

### GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID

Review Date

T-04-BAT-03-24

3/14/2024

- 02100000000000000000000000000000000000	Review Date	3/14/2024
Municipality	BATAVIA, T.	
<b>Board Name</b>	PLANNING BOARD	
Applicant's Name	Sonbyrne Sales Inc. (By	rne Dairy)
Referral Type	Special Use Permit	
Variance(s)		
Description:	Special Use Permit and Si station.	te Plan Review for a new convenience store and gas
Location	Lewiston Rd. (NYS Rt. 6	53), Batavia
Zoning District	Commercial (C) District	

PLANNING BOARD RECOMMENDS:

NO ACTION TAKEN

**EXPLANATION:** 

Due to a lack of quorum, the Genesee County Planning Board will not be able to make a formal recommendation. Non-binding Department Staff Recommendation: Given that this development is within a Certified Smart Growth Reserved Development Area, all development on the site must conform to the site master plan in order for the development to have automatic access to a public water hookup. The master plan agreed to between the Town of Batavia and Genesee County had the intention of creating a pedestrian friendly environment. The master plan depicts "Lot A" as having the parking area behind the commercial building, additional greenspace, landscaping and street trees, as well as pedestrian amenities like sidewalks. The Department has provided the Town with an example of an "inverted gas station" to illustrate the type of site configuration that would allow a convenience store/gas station to closely conform to what was envisioned for the site. This design would also have the added benefit of buffering current and future neighboring residential properties from the sights and smells related to the gas sales part of the operation.

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-04-BAT-03-24



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

RECEIVED Genesee County Dept. of Planning 3/7/2024

Required According to:

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

	(1 lease ansv	ver mee questions as tu	ny as possibi	ι)
1. REFERRING BOARD(S) INFORM	<u>MATION</u>	2. <u>Applicant In</u>	IFORMATION	<u>N</u>
Board(s) Town of Batavia Planning Board Name Sonbyrne Sales Inc. (Byrne Dairy)				(Byrne Dairy)
Address 3833 West Main St Rd		Address 805 Trio	ne St	
City, State, Zip Batavia, NY 14020		City, State, Zip Da	aphne, AL 36	5526
Phone ( <u>585</u> ) 343 - 1729	Ext. 238	Phone (518) 222 - 532	23 Ext.	Email christian.brunelle@byrneda
MUNICIPALITY: City	] Town	Village of Batavia	1	
3. TYPE OF REFERRAL: (Check all a	oplicable items)			
☐ Area Variance☐ Use Variance☐ Special Use Permit☐ Site Plan Review	☐ Zoning	Map Change Text Amendments chensive Plan/Update	□ P	ivision Proposal reliminary inal
4. LOCATION OF THE REAL PROI	PERTY PERTAI	NING TO THIS REFERI	RAL:	
A. Full Address 8287 Lewiston	Rd			
B. Nearest intersecting road Vete	erans Memoria	al Drive		
C. Tax Map Parcel Number 81	-7			
D. Total area of the property 1.7	6 Acres	Area of propert	y to be disturb	ped 1.5 Acres
E. Present zoning district(s) Con	mercial Distri	ct		
5. REFERRAL CASE INFORMATIO A. Has this referral been previous  NO YES If yes, give	ly reviewed by t	·	ing Board?	
B. Special Use Permit and/or Var	iances refer to t	he following section(s) of	the present zo	oning ordinance and/or law
Town of Batavia Zoning Code	e Section 235-	27, B-4 and Zoning Se	ction 235-37	7
C. Please describe the nature of the	nis request <u>Con</u>	struction of a 4,232 sq	ft Convenie	nce Store and Gasoline Fueling
Facility				
6. ENCLOSURES – Please enclose cop	py(s) of all appro	opriate items in regard to t	his referral	
<ul><li>■ Local application</li><li>■ Site plan</li><li>□ Subdivision plot plans</li><li>■ SEQR forms</li></ul>	Zoning Location Elevation	text/map amendments n map or tax maps on drawings tural data statement		
7. CONTACT INFORMATION of the	person represen	ting the community in fill	ng out this fo	rm (required information)
Name Matthew Mahaney	Title C	EO	Phone ( <u>58</u>	5) 343 - 1729 Ext. 238
Address, City, State, Zip 3833 West	Main St Rd Ba	atavia, NY 14020	Email m	mahaney@townofbatavia.com

