

PLANNING & DEVELOPMENT COMMITTEE

Tuesday, August 21, 2018

6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

AGENDA

- I. Roll Call
- II. Call to Order
- III. Approval of Minutes – 6/19/18
- IV. Proposals

Address: *643 East Main St.*

Applicant: Daniel DiLaura (agent for owner)

Proposal 1: Special Use Permit to allow for short term “Outside Storage” of impounded/accident recovery automobiles as part of a towing operation

Actions:

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

Address: *13 Porter Ave.*

Applicant: Gerald Freeman (agent for owner)

Proposal 2: Recommendation to the ZBA for an Area Variance to covert a former four-family dwelling into a two-family dwelling with two off street parking spaces in an existing building that occupies most of this parcel

Actions:

- 1. Review application
- 2. Discussion and recommendation to the ZBA

Address: *40-52 and 56-70 Ellicott St.*

Applicant: Samuel Savarino (developer)

Proposal 3: Site Plan and Special Use Permit to make changes to a previously approved package

Actions:

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

Applicant: City Council

Proposal 4: Sign Code Review – City Council has requested that the Planning and Development Committee review the recently adopted sign code to determine if the application and implementation of the new code has been satisfactorily achieved and whether the desired results have been realized. Council wishes for the PDC to make recommendations regarding potential revisions to section 190-43 of the Batavia Municipal Code.

Actions: 1. Review application
2. Discussion and recommendation to City Council

V. Other/ New Business/Updates

VI. Setting of Next Meeting: September 18, 2018

VII. Adjournment

PLANNING & DEVELOPMENT COMMITTEE

MINUTES

June 19, 2018

6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

Members present: *Edward Flynn, Matt Gray, Tammy Hathaway, Robert Knipe, Duane Preston*

Members absent: Matt Gray, Marc Staley

Others present: Meg Chilano – Recording Secretary, Doug Randall – Code Enforcement Officer

I. Roll Call

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

II. Call to order

Mr. Preston called the meeting to order at 6:01 pm.

III. Previous Meeting Minutes

There were no corrections to the minutes. Mr. Preston assumed the motion and the minutes were approved by unanimous consent.

RESULT: Approval of May 15, 2018 meeting minutes.

IV. Proposals

- A. Recommendation to the ZBA for an Area Variance: widen an existing 10.5' wide loose stone driveway/parking area by placing an additional 6.5' of loose stone to the south side of the existing driveway/parking area in the front yard of this property

Address: *16 Otis St.*

Applicant: Dominic Cervone (owner)

- Actions:
1. Review application
 2. Discussion and recommendations to the ZBA for Area Variance

1. Review Application

Mr. Preston read the summary of the proposal. Mr. Cervone explained that both of his children now drive and that he needs to have another vehicle. The driveway is too short to park more than one car and the only way to add space is to widen it.

2. Discussion and Recommendation to the ZBA

Mr. Knipe clarified that the driveway on the north side of the property belongs to the neighbor, and the driveway on the south side belongs to the other neighbor. Mr. Cervone only has a stone driveway that reaches as far as his porch.

Mr. Cervone further explained that the neighbor's fence does not allow enough room for a car to get behind the house, and the building behind the house is not a garage.

Mr. Flynn asked for a determination of whether two vehicles could fit lengthwise along the fence. Mr. Randall responded that there is insufficient room to stack two vehicles in that location.

Mr. Flynn noted that the requested driveway would be twice the size allowed but acknowledged that there is no other viable solution.

MOTION: Mr. Knipe moved to recommend approval of the application as submitted; the motion was seconded by Ms. Hathaway, and on roll call, was approved 4-0.

RESULT: Recommendation to the ZBA for approval of the Area Variance.

- B. Recommendation to the ZBA for an Area Variance: widen an existing 11.3' wide driveway by placing 4' of stone on the east side and 4.7' on the west side of the existing driveway

Address: 212 Richmond Ave.

Applicant: Sarah Strumpf (owner)

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

1. Review Application

Mr. Preston read the summary of the proposal.

2. Discussion and Action by the Board

Ms. Strumpf explained that her property is located across the street from Notre Dame School, which is a busy area. She said that it is difficult to switch around two cars and hazardous for pedestrians.

Mr. Flynn asked if the driveway will be stone, and Ms. Strumpf answered that though the driveway is currently stone, the new one will be made of concrete.

MOTION: Mr. Flynn moved to recommend approval of the proposal; the motion was seconded by Mr. Knipe, and on roll call, was approved 4-0.

RESULT: Recommendation to the ZBA for approval of the Area Variance.

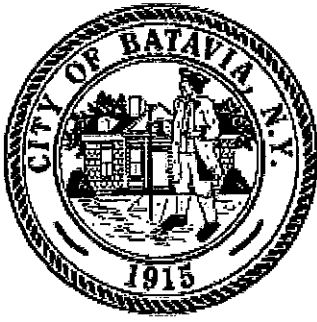
V. Other/New Business/Updates: none

VI. Setting of Next Meeting: July 17, 2018

VII. Adjournment

Mr. Preston moved to adjourn the meeting at 6:18 p.m.

Meg Chilano
Bureau of Inspection Secretary



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: 6/29/18

Re: 643 East Main St. Rear
Tax Parcel No. 85.013-1-12-112

Zoning Use District: I-1

The applicant, Daniel Dilaura (agent for owner), has applied for a Special Use Permit to allow for short term "Outside Storage" of impounded/accident recovery automobiles as part of a towing operation.

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 190-37 of the zoning ordinance, the Planning and Development Committee is to authorize Special Use Permits prior to issuance.

190-15 C (1) Outside storage is permitted with issuance of a special use permit.

190-37 K The PDC may issue Special Use Permits after it has found the standards and conditions of this section have been satisfied, see attached.

The PDC will be the lead agency to conduct SEQR.



SPECIAL USE PERMIT

CITY OF BATAVIA, NEW YORK

LOCATION: 643 E. Main rear (85.013-1-12.112)

OWNER: DAN MATICE / 643 LLC

Address: 643 East Main St rear.
Batavia NY 14020

Application Date: 6/28/18

Tax Parcel No.: 12.112

Phone No. 585-343-7210

☒ COUNTY PLANNING REVIEW

No ZONING VARIANCE REQUIRED

I-1 ZONING DISTRICT

No HISTORIC DISTRICT

C FLOOD ZONE

No HISTORIC LANDMARK

No CORNER LOT

No CITY ENGINEER REVIEW

No SITE PLAN REVIEW

No CITY COUNCIL REVIEW

No BID

None OTHER

PROJECT DESCRIPTION: Special use permit for outside storage -

Please Contact Dan Dilmore @ 343-7210

EXISTING USE: Warehouse / Vacant land

PROPOSED USE: Car Storage for impound / Accident Approx 4-5 Days per car occurrence.

N.Y.S. BLDG. CODE OCC. CLASS: ---

N.Y.S. BLDG. CODE OCC. CLASS: ---

LOT SIZE: .78 acres

LOT AREA: .78 acres

CITY PLANNING & DEVELOPMENT REVIEW:

--- APPROVAL AS PRESENTED --- DISAPPROVAL --- APPROVAL WITH CONDITIONS

CHAIRMAN SIGNATURE: _____ DATE: _____

<u>[Signature]</u>	<u>6/28/18</u>	_____
Applicant Signature	Date	Issuing Officer
Permit Fee: _____	Issue Date: _____	

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 Dan DiLauraAddress 643 East Main St. RearCity, State, Zip Batavia, NY 14020Phone (585) 343 - 7210 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 643 East Main St. Rear

B. Nearest intersecting road _____

C. Tax Map Parcel Number 85.013-1-12.112D. Total area of the property .78 acres Area of property to be disturbed _____E. Present zoning district(s) I-1**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 _____

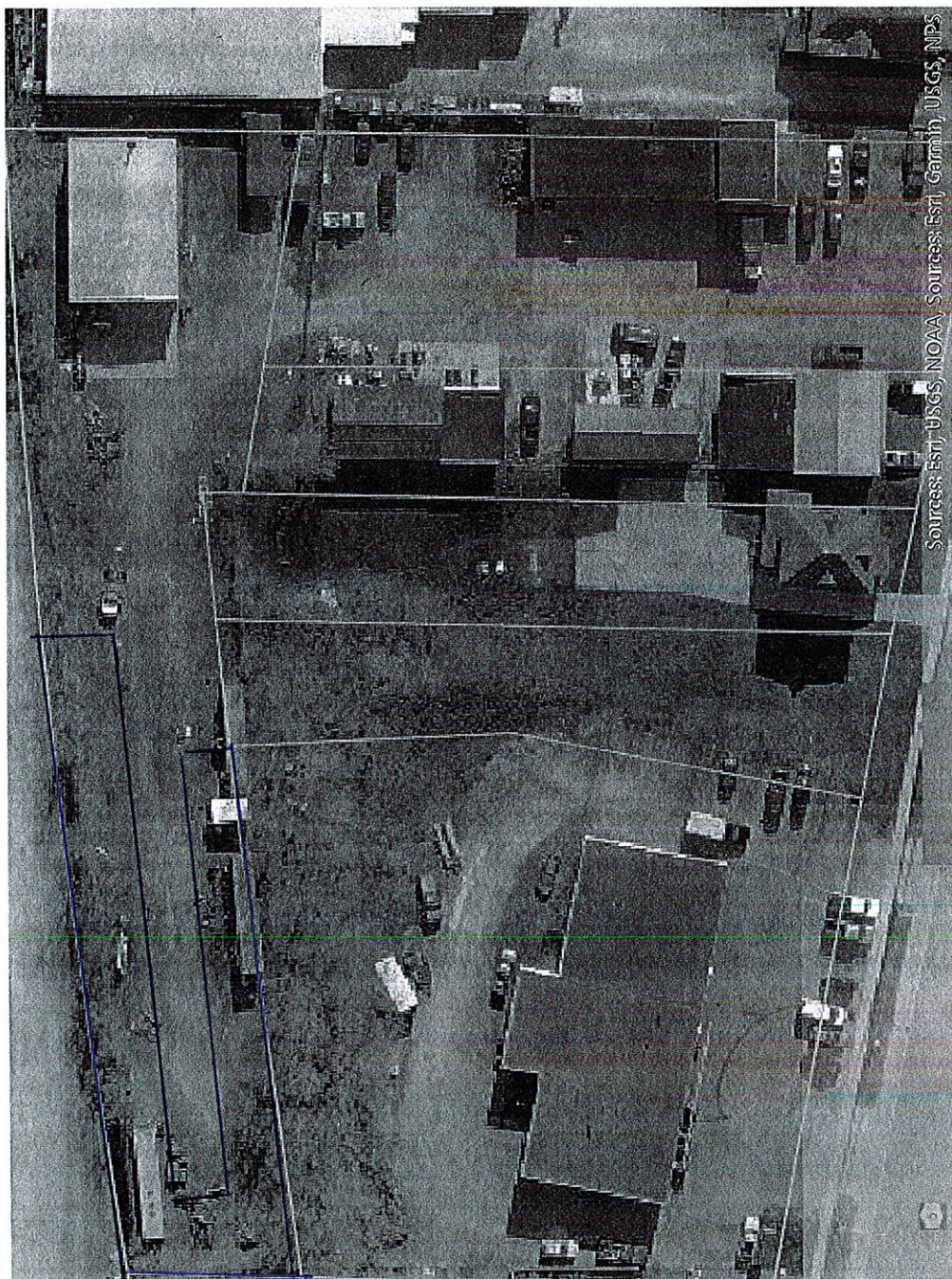
B. Special Use Permit and/or Variances refer to the following section(s) of the present zoning ordinance and/or law

BMC 190-37KC. Please describe the nature of this request Approval to allow for short term outside storage of impounded and accident recovery automobile storage as part of a towing operation.**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 letters

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

Blue Boxed Area would be the Area used for impound / Accident + Car Area.



Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

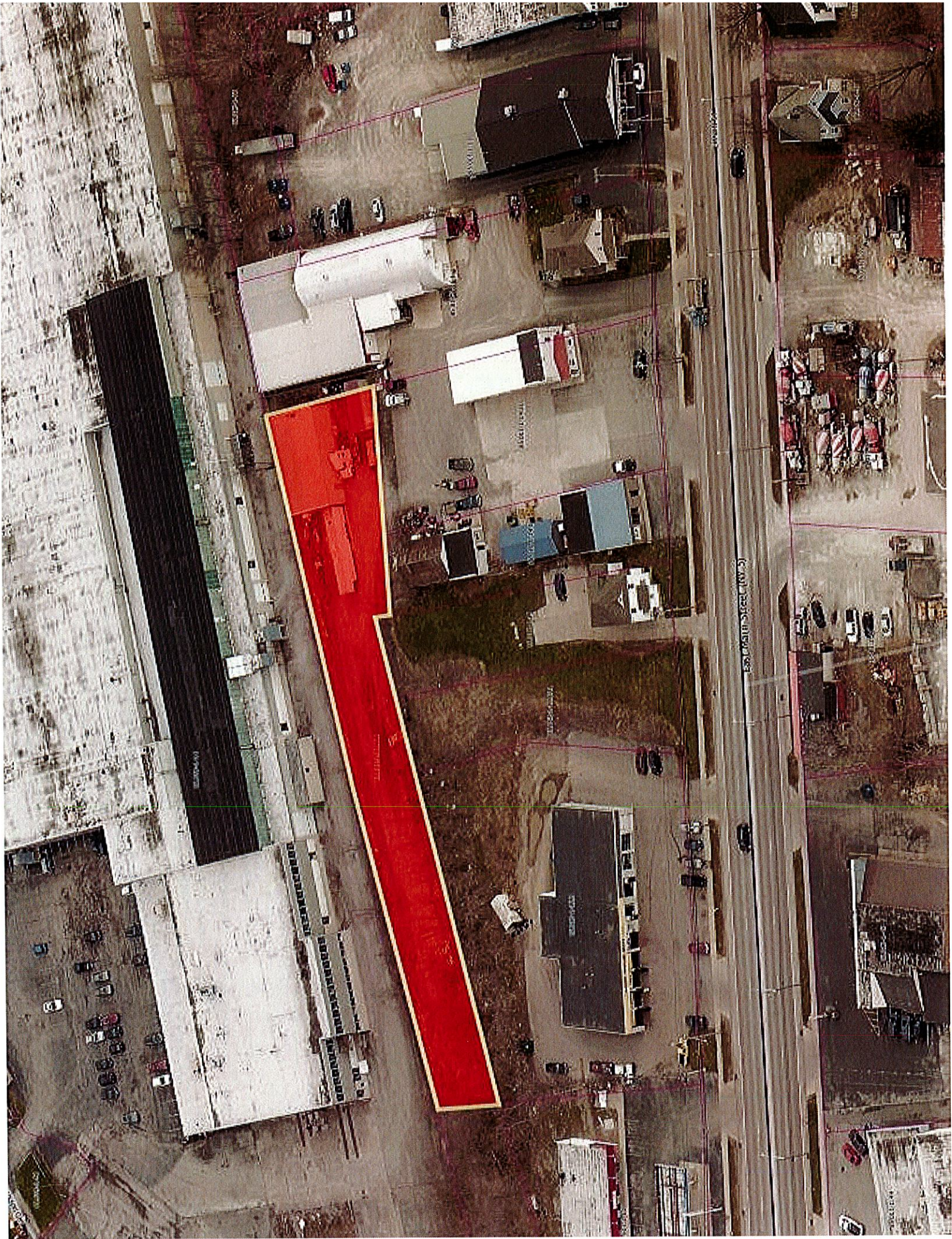
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available.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

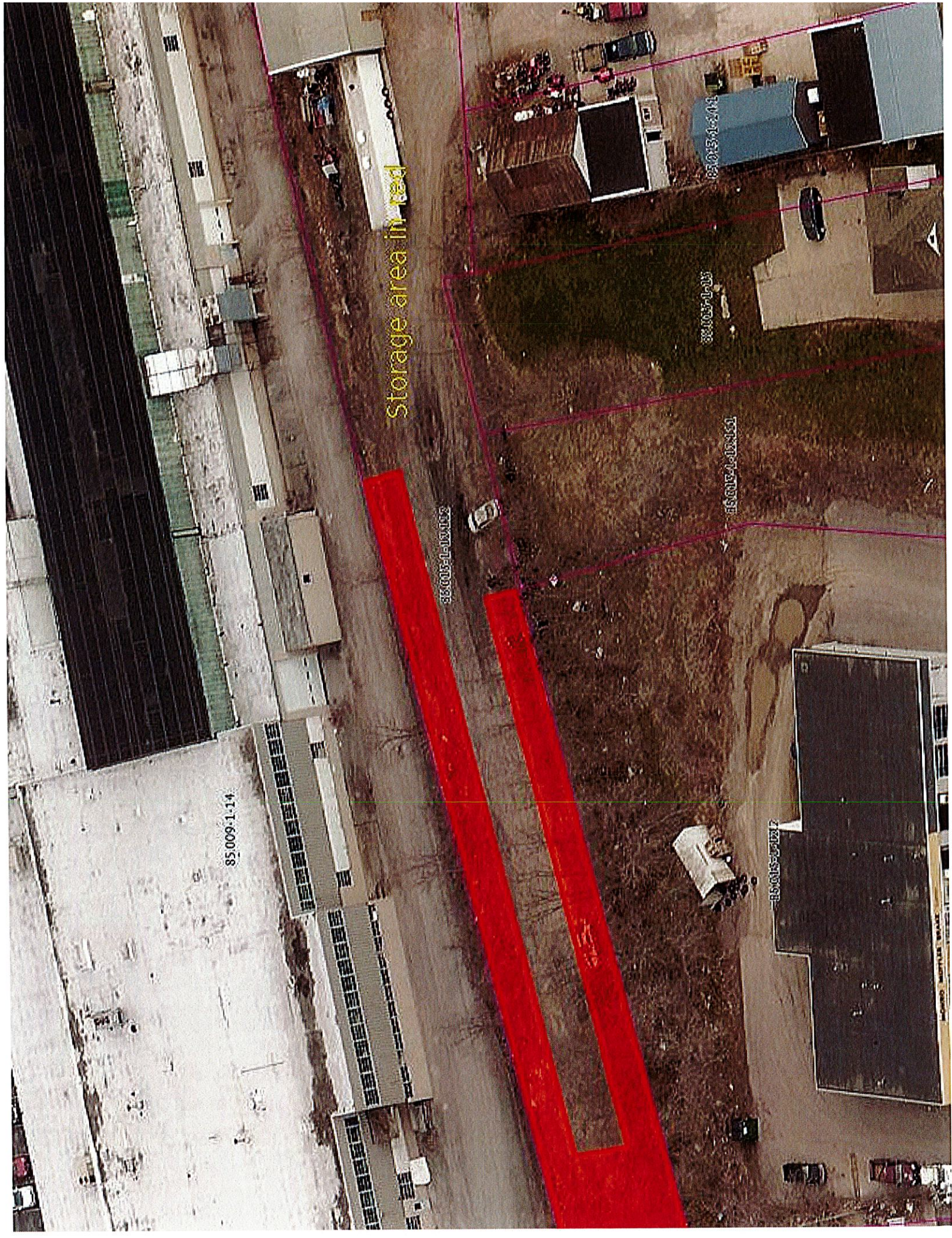
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Name of Action or Project: Special Use Permit for Outdoor storage							
Project Location (describe, and attach a location map): 643 East Main St. Rear, Batavia, NY 14020							
Brief Description of Proposed Action: Short term storage of impounded/accident recovery automobiles as part of a towing operation.							
Name of Applicant or Sponsor: Danell Dilauro		Telephone: 343-7210					
		E-Mail:					
Address: 643 East Main St.							
City/PO: Batavia,		State: NY	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="padding: 5px;">NO</td> <td style="padding: 5px;">YES</td> </tr> <tr> <td style="padding: 5px; text-align: center;"><input checked="" type="checkbox"/></td> <td style="padding: 5px; text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input 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="padding: 5px;">NO</td> <td style="padding: 5px;">YES</td> </tr> <tr> <td style="padding: 5px; text-align: center;"><input checked="" type="checkbox"/></td> <td style="padding: 5px; text-align: center;"><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? .78 acres b. Total acreage to be physically disturbed? 0 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? .78 acres							
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" 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 type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <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 <input type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <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: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ Not required for the proposed use	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ Not required for the proposed use	NO <input checked="" type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <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 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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
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 checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		

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
	<input checked="" type="checkbox"/>	<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	YES
	<input checked="" type="checkbox"/>	<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	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: _____ Date: _____ Signature: _____		





Storage area in red

85009-1-14

85016-1-19102

85016-1-03

85016-1-04151

85016-1-0127

85016-1-041



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: 7/23/18

Re: **13 Porter Ave.**
Tax Parcel No. 84.042-2-30

Zoning Use District: R-3

The applicant, Gerald Freeman, has filed an application to convert a former 4 family dwelling into a 2 family dwelling with 2 off street parking spaces in an existing building that occupies most of this parcel.

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 parkway, thoroughway, expressway, 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 regarding variance applications that involve parking.

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 Sec. 190-39 A (2)(a) 2 off street parking spaces are required per dwelling unit.

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) Zoning Board of AppealsAddress One Batavia City CentreCity, State, Zip Batavia, NY 14020Phone (585) 345 - 6347 Ext. _____**2. APPLICANT INFORMATION**Name Gerald FreemanAddress 15 South Spruce St.City, State, Zip Batavia, NY 14020Phone (716) 912 - 7665 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 13 Porter Ave.B. Nearest intersecting road East Main StC. Tax Map Parcel Number 84.040-2-30

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

E. Present zoning district(s) R-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 190-39 A(2)(a)C. Please describe the nature of this request Approval to create 2 fam dwelling with 2 off street parking spaces**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



CITY OF BATAVIA
APPLICATION TO THE ZONING BOARD OF APPEALS

Application No.: _____

Hearing Date/Time: _____

APPLICANT: Gerald Freeman

Name 15 South Spruce St. E-Mail Address _____
Street Address Batavia Phone (716) 912-7665 Fax _____
City NY State 14020 Zip _____

STATUS: ☐ Owner ☐ Agent for Owner ☐ Contractor

OWNER: _____
Name _____ E-Mail Address _____
Street Address _____ Phone _____ Fax _____
City _____ State _____ Zip _____

LOCATION OF PROPERTY: 13 Porter Ave.

DETAILED DESCRIPTION OF REQUEST: Approval to create 2 apt. unit building with only 2 parking spaces in existing bldg. that occupies a large portion of the parcel. Note, this bldg. was a 4 unit apt. bldg. prior to losing non-conforming status for vacancy.

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.

Gerald Freeman Date 7/9/2018
Applicant's Signature _____

Owner's Signature _____ Date _____

To be Filled out by Zoning Officer

TAX PARCEL: 84.040-2-30 ZONING DISTRICT: R-3 FLOOD PLAIN: C

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: Bma 190-39 A(2)(a) 2 off street parking spaces are required, per 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:

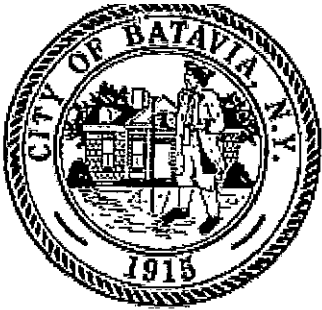
Explain how the proposal conforms to EACH of the following requirements:

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.
No - Reduces the number of occupants from 4 units to 2.
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 - no room to add for parking.
3. **Substantiality.** The requested area variance is not substantial. No - Existing Condition
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 - Existing Condition
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. Not self-created - Existing bldg. was a 4 unit apt. bldg. with parking for 2 vehicles. The lot is small and unable to fit more parking spaces without utilizing the front yard.

Matt Nelson
Applicant's Signature

7/9/2018
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: 7/31/18

Re: 40-52 and 56-70 Ellicott St. and parcels 84.015-1-4, 84.015-1-37.312 and 84.015-1-37.311
Tax Parcel No. 84.015-1-2, 84.015-1-5, 84.015-1-4, 84.015-1-37.312 and 84.015-1-37.311

Zoning Use District: C-3, C-2 and I-1

The applicant, Samuel J. Savarino (developer), has filed an application to merge and re-develop these five parcels by selective demolition, renovation of a portion of an existing building and construction of two new mixed use buildings.

A site plan and Special Use Permit for "Restricted Residential Use" were previously approved by the Planning and Development Committee on 7/18/17. The developer has requested a number of changes requiring site plan approval and a Special Use Permit for "Restricted Residential Uses". The following is a listing of proposed changes from the previously approved package.

- 1) Increase the number of dwelling units from 51 to 55.
- 2) The perimeter shape of the one story commercial building has changed and the Ellicott St. facing entry doors have been eliminated.
- 3) A playground has been added in the southeast corner of the site.
- 4) The monument sign has been removed from the grassy area between the Residential Building and the Resurgence Brewing Company building along Ellicott St.
- 5) Elimination of some landscaping and tree plantings.
- 6) Elimination of some of the paved walking surfaces on site.

Attached is a copy of the original Special Use Permit application and site plan

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 a NYS road or highway.

City Planning and Development Committee- Pursuant to section 190-44 B(1) and C(1)(a, b and c) of the zoning ordinance, the Planning and Development Committee shall review and approve site plans and Special Use Permits prior to building permit issuance.

- 1) **BMC 190-44 C (1)** **Site Plan Review-** The PDC shall review site plans in compliance with this section.
- 2) **BMC 190-14 C(2)** **Special Use Permit-** Restricted residential uses are permitted within the C-3 (Central Commercial District) with the issuance of a Special Use Permit by the PDC in compliance with 190-37 I(1-9) and 190-37 K(1-14). **NOTE:** The proposed residential use building is located within the C-3 use district.

