

PLANNING & DEVELOPMENT COMMITTEE
Tuesday, June 16, 2015

6:00 pm

Council Board Room
One Batavia City Centre, Batavia NY

AGENDA

- I. Roll Call
- II. Call to Order
- III. Approval of Minutes – 5/19/15
- IV. Proposals

Address: 23 Seneca Avenue
Applicant: George Mirrione (owner)

Proposal 1: Widen an existing 11.41' wide asphalt driveway to 23.31' by placing a 12' wide stone addition to the north side of the existing driveway

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

Address: 17 Maple Street
Applicant: Timothy L. Corcoran (owner)

Proposal 2: Widen an existing 10' wide stone driveway by placing 13' of stone to the east side of the existing driveway

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

Address: 427 West Main Street (aka 4152 West Main Street)
Applicant: Michael Houseknecht (owner)

Proposal 3: Special Sign Permit -- Placement of a 6' x 20' interior lit wall sign on the east elevation of this commercial building in addition to an already approved 6' x 6' interior lit wall sign being placed on the north elevation

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

Address: 176 Washington Avenue
Applicant: Andrew Hillburger, MD (occupant)

Proposal 4: Placement of a 3.5' x 1.7 sq.' free standing sign in the north yard of this medical office building property located within the BID

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

Address: 6 Ellicott Avenue
Applicant: Joseph Gerace (owner)

- Proposal 5: Special Sign Permit -- Placement of a 4' x 6' interior lit wall sign on the south elevation of this commercial office use building. This new sign face will replace an existing sign face of the same size, in the same location and is reflective of the new business branding. The proposed sign is in addition to an already approved wall sign being placed on the west elevation (street frontage)
- Actions: 1. Review application
2. Discussion and action by the board

Address: 119 Washington Avenue
Applicant: Adam Lowder (sign contractor)

- Proposal 6: Special Sign Permits – Placement of three window signs on the south elevation of this business office use building located within a residential use district. A Special Sign Permit was approved by the PDC on 3/3/15 to place a 24 sq.' wall sign on the south elevation of this building
- Actions: 1. Review application
2. Discussion and action by the board

Address: 73 Union Street
Applicant: John Borrelli (agent for Notre Dame School)

- Proposal 7: Placement of a 9' wide x 8' tall free standing masonry sign structure with a 2.5' x 5.75' Notre Dame High School sign and 2.75' x 5.75' changeable text digital reader board type sign in the northeast yard of this school located in the R-1A residential use district
- Actions: 1. Review application
2. Discussion and action by the board

Address: 335 Bank Street
Applicant: David Renzo (property manager)

- Proposal 8: Placement of a 4' x 6' unlit freestanding sign in the south yard of this multiple dwelling apartment complex located in the R-1 residential use district. This sign was previously approved by the PDC on September 18, 2012, with no conditions, but was never installed. The Special Sign Permit expired on 9/16/13
- Actions: 1. Review application
2. Discussion and action by the board

Address: 311-313 West Main Street (rear building)
Applicant: Tony Mattiaccio (President/CEO of Monroe County Automotive Services Inc., prospective occupant)

- Proposal 9: Special Use Permit – change use of rear building on this parcel to establish the use of auto detailing, protection and accessories that include washing, waxing and shampoo, undercoating, sprayed on bed-lining,

remote car starters, window tinting, vehicle graphics and films, truck accessories, such as tube steps and tonneau covers. This use by definition [BMC 190-3] is classified as a “Public Garage”-A building or part thereof used for the storage, hiring, selling, greasing, washing, servicing, or repair of motor vehicles, operated for gain

- Actions:
1. Review application
 2. Public Hearing
 2. Discussion and recommendation to ZBA

Address: 165 Cedar Street (aka 4815 Ellicott St. Road) (**O-AT-KA Milk Products Coop. Inc.**)

Applicant: David Nutting (Chairman, VIP Structures-agent for owner)

Proposal 10: Site Plan Review – Construction of a 229,823 sq.’ (approx.) “Warehouse and Pallet & Labeling” addition to this existing industrial complex. The proposed addition will be constructed across the City/Town municipal boundaries and is subject to approvals from both municipalities. The majority of the “Warehouse” structure (188,048 sq.’ approx.) will be located within the Town of Batavia. The northern portion (6,495 sq.’ approx.) of the “Warehouse” and the entire “Pallet & Labeling” area (35,280 sq.’) will be located within the City of Batavia. The applicant is proposing to merge the multiple parcels in the project area to comply with the City’s zoning requirements

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

V. Other/ New Business/Updates: **Comprehensive Plan Review**

VI. Setting of Next Meeting: July 21, 2015

VII. Adjournment

PLANNING & DEVELOPMENT COMMITTEE

MINUTES

May 19, 2015 6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

Members present: *Edward Flynn, Matthew Gray, Alfred McGinnis, Rachael Tabelski, Duane Preston*

Others present: *Meg Chilano – Recording Secretary, Jason Molino – City Manager, Doug Randall – Code Enforcement Officer, George Van Nest – City Attorney*

I. Roll Call

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

II. Call to order

Mr. Preston called the meeting to order at 6:02 pm.

III. Previous Meeting Minutes

Mr. Gray moved to approve the minutes; the motion was seconded by Ms. Tabelski, and on roll call, was approved 4-0-1.

Votes in favor: 4 (Matthew Gray, Alfred McGinnis, Rachael Tabelski, Duane Preston)

Votes opposed: 0

Votes abstained: 1 (Edward Flynn)

Result: Approval of April 21, 2015 meeting minutes.

IV. Proposals

A. Placement of a 3' x 15' unlit wall sign on the west elevation of this commercial building located within the BID

Address: *37 Center Street*

Applicant: Brian Kemp (business owner/occupant)

Actions: 1. Review application

2. Discussion and action by the board

1. Review Application

Mr. Preston read the summary of the proposal. Beth Kemp was available to speak about the project. She said that they are repurposing letters from old signs to create a kind of artsy

impression. According to Ms. Kemp, the letters will all be painted the same and there will be no lighting. She had brought an example with her to show the board.

2. Discussion and Action by the Board

Mr. Gray asked if the photo was representative of the signs and Ms. Kemp replied that they are similar. Mr. Preston noted that the Genesee County Planning Board recommended approval.

MOTION: Mr. Flynn moved to approve the application; the motion was seconded by Mr. McGinnis, and on roll call, was approved 5-0.

RESULT: Special Sign Permit approved.

- B. Placement of one offsite wall sign for the church located at 8 Batavia City Centre on the northeast elevation of this commercial property located at 6 Batavia City Centre located within the BID

Address: *6 Batavia City Centre*

Applicant: Jason Norton (agent for EFC Church)

Actions: 1. Review application

2. Discussion and action by the board (Special Sign Permit)

1. Review Application

Mr. Preston read the summary of the proposal. He reported that the Genesee County Planning Board recommended approval.

Mr. Norton explained that being landlocked inside the mall is problematic. Since the mall is closed on Sunday, they have to man the main mall corridor door to make sure no one gets in.

2. Discussion and Action by the Board

Mr. Preston asked if the sign would be above the door they are currently using and Mr. Norton answered yes. Mr. Flynn asked if there is another sign next to it for the dentist's office, and Mr. Norton clarified that the sign is farther down the hall. Mr. Preston pointed out that generally a sign is hung at the back of the business it refers to, and he expressed concern about what would happen if the landlord decides to sell the parcel where the sign will be hung.

