

PLANNING & DEVELOPMENT COMMITTEE

Tuesday, May 16, 2017

6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

AGENDA

- I. Roll Call
- II. Call to Order
- III. Approval of Minutes – 4/25/17
- IV. Proposals

Address: 119 Washington Ave.
Applicant: Gregg Torrey (owner)

Proposal 1: Recommendation to the ZBA for a Use Variance: change the first floor use of this mixed use building (commercial first floor; dwelling unit second floor) from business office to dwelling unit changing the occupancy classification of this building to a two family dwelling. There is no off street parking available on this property due to space constraints. A variance will be required from the regulations requiring two off street parking spaces for the proposed first floor dwelling unit

Actions: 1. Review application
2. Discussion and recommendation to the ZBA

Address: 8315 Park Rd. (Batavia Downs)
Applicant: Thomas Fraser, PE (designer)

Proposal 2: Site plan review for construction of a 29,456 sq.' one story wood frame building for uses as a racing paddock

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

Address: 552, 554, and 556 East Main St.
Applicant: Eric Schaaf (Marathon Engineering)

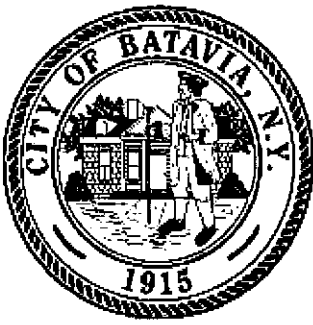
Proposal 3: Sketch Plan Review: clear three parcels and erect a high rise apartment building

Actions: 1. Review application
2. Discussion by the board

- V. Other/ New Business/Updates

VI. Setting of Next Meeting: June 20, 2017

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: Planning and Development Committee
Zoning Board of Appeals

From: Doug Randall, Code Enforcement Officer

Date: 4/28/17

Re: 119 Washington Ave.
Tax Parcel No. 84.041-1-22.1

Zoning Use District: R-3

The applicant, Gregg Torrey (owner), has filed an application to change the first floor use of this mixed use building (commercial first floor; dwelling unit second floor) from business office to dwelling unit changing the occupancy classification of this building to a two family dwelling. There is no off street parking available on this property due to space constraints. A variance will be required from the regulations requiring two off street parking spaces for the proposed first floor dwelling unit.

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:

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

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

- 1) BMC 190-39 A (2)(a) Two off street parking spaces are required for each dwelling unit.



CITY OF BATAVIA
APPLICATION TO THE ZONING BOARD OF APPEALS

Application No.: _____

Hearing Date/Time: _____

APPLICANT: Gregg H. Torrey

Name _____ E-Mail Address _____

6005 Torrey Rd.

Street Address _____ Phone _____ Fax _____

Stafford NY, 14143

City _____ State _____ Zip _____

STATUS: ☒ Owner ☐ Agent for Owner ☐ Contractor

OWNER: Springbrook Properties, LLC

Name _____ E-Mail Address _____

119 Washington Ave.

Street Address _____ Phone _____ Fax _____

Batavia, NY

City _____ State _____ Zip 14020

LOCATION OF PROPERTY: 119 Washington Ave Batavia, NY 14020

DETAILED DESCRIPTION OF REQUEST: Parking Variance for 2
Cars

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.

Gregg H. Torrey
Applicant's Signature

4.26.17
Date

Gregg H. Torrey
Owner's Signature

4.26.17
Date

To be Filled out by Zoning Officer

TAX PARCEL: 84.041-1-22.1 **ZONING DISTRICT:** R-3 **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 A(2)(a) 2 parking spaces
are required for each dwelling unit.

Criteria to Support Area Variance

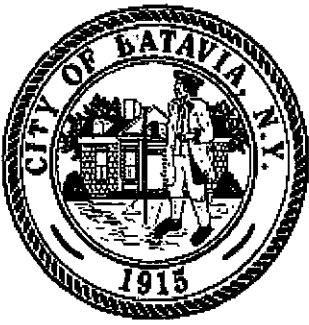
In making its determination, the zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety, moral, aesthetics and welfare of the neighborhood or community. The Zoning Board of Appeals shall consider 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.
There are several multi family units in the neighboring area and there has been a 1 bedroom unit at the upper level for many years.
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.
The property currently does not have a side yard to allow for parking or patio.
3. **Substantiality.** The requested area variance is not substantial.
Compared to the number of parking spaces in the city parking lot, 5 units becomes insignificant.
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.
There are several multi family units in the neighborhood all similar to this application.
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.
At the time the structure was built cars were almost non-existent, parking was not an issue.

Greg H. Honey
Applicant's Signature

4.20.17
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: 3/30/17

Re: 8315 Park Rd.
Tax Parcel No. 71.017-2-48

Zoning Use District: C-2

The applicant, Thomas Fraser, PE (designer), is seeking approval to construct a 29,456 sq.' one story wood frame building for use as a racing paddock.

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 190-44 B(1) and 190-44 C(1)(a) of the zoning ordinance, the Planning and Development Committee shall conduct a site plan review for any new building that increases the lot coverage by more than 1,300 sq.'.

The PDC will be the lead agency to conduct SEQR.

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 Thomas Fraser, PE (Fraser Engineering and Design)Address 7670 Chase Rd.City, State, Zip Lima, NY 14485Phone (585) 424 - 5464 Ext. _____ Email tom.fraser@fraseries.comMUNICIPALITY: ☒ City ☐ Town ☐ Village of Batavia**3. TYPE OF REFERRAL:** (Check all applicable items)

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

4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:A. Full Address 8315 Park Rd.B. Nearest intersecting road Lewiston Rd.C. Tax Map Parcel Number 71.017-2-48D. Total area of the property 48 acres Area of property to be disturbed 1.5 acresE. Present zoning district(s) C-2**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
_____C. Please describe the nature of this request Approval to construct a 29,456 sq.' building for use as a race paddock.

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

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

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



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

GCDP Referral ID **C-12-BAT-4-17**
Review Date **4/13/2017**

Municipality **BATAVIA, C.**
Board Name **CITY PLANNING AND DEVELOPMENT COMM.**
Applicant's Name **Thomas Fraser, PE (Fraser Engineering and Design)**
Referral Type **Site Plan Review**
Variance(s)
Description: **Site Plan Review to construct an 29,456 sq. ft. race paddock at the Batavia Downs racetrack.**
Location **8315 Park Rd., Batavia**
Zoning District **General Commercial (C-2) District**

PLANNING BOARD DECISION

APPROVAL

EXPLANATION:

The proposed race paddock is consistent with the prior and existing uses on the property and should pose no significant county-wide or inter-community impact.

Director

April 13, 2017

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.

PROPOSED
BATAVIA DOWNS NEW PADDOCK
8315 PARK ROAD
BATAVIA, NEW YORK 14040



PLANNING BOARD SUBMISSION
MARCH 30, 2017

BATAVIA DOWNS NEW PADDOCK

PROJECT DESCRIPTION

Batavia Downs, 8315 Park Road, Batavia, New York, a facility of the Western Region Off-Track Betting Corporation (WROTB) is proposing to construct a new racing paddock for harness racing operations. The new paddock replaces the old paddock that was demolished when WROTB transferred land to have a hotel built next to the harness racing and gaming facility in 2016. As such, the racing paddock operations are critically reduced and temporarily placed in stable buildings. The New York State Horse Racing Commission has determined the requirement and directed Batavia Downs to provide a new racing paddock to relieve the congestion and reduced serviceability of the temporary paddock facilities.

The racing paddock is a location where horses and drivers are prepared for each race and returned to after each race for wash down and critical testing. Winning horses are tested for illegal drugs and other physical enhancements via blood draws and urine samples. These tests are prescribed and required by the New York State Racing Commission.

The new paddock relocates the horse prep operation and drivers facilities and officials operations to a single building on the east side of the racing track in an area once occupied by six horse stables demolished in 2011. The new paddock provides a more efficient system of horse race preparation in a more efficient and compact facility.