The Planning and Development Committee 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) INFORMATION

Board(s) Planning and Development Committee

Address One Batavia City Centre

City, State, Zip Batavia, NY 14020

Phone (585) 345 - 6347 Ext. _____

2. APPLICANT INFORMATION

Name Samuel J. Savarino, Savarino Companies LLC

Address 500 Seneca St., Suite 508

City, State, Zip Buffalo, NY 14204

Phone (716) 332 - 5959 Ext. _____ Email sams@savarinocompanies.com

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 40, 50 and 56 Ellicott St.

B. Nearest intersecting road Jackson

C. Tax Map Parcel Number 84.015-1-4, 84.015-1-37.312, 84.015-1-37.311, 84.015-1-2, 84.015-1-5

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

E. Present zoning district(s) C-3, C-2 and I-1

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 New submittal

B. Special Use Permit and/or Variances refer to the following section(s) of the present zoning ordinance and/or law
BMC 190-14 C(2)

C. Please describe the nature of this request Site plan approval and issuance of special use permit for
"Restricted Residential Uses"

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

July 30, 2018

Planning & Development Committee
City of Batavia
One Batavia City Centre
Batavia, New York 14020

RE: Ellicott Station
40, 50, 56 Ellicott Street, Batavia, NY 14020
Site Plan & Special Use Permit Approval

Dear PDC Members,

Savarino Companies, on behalf of its affiliate Ellicott Station LLC, is submitting the attached Site Plan Review and Special Use Permit applications to renew the approvals of the mixed-use redevelopment of the former Della Penna and Santy's Tire sites, now commonly referred to as Ellicott Station.

On July 18, 2017 Ellicott Station LLC obtained Site Plan and Special Use Permit approval for a plan that originally featured the adaptive reuse a 7,816 square foot warehouse into a locally themed restaurant and brewhouse, the new construction of a 56,655 square foot apartment building with 51 units, and a 15,376 square foot multi-tenant office building with on-site parking.

Since then, subtle changes have been incorporated into the plans as a result of the design development process and to satisfy the design guidelines of various project funding sources. Today, the Ellicott Station plans still call for the adaptive reuse of the 7,816 square foot warehouse, and the new construction of the 56,655 square foot apartment building and 15,376 square foot multi-tenant office building.

Changes to the Ellicott Station plans include the following:

- 1) Increase to 55 apartment units vs. the originally approved 51 apartment units. The overall footprint and gross area of the building remain unchanged (Building R). The increase in number of units is due to NYS Homes and Community Renewal dwelling unit size restrictions, which required us to downsize several units, resulting in space for 4 additional units.
- 2) The shape of the multi-tenant office building (Building C) footprint has been modified. The overall gross area of the building remains unchanged.
- 3) Addition of an ADA playground at the southeast corner of the site. NYS Homes and Community Renewal required that a playground be located on-site regardless of any nearby playground facilities.
- 4) Removal of the westernmost monument signage along Ellicott Street. Signage for the brewery/restaurant is the responsibility of our Tenant, Resurgence Brewing Company.

- 5) Reduction of the number of trees / landscape plantings shown on the site plan. Trees / landscape plantings around the brewery/restaurant are the responsibility of Resurgence Brewing Company. Other trees / landscape plantings throughout the site will be coordinated with future office tenants.
- 6) Reduction of paved walking surface area in the pocket park at the northeast corner of the site (Elliott & Jackson Street).

We thank you for your consideration and look forward to hearing your direction. If you have any questions, please feel free to contact me directly at sams@savarinocompanies.com.

Sincerely,



Samuel J. Savarino
Savarino Companies, LLC

SS:cc

Enclosed: Special Use Permit Application

Original SEQR Part 1 (Long-Form) dated 5/25/2018

Site & Civil Plans

Floor Plans & Building Elevations

PERMIT NO. _____



SPECIAL USE PERMIT

CITY OF BATAVIA, NEW YORK

LOCATION: 40, 50, 56 Ellicott Street
OWNER: Ellicott Station LLC
Address: 500 Seneca St., Ste. 508, Buffalo, NY 14204

Application Date: 7/30/2018
Tax Parcel No.: 84.015-1-2.1
Phone No. 716-332-5959

☒ COUNTY PLANNING REVIEW

No ZONING VARIANCE REQUIRED

C-3, C-2, I-1 ZONING DISTRICT

No HISTORIC DISTRICT

AE FLOOD ZONE

No HISTORIC LANDMARK

Yes CORNER LOT

No CITY ENGINEER REVIEW (Done)

☒ SITE PLAN REVIEW

No CITY COUNCIL REVIEW

Yes BID

____ OTHER

PROJECT DESCRIPTION:

Adaptive reuse of contaminated Brownfield site, including the rehabilitation/conversion of an existing 2-story 8,000 sf warehouse into a locally themed brewery & restaurant; construction of a new 5-story, 55-unit (56,000 sf) apartment building, and; the construction of a new 1-story 17,000 square foot multi-tenant office building. 15,376

EXISTING USE: Vacant; Commercial/Industrial

PROPOSED USE: Mixed-Use

N.Y.S. BLDG. CODE OCC. CLASS: F-1, F-2

N.Y.S. BLDG. CODE OCC. CLASS: B₂, R-2, A₂


LOT SIZE: +/- 3.4 ac

LOT AREA: +/- 84,000 SF

CITY PLANNING & DEVELOPMENT REVIEW:

____ APPROVAL AS PRESENTED ____ DISAPPROVAL ____ APPROVAL WITH CONDITIONS

CHAIRMAN SIGNATURE: _____ DATE: _____

	7/30/2018	_____
Applicant Signature	Date	Issuing Officer
Permit Fee: _____	Issue Date: _____	



500 Seneca Street Suite 508
Buffalo, New York 14204
Phone: (716)-332-5959
Fax: (716)-332-5968

July 30, 2018

Planning & Development Committee
City of Batavia
One Batavia City Centre
Batavia, New York 14020

RE: Ellicott Station
40, 50, 56 Ellicott Street, Batavia, NY 14020
SEQR Part 1

Dear PDC Members,

As part of our Site Plan and Special Use Permit renewal submission we are resubmitting the original SEQR Part 1 long form dated May 25, 2017 along with the July 18, 2017 PDC Meeting Minutes which indicate SEQR Negative Declaration.

You will find during your review of the documents accompanying this submission that the plans for the site are substantially unchanged and should have no adverse effect on the SEQR.

We thank you for your consideration and look forward to hearing your direction. If you have any questions, please feel free to contact me directly at sams@savarinocompanies.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Samuel J. Savarino", with a long horizontal flourish extending to the right.

Samuel J. Savarino
Savarino Companies, LLC

SS:cc

Enclosed: July 18, 2018 PDC Meeting Minutes

SEQR Part 1 Long Form dated May 25, 2017

PLANNING & DEVELOPMENT COMMITTEE
MINUTES

July 18, 2017

6:00 pm

Council Board Room
One Batavia City Centre, Batavia NY

Members present: *Matt Gray, Tammy Hathaway, Robert Knipe, Duane Preston, Marc Staley*

Members absent: Edward Flynn

Others present: Meg Chilano – Recording Secretary, Jason Molino – City Manager, Doug Randall – Code Enforcement Officer, Matt Worth – Director of Public Works

I. Roll Call

Roll call of the members was conducted. Five members were present and Chairman Duane Preston declared a quorum.

II. Call to order

Mr. Preston called the meeting to order at 6:05 pm.

III. Previous Meeting Minutes

There were no corrections to the minutes. Mr. Preston assumed the motion and the minutes were approved by unanimous consent.

RESULT: Approval of June 20, 2017 meeting minutes.

IV. Proposals

A. Recommendation to the City Council regarding the Comprehensive Plan Update

- Actions:
1. Public Hearing
 2. Discussion and recommendation to the City Council

1. Public Hearing

MOTION: Mr. Gray moved to open the public hearing; the motion was seconded by Mr. Knipe, and on roll call, was approved 5-0.

RESULT: Public hearing opened at 6:06 pm.

City Manager Jason Molino opened his presentation of the Comprehensive Plan Update by describing the process of its development. The process began with a Cleaner Greener Communities grant awarded by NYSERDA, which allowed the Steering Committee to hire Elan Consulting to lead the development process. It was a longer process than a typical update; however, considering that the current document is 20 years out of date, it is practically a new plan.

The Steering Committee conducted a large amount of public outreach with multiple access points for input regarding the plan, which consisted of:

MOTION: Mr. Staley moved to approve the Site Plan, contingent upon obtaining the NYSDOT permit and the SHPO approval, and the special use permit; the motion was seconded by Mr. Knipe; and on roll call, was approved 5-0.

RESULT: Site Plan and Special Use Permit approval.

MOTION: Mr. Gray moved to recommend approval of the Area Variance to the ZBA; the motion was seconded by Mr. Knipe, and on roll call, was approved 5-0.

RESULT: Recommendation to the ZBA for approval of the Area Variance.

- E. Site plan review and Special Use Permit to merge and re-develop these five parcels by selective demolition, renovation of a portion of an existing building and construction of two new mixed use buildings

Address: 40-52 and 56-70 Ellicott St. and parcels 84.015-1-37, 84.015-1-4, 84.015-1-37.311, and 84.015-1-37.312

Applicant: Samuel J. Savarino, Ellicott Station LLC (developer)

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

1. Review Application

Mr. Preston read the summary of the proposal. He reported that the Genesee County Planning Board did not provide a recommendation based on what they said was a lack of information to conduct a downtown design review.

Mr. Savarino described the project as having three distinct components:

1. Transformation of the Della Penna building into a beer garden, brewery, and restaurant operated by Resurgence Brewery
2. A five-story apartment building with four floors of market rate apartments and parking on the first floor
3. A one-story commercial office building with approximately 16,000 sq.' of space

Mr. Savarino addressed the items the PDC had told him at the Sketch Review they would like to see enhanced, completed, or changed. The board indicated that for the next meeting they would like to see:

- A solution to the Grand Canal storm sewer system
- Façade material samples / pictures of other projects
- Details of treatments between the buildings and sidewalks
- Façade appearance adjustments according to BID guidelines.

For this meeting, Mr. Savarino provided pictures of other projects, and supplied samples of exterior panels. He pointed out that the samples of finishes and colors are intended to complement the façade of the Della Penna building.

Mr. Savarino noted that upon request, he had re-examined the City design standards and found them to be broad and sometimes contradictory. He said that it is impossible to meet every design standard within one project, and indicated that he had brought a narrative which describes the ways in which they have complied with the standards. (See attached.)

Mr. Savarino had been asked to develop a solution to the Grand Canal storm system which runs beneath the project site. After considering two possible solutions, one which would have involved other agencies and taken an inordinate amount of time, and one of which was prohibitively expensive, they settled on a plan to construct a bridge over the Grand Canal.

Mr. Savarino stated that this solution consists of:

- a box culvert beneath the residential building
- Structural elements to bridge the residential building
- Easements all through the site for the City to get to the Grand Canal

Mr. Savarino said that they would have the means to design it, build it, and ensure it meets with City approval. The solution will allow them to proceed with the project and is the least expensive option. He said that they have already provided the City with plans and details, have conferred with the Department of Public Works, and that they are confident it will work.

Mr. Savarino observed that there is currently a building on top of the Grand Canal which will be demolished as part of the project, but which serves as proof that a building can in fact be constructed over the top of the Grand Canal.

Brennan Marks, engineer for the project, explained the concept drawings and John Otto, landscape architect, described the plans for landscaping.

2. Public Hearing

MOTION: Mr. Preston moved to open the public hearing; the motion was seconded by Mr. Gray, and on roll call, was approved 5-0.

RESULT: Public hearing opened at 8:15 pm.

Beth Carr asked a question about the beer garden and accessibility. Mr. Marks said that it is completely handicap accessible.

Pierluigi Cipollone, President of the BDC, spoke in support of the project and praised the effort that went into developing it. He said that it will be a benefit to have a contaminated area cleaned up, and pointed out the boost to employment the project will create. He said the apartments fulfill a need in the City for market rate housing.

MOTION: Mr. Preston moved to close the public hearing; the motion was seconded by Mr. Staley, and on roll call, was approved 5-0.

RESULT: Public hearing closed at 8:24 pm.

Mr. Preston asked for a time estimation on installing the first tenant and Mr. Savarino answered it would be some time in the fall. He said the project will be done at the same time, rather than in phases.

Mr. Staley asked Mr. Worth if he anticipated any reason why the City attorney would not be able to craft the easement. Mr. Worth answered that though the easement will be somewhat unique in the sense of having a structure over the top of a City utility, the City attorney is working on crafting the easement and no issues are expected. He noted that the City having easements on other properties is not unique in itself.

Mr. Worth said that the structure over the top of the Grand Canal is expected to be a 100-year structure requiring minimal maintenance, and he is comfortable with the integrity, rigidity, and sustainability of Mr. Marks's proposed structure. Though they are waiting on a set of engineered plans with the details to be worked out, Mr. Worth said that he is comfortable with the direction the draft is headed in. He stated that as Director of Public Works, it is his responsibility to ensure the City and its utilities are protected so the easement will be crafted with that in mind.

Mr. Preston asked the board if they are comfortable with the plan, and Mr. Staley responded that he is as long as the contingency for the easement is met.

3. SEQR

Mr. Preston asked if the board had reviewed part one of the SEQR application and they indicated they had. The board went through the questions for part two.

MOTION: Mr. Preston moved to approve a negative declaration of SEQR; the motion was seconded by Mr. Knipe, and on roll call, was approved 5-0.

RESULT: Negative declaration of SEQR

4. Discussion and Action by the Board

MOTION: Ms. Hathaway moved to approve the site plan; the motion was seconded by Mr. Knipe, and on roll call, was approved 5-0.

RESULT: Site Plan approval

MOTION: Mr. Preston moved to approve the Special Use Permit; the motion was seconded by Mr. Gray, and on roll call, was approved 5-0.

RESULT: Special Use Permit approval

V. Other/New Business/Updates: none

VI. Setting of Next Meeting: August 15, 2017

VII. Adjournment

Mr. Preston moved to adjourn the meeting at 8:47 pm; the motion was seconded by Mr. Gray. All voted in favor.



Meg Chilano
Recording Secretary

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Ellicott Station		
Project Location (describe, and attach a general location map): 40-70 Ellicott Street (NYS Route 63), Batavia, NY		
Brief Description of Proposed Action (include purpose or need): APPLICANT PROPOSES TO REDEVELOP THE ABANDONED PROPERTIES INDICATED INTO 3 BUILDINGS: (1) SELECTIVE DEMOLITION OF MASONRY COMPLEX WITH REHABILITATION AND ADAPTIVE REUSE INTO A RESTURANT/BREWERY. (1) 5 STORY BUILDING WITH GROUND FLOOR PARKING AND ~58,200 SF OF MULTIFAMILY APRATMENTS ABOVE, AND (1) 16,855SF 1 STORY COMMERCIAL OFFICE BUILDING. THE PRPOSED DEVELOPMENT WILL INCLUDE REMEDIATION OF A KNOWN BROWNFIELD SITE THROUGH THE NYS BROWNFIELD REMEDIATION PROGRAM.		
Name of Applicant/Sponsor: ELLICOTT STATION DEVELOPMENT LLC		Telephone: 716-332-5959
		E-Mail: SAMS@SAVARINOCOMPANIES.COM
Address: 500 SENCA ST - SUITE 508		
City/PO: BUFFALO	State: NY	Zip Code: 14204
Project Contact (if not same as sponsor; give name and title/role): MARKS ENGINEERING, P.C. - BRENNAN MARKS, P.E.		Telephone: 585-905-0360
		E-Mail: BMARKS@MARKSENGINEERING.COM
Address: 42 BEEMAN STREET		
City/PO: CANANDAIGUA	State: NY	Zip Code: 14424
Property Owner (if not same as sponsor): BATAVIA DEVELOPMENT CORPORATION - JULIE PACATTE		Telephone: 585-345-6380
		E-Mail: JPACATTE@BATAVIADVELOPMENTCORP.O
Address: ONE BATAVIA CITY CENTRE		
City/PO: BATAVIA	State: NY	Zip Code: 14020

Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	CITY COUNCIL APPROVAL	06/2017
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	CITY BUILDING & ZONING - SITE PLAN, SPECIAL USE, BUILDING PERMIT	05/25/2017
c. City Council, Town or <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals	CITY ZONING - HEIGHT VARIANCE	05/25/2017
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	BATAVIA DEVELOPMENT CORPORATION - Brownfield Opportunity Area Development Award	09/2015
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No	Genesee County Economic Development Center - Application for Financial Assistance	5/19/2017
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS ESD Grant, Restore NY Grant, National Grid Grant(s), NYS DEC Brownfield Cleanup Program	12/12/2016, 02/14/2017, 05/30/2017,
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☒ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☒ Yes ☐ No

If Yes, identify the plan(s):

Remediation Sites: C819021, Remediation Sites: 819019

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? CENTRAL COMMERCIAL DISTRICT	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the use permitted or allowed by a special or conditional use permit?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action? If Yes,	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. What is the proposed new zoning for the site? _____	
C.4. Existing community services.	
a. In what school district is the project site located? BATAVIA SCHOOL DISTRICT	
b. What police or other public protection forces serve the project site? CITY OF BATAVIA POLICE DEPARTMENT	
c. Which fire protection and emergency medical services serve the project site? CITY OF BATAVIA FIRE DEPARTMENT	
d. What parks serve the project site? CITY OF BATAVIA PARKS	

D. Project Details

D.1. Proposed and Potential Development	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? MIXED: RESIDENTIAL, COMMERCIAL	
b. a. Total acreage of the site of the proposed action?	3.17 acres
b. Total acreage to be physically disturbed?	3.0 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	3.17 acres
c. Is the proposed action an expansion of an existing project or use? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____	
d. Is the proposed action a subdivision, or does it include a subdivision? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes,	
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____	
ii. Is a cluster/conservation layout proposed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
iii. Number of lots proposed? _____	
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will proposed action be constructed in multiple phases? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
i. If No, anticipated period of construction: _____ 15 months	
ii. If Yes:	
• Total number of phases anticipated _____	
• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year	
• Anticipated completion date of final phase _____ month _____ year	
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____	

f. Does the project include new residential uses? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	51
At completion of all phases	_____	_____	_____	51

g. Does the proposed action include new non-residential construction (including expansions)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes,	
i. Total number of structures <u>2</u>	
ii. Dimensions (in feet) of largest proposed structure: <u>60</u> height; <u>165</u> width; and <u>100</u> length	
iii. Approximate extent of building space to be heated or cooled: <u>64,000</u> square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____	
iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
<ul style="list-style-type: none"> • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ 	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____	
iv. Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> No	
ix. Summarize site reclamation goals and plan: _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☒ Yes ☐ No
If Yes:

i. Total anticipated water usage/demand per day: _____ TBD gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☒ Yes ☐ No
If Yes:

- Name of district or service area: CITY OF BATAVIA
- Does the existing public water supply have capacity to serve the proposal? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No
- Do existing lines serve the project site? ☒ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☒ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No
If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☒ Yes ☐ No
If Yes:

i. Total anticipated liquid waste generation per day: _____ TBD gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☒ Yes ☐ No
If Yes:

- Name of wastewater treatment plant to be used: CITY OF BATAVIA WASTEWATER TREATMENT PLANT
- Name of district: City of Batavia
- Does the existing wastewater treatment plant have capacity to serve the project? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? _____ • Will line extension within an existing district be necessary to serve the project? If Yes: <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? If Yes: <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans): _____ _____		
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____ _____		
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? If Yes: <ul style="list-style-type: none"> i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or <u>0.87</u> acres (impervious surface) _____ Square feet or <u>3.17</u> acres (parcel size) ii. Describe types of new point sources. _____ 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____ _____ <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ 		
<ul style="list-style-type: none"> • Will stormwater runoff flow to adjacent properties? _____ 		
iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? If Yes, identify: <ul style="list-style-type: none"> i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? If Yes: <ul style="list-style-type: none"> i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ii. In addition to emissions as calculated in the application, the project will generate: <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☒ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend
☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐ Yes ☒ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within 1/4 mile of the proposed site? ☒ Yes ☐ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☒ Yes ☐ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☒ Yes ☐ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☒ Yes ☐ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
Commercial Building - 100KVA

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
grid/local utility

iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐ Yes ☒ No

l. Hours of operation. Answer all items which apply.

i. During Construction:	ii. During Operations:
• Monday - Friday: _____ 7am-7pm	• Monday - Friday: _____ 7am-12am
• Saturday: _____ TBD	• Saturday: _____ 12pm-12am
• Sunday: _____ TBD	• Sunday: _____ 12pm-12am
• Holidays: _____ TBD	• Holidays: _____ TBD

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>EXCAVATION EQUIPMENT - 7AM TO 7PM WEEKDAYS</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Describe: _____</p>	
<p>n. Will the proposed action have outdoor lighting? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>Bollard Lights, Single head pole mount light 20' height, wall pack 10' height, double head pole mount light 20' height, landscape accent light (uplight), single head pole mount w/ rear cut off 20' height - located in parking lots, along paved walkways and within landscaped areas</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Describe: _____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally describe proposed storage facilities: _____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s): _____</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ TBD tons per _____ TBD (unit of time) • Operation : _____ TBD tons per _____ TBD (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: TBD _____ • Operation: TBD _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: TBD _____ • Operation: TBD _____ 	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☒ Urban ☒ Industrial ☒ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

Community retail - shopping, food, services, etc.: Commercial - Ice Arena, County Government Offices, County Courthouse, Private Offices

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	2.0	2.0	0
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	1.0	1.0	0
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☒ No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☒ No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? ☐ Yes ☒ No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☒ No
If Yes:
i. Has the facility been formally closed? ☐ Yes ☐ No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☐ No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:
TBD

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☒ Yes ☐ No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☒ Yes ☐ No
☐ Yes – Spills Incidents database Provide DEC ID number(s): _____
☒ Yes – Environmental Site Remediation database Provide DEC ID number(s): C819021, 819019
☐ Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____
TBD
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☒ Yes ☐ No
If yes, provide DEC ID number(s): 819016, C819021, 819019, 819011
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____
TBD

v. Is the project site subject to an institutional control limiting property uses? <input type="checkbox"/> Yes <input type="checkbox"/> No	
• If yes, DEC site ID number: _____	
• Describe the type of institutional control (e.g., deed restriction or easement): _____	
• Describe any use limitations: _____	
• Describe any engineering controls: _____	
• Will the project affect the institutional or engineering controls in place? <input type="checkbox"/> Yes <input type="checkbox"/> No	
• Explain: _____ _____ _____	
E.2. Natural Resources On or Near Project Site	
a. What is the average depth to bedrock on the project site? _____ feet	
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: _____ % _____ % _____ %	
d. What is the average depth to the water table on the project site? Average: _____ feet	
e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____ % of site <input checked="" type="checkbox"/> Moderately Well Drained: 100 % of site <input type="checkbox"/> Poorly Drained: _____ % of site	
f. Approximate proportion of proposed action site with slopes: <input checked="" type="checkbox"/> 0-10%: 100 % of site <input type="checkbox"/> 10-15%: _____ % of site <input type="checkbox"/> 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe: _____ _____	
h. Surface water features.	
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
ii. Do any wetlands or other waterbodies adjoin the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes to either i or ii, continue. If No, skip to E.2.i.	
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
• Streams: Name _____	Classification _____
• Lakes or Ponds: Name _____	Classification _____
• Wetlands: Name _____	Approximate Size _____
• Wetland No. (if regulated by DEC) _____	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, name of impaired water body/bodies and basis for listing as impaired: _____ _____	
i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
j. Is the project site in the 100 year Floodplain? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
k. Is the project site in the 500 year Floodplain? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. Name of aquifer: Principal Aquifer, Primary Aquifer _____	

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <p>pigeons _____</p> <p>_____</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p>	
<p>E.3. Designated Public Resources On or Near Project Site</p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>i. If Yes: acreage(s) on project site? _____</p> <p>ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p>	

<p>e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>If Yes:</p> <p>i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input checked="" type="checkbox"/> Historic Building or District</p> <p>ii. Name: <u>Genesee County Courthouse Historic District</u></p> <p>iii. Brief description of attributes on which listing is based: _____</p>	
<p>f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>g. Have additional archaeological or historic site(s) or resources been identified on the project site?</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>If Yes:</p> <p>i. Describe possible resource(s): _____</p> <p>ii. Basis for identification: _____</p>	
<p>h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>If Yes:</p> <p>i. Identify resource: _____</p> <p>ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____</p> <p>iii. Distance between project and resource: _____ miles.</p>	
<p>i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>If Yes:</p> <p>i. Identify the name of the river and its designation: _____</p> <p>ii. Is the activity consistent with development restrictions contained in 6 NYCRR Part 666? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

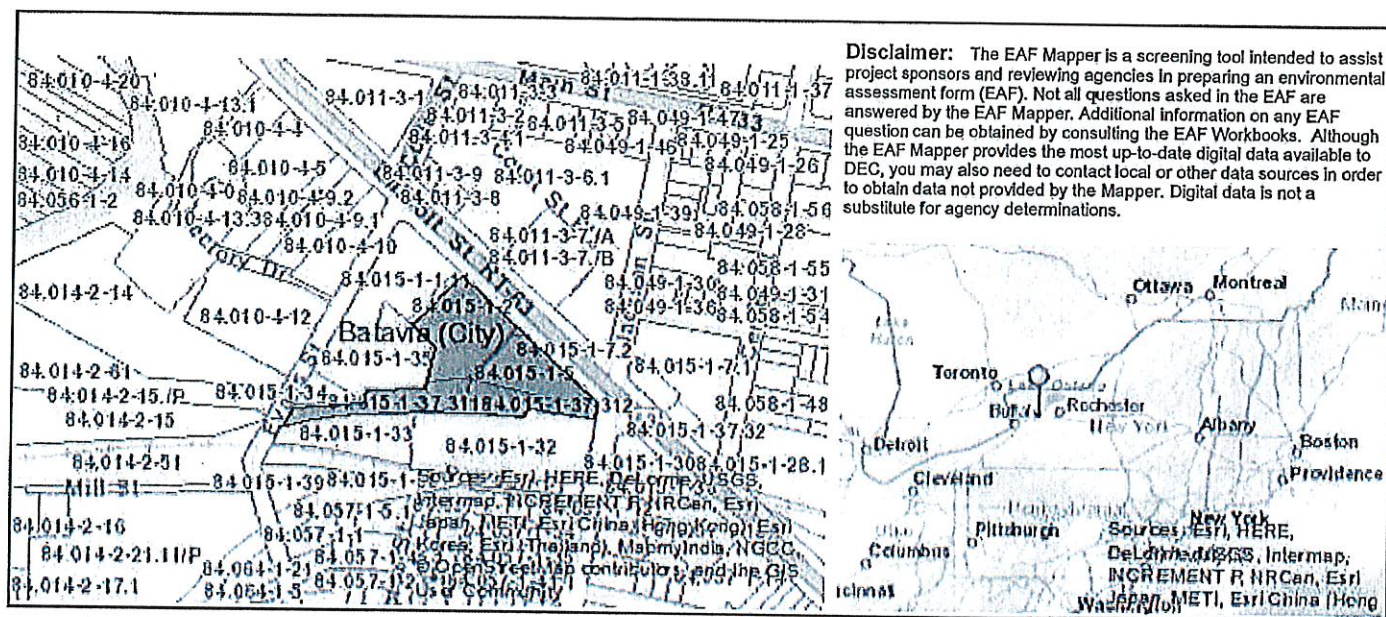
G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Samuel J. Savarino Ellicott Station Development Date 5/25/2017

Signature  Title Managing Member

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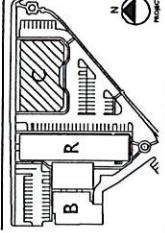


B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	Remediation Sites: C819021, Remediation Sites: 819019
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Yes - Digital mapping data for Spills Incidents are not available for this location. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Yes
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Yes
E.1.h.i [DEC Spills or Remediation Site - DEC ID Number]	C819021, 819019
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	819016, C819021, 819019, 819011
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.j. [100 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.

