ZONING BOARD OF APPEALS Thursday, November 19, 2015

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

AGENDA

- I. Roll Call
- II. Call to order
- III. Pledge of Allegiance
- IV. Approval of October 22, 2015 minutes
- V. Statement about the role of the Zoning Board of Appeals and the procedure it follows
- VI. Variance Requests

401-409 West Main Street (proposed Dunkin Donuts)
Kip Finley, agent for the owner

Area Variances:	1. Driveway distance from side lot line
	2. Number of parking spaces
	3. Front yard setback
	4. Drive-in height
	5. Driveway width
Actions:	

- 1. Review application
- 2. Public hearing
- 3. Action by the board

VII. New Business/Updates

- VIII. Setting of Next Meeting: December 17, 2015
- IX. Adjournment

ZONING BOARD OF APPEALS *Minutes* Thursday, October 22, 2015 *6:00 pm* Council Board Room One Batavia City Centre, Batavia, NY

Members present:	Jeffrey Gillard, Lee Hyatt, Sandra Licata, Paul McCarthy
Members absent:	William Hayes
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 Gillard declared a quorum.

II. Call to Order

Mr. Gillard called the meeting to order at 5:58 pm.

III. Pledge of Allegiance

IV. Approval of Minutes

MOTION: Mr. McCarthy moved to approve the minutes as written; the motion was seconded by Dr. Licata, and on roll call, was approved 4-0.

Result: Approval of September 24, 2015 minutes.

V. Zoning Board of Appeals statement

Mr. Gillard explained the role of the Zoning Board of Appeals and the procedures it follows.

VI. Variance Requests

A.

Placement of 40 lin. ft. of 8' tall wooden fence on this property, parallel to the west property line

Address:9 Holmes AvenueApplicant:Brian Hale, owner

- Actions:1. Review application2. Public hearing and discussion
 - 3. Action by the board

1. Review Application

Mr. Hyatt, acting as Vice Chair, read the proposal summary for the board.

2. Public Hearing and Discussion

Mr. Gillard opened the public hearing at 6:02 pm. There were no calls or correspondence and no one present who wished to speak. Mr. Gillard closed the public hearing at 6:03 pm.

Mrs. Hale explained that there had been 60' tall pine trees along the back of the property which have been cut down. She said they would like to put up the fence for privacy.

Mr. Hyatt asked about what is located behind the Hales' property. Mr. Randall said that there is a church and an apartment complex. He explained that the apartment complex, which shares a border with Hales' property, is located within the C-2 district. In this district 8' fences are permitted.

Mr. McCarthy asked why an 8' high fence is necessary. Mr. Hale responded that they have a two-tiered deck and they would like some privacy from the playground and sports fields behind their property.

Dr. Licata asked if any of the neighbors object to a fence that is higher than usual. Mrs. Hale pointed out that the pines had been 60' high so the height of the fence is not really problematic.

3. Action by the Board

Mr. Gillard went through the list of supporting criteria for the variance:

- Undesirable change in neighborhood character: no
- Alternative cure sought: no
- Substantiality: not substantial
- Adverse effect or impact on neighborhood/community: no
- Self-created: no

MOTION: Dr. Licata moved to approve the application with 60 days to obtain the permit. The motion was seconded by Mr. Gillard, and on roll call, was approved 4-0. **Result: Approval of Area Variance**

VII. New Business: none

VIII. Setting of Next Meeting: November 19, 2015

IX. Adjournment

Dr. Licata moved to adjourn the meeting at 6:08 pm; Mr. Gillard seconded. All voted in favor.



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:	10/30/15
Re:	401-409 West Main St.

Tax Parcel No. 84.006-1-4

Zoning Use District: C-2

NOTE: This project was previously reviewed and subsequently changed to incorporate some design features recommended by the reviewing bodies. A new site plan has been provide and the applicant is requesting this new submittal be reviewed.

The applicant, Kip Finley (agent for the owner), has filed applications for; minor subdivision, site plan review, special use permit for drive-in restaurant, area variances and special sign permits. He is proposing to subdivide this existing parcel into two separate parcels and construct an approximately 2,170 sq.' Dunkin Donuts restaurant with a drive-through window on the newly created parcel.

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 state road or highway.

City Planning and Development Committee-

1) **Minor Subdivision**- Pursuant to BMC section 162-2 and 162-4 the PDC shall approve plot plans prior to being recorded with Genesee County.

162-40 Minor subdivisions are to be processed in the same manner as Major Subdivisions with the exceptions of A-F of this section.

- 2) **Site Plan Review-** Pursuant to BMC section 190-44 C. (1) (a) and (c) the Planning and Development Committee shall review and approve site plans in compliance with this section.
- 3) **Special Use Permit-** Pursuant to BMC section 190-37, the PDC shall review and authorize Special Use Permits prior to issuance.

190-37 E. Special use permits may be issued for Drive-in restaurants provided compliance with 190-37 E (1, 2, 3, 4, 8, 12, and 13) and 190-37 K (1-14) is followed.

4) **Special Sign Permits-** Pursuant to BMC section 190-43 R, the PDC shall approve or deny Special Sign Permits.

190-43 F and Exhibit A. The number, size and location of signs proposed exceeds the requirements of this section. Three (3) Special Sign Permits are required.

1) One wall sign facing a street frontage is permitted. A Special sign permit is required for the wall sign on the east elevation.

2) One free standing sign, less than 40 sq.' in area is permitted. The Dunkin pylon sign in the north yard is 80 sq.' in area.

- Free standing signs are to be located at least 5' from property lines. The Dunkin pylon sign is setback from the north property line 2'.

3) Only one free standing sign is permitted per parcel. The menu board sign located to the rear of the building requires a Special Sign Permit.

5) Variance Referral- Pursuant to BMC section 190-49 C., the PDC shall review all applications that involve parking variances and make recommendations to the ZBA.

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

Required variances- Area

- 1) BMC 190-37 E (3) Driveways for drive-in restaurants are not permitted to be closer than 20' from side lot lines. The proposed West Main Street curb cuts, west side of parcel ingress and east side exit, driveways cross the proposed side lot lines at the street, and are on the line for the majority of the driveways length.
- 2) BMC 190-37 E (8) Parking is required at the rate of 4 spaces for each 100 sq.' of principal building space of drive-in restaurants. 88 spaces are required, 30 spaces are proposed on this parcel, difference of 58 spaces.
- 3) BMC 190-37 E. (2)(b) and 190-29 A and Schedule I The front yard clear space shall be a minimum of 25'. 12' is proposed for a difference of 13'.
- 4) BMC 190-37 E. (2)(d) and 190-29 A and Schedule I The maximum permitted height for a drive-in restaurant is 18'. 25.29' is proposed for a difference of 7.29'.
- 5) BMC 190-37 E. (3) Driveways for drive-in restaurants may not be less than 20' in width. 14' is proposed at the West Main Street exit (northeast corner of parcel). Difference of 6'.

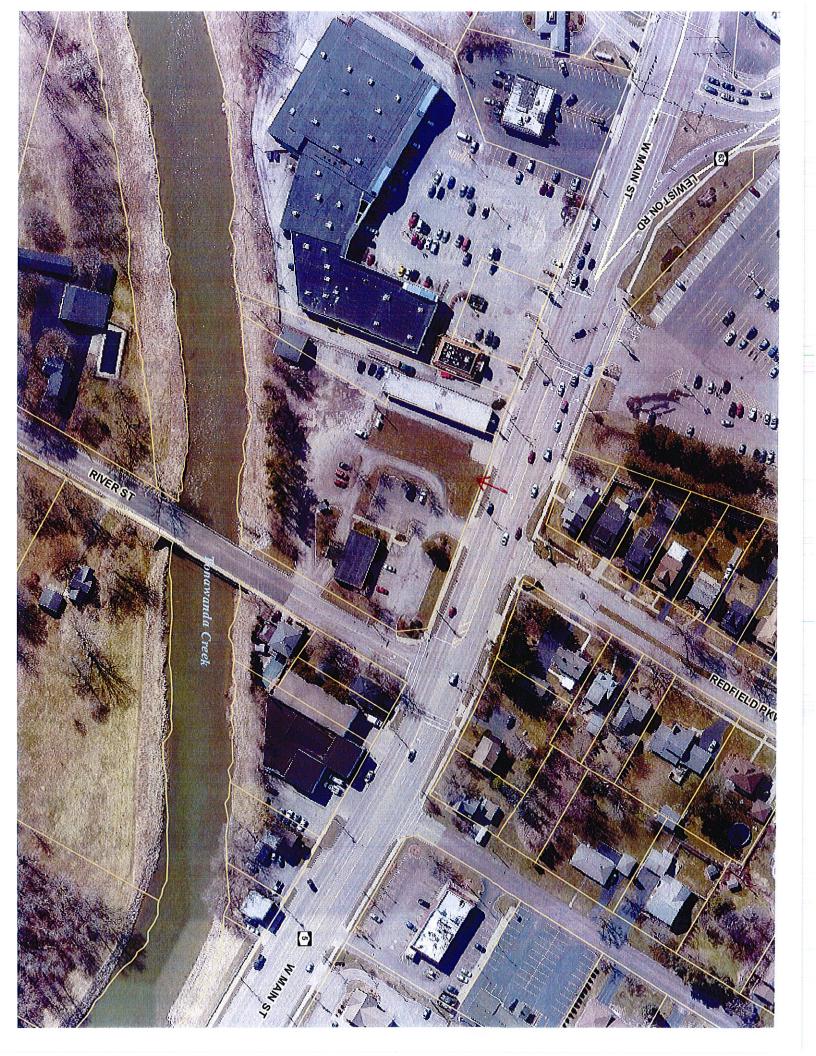
The Planning and Development Committee will be the lead agency to conduct SEQR.

