

PLANNING & DEVELOPMENT COMMITTEE

Tuesday, July 19, 2016

6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

AGENDA

- I. Roll Call
- II. Call to Order
- III. Approval of Minutes – 6/28/16
- IV. Proposals

Address: 59 Lyon Street

Applicant: Randy White (owner)

Proposal 1: Addition of a driveway to the southeast portion of this property by placing pavers and loose stone to form a 16' wide x 60' long area for parking. This would be in addition to the existing 12' wide asphalt driveway in the northeast portion of this property

Actions:

- 1. Remove from the table
- 2. Review application
- 3. Discussion and recommendation to the ZBA

Address: 59 Main Street

Applicant: Ken Mistler (owner)

Proposal 2: Alteration of the previously approved (8/26/14) exterior changes to this commercial building located within the BID. The applicant proposes to completely enclose the area of the patio located under the roof with an assembly of wall and overhead door sections. The changes will be similar to a design previously approved by the PDC on 6/18/13. The previously approved applications and minutes from those meetings are attached

1. Review application
2. Discussion and action by the board

Address: 206 East Main Street

Applicant: Vic Marchese (owner)

Proposal 3: Special Sign Permit: Placement of one 30" x 25" window sign on the entrance door; one window mural to cover the entire window surface on the north elevation's west side; and one painted wall mural on the east elevation on the north corner of this commercial building located within the BID

Actions:

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

Address: 3-9 Webster Avenue
Applicant: David M. Pero (owner)

- Proposal 4: Minor Subdivision: Division of this property into two separate parcels, one of which will be 9,278.28 sq. ', containing an existing commercial building, and the other containing 26,266.68 sq. ' of vacant land
- Actions: 1. Review application
2. Discussion
3. SEQR
4. Action by the board

Address: 69-71 Main Street
Applicant: Michael Mammano (sign company agent)

- Proposal 5: Placement of one 2' 8" x 17' 10" interior lit wall sign on the north elevation and one 2' x 13' 5" interior lit wall sign on the south elevation of this commercial building located within the BID
- Actions: 1. Review application
2. Discussion and action by the board

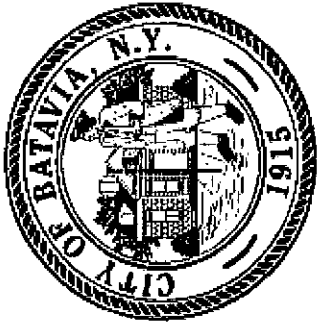
Address: 28 Trumbull Parkway
Applicant: Jason Forskey (owner)

- Proposal 6: Widen an existing 13.66' wide asphalt driveway by placing 2.34' of asphalt to the south side of the existing driveway
- Actions: 1. Review application
2. Discussion and recommendation to the ZBA

Address: 230 Ellicott Street
Applicant: Steve Fairbanks (sign contractor)

- Proposal 7: Special Sign Permit: Placement of two unlit wall signs on the north elevation of this commercial building located within the BID
- Actions: 1. Review application
2. Discussion and action by the board

- V. Other/ New Business/Updates
- VI. Setting of Next Meeting: August 16, 2016
- VII. Adjournment



City of Batavia
Department of Public Works
Bureau of Inspections

One Batavia City Center, Batavia, New York 14020 (585)-345-6345 (585)-345-1385 (fax)

To: Genesee County Planning
Planning and Development Committee
Zoning Board of Appeals

From: Doug Randall, Code Enforcement Officer

Date: 5/25/16

Re: 59 Lyon St.
Tax Parcel No. 84.006-3-3

Zoning Use District: R-1A

The applicant, Randy White (owner), has applied for a permit to add a driveway to the southeast portion of this property by placing pavers and loose stone to form a 16' wide x 60' long area for parking. This would be in addition to the existing 12' wide asphalt driveway in the northeast portion of this property.

Note: This is a type II action as defined by Environmental Conservation Law and is not subject to review under SEQR 6 NYCRR Part 617.5 (c) (13).

Review and Approval Procedures:

County Planning Board- Pursuant to General Municipal Law 239 m, referral to the County Planning Board is required since the property is within 500 feet of the right of way of a state road or highway.

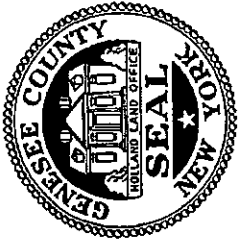
City Planning and Development Committee- Pursuant to section 190-49 C. of the zoning ordinance, the Planning and Development Committee shall review and make recommendations to the ZBA for applications that include parking variances.

Zoning Board of Appeals- Pursuant to BMC Sec. 190-49 of the zoning ordinance, the ZBA shall review and act on required variances.

Required variances- Area

BMC Sec. 190-39 E (1) The width of driveways shall not exceed 25% of the lot frontage.

	<u>Permitted</u>	<u>Proposed</u>	<u>Difference</u>
Driveway width	18.75' (25%)	29' (38.6%)	10.25' (13.6%)



**GENESEE COUNTY PLANNING BOARD
ZONING REFERRALS NOTICE OF FINAL
ACTION**

GCDP Referral ID C-13-BAT-6-16
Review Date 6/16/2016

Municipality

Board Name

Applicant's Name

BATAVIA, C.

ZONING BOARD OF APPEALS

Randy White

Referral Type

Variance(s)

Description:

Area Variance(s)

Area Variance to add a second driveway to an existing single-family home.

Width of Driveway

Maximum allowed: 25% of lot frontage (18.75 ft.)

Existing: 17% (12.5 ft.)

Proposed: 38.6% (29 ft.)

Location

Zoning District

59 N. Lyon St., Batavia

Residential (R-1A) District

PLANNING BOARD DECISION

APPROVAL WITH MODIFICATION(S)

EXPLANATION:

The required modification is that the applicant merge the two parcels into one. Given that a neighboring property also has two driveways in the manner proposed, with the required modification the proposed driveway should pose no significant county-wide or inter-community impact.

Director

June 16, 2016

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:

GENESSEE COUNTY DEPARTMENT OF PLANNING

3837 West Main Street Road

Batavia, NY 14020-9404

Phone: (585) 344-2580 Ext. 5467

*** GENESEE COUNTY *
PLANNING BOARD REFERRAL**

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

Board(s) Zoning Board of Appeals

Address One Batavia City CentreCity, State, Zip Batavia, NY 14020Phone (585) 345 - 6347 Ext. _____Name Randy WhiteAddress 59 Lyon St.City, State, Zip Batavia, NY 14020Phone (585) 409 - 5655 Ext. _____

Email _____

MUNICIPALITY: ☒ **City** ☐ **Town** ☐ **Village of Batavia****3. TYPE OF REFERRAL: (Check all applicable items)**☒ Area Variance☐ Use Variance☐ Special Use Permit☐ Site Plan Review☐ Zoning Map Change☐ Zoning Text Amendments☐ Comprehensive Plan/Update☐ Other: _____

Subdivision Proposal

☐ Preliminary☐ Final**4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:**A. Full Address 59 Lyon St.B. Nearest intersecting road Richmond Ave.C. Tax Map Parcel Number 84.006-3-3

D. Total area of the property _____ Area of property to be disturbed _____

E. Present zoning district(s) R-1A**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

BMC 190-39 E(1)C. Please describe the nature of this request Approval to place an additional driveway on this property in excess of the total driveway width permitted.**6. ENCLOSURES – Please enclose copy(s) of all appropriate items in regard to this referral**☒ Local application☒ Site plan☐ Subdivision plot plans☐ SEQR forms☐ Zoning text/map amendments☐ Location map or tax maps☐ Elevation drawings☐ Agricultural data statement☐ New or updated comprehensive plan☒ Photos☒ Other: Cover letter

If possible, please provide a reduced version or digital copy of any supporting documentation larger than 11 x 17.

Email to planning@co.genesee.ny.us**7. CONTACT INFORMATION of the person representing the community in filling out this form (required information)**Name Douglas RandallTitle Code Enf. OfficerPhone (585) 345 - 6327 Ext. _____Address, City, State, Zip One Batavia City Centre, Batavia, NY 14020 Email drandall@batavianewyork.com

DEPARTMENT USE ONLY:

GCDP Referral # _____



CITY OF BATAVIA
APPLICATION TO THE ZONING BOARD OF APPEALS

Application No.: _____
Hearing Date/Time: _____

APPLICANT:

Name Randy White N/A
Street Address 59 N. Lynst. E-Mail Address 409-5655 N/A
City Batavia State NY Phone 14020 Zip 14020

STATUS:

☒ Owner _____ Agent for Owner _____ Contractor _____

OWNER:

Name Same as above E-Mail Address _____

Street Address _____ Phone _____ Fax _____
City _____ State _____ Zip _____

LOCATION OF PROPERTY:

59 Lyon St., Batavia

DETAILED DESCRIPTION OF REQUEST:

Add driveway (stone) to
South East corner of my lot.
Size will be 16' wide by 66' long.

Applicant must be present at the hearing date. Failure to do so will result in the application being discarded. It is the responsibility of the applicant to present evidence sufficient to satisfy the Zoning Board of Appeals that the benefit of the applicant does not outweigh the health, safety, morals, aesthetics and general welfare of the community or neighborhood.

Randy White

Applicant's Signature

Date 5/17/16

Randy White

Owner's Signature

Date 5/17/16

To be Filled out by Zoning Officer

TAX PARCEL: 84.0000-3-3 ZONING DISTRICT: R-1A FLOOD PLAIN: NO

TYPE OF APPEAL:

☒ Area Variance
☐ Use Variance
☐ Interpretation
☐ Decision of Planning Committee

FEE: ☒ \$50 (One or Two Family Use)
_____ \$100 (All other Uses)

Provision(s) of the Zoning Ordinance Appealed: BMC 190-39 E (1) driveway width shall
not exceed 25% of the lot width.

Douglas E. Randall

From: Douglas E. Randall
Sent: Friday, May 27, 2016 1:16 PM
To: 'Felipe Oltramari'
Subject: RE: 59 N Lyon St.

Thanks, we'll have to make that a condition as well

From: Felipe Oltramari [mailto:Felipe.Oltramari@co.genesee.ny.us]
Sent: Friday, May 27, 2016 1:13 PM
To: Douglas E. Randall <DRandall@batavianewyork.com>
Subject: FW: 59 N Lyon St.

Doug,

See below. Looks like he will have to merge the parcels. We'll make that a modification. Have a great weekend.

-Felipe

Felipe A. Oltramari, AICP, CNUA
Director
Genesee County Department of Planning
3837 West Main Street Road
Batavia, NY 14020-9404
Felipe.Oltramari@co.genesee.ny.us
(585) 815-7901
(585) 345-3062 (fax)
On the web at: www.co.genesee.ny.us/departments/planning

From: Brett Frank
Sent: Friday, May 27, 2016 1:09 PM
To: Felipe Oltramari
Subject: RE: 59 N Lyon St.

Hi Felipe,

I just looked into the parcels you referenced below and no these two properties were never officially merged. For the 2016 Roll year they are still listed as two separate parcels 84.006-3-3 (Residence) & 84.006-3-2 (Res. Vacant Land), I also double checked the Parcel history database and there is nothing showing that a merge request was ever filed for these two properties. Please feel free to let me know if you need any other information and I'll be happy to assist.

From: Felipe Oltramari
Sent: Friday, May 27, 2016 12:11 PM
To: Brett Frank
Subject: 59 N Lyon St.

Hi Brett,

I called and was wondering if you could look into a discrepancy we ran into today. The attached survey shows a home at 59 N. Lyon St. in the City on a single parcel, but the tax map shows it as two separate parcels 84.006-3-3 and 84.006-3-2. Were these properties ever officially merged?

Thanks,

-Felipe

Felipe A. Oltramari, AICP, CNUA

Director

Genesee County Department of Planning

3837 West Main Street Road

Batavia, NY 14020-9404

Felipe.Oltramari@co.genesee.ny.us

(585) 815-7901

(585) 345-3062 (fax)

On the web at: www.co.genesee.ny.us/departments/planning

Criteria to Support Area Variance

In making its determination, the zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety, moral, aesthetics and welfare of the neighborhood or community. The Zoning Board of Appeals shall consider the following test, as per §81-b of the General City Law when making its determination:

Explain how the proposal conforms to EACH of the following requirements:

1. **Undesirable Change in neighborhood Character.** The granting of the variance will not produce an undesirable change in the neighborhood or a detriment to nearby properties.
No it will not create these issues.

2. **Alternative Cure Sought.** There are no other means feasible for the applicant to pursue that would result in the difficulty being avoided or remedied, other than the granting of the area variance. There are no other cures.

3. **Substantiality.** The requested area variance is not substantial. No it is not.

4. **Adverse Effect or Impact.** The requested variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or community.
No it will not.

5. **Not Self-Created.** The alleged difficulty existed at the time of the enactment of the provision or was created by natural force or governmental action, and was not the result of any action by the owner or the predecessors in title. No.


Applicant's Signature

5/17/16
Date



Permit No. _____
Date: _____

DRIVEWAY AND PARKING SPACE PERMIT
\$10 fee – Please attach Survey / Illustration

APPLICANT:

Randy White

Name _____ E-mail Address _____
59 N Lyon St 585-409-5655
Street Address _____ Phone _____

Batavia NY 14020
City _____ State _____ Zip _____

☒ Owner _____ Agent for Owner _____ Contractor _____

OWNER:

Same as Above

Name _____ E-mail Address _____

Street Address _____

Phone _____

City _____

State _____

Zip _____

ADDRESS OF PROPERTY: 59 N Lyon St Batavia NY 14020

DIMENSIONS OF EXISTING DRIVEWAY: Width N/A Length N/A

DIMENSIONS OF NEW DRIVEWAY / ADDITION: Width 16'6" Length 66'

SURFACE MATERIAL: Existing N/A Proposed Stone / Pavers

Randy White
Applicant's Signature

5/17/16
Date

Randy White
Owner's Signature

5/17/16
Date

To be filled out by Zoning Enforcement Officer

TAX PARCEL: _____ ZONING DISTRICT: _____ SURVEY: _____

DIMENSIONS OF LOT: Lot Frontage 75' Front Yard 75'

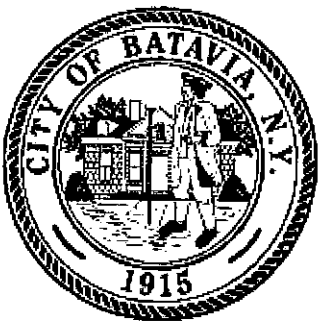
PERCENTAGE OF LOT FRONTAGE: 38.6% SURFACE MATERIAL: Stone

APPROVED: _____ AREA VARIANCE: ☒ GRADE PLAN: _____

ISSUING OFFICER: _____ DATE: _____

18.75' Permitted
- 29' Proposed.
10.25' Over
2.5A Reg.

12.5' Existing driveway.
+ 16.5' New/Additional driveway.
29' Total = 38.6%



City of Batavia
Department of Public Works
Bureau of Inspections

One Batavia City Center, Batavia, New York 14020

(585)-345-6345

(585)-345-1385 (fax)

To: Genesee County Planning
Planning and Development Committee

From: Doug Randall, Code Enforcement Officer

Date: 6/15/16

Re: **59 Main St.**
Tax Parcel No. 84.011-3-4

Zoning Use District: C-3

The applicant, Ken Mistler (owner), has filed an application for permission to alter the previously approved (8/26/14) exterior changes to this commercial building located within the Business Improvement District. The applicant proposes to completely enclose the area of the patio located under the roof with an assembly of wall and overhead door sections. The changes will be similar to a design previously approved by the PDC on 6/18/13. The previously approved applications and minutes from those meetings are attached.

Note: This is a type II action as defined by Environmental Conservation Law and is not subject to review under SEQR 6 NYCRR Part 617.5 (c) (10).

Review and Approval Procedures:

County Planning Board- Pursuant to General Municipal Law 239 m, referral to the County Planning Board is required since the property is within 500 feet of the right of way of a state road or highway.

City Planning and Development Committee- Pursuant to section 190-14 D (2)(a) of the zoning ordinance, the Planning and Development Committee shall review and approve applications for permits that involve exterior changes that occur on buildings located within the C-3 (BID).

SEND OR DELIVER TO:

GENESEE COUNTY DEPARTMENT OF PLANNING

3837 West Main Street Road

Batavia, NY 14020-9404

Phone: (585) 344-2580 Ext. 5467

DEPARTMENT USE ONLY:

GCDP Referral # _____



*** GENESEE COUNTY ***
PLANNING BOARD REFERRAL

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) INFORMATIONBoard(s) Planning and Development CommitteeAddress One Batavia City CentreCity, State, Zip Batavia, NY 14020Phone (585) 345 - 6347 Ext. _____**2. APPLICANT INFORMATION**Name Ken MistlerAddress 59 Main St.City, State, Zip Batavia, NY 14020Phone (585) 409 - 8405 Ext. _____ Email _____MUNICIPALITY: ☒ City ☐ Town ☐ Village of Batavia**3. TYPE OF REFERRAL:** (Check all applicable items)☐ Area Variance☐ Use Variance☐ Special Use Permit☐ Site Plan Review☐ Zoning Map Change☐ Zoning Text Amendments☐ Comprehensive Plan/Update☒ Other: Exter. changes BID

Subdivision Proposal

☐ Preliminary☐ Final**4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:**A. Full Address 59 Main St.B. Nearest intersecting road Court St.C. Tax Map Parcel Number 84.011-3-4

D. Total area of the property _____ Area of property to be disturbed _____

E. Present zoning district(s) C-3**5. REFERRAL CASE INFORMATION:**

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

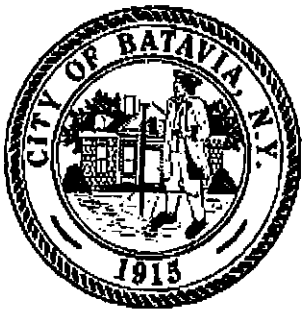
☒ NO ☐ YES If yes, give date and action taken _____

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

BMC 190-14 (2)(a)C. Please describe the nature of this request Approval to alter previously approved exterior changes to this commercial building located within the Business Improvement District.**6. ENCLOSURES** – Please enclose copy(s) of all appropriate items in regard to this referral☒ Local application☐ Site plan☐ Subdivision plot plans☐ SEQR forms☐ Zoning text/map amendments☐ Location map or tax maps☒ Elevation drawings☐ Agricultural data statement☐ New or updated comprehensive plan☐ Photos☒ Other: Cover letter, agenda items and meeting minutes from prev. mtgs.

If possible, please provide a reduced version or digital copy of any supporting documentation larger than 11 x 17.

Email to planning@co.genesee.ny.us**7. CONTACT INFORMATION** of the person representing the community in filling out this form (required information)Name Douglas Randall Title Code Enf. OfficerPhone (585) 345 - 6327 Ext. _____Address, City, State, Zip One Batavia City Centre, Batavia, NY 14020Email drandall@batavianewyork.com



City of Batavia
Department of Public Works
Bureau of Inspections

One Batavia City Center, Batavia, New York 14020

(585)-345-6345

(585)-345-1385 (fax)

To: Genesee County Planning
Planning and Development Committee

From: Doug Randall, Code Enforcement Officer

Date: 7/23/14

Re: 59 Main St.
Tax Parcel No. 84.011-3-4

Zoning Use District: C-3

The applicant, Ken Mistler (owner), has applied for a building permit to alter the exterior of this commercial building located in the Business Improvement District. The applicant proposes to reconfigure the front entrance and window system, place awnings across the front and rear facades, apply new signage to the front and rear, and to construct a metal canopy over a portion of the existing patio on the west side of the building.

Note: This is a type II action as defined by Environmental Conservation Law and is not subject to review under SEQR 6 NYCRR Part 617.5 (c) (1).

Review and Approval Procedures:

County Planning Board- Pursuant to General Municipal Law 239 m, referral to the County Planning Board is required since the property is within 500 feet of the boundary of the city; the boundary of a County or State park or other recreation area; **the right of way of a state parkway, thoroughway, expressway, road or highway;** the boundary of county or state owned land on which a public building or institution is situated; the boundary of a farm operation located in an agricultural district (not required for area variances).

City Planning and Development Committee- Pursuant to section 190-14 D (2) (a and b), Prior to permit issuance, the Planning and Development Committee shall review and approve applications involving exterior changes that require the issuance of a building permit and applications for sign permits on properties located within the Business Improvement District.