Mr. Flynn noted that if the board approves this sign it could set a precedent for other landlocked properties within the mall. Mr. Preston added that setting a precedent could lead others to try the same thing, and result in multiple signs hanging in the hallway.

Mr. McGinnis asked how the church advertises. Mr. Norton responded that they have a couple of yard signs. He pointed out that the dentist, Dr. Steve, had submitted a letter indicating that the sign is fine with him. Mr. McGinnis stated his disapproval.

Mr. McGinnis asked if not having the sign is a deterrent. Mr. Norton replied that having two yard signs indicating that the church holds services is insufficient for their need to inform the public of their location. He said that unless someone is in the mall they would not know where the church is.

Ms. Tableski asked if there was something that could be done differently, such as a hanging directory, which would allow for landlocked parcels to have signage. Mr. Norton replied that the mall has a directory but it is hard to see. He also indicated that the church would like to have their logo remain on the sign.

Mr. Preston asked if the Mall Committee has a procedure regarding signage. Mr. Norton answered that the procedure is to go through the Planning and Development Committee. He said that the church is good neighbors with Dr. Steve so the most important factor seemed to be obtaining permission from him.

Mr. Flynn asked if the sign over the door is not working. Mr. Norton said that it is hard to see the sign from the parking area unless you are directly in front of it. He added that considering the church has only been in this location for three months, people do not seem to know where it is because they have not seen the sign.

MOTION: Mr. Flynn moved to deny the application as submitted.

Mr. Flynn said that a different size is needed, or a location other than the wall of the adjoining parcel. Mr. Flynn added that it would set an unwanted precedent. Mr. Norton pointed out that even if the sign was smaller, there would be nowhere to put it. Mr. Preston said the sign could only be placed inside in front of the doorway.

Mr. McGinnis said that his concern is that allowing this sign would result in a proliferation of signs. Mr. Preston noted that a similar sign for an interior store in the Valu plaza was denied last year.

Mr. McGinnis commented that he would expect the congregation to know the location of the church and Mr. Norton responded that the sign is for the benefit of guests.

Mr. Gray stated that if the door where the sign would be going was the main door and under the church's control and they were the only entity that could put a sign there, it would be another matter. However, there are more parcels on the inside than what is being shown on the outside.

Mrs. Norton questioned why Dr. Steve's permission is not sufficient since he is the owner of the hallway. Mr. Gray responded that the permission is not exclusive because the church does not have legal control by lease or ownership.

The motion was seconded by Mr. McGinnis, and on roll call, was approved 3-2.

Votes in favor: 3 (Edward Flynn, Alfred McGinnis, Duane Preston)

Votes opposed: 2 (Matthew Gray, Rachael Tabelski)

RESULT: Special Sign Permit denied.

- C. Placement of three 2.25 sq.' vinyl stick window signs on the north elevation of this commercial building located in the BID

Address: *59 Main Street*

Applicant: Ken Mistler (owner)

Actions: 1. Review application
2. 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 recommended approval.

Mr. Mistler stated that he wants to put three decals in the windows, 16 x 30". Mr. Flynn asked if the signs were already in place and Mr. Mistler said yes, that he did not realize he needed a permit.

2. Discussion and Action by the Board

Mr. Flynn asked if there were two businesses, and Mr. Mistler said no. Mr. Flynn asked if there is a wall between the two areas and Mr. Mistler answered yes. Mr. Flynn asked if the grill could be cashed out if the restaurant is closed, and Mr. Mistler clarified that both sections must be open at the same time.

MOTION: Ms. Tabelski moved to approve the application; the motion was seconded by Mr. McGinnis, and on roll call, was approved 5-0.

RESULT: Special Sign Permit approved.

- D. Placement of a 16' x 3.66' externally lit wall sign on the west elevation of this commercial building located within the BID

Address: *13 Jackson Street*

Applicant: Anupa Hirani (owner)

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

1. Review Application

Mr. Preston read the summary of the proposal. According to Ms. Hirani, they are not putting up a new sign, but just taking down the one that is already there and replacing the letters.

Discussion and Action by the Board

Mr. Flynn asked about the nature of the business and Ms. Hirani explained that one part of the building is used as a frozen yogurt shop and the other part will be a convenience store. Ms. Tabelski and Mr. Flynn asked about the graphics and colors. Ms. Hirani said that she designed the sign on the computer and the sign maker will try to create the design as best he can.

Mr. Gray asked if the lighting would be changed and Ms. Hirani answered no. Mr. Preston noted that the Genesee County Planning Board recommended approval.

MOTION: Ms. Tabelski moved to approve the sign; the motion was seconded by Mr. McGinnis, and on roll call, was approved 5-0.

RESULT: Special Sign Permit approved.

- E. Widen an existing 11.41’ wide asphalt driveway to 23.41’ by placing a 12’ wide stone addition to the north side of the existing driveway

Address: 23 Seneca Avenue
Applicant: George Mirrione (owner)
Actions: 1. Review application
2. Discussion and action by the board

Mr. Mirrione had notified the board that he would not available. It was decided to bring the application back for the next meeting.

- F. Widen an existing 10’ side stone driveway by placing 12’ of stone to the east side of the existing driveway

Address: 17 Maple Street
Applicant: Timothy Corcoran (owner)
Actions: 1. Review application
2. Discussion and action by the board

Mr. Corcoran was absent. It was decided to bring the application back for the next meeting.

- G. Widen an existing 15’ wide asphalt driveway by placing an additional width of 4’ of asphalt to the south side of the existing driveway

Address: 139 Jackson Street
Applicant: JoAnn Fisher-Plath (owner)

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

1. Review Application

Mr. Preston read the summary of the proposal. Ms. Fisher explained that when their three vehicles are parked behind one another, they hang over the sidewalk. She would like to widen the driveway so that two vehicles can park next to each other.

2. Discussion and Action by the Board

Mr. Gray asked where the property line is located in relation to the driveway. Ms. Fisher responded that left side of the driveway is on the property line. She said that expanding the driveway by 4' would bring it along the side of the house. Following a question from Mr. Flynn regarding the need for the variance, Mr. Randall clarified that the total width of the driveway will be 19', which will take up more than 25% of the total yard space, therefore requiring a variance.

Mr. Flynn asked if there was any way to extend the driveway into the rear yard, and Ms. Fisher replied that there is a carport to the rear of the driveway. Mr. Flynn asked if it is permanent and Ms. Fisher said yes.

Ms. Tabelski asked if there were measurements available for the current driveway and Mr. Randall referred her to the survey attached to the application. Mr. Randall pointed out that the carport shown as 12' on the survey can be used as a reference point though the survey itself does not indicate measurement of the driveway. He related that the applicant reported the driveway to be 15.1'.

Mr. McGinnis said that taking away more lawn might diminish the value of the property. Ms. Fisher said that she plans to keep the house in the family.

MOTION: Ms. Tabelski moved to recommend approval of the application as submitted to the Zoning Board of Appeals. The motion was seconded by Mr. McGinnis.

Mr. Flynn said that he supports approval because the driveway is not being expanded by a large amount and will still only take up 37% of the front yard space.

Mr. Gray expressed concern because he thought it looked as though the survey did not match the reported measurement of the driveway and that increasing the width would put the driveway over the property line. Ms. Fisher said the driveway will be extended toward the front of the house. Mr. Randall explained that from the property line to the edge of the house, it measures 15.38'. With the total width of the driveway at 19' following expansion, the remainder will project past the corner of the house.

