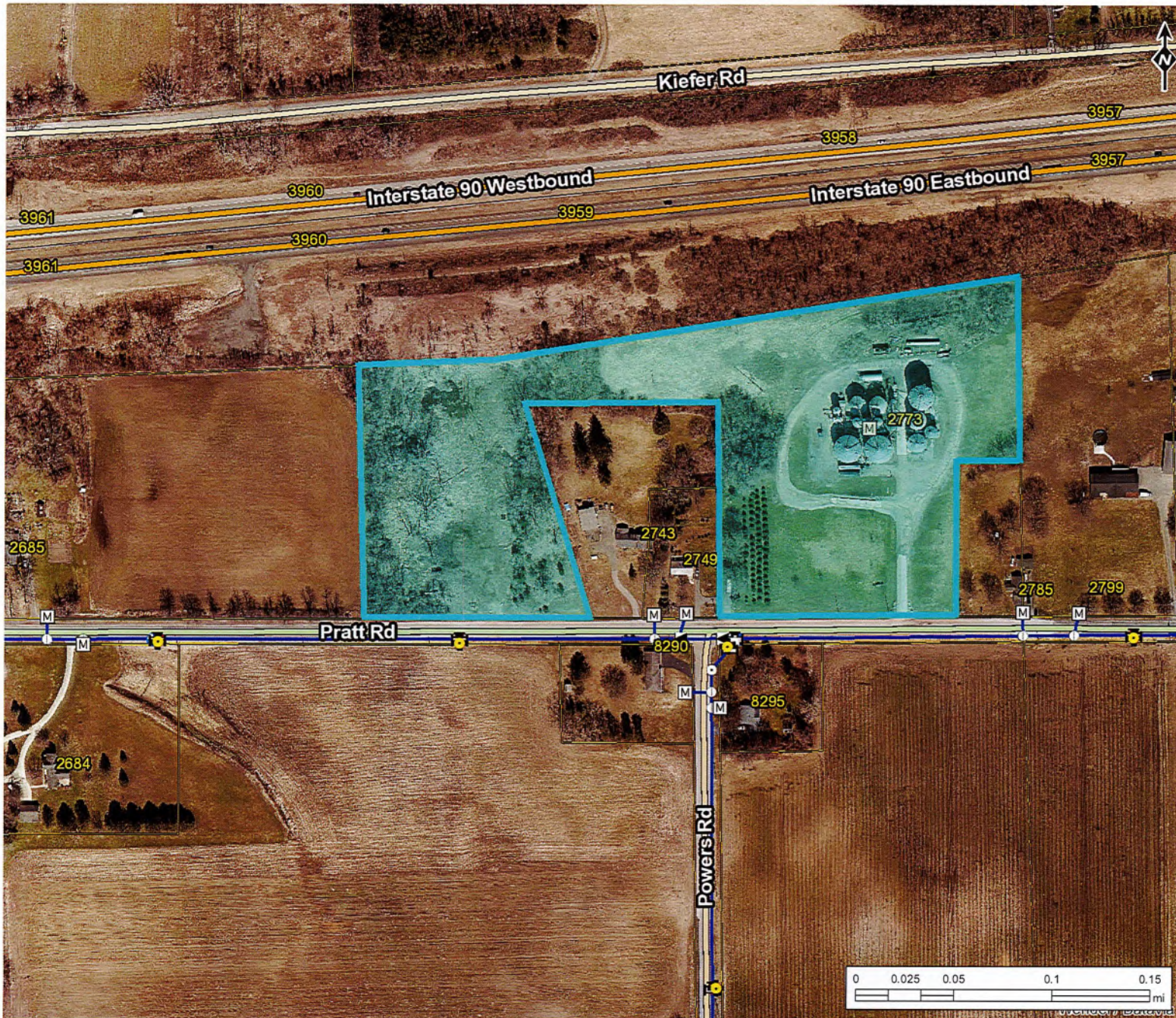
- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Local application | <input type="checkbox"/> Zoning text/map amendments             | <input type="checkbox"/> New or updated comprehensive plan |
| <input checked="" type="checkbox"/> Site plan         | <input checked="" type="checkbox"/> Location map or tax maps    | <input type="checkbox"/> Photos                            |
| <input type="checkbox"/> Subdivision plot plans       | <input type="checkbox"/> Elevation drawings                     | <input type="checkbox"/> Other: _____                      |
| <input checked="" type="checkbox"/> SEQR forms        | <input checked="" type="checkbox"/> Agricultural data statement |  |

**7. CONTACT INFORMATION** of the person representing the community in filling out this form (required information)























Name Troy Williams Title CEO Phone (585) 343-1729 Ext. 208

Address, City, State, Zip 3833 West Main Street Road ,Batavia, 14020 Email twilliams@townofbatavia.com

# Town of Batavia Web Mapping Application



## LEGEND

-  Water Tank
-  Pump Station
- Hydrant Out of Service**
-  Red, Out of Service
-  Yellow w/ Blue Caps, Out of Service
-  Yellow, Out of Service
- Hydrant**
-  Red
-  Yellow
-  Yellow w/ Blue Caps
- Blowoff**
-  Below-Grade Programmable Flushing Unit
-  Blowoff Connection
-  Portable Continuous Flushing Setup
-  Portable Programmable Hydrant Flushing Unit
- Fittings**
-  Type Not Specified
-  Bend
-  Cap
-  Cross
-  Coupling
-  Reducer
-  Blowoff Connection
-  Sleeve
-  Tee
-  Other

# Building and Zoning Application Permit No. \_\_\_\_\_

Town of Batavia 3833 West Main Rd. Batavia NY 14020 PH. 585-343-1729

Date \_\_\_ / \_\_\_ / \_\_\_ Zone  Flood Zone  Wellhead Protection  Corner Lot

New Construction  Fence  Pond  Sign  Alteration(s)  Addition  Demolition

Accessory Bldg.  Mobile Home  Fill Permit  Home Occupation  Land Separation  Site Plan Approval

Special Use Permit  Temporary Use  Subdivision  Zoning Variance Request  Other  Specify: \_\_\_\_\_

Tax Map No. 2.-1-39

Owners Name Howlett Farms Grain, LLC Phone No. (585)750-2995

Address 1112 East River Rd, Avon 14414 Project Road Width 919 ft

Applicants Name Paul Egan, Howlett Farms Grain, LLC Project Address 2773 Pratt Rd

E Mail Address pegan@howlettfarms.com Phone No (585)750-2995

Description of Project: Agricultural grain storage & animal feed production mill upgrades, including 2 new grain bins, raising existing grain elevator from 124' to 135', constructing new electrical control building 12'x 20' and relocating service line and adding entrance only drive to Pratt Rd.

Existing Use Agricultural Proposed Use Agricultural

Estimated Cost Building \_\_\_\_\_ Plumbing \_\_\_\_\_ Mechanical \_\_\_\_\_ Miscellaneous \_\_\_\_\_

SEQR CLASSIFICATION Type 1  Type 2  Unlisted

Review completed by Planning Board  Zoning Board of Appeals

Permit Fee \$ \_\_\_\_\_ Application Date \_\_\_ / \_\_\_ / \_\_\_ Permit Expires On \_\_\_ / \_\_\_ / \_\_\_

Issuing Officer \_\_\_\_\_ Date \_\_\_ / \_\_\_ / \_\_\_

IN SIGNING THIS DOCUMENT I HEARBY GIVE THE RIGHT OF AN ON SITE INSPECTION TO THE TOWN OF BATAVIA CODE ENFORCEMENT OFFICIAL OR THEIR DESIGNE. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PREFORMANCE OF CONSTRUCTION.

I, Paul Egan, as Owner or Authorized Agent hereby declare that the statements and information on the foregoing application are true and accurate, to the best of my knowledge.

Paul G. Egan 2/28/2024

Signature of Owner or Authorized Agent

Date

# Short Environmental Assessment Form

## Part 1 - Project Information

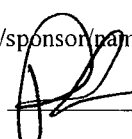
### Instructions for Completing

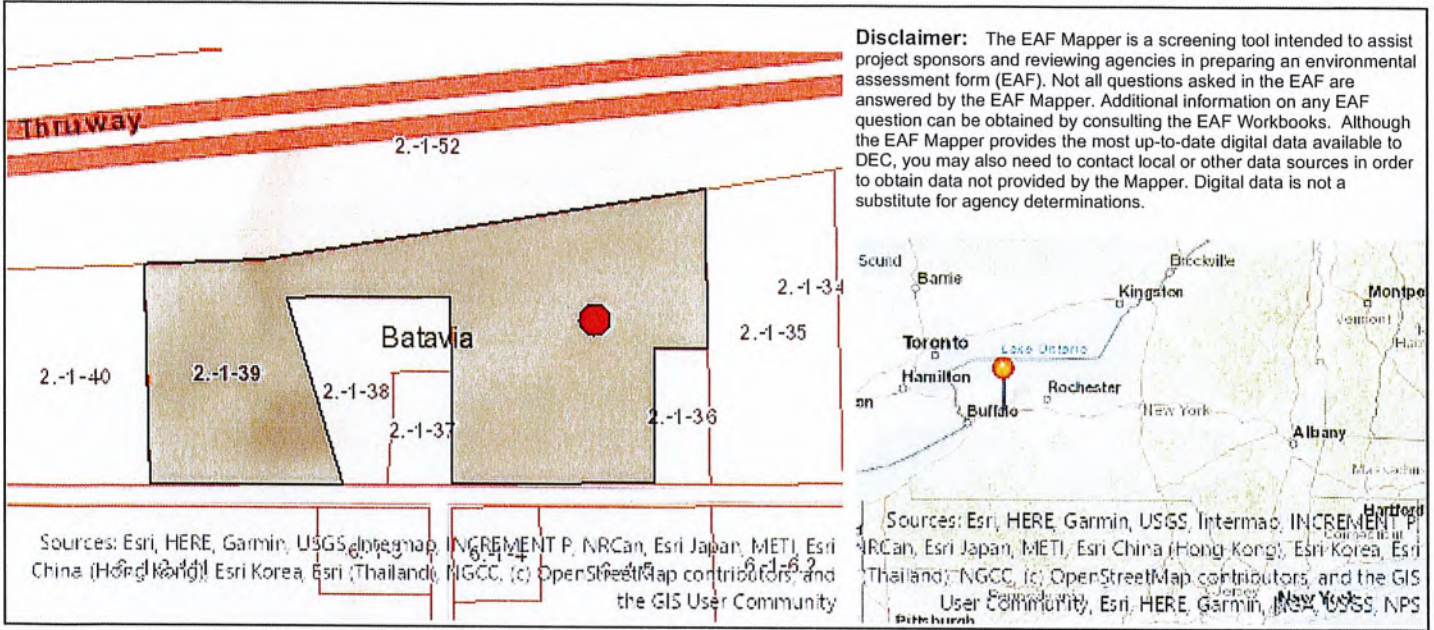
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>				
Name of Action or Project: Howlett Farms Grain, LLC				
Project Location (describe, and attach a location map): 2773 Pratt Rd, Batavia, NY 14020				
Brief Description of Proposed Action: Agricultural grain storage & animal feed production mill upgrades, including, erecting 2 new grain bins, raising existing grain elevator from 124' to 135', constructing new electrical control building 12'x 20' and relocating service line and adding entrance only drive to Pratt Rd.				
Name of Applicant or Sponsor: Paul Egan, Howlett Farms Grain, LLC		Telephone: (585) 750-2995 E-Mail: pegan@howlettfarms.com		
Address: 1112 East River Rd				
City/PO: Avon		State: NY	Zip Code: 14414	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 13.1 acres b. Total acreage to be physically disturbed? _____ 1.5 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 13.1 acres				
4. Check all land uses that occur on, are adjoining or near the proposed action:				
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ N/A	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Bald Eagle	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, <ul style="list-style-type: none"> <li>a. Will storm water discharges flow to adjacent properties?</li> <li>b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?</li> </ul> If Yes, briefly describe:	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Existing swale to drainage patterns along I-90 NYS Thruway		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: Peter Gorman, Marathon Engineering, as Agent      Date: 2/26/24		
Signature:  _____ Title: Project Manager		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Bald Eagle
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No