SEND OR DELIVER TO:

GENESEE COUNTY DEPARTMENT OF PLANNING
3837 West Main Street Road
Batavia, NY 14020-9404
Phone: (585) 344-2580 Ext. 5467

DEPARTMENT USE ONLY:

GCDP Referral # _____



*** GENESEE COUNTY ***
PLANNING BOARD REFERRAL

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) INFORMATIONBoard(s) Planning and Development CommitteeAddress One Batavia City CentreCity, State, Zip Batavia, NY 14020Phone (585) 345 - 6347

Ext. _____

2. APPLICANT INFORMATIONName Kenneth MistlerAddress 59 Main St.City, State, Zip Batavia, NY 14020Phone (585) 409 - 8405

Ext. _____

Email _____

MUNICIPALITY: ☒ City ☐ Town ☐ Village of Batavia**3. TYPE OF REFERRAL:** (Check all applicable items)

- ☐ Area Variance
☐ Use Variance
☐ Special Use Permit
☐ Site Plan Review

- ☐ Zoning Map Change
☐ Zoning Text Amendments
☐ Comprehensive Plan/Update
☒ Other: Exter. changes and sig

- Subdivision Proposal
☐ Preliminary
☐ Final

4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:A. Full Address 59 Main St.B. Nearest intersecting road Court St.C. Tax Map Parcel Number 84.011-3-4

D. Total area of the property _____ Area of property to be disturbed _____

E. Present zoning district(s) C-3 (B.I.D.)**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

BMC 190-14 (2) (a,b)C. Please describe the nature of this request Approval to change the exterior appearance and place wall signs on this commercial building located within the Business Improvement District.**6. ENCLOSURES** – Please enclose copy(s) of all appropriate items in regard to this referral

- ☒ Local application
☐ Site plan
☐ Subdivision plot plans
☐ SEQR forms

- ☐ Zoning text/map amendments
☐ Location map or tax maps
☒ Elevation drawings
☐ Agricultural data statement

- ☐ New or updated comprehensive plan
☒ Photos
☐ Other: Cover letter

If possible, please provide a reduced version or digital copy of any supporting documentation larger than 11 x 17.
Email to planning@co.genesee.ny.us

7. CONTACT INFORMATION of the person representing the community in filling out this form (required information)Name Douglas RandallTitle Code Enf. OfficerPhone (585) 345 - 6327

Ext. _____

Address, City, State, Zip One Batavia City Centre, Batavia, NY 14020Email drandall@batavianewyork.com

CITY SLICKERS

PATIO ALTERATIONS



CODE REVIEW:
- ADDITION SHALL COMPLY WITH EBCNYS CHAPTER 10 AND SHALL COMPLY WITH THE CODES OF NEW YORK STATE
BUILDING CODE:
- BUILDING CONSTRUCTION TYPE = IIA
CHAPTER 5
- MAXIMUM ALLOWABLE FIRE AREA IN A-2 OCCUPANCY = 15,500 SQ FT. MAXIMUM PROPOSED = 7,400 SQ FT.
- MEZZANINES WILL NOT BE USED IN THIS PROJECT.
CHAPTER 7
- NO LIMIT ON WALL OPENINGS PER TABLE 704.8 BASED ON PREVIOUSLY OBTAINED VARIANCE FROM NYS DOS PETITION 2013-0116
- NO FIRE WALLS OR FIRE BARRIERS REQUIRED
CHAPTER 8
- CLASS "C" INTERIOR WALL AND CEILING FINISHES MAY BE USED IN ROOMS AND ENCLOSED SPACES.
CHAPTER 9
- EXISTING BUILDING IS PROVIDED WITH AN AUTOMATIC SPRINKLER SYSTEM. SYSTEM WILL NEED TO MODIFIED TO PROVIDE ADEQUATE PROTECTION TO ALTERED SPACES.
- PROVIDE EXTERIOR GRILL AREA WITH AN ALTERNATIVE EXTINGUISHING SYSTEM AS REQUIRED PER FCNYS 904.11.
- STANDPIPE SYSTEMS ARE NOT REQUIRED IN THIS PROJECT.
- PORTABLE FIRE EXTINGUISHERS SHALL BE PROVIDED AS INDICATED ON THE DRAWINGS. EXTINGUISHERS SHALL BE LOCATED IN ACCORDANCE WITH TABLE F906.1 AND SHALL NOT BE SEPARATED BEYOND THE MAXIMUM TRAVEL DISTANCE INDICATED FOR EACH CLASS OF FIRE EXTINGUISHER.
- A MANUAL FIRE ALARM SYSTEM AND AUTOMATIC FIRE DETECTION SYSTEM ARE REQUIRED BY NFPA 101.
CHAPTER 10
- EGRESS CEILING HEIGHTS EXCEED 8'-0" IN ALL LOCATIONS.
- PROPOSED ADDITIONAL ENCLOSED SPACE OCCUPANT LOAD (PER TABLE 1004.1.1):
GROUP A-2
ASSEMBLY AREA (FIXED SEATS) = 24 PERSONS
ASSEMBLY AREA (UNCONCENTRATED TABLES/CHAIRS) = 564 SF/15 NET/SF = 31 PERSONS
TOTAL PATIO OCCUPANT LOAD = 61 PERSONS

- MINIMUM EGRESS WIDTH PER TABLE 1005.1 IN ALL AREAS = 36 INCHES
- EMERGENCY LIGHTING SHALL BE PROVIDED FOR ALL MEANS OF EGRESS
- ALL MEANS OF EGRESS MEET THE ACCESSIBILITY REQUIREMENT AS PER SECTION 1007
- PROPOSED EGRESS DOOR EXCEED THE MINIMUM REQUIREMENT FOR WIDTH AND SIKING IN THE DIRECTION OF TRAVEL. ALL EGRESS DOORS SHALL BE EQUIPPED WITH PANIC HARDWARE.
- STAIRWAYS, HANDRAILS AND RAMPS ARE NOT PROPOSED IN THIS PROJECT
- EXIT SIGNS ARE INDICATED ON THE PLANS ACCORDING TO SECTION 1011.
- COMMON PATH OF EGRESS TRAVEL DOES NOT EXCEED 75 FT AS PERMITTED IN SECTION 1014.3. MAX PROPOSED = 55'
- EXIT TRAVEL DISTANCES ARE LESS THAN THOSE PERMITTED IN TABLE 1016.1 (A = 250 FT)
- TOTAL EXITS REQUIRED FOR 61 OCCUPANTS ACCORDING TO SECTION 1019 IS 2. ACTUAL NUMBER OF EXITS PROVIDED IS 2.
CHAPTER 11
- THE EXISTING BUILDING AND PROPOSED ADDITION MEET THE REQUIREMENTS OF CHAPTER 11 OF THE NEW YORK STATE BUILDING CODE.
PLUMBING CODE
CHAPTER 29
MINIMUM NUMBER OF REQUIRED PLUMBING FACILITIES REQUIRED:
USE GROUP A-2 (ASSEMBLY)
FIXTURE REQUIREMENTS BASED ON TOTAL BUILDING OCCUPANT LOAD OF 286
- WATER CLOSETS = 4 REQUIRED (2 MEN/2 WOMEN)
 (1 PER 75 MEN; 1 PER 75 WOMEN)
- LAVATORIES = 2 REQUIRED (1 MEN/1 WOMEN)
 (1 PER 200 MEN; 1 PER 200 WOMEN)
- BATHTUBS OR SHOWERS ARE NOT REQUIRED BY CODE
- SERVICE SINKS = 1 REQUIRED
ACTUAL FIXTURES PROVIDED:
WATER CLOSETS = 4 WATER CLOSETS PROVIDED
LAVATORIES = 2 PROVIDED
SERVICE SINK = 1 PROVIDED



REVISION TABLE	
NUMBER	DESCRIPTION

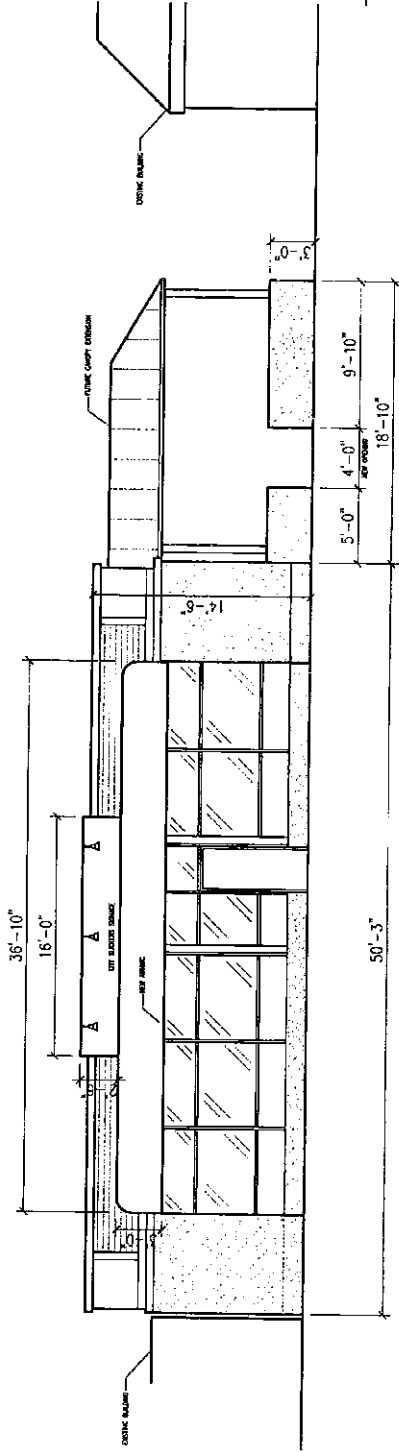
CITY SLICKERS
59 MAIN ST
BATAVIA, NY 14020

DRAWINGS PROVIDED BY:
TIMOTHY J. ROY, P.E.
7319 COUNMAN RD
LE ROY, NY 14482
(585) 297-4954
timhens@rochester.rr.com

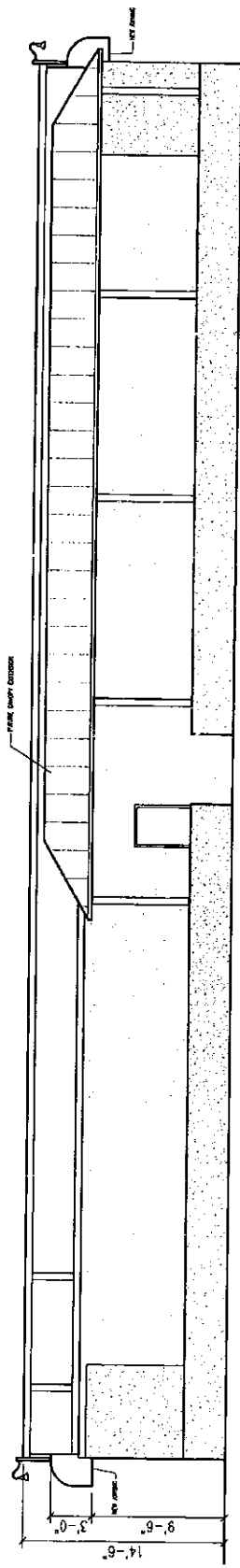
DATE:
6/2/2016

SCALE:

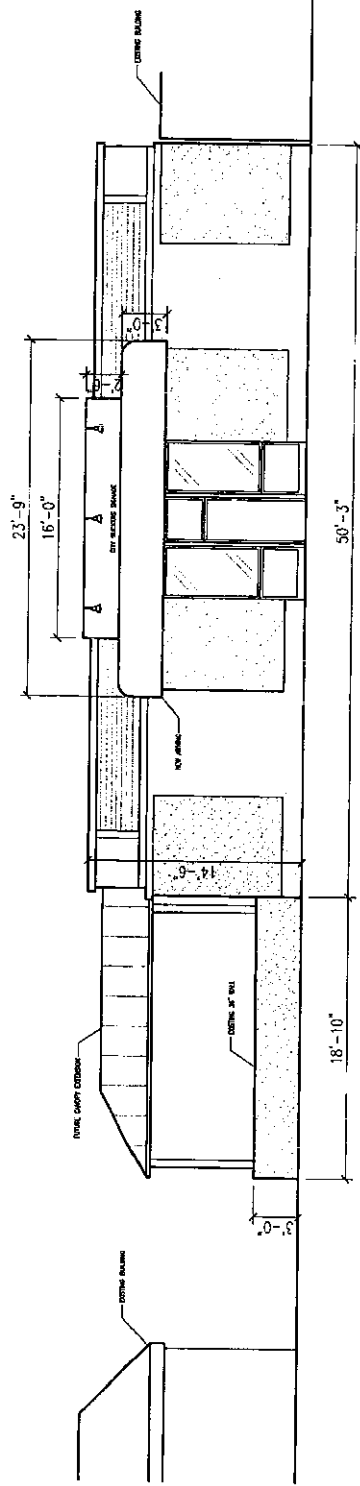
SHEET:
COVER



Front Elevation
SCALE: 1/8" = 1'-0"



East Elevation
SCALE: 1/8" = 1'-0"

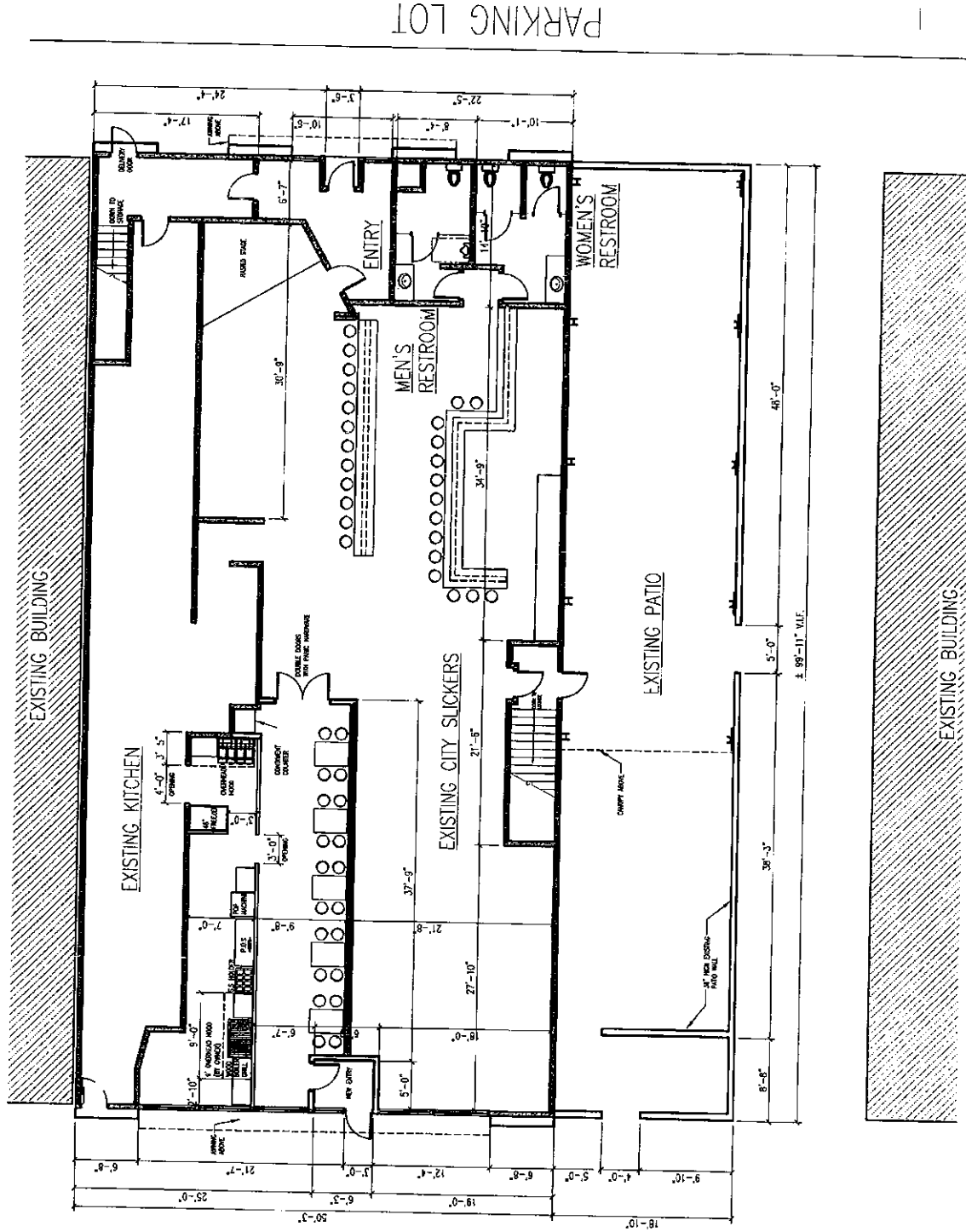


Back Elevation
SCALE: 1/8" = 1'-0"

PROPOSED ELEVATIONS		CITY SLICKERS		KENNY MISTELL		SCHENNE & ASSOCIATES		NO. DATE DESCRIPTION	
SCALE: As Noted		59 Main Street		Batavia, New York		CONSULTING ENGINEERS 281 West Main Street Batavia, NY 14020 (716) 688-4991 Fax (716) 766-1829			
DATE: 7/2/2014		Batavia, New York		Batavia, New York		PROJECT: RECONSTRUCTION OF THE ADDITION			
DWG. A-3									

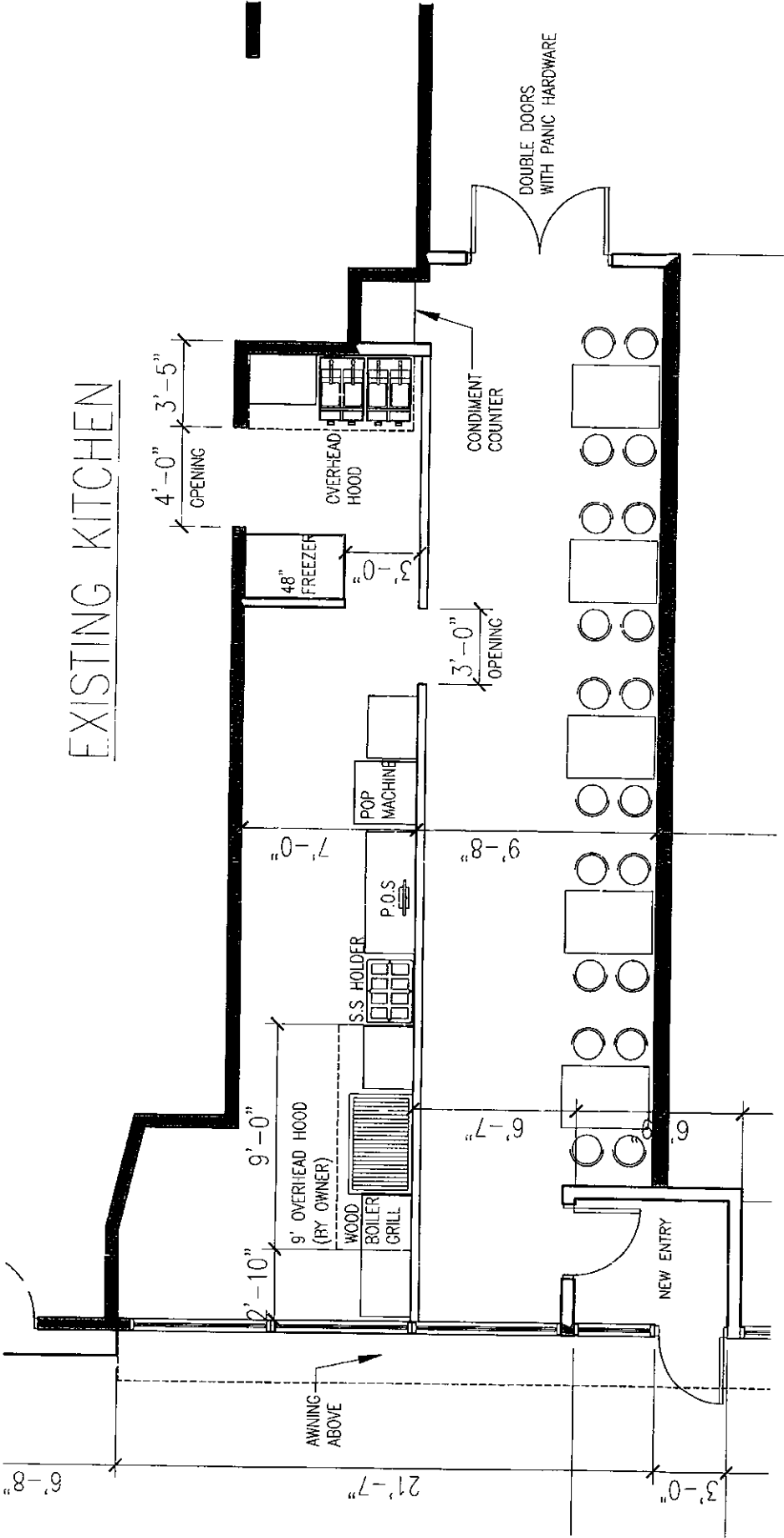


NO. DATE	DESCRIPTION	<p>THIS AGREEMENT OF SCHEDULED WORK ADDRESS IS OF THE NATURE OF A CONTRACT AND IS NOT TO BE CONSIDERED A CONTRACT FOR THE WORK TO BE DONE UNLESS IT IS SIGNED BY THE OWNER AND THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE WORK TO BE DONE AND SHALL BE RESPONSIBLE FOR THE WORK TO BE DONE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE WORK TO BE DONE AND SHALL BE RESPONSIBLE FOR THE WORK TO BE DONE.</p>	<p>SCHENNE & ASSOCIATES CONSULTING ENGINEERS 391 Washington Street Suite 900 Buffalo, NY 14203 (716) 866-4861 Fax (716) 768-1829</p>	<p>KENNY MISTELL Batavia, New York</p>	<p>CITY SLICKERS 59 Main Street Batavia, New York</p>	SCALE: As Noted	DATE: 7/2/2014	A-4
						<p>ROOF PLAN</p>		



Floor Plan
SCALE: 3/32" = 1'-0"

NO. DATE DESCRIPTION		SCHENCK & ASSOCIATES CONSULTING ENGINEERS 301 Washington Street Suite 500 Burlington, NY 14603 (716) 665-4851 Fax (716) 665-1626		KEN MISTLER Batavia, New York		CITY SLICKERS 59 Main Street Batavia, New York		PROPOSED FLOOR PLAN SCALE: As Noted DATE: 7/2/2014 DWG. A-1	
		<small> I, S. A. MASON, OF BURLINGTON, NEW YORK, AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF NEW YORK, AND I HEREBY CERTIFY THAT I HAVE EXAMINED THE ABOVE DRAWING AND THAT IT ACCURATELY REPRESENTS THE WORK DESCRIBED THEREON, AND THAT I AM NOT PROVIDING ANY DESIGN OR CONSTRUCTION SERVICES TO ANY OTHER PARTY IN CONNECTION WITH THIS PROJECT. </small>							



Enlarged Floor Plan 1
A-2
SCALE: 1/4" = 1'-0"

NO. DATE DESCRIPTION	1 A-2	SCHENNE & ASSOCIATES CONSULTING ENGINEERS 381 Washington Street Suite 400 Batavia, New York 14020 (716) 855-0081 Fax (716) 798-1829	KEN MISTLER Batavia, New York	CITY SLICKERS 59 Main Street Batavia, New York	PROPOSED FLOOR PLAN SCALE: As Noted DATE: 7/2/2014 DWG. A-2
----------------------	----------	---	----------------------------------	--	--

DAVID S. LAMENDOLA
GREGORY W. TOWNSEND
Licensed Land Surveyors
485 East Main Street
Batavia, New York 14020
Phone (585) 344-1331
Fax (585) 343-2691