(circle one)				
Agricultural Data State	ment	Date _03/07/2024		
variance or a subdivision approval requested for a farm operation located in a NY	iring municipal rev	view that would occur on property within		
Applicant	Owne	er if Different from Applicant		
Name: Hix Snedeker Companies Address: 805 Trione St Daphne, AL 36526	Address: 8	Name: Phillip Call Address: 8127 Lewiston Rd Batavia, NY 14020		
		ence store and gasoline fueling facility		
Description of proposed project: Construction of a construction of	Batavia, NY 14020	ence store and gasoline fueling facility		
Location of project: Address: 8287 Lewiston Rd F Tax Map Number (TMP) 8 Is this parcel within an Agricultural District? 1 If YES, Agricultural District Number 2	Batavia, NY 14020 B1-7 NO ☑YES (Che you	ck with your local assessor if do not know)		
Location of project: Address: 8287 Lewiston Rd Rd Rd Rd Number (TMP) 8  Is this parcel within an Agricultural District? 1  If YES, Agricultural District Number 2  Is this parcel actively farmed? 1  List all farm operations within 500 feet of your property of the second secon	Batavia, NY 14020 B1-7 NO YES (Cheyou) NO YES Darcel. Attach ad Name: Address:	ck with your local assessor if do not know) ditional sheets if necessary.		
Location of project: Address: 8287 Lewiston Rd R Tax Map Number (TMP) 8  Is this parcel within an Agricultural District? 1  If YES, Agricultural District Number 2  Is this parcel actively farmed? 1  List all farm operations within 500 feet of your part of the second s	Batavia, NY 14020 B1-7 NO YES (Cheyou) NO YES Darcel. Attach ad Name: Address:	ck with your local assessor if do not know) ditional sheets if necessary.		
Location of project: Address: 8287 Lewiston Rd Rd Rd Rd Number (TMP) 8  Is this parcel within an Agricultural District? 1  If YES, Agricultural District Number 2  Is this parcel actively farmed? 1  List all farm operations within 500 feet of your property.  Name: Call Farms  Address: 8127 Lewiston Rd  Batavia, NY 14020	Batavia, NY 14020 B1-7 NO YES (Cheyou IO YES parcel. Attach ad Address: S Is this parce	ck with your local assessor if do not know) ditional sheets if necessary.		

Reviewed by:

Signature of Applicant

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.

Signature of Owner (if other than applicant)

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

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

Date <u>l / 22 / 2024</u> Zone <u>C</u> Flood Zone <u>No</u> Wellhead Protection <u>No</u> Corner Lot_4e5_
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. 81-7 (Lot 1)
Owners Name Hix Snedeker Companies Phone No. (518) 222-5323
Address 805 Took St, Daphn, AL, 36526 Project Road Width 183 ft
Applicants Name Sonbyrn Sales, Inc Christian Brundle Project Address 8287 Lewiston Rd
E Mail Address Christian, brunelle @ byrnelairy.com Phone No (315) 420 - 7575
Description of Project: * See Attached*
Existing Use <u>Vacant - Farm Land</u> Proposed Use <u>Gasoline Station Market - Convenience Station</u>
Estimated Cost Building \$600,000 Plumbing 7BD Mechanical 7BD Miscellaneous —
SEQR CLASSIFICATION Type 1 □ Type 2 □ Unlisted □
Review completed by Planning Board   Zoning Board of Appeals   Zoning Board of Appeals
Permit Fee \$
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, <u>Christian Brunlll</u> , 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.
2.5.2014
Signature of Owner or Authorized Agent  Date

#### TOWN OF BATAVIA PLANNING BOARD

#### TOWN HALL 3833 West Main St. Rd., Batavia, New York 14020 (585) 343-1729

**TO:** Involved and Interested Agencies – Batavia Byrne Dairy

- \* Genesee County Planning
- \* New York State DOT
- \* New York State DEC

**FROM:** Jonathan Long, Vice Chairman, Town of Batavia Planning Board

**DATE:** March 7, 2024

#### NOTICE OF INTENT TO ESTABLISH LEAD AGENCY

Pursuant to the State Environmental Quality Review (SEQR) Act and 6 NYCRR 617.6 please be advised that the Town of Batavia Planning Board intends to establish itself as Lead Agency for the purposes of fulfilling the SEQR requirements relative to the proposed action – The project involves the construction of a 4,232 square foot convenience store and gasoline fueling facilities (4 fueling dispensers) along with associated parking, utilities, landscaping, and stormwater management system. The property will be accessed from the future Rumsey Road, which is proposed to be constructed under the 8287 Lewiston Road subdivision. Water, sanitary sewer, storm drainage, natural gas, cable and electric utilities will be required to be extended to the site.

The proposed action appears to be an unlisted Action under SEQR, requiring it to be appropriate to undertake a coordinated review. A Long Form Environmental Assessment Form, Part I, is enclosed, pursuant to 6 NYCRR 617.6.

In order to expedite the Lead Agency designation process, please respond to the Notice of Intent to establish lead agency by April 12, 2024.

If no response is received, it will be assumed that no objection exists regarding the establishment of the Town of Batavia Planning Board as lead agency, and the SEQR review will proceed. If you have any questions, please call the Batavia Town Hall (585) 343-1729.

#### TOWN OF BATAVIA PLANNING BOARD

#### SEQR LEAD AGENCY COORDINATION REQUEST

Name of Involved Agency:	Genesee County Planning	
Address:	3837 W. Main Street Rd.	
	Batavia, NY 14020-9404	
<u>Title of Action:</u> "Propo	sed Batavia Byrne Dairy" – Rumsey Road	l, Batavia, NY
· · · · · · · · · · · · · · · · · · ·	gency has no objection to the Town of Batavi as Lead Agency for this action.	a Planning Board
() This as	gency wishes to assume Lead Agency Status	for this action.
Comments: Please refer March 14, 20	to Genesee County Planning Board recomm 024	nendation to be issued
Felix A. Hamis	<u>Director of Planning</u> Title	3/8/2024 Date
Please return by April 12, 20	Jonathan Long, Vice Chair Town of Batavia Planning Bo 3833West Main Street Road Batavia, New York 14020	oard