On roll call, the motion was approved 5-0.

RESULT: Recommendation to the ZBA to approve the application.

- H. Placement of a new driveway that exceeds the maximum permitted width as part of the construction of a one story attached garage with breezeway on the west side of an existing one story dwelling. The new driveway will exceed the maximum permitted width by 6”

Address: *6 Douglas Street*

Applicant: Ronald Jackett (owner)

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

Mr. Jackett was absent. It was decided to bring the application back for the next meeting.

- I. Amend the approved principal uses within Chapter 190 of the Batavia Municipal Code to eliminate boarding houses, rooming houses, tourist homes, and tourist camps or cabins from the R-2 Residential District [190-9 A (3)]

Applicant: The City of Batavia

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

1. Review Application

Mr. Preston read the summary of the proposal. City Manager Jason Molino addressed the board. He explained that approval of the change in code would mean that going forward, existent boarding houses and rooming houses, etc. would remain intact and continue in their present usage, and continue to go through the annual permit process; however, applications for new ones would be prohibited.

According to Mr. Molino, the proposal would allow for the amendment of a section of the R-2 district that will in turn have an impact on R-3, C-1, C-2, and C-3 because all of them state in their sections that a permitted principal use in R-2 is also allowed in R-3, C-1, C-2, and C-3. The amendment would prohibit new applications for boarding and rooming houses in those zones as well.

Currently, there are 10 establishments consisting of approximately 90 units that would remain in use and continue to be inspected annually and go through the permitting process each year. Two of the boarding houses are non-conforming uses. One is in an R-1 zone and the other is in an I zone. They would remain in use unless they sustain damage greater than

50% of the value of the property or are left vacant for one year, at which time the use would revert back to whatever zoning is appropriate for the applicable district.

Mr. Molino supported the change in code with several points. The change is consistent with the Comprehensive Plan that was adopted in 1997. Though this particular section of the code had not been included at the time, City Council had been engaged in down zoning in an attempt to preserve single family structures and minimize the growth of multi-unit structures.

Data contained in the Community Improvement Plan demonstrates that market sales of single family properties on streets with multi-dwelling units are lower, according to Mr. Molino. He said that there was a recommendation to minimize the effects of these situations and though it is a difficult process, offering incentives for a conversion program was even suggested. It is possible that the gap financing exemption addressing abandoned and vacant homes that City Council is recommending to the State Legislature could allow for the conversion of former multi-family units into single family structures.

Mr. Molino concluded that the change in code is being proposed because it is consistent with the Comprehensive Plan and the Community Improvement Plan. Both of these documents are used for land use as well as for decision making. There is also one small change to another section of code that concerns parking because there is some inconsistency with the parking provisions.

2. Discussion and Action by the Board

Ms. Tableski asked for clarification of the change in parking and Mr. Molino stated that the section of code specifies one parking space per roomer keeping a motor vehicle, which contradicts another section of code.

Mr. Flynn asked how many new rooming house permits had been issued in the past ten years and Mr. Randall responded that there have been two rooming house permits issued in the last six years, 16 Oak Street with 7 units, and 316 East Main Street with 11 units. Mr. Flynn said that another reason for changing the code is that the demand is not high, and with 90 units city-wide, the market is probably saturated.

Mr. McGinnis wanted to know which wards are predominately occupied by rooming houses. Mr. Molino referred to the Batavia Opportunity Area map and pointed out that the majority of these properties are located in the 3rd, 4th, and 5th wards, on the highly distressed census track or on the border of the highly distressed census track in lower income areas.

One of the issues raised in the Comprehensive Plan is the mismatch of zoning and uses that took place prior to the rezoning. Having rooming houses in the C-1, C-2, and C-3 districts contributes to the mismatching because those are predominately business areas.

Mr. Flynn asked if the City is the only community that still has rooming houses. Mr. Molino replied in the negative and related that his query to other managers in the state regarding rooming houses revealed that codes regarding rooming/boarding houses in many other places have been recently updated.

Mr. Preston asked how a rooming house is defined. Mr. Van Nest indicated the section of code containing the definition of a rooming house and read the definition aloud.

Mr. McGinnis asked if there was a state rule for the number of bathrooms and Mr. Randall answered that there must be one bathroom for every four rooms.

Mr. Flynn asked about the classification of non-conforming use in the event that City Council approves the code change. Mr. Molino explained that following approval, all rooming/boarding houses would be considered non-conforming uses. They would remain in use unless they become vacant for over a year or sustain damage greater than 50% of the property value, at which time the zoning would revert to whatever is applicable for the district.

3. Public Hearing

Mr. Preston opened the public hearing. Councilwoman Rose Mary Christian reported that City Council voted unanimously to bring the code change before the PDC. She stated that she is in favor of the code change because rooming houses and boarding houses diminish the value of neighboring properties.

There was no correspondence or calls and no others who wished to speak. Mr. Preston closed the public hearing.

MOTION: Mr. Flynn moved to recommend approval based on the fact that the code change is consistent with the Comprehensive Plan and the Community Improvement Plan, and that the market is saturated with rooming house units. The motion was seconded by Ms. Tabelski, and on roll call, was approved 5-0.

Result: Recommend approval of code change to City Council.

V. Other/New Business/Updates: Comprehensive Plan Update

Mr. Molino reported that at the last meeting, City Council passed a resolution to have the PDC begin the Comprehensive Plan update process, which essentially makes the board the Steering Committee for the process.

The next step will be to create an RFQ (Request For Qualifications) and have a draft ready for the committee to read by the next meeting. There will be a work session to review and

discuss the draft after the next meeting. If consensus can be reached, the RFQ can be issued. If consensus is not reached, it may be necessary to hold another meeting at the end of June.

Mr. Molino affirmed the importance of developing the RFQ because it will help the board identify the result they expect from the process and how to match a consultant's skillset to that expectation.

According to Mr. Molino, the target date for issuing the RFG is July 1. He said that he would expect to bring submissions to the board in August, interview consultants, and hopefully make a selection and recommendation in September.

Mr. Flynn asked about the length of time for the entire process. Mr. Molino said he would anticipate for it to take approximately 18 months.

Mr. Flynn asked about zoning changes and if they could get a list of variances that have been issued in the past two years so they could get an idea of use trends.

Ms. Tabelski asked about funding. Mr. Molino answered that part of the project will be grant funded and Council budgeted some additional funding as well.

Mr. Molino told the board that he wanted to have a discussion with them about what to include in the RFQ. He said that after the development phase of the Comprehensive Plan update comes the zoning recommendation or changes, which are drafted by a consulting firm. Mr. Molino said that if they chose, the board could make provisions for that process as well in the RFQ.

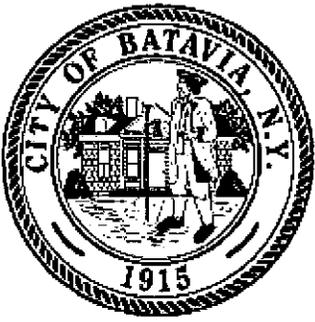
VI. Setting of Next Meeting: June 16, 2015

VII. Adjournment

Mr. Preston moved to adjourn at the meeting at 7:07 pm. Mr. Flynn seconded. All voted in favor.