3833 West Main Street Road Batavia, New York 14020-9402

Phone: (585) 343-1729 Fax: (585) 343-8461 TDD: 1-800-662-1220 www.townofbatavia.com

### SITE PLAN REVIEW CHECKLIST

The Town of Batavia would like to work with you to streamline the site plan review process. We strongly encourage that any applicants to schedule an appointment with our Town Building and Zoning Dept. Director **Dan Lang** at (585) 343-1729 extension 222 ([dlang@townofbatavia.com](mailto:dlang@townofbatavia.com)) prior to submitting a project for review.

The initial meeting can be scheduled at any time. The site plan submission shall be submitted to the Dan Lang one (1) week prior to the Town Planning Board Meetings held every 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of the month at 7:30 pm at the Town Hall. The Town will review the Site Plans and provide comments back to the applicant within one (1) week following the Planning Board Meeting.

<b>Office Use</b>	<b><u>INITIAL SITE PLAN REVIEW MEETING REQUIREMENTS:</u></b>
<input type="checkbox"/> <input type="checkbox"/>	<ol style="list-style-type: none"> <li>1. One (1) copy of Zoning Permit Application.</li> <li>2. One (1) printed copy and an electronic copy of the following:             <ol style="list-style-type: none"> <li>a. Scaled site plans on an instrument survey showing:                 <ol style="list-style-type: none"> <li>i. Existing and proposed parking.</li> <li>ii. Existing and proposed buildings.</li> <li>iii. Existing and proposed conceptual drainage improvements including storm water treatment.</li> <li>iv. Existing and proposed property lines and highway Right of Way.</li> <li>v. Existing Environmental features such as wetlands and flood plains.</li> </ol> </li> </ol> </li> </ol>
<b>Office Use</b>	<b><u>SITE PLAN SUBMISSION REQUIREMENTS</u></b>
<input type="checkbox"/> <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/> <input type="checkbox"/>	<ol style="list-style-type: none"> <li>1. SEQRA short or long form or Environmental Impact Statement</li> <li>2. Three (3) full size, one (1) half size and an electronic copy, Plans shall include:             <ol style="list-style-type: none"> <li>a. site plans and details that are stamped and signed by a PE (see attached checklist)</li> <li>b. Scaled floor plan of all proposed structures</li> <li>c. Scaled elevations of all proposed structures and facades</li> </ol> </li> <li>3. Three (3) copies of color renderings or other type of visual aids depicting any proposed structures in its built conditions within the site.</li> <li>4. One (1) copy of Storm Water Pollution Prevention Plans (for developments great than one (1) acre).</li> <li>5. The following applications/ reports as applicable (applications are available on the Town web site):             <ol style="list-style-type: none"> <li>a) Engineering Report providing all basis of design criteria</li> <li>b) Traffic Study as required</li> <li>c) Water- Sewer Service application</li> <li>d) Backflow design report including applicable Health Dept. forms and backflow design checklist</li> <li>e) Sign Permit application</li> <li>f) Driveway and/or Highway Construction Permit Application</li> <li>g) Minor Subdivision application</li> <li>h) Smart Growth application</li> <li>i) Any applicable variance applications</li> </ol> </li> </ol>

**SITE PLAN REVIEW CHECKLIST**

<b>Project Name:</b> Howlett Farms Grain, LLC		<b>Reviewed By:</b>
<b>Applicant Name:</b> Paul Egan, Howlett Farms Grain, LLC		
<b>Office Use</b>	<b>Plan Components</b>	<b>Comments</b>
<input type="checkbox"/>	Instrument Survey including Public Right-of-Way	X
<input type="checkbox"/>	North Arrow, Scale, Title and Address	X
<input type="checkbox"/>	Lot Coverage, Building Coverage and Open Space Percentage Table	
<input type="checkbox"/>	Setback Dimensions for building and parking	X
<input type="checkbox"/>	Building/Structure Details and Elevation Views	X
<input type="checkbox"/>	Existing Natural and Topographical Features	X
<input type="checkbox"/>	Wetland delineation or boundaries shown if on site	N/A
<input type="checkbox"/>	Proposed Driveway/Roadway with dimensions and details	X
<input type="checkbox"/>	Parking layout including aisles and queuing aisles with dimensions and number of spaces	N/A
<input type="checkbox"/>	Snow storage location for parking of more than 10 vehicles	N/A
<input type="checkbox"/>	Drainage and Grading plans and details, use Town std.	X
<input type="checkbox"/>	Utility Plan with appropriate details, use Town std. details for all wtr- swr improvements	X
<input type="checkbox"/>	Ex. or Proposed Fire hydrants located per NYS Code	N/A
<input type="checkbox"/>	Lighting Plan with lighting contours and appropriate details	N/A
<input type="checkbox"/>	Landscaping, Fencing and Screening Plan and details	N/A
<input type="checkbox"/>	Pedestrian safety around building, curbing, sidewalks and ADA accessible ramps as necessary	N/A
<input type="checkbox"/>	Profiles of roadway and utilities if applicable	N/A
<input type="checkbox"/>	Appropriate notes to include topsoil to remain on site	N/A
<input type="checkbox"/>	Trash Storage/ dumpster enclosure	N/A
<input type="checkbox"/>	Town of Batavia Signature Block on Cover Sheet	N/A
<input type="checkbox"/>	Engineering Report	N/A
<input type="checkbox"/>	Traffic Study (if req'd) and traffic flow easily identified	N/A
<input type="checkbox"/>	Water- Sewer Service Application	N/A
<input type="checkbox"/>	Backflow report and Town Backflow Design checklist	N/A
<input type="checkbox"/>	Ex. and Proposed Sign shown and Sign Permit Application	N/A
<input type="checkbox"/>	Driveway Permit Application	N/A
<input type="checkbox"/>	Storm Water Pollution Prevention Plan	N/A
<input type="checkbox"/>	Storm Water Maintenance Agreement	N/A
<input type="checkbox"/>	SEQRA Short or Long form part 1 or Envir. Impact Stat.	X
<input type="checkbox"/>	Smart Growth Application	N/A
<input type="checkbox"/>	Minor Subdivision Application	N/A

(circle one)

# Agricultural Data Statement

**Instructions:** This form must be completed for any application for a special use permit, site plan approval, use variance or a subdivision approval requiring municipal review that would occur on property within 500 feet of a farm operation located in a NYS Dept. of Ag & Markets certified Agricultural District.

**Applicant**

**Owner if Different from Applicant**

Name: <u>Paul Egan, Howlett Farms Grain, LLC</u> Address: <u>1112 E. River Rd</u> <u>Avon NY 14414</u>	Name: <u>SAME</u> Address: _____ _____
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1. Type of Application:  Special Use Permit;  Site Plan Approval ;  Use Variance;  
(circle one or more)  Subdivision Approval

2. Description of proposed project: Agricultural grain storage & animal feed production mill upgrades, including erecting 2 new grain bins, raising existing grain elevator from 124' to 135', constructing new electrical control building 12'x 20' and relocating service line and adding entrance only drive to Pratt Rd.

3. Location of project: Address: 2773 Pratt Rd Batavia NY 14020  
Tax Map Number (TMP) 2.-1-39

4. Is this parcel within an Agricultural District?  NO  YES (Check with your local assessor if

5. If YES, Agricultural District Number NYS Ag Dist #2 you do not know)

6. Is this parcel actively farmed?  NO  YES (Grain transfer and storage)

7. List all farm operations within 500 feet of your parcel. Attach additional sheets if necessary.

Name: <u>SEE ATTACHED</u> Address: _____ _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES	Name: _____ Address: _____ _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES
Name: _____ Address: _____ _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES	Name: _____ Address: _____ _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES

Paul G. Egan

Signature of Applicant

M. B. Helt

Signature of Owner (if other than applicant)

Reviewed by: \_\_\_\_\_

Signature of Municipal Official

Date

NOTE TO REFERRAL AGENCY: County Planning Board review is required. A copy of the Agricultural Data Statement must be submitted along with the referral to the County Planning Department.