REFERENCE
SURVEY MAP NO. B-2185-3B BY MCMINTOSH & MCMINTOSH,
LS, LAST DATED APRIL 8, 2002

NOTES:
- The parcel surveyed is part of land conveyed to the
City of Batavia at Liber 415 of Deeds, page 891
- The parcel surveyed is part of Tax Map No. 84.11-3-6
- The parcel surveyed is to be merged with Tax Map No.
84.11-3-4

APPROVED BY CITY OF BATAVIA PLANNING BOARD

CHAIRMAN _____

DATE _____

APPROVED BY CITY OF BATAVIA ENGINEERS

ENGINEER _____

DATE _____

FILED IN GENESEE COUNTY CLERK'S OFFICE AS:

CABINET No. _____ SLIDE No. _____ MAP No. _____

COUNTY CLERK _____

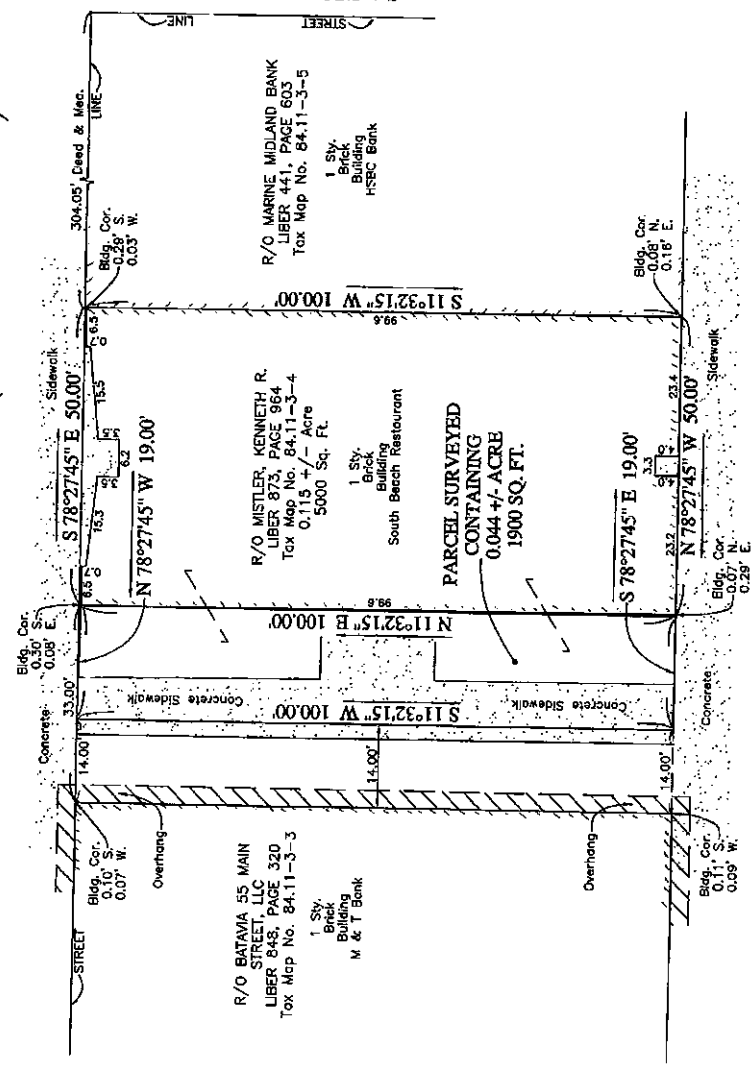
DATE _____

I HEREBY CERTIFY THAT THIS LAND SEPARATION WAS
PREPARED BY ME, AND WAS MADE FROM AN ACTUAL
SURVEY COMPLETED BY ME ON APRIL 15, 2011 AND
REFERENCES LISTED HEREON

BOUNDARY SURVEY SHOWING THE SEPARATION
AND MERGER OF LANDS OF THE CITY OF
BATAVIA, BEING PART OF ORIGINAL VILLAGE
LOT NO. 73, SITUATE IN THE CITY OF BATAVIA,
COUNTY OF GENESEE AND STATE OF NEW YORK
APRIL 15, 2011 SCALE 1" = 20'
JOB NO. 11-76

DATE _____ N.Y.S.R.L.S. No. 50249

MAIN STREET (99.0' R.O.W.)



R/O CITY OF BATAVIA
LIBER 415, PAGE 891
Tax Map No. 84.11-3-6

This particular referenced action is not subject to
Genesee County Health Department review under
New York State Public Health Law Article 11 Title II

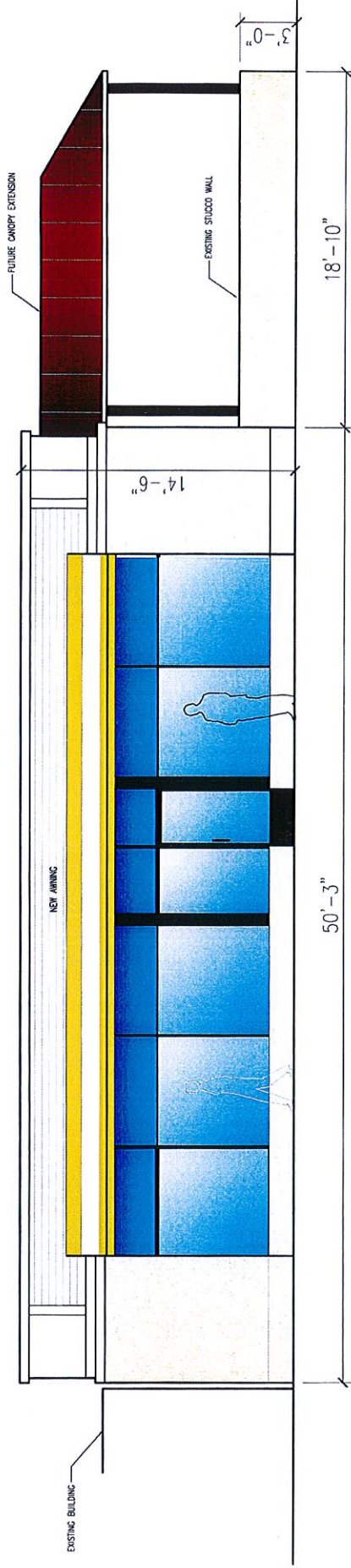
Signature _____ Date _____

REAL PROPERTY TAX SERVICES

DATE _____
APPROVED BY _____

UNAUTHORIZED ALTERATION OF ADDITIONS
TO THIS SURVEY MAP IS PROHIBITED. ANY
ALTERATION OF THIS SURVEY MAP SHALL
BE CONSIDERED TO BE VOID. TRUE COPIES
SHALL BE MAINTAINED BY THE SURVEYOR.
THIS SURVEY WAS PREPARED BY THE
SURVEYOR IN ACCORDANCE WITH THE
PROVISIONS OF THE EASEMENT ACT AND
ON BEHALF OF THE CITY OF BATAVIA,
COUNTY OF GENESEE AND STATE OF NEW YORK.
THE SURVEYOR'S CERTIFICATION IS NOT
A GUARANTEE OF THE ACCURACY OF THE
SURVEYOR'S WORK.





Rendered Front Elevation 1
A4
SCALE: 1/8" = 1'-0"

NO. DATE DESCRIPTION	<p>IT IS A DECLARATION OF EXISTING 2008, SUBSEQUENT TO THE NEW YORK STATE ELECTION LAW FOR ANY PERSON, OTHER THAN THE ARCHITECT, WHO HAS BEEN EMPLOYED BY THE ARCHITECT TO PREPARE OR ASSIST IN THE PREPARATION OF ANY SET OF ARCHITECTURAL DRAWINGS, OR ANY PART THEREOF, THAT THE ARCHITECT HAS NOT BEEN ADVISED BY THE ARCHITECT OF ANY SUCH ALTERATION, AND THE ARCHITECT HAS NOT BEEN ADVISED BY THE ARCHITECT OF ANY SUCH ALTERATION, AND THE ARCHITECT HAS NOT BEEN ADVISED BY THE ARCHITECT OF ANY SUCH ALTERATION, AND THE ARCHITECT HAS NOT BEEN ADVISED BY THE ARCHITECT OF ANY SUCH ALTERATION.</p>	<p>SCHENNE & ASSOCIATES CONSULTING ENGINEERS 391 Washington Street Suite 400 (716) 855-4991 Fax (716) 768-1829</p>	<p>KENNY MISTELL Batavia, New York</p>	<p>CITY SLICKERS 59 Main Street Batavia, New York</p>	<p>RENDERED ELEVATIONS SCALE: As Noted DATE: 6/13/2014 DWG. A-4</p>

DAVID S. LAMENDOLA
GREGORY W. TOWNSEND
Licensed Land Surveyors
435 East Main Street
Batavia, New York, 14020
Phone (585) 844-1331
Fax (585) 945-2661

REFERENCE
SURVEY MAP NO. B-2185-3B BY MCINTOSH & MCINTOSH,
L.S., LAST DATED APRIL 8, 2002
SURVEY MAP NO. 11-76 BY GREGORY W. TOWNSEND,
L.S., DATED APRIL 15, 2011

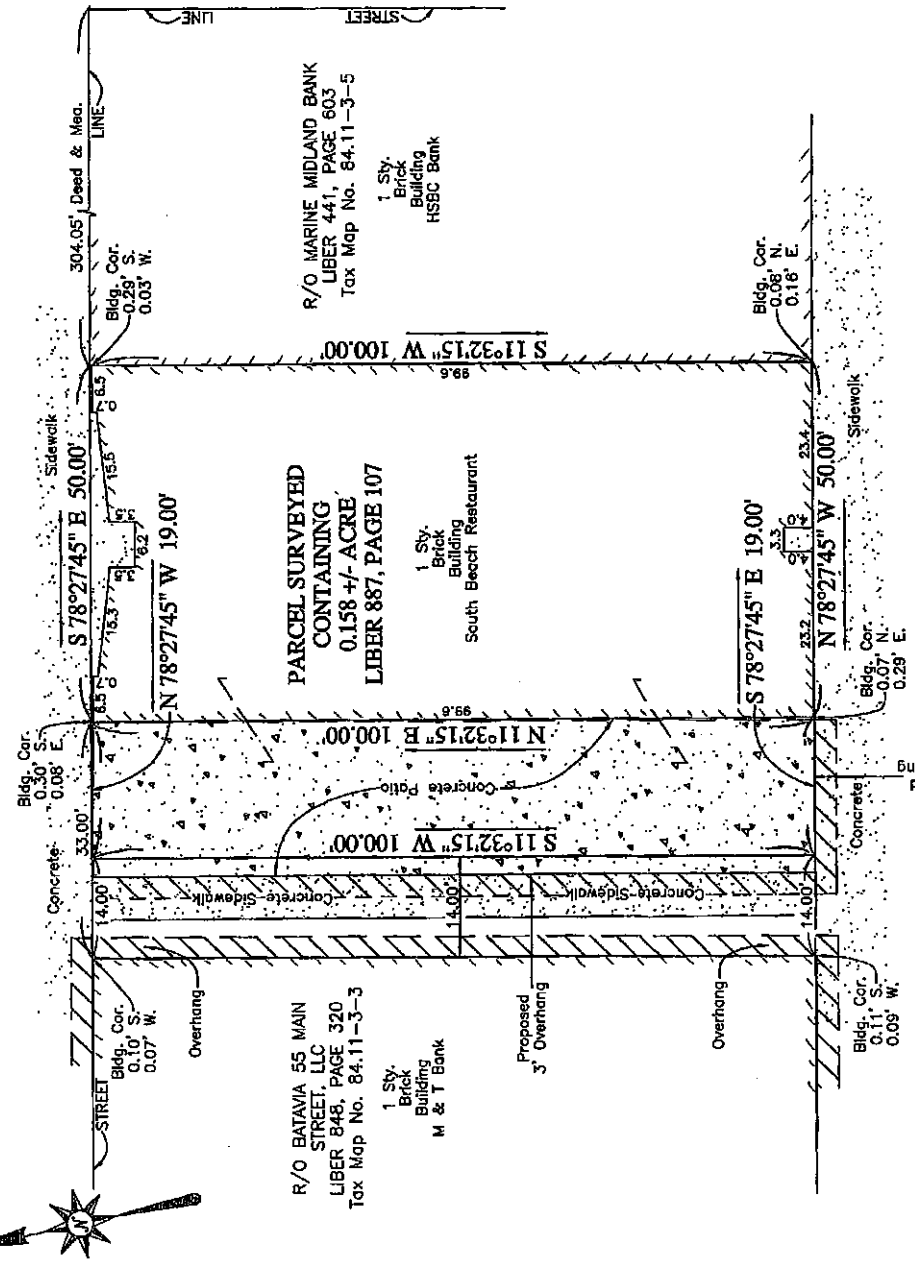
"UNAUTHORIZED ALTERATION OR ADDITION
TO THE SURVEYOR'S SEAL OR THE SURVEYOR'S
SEAL IS A VIOLATION OF SECTION
7209, SUB-DIVISION 2, OF THE NEW YORK
STATE EDUCATION LAW."
"ONLY COPIES FROM THE ORIGINAL OF THIS
SURVEY MARKED WITH AN ORIGINAL OF THE
LAND SURVEYOR'S EMBOSSED SEAL SHALL
BE CONSIDERED TO BE VALID TRUE COPIES."
"CERTIFICATIONS INDICATED HEREON VERIFY
THAT THE SURVEY WAS CONDUCTED IN ACCORDANCE
WITH THE EXISTING CODE OF PRACTICE FOR LAND
SURVEYING ADOPTED BY THE NEW YORK STATE
ASSOCIATION OF PROFESSIONAL LAND SURVEYORS
AND CERTIFICATION THAT THE SURVEY WAS
CONDUCTED IN ACCORDANCE WITH THE EXISTING
AND ON BEHALF OF THE TITLE COMPANY,
GOVERNMENTAL AGENCY AND LEGAL INSTITUTION,
UNITED HEREIN, AND TO THE ASSIGNEES OF THE
LAND SURVEYOR'S EMBOSSED SEAL, AND TO THE
TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR
SUBSEQUENT OWNERS."

BOUNDARY SURVEY SHOWING THE PROPERTY
OF 59 OF BATAVIA, LLC, BEING PART OF
ORIGINAL VILLAGE LOT NO. 73. SITUATE IN
THE CITY OF BATAVIA, COUNTY OF GENESEE
AND STATE OF NEW YORK

AUGUST 13, 2013 SCALE 1" = 20'
JOB NO. 11-76-A

DATE N.Y.S.R.L.S. No. 50249

MAIN STREET (99.0' R.O.W.)



R/O CITY OF BATAVIA
LIBER 415, PAGE 891
Tax Map No. 84.11-3-6

R/O BATAVIA 55 MAIN
STREET, LLC
LIBER 848, PAGE 320
Tax Map No. 84.11-3-3

R/O MARINE MIDLAND BANK
LIBER 441, PAGE 603
Tax Map No. 84.11-3-5

PLANNING & DEVELOPMENT COMMITTEE
MINUTES

August 26, 2014, 6:00 pm
Council Board Room
One Batavia City Centre, Batavia NY

Members present: *Edward Jones, Alfred McGinnis, Duane Preston, Paul Viele*

Others present: *Councilperson Rosemary Christian, Stephen Valle, Carrie Lawrence,
Kenneth Mistler*

I. Roll Call

Roll call of the members was conducted. Four members were present and Chairman Jones declared a quorum.

II. Call to order

Mr. Jones called the meeting to order at 6:02 p.m.

III. Approval of minutes

Duane Preston made a motion to approve the July 15, 2014 minutes. *Paul Viele* seconded. The motion carried 4-0.

IV. Proposals

Mr. Jones announced that two of the items on the agenda were proposed by the same person so to make the meeting proceed more efficiently, he said that he would change the order of the agenda and discuss 242 Ellicott Street first.

- A. Apply exterior insulation finish system (EIFS) to upper 8' of north
and east side elevations of this commercial building located in the BID

Address: *242 Ellicott Street*

Applicant: Stephen Valle (owner)

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

1. Review Application

Mr. Jones read the summary for 242 Ellicott Street. The applicant, Stephen Valle, has applied for approval to apply an exterior insulation finish system (EIFS) on the upper 8' of the north and east side elevations of this commercial building that is located within the Business Improvement District (BID). Windows may also be replaced. Because the project

is located within 500' of the right of way to a state highway, the application must be reviewed by the Genesee County Planning Board (GCPB). Mr. Jones read into the minutes the GCPB's decision to approve the project. (See attached.)

Stephen Valle was present to describe the project. Mr. Jones stated that he was unsure about the nature of the EIFS. Mr. Valle said that some people call the material stucco, and said that he got the idea from the finish that was applied to Alberty's Drugs. Mr. Valle brought paint chips but pointed out that the sample colors are not an exact match. He said that when the time comes to select colors, they will choose a white and a shade of blue-gray to match the flow of the current color of the building. Mr. Jones asked if it was an insulation material and Mr. Valle responded that it was more of a cosmetic material.

Mr. Jones asked about replacing windows. Mr. Valle answered that some were in good shape but that 4-5 windows would probably need to be replaced. Mr. Valle and the board members discussed which windows would need replacing while referring to the photos that accompanied the proposal. Mr. Valle said that they would probably have the windows be white. Mr. Jones said that whatever color flows would work as long as it did not produce a rainbow effect. Two windows are a different color and Mr. Valle explained to Mr. Jones that as the project moves along, eventually the trim on those windows would be painted white to match the others. Mr. Jones said that he would like to make the color of the windows a condition of approval for the project. Mr. Preston asked about the material of the windows and if they would all be vinyl. Mr. Valle said that two of the windows are vinyl and it is his intention to eventually have all white vinyl windows.

Mr. Jones asked when the building had been purchased. Mr. Valle replied that they bought the building last summer. Mr. Jones asked how the tenant is working out, referring to the barber shop. Mr. Valle responded that the barber shop is no longer there, but that while it was there it had worked well. He said that presently there is a salon in that location. Ms. Lawrence added that the upstairs is rented and everything is going well. She said that now they would like to make the corner look attractive. Mr. Jones asked if the front would stay the same. Mr. Valle replied that the material would only come down 8'-9'. He said that the paint that is on the building is not sticking so they tried to find a solution that would keep them from having to paint every three years.

Mr. McGinnis asked what they plan to seal the stucco with. Mr. Valle responded that the material would be treated in whatever manner the contractor recommended. He said the contractor has done this kind of work before in Batavia. Mr. McGinnis pointed out that there are a number of products for sealing stucco in areas with weather like Batavia. Mr. Jones asked about the time frame for beginning work and Mr. Valle replied that they would like to get the project underway as soon as possible.

2. Public Hearing

Mr. Jones opened the public hearing at 6:12 pm. Councilperson Rosemary Christian corrected the agenda which erroneously referred to the location of the project as 242 Ellicott Avenue rather than Ellicott Street. She expressed her approval for the project. There was no one else present to speak about the proposal and Code Enforcement Officer Doug Randall stated that there were no calls or correspondence from the public.

Mr. Jones made a motion to close the public hearing at 6:14 pm. Mr. Viele seconded. All voted in favor.

3. Discussion and Action by the Board

Mr. Jones stated that he approves of the project with the stipulation that the windows eventually all look the same.

Motion by: *Edward Jones*

"I move that the proposed exterior changes to the commercial building at 242 Ellicott Street, as presented to the City of Batavia Planning & Development Committee on August 26, 2014 be approved subject to the following conditions: the remaining windows on the north elevation and east elevation eventually be finished to match, with a white finish, with a 12 month completion time."

Seconded by: *Duane Preston*

Votes in favor: 4 (Edward Jones, Alfred McGinnis, Duane Preston, Paul Viele)

Votes opposed: 0

Votes abstained: 0

Result: Approval of exterior changes.

B. Make exterior changes to the west façade of this commercial building located in the BID

Address: *35-37 Jackson Street – commercial building*

Applicant: *Kenneth Mistler (owner)*

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

1. Review of Application

Because the property is located within 500' of a state highway, the project must be reviewed by the GCPB. Mr. Jones read the approval decision into the minutes. (See attached.) Then

he asked owner, Kenneth Mistler, about his plan for the project. The project involves removing the existing frontage of glass, wood, and stone and replacing it with insulating glass, aluminum, and metal. The materials are going to be different but the position of everything that is currently there, such as the door, will remain the same. Mr. Mistler indicated that the glass around the door will be safety glass.

2. Public Hearing

Mr. Jones opened the public hearing at 6:18 pm. Councilperson Christian voiced her approval for any improvement along Main Street and its side streets. Mr. Randall stated that there were no other calls or correspondence, and no one else was present to speak. Mr. Jones moved to close the public hearing at 6:20 pm. Mr. Viele seconded. All voted in favor.

3. Discussion and Action by the Board

Mr. Jones stated that the project is straightforward and that he believes the front will look attractive with smaller plate glass.

Motion by: *Duane Preston*

“I move that the proposed exterior changes to the commercial building at 35-37 Jackson Street, as presented to the City of Batavia Planning & Development Committee on August 26, 2014 be approved.”

Seconded by: *Paul Viele*

Votes in favor: 4 (*Edward Jones, Duane Preston, Jeff Scott, Paul Viele*)

Votes opposed: 0

Votes abstained: 0

Result: Approval of exterior changes.

- C. Make exterior changes to the exterior of this commercial building located in the BID

Address: 59 Main Street - restaurant

Applicant: Kenneth Mistler (owner)

Actions: 1. Review application

2. Public hearing

3. Discussion and action by the board

1. Review of Application

Mr. Jones explained that the applicant, Kenneth Mistler, has proposed to reconfigure the front entrance and window placement, place awnings across the front and rear facades, apply new signage to the front and rear, and to construct a metal canopy over a part of the existing

patio on the west side of the building. He reported that the project was previously presented to, and reviewed by, the PDC; however, as Mr. Mistler explained, the project has changed since that time. Based on the location of the project within 500' of a state highway, the application was referred to the GCPB. The GCPB recommended approval with the modification that the new sign be externally lit. (See attached.) Mr. Mistler said that he did not understand what the board was referring to and Mr. Viele answered that the recommendation is referring to the sign on the front which is lit internally. While examining the photos accompanying the application, the PDC and Mr. Mistler discussed the lighting of the various signs. Some of the existing signs are already externally lit. However, Mr. Mistler said that sign underneath the awning would be cast in shadow by the projection of gooseneck lights since the awning itself will not be lit. Mr. Preston pointed out that the photo showed it would be dark if the goosenecks projected out past the awning.