#### 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.

Part 1 – Project and Sponsor Information		
Name of Action or Project:		
Town of Batavia Planning Board - Site Plan Approval & Special Use Permit for Batavia Byrne	o Doine	
Project Location (describe, and attach a location map):	e Dairy	
NYS Rt. 63 (Lewiston Road), Town of Batavia; Part of Tax Map #: 8.0-01-7		
Brief Description of Proposed Action:		
	fueling feelities // fuellus site	
The project involves the construction of a 4,232 square foot convenience store and gasoline associated parking, utilities, landscaping, and stormwater management system.	e lueling lacililles (4 fueling dis	pensers) along with
Name of Applicant or Sponsor:	<del></del>	
Name of Applicant or Sponsor:	Telephone: (315) 214-649	55 Ext. 502
Sonbyrne Sales, Inc. Attn: Christian Brunelle	E-Mail: christian.brur	nelle@byrnedairy.com
Address:		
171 Rt. 5		
City/PO:	State:	Zip Code:
Weedsport	New York	13166
1. Does the proposed action only involve the legislative adoption of a plan, loca administrative rule, or regulation?	al law, ordinance,	NO YES
If Yes, attach a narrative description of the intent of the proposed action and the e	environmental resources th	at 🗸 🗀
may be affected in the municipality and proceed to Part 2. If no, continue to ques		V L
2. Does the proposed action require a permit, approval or funding from any other If Yes, list agency(s) name and permit or approval: See Below.	er government Agency?	NO YES
11 Tes, has agency(s) hame and permit of approval. See Below.		
3. a. Total acreage of the site of the proposed action?	±1.76 acres	
b. Total acreage to be physically disturbed?	<u>±1.5</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	±1.76 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:		
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☑ Commerci	al 🚺 Residential (subur	ban)
Forest Agriculture Aquatic Other(Spe	cify):	
	••	

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?		<b>V</b>	
b. Consistent with the adopted comprehensive plan?		<b>√</b>	
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES
			$\checkmark$
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES
If Yes, identify:		$\checkmark$	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
b. Are public transportation services available at or near the site of the proposed action?		<u> </u>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed			
9. Does the proposed action meet or exceed the state energy code requirements?	-	V	VEG
If the proposed action will exceed requirements, describe design features and technologies:		NO	YES
Ti the proposed action will exceed requirements, describe design reatures and technologies.			<b>✓</b>
10. Will the proposed action connect to an existing public/private water supply?		NO	YES
If No, describe method for providing potable water:			<b>✓</b>
11. Will the proposed action connect to existing wastewater utilities?		NO	YES
If No, describe method for providing wastewater treatment:			
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	t	NO	YES
Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?		<b>✓</b>	
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?			<b>✓</b>
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?		NO 📝	YES
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:			<b></b>

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:			
Shoreline Forest Agricultural/grasslands Early mid-successional			
☐ Wetland ☐ Urban ☑ Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or	NO	YES	
Federal government as threatened or endangered?	<b>\</b>		
16. Is the project site located in the 100-year flood plan?	NO	YES	
	$\checkmark$		
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES	
If Yes,		V	
a. Will storm water discharges flow to adjacent properties?	<b>✓</b>		
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?		<b>✓</b>	
If Yes, briefly describe:			
Discharge to NYS DOT stormwater conveyance system along Rt. 63,			
18. Does the proposed action include construction or other activities that would result in the impoundment of water	NO	YES	
or other liquids (e.g., retention pond, waste lagoon, dam)?  If Yes, explain the purpose and size of the impoundment:			
Stormwater Management Basin, Size: TBD		$\checkmark$	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste	NO	YES	
management facility?  If Yes, describe:			
	<b>√</b>		
20.Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or	NO	YES	
completed) for hazardous waste?	110	125	
If Yes, describe:	<b>✓</b>		
		<del></del>	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE			
Applicant/sponsor/name: Christian Brunelle w/Sonbyrne Sales, Inc. Date: February 5, 202	24		
Signature:Title: Senior Executive Vice President			