Agricultural Data Statement Attachment

Howlett Farms Grain, LLC

2773 Pratt Rd, Batavia

02/28/2024

**Active Farmlands within 500 feet of 2773 Pratt Rd, Batavia NY 14020**

**PARCEL 1**

**NAME:** Kristie Stack

**ADDRESS:** 2685 Pratt Rd (2.-1-40)

**IS THIS PARCEL ACTIVELY FARMED?** Yes

**PARCEL 2**

**NAME:** Del Mar Farms, Inc.

**ADDRESS:** 2684 Pratt Rd (6.-1-2.111)

**IS THIS PARCEL ACTIVELY FARMED?** Yes

**PARCEL 3**

**NAME:** Del Mar Farms, Inc.

**ADDRESS:** Pratt Rd (6.-1-5)

**IS THIS PARCEL ACTIVELY FARMED?** Yes

**PARCEL 4**

**NAME:** Del Mar Farms, Inc.

**ADDRESS:** Pratt Rd (6.-1-6.2)

**IS THIS PARCEL ACTIVELY FARMED?** Yes

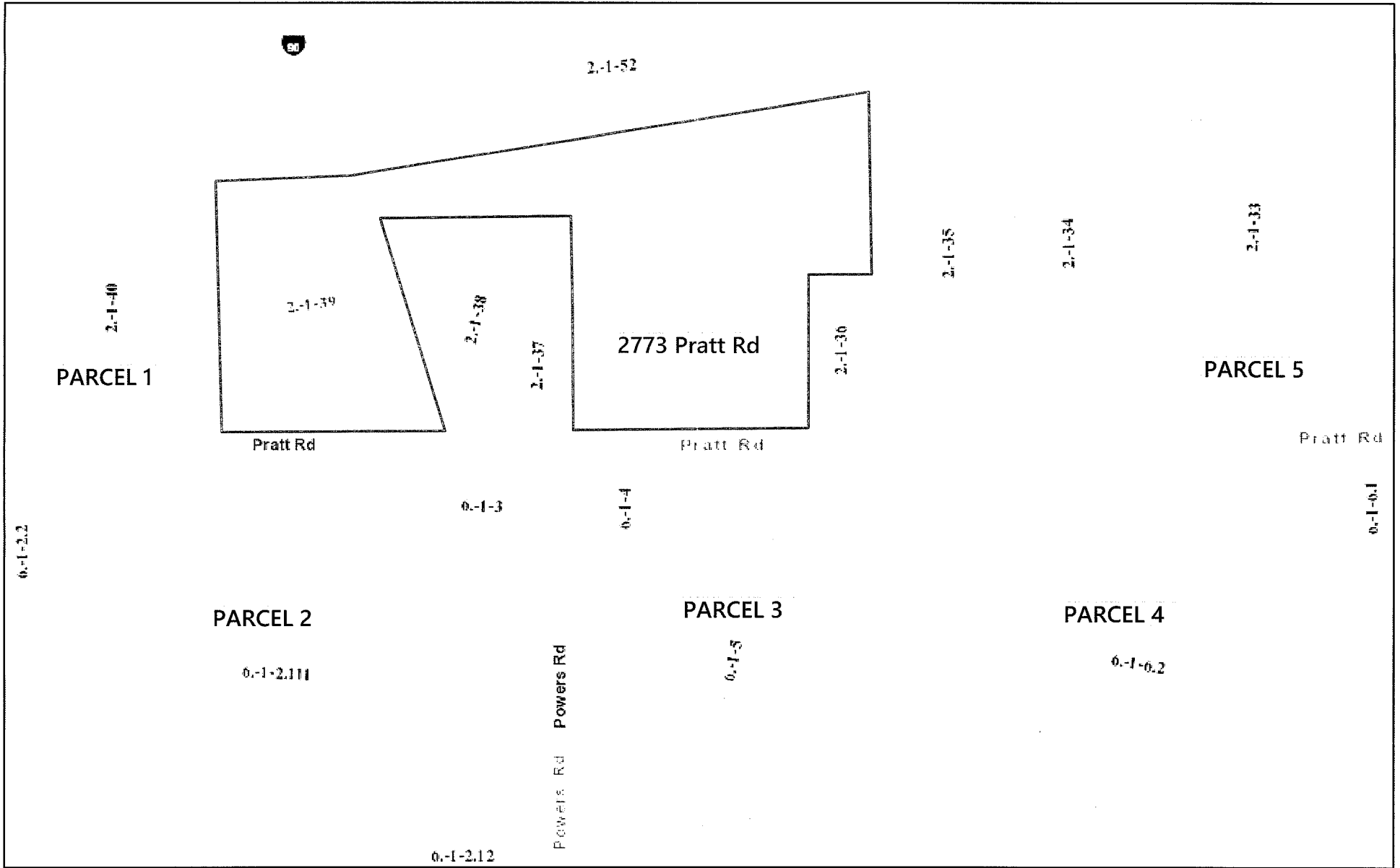
**PARCEL 5**

**NAME:** Elizabeth Fenton

**ADDRESS:** 2889 Pratt Rd (2.-1-33)

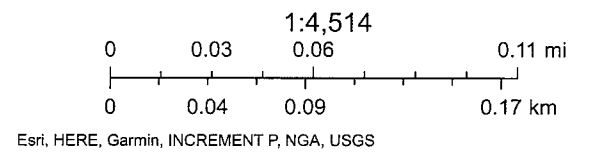
**IS THIS PARCEL ACTIVELY FARMED?** Yes

# ArcGIS Web Map



2/20/2024, 9:18:44 AM

- |  |                     |  |                          |  |                          |  |                     |
|--|---------------------|--|--------------------------|--|--------------------------|--|---------------------|
|  | Override 1          |  | Agriculture              |  | Industrial               |  | Parcels with labels |
|  | Roads (Large Scale) |  | Commercial               |  | Residential              |  | 2023 Tax Parcels    |
|  | No Data             |  | Conservation/Recreation  |  | Transportation/Utilities |  |                     |
|  |                     |  | Government/Institutional |  | Vacant                   |  |                     |



**GUIDELINES AND CRITERIA TO SUPPORT ZONING APPEAL**

**AREA VARIANCE**

In order to be entitled to an Area Variance, an Applicant to the Town of Batavia must show by documentation in the record that the benefit to the Applicant from the proposed variance will not outweigh the detriment to the health, safety, and welfare of the community and the neighborhood, if the variance is granted. (See Town Law §267-b(3)).

In making this determination the Zoning Board of Appeals shall consider the following factors, and the Applicant must respond to these questions with facts and circumstances and not merely repeat all or part of the questions.

1. Whether or not an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the Area Variance.

Expansion of the existitng agricultural operation will not change the character of the neighbor nor be a detriment to nearby properties. The variances will not be discernable to the casual observer.

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2. Whether or not the benefit sought by the Applicant can be achieved by some method, feasible for the applicant to pursue, other than an Area Variance.

The proposed silo is an expansion of an existing agricultural business -- logistics, operational considerations, and existing site infrastructure determined the location for the additional silo; another location would not be economically viable.

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3. Whether or not the requested Area Variance is substantial.

The proposed grain elevator height is only 11 feet higher than an existing nearby grain elevator. As the silos are located over 300 feet from Pratt Road, the visual appearance will not be substantially different.

The rear setback variance is to a substantial buffer area adjoining the NYS Thruway - the pavement is over 250 feet from the silo.

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4. Whether or not the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

There will not be any adverse effects or impacts from expanding the current agricultural operation in a district zoned Agricultural.

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5. Whether or not the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the Area Variance.

The existing configuration of the silos was designed and installed by the previous owner -- as this layout existed at the time of purchase, and the current owner wishes to expand the operaiton, and provide the benefits of a growing business to the community, it could be considered a self-created conditiion.

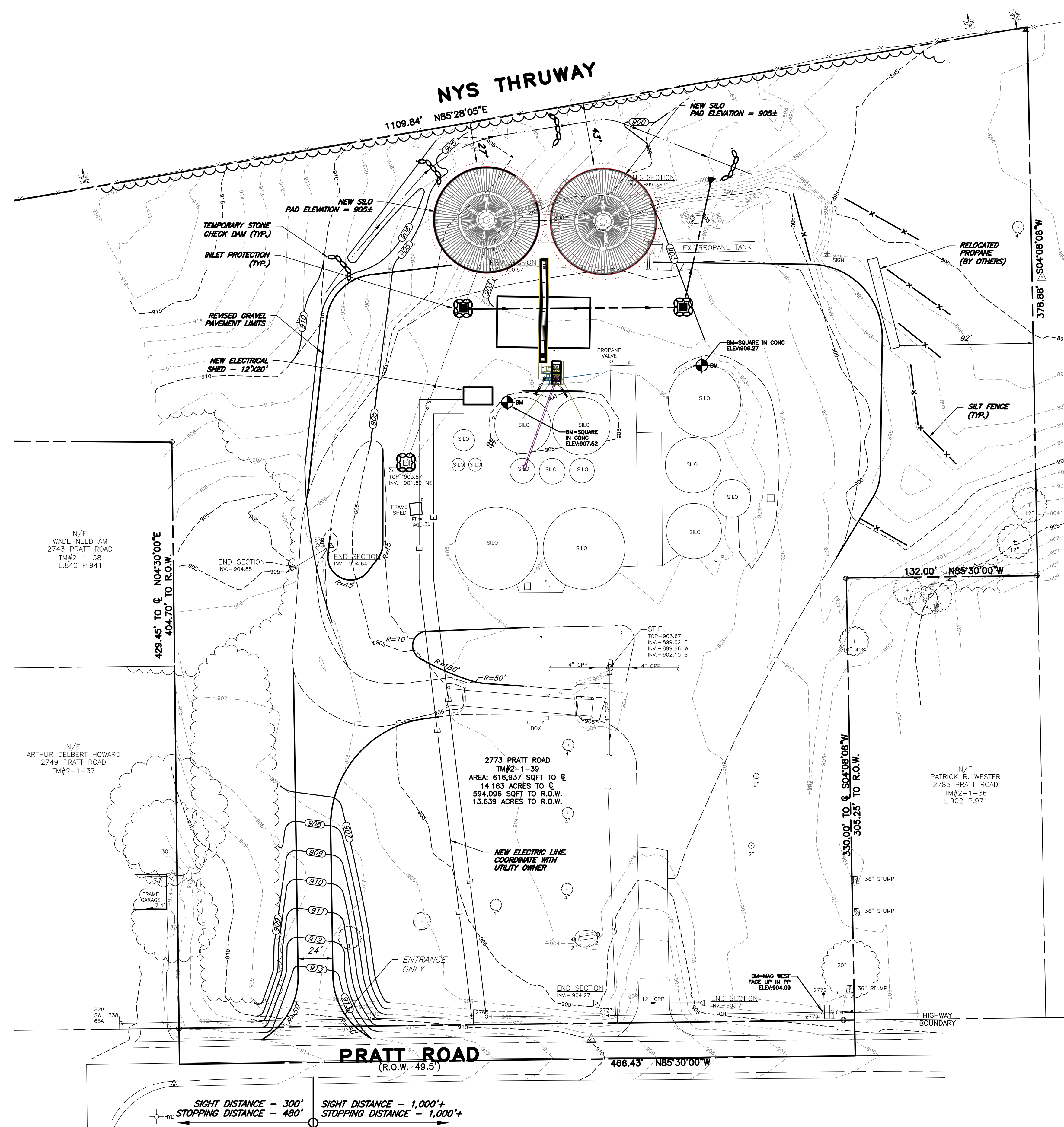
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*Paul G. Egan*  
Applicant Signature