Mr. Jones asked if there were any other businesses with the type of awning Mr. Mistler is proposing. Mr. Randall said that the Tattoo Parlor has an awning with a sign lit from below and Mr. Viele added that Alberty's is lit that way also. Mr. Jones stated that he likes it, especially for the south side of the building facing the parking lot. Mr. Viele said that he thinks the awning and signage will dress up both front and back. Mr. Preston asked if the lights would be on a timer and Mr. Mistler said that the lights are on timers now, including the goosenecks.

Mr. Jones asked about the metal canopy and if there would be lighting or signage in the patio area, and Mr. Mistler replied that there would not. Mr. Jones asked what Mr. Mistler intended to do in the front, and he answered that the glass in the front is not insulated and he is replacing it. He said that the glass will be clear as per state regulations. Mr. Jones asked if Mr. Mistler would be doing anything on the south side. Mr. Mistler responded that the awning is the only thing going on that side. Mr. Jones commented that he thinks it looks sharp and makes the area look less like a parking lot. Mr. Randall prompted Mr. Jones to remind the board that to override the recommendation of the GCPB a super majority is needed. Mr. Jones explained to the board that it would take all four members to pass the proposal.

2. Public Hearing

Mr. Jones opened the public hearing at 6:31 pm. Councilperson Christian spoke on behalf of the proposal. She said that she looked forward to seeing Main Street lit up as it once was. She said that the canopy will draw people in and offer a shady place to relax on hot days. She commented that the area was once a derelict spot where drunks sat and people threw garbage. She applauded Mr. Mistler for having his employees clean the area and make it a welcoming place.

There were no others present to speak and no correspondence from the public. Mr. Jones made a motion to close the public hearing at 6:33 pm. Mr. Viele seconded. All voted in favor.

3. Discussion and Action by the Board

Mr. Jones explained that there were several issues: approve exterior changes for property in the BID; the metal canopy; and three Special Sign permits and one Sign permit (two for back; two for awnings).

Mr. Viele commented on the favorable effect of lighted awnings, which he believes brighten an otherwise dark Main Street. Mr. Jones observed that they are trying to create an entertainment component to the business oriented downtown, which perhaps, will draw people in. Mr. Jones asked when Mr. Mistler will construct the canopy, and he said as soon as possible.

Motion by: *Duane Preston*

"I move that the proposed exterior changes to the commercial building at 59 Main Street, as presented to the City of Batavia Planning & Development Committee on August 26, 2014 be approved."

Seconded by: *Paul Viele*

Votes in favor: 4 (*Edward Jones, Alfred McGinnis, Duane Preston, Paul Viele*)

Votes opposed: 0

Votes abstained: 0

Result: Approval of exterior changes.

Motion by: *Duane Preston*

"I make a motion to approve the Special Signs and exterior changes as proposed by the applicant and override the Genesee County Planning Board."

Seconded by: *Paul Viele*

Votes in favor: 4 (*Edward Jones, Alfred McGinnis, Duane Preston, Paul Viele*)

Votes opposed: 0

Votes abstained: 0

Result: Override the GCPB recommendation. Approval of Sign Permits and exterior changes to the commercial building at 59 Main Street.

V. Other/New Business/Updates

Mr. Jones explained that each board member must complete four hours of training per year. He said that there are a couple of ways to fulfill the requirement. One way is to sign up for the training which is offered in Batavia once a year. The training is a daylong Planning/Zoning seminar at the Clarion Hotel. Also, the County does some evening sessions

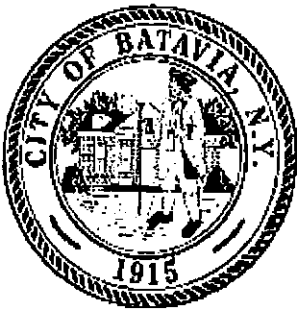
at the end of the year. Another possibility is the workshop taking place in September offered by the DEC.

VI. Next meeting September 16, 2014

VII. Mr. Jones closed the meeting at 6:38 pm.

Respectfully submitted,

Meg Chilano



City of Batavia
Department of Public Works
Bureau of Inspections

One Batavia City Center, Batavia, New York 14020

(585)-345-6345

(585)-345-1385 (fax)

To: Planning and Development Committee
From: Doug Randall, Code Enforcement Officer
Date: 5/31/13
Re: **59 Main St.**
Tax Parcel No. 84.011-3-4

Zoning Use District: C-3

The applicant, Kenneth Mistler (owner), has applied for approval to; cover with a roof and enclose an existing patio with an assembly of wall and overhead door sections.

Note: This is a type II action as defined by Environmental Conservation Law and is not subject to review under SEQR 6 NYCRR Part 617.5 (c) (7).

Review and Approval Procedures:

County Planning Board- On 3/8/12 the Genesee County Planning Board approved the "Downtown Design (site plan)" to enclose the existing restaurant/bar patio with an assembly of walls and overhead door. The explanation of their decision was that "the proposed enclosure contains some of the design elements of other buildings found in the C-3 district".

City Planning and Development Committee- Pursuant to section 190-14 D. (2)(a) of the zoning ordinance, the Planning and Development Committee shall review and approve applications for permits that involve exterior changes that occur on buildings located within the C-3 (B.I.D) .

On 3/20/12 the PDC reviewed and approved the preliminary plan requesting the applicant to submit a final plan for PDC approval and provide code compliant plans for code approval.



GENESEE COUNTY PLANNING BOARD
ZONING REFERRALS NOTICE OF FINAL
ACTION

GCDP Referral ID C-11-BAT-3-12

Review Date 3/8/2012

Municipality

BATAVIA, C.

Board Name

CITY PLANNING AND DEVELOPMENT COMM.

Applicant's Name

KENNETH MISTLER

Referral Type

Downtown Design (Site Plan) Review

Variance(s)

Description:

Downtown Design (Site Plan) Review to enclose an existing restaurant/bar patio with an assembly of walls and overhead doors.

Location

59 Main St. (NYS Rts 5 & 33)

Zoning District

Central Commercial (C-3) District

PLANNING BOARD DECISION

APPROVAL

EXPLANATION:

The proposed enclosure contains some of the design elements of other buildings found in the C-3 District.

James Durval

Director of Planning

3/9/12

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 at 344-2580 x 5466, or online at <http://www.co.genesee.ny.us/> under Forms and Permits for Towns and Villages.



ANDREW M. CUOMO
GOVERNOR

STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001

CESAR A. PERALES
SECRETARY OF STATE

STATE OF NEW YORK: DEPARTMENT OF STATE

In the Matter of the Petition of:
Kenneth Mistler
For a Variance to the New York State
Uniform Fire Prevention & Building Code

DECISION

PETITION NO. 2013-0116

Upon the application of Kenneth Mistler, filed pursuant to 19 NYCRR 1205 on March 12, 2013, and upon all other papers in this matter, the Department makes the following determination:

NATURE OF GRIEVANCE AND RELIEF SOUGHT

The petition pertains to the construction of a one story addition to an existing, of type IIB (non-combustible) construction classification, for A2 (assembly-restaurant) occupancy, with approximate gross floor area of about 3400 square feet, located at 59 Main street, City of Batavia, County of Genessee, State of New York.

The petitioner is seeking relief from:

19 NYCRR 1227, *The Existing Building Code of New York State*, Section 1001.1: Additions shall comply with the Codes of New York State.

19 NYCRR 1221, *The Building Code of New York State*, Table 602: which requires that exterior walls between 5 feet to 10 feet fire separation distance be one hour fire rated. [Petitioner seeks relief for an unrated north wall at 5 feet fire separation distance.]

19 NYCRR 1221, *The Building Code of New York State*, Table 704.8: which requires that protected openings be limited to a maximum of 25% of the wall and unprotected openings be limited to a maximum of 10% of the wall when fire separation distance is 5 feet to 10 feet. [Petitioner seeks relief for unprotected openings exceeding 25% of the wall area.]

FINDINGS OF FACT

1. The petition pertains to the construction of a one story addition to an existing, of type IIB (non-combustible) construction classification, for A2 (assembly-restaurant) occupancy.
2. The existing building is a restaurant with a patio. The project scope involves installing new roof and walls to enclose the patio area.
3. The north wall of the building will be about 5 feet from the center of a public walkway. The fire separation distance is, therefore, 5 feet.

4. The existing restaurant of about 2400 square feet as well as the new enclosed patio of about 1000 square feet will be fully sprinklered.
5. The north wall of the enclosed patio will be installed with overhead garage type windows to facilitate opening up the patio during summer season.
6. A continuous row of sprinklers will be installed along the north wall to provide for a deluge sprinkler protection.
7. The Town is not opposed to a variance being granted administratively.

CONCLUSIONS OF LAW

Strict compliance with the provisions of the Uniform Fire Prevention and Building Code would entail practical difficulties or unnecessary hardships and would be unnecessary in light of alternatives which ensure the achievement of the Code's intended objective, or in light of alternatives, which without a loss and level of safety, would achieve the Code's intended objective more efficiently, effectively and economically. This variance will not substantially adversely affect the Uniform Code's provisions for health, safety and security.

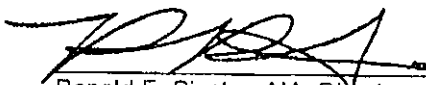
DETERMINATION

WHERE IT IS DETERMINED that the application for a variance from 19 NYCRR 1227, *The Existing Building Code of New York State*, Section 1001.1 and 9 NYCRR 1221, *The Building Code of New York State*, Table 602 and 19 NYCRR 1221, *The Building Code of New York State*, Table 704.8, be, and is hereby GRANTED with the following conditions:

1. The existing restaurant and the enclosed patio addition shall be fully sprinklered.
2. A row of sprinklers at 6 feet on center shall be installed along the north wall of the addition to provide a water wash protection.

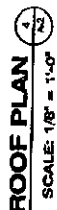
This DECISION is issued under 19 NYCRR 1205.6, unless objected to by the petitioner in a writing received by the department. The decision shall become final after fifteen days of receipt of the decision by the parties.

This decision is limited to the specific building and application before it, as contained within the petition, and should not be interpreted to give implied approval of any general plans or specifications presented in support of this application.


Ronald E. Piester, AIA, Director
Division of Code Enforcement and Administration

DATE: 3/21/13

kv:sg



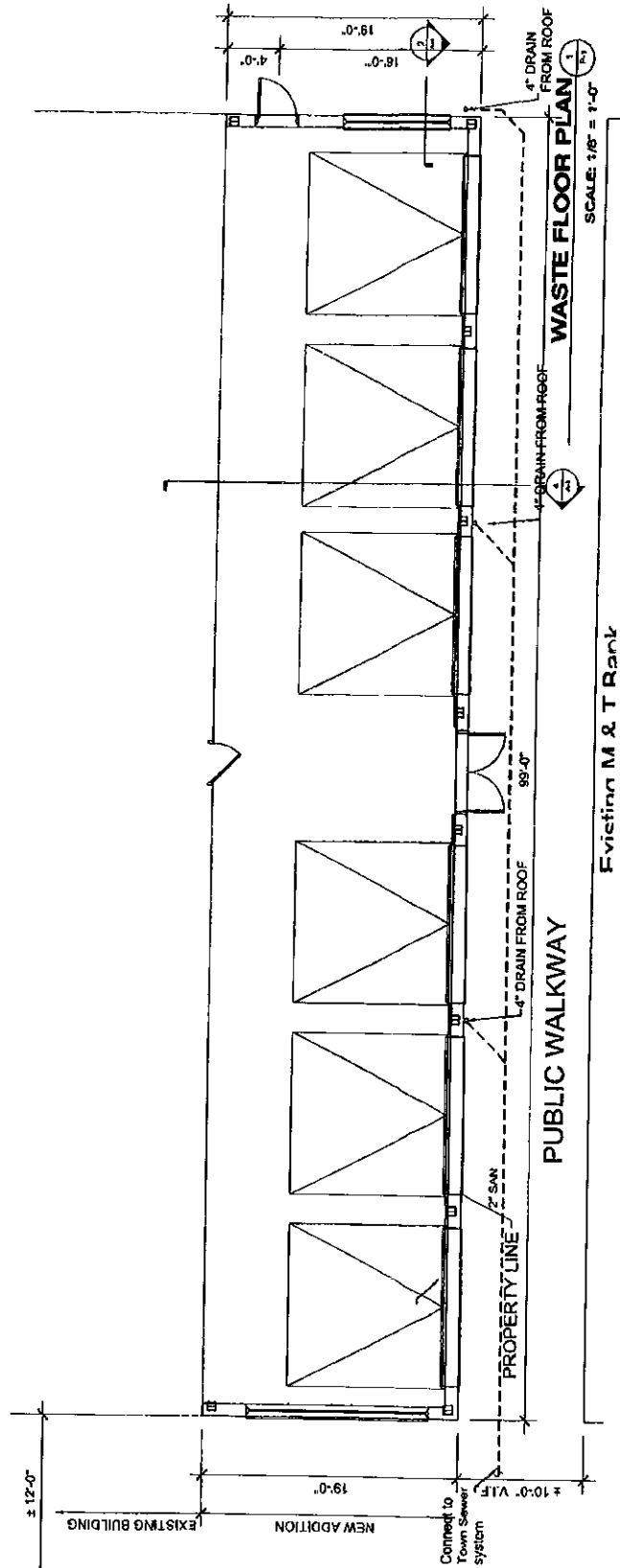
SCHENNE & ASSOCIATES
CONSULTING ENGINEERS
867 LUTHER ROAD
EAST AURORA, NEW YORK 14032
(716) 605-1891 FAX (716) 899-3372

**CITY SLICKERS
RESTAURANT ADDITION**
59 Main Street
BATAVIA, NEW YORK 14020



WALL SECTION 1

CITY SLICKERS RESTAURANT ADDITION 59 MIDDLETOWN SATANA, NY 14020	ACB# WALL SECTIONS	SQUARE 14'x14' DATE 8/1/71 DWG. A-3
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MECHANICAL FLOOR PLAN

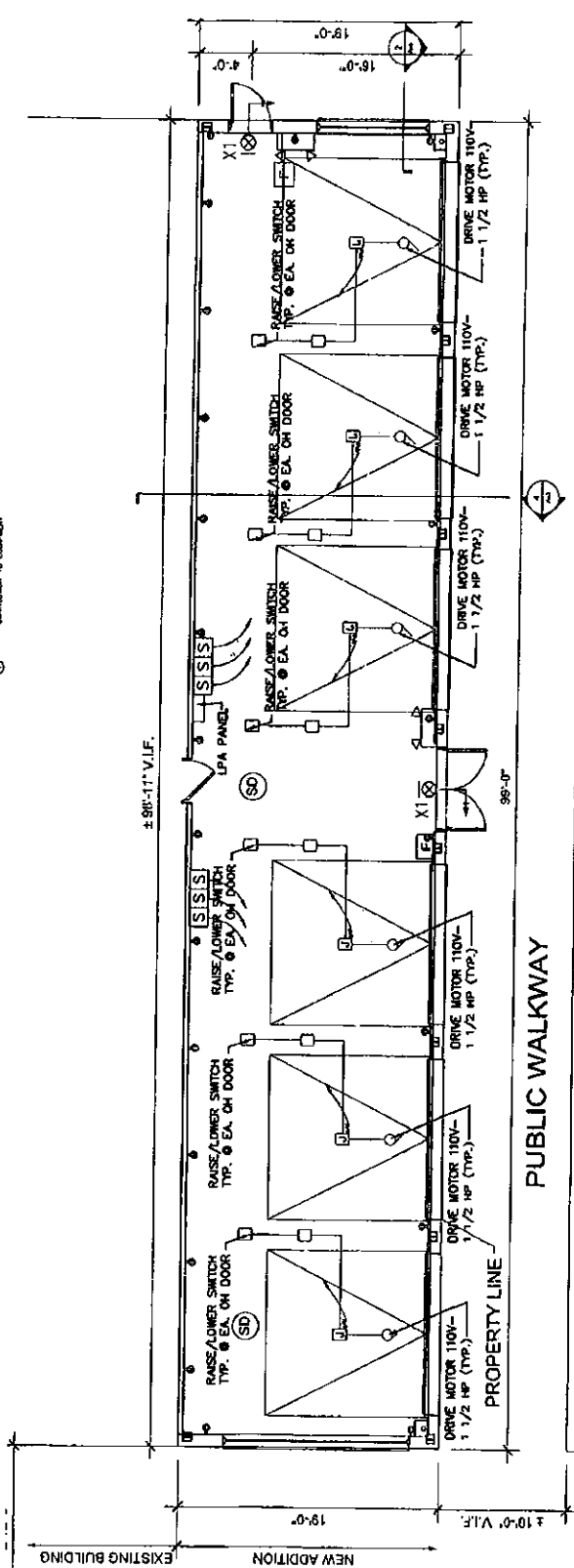
SCALE: 1/4" = 1'-0"

CITY SLICKERS RESTAURANT ADDITION 50 Ninth Street BAYTOWN, NEW YORK, 14020		MECHANICAL PLAN 14020	
SCHENNE & ASSOCIATES CONSULTING ENGINEERS 1871 HYDE PARK EAST ARMONK, NEW YORK, 14052 (716) 838-1891 FAX (716) 838-3592		SCALE: 1/8" = 1'-0" DATE: 11-1	
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| 1 | SAFETY SWITCH - WHEN PULLING PISTON, ARM, ALLOW
CABLECARE PISTON BE NOTED - SEE SCHEMATIC DRAWING |
| 2 | RELAY |
| 3 | COMPRESSOR |
| 4 | COMPRESSOR |
| 5 | CONDENSER |
| 6 | EVAPORATOR |
| 7 | EXPANSION VALVE |
| 8 | RECEIVER/DRYER |
| 9 | PISTON |
| 10 | ARM |
| 11 | PISTON |
| 12 | PISTON |

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| 1 | INDICATOR | |
| 2 | UPPER STAYED | ON DETECTOR |
| 3 | | |
| 4 | | WALL TELEPHONE INLET |
| 5 | | THE ALARM CONTROL PANEL |
| 6 | | WALLS THE ALARM STATION |
| 7 | | THE ALARM SIGNAL DEVICE |
| 8 | 1 | THE ALARM STATION LIGHT |
| 9 | 2 | THE ALARM SIGNAL AND SIREN |
| 10 | 3 | ALARM REPORTED SENSITIVE DETECTOR |
| 11 | 4 | CEILING MOUNTED WAVE DETECTOR |
| 12 | 5 | CEILING MOUNTED SMOKE DETECTOR |
| 13 | 6 | FOR PORTABLE STATION |
| 14 | | ALARM TEST STATION |
| 15 | | TRUCKING DETECTOR |
| 16 | | THE ALARM RELAY |
| 17 | | GOLDS BEACH GARDEN STATION |
| 18 | | CONNECTION TO COMPANY |



PUBLIC WALKWAY

Existing M & T Bank



POWER PLAN

SCALE: 1/8" = 1'-0"

[illegible]

Planning & Development Committee

Minutes

City of Batavia

Tuesday, June 18, 2013

6:00 P.M.

Council Board Room

City Hall, One Batavia City Centre, Batavia NY

Attendance: Edward Jones, Paul Viele, Duane Preston, Jeff Scott, John Deleo

Absent: none

Chairman Jones calls the roll.

Chairman Jones declares a quorum at 6:01 PM.

1. Approval of Minutes – May 21, 2013

Motion by: Paul Viele

I move the minutes of the meeting of the Planning and Development Committee on May 21, 2013 to be approved as submitted.

Seconded by: John Deleo

Vote for: 4 (Paul Viele, Duane Preston, Jeff Scott, John Deleo)

Vote against: 0

Vote Abstain: 1 (Edward Jones)

Results of motion: Approval of May 21, 2013 meeting minutes.

(SEE MINUTES ON FILE IN CITY CLERKS OFFICE)

2. **Address:** 27-33 Washington Avenue
Applicant: Ron Burroughs, applicant
Proposal: Placement of a 4.9' x 6' digital read board ground sign in the front yard of this property
Actions:
a. Public Hearing
b. Review and Approval of Special Sign Permit

Chairman Jones reviewed the project with the Board. Ron Burroughs was present to explain the project to the Board.

Mr. Burroughs informed the Board that this is replacing an existing sign in the front yard of the property and only one message a day would be on it.

Mr. Burroughs stated that the sign would have the church name on the top half, and the reader board would be the bottom portion. The sign would display the service date and times (ie. Sunday service, Easter service, Christmas service, etc.)

Chairman Jones stated that they are allowed to have the date and time and one message a day; but no flashing, no scrolling messages. Mr. Burroughs stated that they are not interested in having the date and time, just information on the services.

a. Public Hearing

Chairman Jones opened the Public Hearing at 6:07 PM. There was no one present to speak. Chairman Jones motioned to close the Public Hearing at 6:09 PM. Jeff Scott seconded. All in favor.

b. Review and Approval of Special Sign Permit

Chairman Jones reiterated that there cannot be any flashing, scrolling lights or messages, and the date and time can be displayed.

Motion by: Edward Jones

I move that the special sign permit to allow for the placement of the proposed 4.9' tall x 6' wide digital reader board ground sign (free standing sign) at 27-33 Washington Avenue, in the City of Batavia, as presented to the City of Batavia Planning & Development Committee on June 18, 2013 be approved subject to the following conditions (if any): the existing sign will be removed, the proposed sign will not be illuminated or contain flashing, intermittent, rotating, or scrolling lights, except to show time and temperature, and only one message a day.

Seconded by: Jeff Scott

Vote for: 5 (Edward Jones, Paul Viele, Duane Preston, John Deleo, Jeff Scott)

Vote against: 0

Abstained: 0

Results of motion: Approval of special sign permit

3. **Address:** 445 Ellicott Street
Applicant: Gary Privitera, applicant
Proposal: Expansion of the parking lot in the rear yard of this property
Actions:
a. SEQR
b. Public Hearing
c. Review and Approval for Parking Lot Expansion

Chairman Jones reviewed the project with the Board. Genesee County Planning recommended approval. Gary Privitera was present to explain the project.