## Sonbyrne Sales, Inc.

Proposed Batavia Byrne Dairy Store Town of Batavia



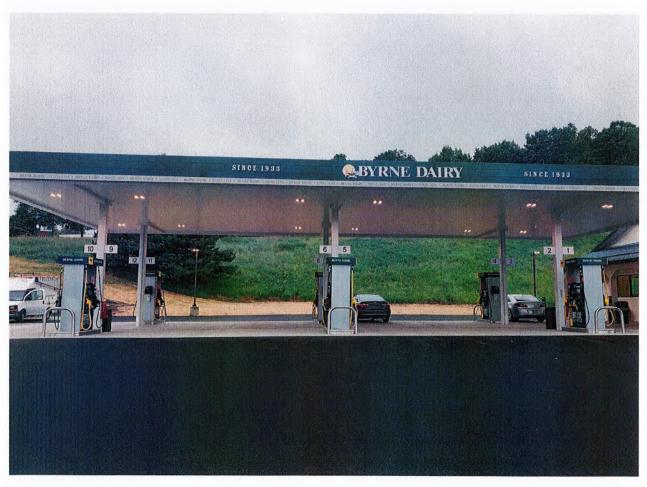
## **Existing Site**



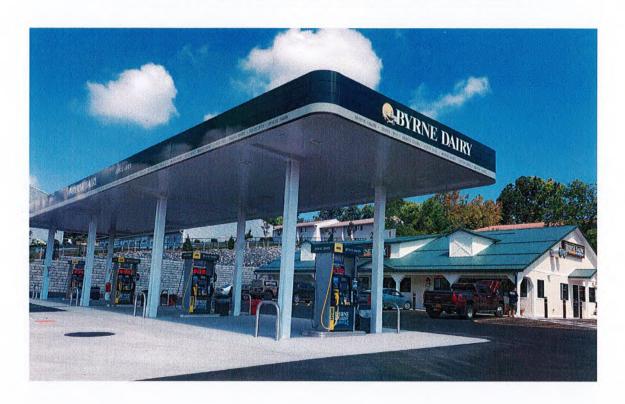


# PROPOSED BATAVIA BYRNE DAIRY

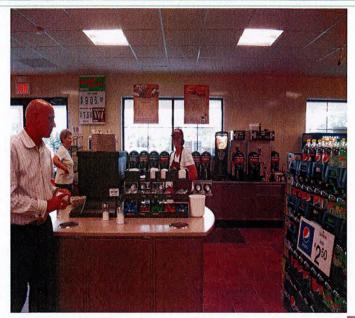




## PROPOSED BATAVIA BYRNE DAIRY

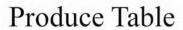






## **Inside Store**

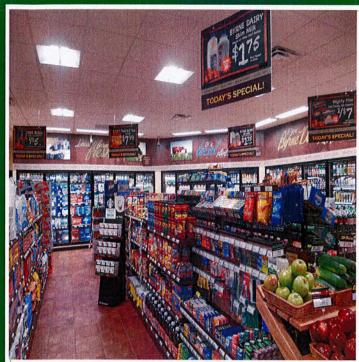
Coffee Bar





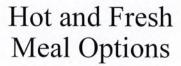


Made To Order Fresh Subs And Salads



## **Inside Store**

Full line of Groceries







Dairy Case and Frozen Foods

# Flush Parking Bollards





## Dumpster Enclosure



## Batavia Byrne Dairy Signage Package

#1

Free Standing Sign: Size (sq. ft): 48 sq ft. Height: 20' Internally Illuminated

#2

Building Sign: Size 49 sq ft. Internally Illuminated

Awning / Canopy Signs:
Canopy Graphics Vinyl Lettering (Non-illuminated)
2' x 8' = 16 sq. ft. (per side)

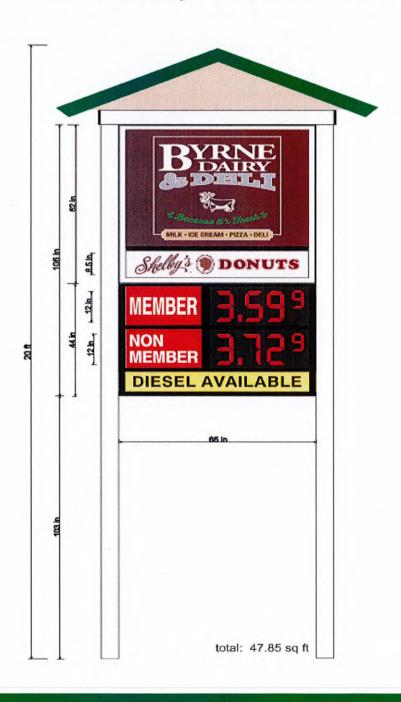
## Sign #1

Free Standing Sign:

Size (sq. ft): 48 sq ft.

Height: 20'

Internally Illuminated



## Sign #2

Building Sign: 3'6" x 14' = 49 sq ft. Internally Illuminated



## Awning / Canopy Signs

Canopy Graphics -2' x 8' = 16 sq. ft. (per side) Vinyl Lettering (non-illuminated)



## Batavia Byrne Dairy Lighting Package

- Yard Lights 12' Pole Mount
   Cree LED Fixture
   IDA Approved "Dark Sky Friendly"
- 2. Wall Lights 9' Mounting Height Cree LED Fixture IDA Approved "Dark Sky Friendly"
- 3. Fuel Canopy Lights—Recessed Cree LED Fixture IDA Approved "Dark Sky Friendly"



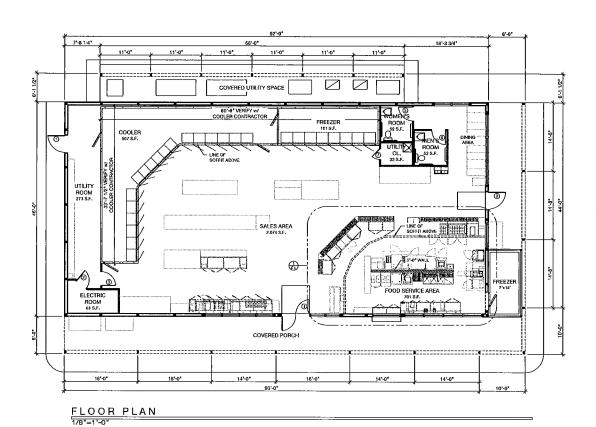
# Batavia Byrne Dairy Project Letter of Intent

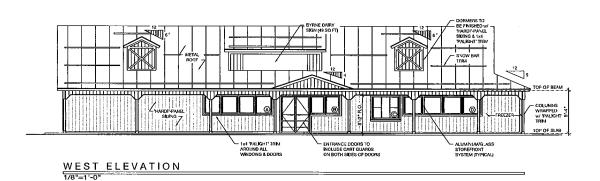
#### 8287 Lewiston Rd (Off Route 63)