E.2.k. [500 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer, Primary Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National Register of Historic Places - Name]	Genesee County Courthouse Historic District
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No



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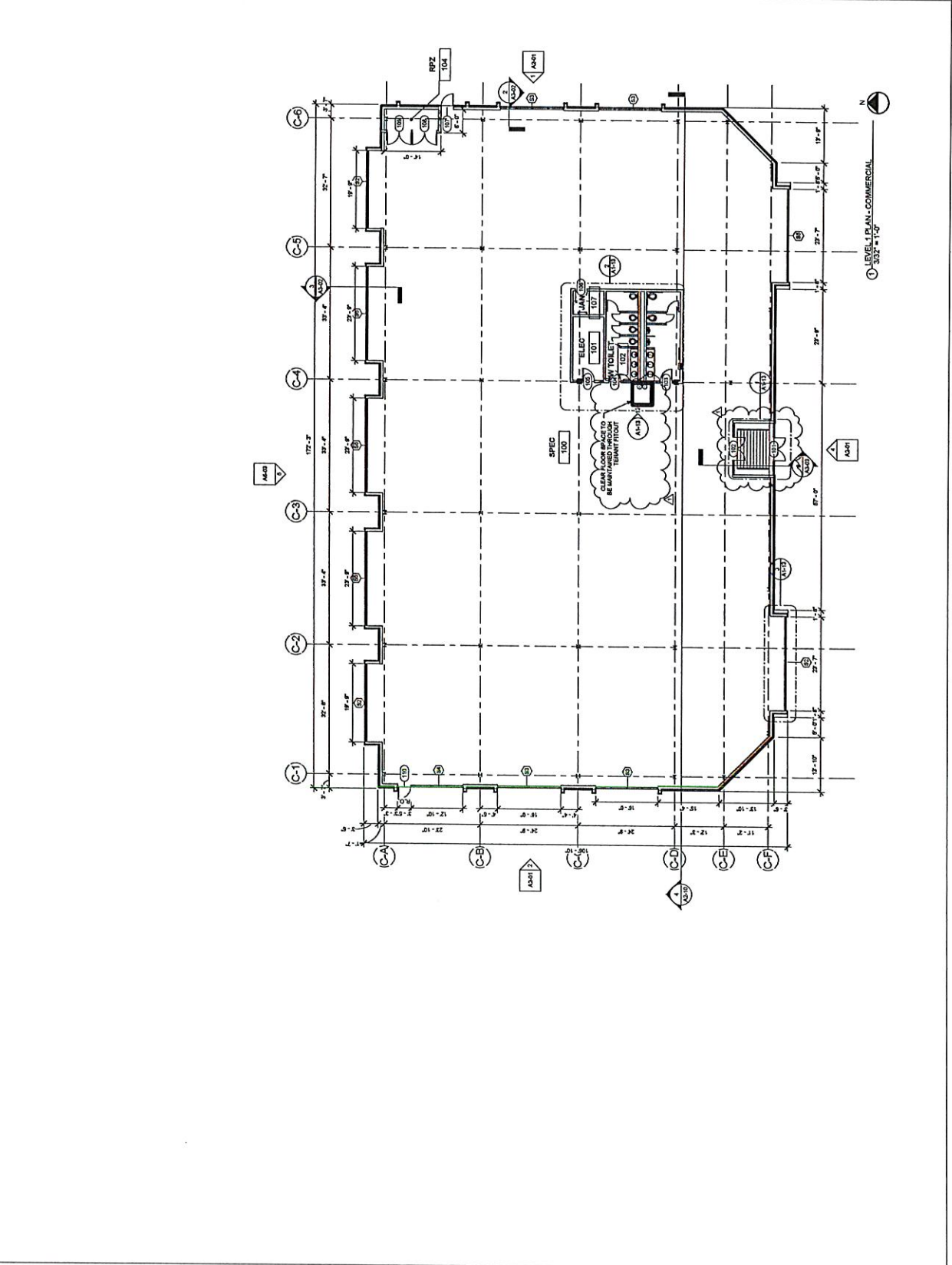
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① LEVEL 1 PLAN - COMMERCIAL
3/20' x 11'-0"

Drawing Number

A1-01

Commercial Building -
LEVEL 1 PLAN

ELICOTT STREET
BATAVIA, NY

REDEVELOPMENT
ELICOTT STATION

SAVARINO COMPANIES

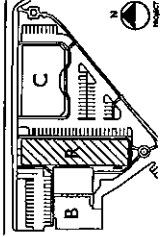
MARKS ENGINEERING

TREDO ENGINEERS, P.C.

ENGINEERING BUILDING SYSTEMS

FLYNN BATTAGLIA

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Revision Number	Revision Date	Revision Description
1	11/19/03	Final Design
2	12/15/03	Final Design

DRAWING ISSUED: February 14, 2013
Project Number: 300-1-100
Scale: 3/8" = 1'-0"

Drawn By: BAC, JR.
Checked By: BAC, JR.

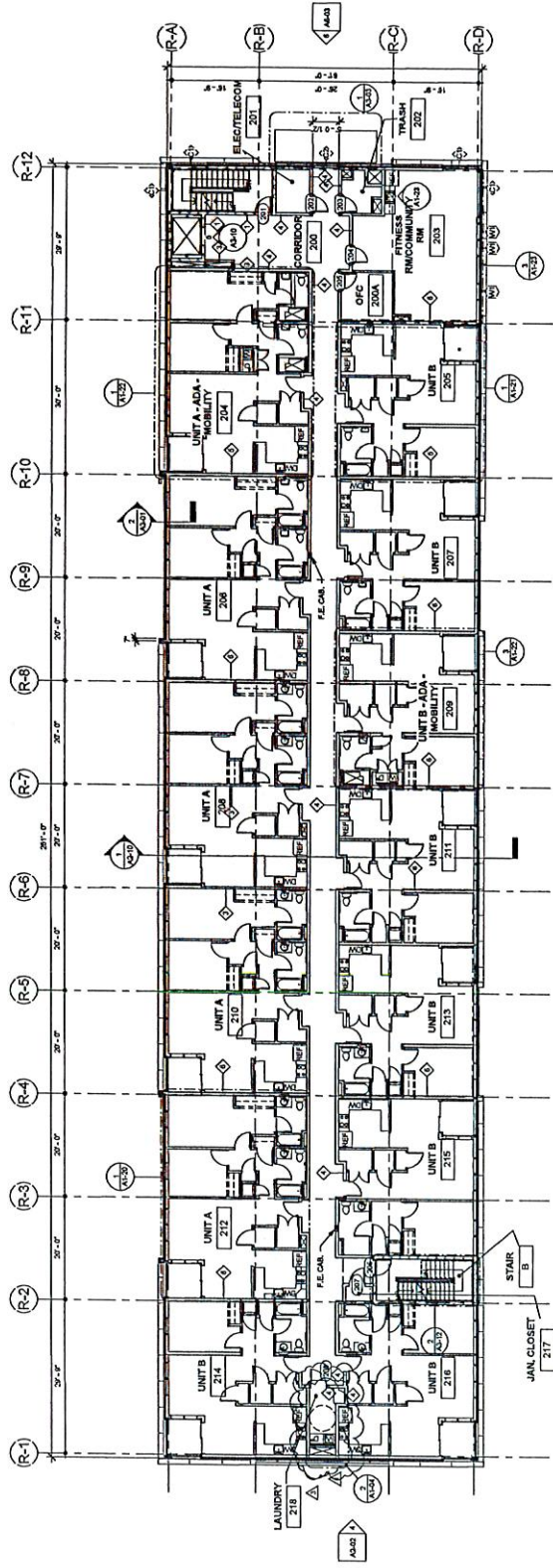
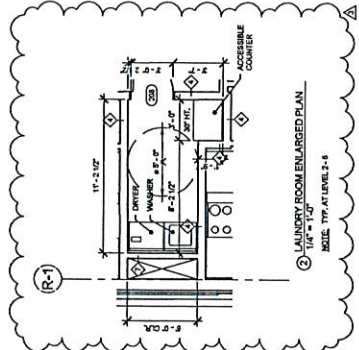
Drawing Title:
RESIDENTIAL BUILDING -
LEVEL 1 PLAN

Drawing Number:
A1-03

RECEPTION BUILDING ROOM SCHEDULE - LEVEL 1				
Room	Number	Area	Volume	Department
RECEPTION	101	RECEPTION	1700 SF	RECEPTION
RECEPTION	102	RECEPTION	180 SF	RECEPTION
RECEPTION	103	RECEPTION	150 SF	RECEPTION
RECEPTION	104	RECEPTION	110 SF	RECEPTION
RECEPTION	105	RECEPTION	120 SF	RECEPTION
RECEPTION	106	RECEPTION	130 SF	RECEPTION
RECEPTION	107	RECEPTION	140 SF	RECEPTION
RECEPTION	108	RECEPTION	150 SF	RECEPTION
RECEPTION	109	RECEPTION	160 SF	RECEPTION
RECEPTION	110	RECEPTION	170 SF	RECEPTION
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RECEPTION	112	RECEPTION	190 SF	RECEPTION
RECEPTION	113	RECEPTION	200 SF	RECEPTION
RECEPTION	114	RECEPTION	210 SF	RECEPTION
RECEPTION	115	RECEPTION	220 SF	RECEPTION
RECEPTION	116	RECEPTION	230 SF	RECEPTION
RECEPTION	117	RECEPTION	240 SF	RECEPTION
RECEPTION	118	RECEPTION	250 SF	RECEPTION
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RECEPTION	122	RECEPTION	290 SF	RECEPTION
RECEPTION	123	RECEPTION	300 SF	RECEPTION
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RECEPTION	387	RECEPTION	2940 SF	RECEPTION
RECEPTION	388	RECEPTION	2950 SF	RECEPTION
RECEPTION	389	RECEPTION	2960 SF</	

Level	Room Number	Name	Area	Permitted	Department
LEVEL 2	200	CORRIDOR	1567.50	100' x 11'	RESIDENTIAL
LEVEL 2	201	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	202	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	203	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	204	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	205	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	206	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	207	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	208	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	209	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	210	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	211	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	212	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	213	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	214	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	215	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	216	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	217	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	218	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	219	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	220	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	221	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	222	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	223	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	224	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	225	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	226	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	227	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	228	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	229	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	230	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	231	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	232	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	233	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	234	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	235	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	236	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	237	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	238	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	239	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	240	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	241	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	242	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	243	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	244	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	245	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	246	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	247	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	248	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	249	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	250	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	251	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	252	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	253	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	254	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	255	CL	14.50	10' x 10'	RESIDENTIAL
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LEVEL 2	299	CL	14.50	10' x 10'	RESIDENTIAL
LEVEL 2	300	CL	14.50	10' x 10'	RESIDENTIAL

UNIT 2.0.0.0 10,346 SF
 TOTAL 10,346 SF
 TOTAL 10,346 SF



LEVEL 2 PLAN - RESIDENTIAL
 10,346 SF
 UNIT 2.0.0.0 10,346 SF
 TOTAL 10,346 SF
 TOTAL 10,346 SF

THE REGISTERED PROFESSIONAL ENGINEER HAS REVIEWED THE DRAWING AND CERTIFICATE OF CONSTRUCTION DOCUMENTS FOR THE PROJECT AND HAS FOUND THAT THE DRAWING IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE RULES AND REGULATIONS OF THE BOARD OF PROFESSIONAL ENGINEERS AND SURVEYORS. THE ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE DRAWING AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED. THE ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE DRAWING AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED. THE ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE DRAWING AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED.

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ELICOTT STATION
 REDEVELOPMENT
 SAVARINO COMPANIES
 ELICOTT STREET
 BATAVIA, NY

Revision Number	Revision Date	Revision Description
1	10/20/18	Initial Design
2	10/20/18	Revised to 100% Documents

DRAWING ISSUED: February 14, 2018
 Project Number: 100000000
 Scale: As Indicated
 Drawn By: EAC/AM
 Checked By: AM

Drawing Title
 RESIDENTIAL BUILDING - LEVEL
 2 PLAN

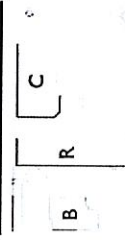
Drawing Number
 A1-04

A1-05



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DATE: 2/22/18

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ELICOTT STATION
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SAVARINO COMPANIES

ELICOTT STREET
BATAVIA, NY

NOTES & REVISIONS

REVISION 3 - 6/15/2018

RESPONSE TO CODE ENF. - 6/15/2018

DRAWING REVISION: MAY 29, 2018

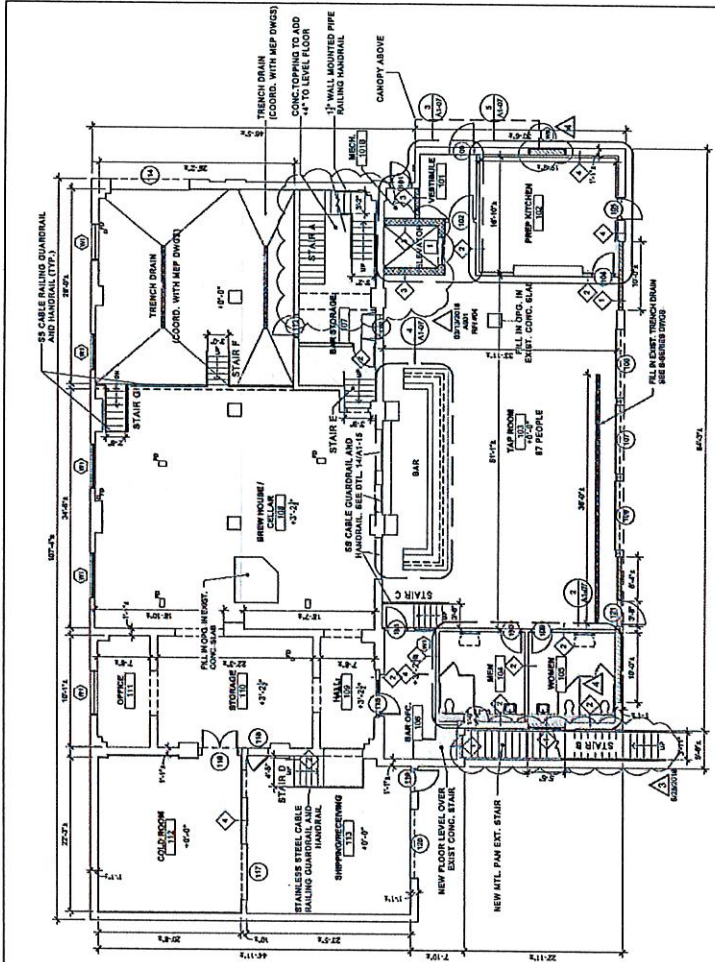
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Project Number: 00001.00

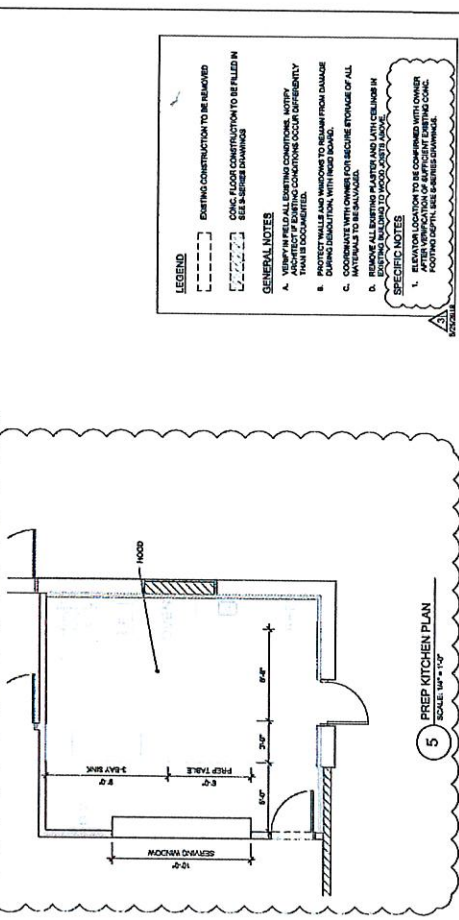
Drawn By: Checked By: MW

Drawing Title: RESURGENCE BREWERY LEVEL 1 PLAN

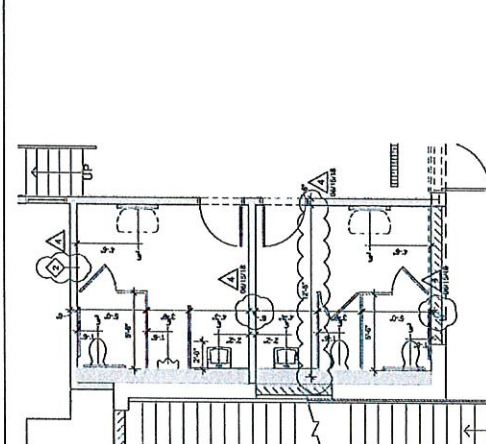
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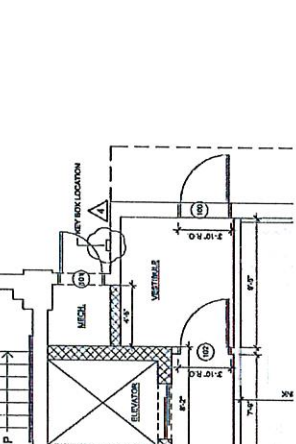
1 FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



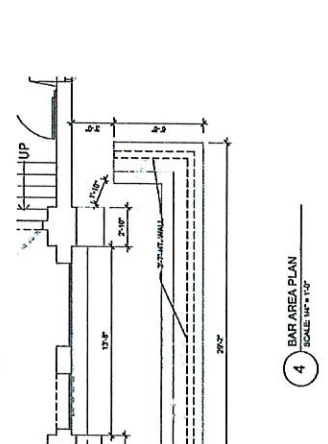
5 PREP KITCHEN PLAN
SCALE: 1/8" = 1'-0"



2 FIRST FLOOR TOILET ROOMS PLAN
SCALE: 1/8" = 1'-0"



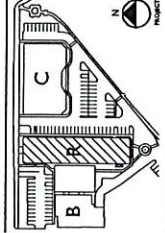
3 VESTIBULE PLAN
SCALE: 1/8" = 1'-0"



4 BAR AREA PLAN
SCALE: 1/8" = 1'-0"

A1-08

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**ELICOTT STATION
REDEVELOPMENT**

SAVARINO COMPANIES

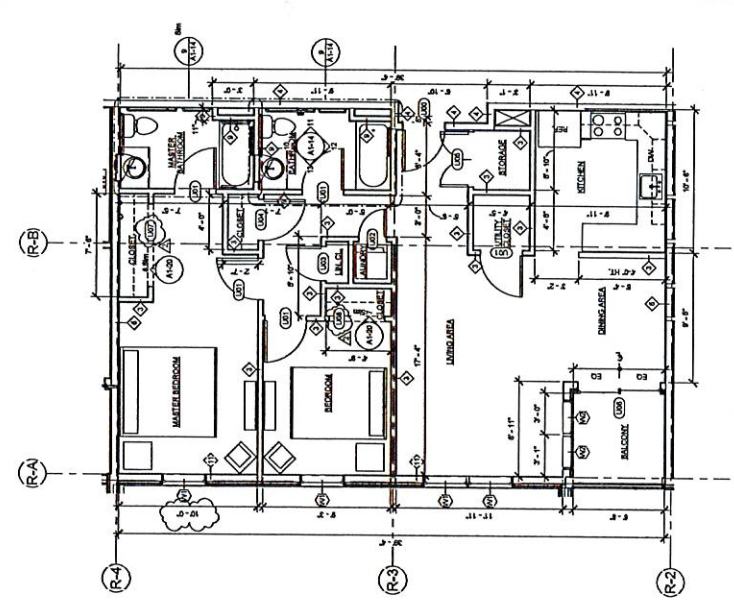
**ELICOTT STREET
BATAVIA, NY**

Revision Number	Revision Date	Revision Description
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2	02/01/2018	REVISED

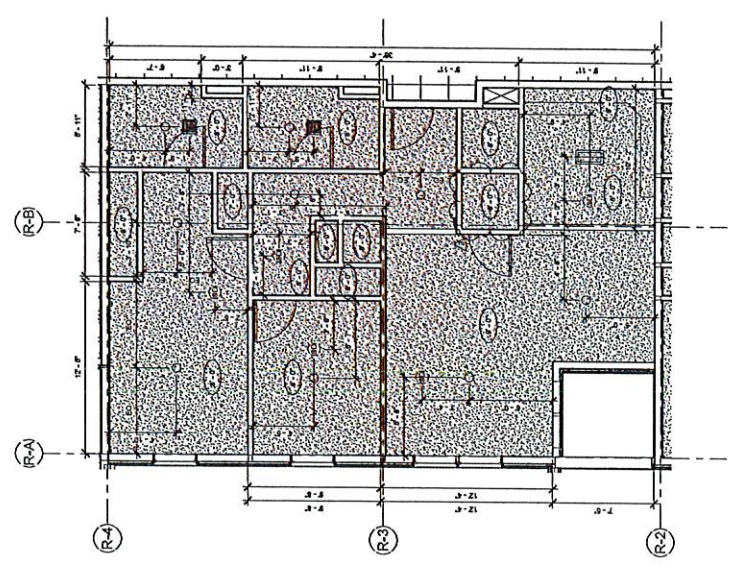
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Project Number:	SAVARINO 00001.00
Scale:	As Indicated
Drawn By:	ENG. J.O.
Checked By:	AM

Drawing Title:
**RESIDENTIAL BUILDING -
ENLARGED UNIT PLANS AND
RCPs**

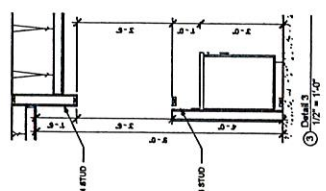
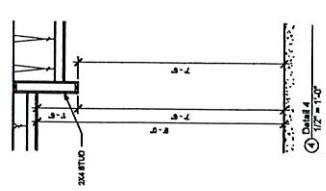
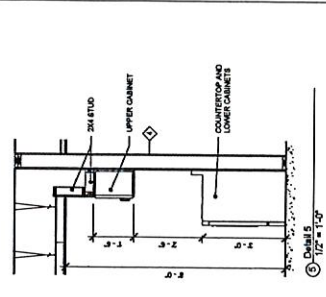
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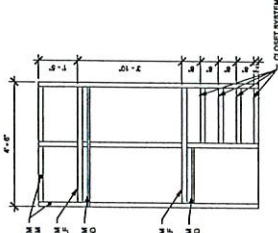
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1/4" = 1'-0"



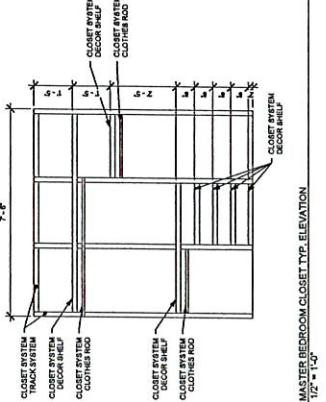
2. UNIT A RCP (TYP)
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6. KITCHEN/LIVING AREA ELEVATION
1/4" = 1'-0"