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	*				
SEE COLL	PLANNING BOARD REFE	RRAL				
HOLLAND DATE	Required According to:					
	JNICIPAL LAW ARTICLE 12B, S (Please answer ALL questions as fully as					
1. <u>Referring Board(s) Informa</u>	1. <u>REFERRING BOARD(S) INFORMATION</u> 2. <u>APPLICANT INFORMATION</u>					
Board(s) Planning and Developmen	t Committee Name Kip Finley (Ind	lus Group)				
Address One Batavia City Centre	Address 1080 Pittsfor	d Victor Rd.				
City, State, Zip Batavia, NY 14020	City, State, Zip Pittsfo	rd, NY 14534				
Phone (585) 345 - 6347 E	Ext. Phone (585) 451 - 6538 E	Ext Email				
MUNICIPALITY: City	Town 🗌 Village of Batavia					
3. <u>TYPE OF REFERRAL:</u> (Check all app	licable items)					
 Area Variance Use Variance Special Use Permit Site Plan Review 	 Zoning Map Change Zoning Text Amendments Comprehensive Plan/Update Other: Special Sign Permit 	Subdivision Proposal Preliminary Final				
4. LOCATION OF THE REAL PROPE	RTY PERTAINING TO THIS REFERRAL:					
A. Full Address 401-409 West M	ain St.					
B. Nearest intersecting road River						
C. Tax Map Parcel Number 84.00	6-1-4					
D. Total area of the property Area of property to be disturbed						
E. Present zoning district(s) C-2						
1. The second	reviewed by the Genesee County Planning I					
	ate and action taken 6/12/14 No action; 9					
	nces refer to the following section(s) of the p					
		90-29A; 190-37E(2)(d),190-29A; 190-37E(3)				
C. Please describe the nature of this request Minor subdivision, site plan review, special use permit for drive-in rest.,						
Special sign permits and area variances for subdivision of existing parcel with development of the newly created						
parcel to a 2,170 sq.' Dunkin Donuts drive-in restaurant.						
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 <u>planning@co.genesee.ny.us</u>						
7. CONTACT INFORMATION of the pe	erson representing the community in filling o	out this form (required information)				
Name Douglas Randall	Title Code Enf. Officer P	Phone (585) 345 - 6327 Ext.				
Address, City, State, Zip One Batavia	City Centre, Batavia, NY 14020	Email drandall@batavianewyork.com				



CITY OF BATAVIA BUILDING PERMIT APPLICATION				
DATE: 06/25/2015 APPLICANT NAME & PHONE: Indus Group (Contact Person: Kip Finly 585-451-6538)				
Project Location and Information Permit #: Fee:				
Address of Project: 401-409 West Main Street				
Owner & Address: Five Star Bank 401-409 West Main Street Balavia NY 14020				
Phone: Refer To Owner Authorization Attached				
Project Type/Describe Work				
Estimated cost of work: Start date: Fall 2015				
Describe project: <u>Subdimising of Land LJ Subsequent Development of An 1700</u>				
Square Foot Quick Scruice Restaurant Las/ Drive Through Building To Be Wood Frame				
Contractor Information – Insurance certificates (liability & workers comp) required to be on file				
GENERAL				
Name/Address: Indus Group 1080 Pillsford Vidor Road, Suite 201				
Phone: SX5.248.2440 PHSFORD, New York 14534				
PLUMBING (City of Batavia Licensed Plumber Required)				
Name/Address: To Re Delermined				
Phone:				
HEATING				
Name/Address: To Be Determined				
Phone:				
ELECTRICAL (Third Party Electrical Inspection Required)				
Name/Address: To B. Determined				
Phone:				

FOR OFFICE USE ONLY			
Zoning District:	Flood Zone:	Corner Lot:	Historic District/Landmark:
Zoning Review:	Variance Required:	Site Plan Review:	Other:
National Grid Sign Off (Pools):	Lot Si	ze:
Existing Use:	A DOLLARDY & SHOW AND COOK STOCK ON A DOLLARD A DOLLARD	NYS Building Code Occ	upancy Class:
Proposed Use:		NYS Building Code Occu	upancy Class:

REQUIRED INSPECTIONS

Contact the Bureau of Inspection at (585) 345-6345 twenty-four (24) hours in advance to schedule all inspections.

IT IS THE RESPCONSIBILITY OF THE OWNER AND/OR AGENT TO CONTACT THIS OFFICE & BE PRESENT FOR ALL INSPECTIONS

	Site	Water Service	Sewer Service
(Footing before Placing Concrete	Smoke & Carbon Monoxide Detectors	i
	Foundation before backfill		
	Framing before enclosing (After mechanic	cal inspection)	
	Electrical before enclosing (Third Party Electrical before enclose)))))	ectrical Inspection Agency)	
Plumbing before enclosing (City of Batavia Licensed Plumber Required)			
	Insulation before enclosing	Ice/Water Shield	Final Completion

In consideration of the granting of the permit hereby petitioned for, the undersigned hereby agrees to: 1) comply with the terms thereof, the laws of the State of New York, the Ordinance of the City of Batavia, and the Regulations of the various departments of the County of Genesee and the State of New York; 2) preserve the established building line; 3) request all the necessary inspections and authorize and provide the means of entry to the premises and building to the Bureau of Inspection, and 4) will not use or permit to be used the structure or structures covered by the permit until sanitary facilities are completely furnished and either a Certificate of Occupancy or Certificate of Completion is issued. The undersigned hereby certifies that all of the information in this petition is correct and true.

Date Applicant Signature

Roofing Disclaimer - Per the Residential & Building Code of New York State

R907.3 Recovering versus Replacement

New roof coverings shall not be installed without first removing existing roof coverings where any of the following conditions occur:

- 1. Where the existing roof or roof coverings is water-soaked or has deteriorated to the point that the existing roof or roof covering is not adequate as a base for additional roofing.
- 2. Where the existing roof covering is wood shake, slate, clay, cement or asbestos-cement tile.
- 3. Where the existing roof has two or more applications of any type of roof covering.

Exceptions:

- Complete and separate roofing systems, such as standing-seam metal roof systems, that are designed to transmit the roof loads directly to the building's structural system and that do not rely on existing roofs and roof coverings for support shall not require the removal of existing roof coverings.
- 2. Metal panel, metal shingle, and concrete and clay tile roof coverings shall be permitted to be installed over existing wood shake roofs when applied in accordance with Section R907.4.

I. owner

owner and/or agency of the property located at ______ for Building Permit No.

have reviewed and understand the requirements of Section 907.3 Recovering versus Replacement.

Applicant Signature

Date

Fence Disclaimer N/A

I understand Section 190-33.B Fences, Walls and Hedges of the City of Batavia Zoning Ordinance regulated the installation of fences as follows:

"Fences, hedges and walls in Residential Districts shall not exceed three (3) feet above ground level when located within fifteen (15) feet of the property line abutting any street and shall not exceed six (6) feet above ground level when located elsewhere on the property. However, there shall be no height limit for hedges in rear yards within residential zones. In commercial and Industrial Districts, fences, hedges, and walls shall not exceed eight (8) feet in height unless permitted by a special use permit from the Planning & Development Committee. A fence designed to be structurally supported by posts, cross members or rails on one (1) side only shall be erected with the posts, cross members or rails on the fence owner's side, and the finished side of the fence shall face adjacent properties."

Ī.		d/or agent of the property located at	for Permit	
		permit is issued based on information supplied t		
accepts no responsibility for inaccurate documentation or information supplied to secure the permit.				

SCINEDOLE "B"

FORM OF PROPERTY OWNER AUTHORIZATION

STATE OF NEW YORK) COUNTY OF MONROE) ss:

The undersigned certifies that it is the sole owner of the property at 401-409 West Main Street, Tax Account No. 084.005-2-7.001 in the City of Batavia, Genesee County, New York, being the subject of the Purchase Contract ("Contract") dated January 9, 2014 between Five Ster Bank ("Seller"), and Goonjit Mehta, as agent for an existing entity or to be formed ("Buyer"). We hereby authorize the Buyer, and its agents, contractors, engineers, architects, counsel, consultants and/or employees, to apply on our behalf to all relevant governmental or other entities for any licenses, permits, certifications and/or approvals associated with Buyer's commercial development of and use of the portion of the property subject to such Contract, including but not limited to, any subdivision approval and/or rezoning.

FIVE STAR BANK

By: Name: Title: EVPECIN

Swom and subscribed before me this 13 day of <u>leanueral</u>

eanneant 2014. 1 Netherl

Notary Public

Lindsey A Rutherford Notery Public, State of New York No. 01000252907 Gualified in Wyoning County My Commesion Explose December 19, 2015

balos.2193.010(class)

Page 24 of 24

Application No.:	
Date:	



MINOR SUBDIVISION APPLICATION

CITY OF BATAVIA

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

ADDRESS OF SUBDIVISION 401-409 West Main Street

OWNER:

Fax

SIGNATURE (Refer To Property Quare Authorization Letter Attached)

FEES: \$50 Residential Subdivision

\$100 Non-Residential Subdivision

SCHEDULE "B"

FORM OF PROPERTY OWNER AUTHORIZATION

STATE OF NEW YORK) COUNTY OF MONROE) ss:

The undersigned certifies that it is the sole owner of the property at 401 409 West Main Street, Tax Account No. 084.005-2-7.001 in the City of Batavia, Genesee County, New York, being the subject of the Purchase Contract ("Contract") dated January 9, 2014 between Five Star Bank ("Seller"), and Goonjit Mehta, as agent for an existing entity or to be formed ("Buyer"). We hereby authorize the Buyer, and its agents, contractors, engineers, architects, counsel, consultants and/or employees, to apply on our behalf to all relevant governmental or other entities for any licenses, permits, certifications and/or approvals associated with Buyer's commercial development of and use of the portion of the property subject to such Contract, including but not limited to, any subdivision approval and/or rezoning.