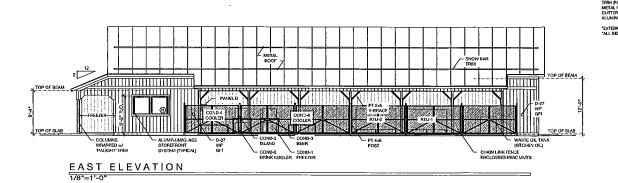
Sonbyrne Sales, Inc. would like to construct and operate a new Byrne Dairy Retail Store and Fueling Facility off Lewiston Road (Route 63) in the Town of Batavia, NY. The parcel is approximately 1.76+/- acres with 172'+/- of frontage along Lewiston Road (Route 63). The site is currently a soy field. The new store will be 4,232+/- sq. ft. (46' Wide x 92' Long, 24' High) and will have porches attached to the South and West side of the main building. The building is wood frame construction with masonry siding and a metal roof. A freestanding fuel canopy will have four (4) fuel pumps, eight (8) fueling positions, and is 40' Wide x 104' Long. The site has existing Public Water and Public Sewer available. The site will have two (2) curb-cuts (driveways) – both being off a future town road. The store will operate 24 hours per day/365 days per year. An outside, screened dumpster enclosure will be used for refuse and recycling removal. LED and "Dark Sky" approved lighting will be used for ALL exterior site lighting and fuel canopy lighting. The operation will employ in excess of twenty-five (25) employees or approximately sixteen (16) +/- full-time equivalent employees. The proposal will comply with all NYSDEC Stormwater regulations' (SWPPP). The site is currently zoned Commercial (C).

Date: 1-5-2024

Christian Brunelle – Sonbyrne Sales Inc.







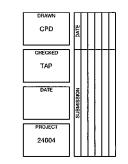




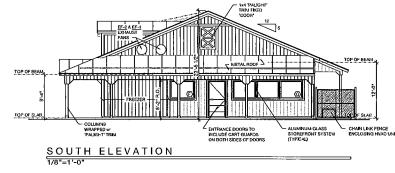


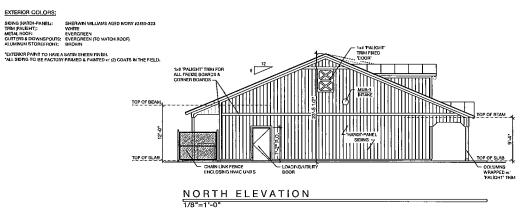
NEW BUILDING FOR: SONBYRNE SALES BYRNE DAIRY 8287 LEWISTON ROAD BATAVIA, NEW YORK 14020