Mr. Privitera stated that USDA, who is the mortgage holder, is requiring All Babies Cherished to do the parking lot. Mr. Privitera also noted that Mr. Doug Randall mentioned that they should put a fence up so that headlights won't shine onto neighboring properties; there are no homes in the vicinity of this expansion. The closest is about 300 feet away. This would be an extra cost to them, and they are a non for profit agency and rely on funding to exist.

The area right now is stone and will be leveled off to drain to the back of the property. They have a donor who is going to put the cement/concrete in.

a. SEQR

Chairman Jones reviewed the form with the Board.

Motion by: John Deleo

I move that the proposed action specific to the proposed parking lot expansion in the rear yard of 445 Ellicott Street, in the City of Batavia, based upon the Environmental Assessment Form and study that was conducted by the City of Batavia Planning & Development Committee on June 18, 2013 and attached to this motion will

not result in any significant adverse environmental impacts and to declare a **Negative Declaration** regarding this proposed action.

Seconded by: Jeff Scott

Vote for: 5 (Edward Jones, Paul Viele, Duane Preston, John Deleo, Jeff Scott)

Vote against: 0

Abstained: 0

Results of motion: Approval of a Negative Declaration on the SEQR

b. Public Hearing

Chairman Jones opened the Public Hearing at 6:20 PM. There was no one present to speak. Chairman Jones motioned to close the Public Hearing at 6:21 PM. Paul Viele seconded. All in favor.

c. Review and Approval of Parking Lot Expansion

Chairman Jones stated that he would like to see a buffer of some sort put in; shrubs or landscaping of their choice. Mr. Privitera stated he can do that.

Motion by: Paul Viele

I move that the proposed parking lot expansion in the rear yard of 443 Ellicott Street, in the City of Batavia, as presented to the City of Batavia Planning and Development Committee on June 18, 2013 be approved subject to the following conditions (if any): landscaping that was pointed out in the discussion by the Board

Seconded by: John Deleo

Vote for: 5 (Edward Jones, Paul Viele, Duane Preston, John Deleo, Jeff Scott)

Vote against: 0

Abstained: 0

Results of motion: Approval of Parking Lot Expansion

4. **Address:** 338 Ellicott Street
Applicant: Anthony Scalia, owner
Proposal: Alterations to the exterior appearance of this commercial building that is Located within the Central Business District (BID)
Actions:
a. Public Hearing
b. Review and Approval of Exterior Changes

Chairman Jones reviewed the application with the Board. Genesee County Planning approved this application.

a. Public Hearing

Chairman Jones opened the Public Hearing at 6:28 PM. The tenant from 106 Swan Street was present and inquired about the project and what Mr. Scalia was exactly doing and is mainly concerned about what he is doing with the house out behind the little building. Chairman Jones stated he did not know what Mr. Scalia is going to put in this building and the house isn't included in this application. The tenant was pleased that Mr. Scalia is making improvements to this building. Paul Viele motioned to close the Public Hearing at 6:30 PM. John Deleo seconded. All in favor.

b. Review and Approval of Exterior Changes

Paul Viele stated that this project will spruce up the corner. Chairman Jones stated it would be a great improvement.

Motion by: Paul Viele

I move that the application for the proposed changes to the commercial building at 338 Ellicott Street in the City of Batavia, as presented to the City of Batavia Planning and Development Committee on June 18, 2013 be approved be approved subject to the following conditions: none

Seconded by: Jeff Scott

Vote for: 5 (Edward Jones, Paul Viele, Duane Preston, John Deleo, Jeff Scott)

Vote against: 0

Abstained: 0

Results of motion: Approval of Exterior Changes

- | | | |
|-----------|-------------------|--|
| 5. | Address: | 59 Main Street |
| | Applicant: | Ken Mistler, owner |
| | Proposal: | Construct a roof and enclose an existing patio with an assembly of wall and overhead door sections |
| | Actions: | a. Public Hearing
b. Review and Approval of Exterior Changes |

Chairman Jones reviewed the application with the Board. Preliminary site plan was approved by the PDC on 3/20/12 with information still needed: final site plans, and plans for review by the various City departments.

Chairman Jones inquired if drawings have been submitted for code review; per Doug Randall there are not code drawings as of yet.

Mr. Randall stated that he get a variance granted by the state for the setback of the fire separation distance; there is a proposal for an easement to City Council to have a couple feet overhang and he will maintain the sidewalk, but is not sure if it has been approved yet. Mr. Randall also stated Mr. Mistler still needs the plans for the structure.

a. Public Hearing

Chairman Jones opened the Public Hearing at 6:34 PM. There was no one present to speak. Chairman Jones motioned to close the Public Hearing at 6:35 PM. John Deleo seconded. All in favor.

b. Review and Approval

Chairman Jones stated that this project is the same as presented to the Board before, but the only issues he can see is that Mr. Mistler needs to obtain the easement for the overhang and has to submit code compliant plans for City review.

Mr. Randall did inquire about the lighting, just so Mr. Mistler doesn't have to come back again. Mr. Mistler had discussed the lighting before with the Board. Chairman Jones stated that lighting was not on the plans that they received this time. John Deleo stated that they could put it in as a condition to the motion.

Mr. Mistler showed late for the meeting. The Board was discussing the lighting and John Deleo asked about the lighting and what Mr. Mistler has in mind.

Mr. Mistler stated if he receives the easement, he would like to put sconces on the wall on the back side. The lights (shielded) would project down 70% and 30% up. Mr. Mistler stated everything else is remaining the same for the project.

Duane Preston inquired about the time frame. Mr. Mistler stated after approval he will be starting right away and would like the project done before the winter comes.

Motion by: Paul Viele

I move that the final site plan for the patio enclosure at 59 Main Street, as presented to the City of Batavia Planning and Development Committee on June 18, 2013 be approved, subject to the following conditions (if any): easement approval by City Council for the overhang, indirect lighting (sconces), plans are submitted for code review

Seconded by: John Deleo

Vote for: 5 (Edward Jones, Paul Viele, Duane Preston, John Deleo, Jeff Scott)

Vote against: 0

Abstained: 0

Results of motion: Approval of Final Site Plan

6. OTHER BUSINESS

None

7. ADJOURNMENT

The next meeting will be July 16, 2013 at 6:00 PM.

Motion By: Paul Viele

I move to adjourn the meeting.

Seconded by: John Deleo

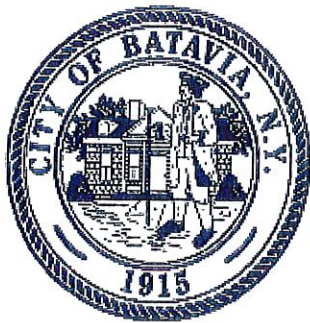
Vote 5-0 in favor of adjournment. Meeting adjourned at 7:33 PM.

Respectfully,

Ann Chilano

Ann Chilano,
Recording Secretary

DRAFT 6-20-13
APPROVED 7-16-13



City of Batavia
Department of Public Works
Bureau of Inspections

One Batavia City Center, Batavia, New York 14020

(585)-345-6345

(585)-345-1385 (fax)

To: Genesee County Planning
Planning and Development Committee

From: Doug Randall, Code Enforcement Officer

Date: 6/28/16

Re: 206 East Main St.
Tax Parcel No. 84.058-1-2

Zoning Use District: C-3

The applicant, Vic Marchese (owner), has applied for approval to place one 30" x 25" window sign on the entrance door; one window mural to cover the entire window surface on the north elevations west side; and one painted wall mural on the east elevation in the north corner of this commercial building located within the Business Improvement District.

Note: This is a type II action as defined by Environmental Conservation Law and is not subject to review under SEQR 6 NYCRR Part 617.5 (c) (1).

Review and Approval Procedures:

County Planning Board- Pursuant to General Municipal Law 239 m, referral to the County Planning Board is required since the property is within 500 feet of the right of way of a state road or highway.

City Planning and Development Committee- Pursuant to section 190-14 D (2) (b), the Planning and Development Committee shall review and approve applications for sign permits on properties located within the B.I.D. Also; Per 190-43 R the PDC shall approve or deny Special Sign Permits.

BMC 190-43 F and Exhibit A Only one wall sign per street frontage is permitted.

BMC 190-43 F and Exhibit A Window signs are not permitted to exceed 25% of the window area.

BMC 190-3 (definitions) Sign- A structure or devise designed or intended to convey information to the public in written or pictorial form.

SEND OR DELIVER TO:

GENESEE COUNTY DEPARTMENT OF PLANNING

3837 West Main Street Road

Batavia, NY 14020-9404

Phone: (585) 344-2580 Ext. 5467

DEPARTMENT USE ONLY:

GCDP Referral # _____



*** GENESEE COUNTY ***
PLANNING BOARD REFERRAL

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) INFORMATIONBoard(s) Planning and Development CommitteeAddress One Batavia City CentreCity, State, Zip Batavia, NY 14020Phone (585) 345 - 6347

Ext. _____

2. APPLICANT INFORMATIONName Vic MarcheseAddress 206 East Main St.City, State, Zip Batavia, NY 14020Phone (585) 343 - 0007

Ext. _____

Email _____

MUNICIPALITY: ☒ City ☐ Town ☐ Village of Batavia**3. TYPE OF REFERRAL:** (Check all applicable items)☐ Area Variance☐ Use Variance☐ Special Use Permit☐ Site Plan Review☐ Zoning Map Change☐ Zoning Text Amendments☐ Comprehensive Plan/Update☒ Other: Signs in BID

Subdivision Proposal

☐ Preliminary☐ Final**4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:**A. Full Address 206 East Main St.B. Nearest intersecting road Center St.C. Tax Map Parcel Number 84.058-1-2

D. Total area of the property _____ Area of property to be disturbed _____

E. Present zoning district(s) C-3 BID**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

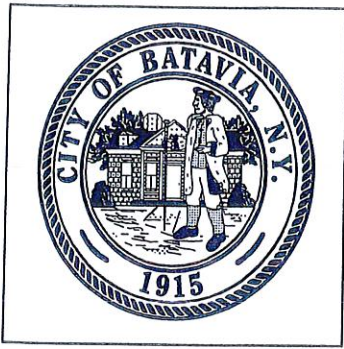
BMC 190-14 D (2)(b)C. Please describe the nature of this request Approval to place 1 permitted window sign, 1 "special sign permit" window sign and 1 "special sign permit" wall sign on this commercial building located within the Business Improvement District.**6. ENCLOSURES** – Please enclose copy(s) of all appropriate items in regard to this referral☒ Local application☐ Site plan☐ Subdivision plot plans☐ SEQR forms☐ Zoning text/map amendments☐ Location map or tax maps☐ Elevation drawings☐ Agricultural data statement☐ New or updated comprehensive plan☒ Photos☒ Other: Cover letter

If possible, please provide a reduced version or digital copy of any supporting documentation larger than 11 x 17.

Email to planning@co.genesee.ny.us**7. CONTACT INFORMATION** of the person representing the community in filling out this form (required information)Name Douglas RandallTitle Code Enf. OfficerPhone (585) 345 - 6327

Ext. _____

Address, City, State, Zip One Batavia City Centre, Batavia, NY 14020Email drrandall@batavianewyork.com



Permit No.: _____

Date: _____

Zone: C-384,058-1-2**SIGN PERMIT APPLICATION****City of Batavia**

One Batavia City Centre, Batavia, NY 14020

(585) 345-6345 • Fax (585) 345-1385

APPLICANT/OWNER:

Name

Vic Marchese

E-mail Address

Street Address

206 E Main St

Phone

343-0007

Fax

343-6913

City, State, Zip Code

Batavia NY 14020**ADDRESS OF SIGN:**206 E Main St**AREA OF SIGN:**

Length

30"

Width

25"

Area

750 sq ft**TYPE OF SIGN:**Door/Window sign (Main St. Pizza Co.)

1. All sign applications must have an illustration of the sign with its dimensions and copy.
2. Freestanding signs must have a Sit Plan to show the sign's location on the property.
3. All other signs must include an elevation plan to show the sign's placement on the building.

☐ Freestanding

Set Back _____

Height _____

☐ Wall

Wall Length _____

Wall Height _____

Area _____

☐ Projecting☐ Marquee☐ Awning / Canopy

Length _____

Height _____

Area _____

☒ Window

Window Length _____

Window Height _____

Area _____

☐ Portable**Lighting:**☐ Internal☐ External**Existing Signs** (Please list all existing signs with dimensions):

Applicant's Signature

Vm

Date

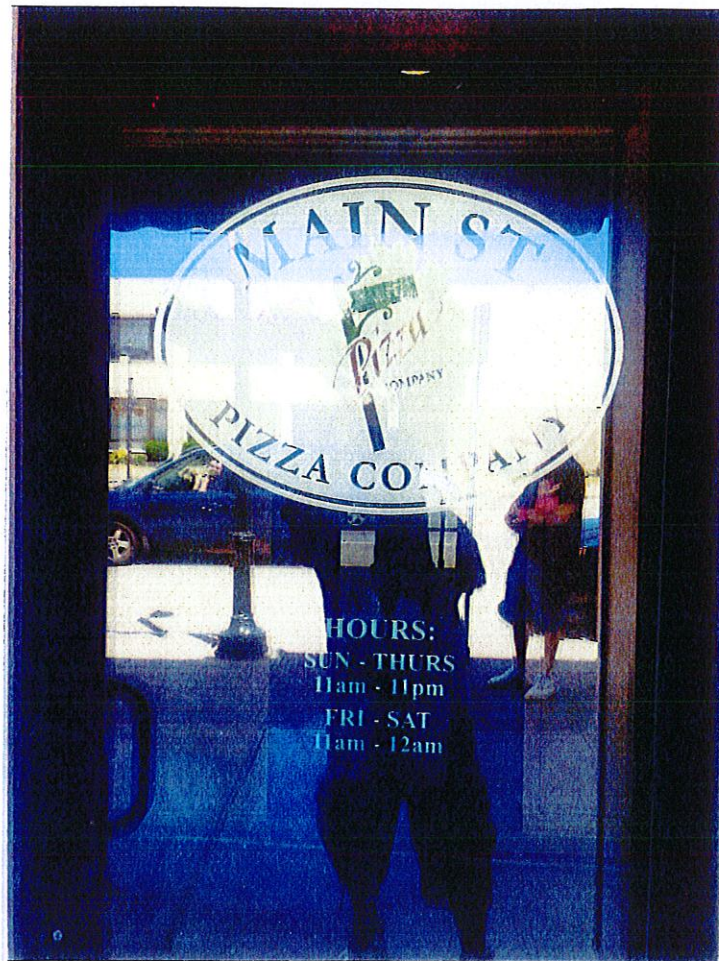
Issuing Officer

Date

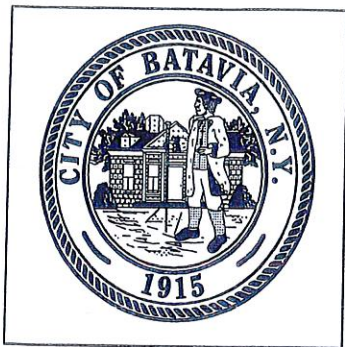
Planning Board Chairperson

Date

FEES:☒ \$25 Sign Permit☐ \$50 Special Sign Permit☐ \$10 Portable Sign



HOURS:
SUN - THURS
11am - 11pm
FRI - SAT
11am - 12am



Permit No.: _____

Date: _____

Zone: _____

SIGN PERMIT APPLICATION**City of Batavia**

One Batavia City Centre, Batavia, NY 14020

(585) 345-6345 • Fax (585) 345-1385

APPLICANT/OWNER:Name Vic Marchese

E-mail Address _____

Street Address 206 E main stPhone 343-0007Fax 343-6953City, State, Zip Code Batavia NY 14020**ADDRESS OF SIGN:** _____**AREA OF SIGN:**Length 7' Width 18' Area _____**TYPE OF SIGN:**Window mural

1. All sign applications must have an illustration of the sign with its dimensions and copy.
2. Freestanding signs must have a Sit Plan to show the sign's location on the property.
3. All other signs must include an elevation plan to show the sign's placement on the building.

☐ Freestanding

Set Back _____

Height _____

☐ Wall

Wall Length _____

Wall Height _____

Area _____

☐ Projecting☐ Marquee☐ Awning / CanopyLength 18'

Height _____

Area _____

☒ WindowWindow Length 7'

Window Height _____

Area _____

☐ Portable**Lighting:**☐ Internal☐ External**Existing Signs** (Please list all existing signs with dimensions):_____
_____Applicant's Signature Vic Marchese

Date _____

Issuing Officer _____

Date _____

Planning Board Chairperson _____

Date _____

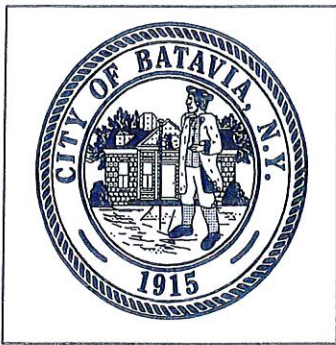
FEES:

_____ \$25 Sign Permit

☒ \$50 Special Sign Permit

_____ \$10 Portable Sign





Permit No.: _____
Date: _____
Zone: _____

SIGN PERMIT APPLICATION

City of Batavia

One Batavia City Centre, Batavia, NY 14020
(585) 345-6345 • Fax (585) 345-1385

APPLICANT/OWNER:

Name Vic Marchese E-mail Address _____
Street Address 206 E Main St Phone 343-0007 Fax 343-6913
City, State, Zip Code Batavia NY 14020

ADDRESS OF SIGN:

206 E Main St

AREA OF SIGN:

Length 8'2" Width 8' Area _____

TYPE OF SIGN:

Wall Painting on North east corner of Bldg. Facing east.

1. All sign applications must have an illustration of the sign with its dimensions and copy.
2. Freestanding signs must have a Sit Plan to show the sign's location on the property.
3. All other signs must include an elevation plan to show the sign's placement on the building.

<input type="checkbox"/> Freestanding	Set Back _____	Height _____	
<input checked="" type="checkbox"/> Wall	Wall Length <u>84'</u>	Wall Height <u>35'</u>	Area _____
<input type="checkbox"/> Projecting			
<input type="checkbox"/> Marquee			
<input type="checkbox"/> Awning / Canopy	Length <u>8'</u>	Height _____	Area _____
<input type="checkbox"/> Window	Window Length _____	Window Height _____	Area _____
<input type="checkbox"/> Portable			

Lighting: ☐ Internal ☐ External

Existing Signs (Please list all existing signs with dimensions):

Applicant's Signature [Signature]