Respectfully submitted,

Meg Chilano



City of Batavia
Department of Public Works
Bureau of Inspections

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

To: Genesee County Planning
Planning and Development Committee

From: Doug Randall, Code Enforcement Officer

Date: 5/28/15

Re: 6 Ellicott Ave.
Tax Parcel No. 84.010-3-24

Zoning Use District: C-2

The applicant, Joseph Gerace (owner), has applied for a Special Sign Permit to place a 4' x 6' interior lit wall sign on the south elevation of this commercial office use building. This new sign face is to replace an existing sign face of the same size, in the same location and is reflective of the new business branding. The proposed sign is in addition to an already approved wall sign being placed on the west elevation (street frontage).

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

Review and Approval Procedures:

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

City Planning and Development Committee- Pursuant to section 190-43 R, the Planning and Development Committee shall review and approve or deny Special Sign Permits.

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

SEND OR DELIVER TO:

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



*** GENESEE COUNTY *
PLANNING BOARD REFERRAL**

DEPARTMENT USE ONLY:

GCDP 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 Joseph Gerace

Address 16 Vine St.

City, State, Zip Batavia, NY 14020

Phone (585) 343 - 5553

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: Special Sign Permit

- Subdivision Proposal
- Preliminary
- Final

4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:

A. Full Address 6 Ellicott Ave.

B. Nearest intersecting road West Main

C. Tax Map Parcel Number 84.010-3-24

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

E. Present zoning district(s) C-2

5. REFERRAL CASE INFORMATION:

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

NO YES If yes, give date and action taken _____

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

BMC 190-43 R

C. Please describe the nature of this request Approval to place an interior lit wall sign on the south elevation not facing street frontage.

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



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: C-2
Special Sign: Yes
84.010-3-24

APPLICANT: Joseph R Gerace
Name _____ E-mail Address _____
16 VINE ST
Street Address _____ Phone _____ Fax _____
BATAVIA 343.5553
City, State, Zip Code _____

OWNER: Same
Name _____ E-mail Address _____
Street Address _____ Phone _____ Fax _____
City, State, Zip Code _____

ADDRESS OF SIGN: 6 Olcott Ave

SIGN AREA: Length 4' Width 6' Area 24 sq. ft.

TYPE OF SIGN: Wall (South Side)

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

- Freestanding: Set Back _____ Height _____
- Wall: Wall Length _____ Wall Height _____ Area _____
- Projecting
- Marquee
- Awning/Canopy: Length _____ Height _____ Area _____
- Window: Window Length _____ Window Height _____ Area _____
- Portable

LIGHTING: Internal External

EXISTING SIGNS (Please list all existing signs with dimensions):

Applicant's Signature: Joseph R Gerace Date: _____

Issuing Officer: _____ Date: _____

Planning Board Chairperson: _____ Date: _____

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



RealtyUSA.com

RealtyUSA.com

FESTIVAL OF HOPE
AT THE
MUSEUM

RealtyUSA
954-548-1100

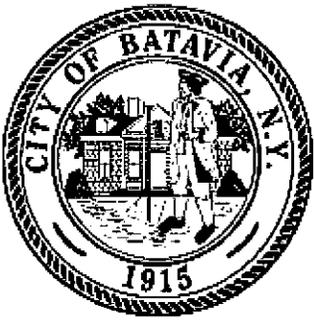
PROBELE
18370700

R-1
Residential
District

sign location

ELICOTT AVE





City of Batavia
Department of Public Works
Bureau of Inspections

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

To: Planning and Development Committee
Zoning Board of Appeals

From: Doug Randall, Code Enforcement Officer

Date: 4/20/15

Re: 17 Maple St.
Tax Parcel No. 84.015-2-4

Zoning Use District: R-3

The applicant, Timothy L. Corcoran (owner), has applied for a permit to widen an existing 10' wide stone driveway by placing 13' of stone to the east side of the existing driveway.

Review and Approval Procedures:

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

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

Required variances- Area

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

	<u>Permitted</u>	<u>Proposed</u>	<u>Difference</u>
Driveway width	10.62' (25%)	23' (54%)	12.38' (29%)

The ZBA will be the lead agency to conduct SEQR.

15-04



CITY OF BATAVIA
APPLICATION TO THE ZONING BOARD OF APPEALS

Application No.: _____

Hearing Date/Time: _____

APPLICANT: TIMOTHY L. CORCORAN
Name _____ E-Mail Address _____
17 MAPLE ST.
Street Address _____
BATAVIA N.Y. 14020 Phone (716) 474-4142 Fax _____
City _____ State _____ Zip _____

STATUS: Owner _____ Agent for Owner _____ Contractor _____

OWNER: TIMOTHY L. CORCORAN
Name _____ E-Mail Address _____
17 MAPLE ST. Phone (716) 474-4142
Street Address _____ Fax _____
BATAVIA N.Y. 14020
City _____ State _____ Zip _____

LOCATION OF PROPERTY: 17 MAPLE ST. BATAVIA N.Y. 14020

DETAILED DESCRIPTION OF REQUEST: Wider width of driveway from
10 FT to 23 FT for use as off-street parking. The
Driveway will be widened for the first 21' in
length.

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.

Timothy Corcoran
Applicant's Signature

4/6/15
Date

Timothy Corcoran
Owner's Signature

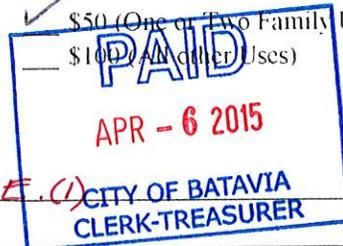
4/6/15
Date

To be Filled out by Zoning Officer

TAX PARCEL: 84.015-2-4 ZONING DISTRICT: R-3 FLOOD PLAIN: NA

TYPE OF APPEAL: Area Variance
 Use Variance
 Interpretation
 Decision of Planning Committee

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



Provision(s) of the Zoning Ordinance Appealed: BMC 190-39 F.(1)

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.
The variance would not interfere in /with other properties.
- 2. Alternative Cure Sought.** There are no other means feasible for the applicant to pursue that would result in the difficulty being avoided or remedied, other than the granting of the area variance. The only available property is area requested
- 3. Substantiality.** The requested area variance is not substantial. Only the necessary area to park a vehicle is being requested
- 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. Requests would match identical requests on street that were approved.
- 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. Condition has existed for many years (1923) this condition results in constant impingement/trespass as well as access issues

Linda J. Courman
Applicant's Signature

4/6/15
Date



Permit No. _____

Date: _____

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

APPLICANT: TIMOTHY CORCORAN
 Name _____ E-mail Address _____
17 MAPLE ST
 Street Address _____ Phone _____
BATAVIA N.Y. 14020
 City State Zip
 Owner _____ Agent for Owner _____ Contractor _____

OWNER: TIM CORCORAN
 Name _____ E-mail Address _____
 Street Address _____ Phone _____
 City State Zip

ADDRESS OF PROPERTY: 17 MAPLE ST. BATAVIA N.Y.