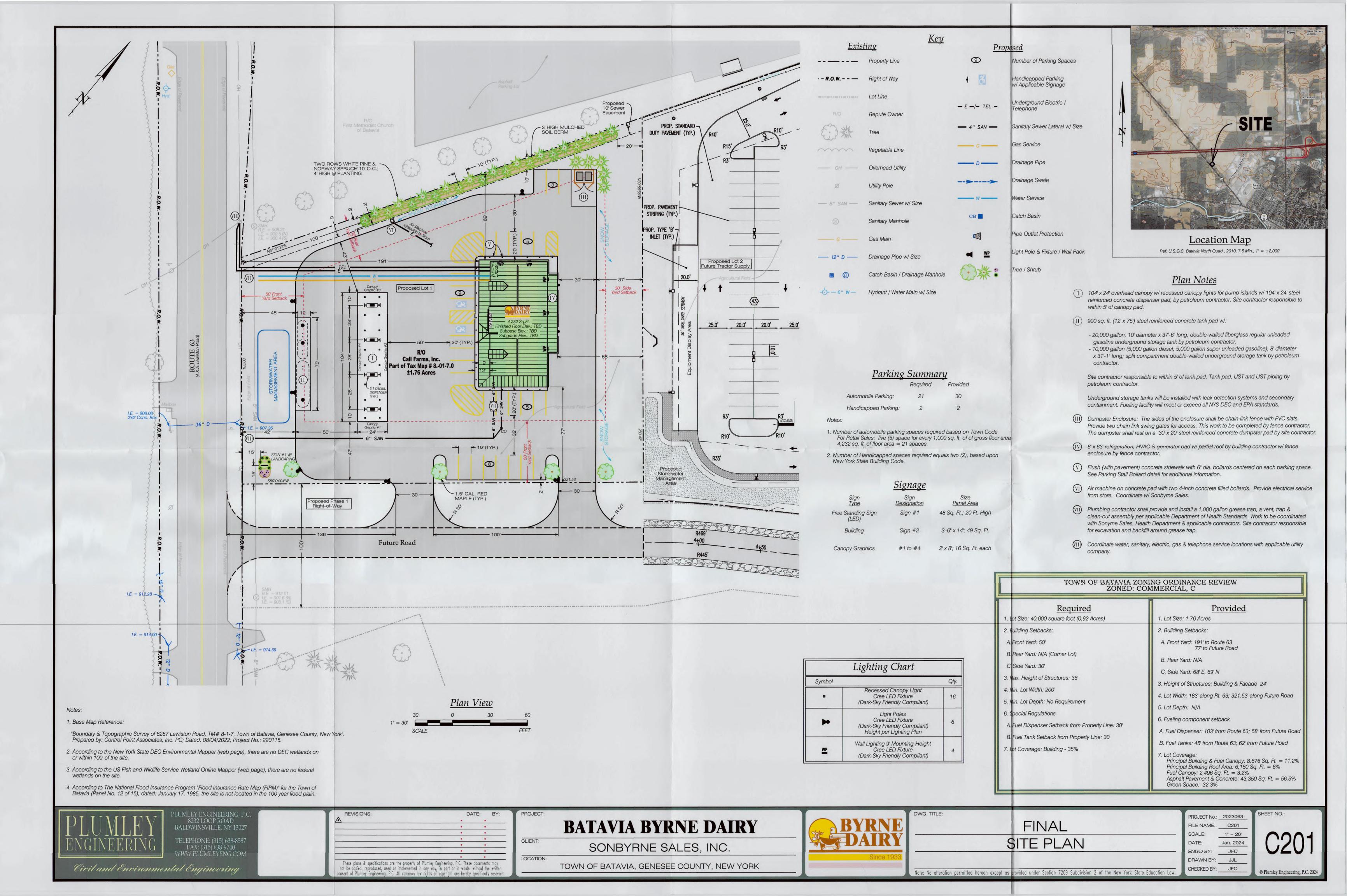


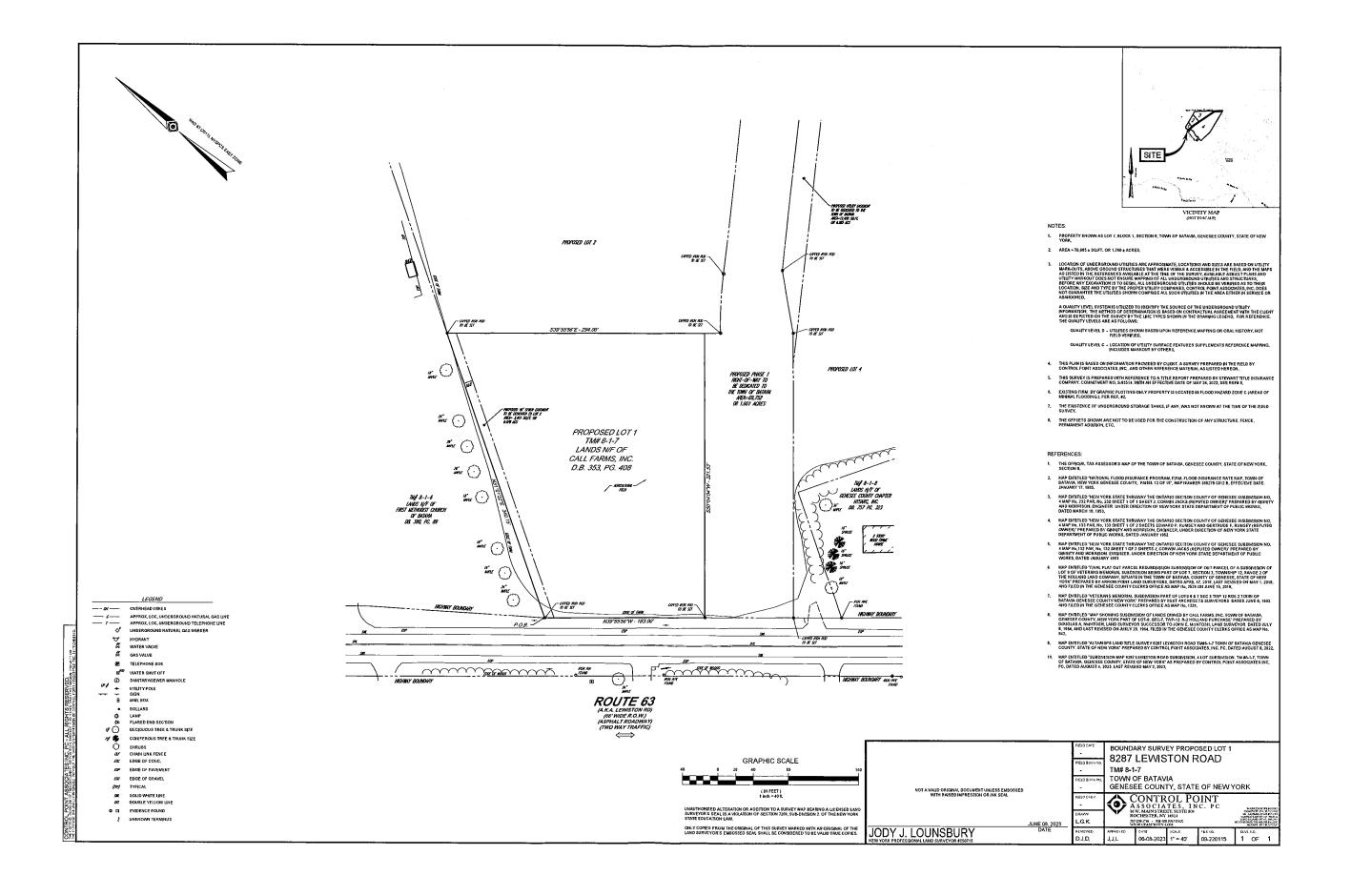














#### GENESEE COUNTY DEPARTMENT OF PLANNING

Felipe A. Oltramari AICP CNUa – Director Erin Pence – Deputy Director Chris Scheiner – GIS Technician Laraine Caton – Planning Board Chairperson

April 6, 2023

Greg Post, Supervisor Town of Batavia 3833 West Main Street Rd Batavia, NY 14020

Dear Supervisor Post,

This letter serves to confirm the decision of the Genesee County Water System Hookup Administrative Review Committee to certify the Reserved Development Area in the Town of Batavia comprising of Tax Map Parcel No. 8.-1-7 and the adjacent developed parcels between Lewiston Rd. (NYS Rt. 63) and the NYS Thruway (I-90). As a result of this certification, future development of this parcel, as described in the Town's application, is entitled to hook up to the public water system in the same manner as parcels within designated Smart Growth Priority Development Areas.