Recently, the New York Department of Environmental Conservation deemed it necessary and required that all horse washing and cleaning waste water be collected and directed to a sanitary sewer system. This was in lieu of washing horses and horse equipment in the open and letting it run onto the ground percolating into the soil. This was somewhat accomplished in some of the stalls of the stables. The new paddock provides complete collection of horse wash waste water and directs the water to the facility sanitary sewer system that discharges to the Batavia sanitary sewer eliminating the inefficiencies of the current system.

The new paddock comprises a total of 29,456 square feet and is of wood pole barn construction with a concrete floor. Its height is less than forty feet. It is being built in the location of the six stables comprising about 61,000 square feet that were demolished in 2011 thus using less square footage for a historic decrease in land coverage on the site. Batavia Downs has installed a storm water system upgrade at the east side of the racing track and all roof collected rain water will be collected in roof gutters and directed via pipe to the storm water piping system already on site. The building will actually reduce the amount of surface storm water that may be currently percolating into the soil in the area of this new construction.

Water will be provided to the new paddock from an existing water service at the north east of the Batavia Downs facility with the paddock water connection on the facility side of the master backflow prevention device. The Batavia water system remains protected from backflow contamination. The amounts of water used by the new paddock will equal that already being used in other locations, hence no discernable change in water volume use will occur. The facility

will be provided with a fire suppression sprinkler system as a building code required safety precaution. This too is provided with water via the on-site water distribution system. Sanitary sewer from domestic sources as well as collected horse washing is collected throughout the building by normal drains and via trench drains in the floors for horses and macerated via pumps at the building and then connected via underground pipe to the existing sanitary sewer system that was installed at Batavia Downs several years ago, in turn, directing the sewer to the municipal sanitary sewer system.

Storm water in the vicinity of the new paddock has historically fallen onto the ground and been allowed to course to the storm sewer system with some storm water percolating into the ground. The new paddock roof will be drained to roof gutters and then transported via piping to the storm water collection system of inlets and underground piping eventually entering the Batavia storm water system that already exists. Since the storm water system already is functioning in place, the only added load is that amount that was originally percolating into the ground. The added load to the system would be minimal.

Electrical service to the building is provided via an existing service to the Batavia Downs facility. The only change to the system is that owner owned utility poles will need to be moved and service already overhead at the new paddock location will need to be re-routed underground. The amount of electric power required is already being provided to the Batavia Downs property and the new paddock will be operating, electrically, within the service amounts provided by the utility.

Natural gas will be required for heating some portions of the building. A new gas service is anticipated to be installed from the gas piping along Richmond Avenue, north of the Batavia Downs property.

Lighting provided at the exterior of the new paddock is attached to the building and is dark night sky compliant. The dark night sky compliant lighting is to provide security for the building and to not create lighting contamination to the neighboring properties on non-racing event nights.

Noise levels will be ambient during non-race nights and slightly raise, if at all, during race events. Noise from race preparation is contained within the building. Currently, race nights are subject to noise levels above ambient levels due to the racing operations. The new paddock will likely add little if any noise, to the race night noise levels. During non-racing periods, the building will only house race official office operations that do not emit noises outside the building.

As a normal course of building construction, Fraser Engineering and Design and WROTB contact the local fire department to review the building and access to the building. WROTB and Fraser Engineering and Design deem it necessary to have emergency service personnel familiar with the facility in the unlikely event that an emergency situation does occur. In addition, the new paddock will be equipped with smoke and heat detection systems connected to the Batavia Downs security office and in turn local emergency service providers.

In conclusion, this new paddock construction is a requirement stipulated by New York State. Its construction is designed to make race preparation more efficient, reduce water waster and remove washing contaminates from the groundwater. The building actually reduces the amount of area taken by the original stables. Aesthetically, the building is colored to match the existing buildings and basically is a barn structure for horses. While there is some carbon footprint for constructing the new paddock, the net environmental impact is small in comparison to existing and pre-existing conditions at Batavia Downs.

Short Environmental Assessment Form

Part 1 - Project Information

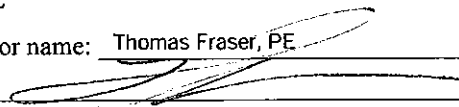
Instructions for Completing

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

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

Part 1 - Project and Sponsor Information							
<i>WROTB Corp</i>							
Name of Action or Project: New Paddock at Batavia Downs							
Project Location (describe, and attach a location map): 8315 Park Road, Batavia, New York 14020							
Brief Description of Proposed Action: * See attached description							
Name of Applicant or Sponsor: Western Regional Off-Track Betting Corporation		Telephone: 585-582-2533 E-Mail: tom.fraser@fraseres.com					
Address: 8315 Park Road							
City/PO: Batavia		State: New York	Zip Code: 14020				
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%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
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%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? 1.5 acres b. Total acreage to be physically disturbed? 1.5 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 48 acres							
4. Check all land uses that occur on, adjoining and near the proposed action. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): <u>VA Facility</u> <input type="checkbox"/> Parkland							

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: NYS Building Code Required Energy Conservation Compliance	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ Connects to existing on-site water system with backflow protection to Batavia water system	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ Connects to on-site waste system that connects to Batavia sewer	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input checked="" 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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES	
a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES Roof drainage connects to on-site storm water system			

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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Thomas Fraser, PE</u>		Date: <u>3/30/17</u>
Signature: <u></u>		

Project: Date:

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

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?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Short Environmental Assessment Form

Part 3 Determination of Significance

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.

- ☐ 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.
- ☐ 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)

PADDOCK BUILDING @ BATAVIA DOWNS

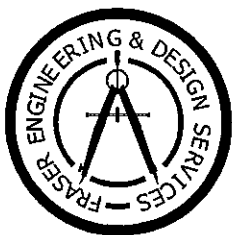
WESTERN REGIONAL OFF-TRACK BETTING CORP. PLANNING BOARD MEETING

OWNER:

REVISIONS:

SUPERSTRUCT

BUILDING ON EXISTING FOUNDATIONS
WWW.SUPERSTRUCT-NY.COM — 565-944-8269
3240 HILLBORTON RD. HOLLEY, NY 14470



FRASER

Engineering &
Design Services
(AN FIES COMPANY)

7670 CHASE ROAD,
LIMA, NY 14485
PHONE: (585) 424-5464
FAX: (585) 424-3741
www.fraseres.com

PROJECT:

PADDOCK BUILDING
at BATAVIA DOWNS

LOCATION:

WESTERN REGIONAL
OFF-TRACK BETTING CORP.
8315 PARK ROAD
BATAVIA, NY 14020

DATE: JANUARY 29, 2017

PROJECT MGR. T. FRASER

DRAWING BY: S. KRUGER

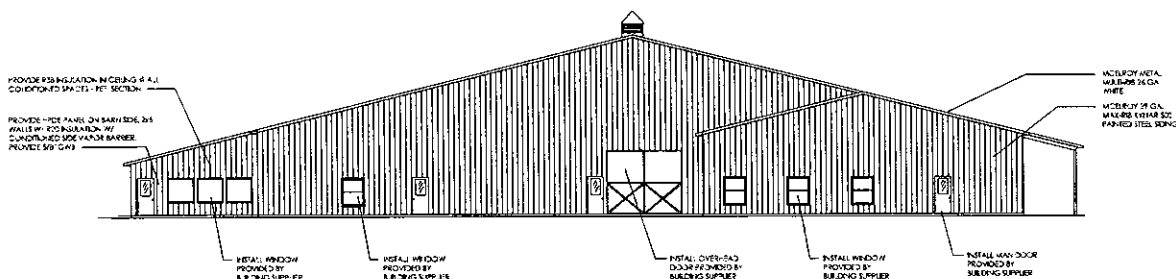
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DRAWING:

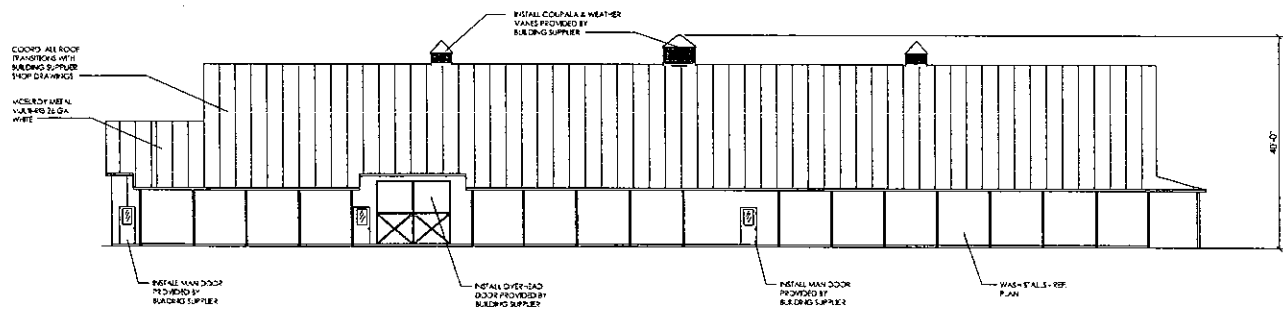
COVER SHEET

SHEET NUMBER:

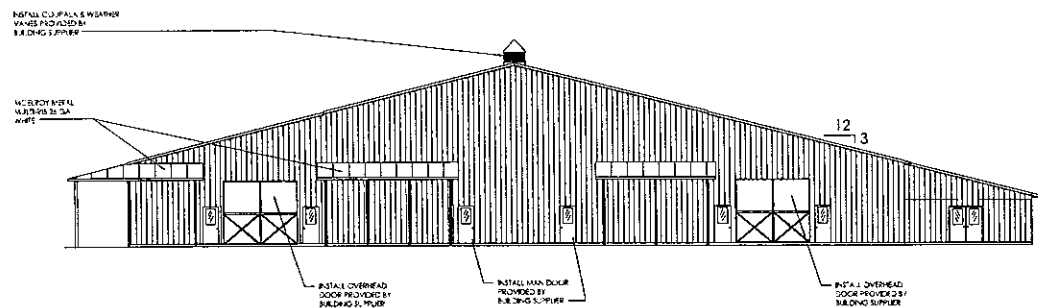
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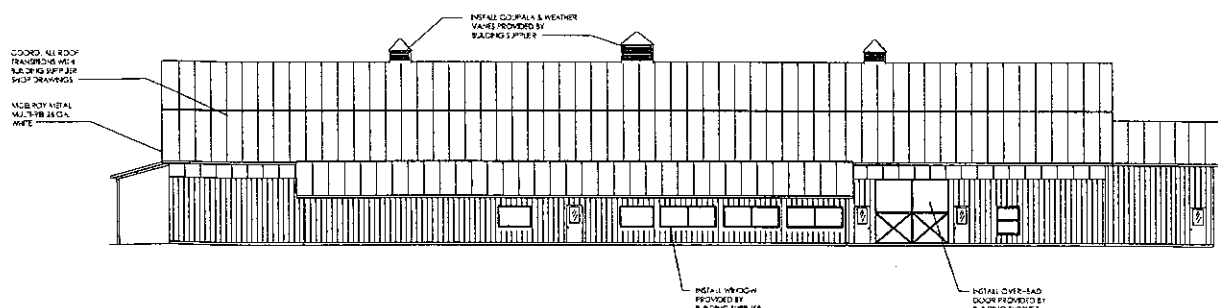
SIDE ELEVATION (SOUTH)



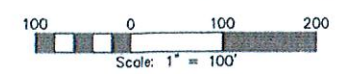
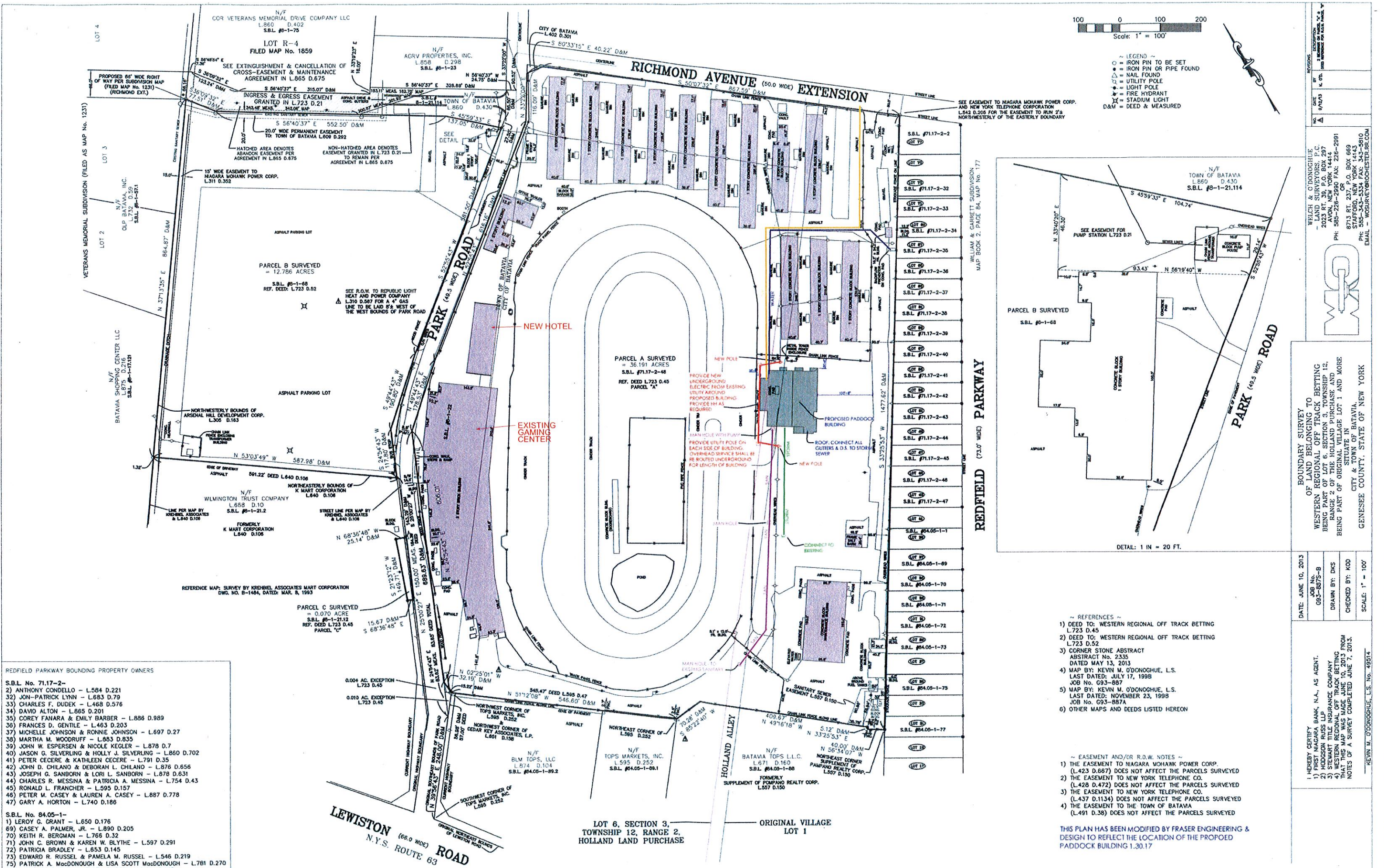
SIDE ELEVATION (EAST)