FIVE STAR BANK

By: 2025-1 pet Lapla Name: Title:

F

Sworn and subscribed before me this

13 day of Janus And La 2014.

Lindsey A Rutherford Notary Public, State of New York No. 01 RUESE2007 Gualitist in Wyoming County My Commission Explays December 19, 20 LS

babus 2193.010(chan)

Page 24 of 24

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BATAP	APPLICATIO	CITY OF BATAVIA N TO THE ZONING BOA	
			Application No.:
1915			Hearing Date/Time:
APPLICANT	: Indus Group	(onlad Person: Kip Finly)	Kinley Cindusdeuropmart.com
	Name 1080 Dittefard	Vidac Road 585	Kialey Ciadus de velopment con E-Mail Address -451-6538 585-248-3271
	Street Address		Phone Fax
	<u>- Kittstorel</u> Cily	State	Phone Fax 1453 4 Zip
STATUS:		Agent for Owner	Contractor
OWNER:	Five Ster Ba	unk	E-Mail Address Phone Fax <u>140að</u> Zip
	Name $401 - 409$ (a)	est Main Street	b-Mail Address
	Street Address		Phone Fax
	Bertawiez	New Yord	<u>/40ad</u>
the applicant to pi	esent evidence sufficient to satisf	ure to do so will result in the application y the Zoning Board of Appeals that the elfare of the community or neighborhoo	i being discarded. It is the responsibility of benefit of the applicant does not outweigh d.
Kin	Gailan		6/20/15
Applicant's Si	gnature	Date	<u></u>
	Property Owners Au	hosization Letter) Date	
PERSONAL PROPERTY AND ADDRESS OF ADDRES	Toi	be Filled out by Zoning Officer	
TAX PARCEL:			FLOOD PLAIN: AE
TYPE OF APPI	EAL: Area Variance Use Variance Interpretation Decision of Pla		_ \$50 (One or Two Family Use) \$100 (All other Uses)
		led: <u>BMC 190-37 E(</u> : 190-37 E(2)(d) and	3) and 190-37 E(8) 190-394; 190-37 E(3)

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. <u>Undesirable Change in neighborhood Character</u>. The granting of the variance will not produce an undesirable change in the neighborhood or a detriment to nearby properties. <u>Reference</u> Attached Description

•

- 2. <u>Alternative Cure Sought</u>. 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. <u>Reference Attached Description</u>
- 3. <u>Substantiality</u>. The requested area variance is not substantial. <u>Refer To Attached</u> Description
- 4, <u>Adverse Effect or Impact.</u> The requested variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or community. <u>Reference</u> Attended Description
- 5. <u>Not Self-Created</u>. 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. <u>Refer To Atlacted Desciption</u>

دوم دوم در می می در مربق می در می Applicant's Signature

6/24/15 Date

PERMIT NO.



SPECIAL USE PERMIT CITY OF BATAVIA, NEW YORK

LOCATION: <u>401-409 West Maja St.</u> OWNER: <u>Five Star Book</u> Address: <u>401-409 West Maja St.</u>	Application Date: <u>6/25/15</u> Tax Parcel No.: <u>089.05-2-7.1</u> Phone No.
COUNTY PLANNING REVIEW	ZONING VARIANCE REQUIRED
U-2 ZONING DISTRICT	No HISTORIC DISTRICT
AE FLOOD ZONE	No. HISTORIC LANDMARK
Yes CORNER LOT	NO_CITY ENGINEER REVIEW
SITE PLAN REVIEW	NO_CITY COUNCIL REVIEW
No BID	NO_OTHER
PROJECT DESCRIPTION: Subdivision of Land W/ Subsequent De Feet Quick Scruice Restaurant Loy D Wood Frame. EXISTING USE: Overflow Parking	PROPOSED USE: " Drive la Restaurant"
N.Y.S. BLDG. CODE OCC. CLASS:	N.Y.S. BLDG. CODE OCC. CLASS: (Ourall) LOT AREA: = 1.654 Acces
CITY PLANNING & DEVELOPMENT REVIEW:	
APPROVAL AS PRESENTEDDISAPPROVA	ALAPPROVAL WITH CONDITIONS
CHAIRMAN SIGNATURE:	DATE:
Applicant Signature 6/24/15	

Permit Fee:

Issue Date:_____

617.20 Appendix B Short Environmental Assessment Form

Instructions for Completing

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

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

Part 1 - Project and Sponsor Information					
Name of Action or Project:					
City of Batavia Dunkin Donuts					
Project Location (describe, and attach a location map):					
401-409 West Main Street (Refer to Site Plans for Location Map)					
Brief Description of Proposed Action:					
Subdivision of land with subsequent development of an 1,490 square foot quick service frame.	restatra	nt with drive through. Bui	ilding	to be wo	od
Name of Applicant or Sponsor:	Telep	home: (585) 451-6538			
Indus Group (Contact: Kip Finley)		il: kfinley@indusdevelop	ment.	com	
Address: 1080 Pittsford Victor Road, Suite 201					
City/PO:		State:	-	Code:	
Pittsford		New York	1453		•
1. Does the proposed action only involve the legislative adoption of a plan, le	ocal law	v, ordinance,		NO	YES
administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and may be affected in the municipality and proceed to Part 2. If no, continue to	the env questio	ironmental resources t	hat	\checkmark	
2. Does the proposed action require a permit, approval or funding from any	other go	overnmental Agency?		NO	YES
If Yes, list agency(s) name and permit or approval: Approval From The City of Batavia				\checkmark	
3.a. Total acreage of the site of the proposed action? 1.654 acres b. Total acreage to be physically disturbed? 0.839 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.0 acres				L	
4. Check all land uses that occur on, adjoining and near the proposed action.	ercial	Residential (suburb	ban)		

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?			
b. Consistent with the adopted comprehensive plan?			
6. Is the proposed action consistent with the predominant character of the existing built or natural		NO	YES
landscape?			
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Au If Yes, identify:	ea?	NO	YES
If Yes, identify:		\checkmark	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
b. Are public transportation service(s) available at or near the site of the proposed action?			\checkmark
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed act	ion?		\mathbf{V}
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES
If the proposed action will exceed requirements, describe design features and technologies:			\mathbf{V}
		L	
10. Will the proposed action connect to an existing public/private water supply?		NO	YES
If No, describe method for providing potable water:			$\overline{\mathbf{V}}$
11. Will the proposed action connect to existing wastewater utilities?		NO	YES
If No, describe method for providing wastewater treatment:			
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?		NO	YES
b. Is the proposed action located in an archeological sensitive area?			
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?	1		YES
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?			
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:			L
	,		
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check a			
Shoreline Forest Agricultural/grasslands Early mid-succession		appiy.	
🗋 Wetland 🔀 Urban 🔄 Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed		NO	YES
by the State or Federal government as threatened or endangered?		\mathbf{V}	
16. Is the project site located in the 100 year flood plain?		NO	YES
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,		NO	YES
a. Will storm water discharges flow to adjacent properties?			
b. Will storm water discharges be directed to established conveyance systems (nunoff and storm drain	s)'?	 	
If Yes, briefly describe:			
			ļ

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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)?	NO	YES
If Yes, explain purpose and size:	\checkmark	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:		
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:	\square	
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE KNOWLEDGE	BEST O	F MY
Applicant/sponsor name: (Sportfor) Robert Fitzgerald, P.E. Date: June 25, 2015	_	
Signature:		

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

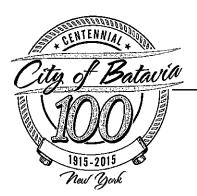
		No, or small impact may occur	Moderate to large impact may occur
1.	Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2.	Will the proposed action result in a change in the use or intensity of use of land?		
3.	Will the proposed action impair the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

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

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

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

PRINT



То:	City of Batavia Planning and Development Committee

From: Jason Molino, City Manager

Date: November 3, 2015

Subject: Batavia Municipal Code: Chapter 162-12

Pursuant to BMC 162-12, the City Manager shall review any proposed preliminary plat with respect to land subdivisions and transmit any findings to the Planning Board for their review.

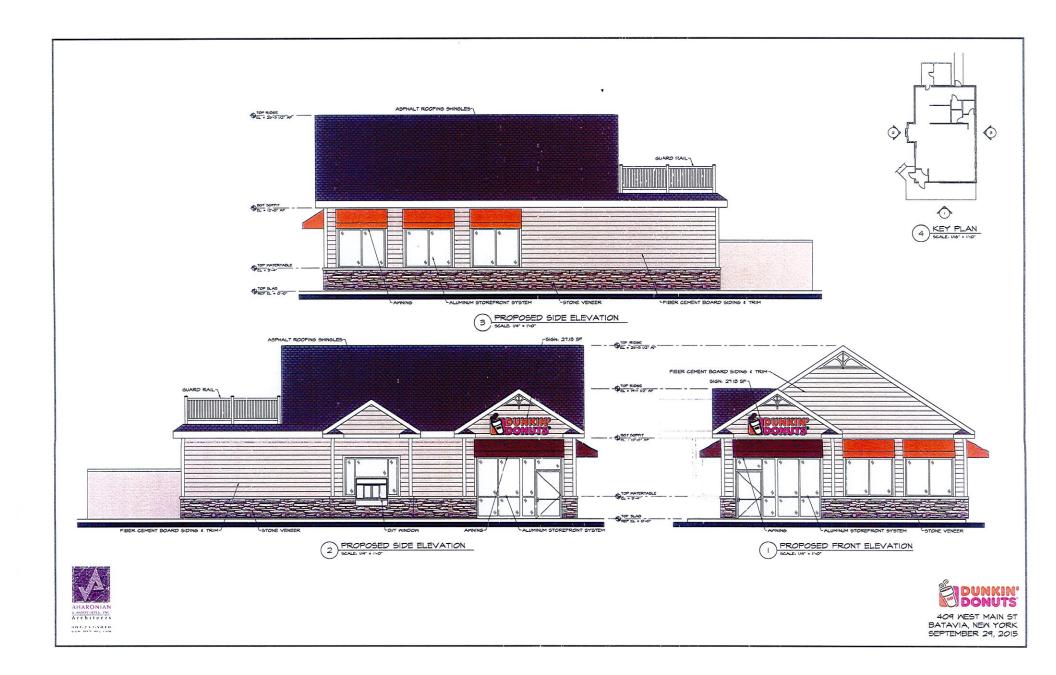
I have received the preliminary site plan drawings for Dunkin Donuts at 401-409 West Main Street, Batavia. Below please find my comments and findings regarding the proposed preliminary plat. It should be noted that this project was previously reviewed and subsequently changed to incorporate some design features recommended by the Planning and Development Committee. A new site plan has been provide and the applicant is requesting this new submittal be reviewed.