2/28/2024  
Date

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**MARATHON ENGINEERING**  
 ROCHESTER LOCATION  
 39 CASCADE DRIVE  
 ROCHESTER, NY 14614  
 585-458-7770  
 ITHACA LOCATION  
 840 HANSHAW RD, STE 6  
 ITHACA, NY 14850  
 607-241-2917  
 www.marathoneng.com

PRELIMINARY/ FINAL SITE PLANS  
 for  
**HOWLETT FARMS  
 BATAVIA FACILITY**  
 2773 PRATT ROAD  
 GENESEE COUNTY  
 TOWN OF BATAVIA  
 STATE OF ###

JOB NO: 1704-24  
 SCALE: 1"=40'  
 DRAWN: PG  
 DESIGNED: MT  
 DATE: 02/14/24

REVISIONS		
DATE	BY	REVISION

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 ROBERT P. BRINGLEY  
 LICENSED PROFESSIONAL ENGINEER

**PROJECT STATISTICS**

- GENERAL:**
  - 1.1 PROPERTY OWNER - HOWLETT FARMS GRAIN, INC.
  - 1.2 PROPERTY ADDRESS - 2773 PRATT ROAD, TOWN OF BATAVIA, NY 14614
  - 1.3 TAX ACCOUNT - TOWN OF BATAVIA, 2-1-39
- ZONING REGULATIONS:**
  - 2.1 ZONING DISTRICT - AG-R - AGRICULTURAL-RESIDENTIAL DISTRICT
  - 2.2 CODE REQUIREMENTS -
 

	ZONING SCHEDULE A REQUIRED	PROVIDED
MINIMUM LOT SIZE	85,000 SF	567,509 SF
MINIMUM FRONTAGE	250'	919'
FRONT SETBACK	50'	>50'
REAR SETBACK	40'	27'
SIDE SETBACK	30'	>50'
MAXIMUM HEIGHT	35' (124' EXISTING)	135'
MIN. LOT COVERAGE/ GREENSPACE	30%/20%	>30%/ 65%
  - 2.3 VARIANCES - \*HEIGHT OF ELEVATOR STRUCTURE (INCREASE OF 11' FROM EXISTING) \*REAR SETBACK

DRAWING TITLE:  
**SITE PLAN**  
 1 of 3  
 SHEET No: **C1.0**  
 1704-24  
 JOB No: DRAWING No:

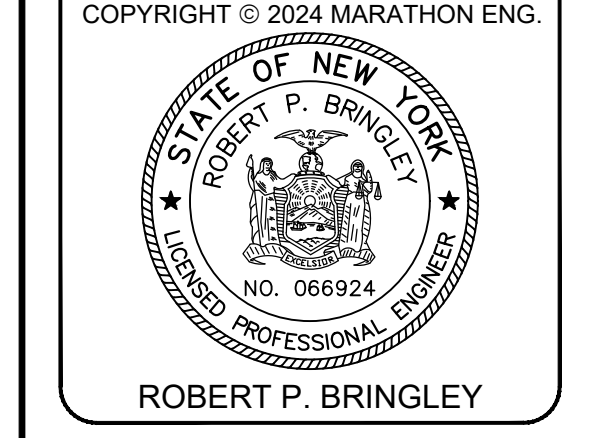


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 DRAWN: PG  
 DESIGNED: MT  
 DATE: 02/14/24