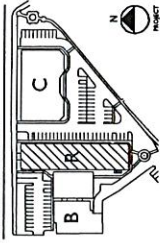


7. BEDROOM CLOSET TYP. ELEVATION
1/2" = 1'-0"



8. MASTER BEDROOM CLOSET TYP. ELEVATION
1/2" = 1'-0"

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ELICOTT STATION

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SAVARINO COMPANIES

ELICOTT STREET
BATAVIA, NY

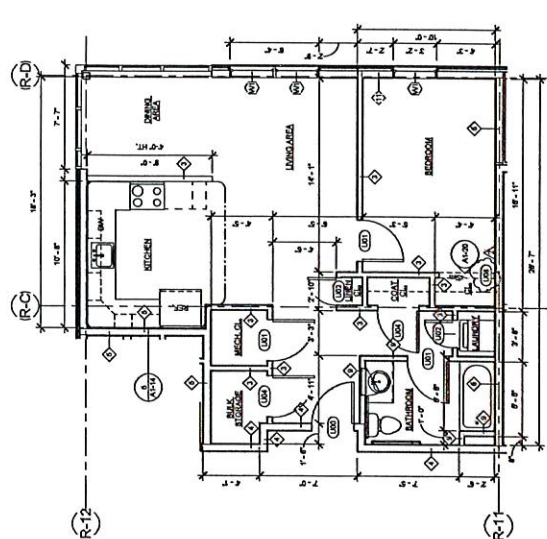
Revision Number	Revision Date	Revision Description
01/05/13	01/05/13	Initial Design
02/05/13	02/05/13	Revised Design

DRAWING ISSUED:	February 14, 2013
Project Number:	01/05/13
Scale:	As Indicated
Drawn By:	See Job
Checked By:	MM

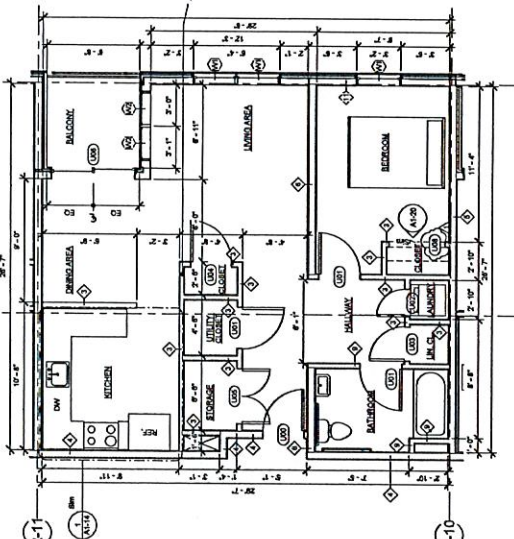
Drawing Title
**RESIDENTIAL BUILDING -
ENLARGED UNIT PLANS AND
ROPS**

Drawing Number

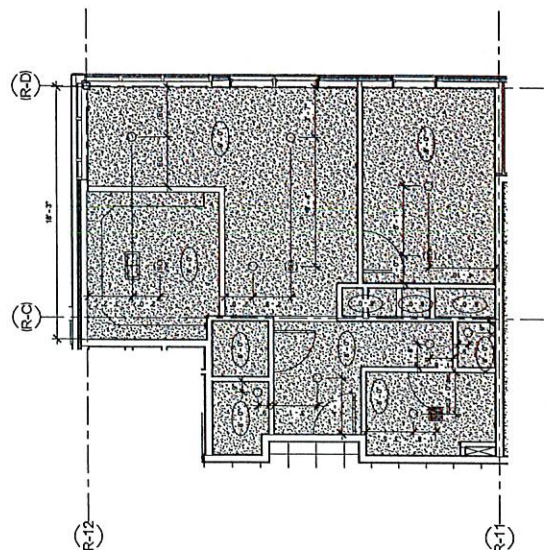
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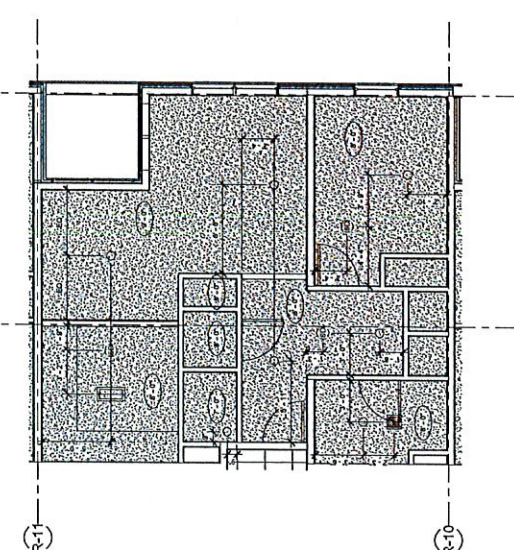
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1/4" = 1'-0"



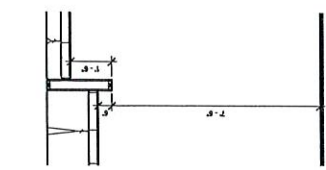
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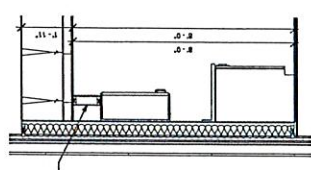
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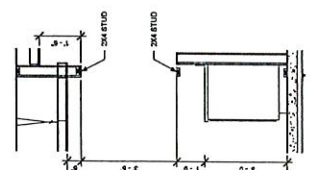
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⑥ Detail 7
1/2" = 1'-0"



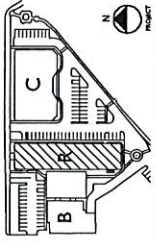
⑦ Detail 8
1/2" = 1'-0"



⑧ Detail 9
1/2" = 1'-0"

NOTE
SHEET WALLS INDICATED ON OVERALL PLANS SEE A101-A103
FOR WALL TYPES AND FINISHES. SEE A104-A105 FOR
FLOOR FINISHES.

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**ELICOTT STATION
REDEVELOPMENT**

SAVARINO COMPANIES

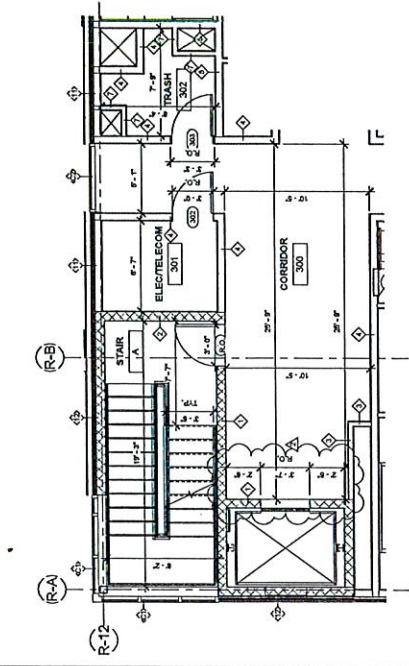
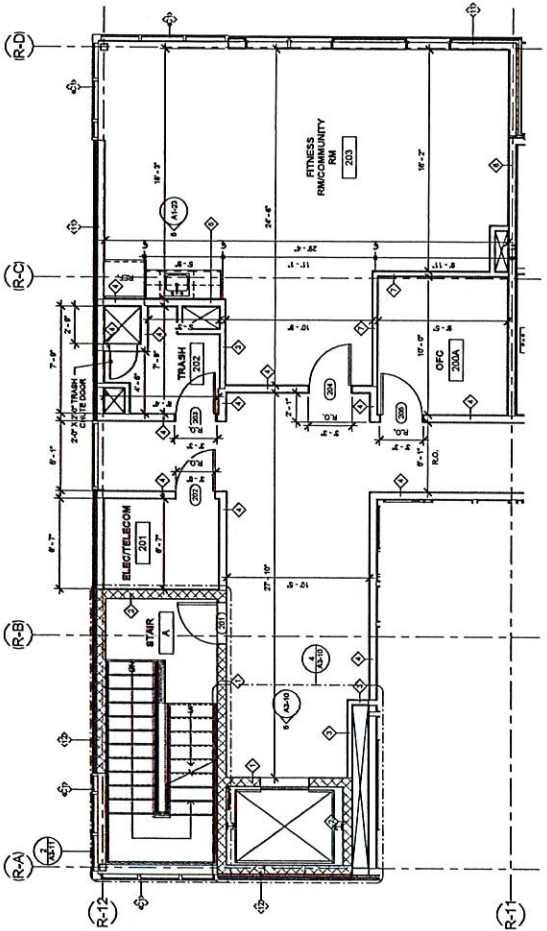
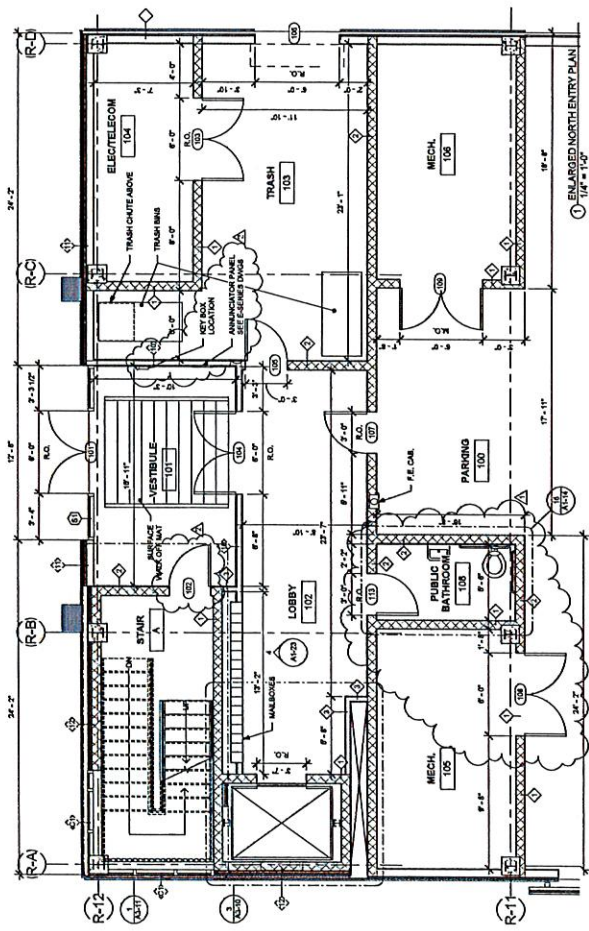
**ELICOTT STREET
BATAVIA, NY**

Revision Number	Revision Date	Revision Description
1	10/10/18	Final Construction
2	10/10/18	Final Construction

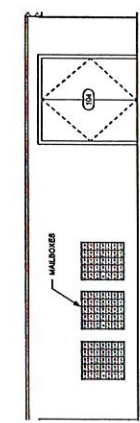
DRAWING ISSUED:
Project Number: 18-001
Per Project: 18-001
Drawn By: EAC, JR.
Checked By: MM

Drawing Title
**RESIDENTIAL BUILDING -
ENLARGED PLANS**

Drawing Number
A1-23



② ENLARGED PLAN (1/4" = 1'-0")



④ LOBBY ELEVATION (1/4" = 1'-0")



⑤ NICHE ELEVATION (1/4" = 1'-0")

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DATE: 2/23/18



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**ELICOTT STREET
BATAVIA, NY**

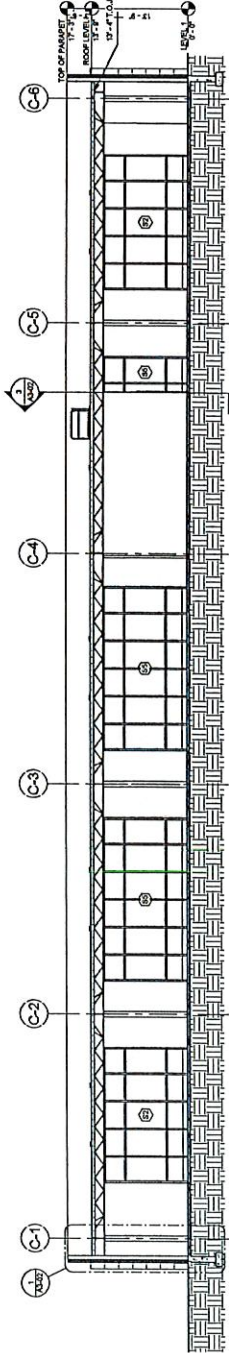
Revision Number	Revision Date	Revision Description
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DRAWING ISSUED:	February 14, 2018
Project Number:	Scale: 1/8" = 1'-0"
Max Project:	max project: 6000 sq
Drawn By:	Checked By:
Drawn Title:	mm

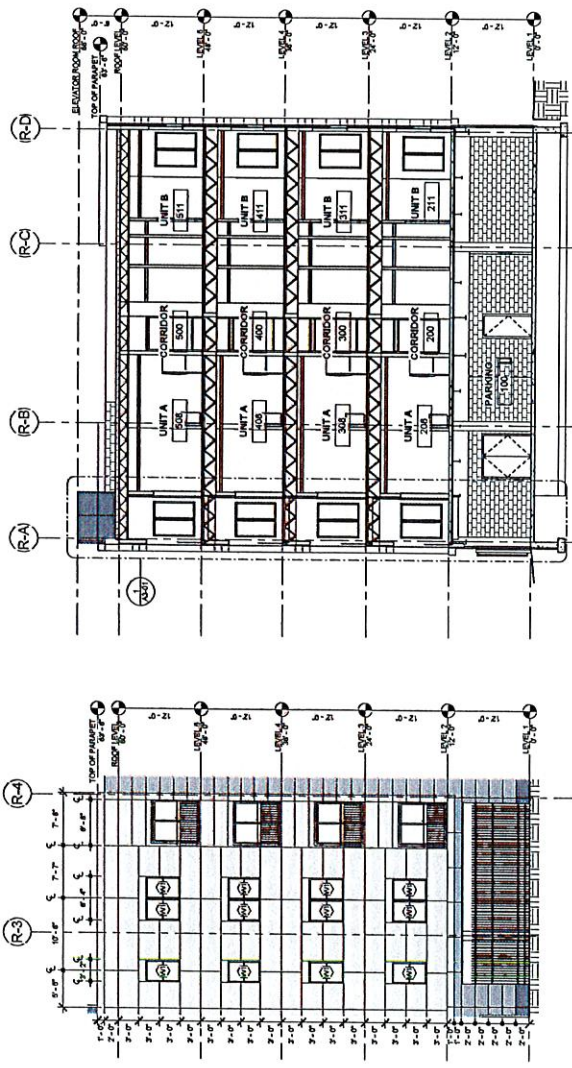
BUILDING SECTIONS

Drawing Number

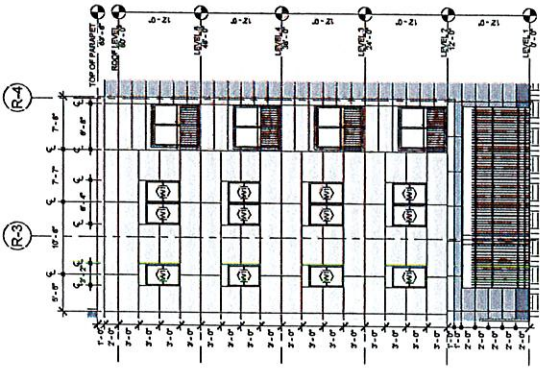
A2-10



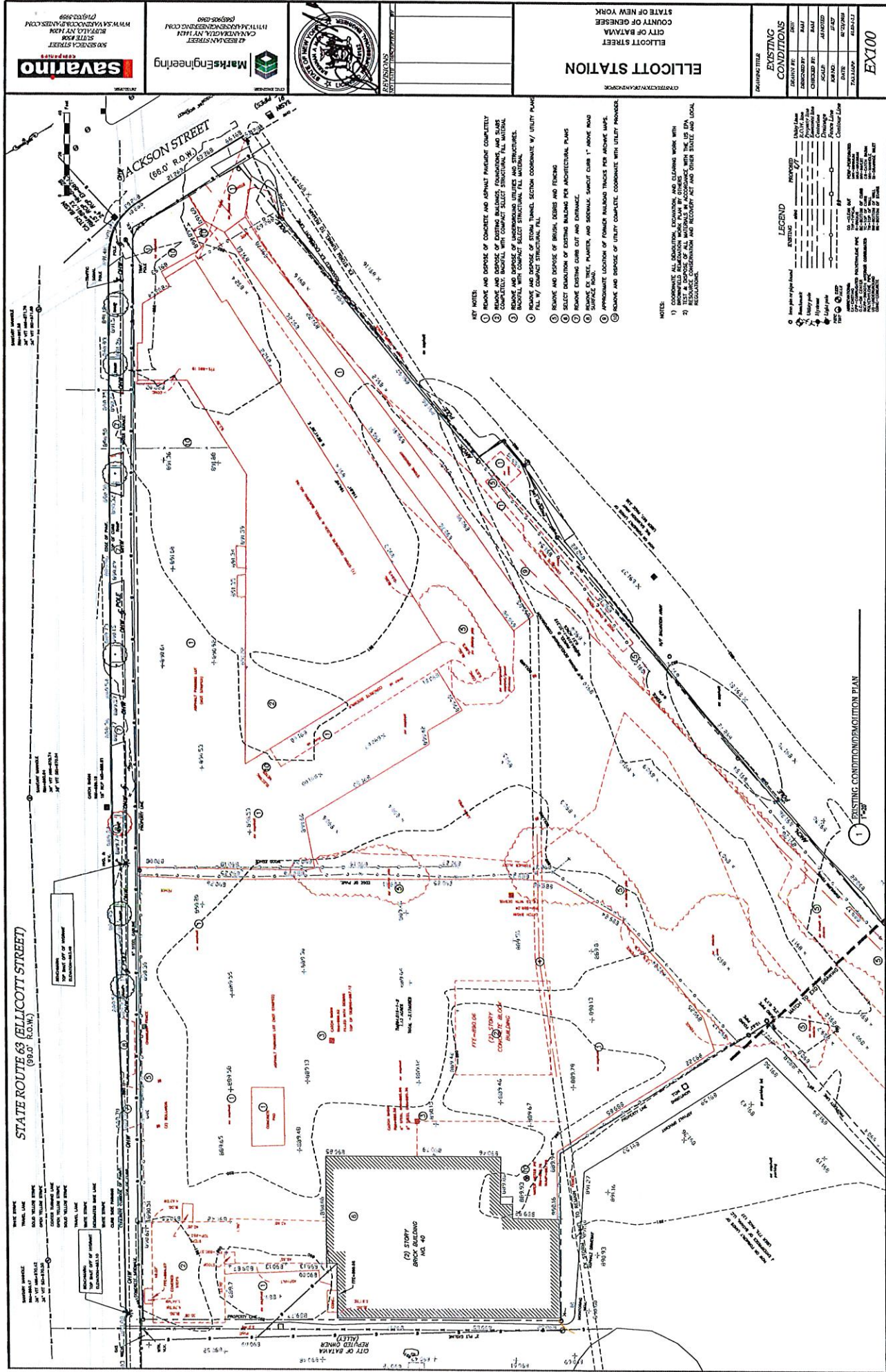
1. C-BUILDING SECTION
1/8" = 1'-0"



2. R-BUILDING SECTION
1/8" = 1'-0"

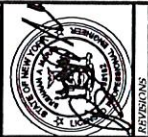


3. ENLARGED ELEVATION
1/8" = 1'-0"



savario
300 SERVICE STREET
SUITE 200
ROSELAND, NJ 07068
WWW.SAVARIOENGINEERING.COM
(908) 333-3333

Mark Engineering
42 BEDFORD STREET
CANANUAH, CT 06029
(860) 832-0200



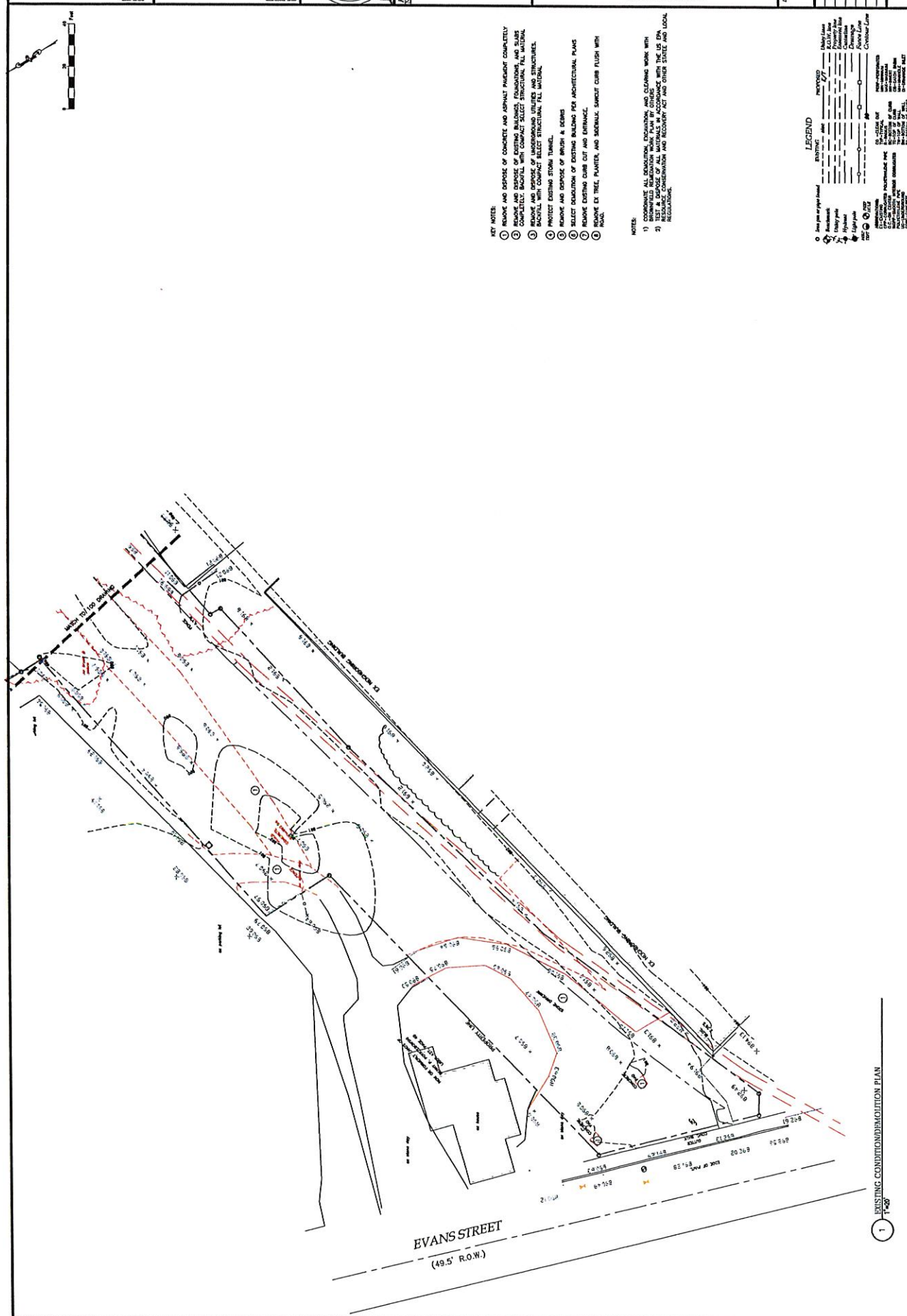
ELLCOTT STATION
CITY OF BATYMA
COUNTY OF GENESEE
STATE OF NEW YORK

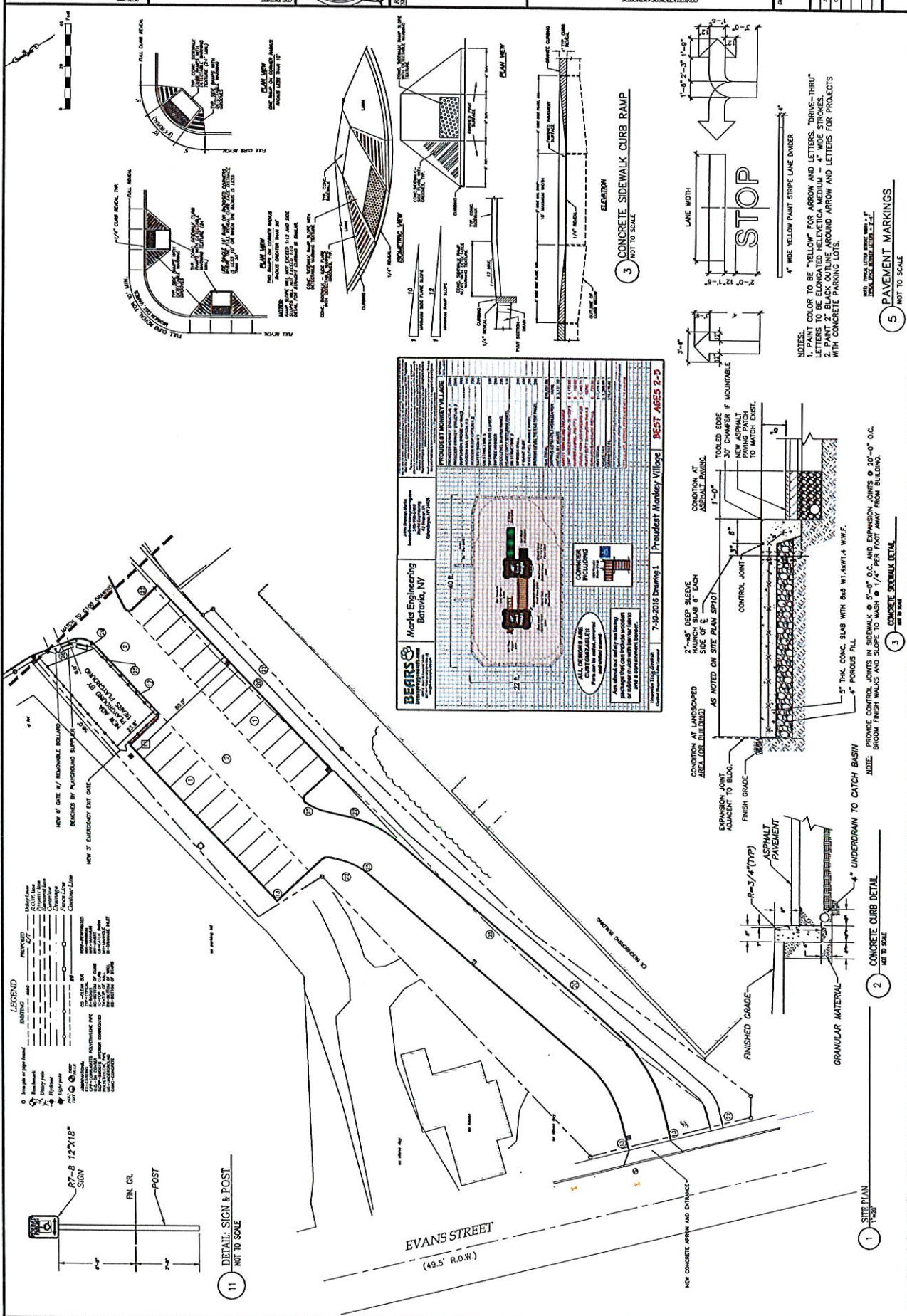
EXISTING CONDITIONS
DATE: 10/1/2023
SCALE: AS SHOWN
PROJECT: ELLCOTT STATION
SHEET: EX100