Date _____

Issuing Officer _____

Date _____

Planning Board Chairperson _____

Date _____

FEES: _____ \$25 Sign Permit ☒ \$50 Special Sign Permit _____ \$10 Portable Sign

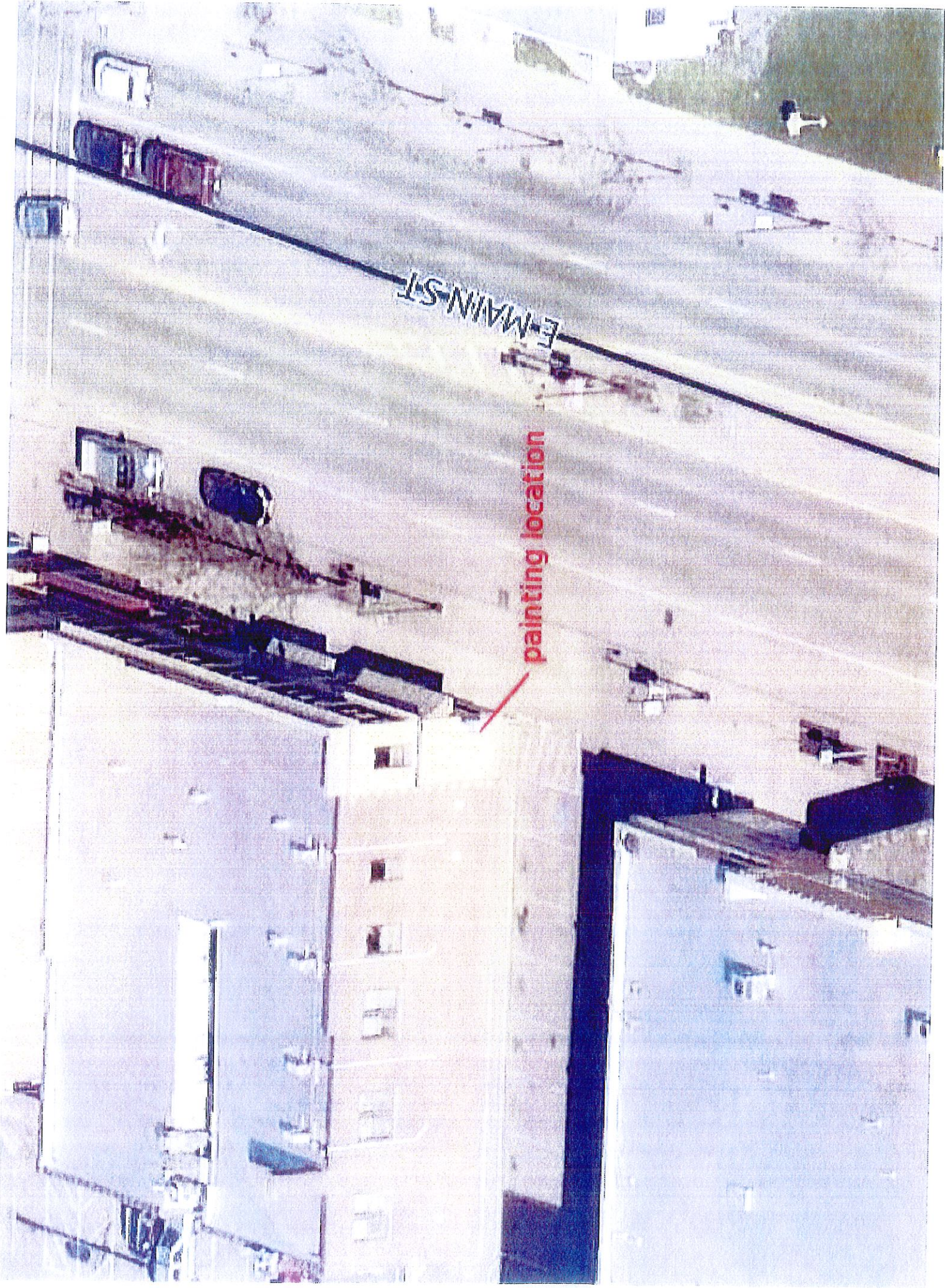


August 11, 2015

1:08 PM

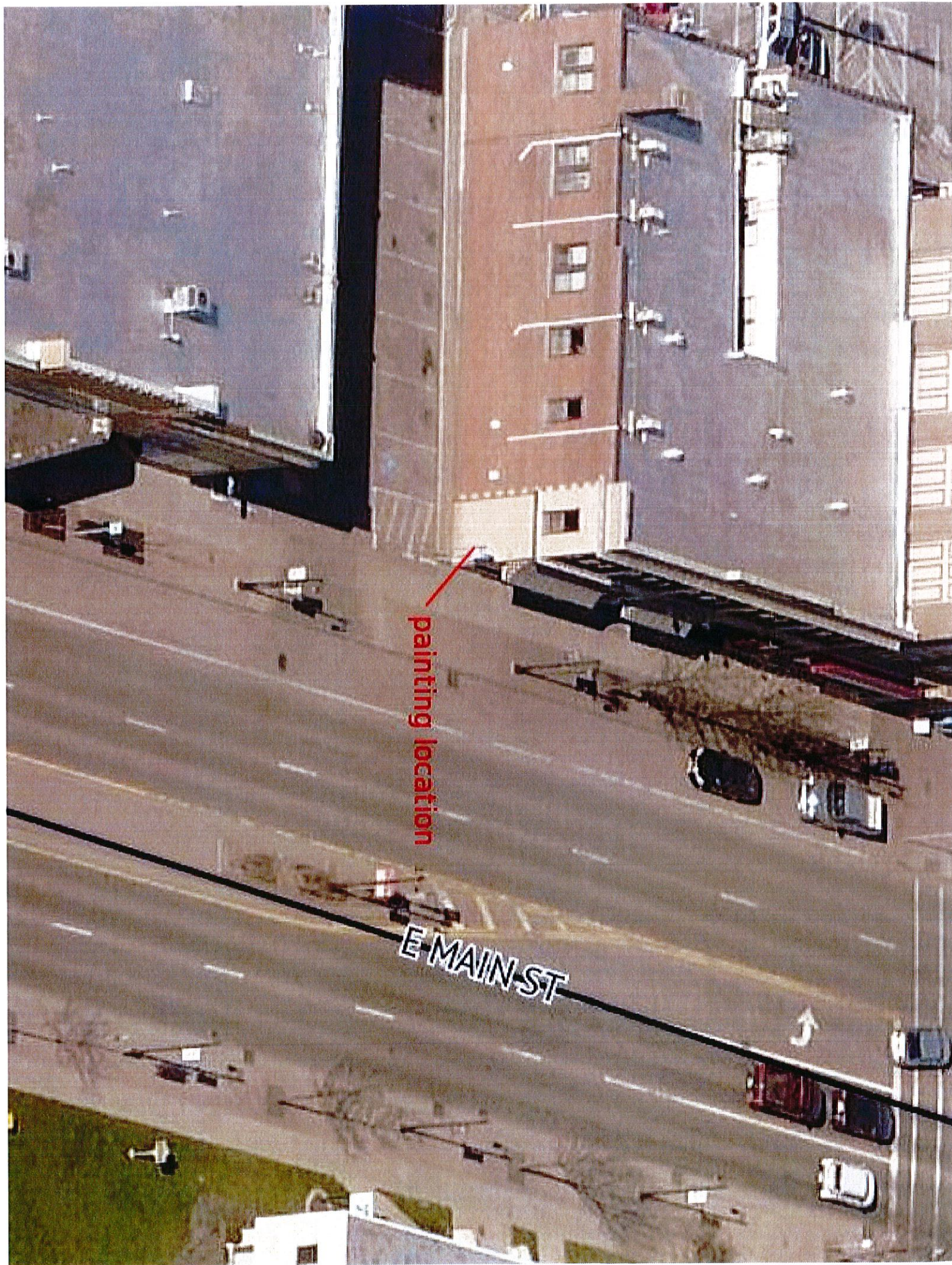
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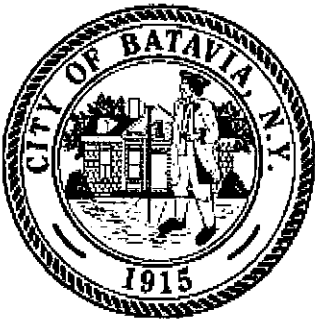
E MAIN ST

painting location



painting location

E MAIN ST



City of Batavia
Department of Public Works
Bureau of Inspections

One Batavia City Center, Batavia, New York 14020

(585)-345-6345

(585)-345-1385 (fax)

To: Planning and Development Committee
From: Doug Randall, Code Enforcement Officer
Date: 6/28/16
Re: 3-9 Webster Ave.
Tax Parcel No. 84.020-1-38

Zoning Use District: I-1

The applicant, David M. Pero (owner), has filed a minor subdivision application to divide this property into two separate parcels, one of which to be 9,278.28 sq.', containing an existing commercial building and the other 26,266.68 sq.' of vacant land.

Review and Approval Procedures:

City Planning and Development Committee- Pursuant to BMC Sec. 190-2 and 13-3 The Planning and Development Committee is authorized to review and approve or disapprove plats. BMC 162-40 B; The PDC shall act on the pre-application sketch and if approved the Chairman will sign and date the reproducible plat.

BMC 190-29 A. and Schedule I

Minimum requirements of lot area and frontage for industrial uses:

	<u>Required</u>	<u>Proposed</u>
Lot area (min.)	0	9,278.28 sq.'
Frontage (min.)	0	83.21'
Bldg. Coverage (max.)	40%	< 40% (32% west parcel)
Height (max.)	40'	< 40'
Front yard (min.)	50'	N/A (existing bldg. at 9.14' on west parcel)
Side yard (min.)	15'	N/A (existing bldg. at 2.66' from west line on west parcel)
Side yard (total)	30'	53.64' (west parcel)
Rear yard (min.)	35'	N/A (existing bldg.. at .52' on west parcel)

The PDC will be the lead agency to conduct SEQR.

Application No.: 16-02
Date: 6/20/16



MINOR SUBDIVISION APPLICATION

CITY OF BATAVIA

10 West Main Street, Batavia, NY 14020
Phone: (716) 343-8180 • Fax (716) 343-9221

ADDRESS OF SUBDIVISION 3-9 Webster Ave

OWNER:

DAVID M PERO

Name

E-mail Address

121 Trumbull Hwy

585-797-7836

Street Address

Phone

Fax

BATAVIA N.Y.

City, State, Zip Code

SIGNATURE

David M. Pero



FEES: ___ \$50 Residential Subdivision ☒ \$100 Non-Residential Subdivision

617.20
Appendix B
Short Environmental Assessment Form

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: <div style="font-size: 1.2em;">David M. Pero</div>							
Project Location (describe, and attach a location map): <div style="font-size: 1.2em;">3-9 Webster, Minor Subdivision.</div>							
Brief Description of Proposed Action: <div style="font-size: 1.2em;">Subdivide parcel where a portion of the existing parcel contains a Com. Bldg.</div>							
Name of Applicant or Sponsor: <div style="font-size: 1.2em;">David M. Pero</div>		Telephone: <div style="font-size: 1.2em;">797-7836</div>					
		E-Mail:					
Address: <div style="font-size: 1.2em;">151 Trumbull Pkwy</div>							
City/PO: <div style="font-size: 1.2em;">Batavia</div>		State: <div style="font-size: 1.2em;">NY</div>	Zip Code: <div style="font-size: 1.2em;">14020</div>				
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.			<table border="1" style="width: 100%; text-align: center;"><tr><td>NO</td><td>YES</td></tr><tr><td style="font-size: 1.5em;">X</td><td></td></tr></table>	NO	YES	X	
NO	YES						
X							
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; text-align: center;"><tr><td>NO</td><td>YES</td></tr><tr><td style="font-size: 1.5em;">X</td><td></td></tr></table>	NO	YES	X	
NO	YES						
X							
3.a. Total acreage of the site of the proposed action? <div style="float: right;">.816 acres</div>							
b. Total acreage to be physically disturbed? <div style="float: right;">0 acres</div>							
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <div style="float: right;">0 acres</div>							
4. Check all land uses that occur on, adjoining and near the proposed action. <div style="display: flex; flex-wrap: wrap;"><div style="width: 50%;"><input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture)</div><div style="width: 50%;"><input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)</div><div style="width: 50%;"><input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture</div><div style="width: 50%;"><input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____</div><div style="width: 50%;"><input type="checkbox"/> Parkland</div></div>							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
b. Consistent with the adopted comprehensive plan?		X	
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
		X	
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	
		X	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation service(s) available at or near the site of the proposed action?		X	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		X	
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	
		X	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
		X	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
		X	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
b. Is the proposed action located in an archeological sensitive area?		X	
		X	
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: _____		X	
		X	
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 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?	NO	YES	
		X	
16. Is the project site located in the 100 year flood plain?	NO	YES	
		X	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES	
		X	
		X	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	X	
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
_____	X	
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
_____	X	
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>David M. Pero</u>		Date: <u>6/29/16</u>
Signature: <u>X David M Pero</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
_____ Name of Lead Agency	_____ Date
_____ Print or Type Name of Responsible Officer in Lead Agency	_____ Title of Responsible Officer
_____ Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (if different from Responsible Officer)



David S. Lamendola
Gregory W. Townsend
Licensed Land Surveyors
435 East Main Street
Batavia, New York 14020
Phone (585) 344-1331
Fax (585) 219-4313

3 Webster Avenue

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Batavia, County of Genesee and State of New York, and more particularly described as follows:

Commencing at the intersection of the northerly street line of Webster Avenue and the easterly street line of Buell Street and running thence N $69^{\circ}06'00''$ W, along the northerly street line of Webster Avenue, a distance of 200.00' to the point of beginning of the parcel to be described herein:

Thence N $69^{\circ}06'00''$ W, along the street line of Webster Avenue, a distance of 83.21' to a point, said point being the southeasterly corner of land conveyed to Joseph McGuire at Liber 562 of Deeds, page 168;

Thence N $18^{\circ}43'08''$ E, along the easterly line of McGuire lands, a distance of 110.87' to a point on the southerly line of land formerly owned by New York Central Railroad, said point being the northeasterly corner of McGuire lands;

Thence S $69^{\circ}46'07''$ E, along the Railroad lands, a distance of 83.18' to a point;

Thence S $18^{\circ}43'08''$ W, a distance of 111.84' to the point of beginning, containing 0.213 +/- acre

David S. Lamendola
Gregory W. Townsend
Licensed Land Surveyors
435 East Main Street
Batavia, New York 14020
Phone (585) 344-1331
Fax (585) 219-4313

Vacant Land Webster Avenue

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Batavia, County of Genesee and State of New York, and more particularly described as follows:

Beginning at the intersection of the northerly street line of Webster Avenue and the easterly street line of Buell Street and running thence N 69°-06'-00" W, along the northerly street line of Webster Avenue, a distance of 200.00' to a point;

Thence N 18°-43'-08" E, a distance of 111.84' to a point on the southerly line of land formerly owned by New York Central Railroad;

Thence S 69°-46'-07" E, along the Railroad lands, a distance of 99.17' to a point;

Thence S 50°-38'-45" E, a distance of 141.01' to a point;

Thence S 36°-32'-10" E, a distance of 119.12' to a point, said point being the northeasterly corner of land conveyed to Joseph M. McGuire at Liber 643 of Deeds, page 42;

Thence N 70°-08'-18" W, along the northerly line of McGuire lands, a distance of 129.31' to a point, said point being the northwesterly corner of McGuire lands;

Thence S 13°-19'-50" W, a distance of 1.84' to the point of beginning, containing 0.603 +/- acre

FILED IN GENESEE COUNTY CLERK'S OFFICE AS:

MAP No. _____, SLIDE No. _____,

CABINET No. _____.

COUNTY CLERK _____

DATE _____

R/O GENESEE AND MOHAWK VALLEY RAILROAD COMPANY

Formerly South Line New York Central Railroad

APPROVED BY CITY OF BATAVIA PLANNING BOARD

CHAIRMAN _____

DATE _____

APPROVED BY CITY OF BATAVIA ENGINEERS

ENGINEER _____

DATE _____

GREGORY W. TOWNSEND

Licensed Land Surveyor

435 East Main Street

Batavia, New York 14020

Phone (585) 344-1331

Fax (585) 219-4313

"UNAUTHORIZED ALTERATION OR ADDITIONS TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW."

"ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES."

"CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYORS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS. SAID CERTIFICATION SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS/HER BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. CERTIFICATION ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS."

R/O EASTERN MOLDING
INTERNATIONAL, LLC
LIBER 731, PAGE 27

Formerly West Line
E.M.I. Electronics, Ltd.
Liber 415, Page 726

Pin w/Cap
0.47' NW.
0.90' SW.

Pinched Pipe
0.36' S.
0.18' W.

Formerly North Line Joseph
F. and Eleanor L. Falcone
Liber 332, Page 305

Pinched Pipe
0.14' W.
0.09' S.

R/O MCGUIRE, JOSEPH M.
LIBER 643, PAGE 42

I HEREBY CERTIFY THAT THIS LAND SEPARATION WAS
PREPARED BY ME, AND WAS MADE FROM AN ACTUAL
SURVEY COMPLETED BY ME ON JUNE 9, 2016 AND
REFERENCES LISTED HEREON

BOUNDARY SURVEY SHOWING THE SEPARATION
OF LANDS OF DAVID M. PERO. SITUATE IN
THE CITY OF BATAVIA, COUNTY OF GENESEE
AND STATE OF NEW YORK

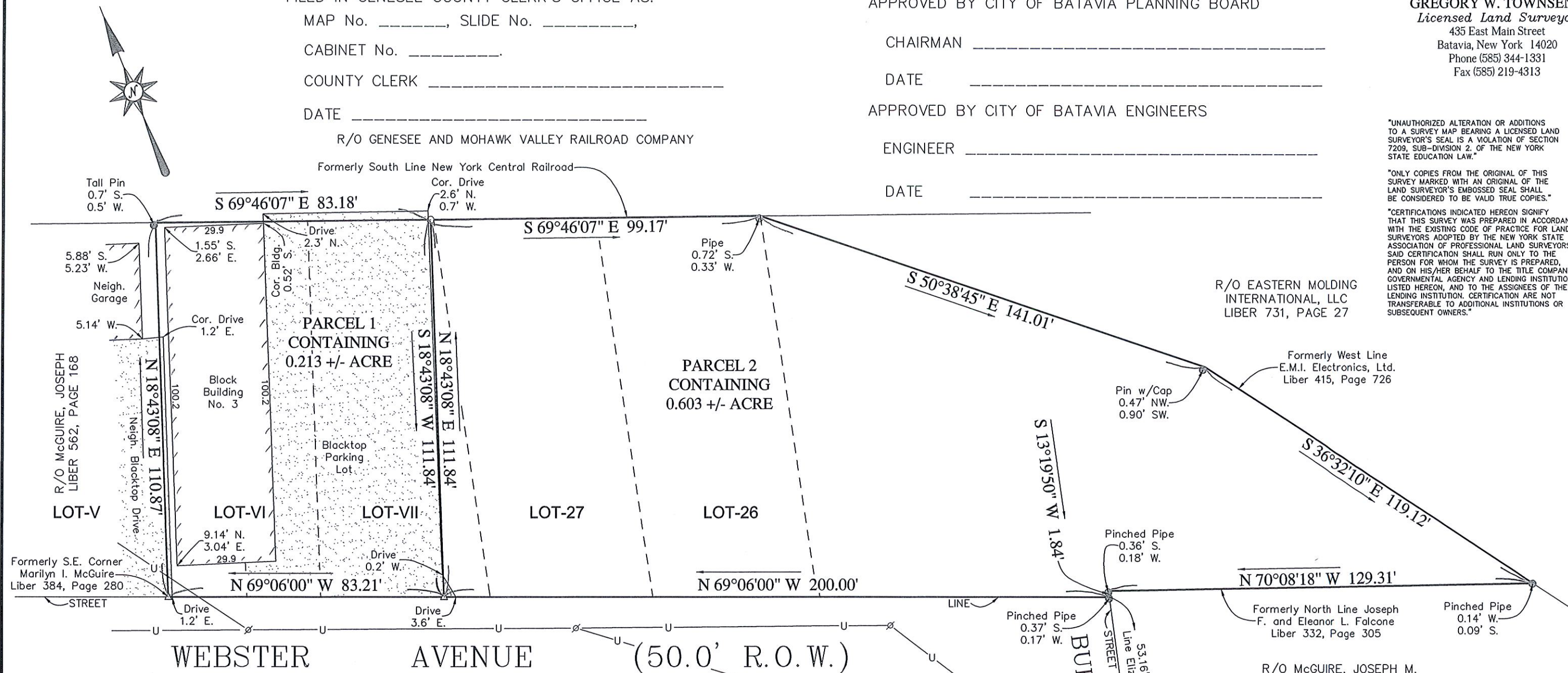
JUNE 9, 2016

SCALE 1" = 30'

JOB NO. 16-199

DATE

N.Y.S.R.L.S. No. 50249



LEGEND

- EXISTING IRON STAKE
- SET IRON PIN
- △ SET P.K. NAIL
- ∅ UTILITY POLE
- U- OVERHEAD UTILITY LINES

REFERENCE

E.G. BUELL SUBDIVISION FILED AT BOOK 1
OF MAPS, PAGE 17
ABSTRACTS OF TITLE NOS. G11991 AND G11992
BY CROSSROADS ABSTRACT
SURVEY MAP BY THOMAS F. DUTTON, L.S.,
LAST DATED JULY 8, 1986

NOTES:

- The parcels surveyed are part of land conveyed to David M.
Pero at Liber 745 of Deeds, page 109
- The parcels surveyed are part of Tax Map No. 84.020-1-38

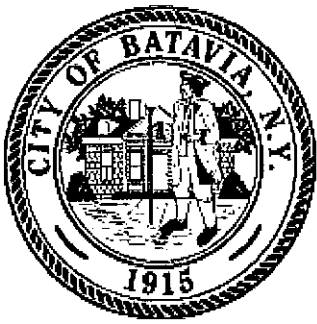
DATE _____

APPROVED BY _____

This particular referenced action is not subject to
Genesee County Health Department review under
New York State Public Health Law Article 11 Title II

Signature _____

Date _____



City of Batavia
Department of Public Works
Bureau of Inspections

One Batavia City Center, Batavia, New York 14020

(585)-345-6345

(585)-345-1385 (fax)

To: Genesee County Planning
Planning and Development Committee

From: Doug Randall, Code Enforcement Officer

Date: 6/29/16

Re: 69-71 Main St.
Tax Parcel No. 84.011-3-5

Zoning Use District: C-3

The applicant, Michael Mammano (sign co. rep.), has applied for approval to place one 2' 8" x 17' 10" interior lit wall sign on the north elevation and one 2' x 13' 5" interior lit wall sign on the south elevation of this commercial building located within the Business Improvement District.

Note: This is a type II action as defined by Environmental Conservation Law and is not subject to review under SEQR 6 NYCRR Part 617.5 (c) (1).

Review and Approval Procedures:

County Planning Board- Pursuant to General Municipal Law 239 m, referral to the County Planning Board is required since the property is within 500 feet of the **right of way of a state road or highway.**

City Planning and Development Committee- Pursuant to section 190-14 D (2) (b), the Planning and Development Committee shall review and approve applications for sign permits on properties located within the B.I.D.

SEND OR DELIVER TO:

GENESEE COUNTY DEPARTMENT OF PLANNING
3837 West Main Street Road
Batavia, NY 14020-9404
Phone: (585) 344-2580 Ext. 5467

DEPARTMENT USE ONLY:

GCDP Referral # _____



*** GENESEE COUNTY ***
PLANNING BOARD REFERRAL

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) INFORMATIONBoard(s) Planning and Development CommitteeAddress One Batavia City CentreCity, State, Zip Batavia, NY 14020Phone (585) 345 - 6347 Ext. _____**2. APPLICANT INFORMATION**Name Michael MammanoAddress 1407 Empire Blvd.City, State, Zip Webster, NY 14580Phone (585) 482 - 1620 Ext. _____ Email mike@clinton signs.comMUNICIPALITY: ☒ City ☐ Town ☐ Village of Batavia**3. TYPE OF REFERRAL:** (Check all applicable items)

- ☐ Area Variance
☐ Use Variance
☐ Special Use Permit
☐ Site Plan Review

- ☐ Zoning Map Change
☐ Zoning Text Amendments
☐ Comprehensive Plan/Update
☒ Other: Signs in BID

- Subdivision Proposal
☐ Preliminary
☐ Final

4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:A. Full Address 69-71 Main St.B. Nearest intersecting road Center

C. Tax Map Parcel Number _____

D. Total area of the property _____ Area of property to be disturbed _____

E. Present zoning district(s) C-3**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

BMC 190-14 D(2)(b)C. Please describe the nature of this request Approval to place two interior lit wall signs on the commercial building located within the Business Improvement District**6. ENCLOSURES** – Please enclose copy(s) of all appropriate items in regard to this referral

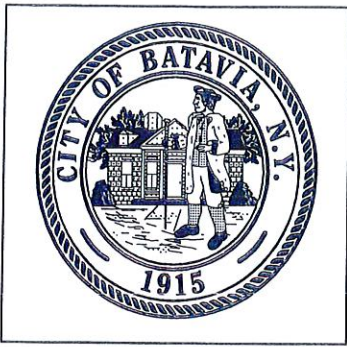
- ☒ Local application
☐ Site plan
☐ Subdivision plot plans
☐ SEQR forms

- ☐ Zoning text/map amendments
☐ Location map or tax maps
☐ Elevation drawings
☐ Agricultural data statement

- ☐ New or updated comprehensive plan
☒ Photos
☒ Other: Cover letter

If possible, please provide a reduced version or digital copy of any supporting documentation larger than 11 x 17.