REVISIONS		
DATE	BY	REVISION

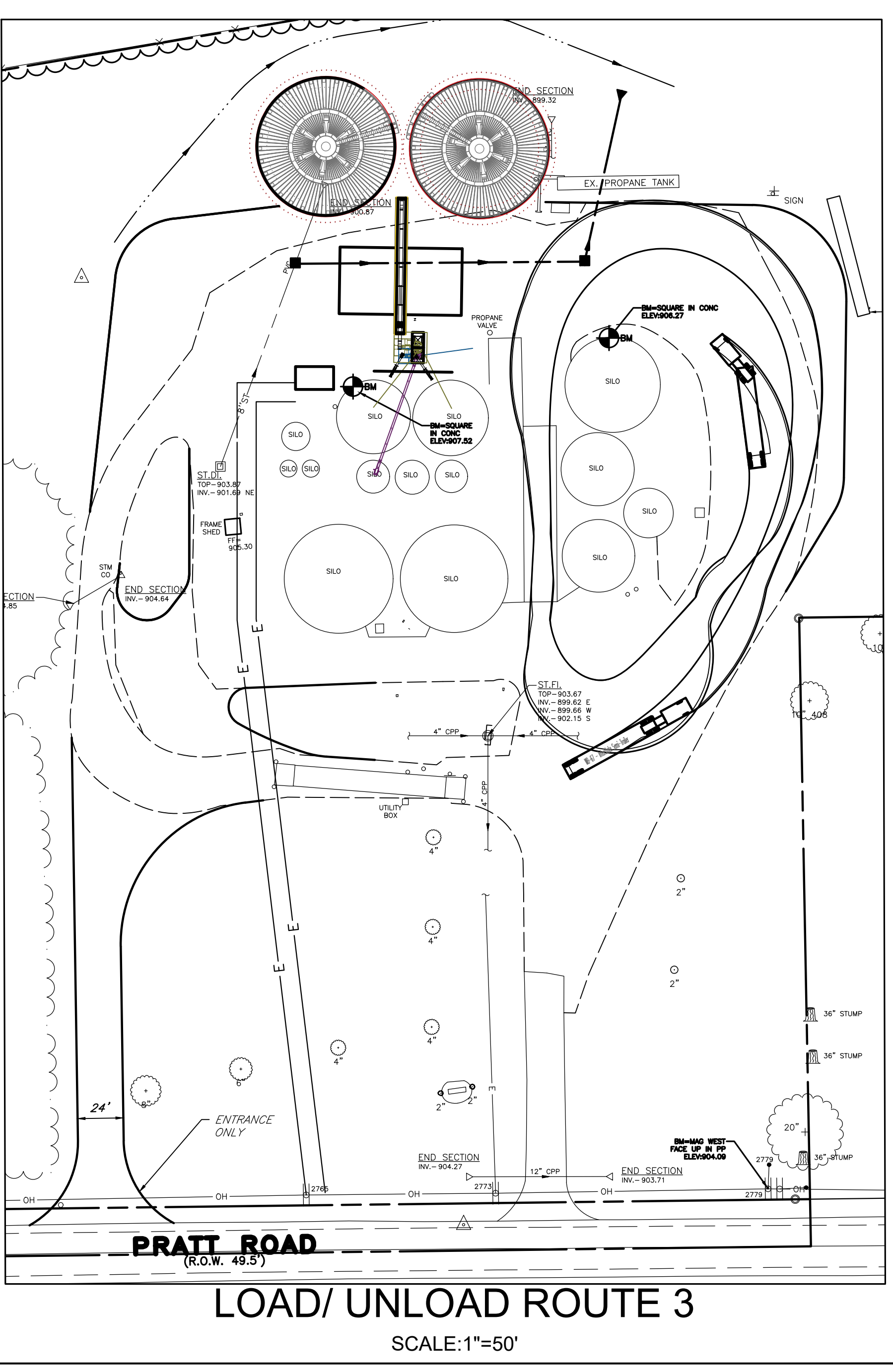
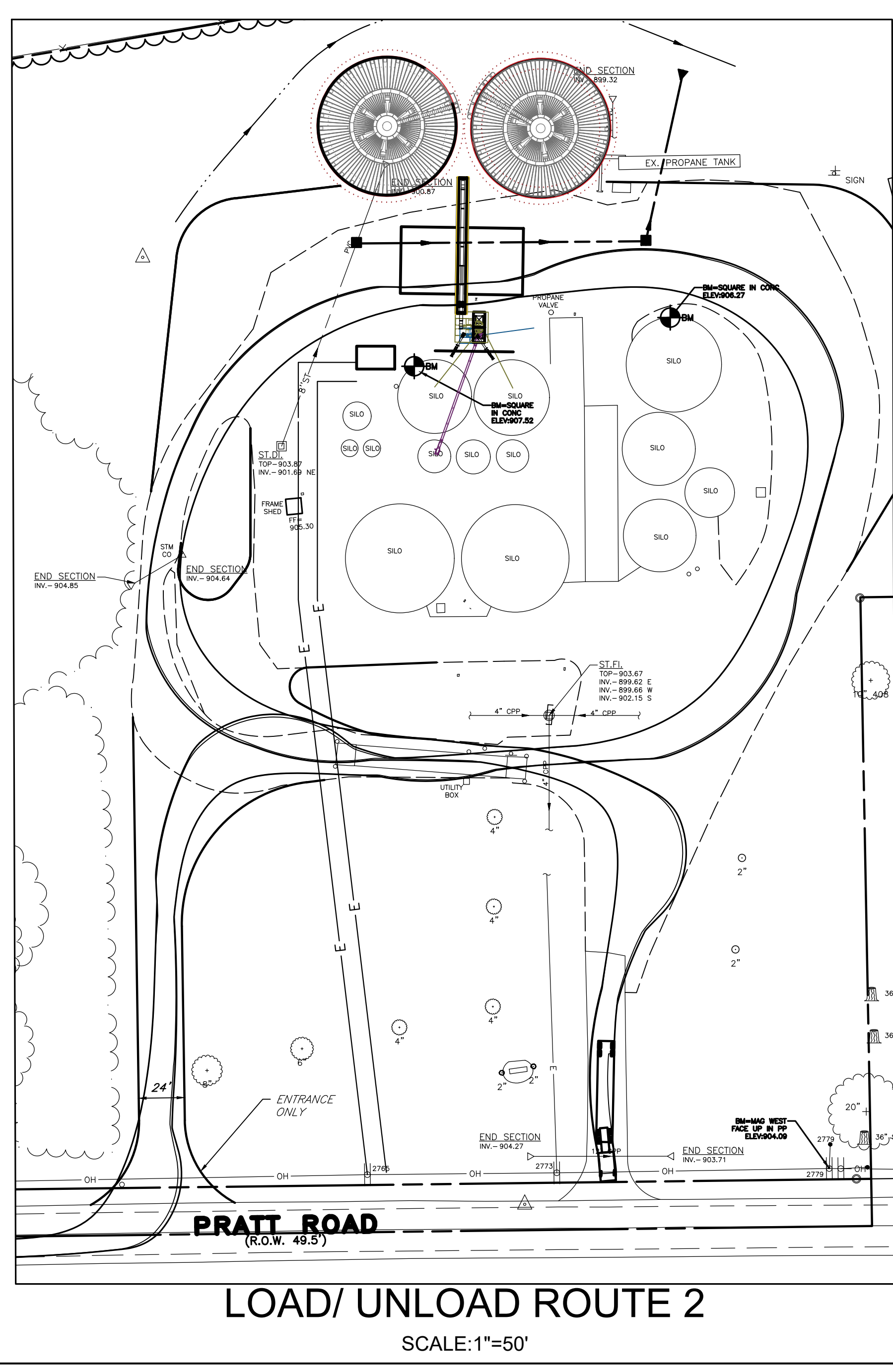
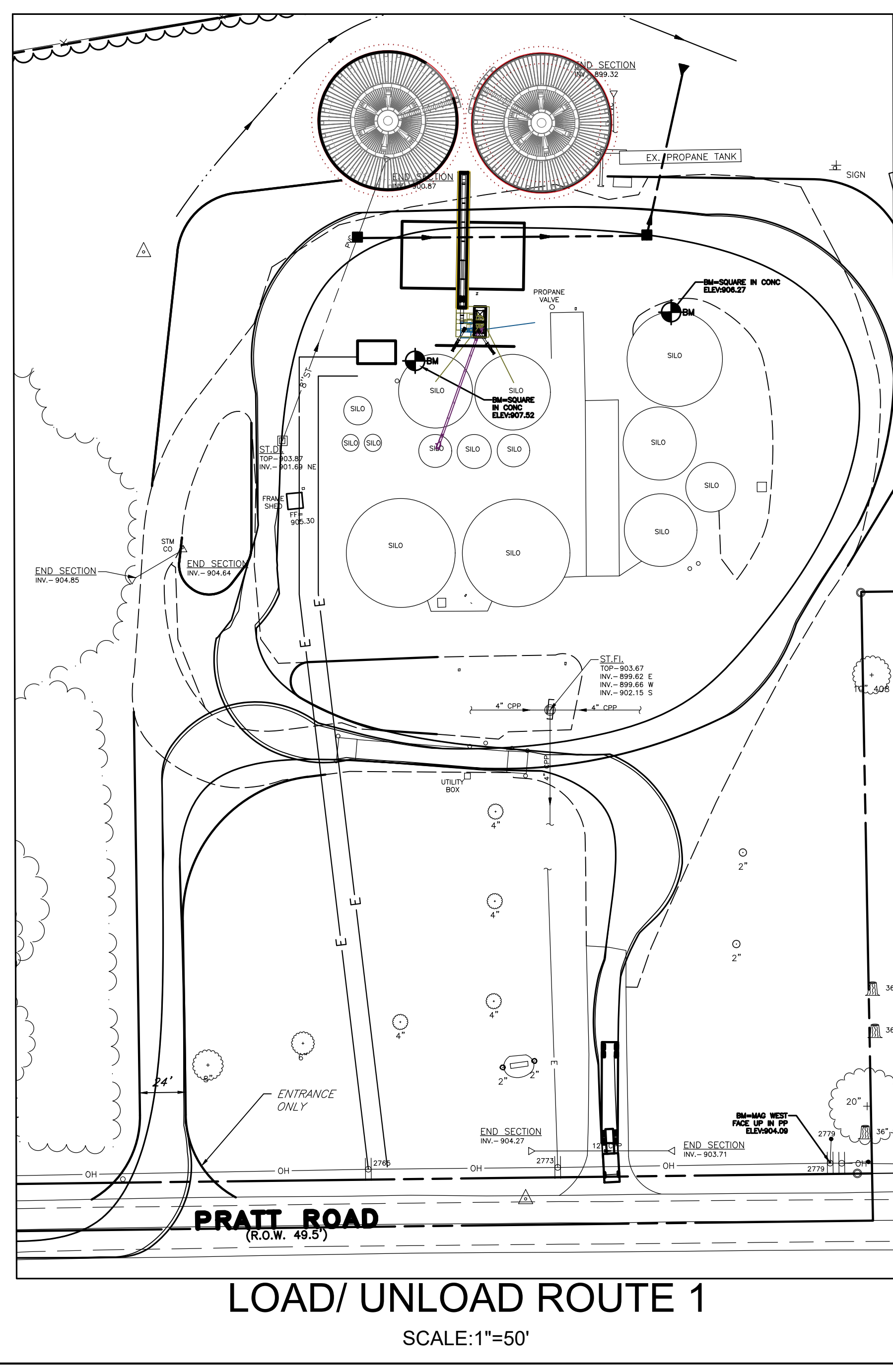
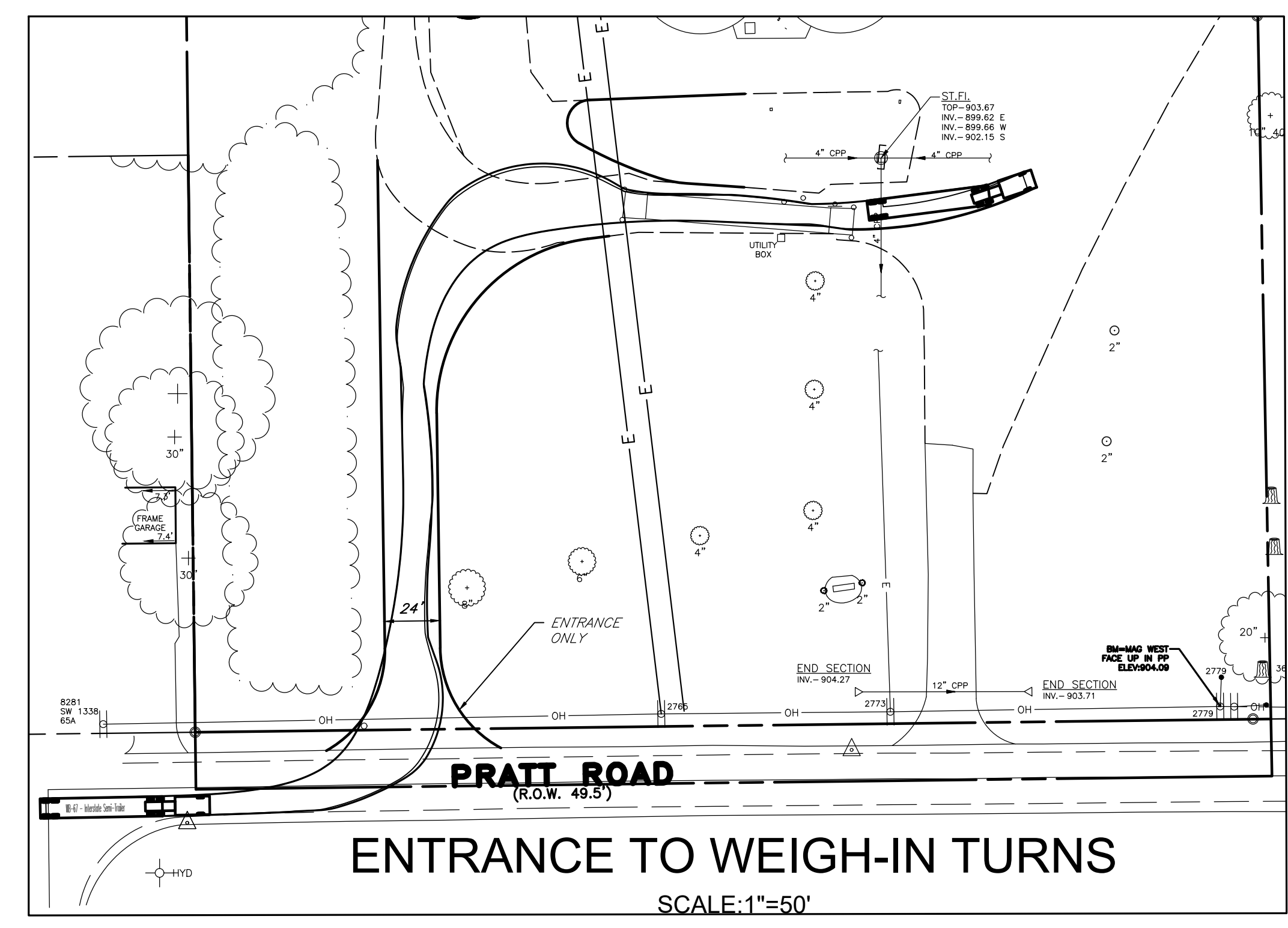
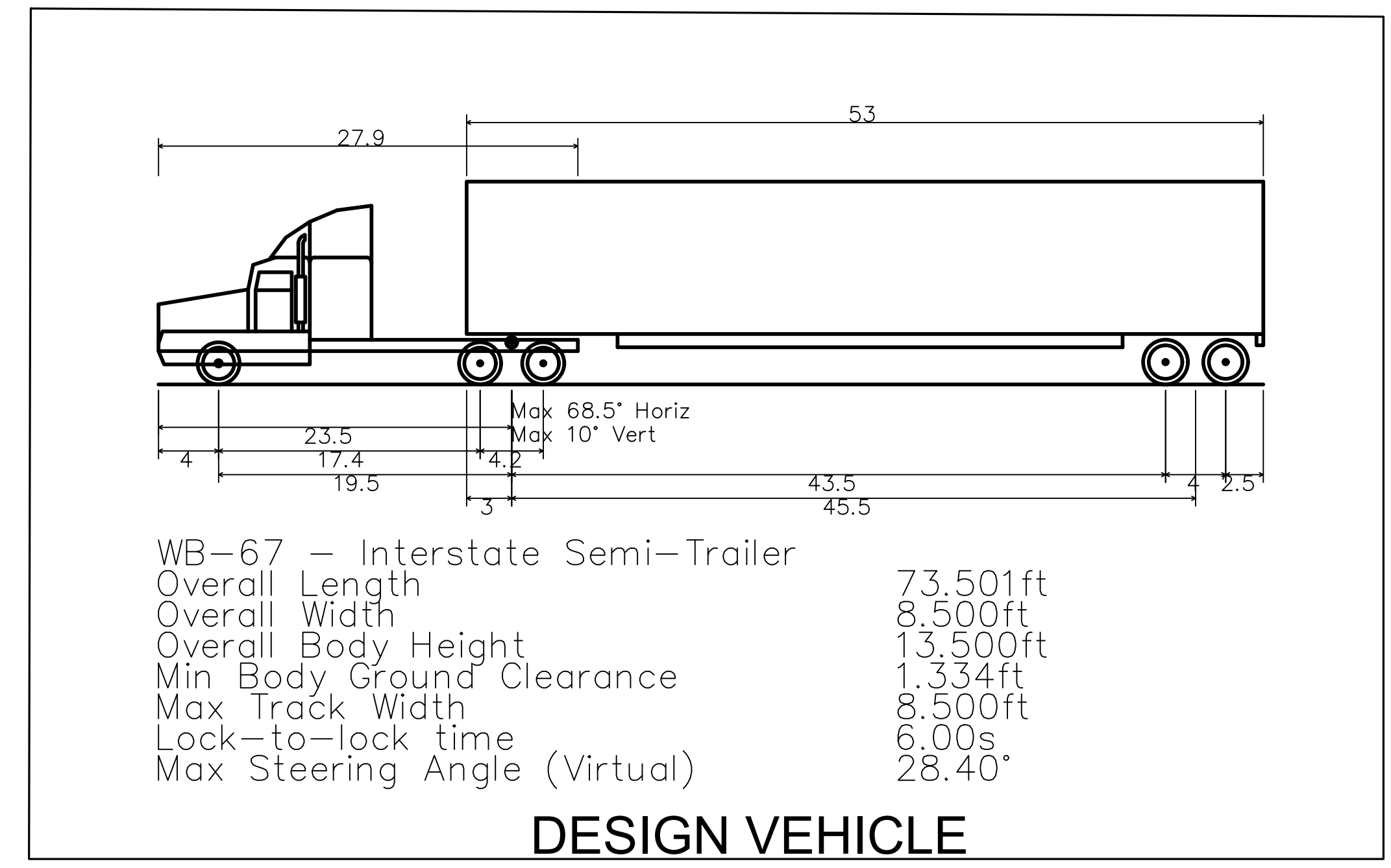
IT IS A VIOLATION OF NEW YORK STATE EDUCATION LAW ARTICLE 135 SECTION 203(1) FOR ANY PERSON, UNLESS SPECIFICALLY LICENSED BY THE STATE OF NEW YORK, TO REPRESENT HIMSELF AS A PROFESSIONAL ENGINEER OR LAND SURVEYOR. THE SEAL OF A PROFESSIONAL ENGINEER OR LAND SURVEYOR IS A TRUSTED SEAL. THE SEAL OF A PROFESSIONAL ENGINEER OR LAND SURVEYOR SHALL BE USED ONLY BY THE LICENSEE AND SHALL NOT BE USED OR REPRODUCED BY THE SCALE AND THE DATE OF SUCH REPRODUCTION, AND A SPECIFIC DESCRIPTION OF THE REPRODUCTION.