The Genesee County Smart Growth Plan lists two conditions for the certification of a Reserved Development Area:

- 1. The area is identified in the municipality's comprehensive plan for future development of significant density. Town of Batavia has identifies this area in their Comprehensive Plan, adopted in 2017, as a future commercial area.
- 2. Smart Growth principles are implemented in this area through form based regulations. These include including Walkable Development, Connected Transportation Network, Mixed Use and Housing Types, Quality Architecture and Urban Design, and Sustainability. Through the certification application process, the Town of Batavia and the landowner (Call Farms, Inc.) have made commitments to develop this land in a manner that adheres to the principles described in the Genesee County Smart Growth Plan. A Master Plan of the parcel was submitted as part of the application that applies these principles.

It is the Committee's decision that the Town's application has sufficiently met all the criteria listed above and is consistent with the intent of the Genesee County Smart Growth Plan. Please be aware that, as described in the Genesee County Smart Growth Plan, the County Legislature has authorized the County Planning Department to monitor certified Reserved Development Areas to ensure that development in the area sufficiently follows the principles of Smart Growth. The Committee retains the right to reopen a certification application and rescind such certification if the Committee determines that the municipality is not implementing what was agreed to in the application.

● Page 2 April 6, 2023

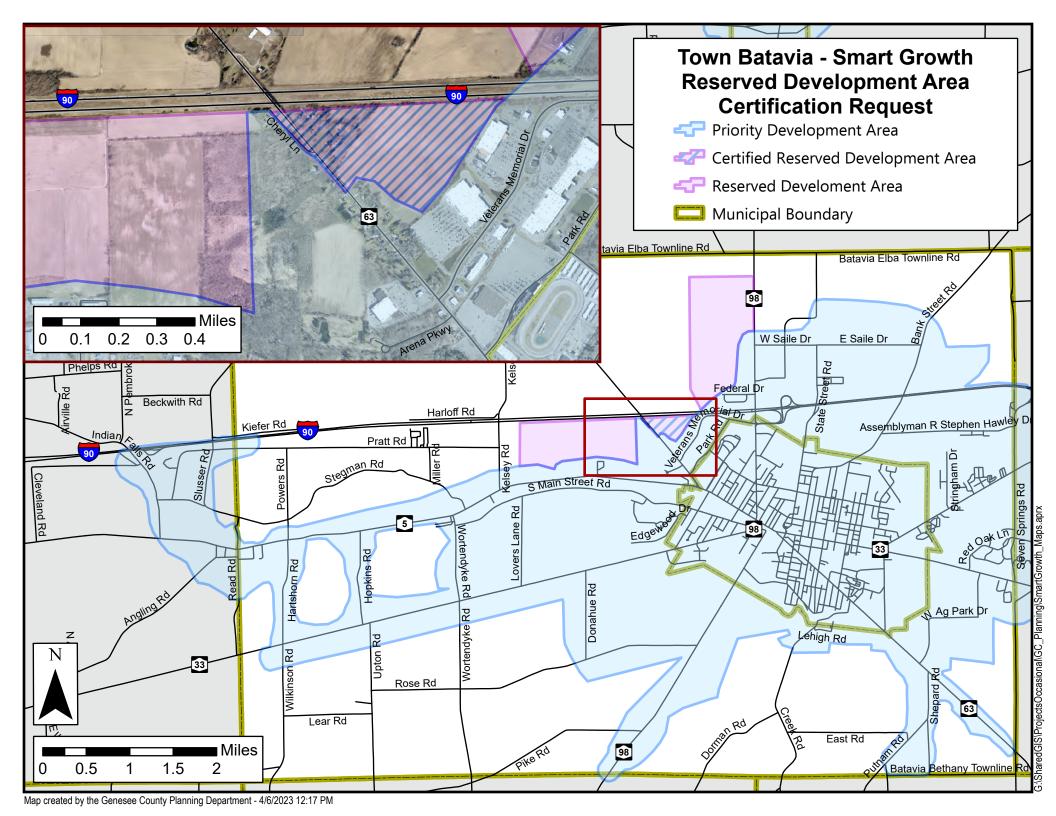
On behalf of the Committee and the Planning Department, I would like to thank the Town and the landowners for their flexibility and diligence in putting forward a successful certification application. The implementation of the proposed Master Plan will ensure that the County continues to keep its commitment to Smart Growth as a mitigating action under the State Environmental Quality Review Act (SEQRA) Review for the Genesee County Water Project.

Sincerely,

Felipe A. Oltramari AICP, CNUa Genesee County Director of Planning

CC: Genesee County Legislature, Matt Landers, Tim Hens, Jim Wujcik

Attachments: Master Plan Map Rendering, Map of Certified Reserved Development Area.