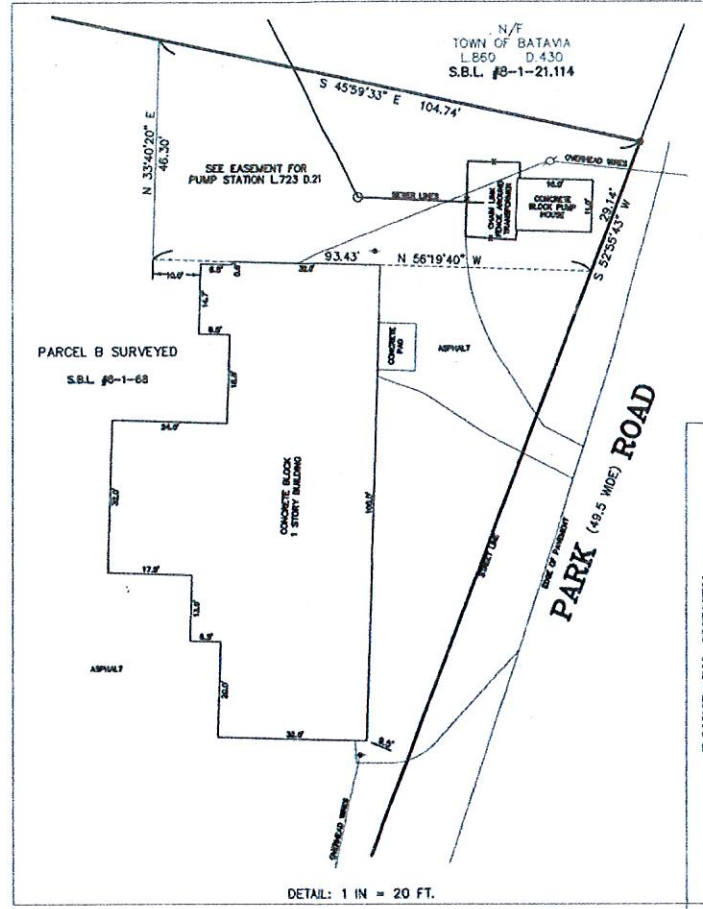
SIDE ELEVATION (NORTH SIDE)



SIDE ELEVATION (WEST)



- ~ LEGEND ~
- = IRON PIN TO BE SET
 - = IRON PIN OR PIPE FOUND
 - △ = NAIL FOUND
 - = UTILITY POLE
 - ◇ = LIGHT POLE
 - ⊕ = FIRE HYDRANT
 - ⊙ = STADIUM LIGHT
 - D&M = DEED & MEASURED



- REDFIELD PARKWAY BOUNDING PROPERTY OWNERS
- S.B.L. No. 71.17-2-
- ANTHONY CONDELLO - L.584 D.221
 - JON-PATRICK LYNN - L.683 D.79
 - CHARLES F. DUDEK - L.468 D.576
 - DAVID ALTON - L.685 D.201
 - COREY FANARA & EMILY BARBER - L.888 D.989
 - FRANCES D. GENTILE - L.463 D.203
 - MICHELLE JOHNSON & RONNIE JOHNSON - L.697 D.27
 - MARTHA M. WOODRUFF - L.883 D.835
 - JOHN W. ESPERSEN & NICOLE KEGLER - L.878 D.7
 - JASON G. SILVERLING & HOLLY J. SILVERLING - L.860 D.702
 - PETER CECERE & KATHLEEN CECERE - L.791 D.35
 - JOHN D. CHILANO & DEBORAH L. CHILANO - L.876 D.656
 - JOSEPH G. SANBORN & LORI L. SANBORN - L.878 D.631
 - CHARLES R. MESSINA & PATRICIA A. MESSINA - L.754 D.43
 - RONALD L. FRANCHER - L.595 D.157
 - PETER M. CASEY & LAUREN A. CASEY - L.887 D.778
 - GARY A. HORTON - L.740 D.186
- S.B.L. No. 84.05-1-
- LEROY G. GRANT - L.650 D.176
 - CASEY A. PALMER, JR. - L.890 D.205
 - KEITH R. BERGMAN - L.766 D.32
 - JOHN C. BROWN & KAREN W. BLYTHE - L.597 D.291
 - PATRICIA BRADLEY - L.653 D.145
 - EDWARD R. RUSSEL & PAMELA M. RUSSEL - L.546 D.219
 - PATRICK A. MacDONOUGH & LISA SCOTT MacDONOUGH - L.781 D.270
 - NICHOLAS C. ZINNI & ELLEN S. ZINNI - L.614 D.143

- ~ REFERENCES ~
- DEED TO: WESTERN REGIONAL OFF TRACK BETTING L.723 D.45
 - DEED TO: WESTERN REGIONAL OFF TRACK BETTING L.723 D.52
 - CORNER STONE ABSTRACT ABSTRACT No. 2335 DATED MAY 13, 2013
 - MAP BY: KEVIN M. O'DONOGHUE, L.S. LAST DATED: JULY 17, 1998 JOB No. G93-887
 - MAP BY: KEVIN M. O'DONOGHUE, L.S. LAST DATED: NOVEMBER 23, 1998 JOB No. G93-887A
 - OTHER MAPS AND DEEDS LISTED HEREON
- ~ EASEMENT AND/OR R.O.W. NOTES ~
- THE EASEMENT TO NIAGARA MOHAWK POWER CORP. (L.423 D.687) DOES NOT AFFECT THE PARCELS SURVEYED
 - THE EASEMENT TO NEW YORK TELEPHONE CO. (L.428 D.472) DOES NOT AFFECT THE PARCELS SURVEYED
 - THE EASEMENT TO NEW YORK TELEPHONE CO. (L.437 D.1134) DOES NOT AFFECT THE PARCELS SURVEYED
 - THE EASEMENT TO THE TOWN OF BATAVIA (L.491 D.38) DOES NOT AFFECT THE PARCELS SURVEYED
- THIS PLAN HAS BEEN MODIFIED BY FRASER ENGINEERING & DESIGN TO REFLECT THE LOCATION OF THE PROPOSED PADDOCK BUILDING 1.30.17

WEIGH & O'DONOGHUE
SURVEYORS
2023 RT. 300 BOX 297
AVON, NEW YORK 14414
PH: 585-226-2990 FAX: 226-2891
OR
8713 RT. 237, P.O. BOX 669
STAFFORD, NEW YORK 14444-5910
PH: 585-226-2990 FAX: 226-2891
EMAIL: WOSURVEY@GOSNET.BR.COM

BOUNDARY SURVEY
OF LAND BELONGING TO
WESTERN REGIONAL OFF TRACK BETTING
BEING PART OF LOT 6, SECTION 3, TOWNSHIP 12,
RANGE 2 OF THE HOLLAND PURCHASE AND MORE
BEING PART OF ORIGINAL VILLAGE LOT 1 AND MORE
SITUATE IN THE CITY OF BATAVIA
GENESEE COUNTY, STATE OF NEW YORK

DATE: JUNE 10, 2013
JOB No. G93-887S-B
DRAWN BY: DKS
CHECKED BY: KOD
SCALE: 1" = 100'

I HEREBY CERTIFY
1) FIRST NIAGARA BANK, N.A., AS AGENT.
2) HODSON RUSSELL LLP
3) STEWART TITLE INSURANCE COMPANY
4) WESTERN REGIONAL OFF TRACK BETTING
THAT THIS MAP WAS MADE JUNE 10, 2013 FROM
NOTES OF A SURVEY COMPLETED JUNE 7, 2013.