Email to planning@co.genesee.ny.us**7. CONTACT INFORMATION** of the person representing the community in filling out this form (required information)Name Douglas Randall Title Code Enf. Officer Phone (585) 345 - 6327 Ext. _____Address, City, State, Zip One Batavia City Centre, Batavia, NY 14020 Email drandall@batavianewyork.com



Permit No.: _____

Date: _____

Zone: C-3

84.011-3-5

SIGN PERMIT APPLICATION**City of Batavia**

One Batavia City Centre, Batavia, NY 14020

(585) 345-6345 • Fax (585) 345-1385

APPLICANT/OWNER:

Name Clinton Signs E-mail Address mike@clintonsigns.com
Street Address 1407 Empire Blvd Phone 585 482-1620 Fax 482-3384
City, State, Zip Code Webster, NY 14580

ADDRESS OF SIGN:

Key Bank ⁶⁹⁻⁷¹ ~~45-69~~ E Main St

AREA OF SIGN: Length 2' Width 13'5" Area _____ seedrawing

TYPE OF SIGN: South Elev. wall sign

1. All sign applications must have an illustration of the sign with its dimensions and copy.
2. Freestanding signs must have a Sit Plan to show the sign's location on the property.
3. All other signs must include an elevation plan to show the sign's placement on the building.

<input type="checkbox"/> Freestanding	Set Back _____	Height _____	
<input checked="" type="checkbox"/> Wall	Wall Length _____	Wall Height _____	Area _____
<input type="checkbox"/> Projecting			
<input type="checkbox"/> Marquee			
<input type="checkbox"/> Awning / Canopy	Length _____	Height _____	Area _____
<input type="checkbox"/> Window	Window Length _____	Window Height _____	Area _____
<input type="checkbox"/> Portable			

Lighting: ☒ Internal ☐ External

Existing Signs (Please list all existing signs with dimensions):

remove existing First Niagara letters
install Key Bank letters

Applicant's Signature _____ **Date** 6-15-6

Issuing Officer _____ **Date** _____

Planning Board Chairperson _____ **Date** _____

FEES: ☒ \$25 Sign Permit ☐ \$50 Special Sign Permit ☐ \$10 Portable Sign

COMPANY NAME	KEYBANK	DESIGNER	CP	SCALE	SHOWN	LOCATION	69 MAIN ST., BATAVIA, NY
SALESMAN	H	DATE	6/7/16	REVISION	DESIGN NO.	B16-1700	COPYRIGHT © 2016
FILE NAME Key niagara/ key ny/ 69 main st 3							



Brilliant Electric Sign Co., Ltd.
4811 VAN EPPS RD., CLEVELAND, OHIO 44131 (216) 741-3800

NOTE: THIS IS AN ORIGINAL UNPUBLISHED DRAWING, CREATED BY BRILLIANT SIGNS, IT IS SUBMITTED FOR YOUR PERSONAL USE. IN CONJUNCTION WITH A PROJECT BEING PLANNED FOR YOU, IT IS NOT TO BE USED, REPRODUCED, COPIED OR EXHIBITED IN ANY FASHION.



NOTE: due to printer limitations, colors shown may not exactly match specified. Refer to material charts for true colors.

SIGN ELEVATION: 3/4" = 1'-0'

NOTES:
INDIVIDUAL LED LOGO & LETTERS WITH PLASTIC FACES AND JEWELITE TRIM, MOUNTED ON FABRICATED ALUMINUM RACEWAY HOUSING POWER SUPPLIES.
LOGO FACE TO BE WHITE #2447 PLEXIGLAS WITH FIRST SURFACE APPLIED 3M RED TRANSLUCENT VINYL TO MATCH PMS #1795C. LOGO TRIM AND RETURNS TO BE RED TO MATCH PMS #1795C. LOGO ILLUMINATION BY GE LUMINATION RED LEDS.
LETTER FACES TO BE WHITE #7328 PLEXIGLAS. TRIM AND RETURNS TO BE BLACK.
LETTER ILLUMINATION BY GE LUMINATION WHITE LEDS. GE LUMINATION POWER SUPPLIES TO BE LOCATED IN RACEWAY; RACEWAY TO BE PAINTED TO MATCH FASCIA.
RATED 120 VOLTS

LETTERS TO BE BUILT TO U.L. SPECS, BE U.L. LISTED, AND CARRY U.L. LABELS.

18 INLINE RACEWAY



Technical drawing showing the sign layout with dimensions: 13'-5" (total height), 8'-8 1/2" (text height), 4'-4 3/4" (logo height), and 2'-0 3/8" (logo width).

MAIN ST



COMPANY NAME	KEYBANK	DESIGNER	CP	SCALE	SHOWN	FILE NAME	key niagara/ key ny/ 69 main st 1
LOCATION	69 MAIN ST, BATAVIA, NY	DATE	6/7/16	DESIGN NO.	B16-1698	COPYRIGHT	2016
SALESMAN	H	REVISION					

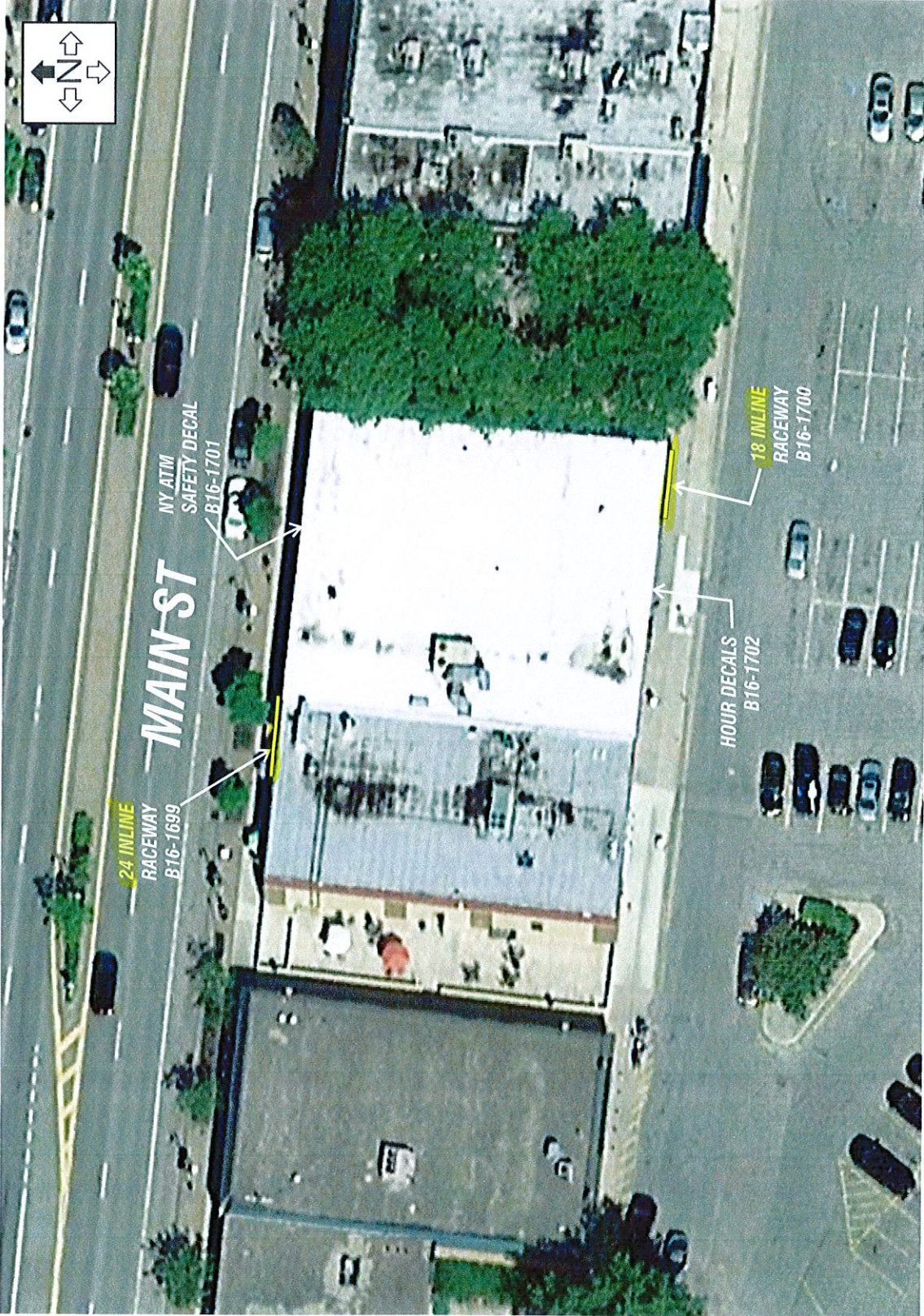
4811 VAN EPPS RD., CLEVELAND, OHIO 44131 (216) 741-3800

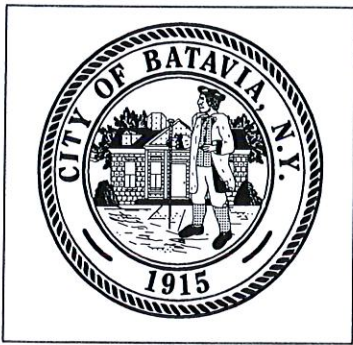
Brilliant Electric Sign Co., Ltd.



NOTE: THIS IS AN ORIGINAL UNPUBLISHED DRAWING, CREATED BY BRILLIANT SIGNS. IT IS SUBMITTED FOR YOUR PERSONAL USE. IN CONJUNCTION WITH A PROJECT BEING PLANNED FOR YOU. IT IS NOT TO BE USED, REPRODUCED, COPIED OR EXHIBITED IN ANY FASHION.

NOTE: due to printer limitations, colors shown may not exactly match specified. Refer to material charts for true colors.





Permit No.: _____
Date: _____
Zone: _____

SIGN PERMIT APPLICATION City of Batavia

One Batavia City Centre, Batavia, NY 14020
(585) 345-6345 • Fax (585) 345-1385

APPLICANT/OWNER:

Name Clinton Signs E-mail Address mike@clintonsigns.com
Street Address 1407 Empire Blvd Phone 585 482-1620 Fax 482-3389
City, State, Zip Code Webster, NY 14580

ADDRESS OF SIGN:

Key Bank ⁶⁹⁻⁷¹ ~~45-69 E~~ Main St

AREA OF SIGN:

Length 2'-8" Width 17'-10" Area _____ see drawing

TYPE OF SIGN:

North Elev. wall sign.

1. All sign applications must have an illustration of the sign with its dimensions and copy.
2. Freestanding signs must have a Sit Plan to show the sign's location on the property.
3. All other signs must include an elevation plan to show the sign's placement on the building.

<input type="checkbox"/> Freestanding	Set Back _____	Height _____	
<input checked="" type="checkbox"/> Wall	Wall Length _____	Wall Height _____	Area _____
<input type="checkbox"/> Projecting			
<input type="checkbox"/> Marquee			
<input type="checkbox"/> Awning / Canopy	Length _____	Height _____	Area _____
<input type="checkbox"/> Window	Window Length _____	Window Height _____	Area _____
<input type="checkbox"/> Portable			

Lighting: ☒ Internal ☐ External

Existing Signs (Please list all existing signs with dimensions):

remove existing First Niagara letters
install Key Bank letters

Applicant's Signature _____

Date 6-15-6

Issuing Officer _____

Date _____

Planning Board Chairperson _____

Date _____

FEES: ☒ \$25 Sign Permit ☐ \$50 Special Sign Permit ☐ \$10 Portable Sign

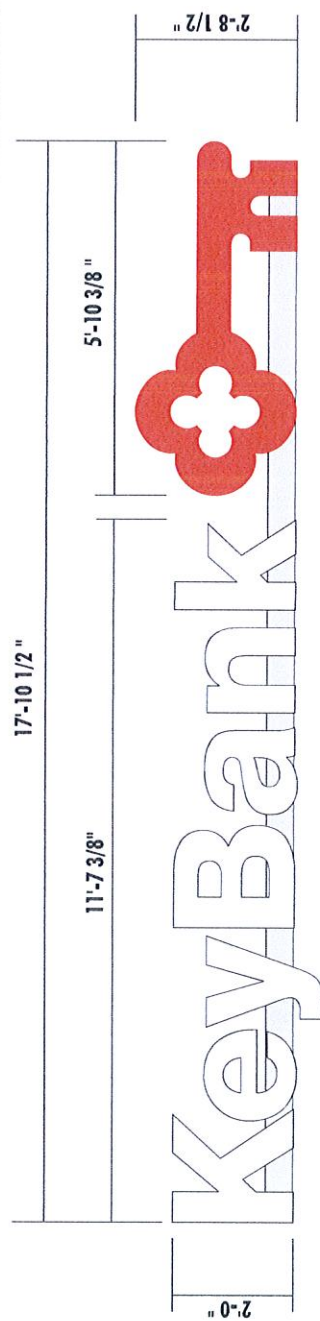
COMPANY NAME	KEYBANK	DESIGNER	CP	SCALE	SHOWN	LOCATION	69 MAIN ST., BATAVIA, NY
SALESMAN	H	DATE	6/7/16	REVISION	DESIGN NO.	B16-1699	2016
FILE NAME Key niagara/ key ny/ 69 main st 2							

NOTE: THIS IS AN ORIGINAL UNPUBLISHED DRAWING, CREATED BY BRILLIANT SIGNS. IT IS SUBMITTED FOR YOUR PERSONAL USE. IN CONJUNCTION WITH A PROJECT BEING PLANNED FOR YOU, IT IS NOT TO BE USED, REPRODUCED, COPIED OR EXHIBITED IN ANY FASHION.

Brilliant Electric Sign Co., Ltd.
4811 VAN EPPS RD., CLEVELAND, OHIO 44131 (216) 741-3800



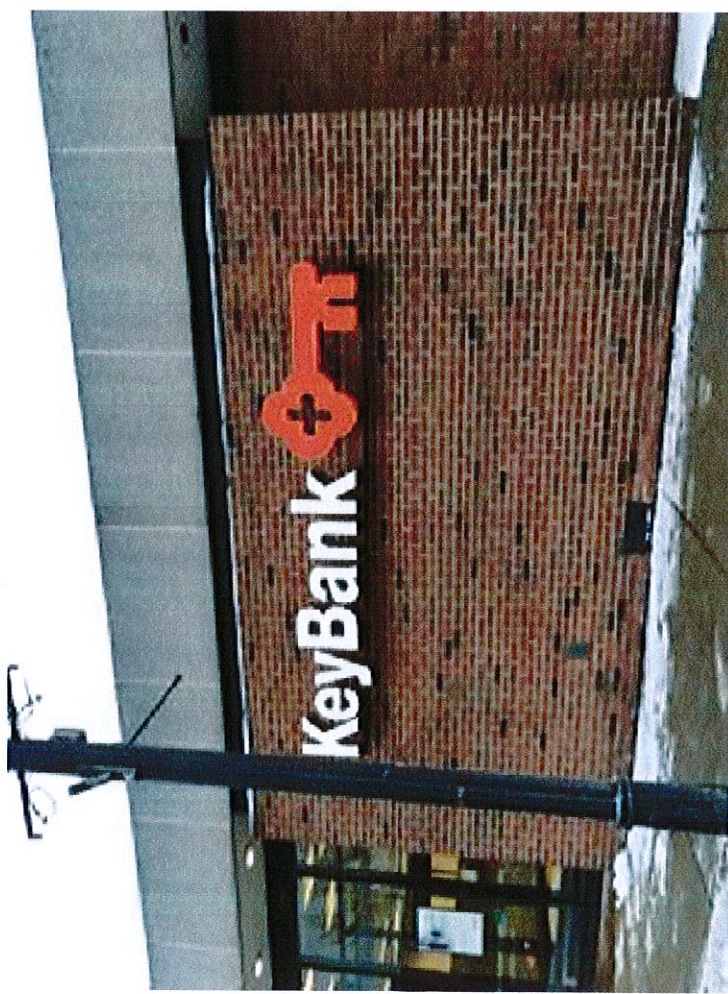
NOTE: due to printer limitations, colors shown may not exactly match specified. Refer to material charts for true colors.



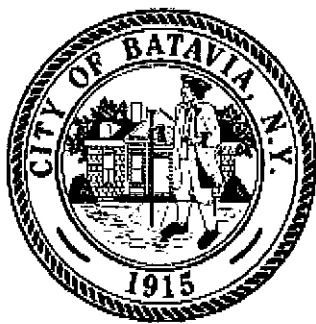
SIGN ELEVATION: 1/2" = 1'-0'

NOTES:

- INDIVIDUAL LED LOGO & LETTERS WITH PLASTIC FACES AND JEWELITE TRIM, MOUNTED ON FABRICATED ALUMINUM RACEWAY HOUSING POWER SUPPLIES.
- LOGO FACE TO BE WHITE #2447 PLEXIGLAS WITH FIRST SURFACE APPLIED 3M RED TRANSLUCENT VINYL TO MATCH PMS #1795C. LOGO TRIM AND RETURNS TO BE RED TO MATCH PMS #1795C. LOGO ILLUMINATION BY GE LUMINATION RED LEDS.
- LETTER FACES TO BE WHITE #7328 PLEXIGLAS. TRIM AND RETURNS TO BE BLACK.
- LETTER ILLUMINATION BY GE LUMINATION WHITE LEDS. GE LUMINATION POWER SUPPLIES TO BE LOCATED IN RACEWAY; RACEWAY TO BE PAINTED TO MATCH FASCIA.
- RATED 120 VOLTS
- LETTERS TO BE BUILT TO U.L. SPECS, BE U.L. LISTED, AND CARRY U.L. LABELS.
- 24 INLINE RACEWAY







City of Batavia
Department of Public Works
Bureau of Inspections

One Batavia City Center, Batavia, New York 14020

(585)-345-6345

(585)-345-1385 (fax)

To: Planning and Development Committee
Zoning Board of Appeals

From: Doug Randall, Code Enforcement Officer

Date: 6/30/16

Re: 28 Trumbull Pkwy.
Tax Parcel No.

Zoning Use District:

The applicant, Jason Forskey (owner), has applied for a permit to widen an existing 13.66' wide asphalt driveway by placing 2.34' of asphalt to the south side of the existing driveway.

Note: This is a type II action as defined by Environmental Conservation Law and is not subject to review under SEQR 6 NYCRR Part 617.5 (c) (13).

Review and Approval Procedures:

County Planning Board- Pursuant to General Municipal Law 239 m, referral to the County Planning Board is required since the property is within 500 feet of the boundary of the city; the boundary of a County or State park or other recreation area; **the right of way of a state parkway, throughway, expressway, road or highway**; the boundary of county or state owned land on which a public building or institution is situated; the boundary of a farm operation located in an agricultural district (not required for area variances).

City Planning and Development Committee- Pursuant to section 190-49 C. of the zoning ordinance, the Planning and Development Committee shall review and make recommendations to the ZBA for applications that include parking variances.

Zoning Board of Appeals- Pursuant to BMC Sec. 190-49 of the zoning ordinance, the ZBA shall review and act on required variances.

Required variances- Area

BMC Sec. 190-39 E (1) The width of driveways shall not exceed 25% of the lot frontage.

	<u>Permitted</u>	<u>Proposed</u>	<u>Difference</u>
Driveway width	14' (25%)	16' (28.5%)	2' (3.5%)



CITY OF BATAVIA
APPLICATION TO THE ZONING BOARD OF APPEALS

Application No.: _____

Hearing Date/Time: _____

APPLICANT: Jason Forkey

Name <u>28 Trumbull pkwy</u>	E-Mail Address <u>585 300 7466</u>
Street Address <u>Batavia</u>	Phone <u>14020</u>
City <u>NY</u>	Fax <u>14020</u>
State <u>NY</u>	Zip <u>14020</u>

STATUS: ☒ Owner Agent for Owner Contractor

OWNER: Jason Forkey

Name <u>28 Trumbull pkwy</u>	E-Mail Address <u>585-300-7466</u>
Street Address <u>Batavia</u>	Phone <u>14020</u>
City <u>NY</u>	Fax <u>14020</u>
State <u>NY</u>	Zip <u>14020</u>

LOCATION OF PROPERTY: The Driveway at 28 Trumbull pkwy

DETAILED DESCRIPTION OF REQUEST: Going to make the Driveway
2 foot wider, so the ~~cars~~ cars don't hit the
retaining wall that already exists

Applicant must be present at the hearing date. Failure to do so will result in the application being discarded. It is the responsibility of the applicant to present evidence sufficient to satisfy the Zoning Board of Appeals that the benefit of the applicant does not outweigh the health, safety, morals, aesthetics and general welfare of the community or neighborhood.

[Signature]
Applicant's Signature

6-27-16
Date

[Signature]
Owner's Signature

6-27-16
Date

To be Filled out by Zoning Officer

TAX PARCEL: 84.051-2-18 **ZONING DISTRICT:** R-2 **FLOOD PLAIN:** NO

TYPE OF APPEAL: ☒ Area Variance **FEE:** ☒ \$50 (One or Two Family Use)
☐ Use Variance ☐ \$100 (All other Uses)
☐ Interpretation
☐ Decision of Planning Committee

Provision(s) of the Zoning Ordinance Appealed: BMC 190-39 E(1) driveway width
shall not exceed 25% of lot frontage.


Criteria to Support Area Variance

In making its determination, the zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety, moral, aesthetics and welfare of the neighborhood or community. The Zoning Board of Appeals shall consider the following test, as per §81-b of the General City Law when making its determination:

Explain how the proposal conforms to EACH of the following requirements:

1. **Undesirable Change in neighborhood Character.** The granting of the variance will not produce an undesirable change in the neighborhood or a detriment to nearby properties.
IT will help the neighborhood, less street parking during the day, & only cars fit in driveway to tight for trucks, & SUV's, campers & trailers.
2. **Alternative Cure Sought.** There are no other means feasible for the applicant to pursue that would result in the difficulty being avoided or remedied, other than the granting of the area variance.
no other way there is a retaining wall on the south side of driveway, car doors hit it damage vehicles & wall is starting to lean
3. **Substantiality.** The requested area variance is not substantial.