DIMENSIONS OF EXISTING DRIVEWAY: Width 10' Length 75'

DIMENSIONS OF NEW DRIVEWAY / ADDITION: Width 13' Length 10' 21"

SURFACE MATERIAL: Existing STONE Proposed STONE
Total new width 23'

Applicant's Signature
[Signature]
Owner's Signature

Date
3/27/15
Date

To be filled out by Zoning Enforcement Officer

TAX PARCEL: 84.015-2-4 ZONING DISTRICT: R-3 SURVEY: Yes

DIMENSIONS OF LOT: Lot Frontage 42.50' Front Yard _____

PERCENTAGE OF LOT FRONTAGE: 54.9@23' SURFACE MATERIAL: Stone

APPROVED: _____ AREA VARIANCE: Yes GRADE PLAN: _____

ISSUING OFFICER: _____ DATE: _____

*10.62' permitted.
23' Proposed.
12.38' over. (2BA req.)*



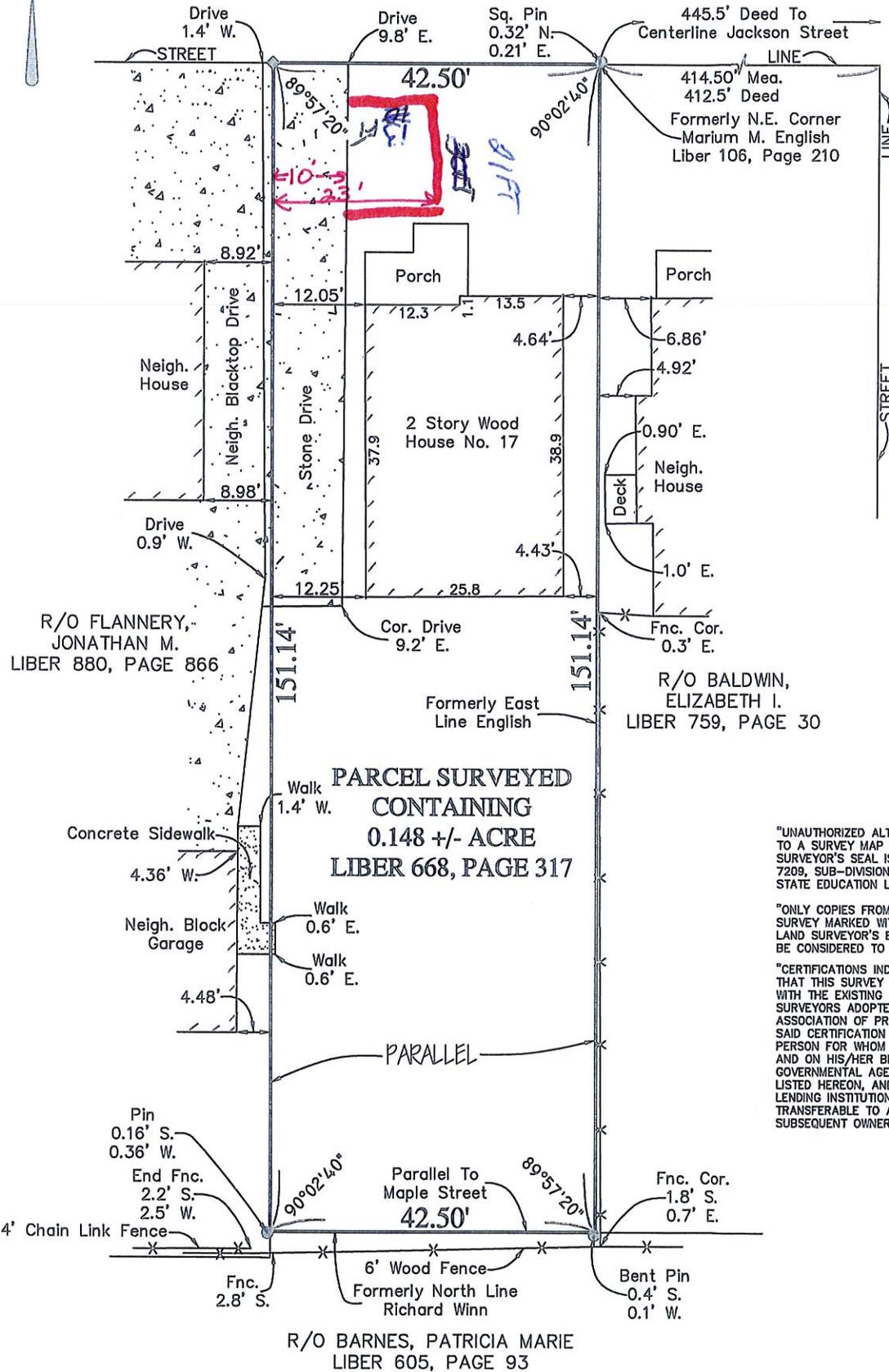
MAPLE ST

L1

81

DAVID S. LAMENDOLA
 GREGORY W. TOWNSEND
 Licensed Land Surveyors
 435 East Main Street
 Batavia, New York 14020
 Phone (585) 344-1331
 Fax (585) 219-4313

MAPLE STREET (49.5' R.O.W.) (Formerly Hill Street)



JACKSON STREET

PARCEL SURVEYED
 CONTAINING
 0.148 +/- ACRE
 LIBER 668, PAGE 317

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

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

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

R/O BARNES, PATRICIA MARIE
 LIBER 605, PAGE 93

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: <i>Creation of off-street parking spot</i>			
Project Location (describe, and attach a location map): <i>17 MAPLE ST. BATAVIA N.Y. 14020</i>			
Brief Description of Proposed Action: <i>create a parking spot of crushed stone for use as an off street parking area for 1 vehicle</i>			
Name of Applicant or Sponsor: <i>TIM CORCORAN</i>		Telephone: <i>716 2474-4142</i>	
		E-Mail:	
Address: <i>17 MAPLE ST.</i>			
City/PO: <i>BATAVIA N.Y. 14020</i>		State: <i>NY</i>	Zip Code: <i>14020</i>
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.			NO <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action? <i>~ 3/4</i> acres			
b. Total acreage to be physically disturbed? <i>10FT X 30FT</i> acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <i>ALL</i> 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 type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" 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			

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
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
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
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Smith & Harrison</u> Date: <u>4/6/15</u> Signature: <u>TIMOTHY L. CORCORAN</u>		

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

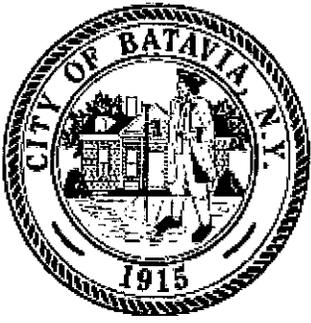
	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the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

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

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

- 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)



City of Batavia
Department of Public Works
Bureau of Inspections

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

To: Planning and Development Committee
Zoning Board of Appeals

From: Doug Randall, Code Enforcement Officer

Date: 12/12/14

Re: 23 Seneca St.
Tax Parcel No. 84.034-3-46

Zoning Use District: R-2

The applicant, George Mirrione (owner), has applied for a permit to widen an existing 11.41' wide asphalt driveway to 23.41' by placing a 12' wide stone addition to the north side of the existing driveway.

Review and Approval Procedures:

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

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

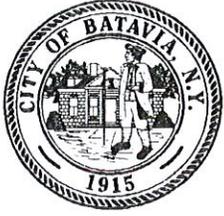
Required variances- Area

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

	<u>Permitted</u>	<u>Proposed</u>	<u>Difference</u>
Driveway width	14.20' (25%)	23.41' (41%)	9.21' (16%)

The ZBA will be the lead agency to conduct SEQR.