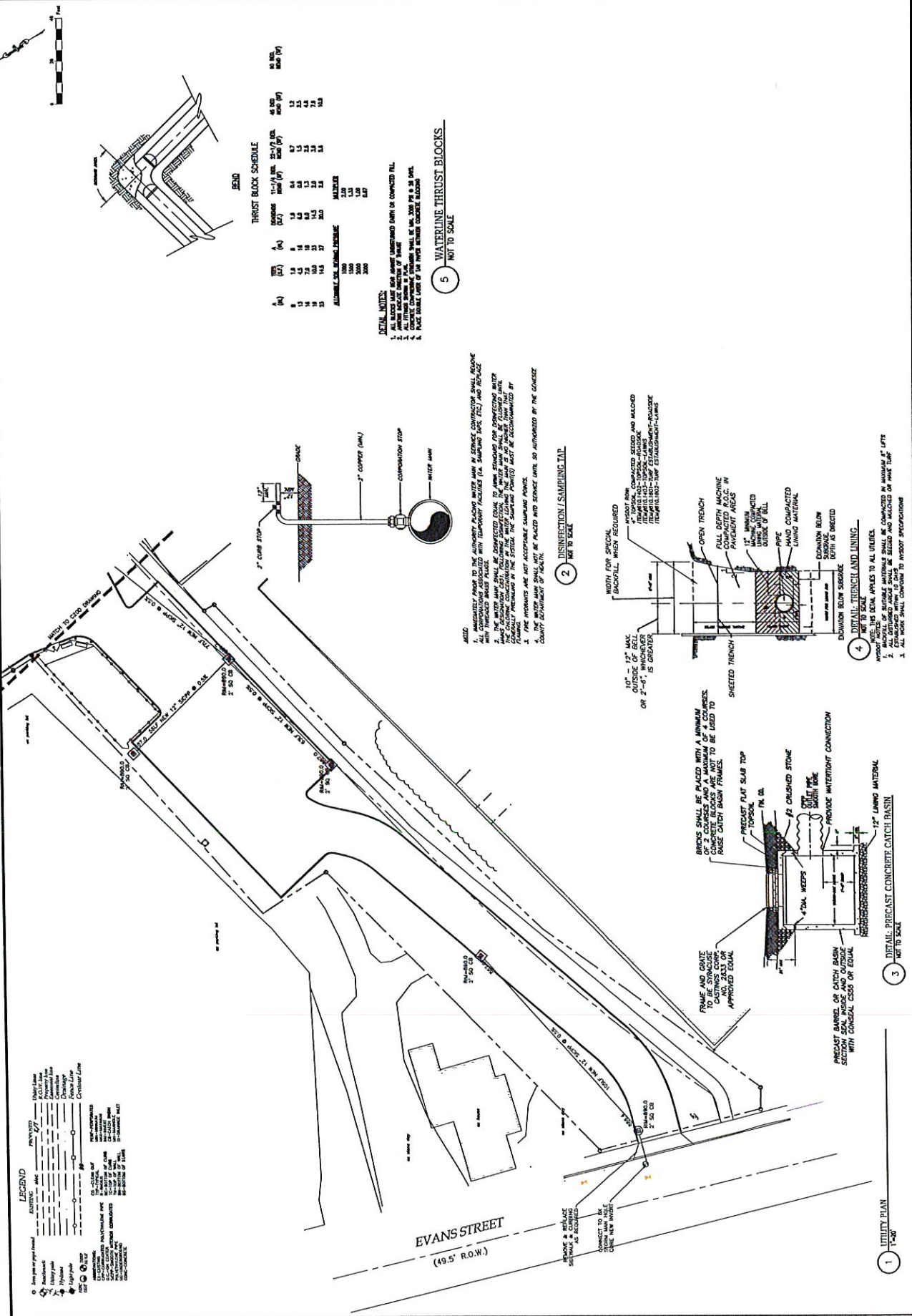
LEGEND
EXISTING
PROPOSED
1" = 40' SCALE
N

- NOTES**
- 1) EXISTING ALL UTILITIES, STRUCTURES, AND EASEMENTS SHOWN WITHIN THE PROJECT LIMITS SHALL BE MAINTAINED AND PROTECTED.
 - 2) EXISTING ALL UTILITIES, STRUCTURES, AND EASEMENTS SHOWN WITHIN THE PROJECT LIMITS SHALL BE MAINTAINED AND PROTECTED.
 - 3) EXISTING ALL UTILITIES, STRUCTURES, AND EASEMENTS SHOWN WITHIN THE PROJECT LIMITS SHALL BE MAINTAINED AND PROTECTED.
 - 4) EXISTING ALL UTILITIES, STRUCTURES, AND EASEMENTS SHOWN WITHIN THE PROJECT LIMITS SHALL BE MAINTAINED AND PROTECTED.
 - 5) EXISTING ALL UTILITIES, STRUCTURES, AND EASEMENTS SHOWN WITHIN THE PROJECT LIMITS SHALL BE MAINTAINED AND PROTECTED.
 - 6) EXISTING ALL UTILITIES, STRUCTURES, AND EASEMENTS SHOWN WITHIN THE PROJECT LIMITS SHALL BE MAINTAINED AND PROTECTED.
 - 7) EXISTING ALL UTILITIES, STRUCTURES, AND EASEMENTS SHOWN WITHIN THE PROJECT LIMITS SHALL BE MAINTAINED AND PROTECTED.
 - 8) EXISTING ALL UTILITIES, STRUCTURES, AND EASEMENTS SHOWN WITHIN THE PROJECT LIMITS SHALL BE MAINTAINED AND PROTECTED.
 - 9) EXISTING ALL UTILITIES, STRUCTURES, AND EASEMENTS SHOWN WITHIN THE PROJECT LIMITS SHALL BE MAINTAINED AND PROTECTED.
 - 10) EXISTING ALL UTILITIES, STRUCTURES, AND EASEMENTS SHOWN WITHIN THE PROJECT LIMITS SHALL BE MAINTAINED AND PROTECTED.

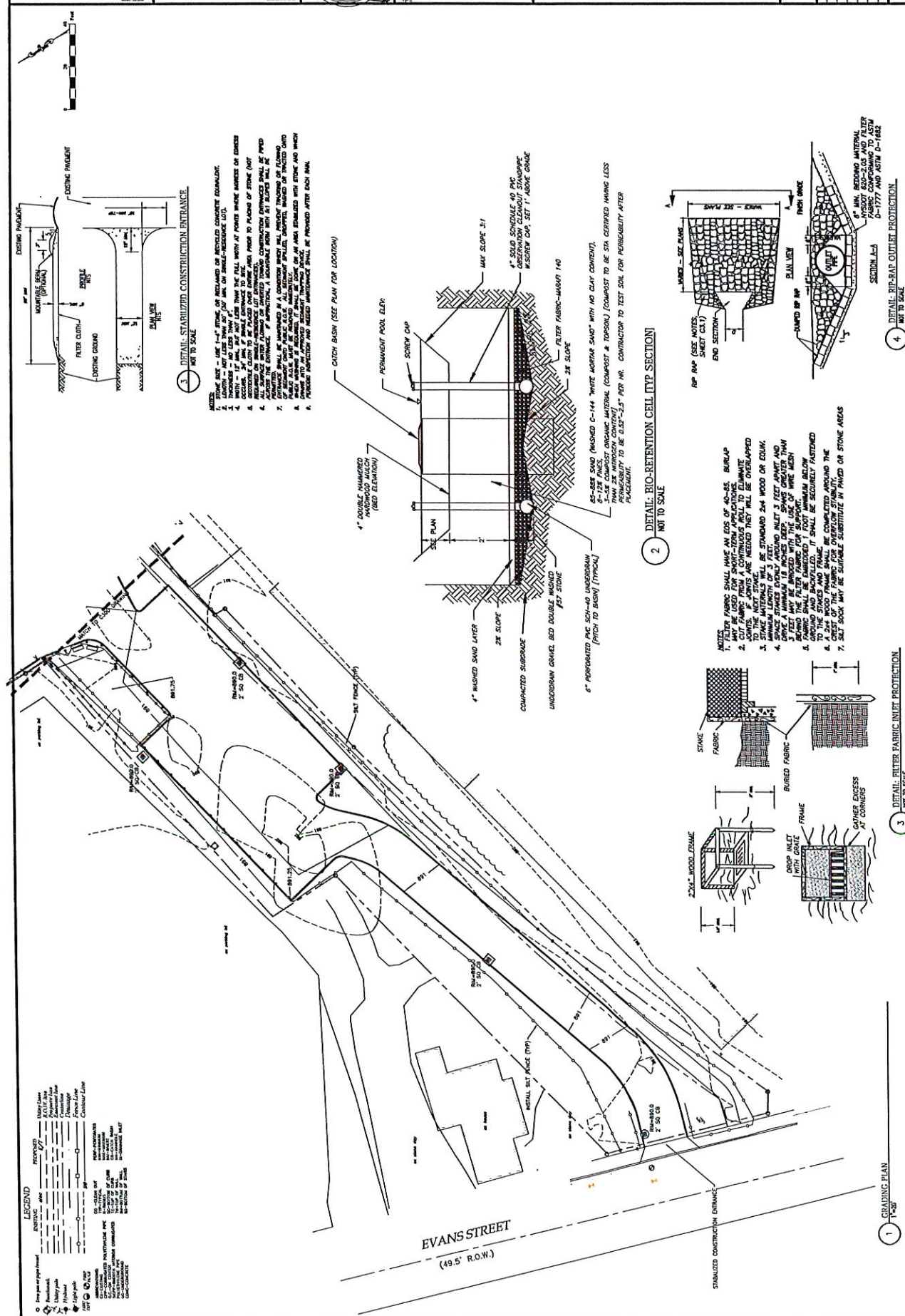
1. EXISTING CONDITIONS/PAVEMENT PLAN

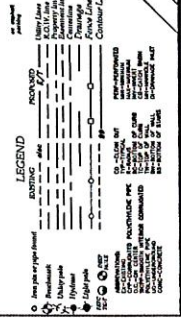


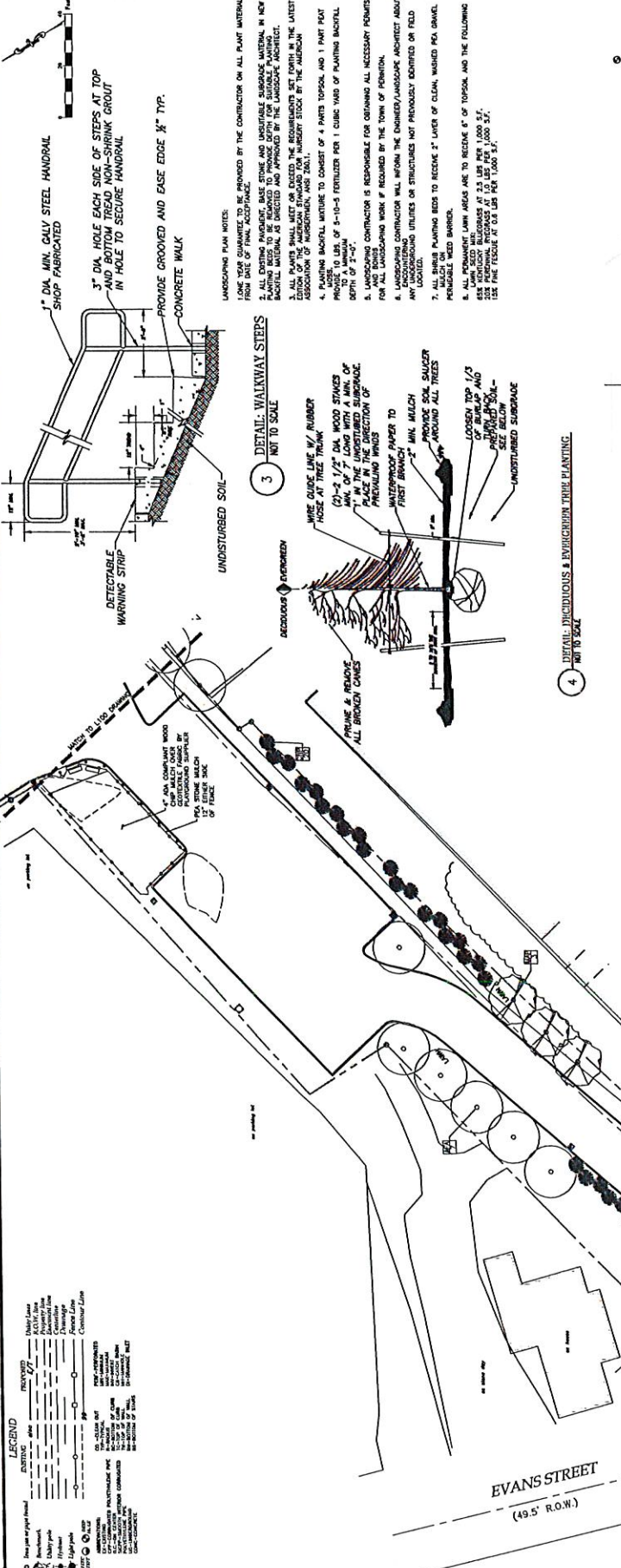




- 1) COMPLETE SITE REMEDIATION
- 2) INSTALL PERIMETER CONTROLS
- 3) INSTALL SEDIMENT TRAP W/ OUTLET STRUCTURE
- 4) CLEAR AND STRIP SITE
- 5) EXCAVATE FOUNDATIONS AND ESTABLISH ROUGH GRADING
- 6) EXCAVATE UTILITIES AND STONE SUBGRADE
- 7) INSTALL CURBING
- 8) EXCAVATE AND EXCAVATE SEGMENT OUT OF THE EXISTING ROADWAY
- 9) INSTALL PAVING
- 10) INSTALL FENCE
- 11) SEED, MOW, AND LANDSCAPE

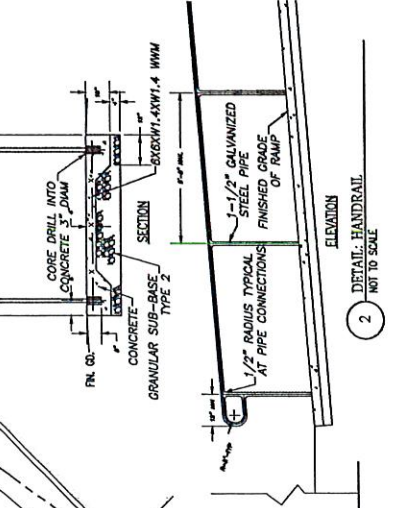


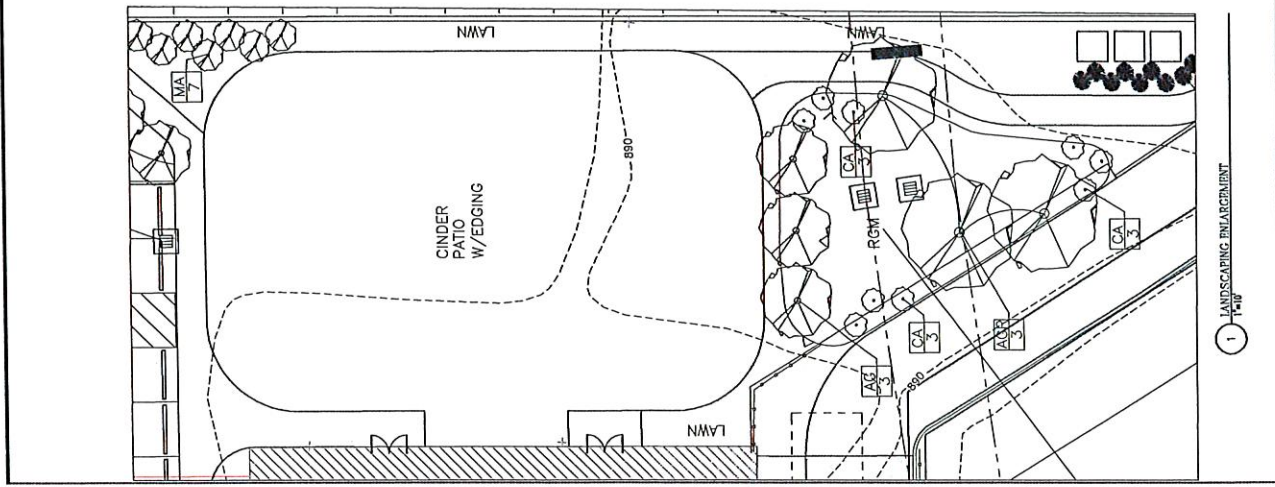




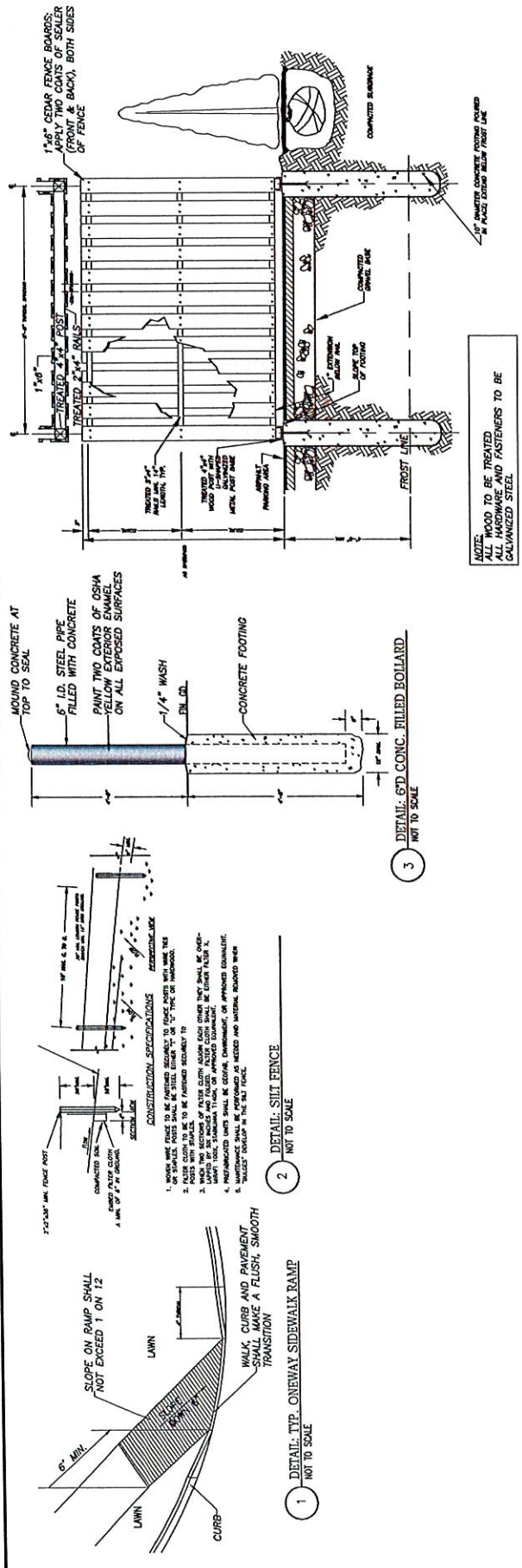
ALTERNATE PLANT MATERIAL LIST

KEY	COMMON NAME	SCIENTIFIC NAME	ROOTS	NOTES
SH	SHRUB	SHRUB	NO.1	
SS	SHRUB	SHRUB	NO.1	
FL	FLOWERING SHRUB	FLOWERING SHRUB	NO.1	
GC	GROUND COVER	GROUND COVER	NO.1	
LA	LAWN	LAWN	NO.1	
MP	MULCH	MULCH	NO.1	
RO	ROCK	ROCK	NO.1	
WA	WATER	WATER	NO.1	









ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL
1	6" DIA. STD. CONC. FILLED BOLLARD	1	EA	100.00	100.00
2	6" DIA. STD. CONC. FILLED BOLLARD	1	EA	100.00	100.00
3	6" DIA. STD. CONC. FILLED BOLLARD	1	EA	100.00	100.00
4	6" DIA. STD. CONC. FILLED BOLLARD	1	EA	100.00	100.00
5	6" DIA. STD. CONC. FILLED BOLLARD	1	EA	100.00	100.00
6	6" DIA. STD. CONC. FILLED BOLLARD	1	EA	100.00	100.00
7	6" DIA. STD. CONC. FILLED BOLLARD	1	EA	100.00	100.00
8	6" DIA. STD. CONC. FILLED BOLLARD	1	EA	100.00	100.00
9	6" DIA. STD. CONC. FILLED BOLLARD	1	EA	100.00	100.00
10	6" DIA. STD. CONC. FILLED BOLLARD	1	EA	100.00	100.00
11	6" DIA. STD. CONC. FILLED BOLLARD	1	EA	100.00	100.00
12	6" DIA. STD. CONC. FILLED BOLLARD	1	EA	100.00	100.00
13	6" DIA. STD. CONC. FILLED BOLLARD	1	EA	100.00	100.00
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17	6" DIA. STD. CONC. FILLED BOLLARD	1	EA	100.00	100.00
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27	6" DIA. STD. CONC. FILLED BOLLARD	1	EA	100.00	100.00
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99	6" DIA. STD. CONC. FILLED BOLLARD	1	EA	100.00	100.00
100	6" DIA. STD. CONC. FILLED BOLLARD	1	EA	100.00	100.00

[illegible]

SECTION 1

1. **NAME OF THE VESSEL:** [REDACTED]

2. **TYPE OF VESSEL:** [REDACTED]

3. **DATE OF DEPARTURE:** [REDACTED]

4. **PORT OF ORIGIN:** [REDACTED]

5. **PORT OF DESTINATION:** [REDACTED]

6. **NAME OF THE CAPTAIN:** [REDACTED]

7. **NAME OF THE MASTER:** [REDACTED]

8. **NAME OF THE FIRST OFFICER:** [REDACTED]

9. **NAME OF THE SECOND OFFICER:** [REDACTED]

10. **NAME OF THE THIRD OFFICER:** [REDACTED]

11. **NAME OF THE FOURTH OFFICER:** [REDACTED]

12. **NAME OF THE FIFTH OFFICER:** [REDACTED]

13. **NAME OF THE SIXTH OFFICER:** [REDACTED]

14. **NAME OF THE SEVENTH OFFICER:** [REDACTED]

15. **NAME OF THE EIGHTH OFFICER:** [REDACTED]

16. **NAME OF THE NINTH OFFICER:** [REDACTED]

17. **NAME OF THE TENTH OFFICER:** [REDACTED]

18. **NAME OF THE ELEVENTH OFFICER:** [REDACTED]

19. **NAME OF THE TWELFTH OFFICER:** [REDACTED]

20. **NAME OF THE THIRTEENTH OFFICER:** [REDACTED]

21. **NAME OF THE FOURTEENTH OFFICER:** [REDACTED]

22. **NAME OF THE FIFTEENTH OFFICER:** [REDACTED]

23. **NAME OF THE SIXTEENTH OFFICER:** [REDACTED]

24. **NAME OF THE SEVENTEENTH OFFICER:** [REDACTED]

25. **NAME OF THE EIGHTEENTH OFFICER:** [REDACTED]

26. **NAME OF THE NINETEENTH OFFICER:** [REDACTED]

27. **NAME OF THE TWENTIETH OFFICER:** [REDACTED]

28. **NAME OF THE TWENTY-FIRST OFFICER:** [REDACTED]

29. **NAME OF THE TWENTY-SECOND OFFICER:** [REDACTED]

30. **NAME OF THE TWENTY-THIRD OFFICER:** [REDACTED]

31. **NAME OF THE TWENTY-FOURTH OFFICER:** [REDACTED]

32. **NAME OF THE TWENTY-FIFTH OFFICER:** [REDACTED]

33. **NAME OF THE TWENTY-SIXTH OFFICER:** [REDACTED]

34. **NAME OF THE TWENTY-SEVENTH OFFICER:** [REDACTED]

35. **NAME OF THE TWENTY-EIGHTH OFFICER:** [REDACTED]

36. **NAME OF THE TWENTY-NINTH OFFICER:** [REDACTED]

37. **NAME OF THE THIRTIETH OFFICER:** [REDACTED]

38. **NAME OF THE THIRTY-FIRST OFFICER:** [REDACTED]

39. **NAME OF THE THIRTY-SECOND OFFICER:** [REDACTED]

40. **NAME OF THE THIRTY-THIRD OFFICER:** [REDACTED]

41. **NAME OF THE THIRTY-FOURTH OFFICER:** [REDACTED]

42. **NAME OF THE THIRTY-FIFTH OFFICER:** [REDACTED]

43. **NAME OF THE THIRTY-SIXTH OFFICER:** [REDACTED]

44. **NAME OF THE THIRTY-SEVENTH OFFICER:** [REDACTED]

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46. **NAME OF THE THIRTY-NINTH OFFICER:** [REDACTED]