4. **Adverse Effect or Impact.** The requested variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or community.
IT will have no environmental effect on the neighborhood
5. **Not Self-Created.** The alleged difficulty existed at the time of the enactment of the provision or was created by natural force or governmental action, and was not the result of any action by the owner or the predecessors in title.
IT was my choice to make the driveway wider


Applicant's Signature

6-27-16
Date



Permit No. _____
Date: _____

DRIVEWAY AND PARKING SPACE PERMIT
\$10 fee – Please attach Survey / Illustration

APPLICANT: Jason Forley Jason Forley@yahoo.com
Name E-mail Address
28 Trumbull pkwy 585 300-7466
Street Address Phone
Batavia NY 14020
City State Zip
☒ Owner ☐ Agent for Owner ☐ Contractor

OWNER: Jason Forley
Name E-mail Address
28 Trumbull pkwy 585-300-7466
Street Address Phone
Batavia NY 14020
City State Zip

ADDRESS OF PROPERTY: 28 Trumbull pkwy

DIMENSIONS OF EXISTING DRIVEWAY: Width 13'8" Length 59'

DIMENSIONS OF NEW DRIVEWAY / ADDITION: Width 16' Length 59'

SURFACE MATERIAL: Existing Black top Proposed Black top (Remove & lay new)

[Signature] 6-27-16
Applicant's Signature Date

[Signature] 6-27-16
Owner's Signature Date

To be filled out by Zoning Enforcement Officer

TAX PARCEL: 84.051-2-18 ZONING DISTRICT: R-2 SURVEY: _____

DIMENSIONS OF LOT: Lot Frontage 56' Front Yard _____

PERCENTAGE OF LOT FRONTAGE: 28.5% SURFACE MATERIAL: Asphalt

APPROVED: _____ AREA VARIANCE: ☒ GRADE PLAN: _____

ISSUING OFFICER: _____ DATE: _____

14' Permitted
16' Proposed
+ 2' (2BA)

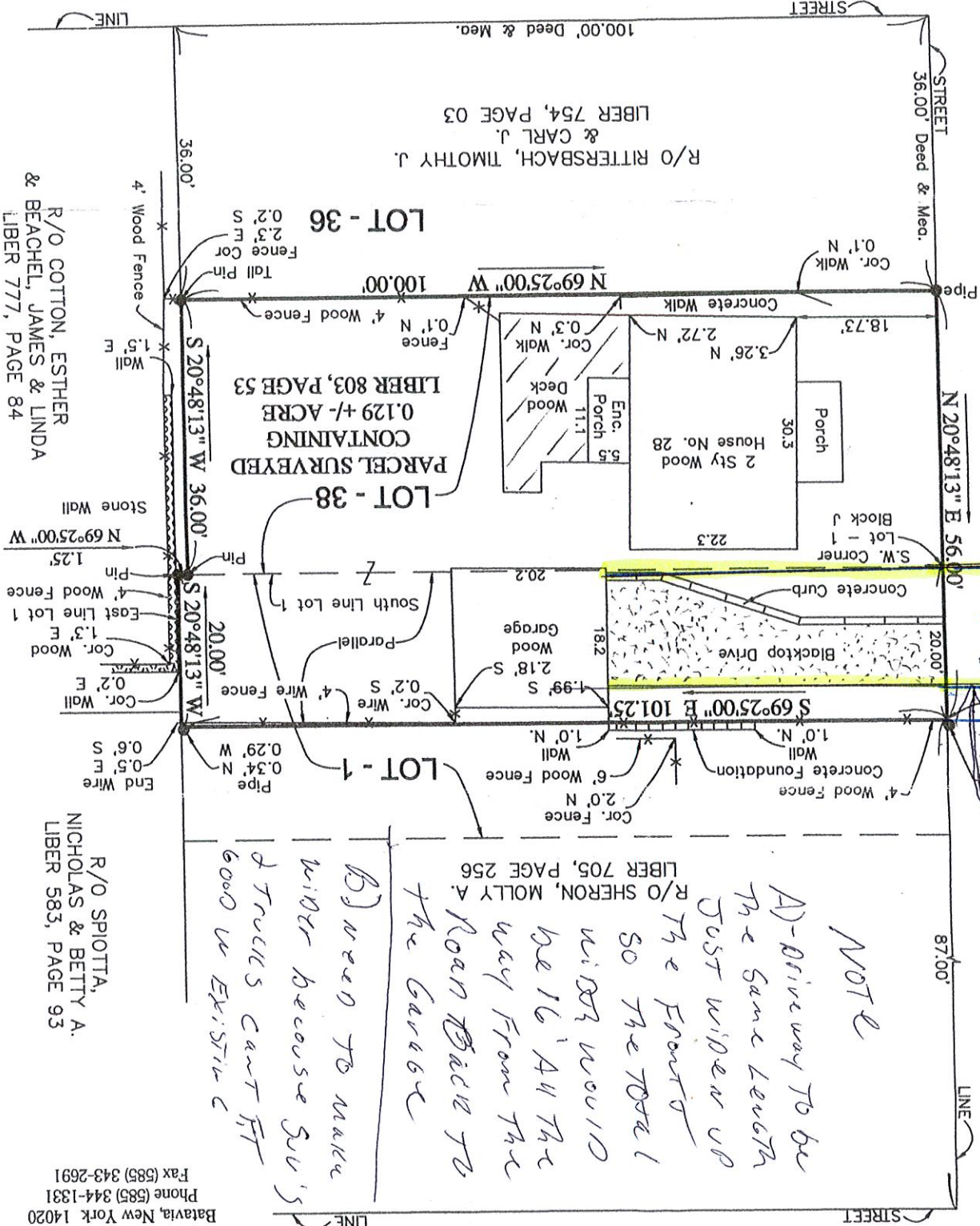
Jason Forkey
28 Trumbull Alley
Batavia NY 14020

Phone # 585-300-7966

Date Submitted 6-20-16

DAVID S. LAMENDOLA
GREGORY W. TOWNSEND
Licensed Land Surveyors
435 East Main Street
Batavia, New York 14020
Phone (585) 344-1331
Fax (585) 343-2691

R/O SPIOTTA,
NICHOLAS & BETTY A.
LIBER 583, PAGE 93



Note A

TRUMBULL PARKWAY (50.0' R.O.W.)

CHASE PARK (50.0' R.O.W.)

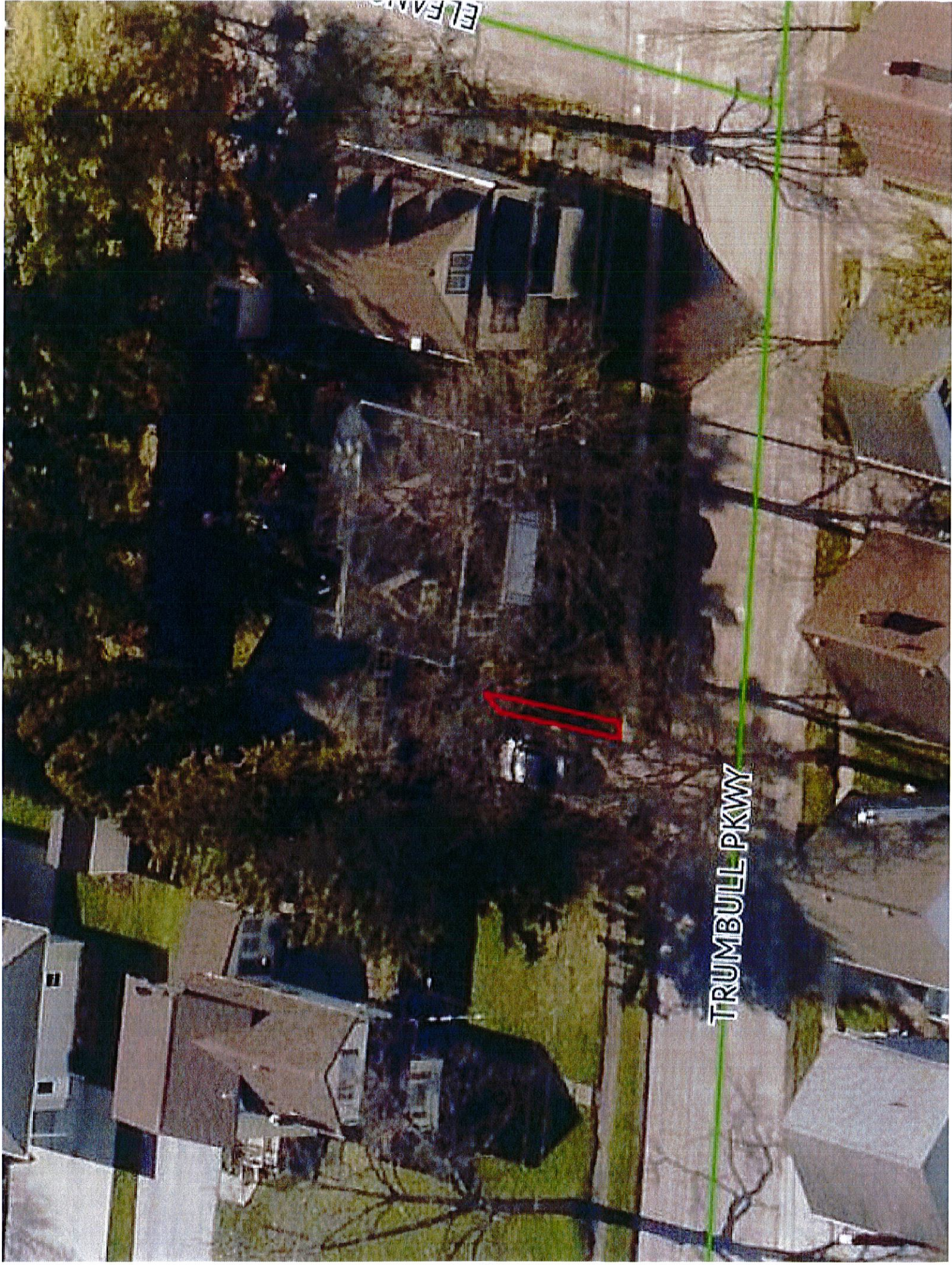
ELEANOR PLACE (40' R.O.W.)

LEGEND
● EXISTING IRON STAKE

REFERENCES
SURVEY MAP NO. 89-140 BY DAVID S.

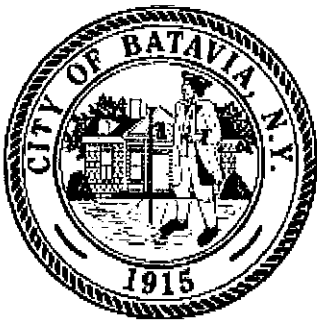
I, GREGORY W. TOWNSEND, CERTIFY TO:

JASON FORKEY
M & T BANK AND ITS SUCCESSORS AND/OR ASSIGNS



ELFAIR

TRUMBULL PKWY



City of Batavia
Department of Public Works
Bureau of Inspections

One Batavia City Center, Batavia, New York 14020

(585)-345-6345

(585)-345-1385 (fax)

To: Genesee County Planning
Planning and Development Committee

From: Doug Randall, Code Enforcement Officer

Date: 6/30/16

Re: 230 Ellicott St.
Tax Parcel No. 84.066-1-4

Zoning Use District: C-3

The applicant, Steve Fairbanks (sign contractor), has applied for approval to place two unlit wall signs on the north elevation of this commercial building located within the Business Improvement District.

Note: This is a type II action as defined by Environmental Conservation Law and is not subject to review under SEQR 6 NYCRR Part 617.5 (c) (1).

Review and Approval Procedures:

County Planning Board- Pursuant to General Municipal Law 239 m, referral to the County Planning Board is required since the property is within 500 feet of the **right of way of a state road or highway.**

City Planning and Development Committee- Pursuant to section 190-14 D (2) (b), the Planning and Development Committee shall review and approve applications for sign permits on properties located within the B.I.D. Also, 190-43 R The PDC shall approve or deny the issuance of Special Sign Permits.

BMC 190-43 F and Exhibit A

Only one sign is permitted for each street frontage. Two are proposed.

SEND OR DELIVER TO:

GENESEE COUNTY DEPARTMENT OF PLANNING
3837 West Main Street Road
Batavia, NY 14020-9404
Phone: (585) 344-2580 Ext. 5467

DEPARTMENT USE ONLY:

GCDP Referral # _____



*** GENESEE COUNTY ***
PLANNING BOARD REFERRAL

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) INFORMATIONBoard(s) Planning and Development CommitteeAddress One Batavia City CentreCity, State, Zip Batavia, NY 14020Phone (585) 345 - 6347 Ext. _____**2. APPLICANT INFORMATION**Name Steve Fairbanks for Habitat for HumanityAddress 230 Ellicott St.City, State, Zip Batavia, NY 14020Phone (585) 345 - 1656 Ext. _____ Email info@geneseehabitat.comMUNICIPALITY: ☒ City ☐ Town ☐ Village of Batavia**3. TYPE OF REFERRAL:** (Check all applicable items)

- ☐ Area Variance
☐ Use Variance
☐ Special Use Permit
☐ Site Plan Review

- ☐ Zoning Map Change
☐ Zoning Text Amendments
☐ Comprehensive Plan/Update
☒ Other: Signs in BID

- Subdivision Proposal
☐ Preliminary
☐ Final

4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:A. Full Address 230 Ellicott St.B. Nearest intersecting road LibertyC. Tax Map Parcel Number 84.066-1-4

D. Total area of the property _____ Area of property to be disturbed _____

E. Present zoning district(s) C-3**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

BMC 190-14 D (2)(b), 190-43 R and 190-43 F and Exhibit AC. Please describe the nature of this request Approval to place two wall signs on the north elevation of thisCommercial property located within the Business Improvement District.**6. ENCLOSURES** – Please enclose copy(s) of all appropriate items in regard to this referral

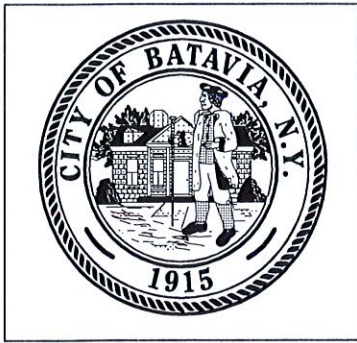
- ☒ Local application
☐ Site plan
☐ Subdivision plot plans
☐ SEQR forms

- ☐ Zoning text/map amendments
☐ Location map or tax maps
☐ Elevation drawings
☐ Agricultural data statement

- ☐ New or updated comprehensive plan
☒ Photos
☒ Other: Cover letter

If possible, please provide a reduced version or digital copy of any supporting documentation larger than 11 x 17.

Email to planning@co.genesee.ny.us**7. CONTACT INFORMATION** of the person representing the community in filling out this form (required information)Name Douglas Randall Title Code Enf. Officer Phone (585) 345 - 6327 Ext. _____Address, City, State, Zip One Batavia City Centre, Batavia, NY 14020 Email drrandall@batavianewyork.com



Permit No.: _____

Date: _____

Zone: C-384,066-1-4**SIGN PERMIT APPLICATION****City of Batavia**One Batavia City Centre, Batavia, NY 14020
(585) 345-6345 • Fax (585) 345-1385**APPLICANT/OWNER:**Name Habitat for Humanity of Genesee Co. E-mail Address info@geneseehabitat.comStreet Address 230 Ellicott St. Phone 345-1654 Fax _____City, State, Zip Code Batavia, NY 14020**ADDRESS OF SIGN:**230 Ellicott St., Batavia, NY 14020**AREA OF SIGN:**Length 348" Width 24" Area 58 sq FT**TYPE OF SIGN:**Wall sign 29' (Habitat) 2'

1. All sign applications must have an illustration of the sign with its dimensions and copy.
2. Freestanding signs must have a Sit Plan to show the sign's location on the property.
3. All other signs must include an elevation plan to show the sign's placement on the building.

☐ Freestanding

Set Back _____

Height _____

☒ WallWall Length 37'Wall Height 17'Area 629 sq. Ft.☐ Projecting☐ Marquee☐ Awning / Canopy

Length _____

Height _____

Area _____

☐ Window

Window Length _____

Window Height _____

Area _____

☐ Portable94.35 sq' per.
58 Prop.
(ow)**Lighting:**☐ Internal☐ External**Existing Signs** (Please list all existing signs with dimensions):None

Applicant's Signature _____

Date 6-23-16

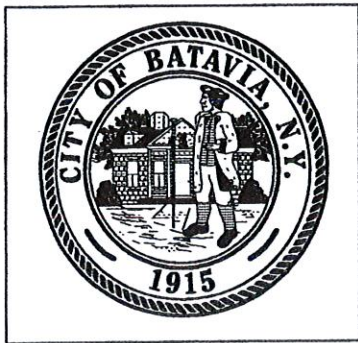
Issuing Officer _____

Date _____

Planning Board Chairperson _____

Date _____

FEES:\$25 Sign Permit\$50 Special Sign Permit\$10 Portable Sign



Permit No.: _____
Date: _____
Zone: _____

SIGN PERMIT APPLICATION
City of Batavia

One Batavia City Centre, Batavia, NY 14020
(585) 345-6345 • Fax (585) 345-1385

APPLICANT/OWNER:

Name Habitat for Humanity of Genesee Co. E-mail Address info@geneseehabitat.com
Street Address 230 Ellicott St. Phone 345-11654 Fax _____
City, State, Zip Code Batavia, NY 14020

ADDRESS OF SIGN:

230 Ellicott St., Batavia, NY 14020

AREA OF SIGN:

Length 84" Width 24" Area 14 sq FT

TYPE OF SIGN:

Wall (Restore)

1. All sign applications must have an illustration of the sign with its dimensions and copy.
2. Freestanding signs must have a Sit Plan to show the sign's location on the property.
3. All other signs must include an elevation plan to show the sign's placement on the building.

☐ Freestanding

Set Back _____
Wall Length 9'

Height _____
Wall Height 17'

Area 153 sq FT

☒ Wall

☐ Projecting

☐ Marquee

☐ Awning / Canopy

Length _____
Window Length _____

Height _____
Window Height _____

Area _____
Area _____

☐ Window

☐ Portable

Lighting:

☐ Internal

☐ External

Existing Signs (Please list all existing signs with dimensions):

NONE

Applicant's Signature _____

[Signature]

Date 6-23-16

Issuing Officer _____

Date _____

Planning Board Chairperson _____

Date _____

FEES:

_____ \$25 Sign Permit

☒ \$50 Special Sign Permit

_____ \$10 Portable Sign







**GENESEE COUNTY PLANNING BOARD
ZONING REFERRALS NOTICE OF FINAL
ACTION**

GCDP Referral ID C-14-BAT-7-16

Review Date 7/14/2016

Municipality

BATAVIA, C.

Board Name

CITY PLANNING AND DEVELOPMENT COMM.

Applicant's Name

Ken Mistler

Referral Type

Downtown Design (Site Plan) Review

Variance(s)

Description:

Downtown Design (Site Plan) Review to make exterior changes (patio) to the exterior of an existing restaurant and bar.

Location

59 Main St. (NYS Rts. 5 & 33), Batavia

Zoning District

Central Commercial (C-3) District

PLANNING BOARD DECISION

APPROVAL

EXPLANATION:

The proposed exterior changes should pose no significant county-wide or inter-community impact.

Director

July 14, 2016

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.



**GENESEE COUNTY PLANNING BOARD
ZONING REFERRALS NOTICE OF FINAL
ACTION**

GCDP Referral ID C-20-BAT-7-16

Review Date 7/14/2016

Municipality

BATAVIA, C.

Board Name

CITY PLANNING AND DEVELOPMENT COMM.

Applicant's Name

Vic Marchese

Referral Type

Sign and Special Sign Permits

Variance(s)

Description:

Sign Permit for a window sign, Special Sign Permit for a window sign and Special Sign Permit for an additional wall sign for an existing restaurant.

Special Sign Permit -Total Window Sign Coverage Area

Maximum allowed: 25% (31.5 sq. ft.)

Proposed Sign: 100% (126 sq. ft.)

Location

206 E. Main St. (NYS Rts 5 & 33), Batavia

Zoning District

Central Commercial (C-3) District

PLANNING BOARD DECISION

APPROVAL WITH MODIFICATION(S)

EXPLANATION:

The required modification is that the applicant decreases the size of the full window mural to comply with the City's 25% maximum standard. The amount of signage proposed grossly exceeds that allowed per the City's zoning regulations and by reducing transparency in the first floor windows, detracts from the pedestrian experience. With this required modification, the proposed signs should pose no significant county-wide or inter-community impact.

Director

July 14, 2016

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.



**GENESEE COUNTY PLANNING BOARD
ZONING REFERRALS NOTICE OF FINAL
ACTION**

GCDP Referral ID **C-19-BAT-7-16**

Review Date **7/14/2016**

Municipality
Board Name
Applicant's Name

BATAVIA, C.

CITY PLANNING AND DEVELOPMENT COMM.

Michael Mammano

Referral Type
Variance(s)
Description:

Sign Permits

Sign Permits to replace two interior-lit wall signs for a bank.

Location
Zoning District

69 Main St. (NYS Rts 5 & 33), Batavia

Central Commercial (C-3) District

PLANNING BOARD DECISION

APPROVAL

EXPLANATION:

Given that the bank is replacing existing signs and not increasing its non-conformity, the proposed signs should pose no significant county-wide or inter-community impacts.

Director

July 14, 2016

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.



**GENESEE COUNTY PLANNING BOARD
ZONING REFERRALS NOTICE OF FINAL
ACTION**

GCDP Referral ID **C-16-BAT-7-16**

Review Date **7/14/2016**

Municipality

BATAVIA, C.

Board Name

CITY PLANNING AND DEVELOPMENT COMM.

Applicant's Name

Steve Fairbanks for Habitat for Humanity

Referral Type

Sign and Special Sign Permit

Variance(s)

Description:

Sign and Special Sign Permit to place two wall signs at an existing retail new and used building materials store (Restore).

Location

230 Ellicott St. (NYS Rt. 63), Batavia

Zoning District

Central Commercial (C-3) District

PLANNING BOARD DECISION

APPROVAL

EXPLANATION:

The proposed signs should pose no significant county-wide or inter-community impact.

Director

July 14, 2016

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.