15-05



CITY OF BATAVIA
APPLICATION TO THE ZONING BOARD OF APPEALS

Application No.:
Hearing Date/Time:

APPLICANT: George F. & Michelle R. Mirrione creativity29@yahoo.com
Name E-Mail Address
23 Seneca Ave. (585)409-6733
Street Address Phone Fax
Batavia, NY 14020
City State Zip

STATUS: [X] Owner ___ Agent for Owner ___ Contractor

OWNER: George F. & Michelle R. Mirrione creativity29@yahoo.com
Name E-Mail Address
23 Seneca Ave. (585)409-6733
Street Address Phone Fax
Batavia, NY 14020
City State Zip

LOCATION OF PROPERTY: 23 Seneca Ave., Batavia, NY 14020

DETAILED DESCRIPTION OF REQUEST: Placement of a gravel driveway (12' wide x 35.14' length) adjacent to existing driveway.

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.

Applicant's Signature: [Signature] Date: 12/10/14
Owner's Signature: [Signature] Date: 12/10/14

PAID
APR 21 2015
CITY OF BATAVIA
CLERK/TREASURER

To be Filled out by Zoning Officer
TAX PARCEL: 84.034-3-46 ZONING DISTRICT: R-2 FLOOD PLAIN: No

TYPE OF APPEAL: [X] Area Variance ___ Use Variance ___ Interpretation ___ Decision of Planning Committee
FEE: [X] \$50 (One or Two Family Use) ___ \$100 (All other Uses)

Provision(s) of the Zoning Ordinance Appealed: BMC 190-39 E. (1) The width of driveways located in front yards shall not exceed 25% the lot frontage.

Criteria to Support Area Variance

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

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

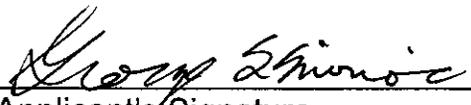
1. **Undesirable Change in neighborhood Character.** The granting of the variance will not produce an undesirable change in the neighborhood or a detriment to nearby properties.
The driveway will have a 4' buffer between it and the neighbors property line.

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

3. **Substantiality.** The requested area variance is not substantial.
The driveway would be 12' wide x 35.14' length.

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.
The driveway will provide additional parking for family

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.
The driveway will provide additional parking for family


Applicant's Signature

12/10/14
Date



Permit No. _____
Date: _____

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

APPLICANT: George F. Mirrione creativity29@yahoo.com
 Name E-mail Address
23 Seneca Ave. 409-6733
 Street Address Phone
Batavia, NY 14020
 City State Zip
 Owner Agent for Owner Contractor

OWNER: George F. Mirrione creativity29@yahoo.com
 Name E-mail Address
23 Seneca Ave. 409-6733
 Street Address Phone
Batavia, NY 14020
 City State Zip

ADDRESS OF PROPERTY: 23 Seneca Ave., Batavia, NY 14020

DIMENSIONS OF EXISTING DRIVEWAY: Width 11.41' Length 35.14'
DIMENSIONS OF NEW DRIVEWAY / ADDITION: Width 12' Length 35.14'
 (23.41' Total)

*14.20' permitted
 23.41' Proposed
 9.21' over
 ZBA. ny.*

SURFACE MATERIAL: Existing grass Proposed gravel
George Mirrione 10/30/14
 Applicant's Signature Date
George Mirrione 10/30/14
 Owner's Signature Date

To be filled out by Zoning Enforcement Officer

TAX PARCEL: _____ ZONING DISTRICT: _____ SURVEY: _____
 DIMENSIONS OF LOT: Lot Frontage _____ Front Yard _____
 PERCENTAGE OF LOT FRONTAGE: _____ SURFACE MATERIAL: _____
 APPROVED: _____ AREA VARIANCE: _____ GRADE PLAN: _____
 ISSUING OFFICER: _____ 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: <i>Addition to existing driveway for 23 Seneca Ave., Batavia, NY 14020</i>			
Project Location (describe, and attach a location map): <i>23 Seneca Ave., Batavia, NY 14020</i>			
Brief Description of Proposed Action: <i>Placement of a gravel driveway (12' wide x 35.14' length) adjacent to existing driveway</i>			
Name of Applicant or Sponsor: <i>George F. + Michelle R. Mirrione</i>		Telephone: <i>(585) 409-6733</i>	
		E-Mail: <i>creativity29@yahoo.com</i>	
Address: <i>23 Seneca Ave., NY ¹⁴⁰²⁰ 14020</i>			
City/PO: <i>BATAVIA</i>		State: <i>NY</i>	Zip Code: <i>14020</i>
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.			NO YES
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:			NO YES
3.a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 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 type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" 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			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	X	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	X	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	X	
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>George F. Mirrione</u>		Date: <u>12/10/14</u>
Signature: <u>George F. Mirrione</u>		

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

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	X	
2. Will the proposed action result in a change in the use or intensity of use of land?	X	
3. Will the proposed action impair the character or quality of the existing community?	X	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	X	
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?	X	
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?	X	
7. Will the proposed action impact existing:		
a. public / private water supplies?	X	
b. public / private wastewater treatment utilities?	X	
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	X	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	X	

SENECA AVENUE (R.O.W. VARIES)



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

LEGEND
 ● EXISTING IRON STAKE
 ○ SET IRON PIN

REFERENCES
 MAHANEY AND SNELL SUBDIVISION FILED AT BOOK 1 OF MAPS, PAGE 48
 SURVEY MAP NO. 14-134 BY GREGORY W. TOWNSEND, L.S., LAST DATED MAY 22, 2014

NOTES:

- ⊗ The parcel surveyed is part of land conveyed to the Ray and Marilyn Colantonio Living Trust at Liber 621 of Deeds, page 60
- ⊗ The parcel surveyed is part of Tax Map No. 84.34-3-47
- ⊗ The parcel surveyed is to be merged with Tax Map No. 84.34-3-46

APPROVED BY CITY OF BATAVIA PLANNING BOARD

CHAIRMAN _____

DATE _____

APPROVED BY CITY OF BATAVIA ENGINEERS

ENGINEER _____

DATE _____

FILED IN GENESEE COUNTY CLERK'S OFFICE AS:

MAP No. _____, SLIDE No. _____,

CABINET No. _____

COUNTY CLERK _____

DATE _____

DAVID S. LAMENDOLA
 GREGORY W. TOWNSEND
 Licensed Land Surveyors
 435 East Main Street
 Batavia, New York 14020
 Phone (585) 344-1331
 Fax (585) 219-4313