47. **NAME OF THE FORTIETH OFFICER:** [REDACTED]

48. **NAME OF THE FORTY-FIRST OFFICER:** [REDACTED]

49. **NAME OF THE FORTY-SECOND OFFICER:** [REDACTED]

50. **NAME OF THE FORTY-THIRD OFFICER:** [REDACTED]

51. **NAME OF THE FORTY-FOURTH OFFICER:** [REDACTED]

52. **NAME OF THE FORTY-FIFTH OFFICER:** [REDACTED]

53. **NAME OF THE FORTY-SIXTH OFFICER:** [REDACTED]

54. **NAME OF THE FORTY-SEVENTH OFFICER:** [REDACTED]

55. **NAME OF THE FORTY-EIGHTH OFFICER:** [REDACTED]

56. **NAME OF THE FORTY-NINTH OFFICER:** [REDACTED]

57. **NAME OF THE FIFTIETH OFFICER:** [REDACTED]

58. **NAME OF THE FIFTY-FIRST OFFICER:** [REDACTED]

59. **NAME OF THE FIFTY-SECOND OFFICER:** [REDACTED]

60. **NAME OF THE FIFTY-THIRD OFFICER:** [REDACTED]

61. **NAME OF THE FIFTY-FOURTH OFFICER:** [REDACTED]

62. **NAME OF THE FIFTY-FIFTH OFFICER:** [REDACTED]

63. **NAME OF THE FIFTY-SIXTH OFFICER:** [REDACTED]

64. **NAME OF THE FIFTY-SEVENTH OFFICER:** [REDACTED]

65. **NAME OF THE FIFTY-EIGHTH OFFICER:** [REDACTED]

66. **NAME OF THE FIFTY-NINTH OFFICER:** [REDACTED]

67. **NAME OF THE SIXTIETH OFFICER:** [REDACTED]

68. **NAME OF THE SIXTY-FIRST OFFICER:** [REDACTED]

69. **NAME OF THE SIXTY-SECOND OFFICER:** [REDACTED]

70. **NAME OF THE SIXTY-THIRD OFFICER:** [REDACTED]

71. **NAME OF THE SIXTY-FOURTH OFFICER:** [REDACTED]

72. **NAME OF THE SIXTY-FIFTH OFFICER:** [REDACTED]

73. **NAME OF THE SIXTY-SIXTH OFFICER:** [REDACTED]

74. **NAME OF THE SIXTY-SEVENTH OFFICER:** [REDACTED]

75. **NAME OF THE SIXTY-EIGHTH OFFICER:** [REDACTED]

76. **NAME OF THE SIXTY-NINTH OFFICER:** [REDACTED]

77. **NAME OF THE SEVENTIETH OFFICER:** [REDACTED]

78. **NAME OF THE SEVENTY-FIRST OFFICER:** [REDACTED]

79. **NAME OF THE SEVENTY-SECOND OFFICER:** [REDACTED]

80. **NAME OF THE SEVENTY-THIRD OFFICER:** [REDACTED]

81. **NAME OF THE SEVENTY-FOURTH OFFICER:** [REDACTED]

82. **NAME OF THE SEVENTY-FIFTH OFFICER:** [REDACTED]

83. **NAME OF THE SEVENTY-SIXTH OFFICER:** [REDACTED]

84. **NAME OF THE SEVENTY-SEVENTH OFFICER:** [REDACTED]

85. **NAME OF THE SEVENTY-EIGHTH OFFICER:** [REDACTED]

86. **NAME OF THE SEVENTY-NINTH OFFICER:** [REDACTED]

87. **NAME OF THE EIGHTIETH OFFICER:** [REDACTED]

88. **NAME OF THE EIGHTY-FIRST OFFICER:** [REDACTED]

89. **NAME OF THE EIGHTY-SECOND OFFICER:** [REDACTED]

90. **NAME OF THE EIGHTY-THIRD OFFICER:** [REDACTED]

91. **NAME OF THE EIGHTY-FOURTH OFFICER:** [REDACTED]

92. **NAME OF THE EIGHTY-FIFTH OFFICER:** [REDACTED]

93. **NAME OF THE EIGHTY-SIXTH OFFICER:** [REDACTED]

94. **NAME OF THE EIGHTY-SEVENTH OFFICER:** [REDACTED]

95. **NAME OF THE EIGHTY-EIGHTH OFFICER:** [REDACTED]

96. **NAME OF THE EIGHTY-NINTH OFFICER:** [REDACTED]

97. **NAME OF THE NINETYETH OFFICER:** [REDACTED]

98. **NAME OF THE NINETY-FIRST OFFICER:** [REDACTED]

99. **NAME OF THE NINETY-SECOND OFFICER:** [REDACTED]

100. **NAME OF THE NINETY-THIRD OFFICER:** [REDACTED]

101. **NAME OF THE NINETY-FOURTH OFFICER:** [REDACTED]

102. **NAME OF THE NINETY-FIFTH OFFICER:** [REDACTED]

103. **NAME OF THE NINETY-SIXTH OFFICER:** [REDACTED]

104. **NAME OF THE NINETY-SEVENTH OFFICER:** [REDACTED]

105. **NAME OF THE NINETY-EIGHTH OFFICER:** [REDACTED]

106. **NAME OF THE NINETY-NINTH OFFICER:** [REDACTED]

107. **NAME OF THE HUNDRETH OFFICER:** [REDACTED]

108. **NAME OF THE HUNDRED-FIRST OFFICER:** [REDACTED]

109. **NAME OF THE HUNDRED-SECOND OFFICER:** [REDACTED]

110. **NAME OF THE HUNDRED-THIRD OFFICER:** [REDACTED]

111. **NAME OF THE HUNDRED-FOURTH OFFICER:** [REDACTED]

112. **NAME OF THE HUNDRED-FIFTH OFFICER:** [REDACTED]

113. **NAME OF THE HUNDRED-SIXTH OFFICER:** [REDACTED]

114. **NAME OF THE HUNDRED-SEVENTH OFFICER:** [REDACTED]

115. **NAME OF THE HUNDRED-EIGHTH OFFICER:** [REDACTED]

116. **NAME OF THE HUNDRED-NINTH OFFICER:** [REDACTED]

117. **NAME OF THE HUNDRETH OFFICER:** [REDACTED]

118. **NAME OF THE HUNDRED-FIRST OFFICER:** [REDACTED]

119. **NAME OF THE HUNDRED-SECOND OFFICER:** [REDACTED]

120. **NAME OF THE HUNDRED-THIRD OFFICER:** [REDACTED]

121. **NAME OF THE HUNDRED-FOURTH OFFICER:** [REDACTED]

122. **NAME OF THE HUNDRED-FIFTH OFFICER:** [REDACTED]

123. **NAME OF THE HUNDRED-SIXTH OFFICER:** [REDACTED]

124. **NAME OF THE HUNDRED-SEVENTH OFFICER:** [REDACTED]

125. **NAME OF THE HUNDRED-EIGHTH OFFICER:** [REDACTED]

126. **NAME OF THE HUNDRED-NINTH OFFICER:** [REDACTED]

127. **NAME OF THE HUNDRETH OFFICER:** [REDACTED]

128. **NAME OF THE HUNDRED-FIRST OFFICER:** [REDACTED]

129. **NAME OF THE HUNDRED-SECOND OFFICER:** [REDACTED]

130. **NAME OF THE HUNDRED-THIRD OFFICER:** [REDACTED]

[illegible]

NOTES:

1. This plan is for a two-lane road with a 1.5-mile section of road to be closed.
2. The road is to be closed for a period of 10 days.
3. The road is to be closed for a period of 10 days.
4. The road is to be closed for a period of 10 days.
5. The road is to be closed for a period of 10 days.
6. The road is to be closed for a period of 10 days.
7. The road is to be closed for a period of 10 days.
8. The road is to be closed for a period of 10 days.
9. The road is to be closed for a period of 10 days.
10. The road is to be closed for a period of 10 days.

SIGNAGE:

- ROAD CLOSED
- LANE CLOSED
- AHEAD
- ALTERNATE ROUTE
- TRAFFIC CONTROL

DATE: 10/1/10

SIGNED: J. L. Smith, P.E.


DESIGNED: J. L. Smith, P.E.

DETAILS

4-4 15 4-4 15 15
FROM 15



11. *Urges* that the Commission report on the progress of the work of the Commission on the basis of the following criteria:

	NEW YORK STATE DEPARTMENT 	Department of Transportation
U.S. GOVERNMENT PRINTING OFFICE: 1967		
AIRBORNE AND SPACE COMMERCIAL DEVICES COMPTON & CO. INC.		
NEW YORK, N.Y.	NEW YORK, N.Y.	608-43



RECEIVED
JUL 2 1964
FBI - NEW YORK

10. The following information is for your information only. It is not intended to be used for any other purpose.

Y. A. I. (2008). 'The role of the state in the development of the Russian economy', *Journal of Economic Surveys*, 22(1), 1-28.

[illegible]

三、

01 03 74 4/1000 (1000) 01 03 74 4/1000

100

	Department of Transportation
1400 L Street, N.W. Washington, D.C. 20590	
RESIDENTIAL AND COMMERCIAL DEVELOPMENT CHARTER 2 OF 10	
PROJECT NAME: "A"	DATE: 10/10/90
PREPARED BY: "A"	100-01

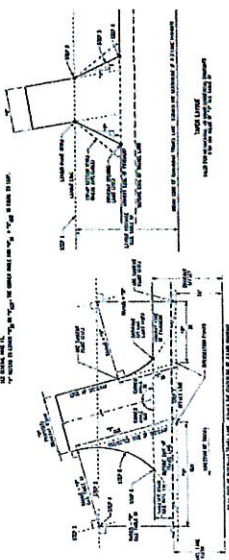
[illegible]

TABLE 2 SOME PHYSICAL PROPERTIES									
TEMPERATURE (°C)		DENSITY (g/cm ³)		SOLUBILITY		REFRACTIVE INDEX		OTHER PHYSICAL PROPERTIES	
TEMPERATURE (°C)	DENSITY (g/cm ³)	TEMPERATURE (°C)	DENSITY (g/cm ³)	SOLUBILITY	SOLUBILITY	REFRACTIVE INDEX	REFRACTIVE INDEX	OTHER PHYSICAL PROPERTIES	OTHER PHYSICAL PROPERTIES
20	1.025	20	1.025	soluble in water	soluble in water	1.33	1.33	melting point 100°C	melting point 100°C
30	1.020	30	1.020	soluble in water	soluble in water	1.33	1.33	boiling point 100°C	boiling point 100°C
40	1.015	40	1.015	soluble in water	soluble in water	1.33	1.33	viscosity 1.0 cP	viscosity 1.0 cP
50	1.010	50	1.010	soluble in water	soluble in water	1.33	1.33	refractive index 1.33	refractive index 1.33
60	1.005	60	1.005	soluble in water	soluble in water	1.33	1.33	density 1.025 g/cm ³	density 1.025 g/cm ³
70	1.000	70	1.000	soluble in water	soluble in water	1.33	1.33	refractive index 1.33	refractive index 1.33
80	0.995	80	0.995	soluble in water	soluble in water	1.33	1.33	viscosity 1.0 cP	viscosity 1.0 cP
90	0.990	90	0.990	soluble in water	soluble in water	1.33	1.33	refractive index 1.33	refractive index 1.33
100	0.985	100	0.985	soluble in water	soluble in water	1.33	1.33	density 1.025 g/cm ³	density 1.025 g/cm ³

TABLE 9 MEDICAL HISTORY SLIP			
DATE OF EXAMINATION	NAME OF PATIENT	NAME OF PHYSICIAN	NAME OF HOSPITAL
1944	100	100	100
1945	100	100	100

[illegible][illegible][illegible]

20. All changes, omissions and amendments proposed in this draft and its FIDAR are indicated below in the draft's FIDAR.

[illegible]

Case	No. of			Survived + deceased	Mean age at onset	Mean age at death
	Survived	Deceased	Survived + deceased			
1	2	1	3	3.2	3.5	
2	2	1	3	3.5	3.5	
3	2	1	3	3.5	3.5	
4	2	1	3	3.5	3.5	
5	2	1	3	3.5	3.5	
6	2	1	3	3.5	3.5	
7	2	1	3	3.5	3.5	
8	2	1	3	3.5	3.5	
9	2	1	3	3.5	3.5	
10	2	1	3	3.5	3.5	
11	2	1	3	3.5	3.5	
12	2	1	3	3.5	3.5	
13	2	1	3	3.5	3.5	
14	2	1	3	3.5	3.5	
15	2	1	3	3.5	3.5	
16	2	1	3	3.5	3.5	
17	2	1	3	3.5	3.5	
18	2	1	3	3.5	3.5	
19	2	1	3	3.5	3.5	
20	2	1	3	3.5	3.5	
21	2	1	3	3.5	3.5	
22	2	1	3	3.5	3.5	
23	2	1	3	3.5	3.5	
24	2	1	3	3.5	3.5	
25	2	1	3	3.5	3.5	
26	2	1	3	3.5	3.5	
27	2	1	3	3.5	3.5	
28	2	1	3	3.5	3.5	
29	2	1	3	3.5	3.5	
30	2	1	3	3.5	3.5	
31	2	1	3	3.5	3.5	
32	2	1	3	3.5	3.5	
33	2	1	3	3.5	3.5	
34	2	1	3	3.5	3.5	
35	2	1	3	3.5	3.5	
36	2	1	3	3.5	3.5	
37	2	1	3	3.5	3.5	
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39	2	1	3	3.5	3.5	
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43	2	1	3	3.5	3.5	
44	2	1	3	3.5	3.5	
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50	2	1	3	3.5	3.5	
51	2	1	3	3.5	3.5	
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53	2	1	3	3.5	3.5	
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55	2	1	3	3.5	3.5	
56	2	1	3	3.5	3.5	
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69	2	1	3	3.5	3.5	
70	2	1	3	3.5	3.5	
71	2	1	3	3.5	3.5	
72	2	1	3	3.5	3.5	
73	2	1	3	3.5	3.5	
74	2	1	3	3.5	3.5	

TABLE 1 EFFECT OF PESTICIDES ON THE GROWTH OF S. TRITICAE	
PERCENTAGE CLASSIFICATION	YIELD
100% - 100% (100%)	1.1
100% - 100% (100%)	1.1
100% - 100% (100%)	1.1

1. **STREET ADDRESS** (e.g., 1234 Main St., Apt. 101, New York, NY 10001)
2. **CITY** (e.g., New York, NY)
3. **STATE** (e.g., NY)
4. **ZIP** (e.g., 10001)
5. **PHONE** (e.g., (212) 555-1234)
6. **FAX** (e.g., (212) 555-5678)
7. **E-MAIL** (e.g., john.doe@company.com)
8. **COMPANY** (e.g., ABC Corp.)
9. **DEPARTMENT** (e.g., Sales)
10. **TITLE** (e.g., Sales Representative)
11. **INDUSTRY** (e.g., Technology)
12. **EMPLOYMENT HISTORY** (e.g., ABC Corp., 2000-2005; DEF Inc., 2006-2010)
13. **EDUCATION** (e.g., Bachelor's Degree in Business Administration, University of New York, 2000-2004)
14. **SKILLS** (e.g., Sales, Marketing, Customer Service)
15. **REFERENCES** (e.g., John Smith, Sales Manager, ABC Corp., (212) 555-9999)
16. **NOTES** (e.g., Recent graduate, excellent student, strong leadership skills)
17. **SIGNATURE** (e.g., John Doe)
18. **DATE** (e.g., 10/26/2010)
19. **LOCATION** (e.g., New York, NY)
20. **CONTACT INFORMATION** (e.g., (212) 555-1234)

2023
At Glendale Heights and surrounding communities in Cook County we have an ongoing CO2

11:52

But in *Leviathan* (1910) Little's parody

Lechner, 2000



SPECIAL USE PERMIT

CITY OF BATAVIA, NEW YORK

LOCATION: 40-70 Ellicott Street Batavia, NY 14020
 OWNER: Ellicott Station Development LLC
 Address: 500 Seneca Street, Suite 508 Buffalo, NY 14204

Application Date: 05/25/2017
 Tax Parcel No.: 84.015-1-2 / 84.015-1-5
 Phone No. 716-332-5959

X COUNTY PLANNING REVIEW
C-3, C-2 and I-1
 ZONING DISTRICT

AE FLOOD ZONE

56-70 CORNER LOT

X SITE PLAN REVIEW

Yes BID

Yes ZONING VARIANCE REQUIRED (area)

NO HISTORIC DISTRICT

NO HISTORIC LANDMARK

 CITY ENGINEER REVIEW

NO CITY COUNCIL REVIEW

NO OTHER

PROJECT DESCRIPTION:

An adaptive reuse of an environmentally contaminated site in downtown Batavia, NY including the renovation of an existing 8,800 SF building into a locally themed restaurant and production brewhouse as well as the construction of a combined 64,300 SF of mixed-use buildings featuring an anticipated 16,300 SF of professional office and business space and 51 market rate apartments.

EXISTING USE: Vacant Automobile Garage & Repair Shop /
Vacant Masonry Building

N.Y.S. BLDG. CODE OCC. CLASS: F-1 / F-2

LOT SIZE: approx. 3.0 acres

PROPOSED USE: Brewery & Restaurant / Multifamily
Residential / Commercial Office

N.Y.S. BLDG. CODE OCC. CLASS: F-2 / R2 / B / A-2

LOT AREA: approx. 84,000 SF

CITY PLANNING & DEVELOPMENT REVIEW:

 APPROVAL AS PRESENTED DISAPPROVAL APPROVAL WITH CONDITIONS

CHAIRMAN SIGNATURE: [Signature]

DATE: 9-19-17



Applicant Signature

Date

Issuing Officer

Permit Fee: \$200.00

Issue Date: 05/25/2017

WHITE STRIPE
TRAVEL LANE
SOLID YELLOW STRIPE
OPEN YELLOW STRIPE
CENTER TURNING LANE
OPEN YELLOW STRIPE
SOLID YELLOW STRIPE
TRAVEL LANE
WHITE STRIPE
DESIGNATED BIKE LANE
WHITE STRIPE
CURB SIDE PARKING
CONCRETE CURB

JACKSON STREET
(66.0' R.O.W.)

savarino
companies
500 SENECA STREET
SUITE #508
BUFFALO, NY 14204
WWW.SAVARINOCOMPANIES.COM
(716) 832-5959

MarksEngineering
42 BEEMAN STREET
CANANDAIGUA, NY 14424
WWW.MARKSENGINEERING.COM
(813) 485-1860



NOT FOR CONSTRUCTION

NO.	DATE	DESCRIPTION	BY
1	05/29/17	PER CITY SKETCH PLAN REVIEW	RAM

DESIGN DEVELOPMENT DRAWINGS FOR:
ELLICOTT STATION
ELLICOTT STREET
CITY OF BATAVIA
COUNTY OF GENESEE
STATE OF NEW YORK

DRAWING TITLE:
SITE PLAN

DRAWN BY:	DRIV
DESIGNED BY:	RAM
CHECKED BY:	RAM
SCALE:	AS NOTED
JOB NO.:	17-027
DATE:	05/23/2017
TAX MAP#:	61.03-1-1

C100

- KEY NOTES:
- NEW STANDARD DUTY ASPHALT PAVING.
 - NEW HEAVY DUTY ASPHALT PAVING
 - NEW CONCRETE SIDEWALK WITH INTEGRAL CURB
 - NEW SIDEWALK RAMP
 - NEW ADA PARKING SPACE STRIPING
 - NEW GRANITE MOUNTABLE CURBING WITH SIDEWALK
 - REPLACE SIDEWALK AND CURBING AT EX ENTRANCE TO BE REMOVED. COORDINATE WORK WITH NYSDOT.
 - NEW CURB CUT AND ENTRANCE. COORDINATE WORK WITH NYSDOT
 - NEW ADA RESERVED PARKING SPACE SIGN
 - NEW "NO PARKING SIGN"
 - NEW "NO STANDING FIRELANE" SIGN
 - NEW BOLLARD PATH LIGHT
 - NEW CURB TRANSITION
 - NEW LANDSCAPE PAVER AREA
 - NEW CONCRETE MECHANICAL PADS
 - NEW CONCRETE PAVING
 - NEW 6' HIGH BOARD ON BOARD PRIVACY FENCING
 - NEW 4" WIDE SOLID CENTER STRIPE
 - NEW TRAFFIC CONTROL SIGN READING "DELIVERIES USE EVAN STREET ENTRANCE"
 - NEW 6' WIDE CINDER PATH
 - NEW STRIPED CROSS WALK
 - NEW LAWN AREA
 - NEW LANDSCAPE BED
 - NEW BIORETENTION AREA
 - NEW CONCRETE CURBING
 - NEW CONCRETE SIDEWALK
 - FUTURE PYLON SIGN TO BE REVIEWED AND APPROVED ON SEPERATE APPLICATION

SIGNATURES

PLANING COMMITTEE CHAIRMAN

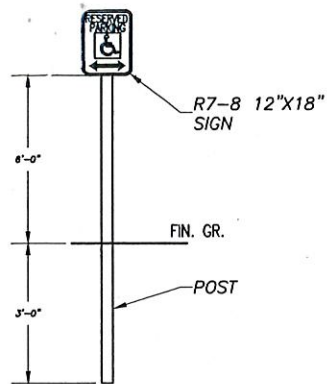
CITY ENGINEER

1 SITE PLAN
1"=20'

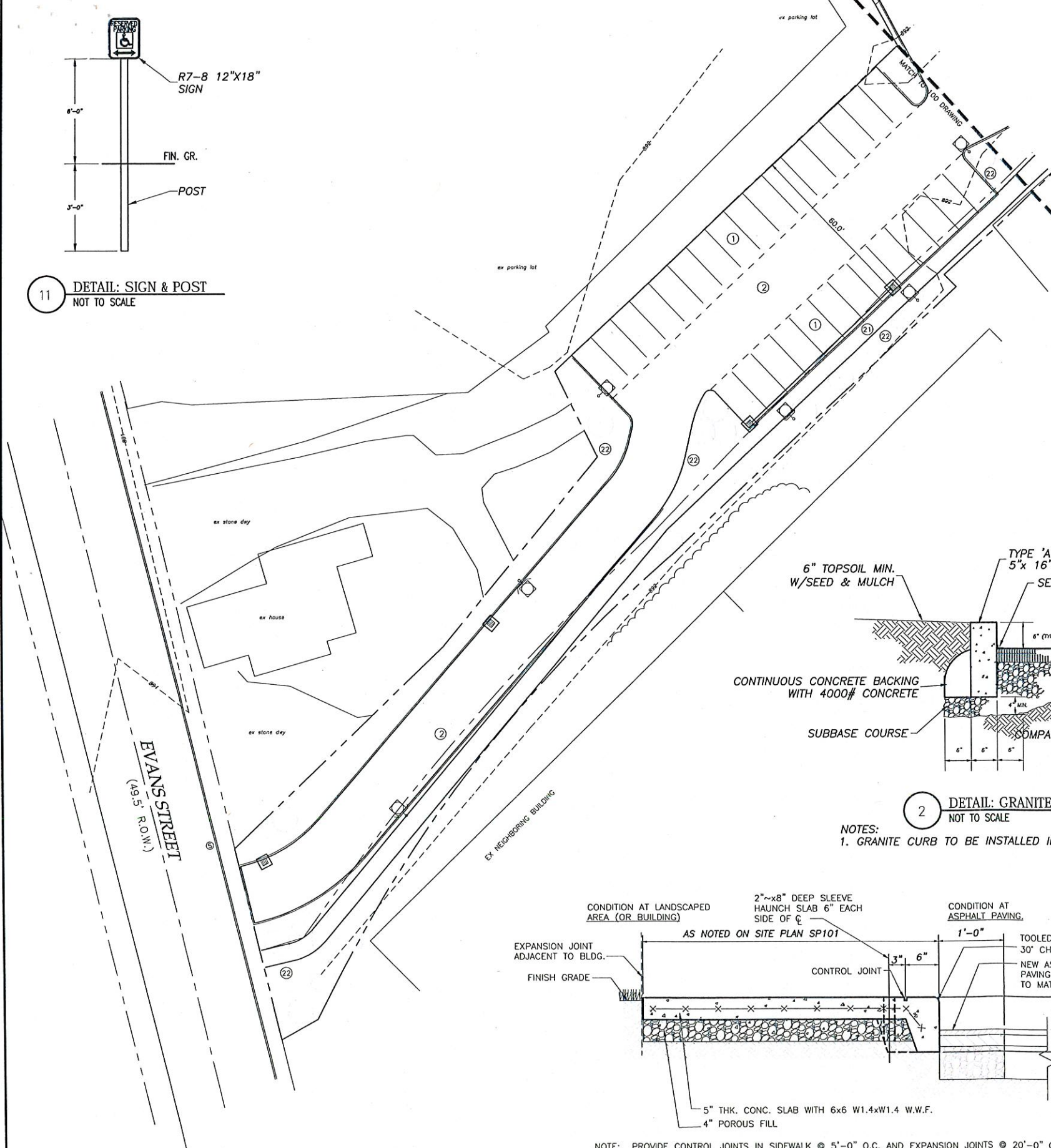
BULK TABLE			OFF STREET PARKING		
ZONING/USE - PRINCIPAL	PROPOSED	REQUIRED	BUILDING - R	PROPOSED	REQUIRED
MIXED USE		C-3 CENTRAL COMMERCIAL	86		1.5 PER UNIT - 77
FRONT SETBACK	14.7'	EQUAL OR GREATER THAN NEIGHBORING PARCELS	BUILDING - B	25	1 PER 100SF + 1 PER 2 FTE - 87
SIDE SETBACK	EXISTING	-	BUILDING - C	34	1 PER 300 SF - 52
REAR SETBACK	58.3'	-	TOTAL	145	216
BUILDING HEIGHT	AS NOTED	45'	ADA SPACES	8	4 PER 100 - 6
BLDG LOT COVERAGE	26%	100%	WAIVER	33% LESS THAN REQ'D	

2 - PARKING COUNT

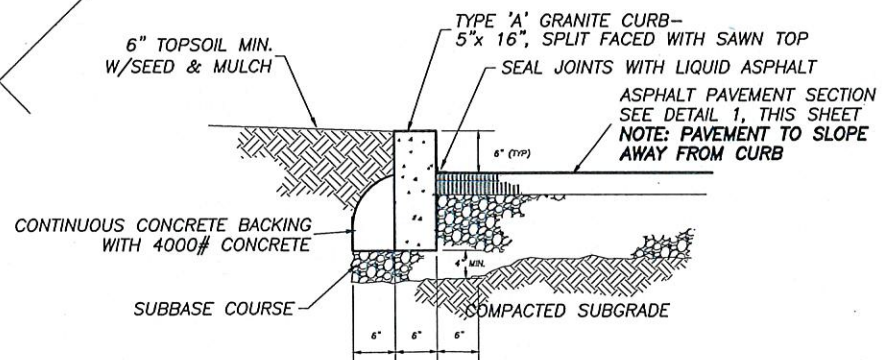
NYSDOT
MARKS ENGINEERING, P.C. IS RESPONSIBLE FOR THE DESIGN OF THIS PROJECT. BRENNAN MARKS, P.E. IS THE DESIGNER AND IS FAMILIAR WITH NYSDOT STANDARDS AND REQUIREMENTS AND SHALL BE CONTACTED AT (585-905-0360) TO RESOLVE ISSUES OR PROBLEMS DURING CONSTRUCTION. ALL REVISIONS, INCLUDING REVISIONS NECESSARY DUE TO FIELD CONDITIONS BE APPROVED BY NYSDOT.