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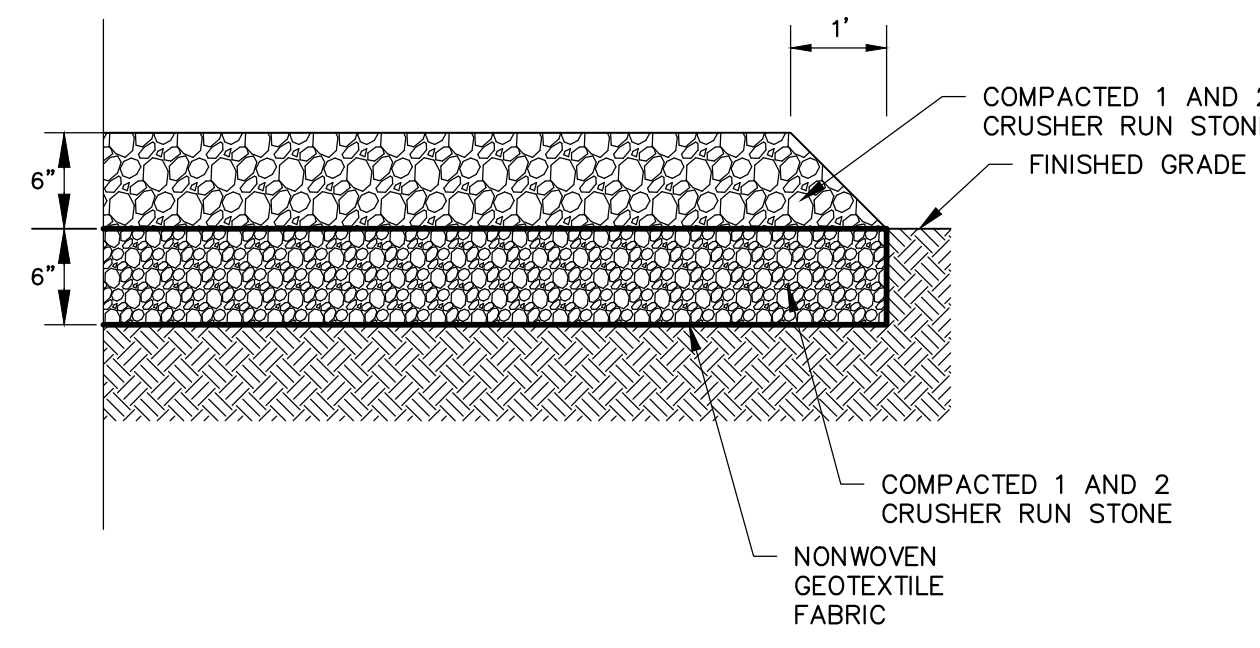
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**TURNING  
 MOVEMENTS**

2 of 3	<b>C2.0</b>
SHEET No:	
1704-24	DRAWING No:
JOB No:	