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

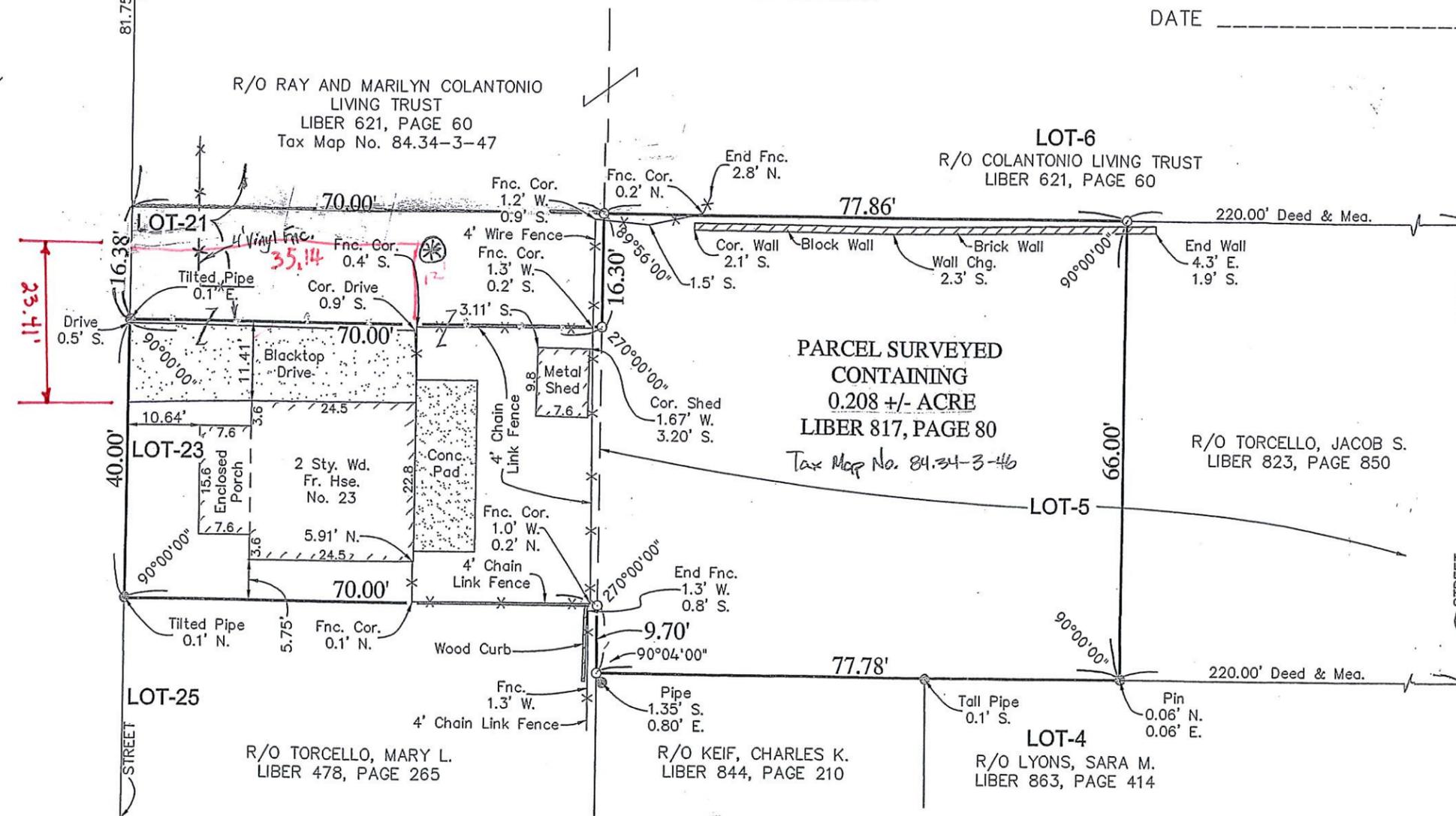
"ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES."
 "CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYORS ADOPTED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

REAL PROPERTY TAX SERVICES

DATE _____

APPROVED BY _____

I HEREBY CERTIFY THAT THIS LAND SEPARATION AND MERGER WAS PREPARED BY ME, AND WAS MADE FROM AN ACTUAL SURVEY COMPLETED BY ME ON MAY 15, 2014 AND REFERENCES LISTED HEREON



ROSS STREET

BOUNDARY SURVEY SHOWING THE SEPARATION AND MERGER OF LANDS OF THE RAY AND MARILYN COLANTONIO LIVING TRUST, BEING PART OF ORIGINAL VILLAGE LOT NO. 30, DISTINGUISHED AS BEING PART OF SUBDIVISION LOT NO. 21 OF THE MAHANEY AND SNELL SUBDIVISION. SITUATE IN THE CITY OF BATAVIA, COUNTY OF GENESEE AND STATE OF NEW YORK

SEPTEMBER 9, 2014 SCALE 1" = 20'
 JOB NO. 14-134-A

REVISED 12/10/2014
 12/10/14 Gregory W. Townsend
 DATE _____ N.Y.S.R.L.S. No. 50249



Office of the Genesee County Clerk
Don M. Read, County Clerk

DOCUMENT # 5180

RETT: 438 \$.00

E-Mail: coclerk@co.genesee.ny.us
Website: www.co.genesee.ny.us
Regular Mail Address: PO Box 379 Batavia, N.Y. 14021-0379

Phone: 585-344-2550 ext 2242
Fax: 585-344-8521
Shipping & Express Mail Address: County Bldg #1, 15 Main Street Batavia, N.Y. 14020

10/29/2014 03:22:47 P.M.
RECEIPT: 13073 FEE: \$185.00
GENESEE COUNTY CLERK
LIBER: 909 PAGE: 250

Type/Print LEGIBLY - Black Ink: After Recording Return this Document to:

Robert Humphrey

Method of Document Return:

- [] Postage Paid Return Envelope
[X] Office Box [] Courier
[] Inter Office Mail Service ***
[] Periodic Mail - No Return Envl
[] Mail - General Public

This Document Was Recorded By: _____

THE SPACE BELOW IS RESERVED FOR THE COUNTY CLERK REQUIRED RECORDING INFORMATION

DOCUMENT TYPE Deed

TAX DISTRICT Batavia / City # Pages to Validate 4

MORTGAGE RECORDING TAX RECEIPT

CROSS REFERENCES

Total Amount Secured By Mortgage:

\$ _____

BASIC \$ _____ ~L _____ P _____ Yr _____

LOCAL \$ _____ ~L _____ P _____ Yr _____

- [] 1-2 Family Clause Applicable
[] Mortgage Tax Affidavit Attached
[] To be Apportioned
[] Mortgage Tax Exempt
[] Recapture Obligation Included *

ADDTL \$ _____ ~L _____ P _____ Yr _____

SPECIAL \$ _____ ~L _____ P _____ Yr _____

~L _____ P _____ Yr _____

TOTAL TAX \$ _____

State of New York
County of Genesee

I do hereby certify that I have received the amounts cited above on the within Mortgage, being the amount of the Recording Tax imposed thereon and paid at the time of recording.

Don M. Read Genesee County Clerk

DO NOT DETACH THIS PAGE FROM THE DOCUMENT:

This page constitutes the County Clerk's Endorsement as Required by Section 319 of the Real Property Law of New York State.

Don M. Read Genesee County Clerk

THIS SPACE RESERVED FOR COUNTY CLERK NOTES

WARRANTY DEED

THIS INDENTURE made 10/23, 2014,

BETWEEN

THE RAY and MARILYN COLANTONIO LIVING TRUST, established October 3, 1992, Raymond B. Colantonio and Marilyn J. Colantonio, Trustees, whose mailing address is 19 Seneca Avenue, Batavia, New York 14020,
party of the first part, and

GEORGE F. MIRRIONE and MICHELLE R. MIRRIONE, residing at 23 Seneca Avenue, Batavia, NY 14020,
party of the second part,

WITNESSETH, that the party of the first part, in consideration of One and 00/100 Dollars (\$1.00) plus other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, their heirs or successors and assigns of the party of the second part,

SEE SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF

Subject to easements, covenants, restrictions and rights-of-way of record, if any.

