

**MINUTES**  
**April 19, 2023**  
**Plan Commission**  
**City of Batavia**

PLEASE NOTE: These minutes are not a word-for-word transcription of the statements made at the meeting, nor intended to be a comprehensive review of all discussions. They are intended to make an official record of the actions taken by the Commission/Committee/City Council, and to include some description of discussion points as understood by the minute-taker. They may not reference some of the individual attendee's comments, nor the complete comments if referenced.

**1. Meeting Called to Order for the Plan Commission Meeting**

Chair Gosselin called the meeting to order at 7:00pm.

**2. Roll Call:**

**Members Present:** Chair Gosselin; Vice-Chair Moore; Commissioners Harms, Joseph, Peterson, LaLonde

**Members Absent:**

**Also Present:** Drew Rackow, Planning & Zoning Officer; Jeff Albertson, Building Commissioner; Zach Ewoldt, Planner; and Jennifer Austin-Smith, Recording Secretary (remote)

**3. Items to be Removed, Added or Changed**

There were no items to be removed, added or changed.

**4. Approval of Minutes: March 15, 2023**

**Motion:** To approve the minutes from March 15, 2023

**Maker:** LaLonde

**Second:** Peterson

**Roll Call Vote:** **Aye:** LaLonde, Harms, Joseph, Gosselin, Moore, Peterson

**Nay:** None

6-0 Vote, 0 Absent, Motion carried.

**5. PUBLIC HEARINGS: 834 Main Street, 216, 221, 224, 229 Whipple Street Amendments to the Comprehensive Plan Land Use Map and Official Zoning Map. City of Batavia, Applicant**

**Motion:** To open the Public Hearing

**Maker:** Peterson

**Second:** LaLonde

**Roll Call Vote:** **Aye:** Peterson, LaLonde, Harms, Joseph, Gosselin, Moore

**Nay:** None

6-0 Vote, 0 Absent, Motion carried.

The Public Hearing was opened at 7:02pm.

Ewoldt discussed the staff report with the Plan Commission (PC). The PC viewed the “Comprehensive Land use Plan” and “Properties Proposed for Rezoning”.

Chair Gosselin opened the floor for public comment.

Mark Weiss asked about the property at 216 Whipple Avenue. He stated it is an undeveloped property. He is concerned that the City would approve expansion of the neighboring business causing excessive noise. He would like 216 Whipple Avenue zoned as residential.

Harms asked that the zoning be explained. Ewoldt stated that at this time there are no plans for the 216 Whipple Avenue property to be expanded or changed. The property does have improvements that are part of the commercial use to the north at the Elms. Ewoldt continued that they are zoning it as the appropriate use as it is used today. Rackow added that if the property were redeveloped, it would require a Design Review for a new building or a proposed change of the Zoning Map would require a notice to the neighbors.

The PC discussed the proposed amendments to the Comprehensive Plan land Use Map and Official Zoning Map, and the use of properties.

**Motion:** To Close the Public Hearing  
**Maker:** Moore  
**Second:** Harms  
**Roll Call Vote:** **Aye:** Moore, Peterson, LaLonde, Harms, Joseph  
**Nay:** None  
6-0 Vote, 0 Absent, Motion carried.

The Public Hearing was closed at 7:21pm.

**Motion:** To recommend approval of a modification to the Comprehensive Plan Land Use Map Designation for 216 Whipple Avenue from Residential >2-3.5 Dwelling Units per Acre to Neighborhood Commercial/Mixed Use R  
**Maker:** Peterson  
**Second:** Harms  
**Roll Call Vote:** **Aye:** Peterson, LaLonde, Harms, Joseph, Gosselin, Moore  
**Nay:** None  
6-0 Vote, 0 Absent, Motion carried.

**Motion:** To approve the Findings and Review of Conditions for the Zoning Map Amendments  
**Maker:** Harms  
**Second:** LaLonde  
**Roll Call Vote:** **Aye:** Harms, Joseph, Gosselin, Moore, Peterson, LaLonde  
**Nay:** None  
6-0 Vote, 0 Absent, Motion carried.

**Motion:** To recommend approval for an amendment to the Zoning Map to reclassify the property at 216 Whipple Ave from R0, Single Family Residential, to NC Neighborhood Commercial District

**Maker:** LaLonde

**Second:** Peterson

**Roll Call Vote:** **Aye:** LaLonde, Harms, Joseph, Gosselin, Moore, Peterson

**Nay:** None

6-0 Vote, 0 Absent, Motion carried.

**Motion:** To recommend approval of amendments to the Zoning Map to reclassify the properties located at 834 Main Street, 221, 224, 229 Whipple Avenue from R0, Single Family District, to R1-M, Single Family Medium Density Residential District

**Maker:** Peterson

**Second:** Moore

**Roll Call Vote:** **Aye:** Peterson, LaLonde, Harms, Joseph, Gosselin, Moore

**Nay:** None

6-0 Vote, 0 Absent, Motion carried.

**6. PUBLIC HEARING: Batavia Wastewater Treatment Plan, 400 South Shumway Avenue, City of Batavia Applicant**

- **Public Hearing: Amending the Comprehensive Plan Land Use Map for Property at 103 Main Street from Light Industrial to Public Facilities & Institutional**
- **Public Hearing: Amendment to the Zoning Map for a PFI Public Facilities and Institutional District and Planned Development Overlay District**
- **Public Hearing: Amendment to the Planned Development granted by Ordinance 16-78**
- **Design Review**

**Motion:** To open the Public Hearing

**Maker:** Joseph

**Second:** LaLonde

**Roll Call Vote:** **Aye:** Joseph, Gosselin, Moore, Peterson, LaLonde, Harms

**Nay:** None

6-0 Vote, 0 Absent, Motion carried.