~ KEVIN M. O'DONOGHUE, L.S. No. 49514 ~

SITE LOCATION MAP



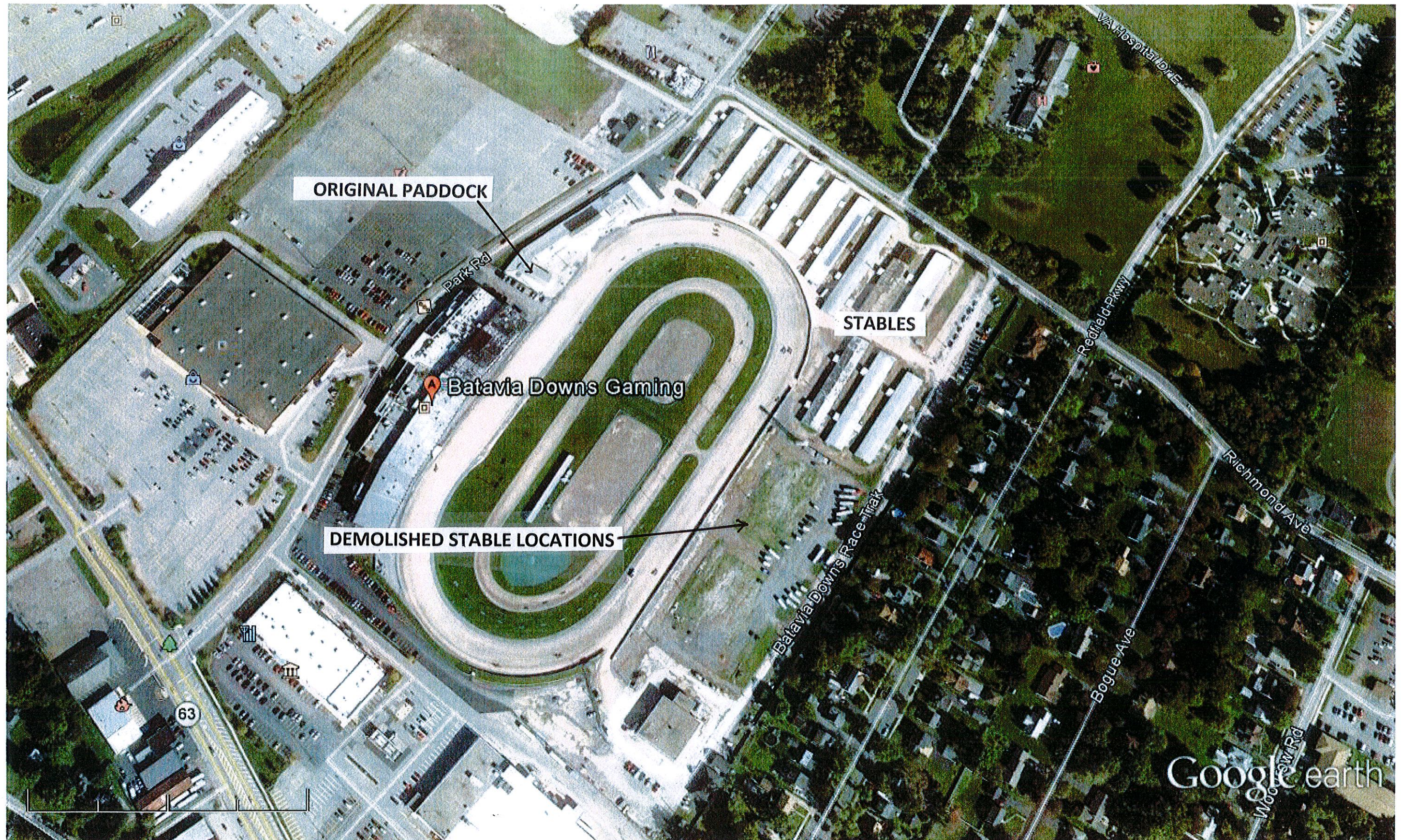
Google earth

feet
meters

2000
600

PRE-EXISTING CONDITIONS WITH STABLES





Google earth

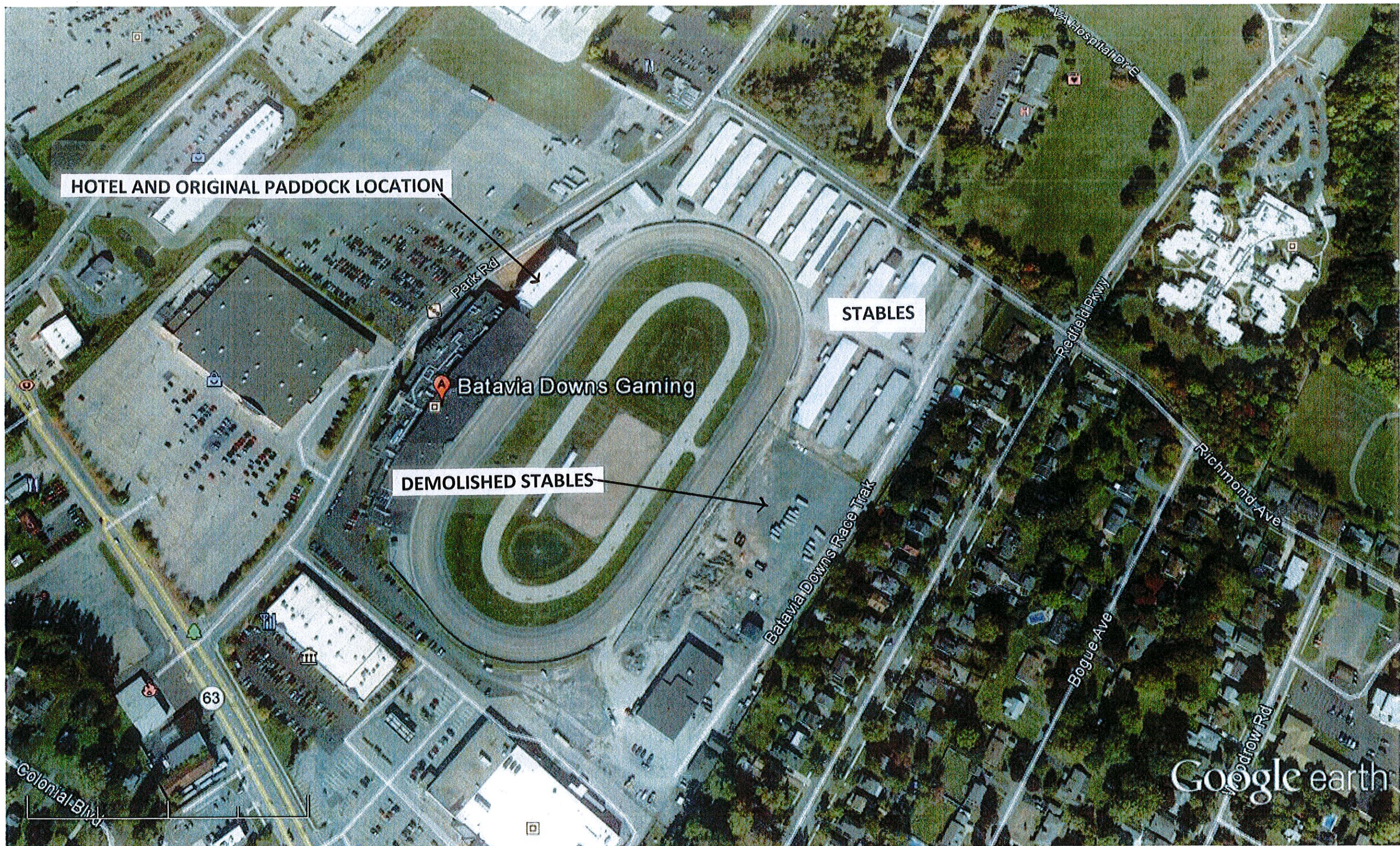
feet
meters



PRE-EXISTING CONDITIONS WITH DEMOLISHED STABLES



NORTH



Google earth