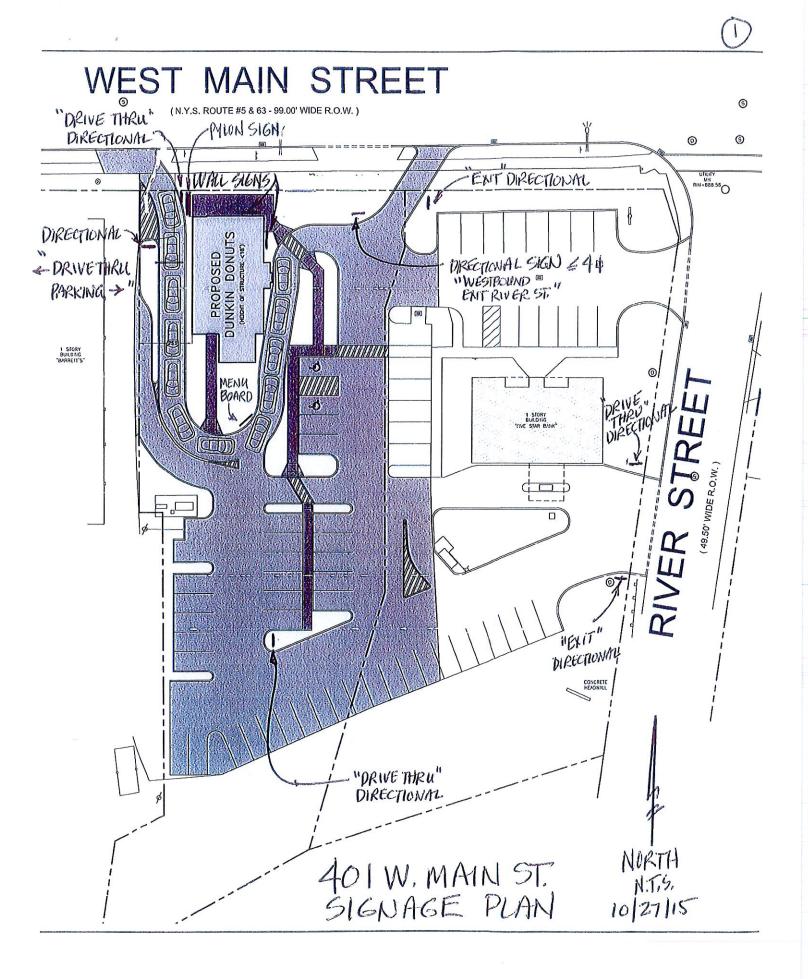
- 1. The traffic study completed by the applicant on December 14, 2014 was submitted to the New York State Department of Transportation for review and comment. The DOT reviewed the proposed plans and study and reported no outstanding issues, aside from reconfiguring the queue on to Route 5 to provide greater onsite storage capacity. The current submission has addressed those concerns.
- 2. Access easements with both the east and west side property owners have been identified by the applicant. It is recommended that all easements be executed as a condition of a building permit being issued.
- 3. While there are requests for front yard clear space/set back, parking, driveway widths and building height variances all provide added value to the project by enhancing the curb side ascetic appeal, walkability for patrons and pedestrians and providing greater queue capacity.

Please feel free to contact me should you need any additional information

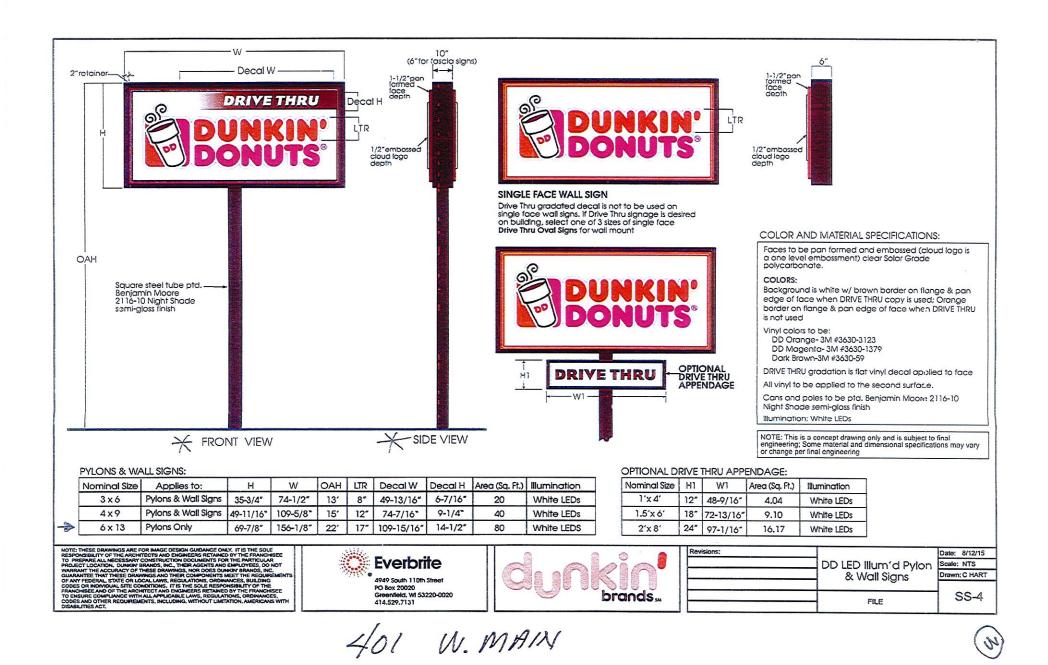
Office of the City Manager One Batavia City Centre Batavia, New York 14020 Phone: 585-345-6330 Fax: 585-343-8182 www.batavianewyork.com