Gregory H. Post, Supervisor Daniel G. Underhill, Deputy Supervisor Patti Michalak, Councilwoman Sharon White, Councilwoman Chad Zambito, Councilman



Teressa M. Morasco, Town Clerk Raymond Tourt, Highway Supt. Lisa Funke, Town Justice Andrew Young, Town Justice

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

March 20, 2023

Smart Growth Administrative Review Committee Attn: Felipe Oltramari Genesee County Building 2 3837 West Main Street Road Batavia, NY 14020

Re: Tractor Supply Parcel Master Plan

Dear Felipe;

The Town of Batavia would like to request that the area between the NYS Thruway, NYS Rt. 63, and Veterans Memorial Drive, currently designated as a Reserved Development Area in the Genesee County Smart Growth Plan, be certified as a Priority Development Area. Tractor Supply (Hix Snedeker) has purchased a portion of the property and is planning on developing a new store at this location. Both the developer and the current owner, Call Farms, have worked with the Town to develop the attached master plan for the entire area. We feel that this master plan has addressed all of the conditions for certification as specified on page 10 of the Genesee County Smart Growth Plan, 2022 Review Report and as outlined below.

1. "The area is identified in the municipality's comprehensive plan for future development of significant density."

This parcel continues to be consistent with the Town's Comprehensive Plan and Future Land use map. The parcel(s) have been zoned commercial since the 1990's. The Tractor Supply project as well as the master plan for the entire parcel meet the requirements of both the Town's Comprehensive and land use plans.

- 2. "Smart Growth principles, as described below, are implemented in this area through form-based regulations."
  - a. "Walkable Development..."

The plan incorporates a walkable community with sidewalks or paths connecting the various commercial units to the residential units. On-street parking will be included in the two-story development and housing areas.

This institution is an equal opportunity provider, and employer. If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found on-line at http://www.ascr.usda.gov/complaint\_filing\_cust.html, or at any USDA office, or call (866) 632-0992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to US Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, DC 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.

b. "Connected Transportation Network..."

A main road will traverse through the entire parcel connecting NYS Rt. 63 to Veterans Memorial Drive. This road will likely be built in phases as development occurs. A separate dead-end road will be added as housing development occurs. Pedestrian connections will be provided to connect this parcel to the facilities located on Veterans Memorial Drive.

c. "Mixed Use and Housing Types..."

The plan includes a mix of commercial, residential, and a two-story area that could include retail/service offices on the lower level with residential apartments above.

d. "Quality Architecture and Urban Design..."

The projects within this area will have quality architecture where aesthetics and landscaping create a sense of place for those that live, work, and visit the development.

e. "Sustainability..."

The entire parcel will be developed using sustainable design techniques such as using a regional pond for storm water treatment that is also an aesthetic feature.

We look forward to the committee's review. If you need any additional information or have any questions, we and the property owners are available to meet with you.

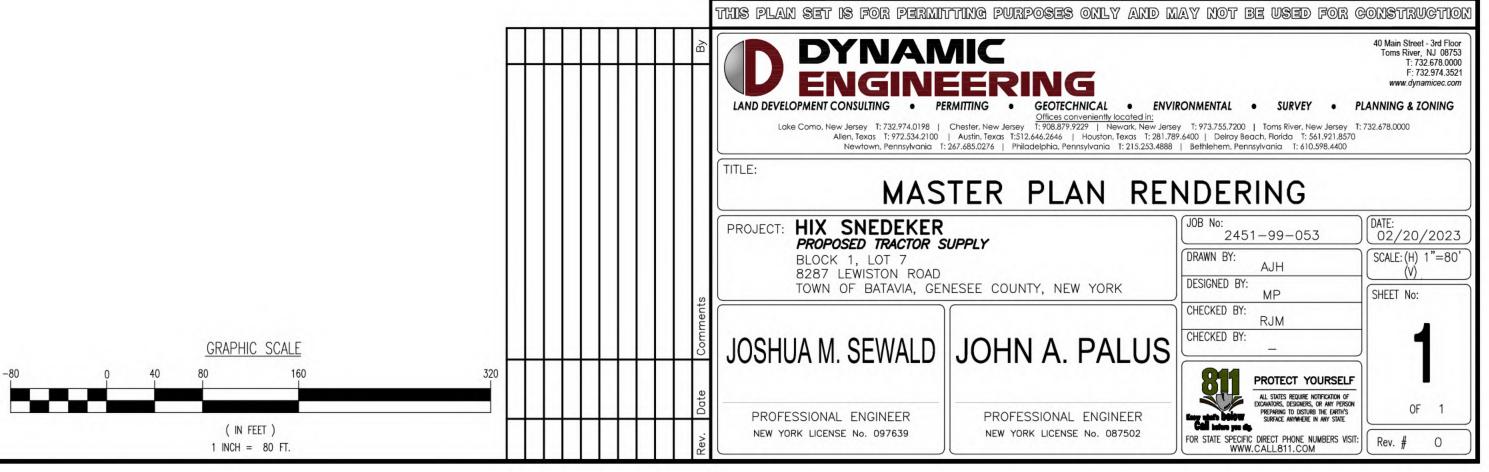
Sincerely,

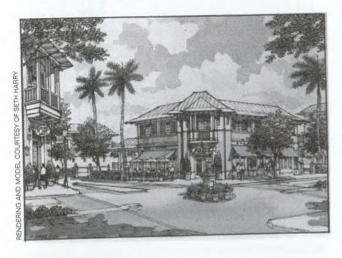
Steven J. Mountain, PE

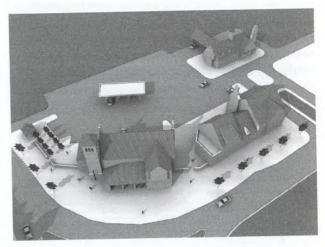
Town Engineer













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**The inverted gas station:** Above left and right is a rendering and aerial model of "gas backwards" by architect Seth Harry. At left is a photo of an inverted gas station.

#### T-04-BAT-03-24