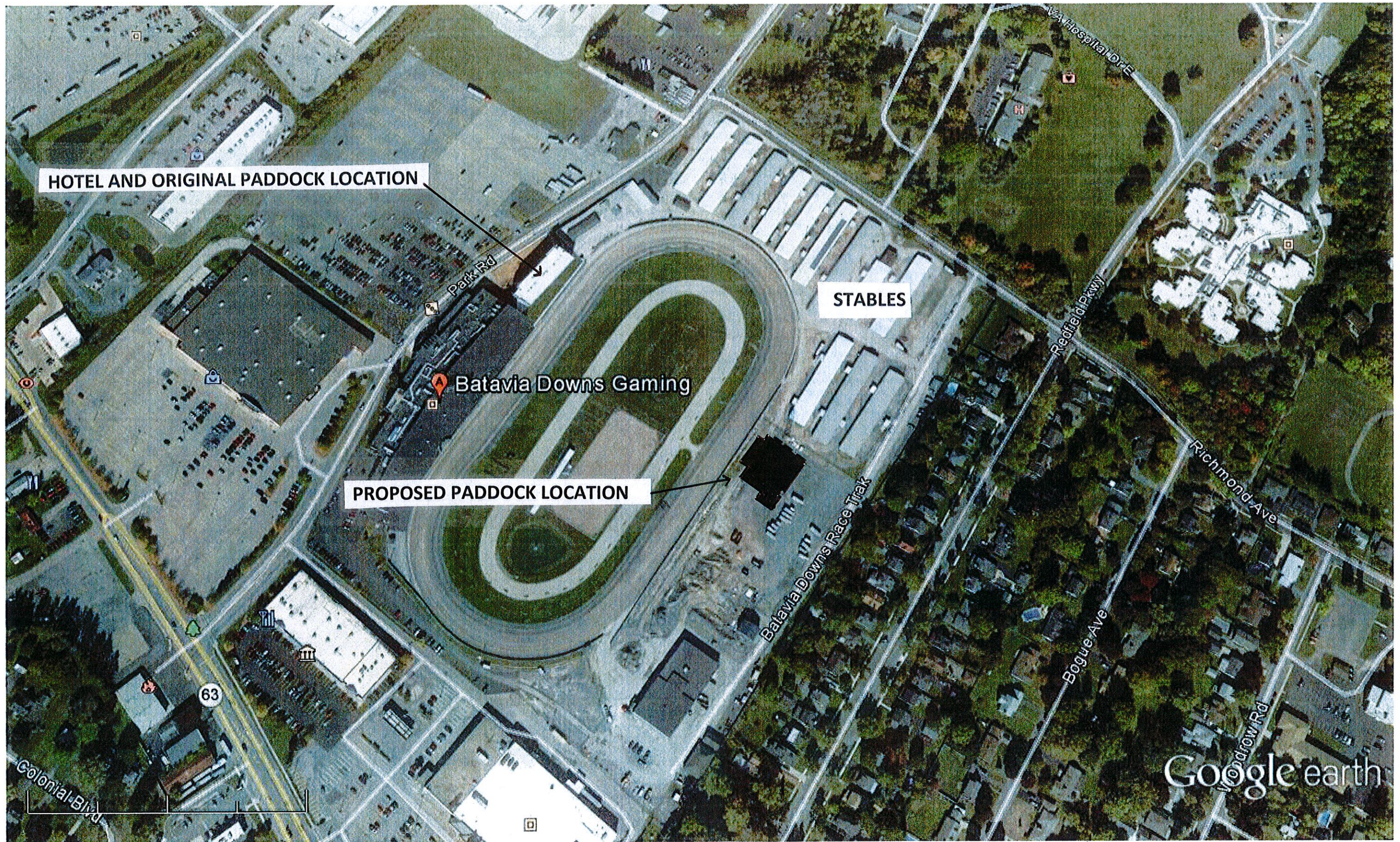
feet
meters



CURRENT CONDITIONS

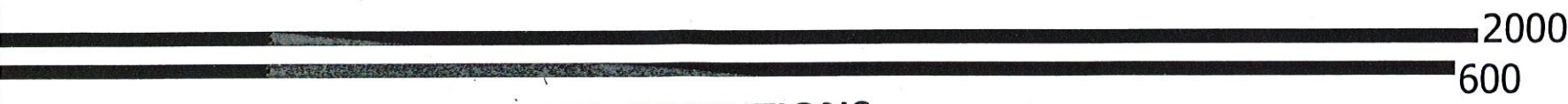


NORTH



Google earth

feet
meters

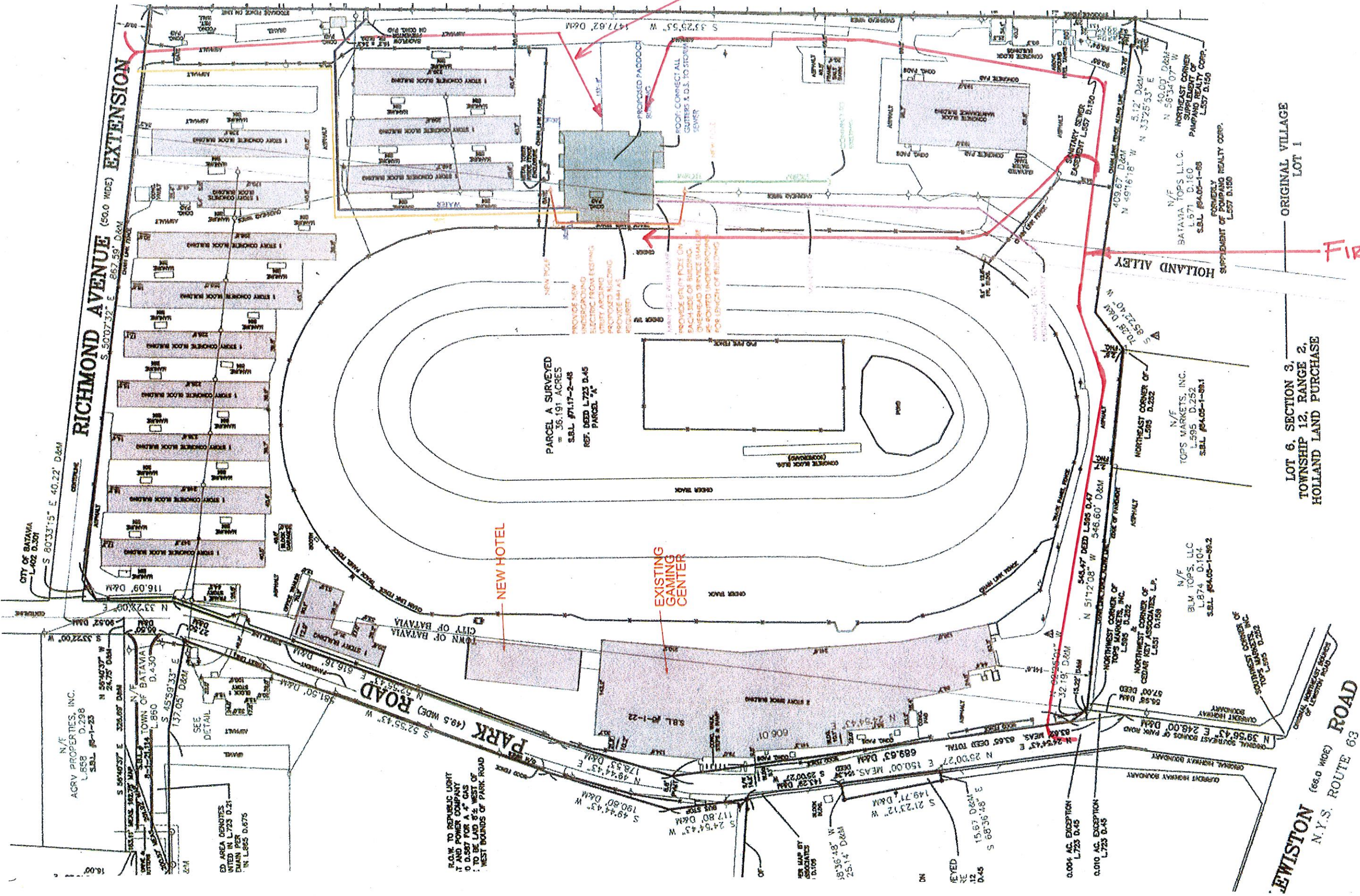


PROPOSED CONDITIONS



FIRE ACCESS ROUTE

FIRE ACCESS ROUTES



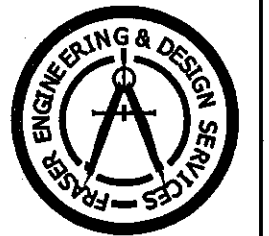
FIRE DEPARTMENT ACCESS

OWNER:

REVISIONS:

SUPERSTRUCT

BUILDING ON EXISTING FOUNDATIONS
WWW.SUPERSTRUCT-NY.COM — 800-944-8888
2240 HILBERTSON RD. HOLLEY, NY 14076



FRASER

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(AN HES COMPANY)

7670 CHASE ROAD,
LIMA, NY 14095
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DATE: JANUARY 29, 2017

PROJECT MGR. T.FRASER

DRAWING BY: S.KRUGER

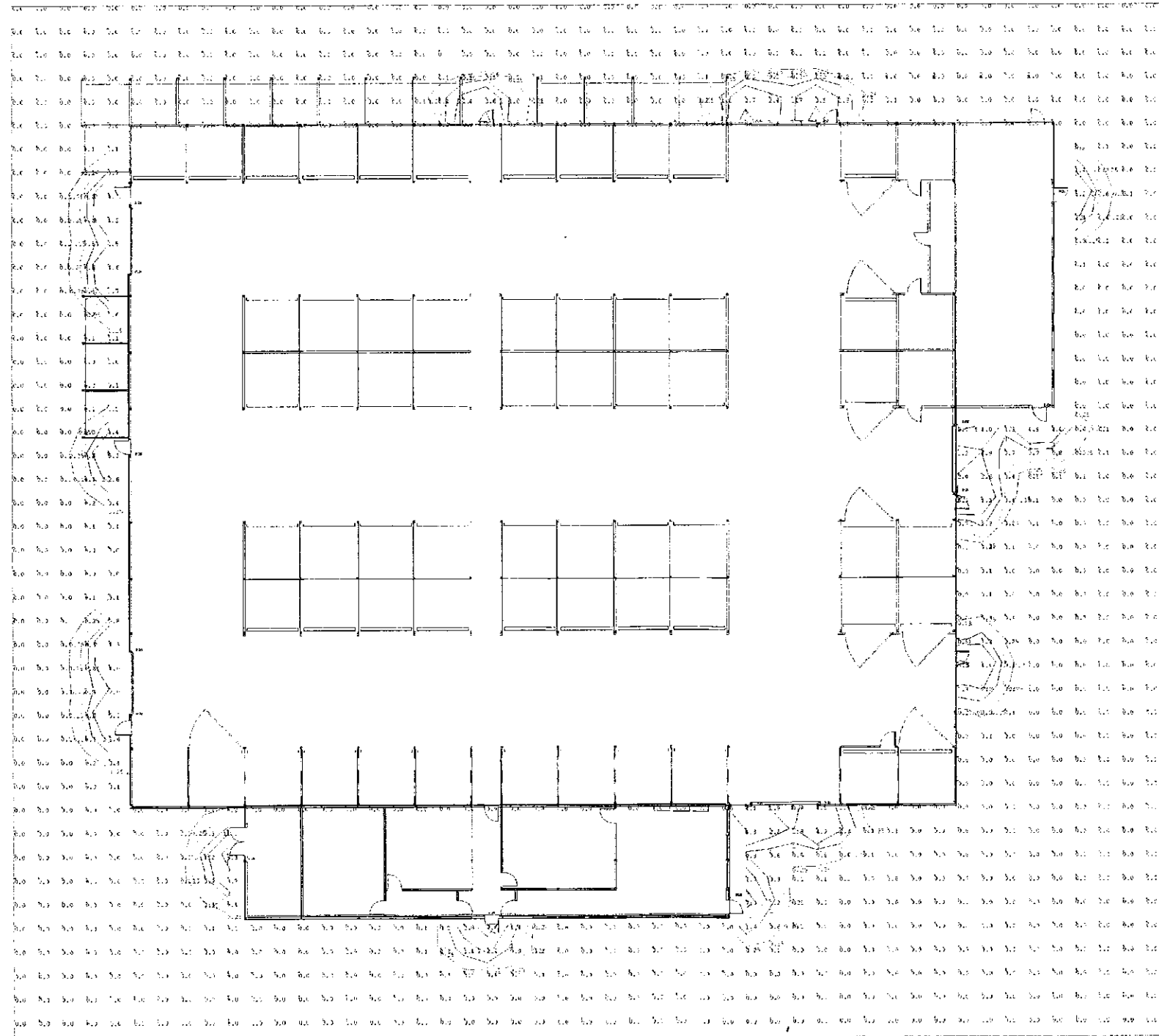
JOB NUMBER: 14-181

DRAWING:

EXTERIOR LIGHTING
PHOTMETRIC

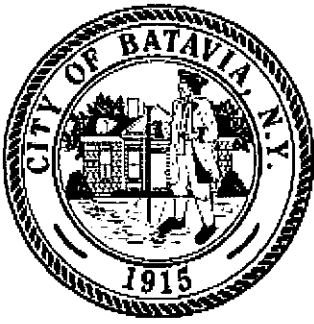
SHEET NUMBER:

E100



LIGHTING LEVELS IN FOOT CANDLES

1 PHOTOMETRIC PLAN
E100 NOT TO SCALE



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: 4/20/17

Re: 552, 554 and 556 East Main St.
Tax Parcel No. 84.060-1-19, 84.060-1-20 and 84.060-1-21

Zoning Use District: C-2 and R-3

The applicant, Eric Schaaf (Marathon Engineering), has submitted a plan for “sketch plan review” of the clearing of three parcels and erection of a high rise apartment building.

City Planning and Development Committee- Pursuant to section 190-44 B(1) of the zoning ordinance, the Planning and Development Committee shall review site plans. 190-44 D (1) Sketch plan review is an optional review that provides an opportunity for the applicant to meet with the PDC prior to final site plan submittal.

190-13 C (2) High rise apartment buildings are permitted in the C-2 and R-3 use districts with the issuance of a Special Use Permit.

190-37 C (1-9) and 190-37 K (1-14) Special use permits are subject to the conditions of these sections.



39 Cascade Drive / Rochester, NY 14614 / Phone (585) 458-7770

April 18, 2017

Douglas Randall
City of Batavia
One Batavia City Centre
Batavia NY 14020

Re: Home Leasing Apartment Project
552,554,556 E Main St
City of Batavia, County of Genesee, State of New York

Dear Doug,

On behalf of our client, Home Leasing, we are pleased to submit a revised concept sketch of the above referenced project for your consideration. We request that this project be placed on the agenda for the Planning and Development Committee (PDC) meeting of April 25th for Sketch Plan Review.

Based upon input received from the PDC at their March 21st meeting, we have revised the layout so that no setback variances will be required. 45 parking spaces are proposed, which, based on the applicant's experience with similar projects, will provide adequate parking. A waiver from the PDC will be required to allow 45 spaces versus the required 83 spaces.

In discussions with Town Staff, it was determined a variance will be required to allow this building to have one elevator. We have reviewed the revised plan with the Fire Chief, who expressed no concerns. We are enclosing an AutoTURN analysis demonstrating a 100-foot ladder truck can enter the site, turn-around, and exit.

The following information has not changed, and is repeated for convenience:

The 1.2+/-acre project site is on the south side of East Main St (NYS Route 5) and is comprised of three tax parcels:

Address	Tax ID	Current Zoning
552 E Main St	84.060-1-19	Primarily C-2 with the southern portion R-3
554 E Main St	84.060-1-20	C-2
556 E Main St	84.060-1-21	C-2

This \$12,000,000 development, will create 55 new mixed-income apartments and is planned in partnership with Eagle Star Housing, Inc. to set aside at least 25% of the apartments for supportive

Going the distance for you.

housing for homeless vets. This development will create 4 new permanent jobs and 150 construction jobs for 12-15 months.