11 **DETAIL: SIGN & POST**
NOT TO SCALE

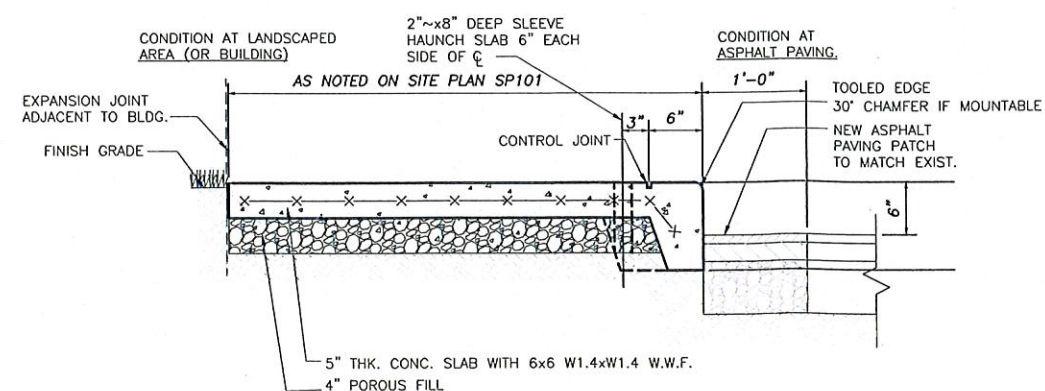


1 **SITE PLAN**
1"=20'



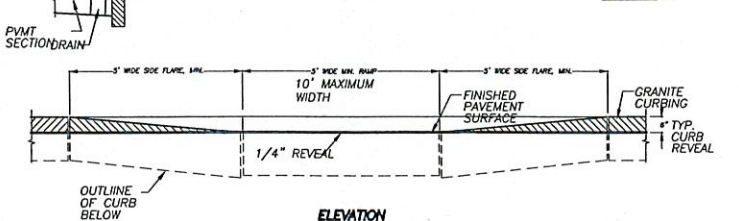
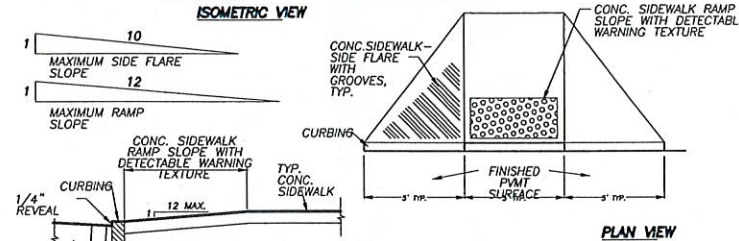
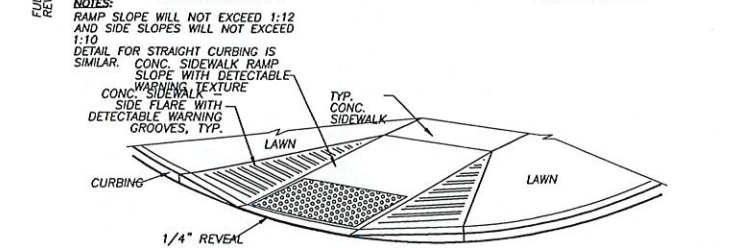
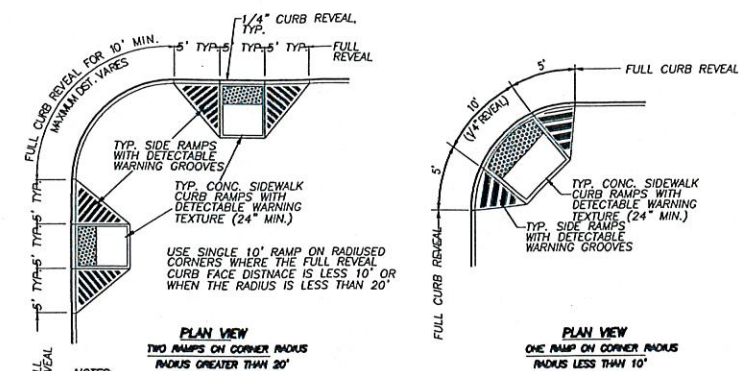
2 **DETAIL: GRANITE CURB**
NOT TO SCALE

NOTES:
1. GRANITE CURB TO BE INSTALLED IN MEDIAN AS SHOWN ON SHEET C1.0

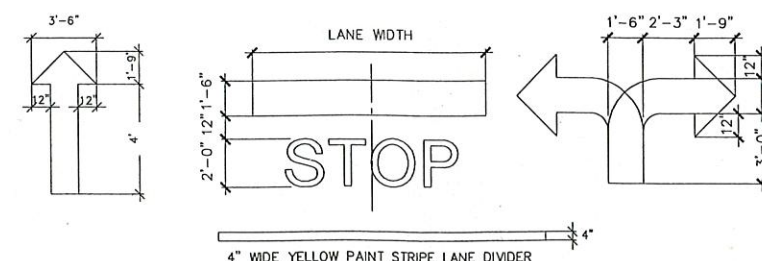


NOTE: PROVIDE CONTROL JOINTS IN SIDEWALK @ 5'-0" O.C. AND EXPANSION JOINTS @ 20'-0" O.C. BROOM FINISH WALKS AND SLOPE TO WASH @ 1/4" PER FOOT AWAY FROM BUILDING.

3 **CONCRETE SIDEWALK DETAIL**
NOT TO SCALE



3 **CONCRETE SIDEWALK CURB RAMP**
NOT TO SCALE



NOTES:
1. PAINT COLOR TO BE "YELLOW" FOR ARROW AND LETTERS. "DRIVE-THRU" LETTERS TO BE ELONGATED HELEVETICA MEDIUM - 4" WIDE STROKES.
2. PAINT 2" BLACK OUTLINE AROUND ARROW AND LETTERS FOR PROJECTS WITH CONCRETE PARKING LOTS.

NOTE: TYPICAL LETTER STROKE WIDTH = 5"
TYPICAL SPACE BETWEEN LETTERS = 2'-4"

14 **PAVEMENT MARKINGS**
NOT TO SCALE

REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	06/29/17	PER CITY SKETCH PLAN REVIEW	BAM

DRAWN BY:	DRIV
DESIGNED BY:	BAM
CHECKED BY:	BAM
SCALE:	AS NOTED
JOB NO.:	17-027
DATE:	05/25/2017
TAX MAP#:	61.03-1-1.1

WHITE STRIPE
TRAVEL LANE
SOLID YELLOW STRIPE
OPEN YELLOW STRIPE
CENTER TURNING LANE
OPEN YELLOW STRIPE
SOLID YELLOW STRIPE
TRAVEL LANE
WHITE STRIPE
DESIGNATED BIKE LANE
WHITE STRIPE
CURB SIDE PARKING
CONCRETE CURB

0 20 40 Feet

JACKSON STREET
(66.0' R.O.W.)

savarino
COMPANIES
500 SENECA STREET
SUITE #508
BUFFALO, NY 14204
WWW.SAVARINOCOMPANIES.COM
(716)332-5959

MarksEngineering
43 BEERMAN STREET
CANANDAIGUA, NY 14204
WWW.MARKSENGINEERING.COM
(585)906-1940



REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	05/29/17	PER CITY-SKETCH PLAN REVIEW	BAM

DESIGN DEVELOPMENT DRAWINGS FOR:
ELLICOTT STATION
ELLICOTT STREET
CITY OF BATAVIA
COUNTY OF GENESEE
STATE OF NEW YORK

DRAWING TITLE	
LANDSCAPING PLAN	
DRAWN BY:	DRW
DESIGNED BY:	BAM
CHECKED BY:	BAM
SCALE:	AS NOTED
JOB NO.:	17-027
DATE:	05/25/2017
TAX MAP#:	61.03-1-1.1

L100

BLDG - B
7816SF
2 STORY
222 OCCUPANCY
USE:
FACTORY/RESTURANT

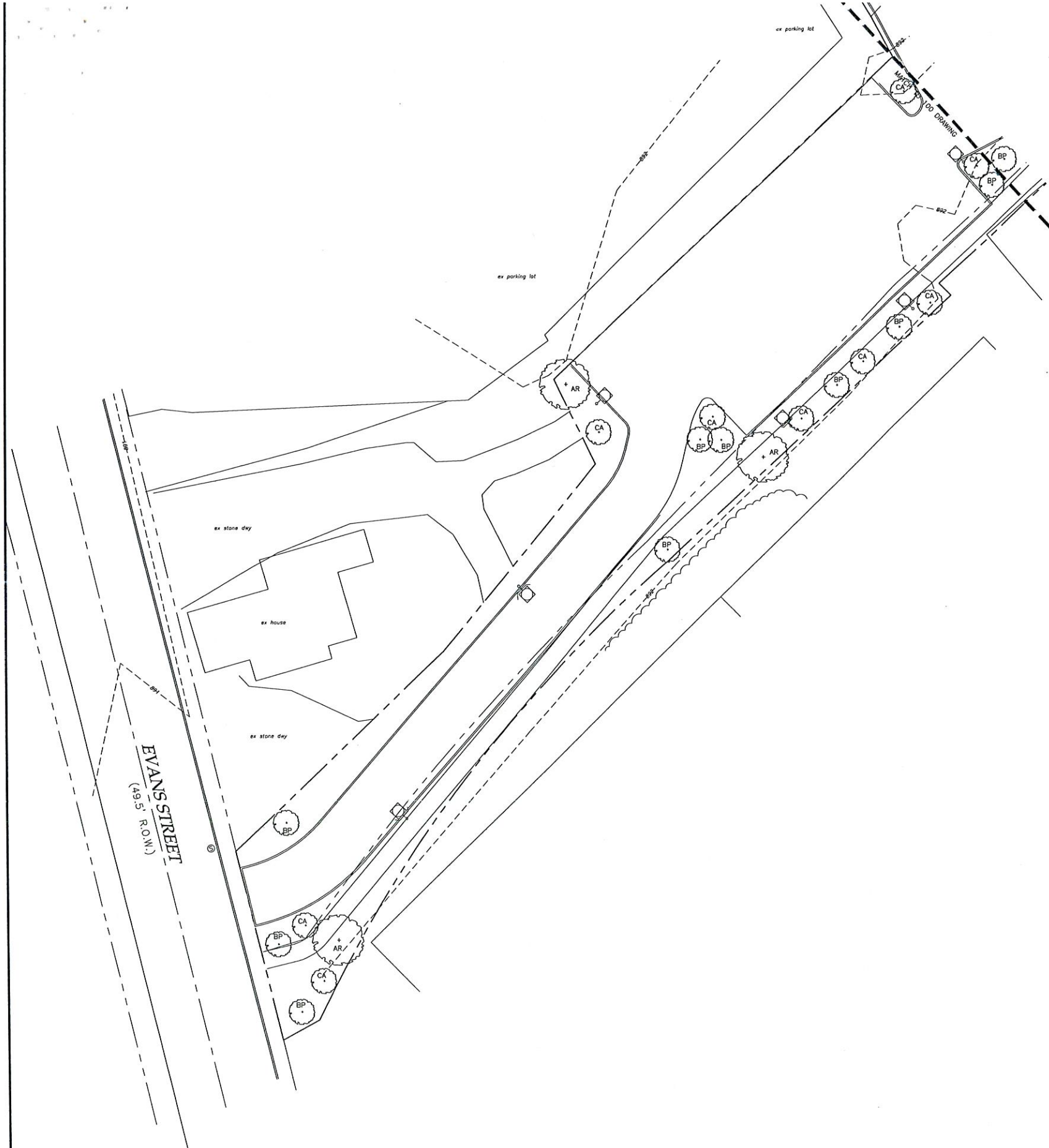
BLDG - R
56,655SF
PLUS 12,733SF
PARKING
5 STORIES
60FT HEIGHT
51 UNITS
83 BEDS
USE:
MULTI-RESIDENTIAL

BLDG - C
15376SF
1 STORY
18FT HEIGHT
USE:
COMMERCIAL OFFICE

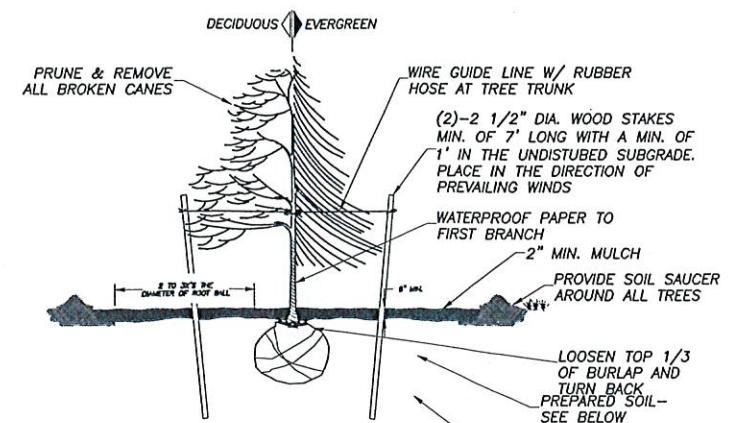
LANDSCAPING LEGEND

- | | | |
|--|------------------|---------------------------------------|
| | 6" CAL. TREE | AR - ACER RUBRUM (RED MAPLE) |
| | 2" CAL. TREE | BP - BRADFORD PEAR |
| | 1 CAL. POT PLANT | GV - BUXUS MICROPHYLLA 'GREEN VALLET' |
| | 3' TALL SHRUB | HV - HOSTA VENTRICOSA |
| | | PO - POLYGONATUM ODORATUM |
| | | HP - HYDRANGEA PANICULATA |
| | | NS - NYSSA SYLVATICA |
| | | TO - THUJA OCCIDENTALIS |
| | | CB - CARPINUS BETULUS |
| | | WB - JUNIPERUS S. 'WICHITA BLUE' |
| | | CA - CORNUS ALBA |
| | | RK - ROSA 'KNOCKOUT' |
| | | BP - BRADFORD PEAR |

1 LANDSCAPING PLAN
1"=20'



1 LANDSCAPING PLAN
1"=20'



NOTE:
WHEN BACKFILLING AROUND ALL ROOT BALLS WITH ON-SITE SOILS, ADD 1-2 CU.FT. OF 'AL-GRO' OR EQUAL (COMPOSTED SOIL AMENDMENT) AND 'GELSCAPE' WATER ABSORBANT GRANULES IN QUANTITY AS RECOMMENDED BY THE MANUFACTURER FOR TREES AND SHRUBS.

2 DETAIL: DECIDUOUS & EVERGREEN TREE PLANTING
NOT TO SCALE



savarino
companies
500 SENECA STREET
SUITE #508
BUFFALO, NY 14204
WWW.SAVARINOCOMPANIES.COM
(716) 332-9999

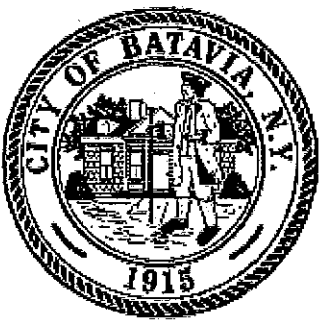
Marks Engineering
42 BEEMAN STREET
CANANDAIGUA, NY 14424
WWW.MARKSENGINEERING.COM
(585) 465-0560



REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	06/29/17	PER CITY SKETCH PLAN REVIEW	BAM

DESIGN DEVELOPMENT DRAWINGS FOR:
ELLCOTT STATION
ELLCOTT STREET
CITY OF BATAVIA
COUNTY OF GENESEE
STATE OF NEW YORK

DRAWING TITLE	
LANDSCAPING PLAN	
DRAWN BY:	DRV
DESIGNED BY:	BAM
CHECKED BY:	BAM
SCALE:	AS NOTED
JOB NO.:	17-027
DATE:	05/23/2017
TAX MAP#:	61.03-1-1.1



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: 7/25/18

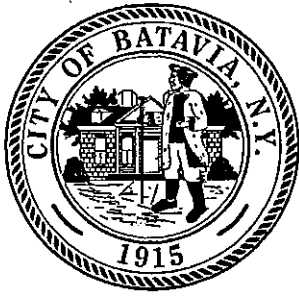
Re: Review of sign code

Zoning Use District: All

City Council has requested the Planning and Development Committee review the recently adopted sign code to determine if the application and implementation of the new code has been satisfactorily achieved and whether the desired results have been realized. Council wishes for the PDC to make recommendations regarding potential revisions to section 190-43 of the Batavia Municipal Code.

Review and Approval Procedures:

City Planning and Development Committee- Pursuant to City Charter chapter 13-3 the Planning and Development Committee shall serve in an advisory capacity to City Council and make recommendation regarding changes to the municipal sign code.



City of Batavia

Memorandum

To: Honorable City Council

From: Matt Worth, Interim City Manager

Date: June 18, 2018

Subject: Sign Ordinance Review

The City Council adopted a new sign code in January 2017 through a Local Law which involved significant changes from the previous version. With the sign code's adoption, the Inspection Bureau has been enforcing the code as written as it applies to projects within the City. During this period, various questions and concerns as to interpretation or intent of the code have been revealed.

As with any major change in operations, it is appropriate to review if the new code has been successful, and if the desired results have occurred. In addition, it is also appropriate to review for needed adjustments that will allow for the code to be utilized as intended where shortcomings or apparent un-necessary restrictions have been found.

It is recommended that the City Council direct the City of Batavia Planning and Development Committee to review the recently adopted sign code to determine if changes are appropriate. This review should be completed with the support of the City Attorney, and the Code Enforcement Officers to ensure correctness of any changes to the Sign Code, if recommended.

Once reviewed, any necessary changes will require appropriate action by City Council for adoption.

Supporting Documentation

Draft Resolution

Office of the City Manager
One Batavia City Centre
Batavia, New York 14020

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#67-2018

**A RESOLUTION REFERRING THE REVIEW OF SIGNS IN THE BATAVIA
MUNICIPAL CODE TO THE PLANNING AND DEVELOPMENT COMMITTEE**

Motion of Councilperson

WHEREAS, the City Council is desirous of reviewing the City's sign code, Batavia Municipal Code. Section §190-43, in response to concerns from the Bureau of Inspection, in relation to the recently adopted sign code; and

WHEREAS, under the City Charter § 13-3 the City Planning and Development Committee shall have such powers and duties to serve in an advisory capacity and provide such advice as to assist the City Council in developing a strategy that interprets, plans and leads in the implementation of land use matters relating to public and private development within the City of Batavia; and

WHEREAS, General City Law Section 27 provides City Council with the authority to refer matters the Planning and Development Committee requesting reviews and recommendations regarding planning and development within the City of Batavia; and

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia hereby requests that the City Planning and Development Committee to review §190-43. Signs, of the Batavia Municipal Code, to include application and implementation matters, as well as potential revisions, and make a recommendation to the City Council for consideration.

**Seconded by Councilperson
and on roll call**



City of Batavia Department of Public Works
Bureau of Inspections

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

The following are issues that have arisen since implementation of the new sign code. I have attached a copy of the code with highlighted sections pertaining to the notes. There is also a number of errors and omissions, and some thoughts to be considered at the end of the list.

- 1) Directional signs- Directional signs that were previously addressed have been omitted from the text of the code, while remaining in the definitions. These signs direct automobile and pedestrian traffic on private property.
- 2) Internal illumination- The new code requires internally lit signs to have an “opaque or a darker color” background than the “message” of the sign. There has been some confusion regarding the intent of this phrase. Opaque being not transparent (transparent- can be seen through, clear) verses Translucent- letting light pass through. I believe the intent of the sentence is to prevent internally lit signs from having a white or light colored background.
- 3) Free standing signs / pole signs- As written, the code only permits one pole sign per parcel. By definition a menu board, is a “freestanding sign”, depending on how it’s constructed it’s either a pole sign or a monument sign. This requirement prevents existing drive-through / drive-in food service establishments from replacing, upgrading or installing new menu boards. New businesses would be prevented from having a menu board if they had a free standing sign identifying their business.
- 4) Allocation of overall sign area- The previous code permitted multiple types of signs to be placed on a building for each establishment. Changes now allow only “*one building mounted sign per establishment, per building wall visible from a public r.o.w.*”. In other words businesses can no longer have one wall sign, and a projecting sign, shingle sign or iconic sign or canopy sign on the front of the building.
- 5) Prohibited signs; Off-premises signs- This code, as well as the previous sign code, does not permit signs on properties that are not related to a business or a profession conducted, or to a commodity or service sold or offered on that site. The previous code did allow for appeals of this requirement that could result in the issuance of a “Special Sign Permit” authorized by the Planning and Development Committee. The new code does not provide for that appeal process.
- 6) General housekeeping- The following are errors and/or omissions that should be addressed.

190-43 I. Exempt signs. The following signs are considered to be exempt from obtaining a permit, but not exempt from the provisions of this section. Exempt signs of a temporary nature shall not be attached to fences, utility poles or the like and shall not impair traffic visibility. Exempt signs, not in compliance with the provisions of subsection I (1) through (5) below, may not continue after the effective date of any amendment of this section.

Note: The underlined sentence above contradicts permitted continuation of existing nonconforming signs per 190-43 AA. Nonconforming signs.

190-43 I. Exempt signs. (4) “Three or fewer temporary signs (window, poster, lawn, and directional) not exceeding 60 days, and per the overall area allocation in subsection M below.”

Banner signs were left out.

190-43 I. Exempt signs (5) “Decorations, including lighting”.

Open/closed signs and hours of operation were left out.

190-43 J. Prohibited signs. (1) “No off-premises signs shall be allowed other than those allowed.” This should be elaborated because it causes confusion as written.

190-43 L. Sign type allowed by district. (table) This table omits projecting signs from the Industrial and Planned Development districts, but 190-43 M. (table) permits 10 sq.’ of “Projecting sign” area for those use districts.

Note: 190-43 L. also excludes sidewalk signs from the Industrial and Planned Development districts.

190-43 M. Allocation of overall sign area. (table) This table indicates “Awning” signs are permitted to be 2 sq.’ in area for signs located in the Residential use districts. 190-43 L. Table excludes awning signs in residential districts.

190-43 T. Pole signs. General Provisions 1. “ One pole sign is allowed per street frontage, except that one additional monument-sign is allowed for properties with 200 feet or more of street frontage. Where more than one monument sign is permitted, signs along the same street frontage must be spaced a minimum of 150 feet apart.”

Was “pole” sign intended where monument was inserted?

190-43 U Monument signs. General Provisions 1. “One monument sign is allowed per street frontage, except that one additional monument sign is allowed for properties with 200 feet or more of street frontage. Where more than one monument sign is permitted, signs along the same street frontage must be spaced a minimum of 150 feet apart.”

Was “freestanding” sign intended where monument was inserted?

190-43 Z. External illumination. (1) (b) “Projecting light fixtures used for externally illuminated signs must be simple and unobtrusive in appearance, and not obscure the sign.”

This statement is arbitrary and too subjective to enforce. It's a personal opinion that can be interpreted differently based on individual preference.

190-43 Z. Sign illumination. (8) Illumination allowed by district (table) Electronic message board signs are only permitted on properties located in the C-2 and I-1 use districts that are on state highways. These types of signs are frequently requested for places of religious worship, private schools, office buildings, medical campuses, etc. that are often times located in areas not within the permitted areas.