The Public Hearing was opened at 7:28pm.

Rackow discussed the staff report with the PC. The PC viewed the “Wastewater Treatment Facility – Phase 2A Rehabilitation” site plan and “Bike Path Detour Plan #1”.

Jerry Ruth, Trotter & Associates, discussed the proposed plan, construction, bike path detour plan, signage, how the wall of the new building would replace the retaining wall, and relocation of the food pantry relocation. LaLonde asked if this should be contingent upon the food pantry finding a

new location. Rackow answered that the City staff are working with the Food Pantry on finding them a permanent home. The Food Pantry was the recipient of a Federal Grant to find a permanent location. The City would not be looking to get them out of that building until at least a temporary location can be found. Rackow stated that from that standpoint, the City could ensure that the Food Pantry gets relocated appropriately and he does not believe it needs to be a recommended condition of approval.

**Motion:** To Close the Public Hearing  
**Maker:** Peterson  
**Second:** Harms  
**Roll Call Vote:** **Aye:** Peterson, LaLonde, Harms, Joseph, Gosselin, Moore  
**Nay:** None  
6-0 Vote, 0 Absent, Motion carried.

The Public Hearing was closed at 8:05pm.

LaLonde stated that, for the record, he wants to make sure that the Food Pantry does not have a gap in its service. Chair Gosselin agreed with LaLonde's comment that this is the PC's hope. Ruth stated that the contractor is aware that they have to maintain operation of all adjacent business owners. Ruth considers the Food Pantry a business owner and their services will remain for as long as necessary, and his intent is to not displace them but find them a better home.

Moore expressed concern with the proposed detour of the bike path. She stated though the bike path is out of the scope of work for this discussion, she would like to work together on the bike path in the future. The Commission discussed the proposed route of the Bike Path and the configuration of it along Pamarco Drive. It was suggested that City Staff and the Bike Commission work together to review proposed signage for the detour and permanent route change.

**Motion:** To recommend City Council approval of a Land Use Map amendment for portions of 103 Main Street, subject to a condition of approval that the change be reverted should the property transaction not be completed  
**Maker:** LaLonde  
**Second:** Peterson  
**Roll Call Vote:** **Aye:** LaLonde, Harms, Joseph, Gosselin, Moore, Peterson  
**Nay:** None  
6-0 Vote, 0 Absent, Motion carried.

**Motion:** To adopt findings for Approval for the Zoning Map Amendment to designate portions of property at 103 Main Street, PFI Public Facilities and Institutional and to allow for modifications to the Planned Development Overlay District granted through Ordinance 16-78  
**Maker:** Harms  
**Second:** LaLonde  
**Roll Call Vote:** **Aye:** Harms, Joseph, Gosselin, Moore, Peterson, LaLonde  
**Nay:** None  
6-0 Vote, 0 Absent, Motion carried.

**Motion:** To recommend City Council approval to amend the Zoning Map to reclassify portions of 103 Main Street from LI, Light Industrial to PFI, Public Facilities and Institutional District with a PD Overlay District approved by Ordinance 16-78

**Maker:** Harms

**Second:** Peterson

**Roll Call Vote:** **Aye:** Harms, Joseph, Gosselin, Moore, Peterson, LaLonde

**Nay:** None

6-0 Vote, 0 Absent, Motion carried.

**Motion:** To recommend City Council approval to amend the Planned Development granted by Ordinance 16-78 in general conformance with the plans included in staff's memo subject to the modifications a-d to the Zoning Code and conditions of approval a-d as written in staff's memo

**Maker:** Peterson

**Second:** Moore

**Roll Call Vote:** **Aye:** Peterson, LaLonde, Harms, Joseph, Gosselin, Moore

**Nay:** None

6-0 Vote, 0 Absent, Motion carried.

**Motion:** To adopt the findings of approval for Design Review

**Maker:** LaLonde

**Second:** Joseph

**Roll Call Vote:** **Aye:** LaLonde, Harms, Joseph, Gosselin, Moore, Peterson

**Nay:** None

6-0 Vote, 0 Absent, Motion carried.

**Motion:** To approve the Design Review for the Wastewater Treatment Plan in conformance to the plans conditionally approved for the Planned Development Overlay and subject to City Council approval of those actions

**Maker:** Moore

**Second:** Harms

**Roll Call Vote:** **Aye:** Moore, Peterson, LaLonde, Harms, Joseph, Gosselin

**Nay:** None

6-0 Vote, 0 Absent, Motion carried.

## **7. Matters from the Public (for items not on the agenda)**

There were no matters from the public for items not on the agenda.

## **8. Other Business**

Rackow announced that there would be items for the second meeting in May. The first meeting in May would be cancelled.

The building to the north of the treatment plant on Flynn Street is proposed to be a brewery and distillery. This discussion will be at an upcoming PC meeting.

**9. Adjournment**

There being no other business to discuss, Chair Gosselin asked for a motion to adjourn the Plan Commission. Joseph moved to adjourn the meeting, Harms seconded. All were in favor. The meeting was adjourned at 8:23pm.

Minutes respectfully submitted by Jennifer Austin-Smith, Recording Secretary