<u>City of Batavia</u>



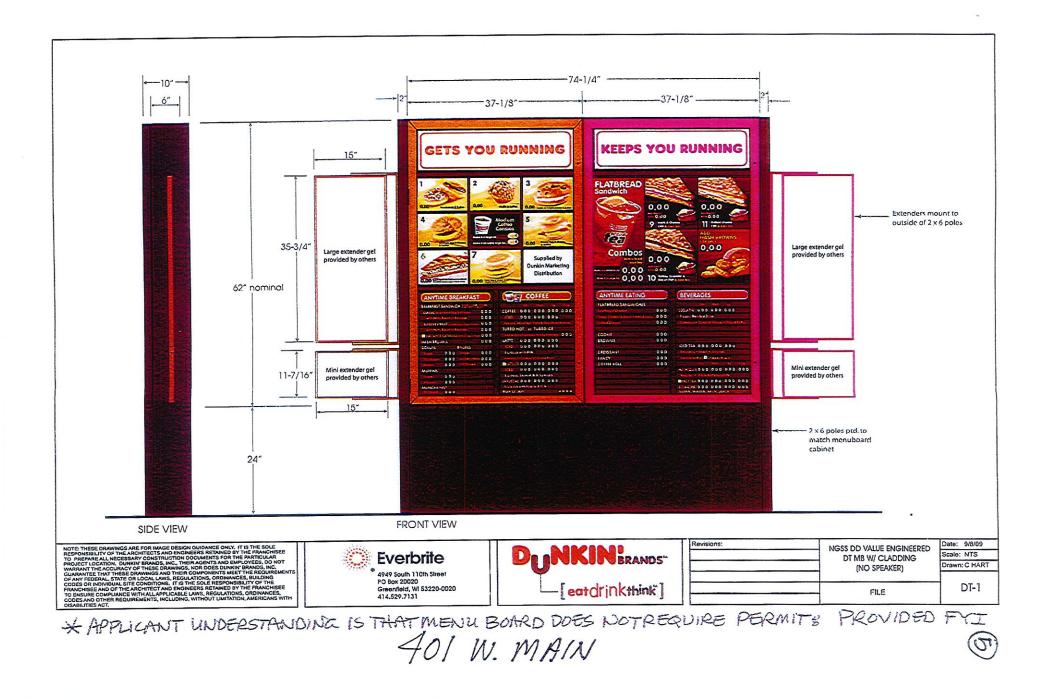


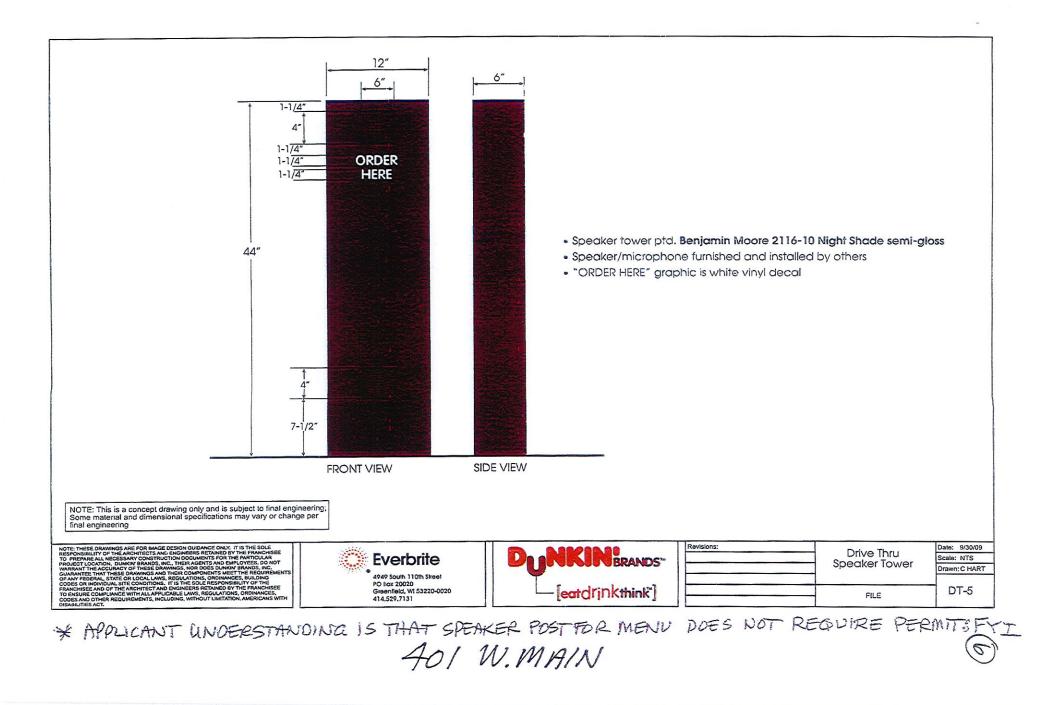
,		2
	, SIGN PERMIT APPLICATION CITY OF BATAVIA 10 West Main Street, Batavia, NY, 14020 Phone: (585) 345-6320 • Fax (585) 343-9221	Permit No.: Date: Zone: Special Sign: <u>Yes</u>
APPLICANT:	Indus Group Kfinley Name 1080 Pittsford-Victor Road Suite 20	<u>eindushg.com</u>
OWNER:	Street Address <u>Pittsford, NY 14534</u> City, State, Zip Code <u>Indus Real Estate</u>	Fax <u>8 585-248-3271</u>
	1080 Pittsford-Victor Road Suite 2 Street Address Phone Pitts ford, NY 14534 585-451 City, State, Zip Code	-6538 (KIP)
	IGN: 401 W. MAIN STREET ; PYLO	
SIGN AREA: Le	ength <u>6976</u> Width 156 8 Area 804	40 sq Permittel 80' Proposed in put
2. Freestanding	ications must have an illustration of the sign with its dimensions and co g signs must have a Site Plan to show the sign's location on the property ns must include an elevation plan to show the sign's placement on the b	ppy. +40 spuralsta
V Freestanding Vall Projecting Marguee	g: Set Back 2' to face of Height <u>22</u> (Pole@ # Wall Length 51gn box Wall Height	9 'from Row) Area
Awning/Car Window Portable	Window Length Window Height	Area
LIGHTING: 🗙	Internal DExternal Note: Set b	ack 2' From Front prop. line
EXISTING SIGN	VS (Please list all existing signs with dimensions):	а ж
NO EXISTI From Fin	ng signage for Dunkin Donuts pari e Star Bank parcel.	al; subdividing
Applicant's Signatur	· hipfinley	Date: 10/21/15
Issuing Officer:		Date:
Planning Board Chai	rperson:	Date:
FEES: \$25 S	ign Permit\$50 Special Sign Permit\$10 Portable Si	gn



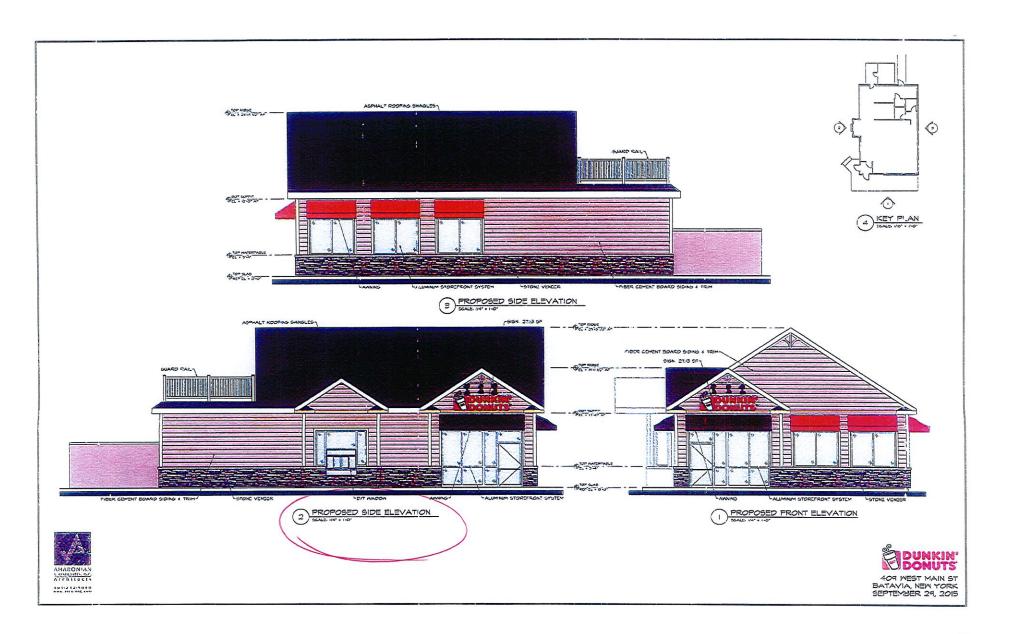
Permit No::::::::::::::::::::::::::::::::::::			(4)
Name IOSO Pitts ford-Victor Read Suite 201 Stored Address Phone Fax Pitts ford, WY 14534 55:451-6538 55:248-3271 City, State, Zip Code Stored Address Fax OWNER: Inclus Real Estate Email Address Stored Address Stored Address Stored Address Manne Phone Fax DDRESS OF SIGN: AD I W. MAAN STREET & MENU BOARD SIGN AREA: Length L2 NW Not TA' VIP OF SIGN: A 15" × 2/ea Stored Faxestandings I. Al sta applications must have an Blustration of the sign with its dimensions and copy. Stored Faxestandings J. Freestanding: Set Back Bidge Height Bb' Projecting Bellen to show the sign' placement on the building Window Window Length Height Area <t< td=""><td></td><td>CITY OF BATAVIA 10 West Main Street, Batavia, NY, 14020</td><td>Date: DN Zone:</td></t<>		CITY OF BATAVIA 10 West Main Street, Batavia, NY, 14020	Date: DN Zone:
Name DBD Pittsford-Victor Road Suite 201 Street Address Photo Pittsford, NY 14534 S85-451-6538 ADDRESS OF SIGN: 401 W. MAINI STREET & MENU BOARD SIGN AREA: Length B2 '' Wildth 74" Area34.5 47 Second Freestanding's TYPE OF SIGN: 401 X. 15" X 2/ea. 1. All sign applications must have as illustration of the sign with its dimensions and copy. 2. Freestanding signs must have as Sis Plan to show the sign's tocalias on the property 3. All other signs must have as Sis Plan to show the sign's tocalias on the property 3. All other signs must have as Sis Plan to show the sign's tocalias on the building Projecting Belling Height Area 9 Wall Wall Length Wall Height Area 9 Window Eagth Acc from street Area 9 Window Signs with dimensions): No existing signs with dimensions): No existing Signs with dimensions): No existing Signs with dimensions): Date: No existing Signature: Year Back for Dunkin Donuts Parcel; Subdividing for Dunkin Donuts Parcel; Subdividing for Dunkin Donuts Parcel; Subdividing for Marcel Applicant's Signature: Applicant's Signature: Date: Date:	APPLICANT:	Name 1080 Pittsford-Victor Road Suit Street Address Pittsford, NY 14534 585-45	e 201 one Fax
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No existing signage for Dunkin Donots parcel; subdividing from Five Star Bank parcel. Applicant's Signature: Kipfinley Date: 10/27/15 Issuing Officer: Date:	 1. All sign appli 2. Freestanding 3. All other sign ØFreestanding ØFr	cations must have an illustration of the sign with its dimension signs must have a Site Plan to show the sign's location on the a must include an elevation plan to show the sign's placemen <u>Nort to</u> Set Back <u>blog</u> . Height <u>86</u> Wall Length Wall Height <u>Behind Blog</u> Height <u>Set back from street</u> ppy Length <u>Height</u> Window Length Window Height <u>Speaker pedestal has</u>	Area Area
Planning Board Chairperson: Date:	NO EXISTIN From Five Applicant's Signature Issuing Officer:	g signage for Drnkin Donuts Star Bank parcel. Vipfinley	Date: Date:

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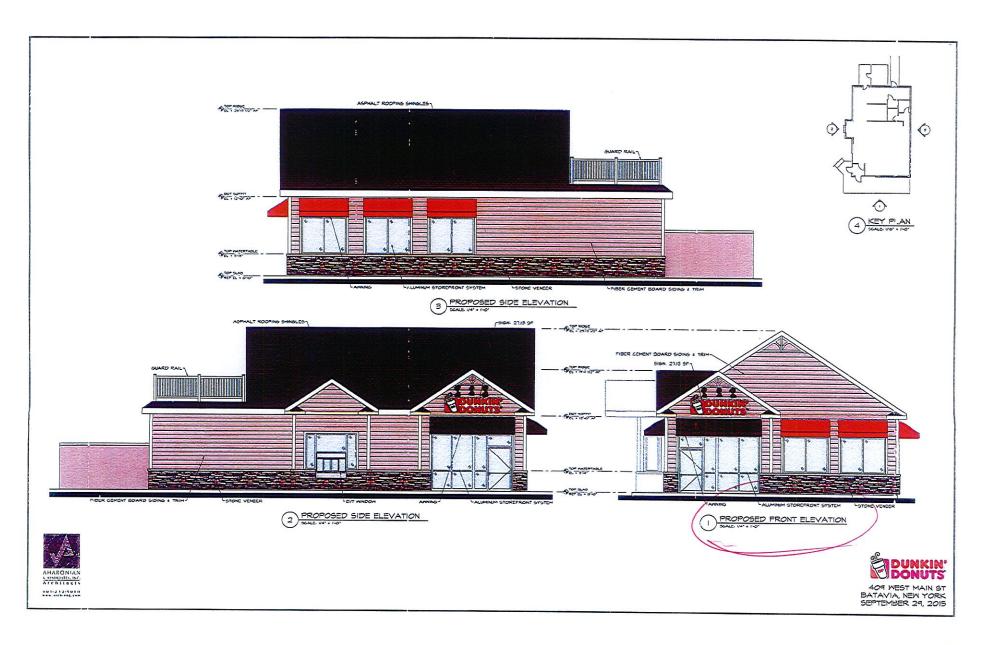
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	Permit No.: Date: Zone:Zone: CITY OF BATAVIA 10 West Main Street, Batavia, NY, 14020 Phone: (585) 345-6320 • Fax (585) 343-9221	
APPLICANT:	Indus Group Kfinley@indushg.com Name Email Address	
owner:	1080 Pittsford-Victor Road Suite 201 Street Address Phone Fax Pittsford, NY 14534 585-451-6538 585-348-32 City, State, Zip Code <u>Indus Real Estate</u> Nome E-mail Address 1080 Pittsford-Victor Road Suite 201 Street Address Phone Fax Phone Fax Phone Fax	<u></u>
ADDRESS OF SI	Street Address <u>PiHsford</u> , <u>NY 14534</u> City, State, Zip Code IGN: <u>401 W. MAINI STREET</u> ; <u>BVILDING SIGNS</u> ength <u>38'6''</u> Width <u>103''</u> Area 27,264 K 2 SIGNS	· · · · · · · · · · · · · · · · · · ·
TYPE OF SIGN: 1. All sign appli 2. Freestanding	East elev. East elev. Solution of the sign with its dimensions and copy. Solutions must have a Site Plan to show the sign's location on the property as must include an elevation plan to show the sign's placement on the building	: proposed
Freestanding Wall Projecting	g: Set BackHeight Wall Length	þ
Marquee Awning/Can Window Ortable		
LIGHTING: 0	Internal 🗆 External	
	NS (Please list all existing signs with dimensions):	
NO EXISTI From Fin	n'g sonage for Dunkin Donuts parcel; subdivid. e Star Bank parcel.	ing.
Applicant's Signature	re: hipfinlerg Date: 10/21/1	15
Issuing Officer:	Date:	
Planning Board Chair	irperson: Date:	
FEES: \$25 S	Sign Permit\$50 Special Sign Permit\$10 Portable Sign	



401 W. MAIN

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r.		1
	SIGN PERMIT APPLICATION CITY OF BATAVIA 10 West Main Street, Batavia, NY, 14020 Phone: (585) 345-6320 • Fax (585) 343-9221	Permit No.: Date: Zone: Special Sign:_ <u>Mo</u>
APPLICANT:	Indus Group Kfinley@ Name Dill Colored E-meil Address	sindushg.com
OWNER:	1080 Pittsford-Victor Read Suite 201 Street Address Phone <u>Pittsford</u> , NY 14534-585-451-6538 City, State, Zip Code <u>Indus Real Estate</u> Name E-mail Address <u>1080 Pittsford-Victor Road</u> Suite 20 Street Address Phone <u>Pittsford</u> , NY 14534 S85-451- City, State, Zip Code	Fax 585-248-3271 8
	SIGN: <u>401 W. MAIN STREET; BVILL</u> Length <u>38'8'</u> Width <u>103</u> " Area 27,264 K	2 SIGNS
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Freestand Wall Projecting Marquee	Wall Length 03 Wall Height 38 8	Area 27:26 X 7
□ Awning/C □ Window □ Portable		Area Arca
LIGHTING:	Internal External	
EXISTING SI	GNS (Please list all existing signs with dimensions):	
	nig signage for Dunkin Donuts para ie Star Bank parcel.	el; subdividing
Applicant's Signa	nure: hpfinley	Date: 10/27/15
Issuing Officer:		Date:
	hairperson:	Date:
FEES: <u>\$25</u>	i Sign Permit\$50 Special Sign Permit\$10 Portable Sig	n



401 W. MAIN



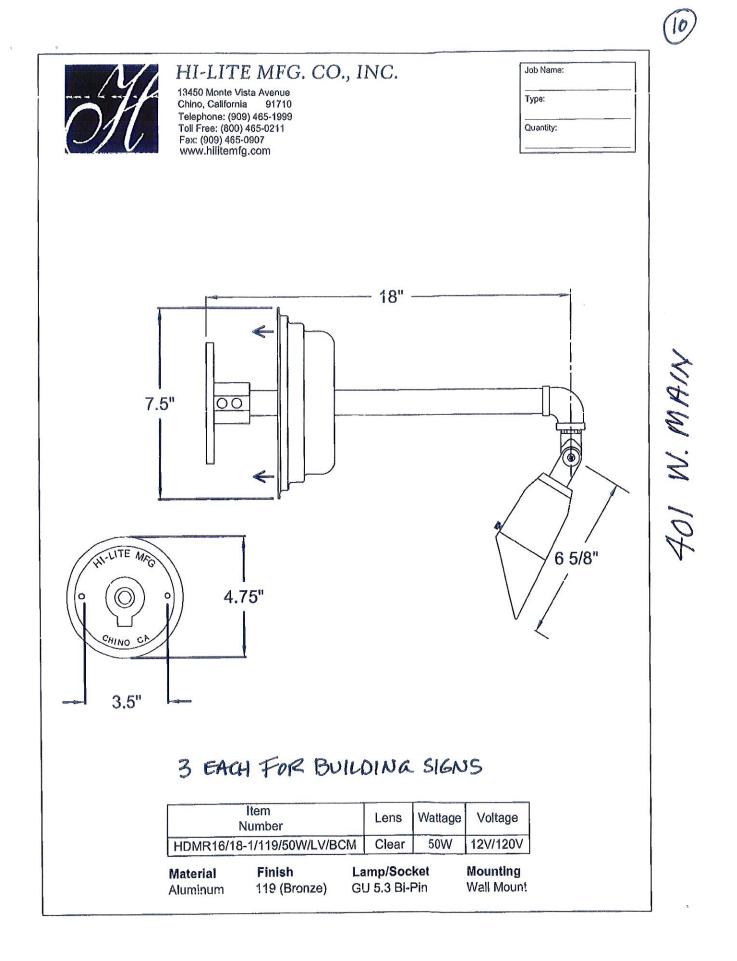
ED LED CLOUD SIGN

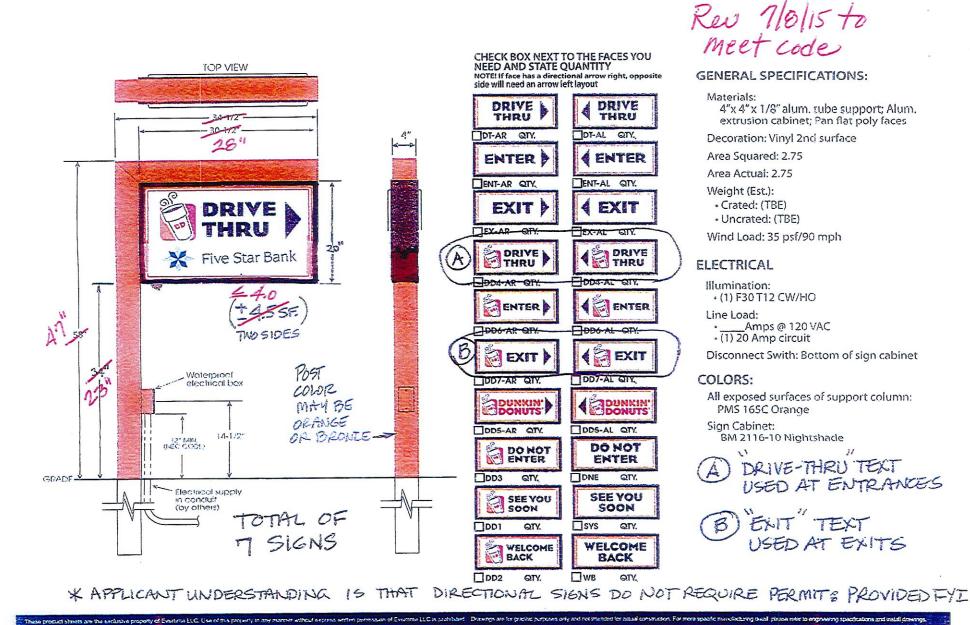
38-1/8″	Coffee cup is a DDDDDDDDDDDDDDDDDDDDDDDDDDDDDDDDDDDD	The second secon	27.26 SQ. FT.	Formed "cap over" face White LED's Coffee cup only to be embossed Returns ptd. BM 2116-10 Nightshade semi-gloss finish
۲۴ Fc Vi C Fc fir Jik PC	aces are formed clear solar gr inyl colors: DD Orange- 3M #3630- Coffee cup portion of logo to b	EXTERNAL ILLUMIA ade polycarbonate, decorated 3123; DD Magenta- 3M #3630-1379;	second surface vinyl Dark Brown (on cup logo)- 3M #3	630-59



For More Information about the Dunkin' Donuts Sign Program or other Dunkin Brand Sign programs manufactured by Everbrite, LLC, please contact a Dunkin Brands Specialist at toll free 888-505-1002 or dunkinbrands@everbrite.com. We are pleased to assist you.