- (3) BRACKET SIGN — A freestanding sign, attached to the ground by one or more support structures, that is not higher than five feet and hangs from a bracket or support.
- (4) CANOPY SIGN — A sign placed on a canopy so that the display surface is parallel to the plane of the wall.
- (5) DIRECTIONAL SIGN — A permanent sign which is designed for the purpose of directing traffic or pedestrian traffic to the location of an activity or business.
- (6) ELECTRICAL RACEWAY — A raceway (sometimes referred to as a "raceway system" is an enclosed conduit that forms a physical pathway for electrical wiring. Raceways protect wires and cables from heat, humidity, corrosion, water intrusion and general physical threats.
- (7) ELECTRONIC MESSAGE BOARD — An illumination type that produces a static or changeable electronic message using light-emitting diodes (LED), liquid crystal display (LCD) or other digital display method, that is designed to provide an electronic message or display that may be generated and periodically changed using an internal, external or remotely located electronic control system, which contains an illuminated, programmable message or graphic, whether fixed or moving.
- (8) EXTERNAL ILLUMINATION — Signs that are externally illuminated have light shining onto the outer surface of the sign. External illumination may be downlit (lit from above) and uplit (lit from below).
- (9) FREESTANDING SIGN — A self-supporting sign not attached to any building, wall or fence, but in a fixed location; includes pole signs, pylon signs, and masonry wall-type signs, but does not include portable trailer-type signs.
- (10) ICONIC SIGN — A sculptural, typically three-dimensional sign whose form suggests its meaning, and which can either be building-mounted or freestanding.
- (11) ILLUMINATED SIGN — Any sign illuminated by electricity, gas or other artificial light either for the interior, back lit or exterior of the sign, and which includes reflective and phosphorescent light.
- (12) INTERNAL ILLUMINATION — Signs that are internally illuminated have light shining through the surface of the sign.

**§ 190-43. Signs. [Amended 11-25-1996; 12-10-2001;
1-23-2017 by L.L. No. 1-2017]**

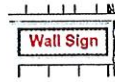


- A. Statement of purpose. The purpose of this section is to promote the public health, safety and welfare of the community by regulating the placement and size of outdoor signs and advertising displays. It is intended to protect all property values by ensuring that individual signs do not detract from the overall appearance and safety of the community.
- B. Applicability.
- (1) Permit required. It is unlawful for any person to erect, enlarge, relocate or change the copy of any sign, other than those identified as exempt in this section, without first obtaining a sign permit and paying the fee therefor as provided in this section. Routine maintenance of existing signs, not involving erection, enlargement, relocation or change of copy, shall not require a permit.
 - (2) All signs must be located on the same lot as the permitted use.
- C. Application for permit. Application shall be made, in writing, to the Department of Public Works on forms prescribed and provided by the City of Batavia and shall contain the following information:
- (1) Name, address and telephone number of applicant and property owner.

- (2) Location of the building, structure or land upon which the sign now exists or is to be erected.
- (a) If a new sign is to be erected, elevation and plan drawings should be included. A clear description of the placement and appearance of the proposed sign should include the following:
- [1] Location on the premises, specifically, its position in relation to adjacent buildings, structures and property lines.
 - [2] The method of illumination and position of lighting.
 - [3] Graphic design, including symbols, letters, materials, and possible color combinations.
- (b) If the sign is in compliance, the Department of Public Works shall issue a permit for the proposed or existing sign. The Department of Public Works shall give written notice to the applicant if the sign application has been denied.
- D. Common sign plan. A common sign plan must be filed with the Department of Public Works for all sites occupied by more than one tenant. After the filing of a common sign plan, all tenant signs must meet the requirements of the common sign plan.
- E. Computation of sign type area. The area of a sign type is determined as follows:
- (1) For signs consisting of freestanding letters or logos, sign area is calculated as the total area of the rectangle, circle or square that fully encloses each word or logo.



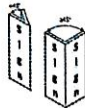
- (2) For wall signs and signs on a background, the entire area of the background is calculated as sign area, including any material or color forming the sign face and the background used to differentiate the sign from the structure against which it is mounted. Sign area does not include any supports or bracing.



- (3) The sign area of a three-dimensional sign is calculated as the total area of the smallest rectangle, circle or square that fully encloses the largest profile of the three-dimensional sign.



- (4) The area for a sign with more than one face is computed by adding together the area of all sign faces, except where the angle at which the two sign faces are placed does not exceed 45° .



- F. Measurement of sign height. The total height of a freestanding sign is measured from the highest point of the sign or supporting structure to the adjacent grade.



- G. Fees. Fees for sign permits shall be as set by resolution of the City Council.
- H. Permitted signs. All signs which comply with the provisions and conditions set forth in this section and obtain a permit shall be allowed, and all signs not so compliant are specifically prohibited.
- I. **Exempt signs.** The following signs are considered to be exempt from obtaining a permit, but not exempt from the provisions of this section. Exempt signs of a temporary nature shall not be attached to fences, utility poles or the like and shall not impair traffic visibility. **Exempt signs, not in compliance with the**

provisions of Subsection I(1) through (5) below, may not continue after the effective date of any amendment of this section.

- (1) Historical markers, tablets and statues, memorial signs or plaques, when cut into a masonry surface or when constructed of bronze, stainless steel or similar material and not exceeding six square feet.
- (2) Flags.
- (3) Nonilluminated "warning," "private drive," "posted" or "no trespassing" signs, not exceeding two square feet per face.
 - (a) "Warning," "private drive," "posted" or "no trespassing" signs shall not be in excess of four feet in height and shall not be in excess of two square feet per face. A maximum of one "posted," "warning" or "no trespassing" sign shall be permitted to be placed along the perimeter of property lines at intervals not less than 100 feet apart. This restriction will not apply to properties owned by public entities or utility companies.
- (4) Three or fewer temporary signs (window, posters, lawn, and directional) not exceeding 60 days, and per the overall area allocation in Subsection M below.
- (5) Decorations, including lighting.

J. Prohibited signs.

- (1) No off-premises signs shall be allowed other than those allowed.
- (2) No sign shall be illuminated by or contain flashing, rotating, scrolling, strobing, or moving lights.
- (3) No sign shall impair or cause confusion of vehicular or pedestrian traffic, in its design, color or placement.
- (4) No sign shall be placed upon the roof of any building.
- (5) No sign shall consist of or simulate moving, revolving or fluttering devices such as ribbons and streamers.
- (6) No advertising message shall be extended over more than one sign placed along a street or highway.
- (7) No signs shall be attached to utility poles in all zones of the City of Batavia. No permanent, temporary or exempt signs shall be attached, placed, painted or drawn upon fences,

trees or man-made or natural features, including permanent, temporary or exempt signs.

- (8) No signs shall be placed anywhere within the City or state rights-of-way without the permission of the Department of Public Works, excepting awning signs, canopy signs, projecting signs, and shingle signs in commercial, industrial and planned development districts not exceeding six square feet and sidewalk signs not exceeding 20 square feet in commercial, industrial and planned development districts. All signs must be a minimum of 18 inches inside the street line.

K. Portable signs.

- (1) Portable signs, if powered by electricity, must meet all the construction standards of the New York State Uniform Fire Prevention and Building Code.
- (2) Portable sign size shall not exceed 32 square feet and shall be limited to five feet above grade.
- (3) Portable signs must be removed after 60 days. Another portable sign permit can be applied for 30 days after removal of a portable sign.

- L. **Sign types allowed by district.** Signs are allowed by district as set forth below. Specific requirements for each sign are shown on the following pages.

Sign Types	Zoning Districts							
	R-1, R-1A, R-2	R-3	C-1	C-2	C-3, H-O	I-1	I-2, I-3, P-1, P-2, P-3	L
Wall	•	•	•	•	•	•	•	
Awning			•	•	•	•	•	
Canopy			•	•	•	•	•	
Projecting	•	•	•	•	•			
Shingle	•	•	•	•	•	•		
Window			•	•	•	•	•	
Pole				•		•		
Monument	•	•	•	•	•	•	•	•
Marquee				□	•			

Sign Types	Zoning Districts							
	R-1, R-1A, R-2	R-3	C-1	C-2	C-3, H-O	I-1	I-2, I-3, P-1, P-2, P-3	L
Iconic			□	□	•			
Bracket	•	•	•	•	•	•	•	•
Sidewalk			•	•	•			

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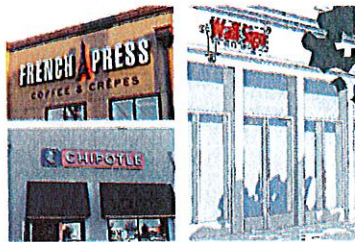
• = Sign type
allowed□ = Sign type
allowed on state
highwaysBlank Cell = Sign
type not allowed

- M. Allocation of overall sign area. The maximum sign area allocation for each sign type is determined by the district and is established below. For each cell, there is a maximum sign area allocation that may be utilized with any combination and any number of signs associated with that cell, except only one freestanding sign per 200 feet of street frontage and one building-mounted sign per establishment, per building wall visible from a public right-of-way is allowed (awning and window signs excluded). The total area of wall or canopy signs shall not exceed what would be allowed on the largest wall visible from the public right-of-way. Sign area is measured in square feet or percentage of wall area and total window space for window signs.

Sign Types	Zoning Districts									
	R-1, R-3 R-1A, R-2	C-1	C-2	C-3, I-1 H-O	I-2, P-1 I-3	P-2	P-3	L		
Wall	2 sf	2 sf	10%	15%	15%	15%	15%	15%	15%	10%
Awning	2 sf	2 sf	15%	25%	20%	20%	20%	20%	20%	20%
Canopy			15%	25%	20%	20%	20%	20%	20%	20%
Projecting	2 sf	2 sf	10 sf	10 sf	10 sf	10 sf	10 sf	10 sf	10 sf	10 sf
Shingle	2 sf	2 sf	10 sf	10 sf	10 sf	10 sf	10 sf	10 sf	10 sf	10 sf
Window			25%	25%	25%	25%	25%	25%	25%	25%

Zoning Districts										
Sign Types	R-1, R-1A, R-2	R-3	C-1	C-2	C-3, H-O	I-1	I-2, I-3	P-1	P-2	P-3 L
Pole				40 sf		15 sf				
Monument	15 sf	15 sf	15 sf	40 sf	15 sf	15 sf	15 sf	15 sf	15 sf	6 sf 6 sf
Marquee				100 sf	175 sf					
Iconic			15 sf	40 sf	15 sf					
Bracket	2 sf	2 sf	10 sf	10 sf	10 sf	10 sf	10 sf	10 sf	10 sf	10 sf
Sidewalk			20 sf	20 sf	20 sf					
Temporary	9 sf	9 sf	32 sf	32 sf	32 sf	32 sf	32 sf	32 sf	32 sf	9 sf

N. Wall signs.



Description

A sign placed or painted against a building and attached to the exterior front, rear or side so that the display surface is parallel to the plane of the wall.

General Provisions

1. No portion of a wall sign may extend beyond the ends, above the roofline, above a parapet wall of a building with a flat roof, or above the second story in a building with more than two stories.
2. No portion of a wall sign may extend above the lower eaveline of a building with a pitched roof.
3. A wall sign cannot cover windows or architectural details.

4. A wall sign may be illuminated in accordance with Subsection Z below.

Standards

- A Overall area allocation (max) Subsection M above
- B Projection measured from 15 inches
building facade (max)
- C Electrical raceway (max % of 50%
letter height)

O. Awning signs.



Description

A sign where graphics or symbols are painted, sewn, or otherwise adhered to the awning material as an integrated part of the awning itself.

General Provisions

1. An awning sign cannot extend outside the awning.
2. Only awnings over ground-story doors or windows may contain signs.
3. A maximum of one sign is allowed per awning face, per establishment.
4. Signs are only allowed in the vertical areas of the awning.
5. An awning sign may only be externally illuminated in accordance with Subsection Z below.

Standards

- A Overall area allocation (max) Subsection M above
- B Width (max % of awning 75%
width/depth)
- C Height of text and graphics 2 feet
on valance (max)

P. Canopy signs.



Description

A sign placed on a canopy so that the display surface is parallel to the plane of the wall.

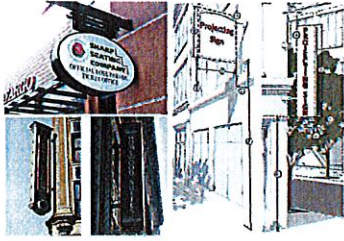
General Provisions

1. A canopy sign cannot extend outside the overall length or width of the canopy. However, a canopy sign may extend above or below the canopy.
2. A maximum of one sign is allowed per canopy, per establishment.
3. A canopy sign must be located over an accessible building entrance.
4. Electrical raceways are permitted for signs extending below or above the canopy. Otherwise, electrical raceways are not permitted and the sign must be flush with the canopy face.
5. A canopy sign may be illuminated in accordance with Subsection Z below.

Standards

A	Overall area allocation (max)	Subsection M above
B	Width (max % of canopy width)	75%
C	Height of text and graphics (max)	2 feet
D	Depth (max)	1 foot
E	Electrical raceway (max % of letter height)	50%
F	Clear height above sidewalk (min)	10 feet

Q. Projecting signs.



Description

A sign attached to the building facade at a ninety-degree angle, extending more than 15 inches. A projecting sign may be two- or three-dimensional.

General Provisions

1. A projecting sign must be located at least 25 feet from any other projecting sign.
2. A projecting sign may be erected on a building corner when the building corner adjoins the intersection of two streets. Allocation of sign area from both streets may be used; however, in no case can the sign exceed the maximum height and width standards.
3. The top of a projecting sign can be no higher than the top of the building. However, on one-story buildings, the top of a projecting sign may have a maximum of 20% of the sign height above the top of the building.
4. Buildings four stories and higher. A projecting sign must be located below the window sills of the fourth story.
5. A projecting sign may be illuminated in accordance with Subsection Z below.

Standards

A	Overall area allocation (max)	Subsection M above
B	Height ¹ (max)	
	Mounted below 2nd floor	4 feet
	Mounted on 2nd or 3rd floor	8 feet
C	Spacing from building facade (min/max)	1 foot/2 feet
D	Projection width (max)	6 feet
E	Depth (max)	1 foot
F	Clear height above sidewalk (min)	10 feet

NOTES:

- (1) If a sign is mounted across two floors, then the maximum height is the average of the maximum heights for each respective floor.

R. Shingle signs.

**Description**

A small projecting sign that hangs from a bracket or support.

General Provisions

1. A shingle sign must be located within five feet of an accessible building entrance.
2. The hanging bracket must be an integral part of the sign design.
3. A shingle sign must be located below the window sills of the second story on a multistory building or below the roofline on a single-story building.
4. A shingle sign cannot be illuminated.

Standards

A	Overall area allocation (max)	Subsection M above
B	Height (max)	3 feet
C	Spacing from building facade (min/max)	6 inches/12 inches
D	Projection width (max)	3.5 feet
E	Depth (max)	6 inches
F	Clear height above sidewalk (min)	10 feet

S. Window signs.



Description

A sign visible from a sidewalk, street or other public place, painted or affixed on glass or other window material, or located inside within four feet of the window, but not including graphics in connection with customary window display of products.

General Provisions

1. Window signs are only allowed on ground- and second-story windows and doors, except that second-story window signs are only allowed if for a different establishment than that of the ground story and if no other sign is attached to the building for that establishment.
2. A window sign can only be internally illuminated in accordance with Subsection Z below.
3. Overall area allocation shall be calculated for all windows per floor, per establishment, per side of the building.

Standards

A Overall area allocation (max) Subsection M above

T. Pole signs.



Description

A freestanding sign constructed on a structure of one or more poles.

General Provisions

1. One pole sign is allowed per street frontage, except that one additional **monument** sign is allowed for properties with 200 feet or more of street frontage. Where more than one **monument** sign is permitted, signs along the same street frontage must be spaced a minimum of 150 feet apart.
2. A pole sign must be set back at least five feet from any property line.
3. A pole sign may be illuminated in accordance with Subsection 2 below.

Standards

- A Overall area allocation (max) Subsection M above
- B Height (max) 25 feet (C-2), 18 feet (I-2)
- C Vertical clearance (min/max) 10 feet/15 feet

U. Monument signs.



Description

A freestanding sign attached to the ground along its entire length to a continuous pedestal. A monument sign is horizontally oriented or is square.

General Provisions

1. One monument sign is allowed per street frontage, except that one additional monument sign is allowed for properties with 200 feet or more of street frontage. Where more than one **monument** sign is permitted, signs along the same street frontage must be spaced a minimum of 150 feet apart.
2. A monument sign must be set back at least five feet from any property line, except for signs in the Land Conservation (L) District where the sign has to be 10 feet from any property line.

3. A sign erected on a retaining wall is required to meet the standards for a monument sign. The height of the wall is included in the overall height calculation.
4. A monument sign may be illuminated in accordance with Subsection Z below.

Standards

- | | | |
|---|-------------------------------|--------------------|
| A | Overall area allocation (max) | Subsection M above |
| B | Height (max) | 6 feet |
| C | Depth (max) | 18 inches |

V. Marquee signs.



Description

A sign attached to the top or the face of a permanent roof-like structure.

General Provisions

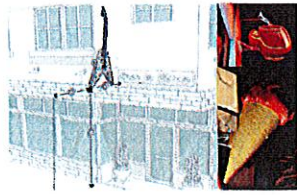
1. A maximum of one marquee sign is permitted per building. Only the following types of establishments may erect a marquee sign: assembly, large or small; cultural facility; school, college/university; hotel/hostel; amusement facility, indoor or outdoor; or live entertainment.
2. A marquee may be erected over a main entrance only, and may be no wider than the entrance over which it is erected, plus five feet on each side.
3. A marquee sign must be supported solely by the building to which it is attached. No exterior columns or posts are permitted as supports.
4. All marquees, including anchors, bolts, supporting rods and braces, must be constructed of noncombustible material and must be designed by a licensed design professional.
5. Water from the marquee roof must not drain, drip, or flow onto the surface of a public right-of-way. Sufficient gutters, downspouts, and drains must be installed as part of each marquee to prevent water from flowing onto the surface of a public right-of-way.

6. A marquee sign may be illuminated in accordance with Subsection Z below.

Standards

- A Overall area allocation (max) Subsection M above
- B Vertical clearance from sidewalk level (min/max) 10 feet
- C Setback from curblane (min) 18 inches

W. Iconic signs.



Description

A sculptural, typically three-dimensional sign whose form suggests its meaning, and which can either be building mounted or freestanding.

General Provisions

1. A maximum of one iconic sign is permitted per establishment.
2. An iconic sign may contain only iconographical elements representing a product or service offered on site and may not contain any other items of information.
3. The top of an iconic sign can be no higher than the top of the building. However, on one-story buildings, the top of an iconic sign may have a maximum of 20% of the sign height above the top of the building.
4. Buildings four stories and higher: An iconic sign must be located below the window sills of the fourth story.
5. An iconic sign may be illuminated in accordance with Subsection Z below.

Standards

- A Overall area allocation (max) Subsection M above
- B Projection from wall (max, including supports) 5 feet

- C Vertical clearance from sidewalk level (min) 10 feet
- D Setback from curbline (min) 18 inches

X. Bracket signs.



Description

A freestanding sign, attached to the ground by one or more support structures, that is not higher than five feet and hangs from a bracket or support.

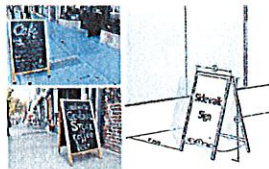
General Provisions

1. Only one bracket sign is allowed per building.
2. A bracket sign must be located at least 25 feet from any other bracket sign.
3. The hanging bracket must be an integral part of the sign design.
4. A bracket sign can only be externally illuminated in accordance with Subsection Z below.

Standards

- A Overall area allocation (max) Subsection M above
- B Sign structure height (max) 5 feet
- C Sign area height (max) 3 feet
- D Sign area width (max) 3 feet
- E Sign structure/area depth (max) 6 inches

Y. Sidewalk signs.



Description

A moveable sign not secured or attached to the ground or surface upon which it is located.

General Provisions

1. Sidewalk signs do not require a permit but must be taken inside the place of business at the close of business.
2. A sidewalk sign must be located at least 25 feet from any other sidewalk sign.
3. Sidewalk signs cannot obstruct vehicular, bicycle or pedestrian traffic and must comply with ADA clearance and accessibility.
4. A sidewalk sign cannot be illuminated.

Standards

- | | | |
|---|-------------------------------|--------------------|
| A | Overall area allocation (max) | Subsection M above |
| B | Height (max) | 5 feet |
| C | Width (max) | 4 feet |
- Z. Sign illumination. Illumination of signs must be in accordance with the following requirements.
- (1) External illumination.
 - (a) Lighting directed toward a sign must be shielded so that it illuminates only the face of the sign and does not shine directly onto the public right-of-way or adjacent properties.
 - (b) Projecting light fixtures used for externally illuminated signs must be simple and unobtrusive in appearance, and not obscure the sign.



External light sources

- (2) Internal illumination. The background must be opaque or a darker color than the message of the sign.



Internally lit channel letters



Internally lit sign with darker background

- (3) Exposed neon. Exposed neon may be used for lettering or as an accent.
- (4) Backlit illumination.
 - (a) Light can be white or a color.
 - (b) The background surface that the light shines onto shall not be reflective.



Backlit channel letters

- (5) Prohibited light sources. The following light sources are not allowed:
 - (a) Blinking, flashing and chasing.
 - (b) Bare bulb illumination except for marquee signs.
- (6) Electrical raceways and transformers.
 - (a) If a raceway is necessary, it cannot extend in width or height beyond the area of the sign.
 - (b) A raceway must be finished to match the background wall or canopy, or integrated into the overall design of the sign.
 - (c) Visible transformers are not allowed.

(7) Electronic message boards.



- (a) Electronic message boards are allowed as part of a permanent freestanding sign and can only comprise as much as 30% of the total square footage permitted in Subsection M above.
- (b) One electronic message board is allowed per street frontage and shall also be considered a pole or monument sign per the density/spacing provisions in those sections above.
- (c) An electronic message board may not change or move more often than once every 10 seconds.
- (d) The images and messages displayed must be static and shall not produce the illusion of scrolling, moving objects, expanding or contracting shapes, rotation or any similar effect of animation.
- (e) The transition from one static display to another must be instantaneous without any special effects.
- (f) The images and messages displayed must be complete in themselves, without continuation in content to the next image or message or to any other sign.
- (g) An electronic message board must be designed and equipped to freeze the device in one position if a malfunction occurs. The display must also be equipped with a means to immediately discontinue the display if it malfunctions, and the sign owner must immediately stop the display when notified by the City that it is not complying with this section.
- (h) An electronic message board must not be brighter than is necessary for clear and adequate visibility.

- (i) An electronic message board must not be of such intensity or brilliance as to impair the vision of a motor vehicle driver or to otherwise interfere with the driver's operation of a motor vehicle.
- (j) An electronic message board must not be of such intensity or brilliance that it interferes with the effectiveness of an official traffic-control sign, device or signal.
- (k) An electronic message board must be equipped with a mechanism that automatically adjusts the brightness in response to ambient conditions.
- (l) An electronic message board must not be equipped with audio speakers, excluding two-way communication devices.

(8) Illumination types allowed by district.

Illumination Types	Zoning Districts							
	R-1, R-1A, R-2	R-3	C-1	C-2	C-3, H-O	I-1	I-2, P-1, P-2, P-3	L
External Illumination	•	•	•	•	•	•	•	•
Internal Illumination			•	•		•	•	
Backlit Illumination			•	•	•	•	•	
Exposed neon				•	•			
Electronic message board				□		□		

KEY:

• = Allowed

Blank Cell = Not allowed

□ = Allowed on state highways except where entire parcel is directly adjacent to the H-O District

AA. Nonconforming signs.

- (1) Any sign not conforming to the regulation of the district in which it is located at the time of adoption of this chapter shall be nonconforming.
- (2) Any sign or other advertising structure in existence on the date this amendment to this section is enacted or the effective date of any amendment to this section may continue and shall be maintained.
- (3) An existing sign may change the face or panel of the sign that does not meet the area or height standards of this section. However, there shall be no increase in the degree of nonconformity. All new panels must conform to all illumination standards of Subsection Z above.
- (4) A sign must be brought into compliance with this section if at any time the sign is altered, repaired, restored or rebuilt to the extent that the cost exceeds 50% of the estimated replacement cost of the sign (in current dollar value). All sign permits within any six consecutive calendar months will be aggregated for purposes of measuring the fifty-percent standard.
- (5) If the repair is caused by involuntary damage or casualty and not deferred maintenance, the sign may be repaired to any extent.

BB. Removal of signs. Any sign, existing on or after the effective date of this amendment to this section, which is no longer associated with the establishment upon which such a sign is located or is unsafe, shall be removed within 30 days upon written notice from the Department of Public Works. Upon failure to correct, the Department of Public Works shall remove or cause to be removed said sign and shall cause to be assessed against the property all costs and expenses incurred.

CC. Maintenance. All signs shall be maintained in such a condition so as to not constitute a danger to the public health, safety or welfare. The Department of Public Works shall inspect and have the authority to order the painting, repair and alteration or removal of signs which become dilapidated or are abandoned, or which constitute physical hazard to the public safety.

DD. Construction standards. All signs shall be constructed and installed in conformance with the New York State Uniform Fire Prevention and Building Code. Separate certification may be required for illuminated signs indicating compliance with the

National Electrical Code (NFPA 70). The Department of Public Works shall have the option to require a review by the City Engineer. If the City Engineer finds the mounting technique questionable, a professional review by a New York State registered engineer would be required.

EE. Appeal procedures. Any person aggrieved by a decision of the Department of Public Works relative to dimensional provisions of this section may appeal such decision by applying for an area variance. The Department of Public Works shall refer the application to the Zoning Board of Appeals for approval or denial. In granting a variance, the Zoning Board of Appeals must determine that the sign is in harmony with the general purposes of this section, does not harm the neighborhood character, and is not detrimental to public health, safety or welfare. The Zoning Board of Appeals should also consider the benefit to the applicant versus the detriment to the community in the granting of any variance. The City Planning and Development Committee shall review and issue recommendations to the Zoning Board of Appeals for area variances for signs within the Central Commercial (C-3) District.

FF. Substitution clause. The owner of any sign which is otherwise allowed by this section may substitute noncommercial copy in lieu of any other commercial or noncommercial copy. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial message over any other noncommercial message. This provision prevails over any more specific provision to the contrary.

GG. Severability clause. Should any section or provision of this section be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the section as a whole or any part thereof, other than the part so declared to be invalid.