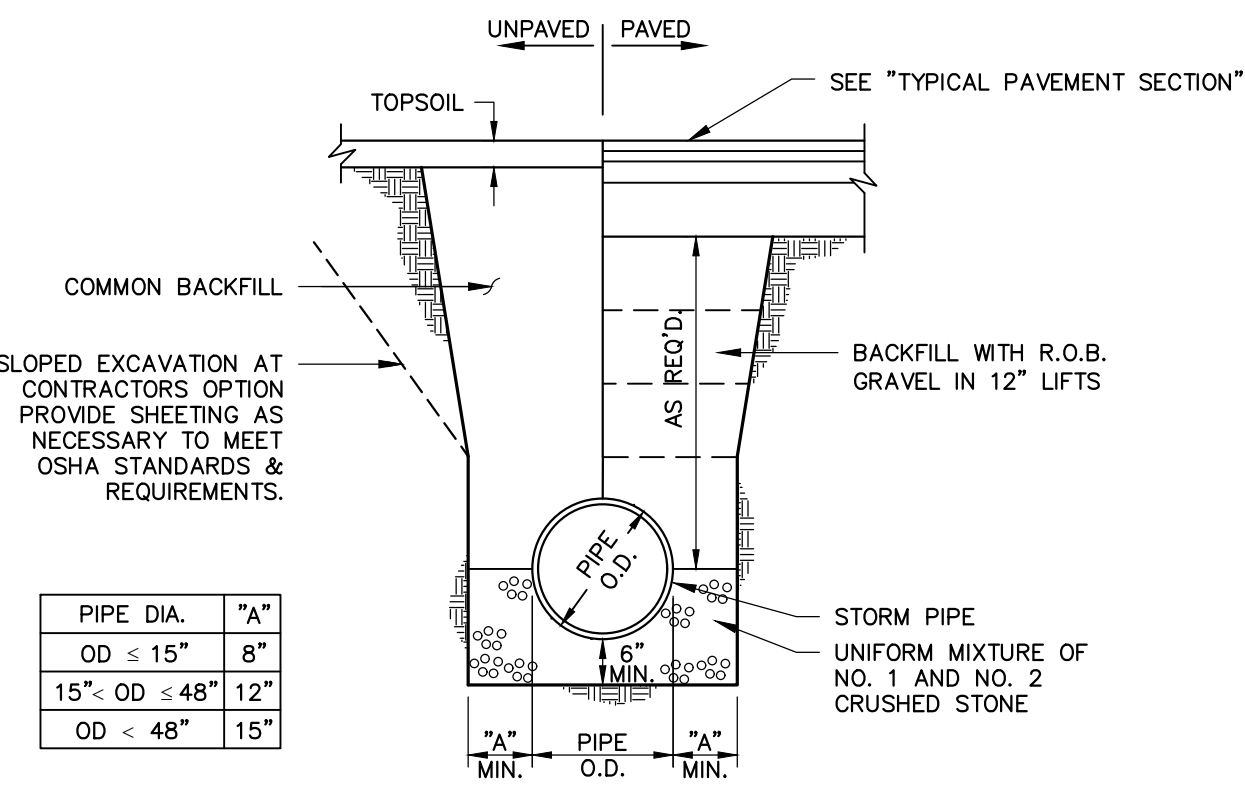


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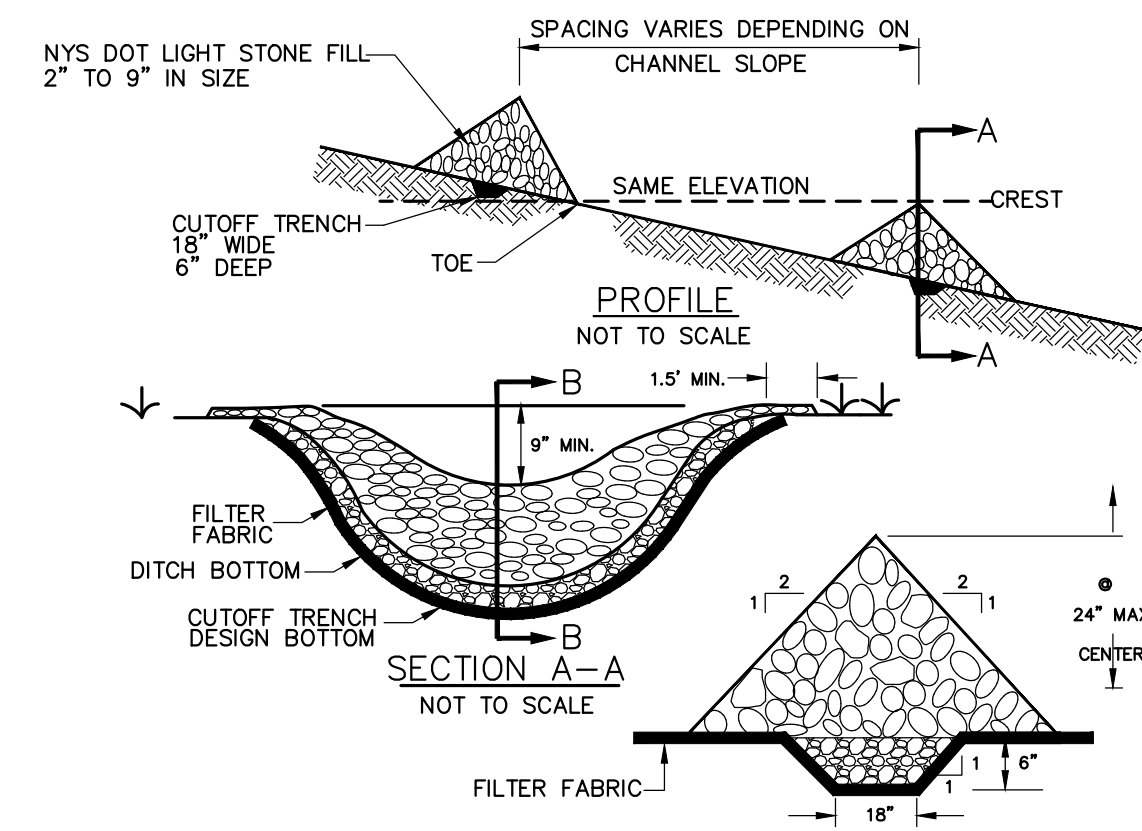


2 GRAVEL PAVEMENT SECTION



PIPE DIA.	"A"
OD ≤ 15"	8"
15" < OD ≤ 48"	12"
OD > 48"	15"

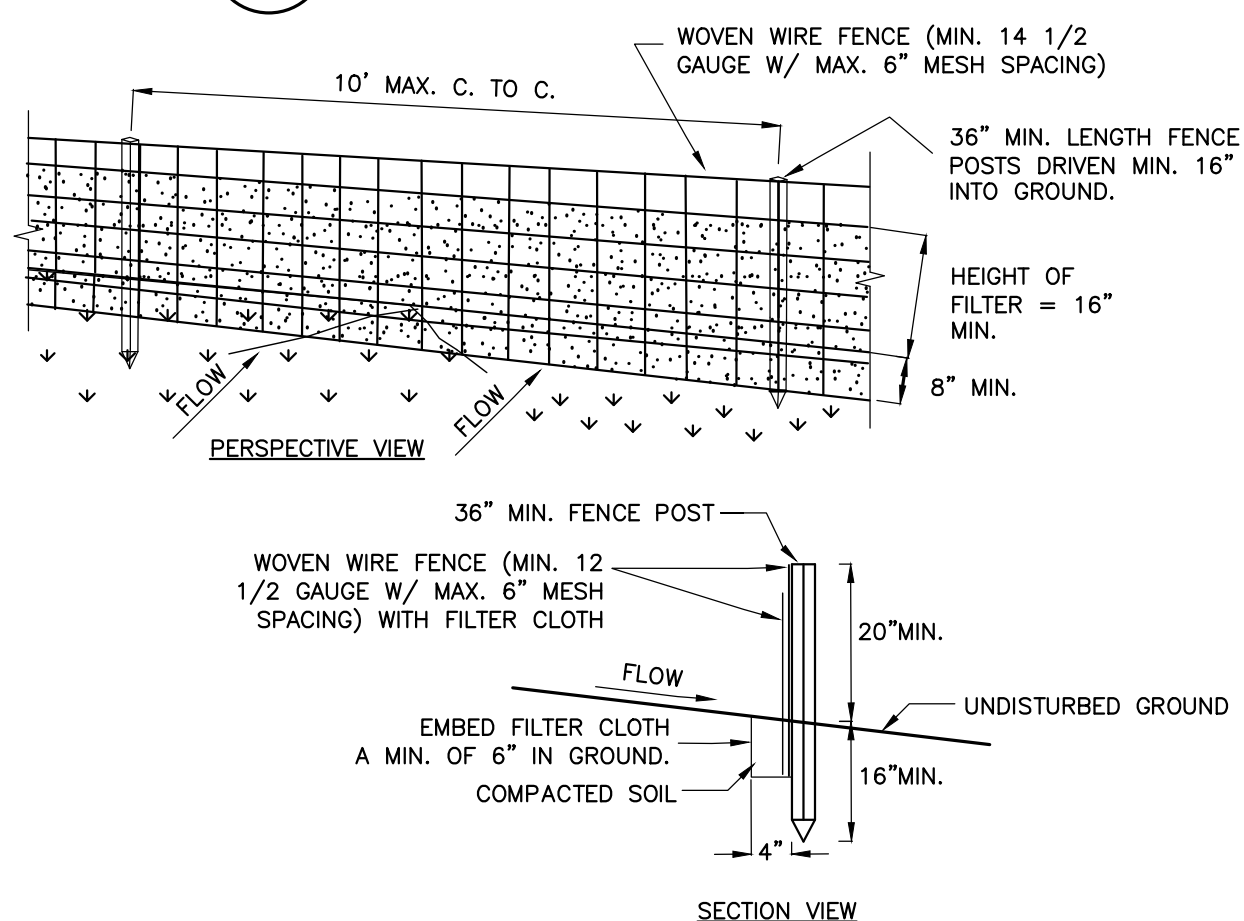
5 STORM TRENCH SOLID PIPE



CONSTRUCTION SPECIFICATIONS

- STONE WILL BE PLACED ON A FILTER FABRIC FOUNDATION TO THE LINES, GRADES AND LOCATION SHOWN ON IN THE PLAN
- SET SPACING OF CHECK DAMS TO ASSUME THAT THE ELEVATIONS OF THE CREST OF THE DOWNSTREAM DAM IS AT THE SAME ELEVATION OF THE UPSTREAM DAM.
- EXTEND THE STONE A MINIMUM OF 1.5 FEET BEYOND THE DITCH BANKS TO PREVENT CUTTING AROUND THE DAM.
- PROTECT THE CHANNEL DOWNSTREAM OF THE LOWEST CHECK DAM FROM SCOUR AND EROSION WITH STONE OR LINER AS APPROPRIATE.
- ENSURE THAT CHANNEL APPURTENANCES SUCH AS CULVERT ENTRIES BELOW CHECK DAMS ARE NOT SUBJECT TO DAMAGE OF BLOCKAGE FROM DISPLACED STONES.

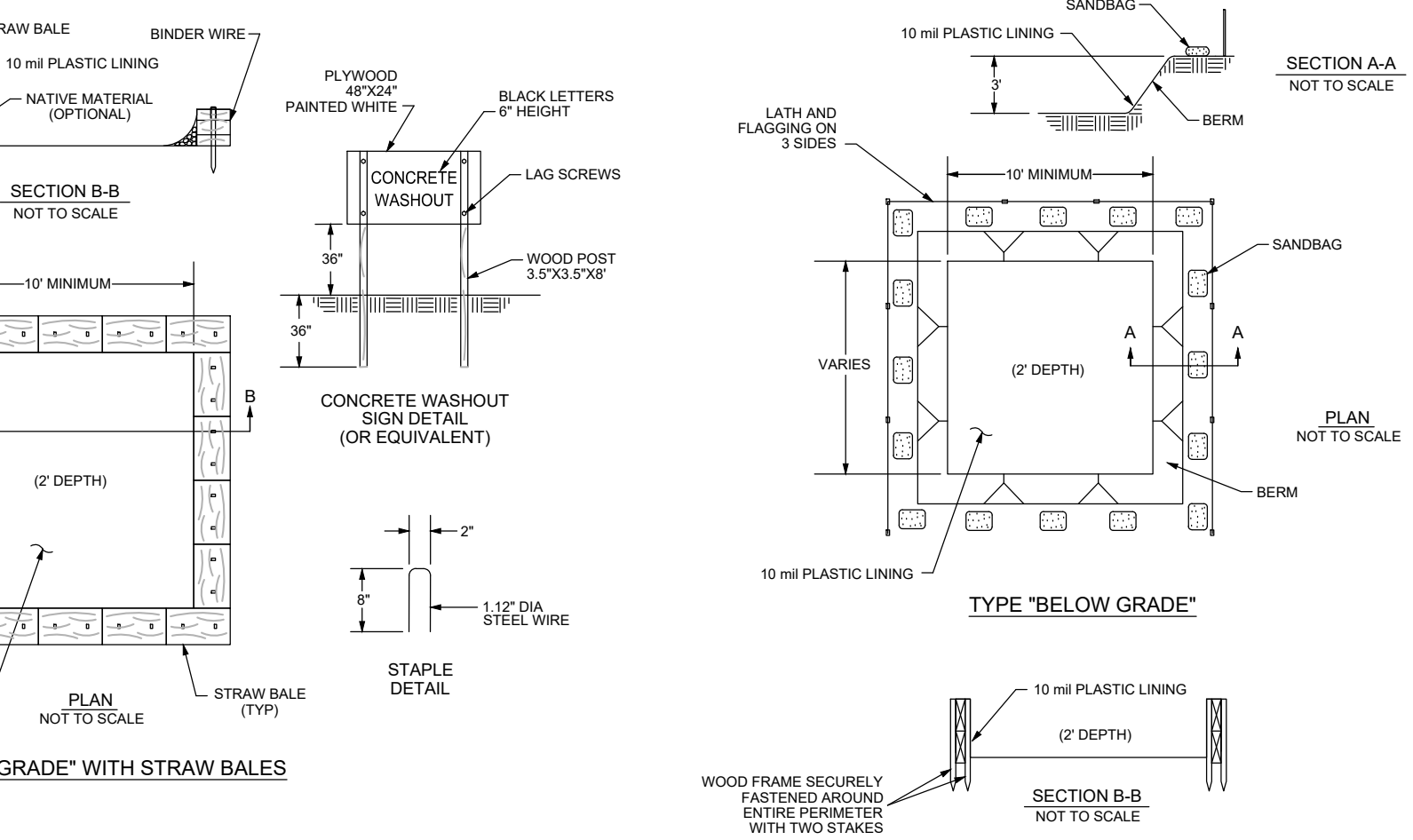
3 STONE CHECK DAM



CONSTRUCTION SPECIFICATIONS

- WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES, POSTS SHALL BE STEEL "T" OR "U" TYPE OF HARDWOOD.
- FILTER CLOTH TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION, FENCE SHALL BE WOVEN WIRE, 12 1/2 GAUGE, 6" MAXIMUM MESH OPENING.
- WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED, FILTER CLOTH SHALL BE EITHER FILTER X, MIRAFI 100X, STABILINKKA T140N, OR APPROVED EQUIVALENT.
- PREFABRICATED UNITS SHALL BE GEOFAB, ENVIROFENCE, OR APPROVED EQUIVALENT.
- MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.
- ENVIRO-FENCE WITH INTEGRAL MESH IS ACCEPTABLE SUBSTITUTE.