Plans include 8 studio, 39 one-bedroom and 8 two-bedroom apartments targeting households between 60% of Area Median Income and 90% of Area Median Income. Amenities will include a community room, fitness center, on-site laundry, raised garden beds, laptops for resident use, and private outdoor space for every apartment. Rent will include all utilities and residents will have access to an onsite community leader and 24/7 emergency maintenance services. The project will be constructed to be highly energy efficient, earning a LEED designation.

We have engaged GAR Associates to complete a market study, and their preliminary report demonstrates strong demand for mixed-income housing and veterans housing in this community. The central location will provide immediate access to life's necessities, such as health facilities, pharmacy, grocery, public transportation, and employment opportunities.

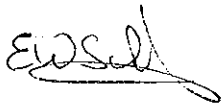
The parking facility will have one ingress/egress point from East Main St, with a drop-off area near the main entrance.

Enclosed is the following information to aid in your review:

- 7 copies of this Letter of Intent
- 7 copies of the Concept Layout Plan SK-1, last revised 04/18/2017 (11x17)
- 7 copies of the AutoTURN Analysis Plan AT-1, last revised 04/18/2017 (11x17)

We look forward to presenting this project to the Planning and Development Committee meeting. In the meantime, if you have any questions, or require additional information, please do not hesitate to contact our office.

Respectfully submitted,



Eric W Schaaf
MARATHON ENGINEERING

cc: Adam Driscoll, Home Leasing
Tim Zigarowicz, SWBR Architects

The Project: Home Leasing is proposing a 55-unit apartment community with 48 parking spaces at 556 East Main Street, Batavia. Of the 55 units, HL is planning to set aside a minimum of 30% of the units for supportive housing for homeless veterans served by Eagle Star Housing. The 556 East Main Street site was specifically selected because of its walkability and proximity to a wide variety of community amenities including (grocery, pharmacy, banking services, library, faith communities, restaurants, etc), and access to public transit. Additionally, the community will include indoor bike storage, a well-used amenity. Finally, Eagle Star Housing is planning to provide transportation to all Eagle Star clients who reside in the supportive housing.

Parking Data: Home Leasing conducts an annual audit of parking because on-site property management staff have determined that the properties typically have excess parking – beneficial to neither development and operating budgets nor the environment (run off, heat, less green space). Home Leasing currently operates 18 properties and has an additional 2 under construction. Of the 18 existing properties, 4 are general occupancy, as proposed for Batavia. The properties, located in Elmira, Rochester, Baltimore, and Auburn, range in size from 75 units to 252 units and have a mix of one, two and three bedrooms apartments and/or townhomes.

Home Leasing Parking Audit – December 2016

	Elmira	Rochester I*	Baltimore	Auburn	Total	Rochester II**	Rochester III**
# of Units	102	75	252	150	579	72	50
# of Spaces	100	71	250	223	644	60	19
# Residents (12/16)	184	92	416	145	837	**	**
# Registered Cars (12/16)	47	35	175	79	336	**	**
Avg # Occupied spaces	31	33	108	82	260	**	**
Avg # Unoccupied spaces	69	38	136	141	384	**	**
% Parking Utilization	31%	53%	43%	37%	40%	**	**

* *Rochester I also includes 8 commercial businesses, property management staff, and staff for supportive housing program*

***Projects with site plan approval*

Based on historic data, Home Leasing anticipates that no more than 40% of residents will have cars. The Elmira, Baltimore and Auburn projects were all existing apartment communities with parking in place when acquired. **Applying HL's historic percentage of 40% of parking utilization to the Batavia property with 55 apartments yields 32 parking spaces.** HL's benchmark is slightly higher than Eagle Star's benchmark of 33% of residents with automobiles. **The proposed parking easily accommodates 3 parking spaces for staff and an additional 10 spaces for visitors/flex.**

DePaul's supportive housing community, across East Main Street from the proposed HL site, provides 32 spaces for 42 units for a ratio of about 3:4 – less than one per unit. HL's project proposes 48 spaces for 55 units, for a ratio of 4:5.

We feel confident that the current proposed number of parking spaces will be sufficient. Additionally, there will be approximately 8-10 on-street parking spaces available in front of the property.



SWBR

**Batavia Apartments
Conceptual Rendering**



[illegible]

1. GENERAL:

1.1 PROPERTY APPLICANT - HOME LEASING
**1.2 PROPERTY ADDRESS - 352,354,356 EAST MAIN STREET
BATAVIA, NY**

1.3 TAX ACCOUNT - 84 060-1-19, 84 060-1-20, 84 060-1-21

2. ZONING REGULATIONS:

2.1 ZONING DISTRICT - C-2 - GENERAL COMMERCIAL & R-3 RESIDENTIAL

2.2 CODE REQUIREMENTS:

	REQUIRED	PROPOSED	VARIANCE REQ'D?
MINIMUM LOT AREA	35,730 SF*	153,360 SF	NO
MINIMUM LOT FRONTAGE	100 FT	±162 FT	NO
MAXIMUM LOT COVERAGE (FOR HIGH RISE)	40%	28%	NO
BUILDING SETBACKS			
FRONT	36 FT	35 FT	NO
SIDE	36 FT	35 FT	NO
TOTAL SIDE	35 FT	70 FT	NO
REAR	35 FT	80 FT	NO
BUILDING HEIGHT NUMBER OF STORIES (MIN)**	3	4	NO
PARKING			
STANDARD SPACES	83	45	--
ACCESSIBLE SPACES	2	3	NO
TOTAL NUMBER OF SPACES	83***	48	YES***
PARKING SPACE SIZE	8'x19'	8'x19'	NO

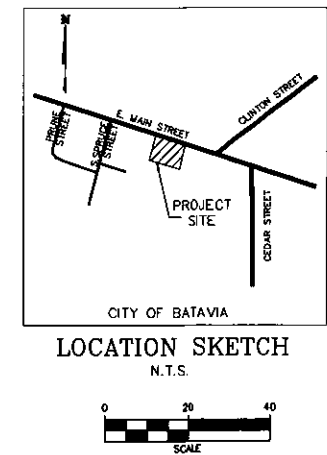
* MINIMUM LOT AREA PER DWELLING UNIT (D U) IS 5065' OF LOT AREA (1 D U, 55 D U, 60550' D U=153,360)
** REQUIREMENT FOR HIGH RISE APARTMENTS IN THE CITY OF BATAVIA ZONING CODE HAS BEEN MET THE
PROPOSED FOUR (4) STORIES IS GREATER THAN THE REQUIRED THREE (3) STORIES TO BE CONSIDERED
HIGH RISE APARTMENTS
*** REQUIRED PARKING:
15 SPACES REQUIRED FOR EVERY DWELLING UNITS 1.5 SPACE X 155 UNITS=83 REQUIRED
*** A WAIVER WILL BE REQUESTED OF THE PLANNING DEVELOPMENT COMMITTEE. 3 DOUBLE STACKED
SPACES FOR 3 BEDROOM - DOUBLE CAR UNITS ARE PROVIDED
* A VARIANCE WILL BE REQUESTED FOR RELIEF FROM THE REQUIREMENT FOR A HIGH-RISE BUILDING TO
HAVE 2 ELEVATORS. ONLY ONE ELEVATOR IS PROPOSED

3. PARCEL STATISTICS:

3.1 AREA - ±1.21 ACRES (AFTER LOT COMBINATION)

3.2 EXISTING CONDITIONS: SINGLE FAMILY DWELLINGS/ COMMERCIAL

3.3 PROPOSED CONDITIONS: HIGH RISE APARTMENT IS AN ALLOWED USE BY SPECIAL PERMIT IN BOTH THE C-2
DISTRICT AND IN THE R-3 RESIDENTIAL DISTRICT



CONCEPT SKETCH
FOR
HOME LEASING - BATAVIA
CITY OF BATAVIA COUNTY OF GENESEE STATE OF NEW YORK

REVISIONS		
DATE	BY	REVISION
04/18/17	MT	LAYOUT MODIFICATIONS

1 of 1	SK-1
SHEET No:	
0810-17	DRAWING No:
JOB No.	