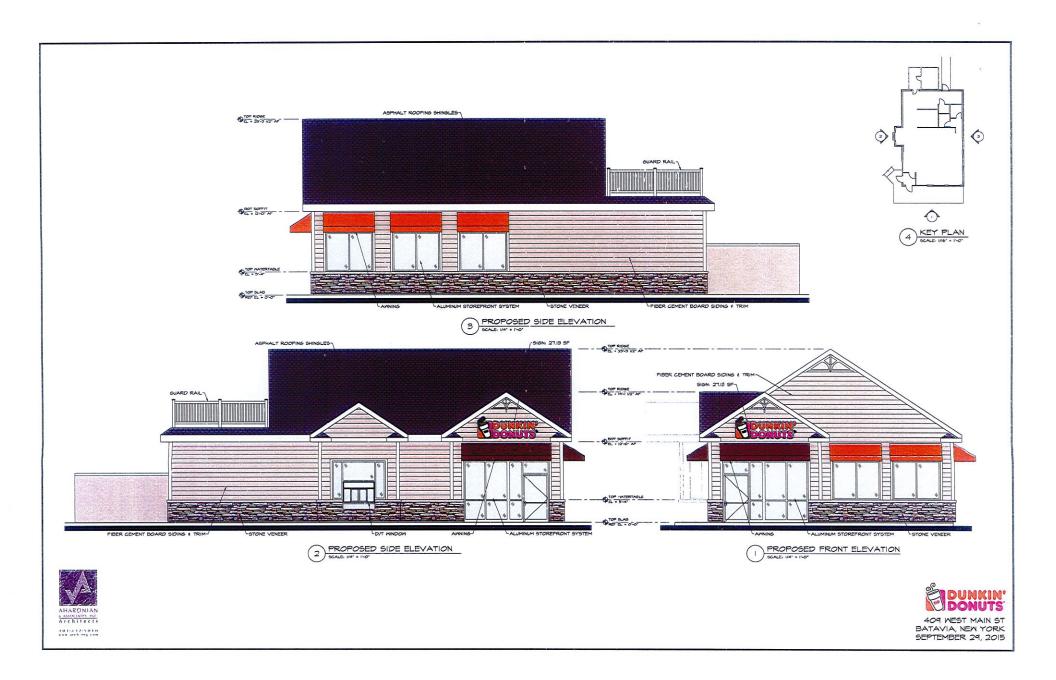
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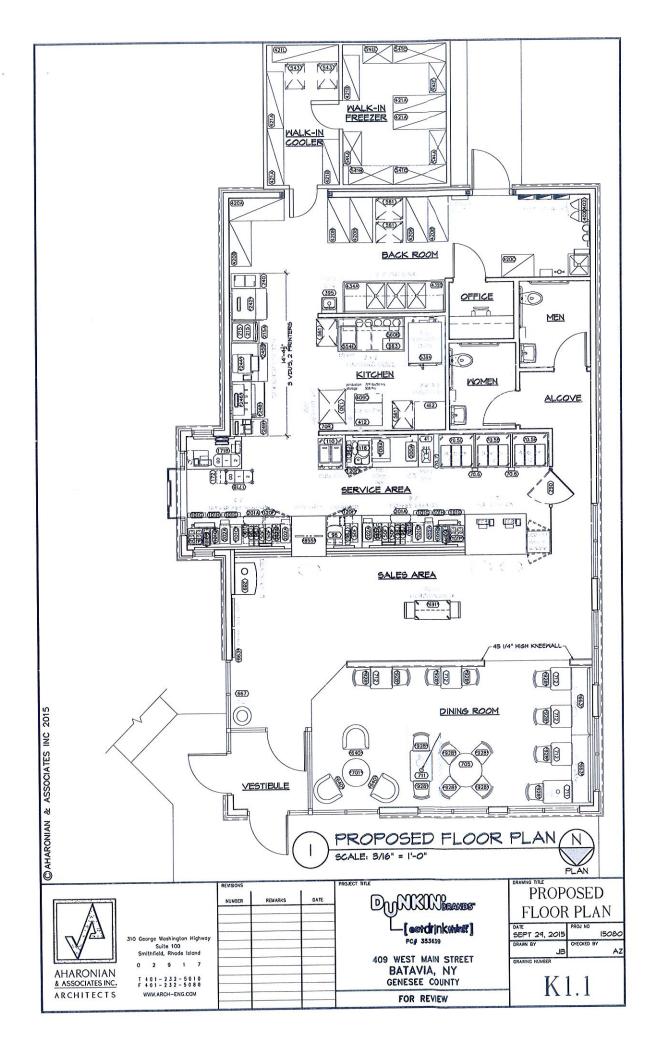




Part No: E005675B Project No: 292014-1 Everbrite LLC G DUNKIN 4949 S 110th Street, Greenfield, WI 53220 Description: **Everbrite** FRESH BREW ILLUM'D Date: 2/21/13 Phone: 414-529-3500 . Fax: 414-529-7191 FLAG MTD. DIRECTIONAL DONUTS Drawn By: CH Website: www.everbrite.com 60

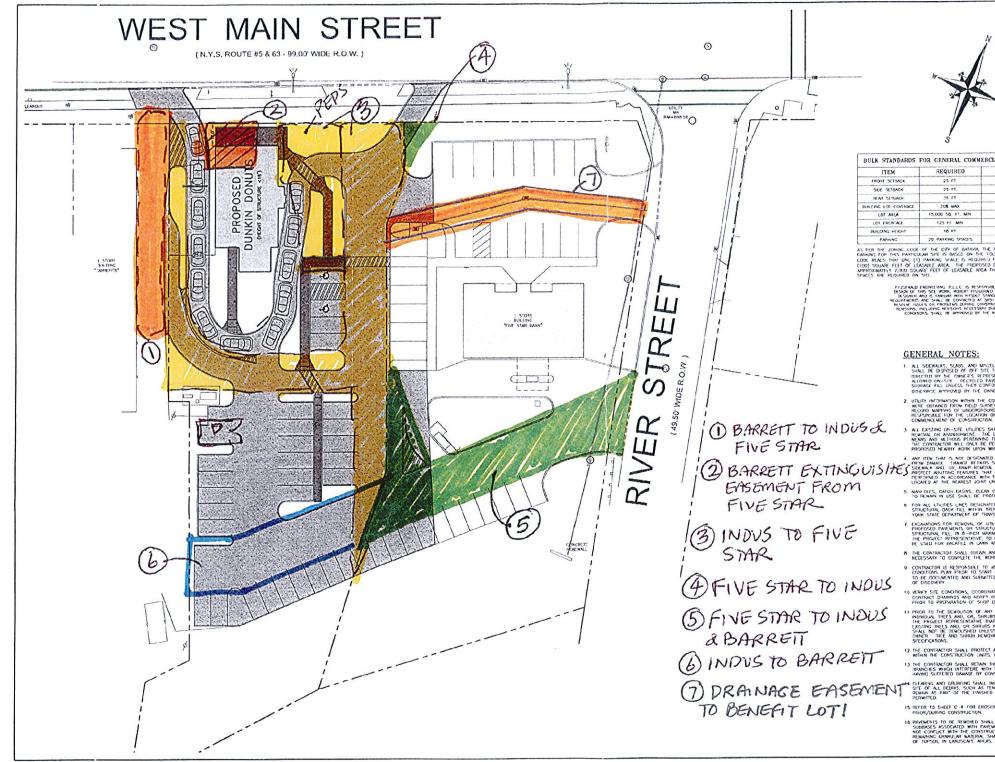
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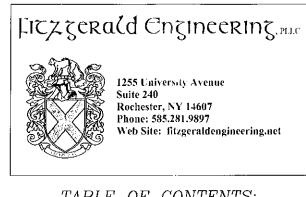
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SITE PLAN DRAWINGS FOR **CITY OF BATAVIA DUNKIN DONUTS**

401-409 WEST MAIN STREET CITY OF BATAVIA, COUNTY OF GENESEE, STATE OF NEW YORK

		STANDARD	ABBRE	VIA	TIONS
ASPH	=	ASPHALT	мн	-	MANHOLE
BC	=	BOTTOM OF CURB	MIN	=	MINIMUM
BO	-	BOTTOM OF OPENING	MHW		MEAN HIGH WATER
CAP	-		MON	-	MONUMENT
CB	=	CATCH BASIN	NYA	-	NAUL AND WASHER
CIP	=	CAST IRON PIPE	00	-	OUTER DIAMETER
CMP	- 100	CORRUGATED METAL PIPE	OG	-	ORIGINAL GROUND
CNF	=	COULD NOT FIND CONCRETE	OHM	-	ORDINARY HIGH WATER
CONC	**	CONCRETE	OLW	-	ORDINARY LOW WATER
CP	-	CONCRETE PIPE	0/Н	-	OVERHEAD
CSP	-	CORRUGATED STEEL PIPE	PAVT	-	PAVEMENT
CULV		CULVERT	PVC	-	
DIP	-	DUCTILE IRON PIPE	RCP	-	REINFORCED CONCRETE PIPE
DIA	-	DIAMETER	R	-	RADIUS
DMH		DRAINAGE MANHOLE	RIM	=	RIM OF DRAINAGE STRUCTURE
DS DWG	=	DRAINAGE STRUCTURE	RR	-	RAILROAD
EA	-	ORAWINGS EACH	RR RW	-	RETAINING WALL
EHW	-	EXTREME HIGH WATER	SF	-	SQUARE FOOT (FEET)
EL	-	ELEVATION	SHLDR	-	SHOULDER
ELEV		ELEVATION	SICPP		SMOOTH INTERIOR CORRUGATED PIPE
ELW	-	EXTREME LOW WATER	ST	=	STREET
ES	-	END SECTION	STY	=	STORY
FP	-	FIRE PROTECTION	SW		SIDEWALK
G	-	GAS	SWPPP TC	-	STORMWATER POLLUTION PREVENTION PLA TOCH OF CURB
HDPE	=	HIGH DENSITY POLYETHYLENE PIPE	TG	-	TOP OF GRATE
HW	-	HEADWALL	TYP	-	TYPICAL
INV	=	INVERT	UMH		UNKNOWN MANHOLE
P		IRON FIN OR IRON PIPE	U/G		LINDERGROUND
Ű.F	=	LINEAR FOOT (FEET)	VCP	-	VITRIFIED CLAY PIPE
ŪP .	-	UGHT POLE	WS	-	
MAX	-	MAXIMUM	WW	-	WING WALL
MB	-	MAILBOX	W/	-	WITH