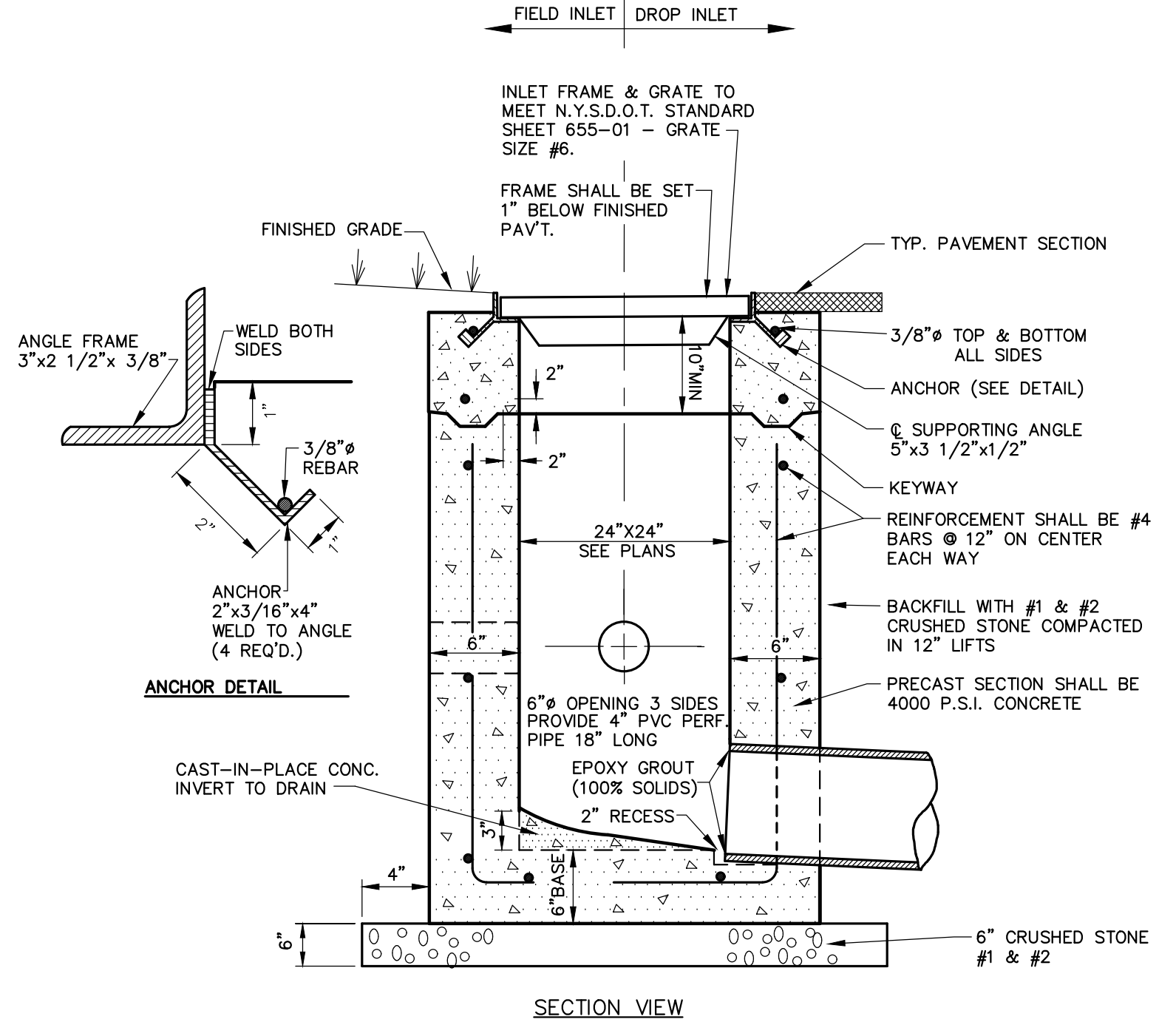
4 SILT FENCE



NOTES

- ACTUAL LAYOUT TO BE DETERMINED IN THE FIELD.
- A CONCRETE WASHOUT SIGN SHALL BE INSTALLED WITHIN 30' OF THE TEMPORARY CONCRETE WASHOUT FACILITY.
- MATERIALS USED TO CONSTRUCT TEMPORARY CONCRETE WASHOUT FACILITIES SHALL BE REMOVED FROM THE SITE OF THE WORK AND DISPOSED OF OR RECYCLED.
- HOLES, DEPRESSIONS OR OTHER GROUND DISTURBANCE CAUSED BY THE REMOVAL OF THE TEMPORARY CONCRETE WASHOUT FACILITIES SHALL BE BACKFILLED, REPAIRED, AND STABILIZED TO PREVENT EROSION.

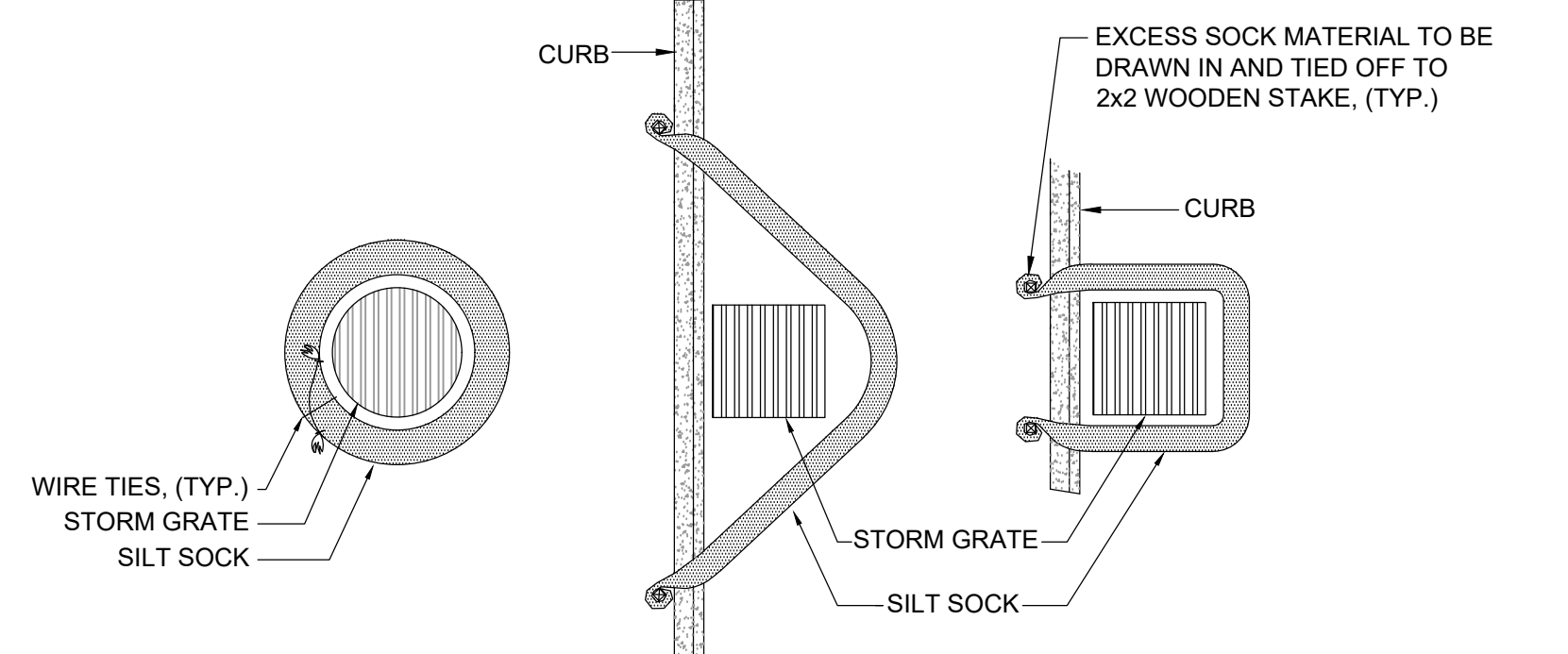
6 CONCRETE WASHOUT



NOTES:

- PRE-CAST INLET SECTIONS SHALL BE MANUFACTURED BY KISTNER, MODEL No. CB-24 (WITH KEYWAY) OR APPROVED EQUIVALENT.
- THE INSIDE & OUTSIDE WALLS OF INLET SHALL BE COATED WITH BITUMASTIC.

1 DROP/FIELD INLET



DRAIN INLET PLAN

CURBSIDE OPTION "A" PLAN

CURBSIDE OPTION "B" PLAN

DRAIN INLET SECTION

CURBSIDE SECTION

NOTES:

- USE FILTEREXX® SILT SOCK™ OR APPROVED EQUAL.
- FILTER MEDIA™ FILL TO MEET APPLICATION REQUIREMENTS.
- COMPOST MATERIAL TO BE DISPERSED ON SITE, AS DETERMINED BY ENGINEER.

7 PAVED SURFACE INLET PROTECTION

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JOB NO:	1704-24
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DATE:	02/14/24

REVISIONS

DATE	BY	REVISION

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STATE OF NEW YORK  
 ROBERT P. BRINGLEY  
 No. 066924  
 LICENSED PROFESSIONAL ENGINEER  
 ROBERT P. BRINGLEY

DRAWING TITLE:  
**CONSTRUCTION  
 DETAILS**

3 of 3 SHEET No:	<b>C3.0</b>
1704-24 JOB No:	DRAWING No:

# T-02-BAT-03-24

