

# PLANNING & DEVELOPMENT COMMITTEE

## OFFICIAL MINUTES

Tuesday, June 20, 2023

6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

Members present: *Edward Flynn, John Ognibene, Duane Preston [Derek Geib was present for part of the meeting]*

Members absent: David Beatty, Rebecca Cohen

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 6:00 p.m.

### 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 May 16, 2023 meeting minutes.**

**IV. Proposals** [Jennifer Gobeyn was absent at the beginning of the meeting. Mr. Preston started with the second proposal on the agenda.]

- B. Rooming house permit to operate an existing room house structure, which is being purchased from the present rooming house operator, Terrence Platt. This building contains ten rooming house units and one self-contained apartment

**Address:** 216-218 State Street

**Applicant:** Ryan McDonald (purchaser)

- Actions:**
1. Review
  2. Discussion and action by the board

#### 1. Review Application and Discussion

Mr. Preston read the summary of the proposal.

#### 2. Discussion and Action by the Board

Mr. Flynn asked if there have been any major issues with this property in the past, and Mr. Randall answered that other than a few minor violations, there have been no problems. He noted that the rooming house passed its last inspection.

Mr. Preston asked if there is an outside manager, and Mr. McDonald said no.

Mr. Flynn asked if Mr. McDonald has previous experience with rooming houses, and Mr. McDonald responded that he has other properties, some of which he has owned for ten years.

Mr. Flynn asked if there are issues with any of Mr. McDonald's other properties, and Mr. Randall answered no.

**MOTION:** Mr. Flynn moved to approve the proposal; the motion was seconded by Mr. Ognibene, and on roll call, was approved 3-0.

**RESULT: Application approved.**

- A. Area variance to remove an existing 10.5'-wide asphalt driveway and place a new 22'-wide Portland cement concrete driveway in its place. A zoning variance was granted by the ZBA on 8/28/08 to increase the width of the existing (approx.) 10.5'-wide asphalt driveway by adding 10' of width on the west side of the existing driveway

**Address:** 29 Cherry Street

**Applicant:** Jennifer Gobeyn (owner)

- Actions:**
1. Review application
  2. Discussion and action by the board

### **1. Review Application**

Mr. Preston read the summary of the application.

Ms. Gobeyn said that the driveway worked while she lived on the property alone, but she is engaged, and the driveway is too small for two vehicles. Her fiancé is in the construction business and drives a pick-up truck. Two vehicles will not fit in the driveway without touching the grass of one of the neighboring properties.

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

Mr. Preston observed that the driveway would take up the front yard; however, the narrow width of the yard space is nearly taken up by the house.

**MOTION:** Mr. Ognibene moved to recommend approval of the proposal; the motion was seconded by Mr. Flynn, and on roll call, was approved 3-0.

**RESULT: Recommendation to the ZBA for approval of the application.**

- C. Review the PDC's previous approval process for the façade design. Mr. Audsley would like the opportunity to present the installed stone veneer, as the application pattern differs from the originally proposed uniform running bond pattern. He would like to discuss options to modify the in-place materials and satisfy the board's concerns

**Address:** 99 Main Street

**Applicant:** Todd Audsley (project manager)

- Actions: 1. Review application and discussion  
2. Discussion and action by the board

**1. Review Application**

Mr. Preston read the summary of the proposal.

**2. Discussion and Action by the Board**

It was decided that Mr. Audsley will send photos of the grout color samples to Mr. Randall, who will pass them on to the board. The board will select a color, which will be applied to the exterior. As part of the July 25, 2023 meeting of the PDC, the board will proceed to 99 Main Street to examine the results. At that time, the board will decide if the exterior alteration is acceptable.

- D. Sketch Plan review of a proposed project that will result in the merging of several parcels, minor subdivision, demolition of existing buildings, and construction of a Burger King restaurant with drive-through service. The purpose of the review is to provide the applicant with the opportunity to familiarize the PDC with the proposal and to obtain direction prior to the final site plan submission

**Address:** 301-305 West Main Street, 307 West Main Street, 4 South Lyon Street, and a portion of 6 South Lyon Street

**Applicant:** Peter Sorgi, Esq. (agent for owner)

- Actions: 1. Review application  
2. Discussion

**1. Review Application and Discussion**

Mr. Preston read the summary of the proposal.

**2. Discussion and Action by the Board**

Following a description and discussion of the project, it was determined that the applicant will return next month for a preliminary Site Plan review.

**V. Setting of Next Meeting:** July 25, 2023

**VI. Adjournment**

Mr. Preston moved to adjourn the meeting at 7:05 p.m., and Mr. Flynn seconded the motion. All voted in favor.

  
Meg Chilano  
Recording Secretary