	LUNE I	LEGEND	
	- PROPERTY BOUNDARY LINE		SANITARY SEWER MAIN
	- PROPOSED CONTOUR LINE	R	SANITARY LATERAL
630	EXISTING CONTOUR LINE	o	STORM SEWER MAIN
	- Overhead wires	a	STORM SEWER LATERA
vo	- UNDERGROUND UTILITIES		GAS MAIN
*	- WATER MAIN	05	GAS SERVICE
—— K5 ———	- WATER SERVICE	0-0-0-0 -0-0-	FILTER FASRIC
	- FIRE SERVICE	·uuuuu	VEGETATION
	LINE :	STYLES	
	FEATURE	TO BE REMOVED (FADED LINE	E WEIGHT)
	DOSTING	FEATURE (LIGHT LINE WEIGHT)

TABLE OF CONTENTS:

- EXISTING CONDITIONS MAP
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 - SITE PREPARATION PLAN
 - SITE PLAN

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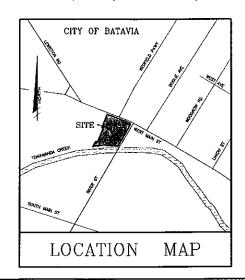
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10.

11.

- UTILITY PLAN
 - GRADING/E&SC PLAN
 - LANDSCAPE PLAN
 - LIGHTING PLAN
 - DETAIL SHEET (SITE)
 - DETAIL SHEET (UTILITIES)
 - DETAIL SHEET (E&SC/LANSCAPE)







	SYMBOL	LEGE.	ND
.م.	SIGN	0	STORM MANHOLE
ø	UTILITY POLE	H	CATCH BASIN
8	CURB BOX		TREE TO BE REMOVE
**	FLOW ARROW		TREE PROTECTION
۲	WATER VALVE	*	CONIFEROUS TREE
¢	FIRE HYDRANT	Ö	DECIDUOUS TREE
¢	GAS VALVE	•	BORING PIT LOCATION
6	SANITARY MANHOLE	*	LIGHT POLE
•	SANITARY CLEANOUT		STONE CHECK DAM

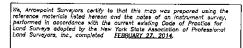
	LEGEN	<u>D</u>	
LINE	TYPES	SYM	BOLS
	PROPERTY BOUNDARY LINE PROPOSED CONTOUR EXISTING CONTOUR OVERHEAD WIRES UNDERGROUND UTILITIES WATER KANN WATER SEMICE SANITARY SEWER SANITARY SEWER SANITARY SEWER STORM MAIN STORM LINE LATERAL GAS SERVICE		SIGN FLOW ARROW UTILITY POLE CURB BOX WATER VALVE HYDRANT SANITARY MANHOLE SANITARY MANHOLE STORM MANHOLE STORM MANHOLE
<u>LINE S</u>	FILTER FABRIC	WEIGHT)	ना)

GENERAL NOTES:

- BASE MAPPING BASE MAPPING BEYOND THE CONTRACT LIMITS IS A CONBINATION OF MAPPING FROM FIELD SURVEY DATA, PHOTOGRAPHIC IMAGES AND RECORD MAPPING. THUS, NO WARRANTY IS HEREBY EXTENDED AS TO THE ACTUAL/ACCURATE LOCATION OF ANY FIEMS SHOWN OUTSIDE THE FROLECT LIMITS.
- 2. UTILITY MAPPING THE EXISTING UNDERGROUND UTILITIES WERE PLOTTED BASED ON RECORD MAPPING SUPPLED BY OTHERS. THE ENGINEER MAKES NO WARRANTY AS TO THE LOCATION, SIZE, TYPE, ELEVATION, MAD/OR NUMBER OF EXISTING UTLITIES. THE CONTRACTOR SHALL BE RESPONSELE FOR DETERMINING THE HORIZONTAL AND VERTICAL LOCATION OF UTILITIES IN THE VICINITY OF THE NEW CONSTRUCTION.
- . UTULTY STAKEOUT THE CONTRACTOR SHALL NOTIFY DIG SAFELY NEW YORK (1-800-962-7962) FOR A UTULTY STAKEOUT 48 HOURS IN ADVANCE OF COMMENCING WORK. STAKEOUT OF PRIVATE UTULTES SHALL BE COORDINATED WITH THE GOWER.
- PROPERTY PROTECTION THE CONTRACTOR IS RESPONSIBLE FOR DAMAGE TO EXISTING PAYENEAT, CURAS, WALKS, LWINS, TREES, ETC. CAUSED BY THEIR CONSTRUCTION OPERATIONS. ALL DAMAGE SHALL BE REPRIZED OR REPLACED BY THE CONTRACTOR TO THE OWNERS SATISFACTION AT NO ADDITIONAL EXPENSE.
- ACCESS -- THE CONTRACTOR SHALL PROVIDE SATISFACTORY VEHICULAR ACCESS TO ALL ADJOINING PROFERTIES, PRIVATE ROADWAYS, PARKING FACILITIES, AND PUBLIC STREETS DURING CONSTRUCTION.
- 6. SITE SAFETY PRIOR TO AND THROUGHOUT CONSTRUCTION, THE CONTRACTOR SHALL POST SIGNADE IN CONFORMANCE WITH THE REQUIREMENTS OF THE LOCAL MUNICIPALITY AND OCCUPATIONAL HEATH AND SAFETY ACT (OHSA). OG SAFETY AND MAINTENANCE AND PROTECTION OF TRAFFIC IS THE RESPONSIBILITY OF THE CONTRACTOR.
- EXCAVATIONS ALL EXCAVATIONS SHALL BE BACKFILLED/BARRICADED TO THE SATISFACTION OF THE OWNERS REPRESENTATIVE AT THE CONCLUSION OF EACH WORKING DAY.
- MAINTENANCE PUBLIC STREETS, PRIVATE DRIVES AND PARKING FACILITIES SHALL BE KEP FREE OF FOREIGN MATERIALS, ALL AREAS SHALL BE SWEPT CLEAN AT THE END OF EACH WORKING OAT MOYOR AS DIRACTED BY THE OWNERS ON-SITE REPRESENTATIVE.

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- 9. PERMIT(S) PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL COORDINATE WITH THE OWNER'S REPRESENTATIVE TO REVIEW PERMITS RECEIVED TO DATE, AND TO DEATERY PERMITS STILL NEEDS, AT WHICH THE THE CONTRACTOR SHALL OBTAIN THE NECESSARY DEFINITY FERMITS FROM THE APPLICABLE WINNERPAITY OR AGENCY. UNLESS SPECIFIED OTHERWISE, THE OWNER IS RESPONSELE FOR PERMIT FEES.
- 10. PROJECT -- THE CONSTRUCTION STAKEOUT SHALL BE PERFORMED BY A LICENSED LAND SURVEYOR USING CONTROL PROVIDED ON THE "SITE DRAWINGS". DISCREPANCIES SHALL BE REPORTED TO THE DESIGN ENGINEER (PRIOR TO THE INSTALLATION OF IMPROVEMENTS) FOR CLARIFORM.
- 1. STE PREPARATION CLEARING AND CRUBBING SKALL BE LIMITED TO THE SITE BOUNDARIES OR WITHIN THE "GRADING LIMITS" AS DETINED ON THE PLAN. TREES AND OBJECTS DESIGNATED FOR REMOVAL SHALL BE CORDINATED AND FIELD VERIFIED WITH OWNER'S REPRESENTATION. ALL MATERIALS SHALL BE LOCALLY DISPOSED OF DIFF-SITE OR RETURNED TO OWNERS AS DIRECTED BY OWNER, INTERE SHALL BE NO ON-SITE BURAL OF TREES OR STUMPS. CHIPPING FOR RE-USE ON SITE IS PERMITTED.
- 12. UTILITY COORDINATION THE CONTRACTOR SHALL COORDINATE INSTALLATION OF UTILITY WORK WITH OTHER SITE UTILITIES (I.E. ELECTRIC, WATER, AND COMMUNICATIONS) TO AVOID POTENTIAL INSTALLATION CONFUCTS.
- 13. WATER- WATER SERVICE LINES (LATERALS) SMALL BE CONSTRUCTED IN ACCORDANCE WITH THE REGULATIONS AND SPECIFICATIONS OF THE MONROE COUNTY WATER AUTHORITY.
- 14. PROJECT CLOSE-OUT THE CONTRACTOR'S WORK SCOPE INCLUDES BUT IS NOT LIMITED TO THE FOLLOWING AT PROJECT CLOSE-OUT TO SATISFACTION OF OWNER'S ON-SITE REPRESENTATIVE:
- REMOVAL OF ANY CONSTRUCTION DEBRIS.
 CLEANING PAVEMENT AND WALKWAY SURFACES.
 RESTORATION OF ALL DISTURBED GRASS AND LANDSCAPED AREAS
- RESTORATION/CLEANING OF ALL PERMANENT STORM WATER PRACTICES AS SHOWN ON PLANS. REMOVAL OF ALL TEMPORARY, STORMWATER DEVICES AND RESTORATION OF THE SURROUNDING AREAS.
- PROVIDING RECORDS DRAWING AS REQUIRED BY OWNER, MUNICIPALITY, AND/OR AGENCIES.
 COMPLETION OF FINAL PUNCH UST ITEMS.



ROBERT J. AVERY NYSPLS \$49743