Being and intending to convey the same premises conveyed to first party by deed recorded in the Genesee County Clerk's Office on June 9, 2014, in Liber 906 of Deeds, page 148 and

TOGETHER with the appurtenances and all the estate and rights of the party of the first in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants as follows:

FIRST, That the party of the first part is seized of the said premises in fee simple, and has good right to convey the same;

SECOND, That the party of the second part shall quietly enjoy the said premises;

THIRD, That the premises are free from incumbrances, except as aforesaid,

FOURTH, That the party of the first part will execute or procure any further necessary assurance of the title to said premises;

FIFTH, That the party of the first part will forever **WARRANT** the title to said premises;

SIXTH, the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

In Presence of

THE RAY AND MARILYN
COLANTONIO LIVING TRUST

By: Raymond B. Colantonio
Raymond B. Colantonio, Sole Trustee

STATE OF NEW YORK
COUNTY OF GENESEE

On the 23 day of October, in the year 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared RAYMOND B. COLANTONIO, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

AMBER L. REESE
Notary Public, State of New York
Qualified in Genesee County
No. 01RE6249594
My Commission Expires 10-17-20 15

Amber L. Reese
Notary Public

SCHEDULE A

PARCEL "A"

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

Beginning at a point in the south line of Lot No. 5 of the Bissell Subdivision of Original Lot No. 32, as the same is shown on a map by David E. E. Mix, surveyor, and now filed in the Genesee County Clerk's Office in Liber 1 of Maps at page 8, at a point 220 feet westerly along said south line from the southeast corner of Lot No. 5, thence northerly 66 feet on a line parallel to the easterly boundary of said Lot No. 5 which said easterly boundary is also the west line of Ross Street, to a point in the north line of Lot No. 5; thence westerly along said north line 77 feet to a point; thence southerly 66 feet along a line parallel to the first mentioned course to a point in the south line of Lot No. 5; thence easterly 77 feet to the place of beginning.

PARCEL "B"

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Batavia, County of Genesee and State of New York being subdivision Lot No. 23 situate on Seneca Avenue as shown on "Map of Mahaney and Snell Subdivision of part of City Lot No. 30" made by R.A. Wentworth October 6, 1919 and filed in Genesee County Clerk's Office October 7, 1919 in Book 1 of Maps at page 48. Being a lot 40 feet wide and 70 feet deep the property is located on the east side of Seneca Avenue and known as Lot No. 23.

Property Mailing Address: 23 Seneca Avenue, Batavia, New York 14020
Tax Map No: 84.034-3-46.

PARCEL "C"

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Batavia, County of Genesee and State of New York, being part of Original Village Lot No. 30, distinguished as being part of Subdivision Lot No. 21 of the Mahaney and Snell Subdivision, and more particularly described as follows:

Beginning at a point on the easterly street line of Seneca Avenue at the northwest corner of Subdivision Lot No. 23 and southwest corner of Subdivision Lot No. 21 of the Mahaney and Snell Subdivision, said point being the northwest corner of land conveyed to George F. and Michelle R. Mirrione at Liber 906 of Deeds, page 148;

Thence northerly, along the street line of Seneca Avenue, a distance of 16.38' to a point;

Thence easterly, forming an interior angle of $89^{\circ}56'-00''$, a distance of 70.00' to a point on the easterly line of Subdivision Lot No. 21;

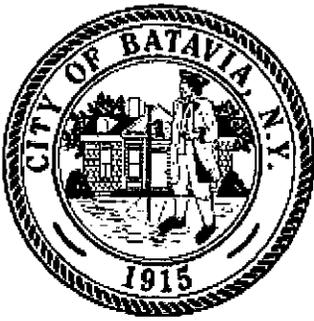
Thence southerly, along the east line of Lot No. 21 and forming an interior angle of $90^{\circ}04'-00''$, a distance of 16.30' to a point, said point being the southeast corner of Lot No. 21 and northeast corner of Lot No. 23 and the northeast corner of Mirrione lands;

Thence westerly, along the northerly line of Mirrione lands and forming an interior angle of $90^{\circ}00'-00''$, a distance of 70.00' to the point of beginning, said final course forming an interior angle of $90^{\circ}00'-00''$ with the street line of Seneca Avenue, containing 0.026 +/- acre

The above Parcels A and B are presently owned by the grantees herein George F. Mirrione and Michelle R. Mirrione.

This parcel (Parcel C) is being conveyed by party of the first part to parties of the second part. Parcel C is being added to Parcels A and B. Subsequent transfer of Parcel C except in conjunction with Parcels A and B is a violation of the zoning ordinance of the City of Batavia.

Parcel C is part of premises conveyed to Party of the First Part by quitclaim deed recorded in the Genesee County Clerk's Office on January 12, 1993 in Liber 621 of Deeds, at page 60.



City of Batavia
Department of Public Works
Bureau of Inspections

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

To: Planning and Development Committee
From: Doug Randall, Code Enforcement Officer
Date: 5/28/15
Re: 73 Union St.
Tax Parcel No. 84.006-1-2

Zoning Use District: R-1A

The applicant, John Borrelli (agent for Notre Dame School), has applied for approval to place a 9' wide x 8' tall free standing masonry sign structure with 2.5' x 5.75' Notre Dame High School sign and 2.75' x 5.75' changeable text digital reader board type sign in the northeast yard of this school located in the R-1A residential use district.

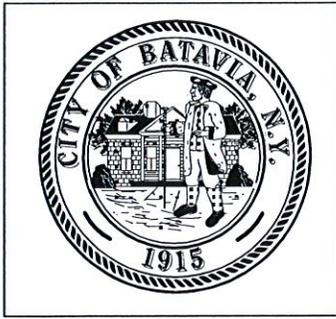
Note: This is a type II action as defined by Environmental Conservation Law and is not subject to review under SEQR 6 NYCRR Part 617.5 (c) (1).

Review and Approval Procedures:

City Planning and Development Committee- Pursuant to section 190-43 R, the Planning and Development Committee shall review approve or deny Special Sign Permits.

BMC 190-43 F and Exhibit A Free standing signs are not permitted in the R-1A use district.

BMC 190-43 H (2) No sign shall be illuminated by or contain flashing, intermittent, rotating or moving lights, except to show time and temperature.



Permit No.: _____

Date: _____

Zone: R-1A.

Special Sign perm.

84.006-1-2

SIGN PERMIT APPLICATION

City of Batavia

One Batavia City Centre, Batavia, NY 14020

(585) 345-6345 • Fax (585) 345-1385

APPLICANT/OWNER:

John Borrelli

JBorrelli5151@AOL.com

Name

E-mail Address

4 Shetland Circle

585-314-5764

Street Address

Phone

Fax

Rochester, NY 14624

City, State, Zip Code

ADDRESS OF SIGN:

Notre Dame High School, 73 Union St., Batavia, NY 14020

AREA OF SIGN:

Length 9' (wide) Width 8' (tall) Area ~~128 sq ft~~ 72 sq. (8'x9') entire structure.

TYPE OF SIGN:

Actual Sign = 2'9" High x 5'9" Wide

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

Freestanding

Set Back 44 - Richmond
95 - Union St.

Height 9

Wall

Wall Length _____

Wall Height _____

Area _____

Projecting

Marquee

Awning / Canopy

Length _____

Height _____

Area _____

Window

Window Length _____

Window Height _____

Area _____

Portable

Lighting:

Internal

External

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

Current Sign = 4' x 6' x 7' Height

Applicant's Signature

John N. Borrelli

Date _____

Issuing Officer _____

Date _____

Planning Board Chairperson _____

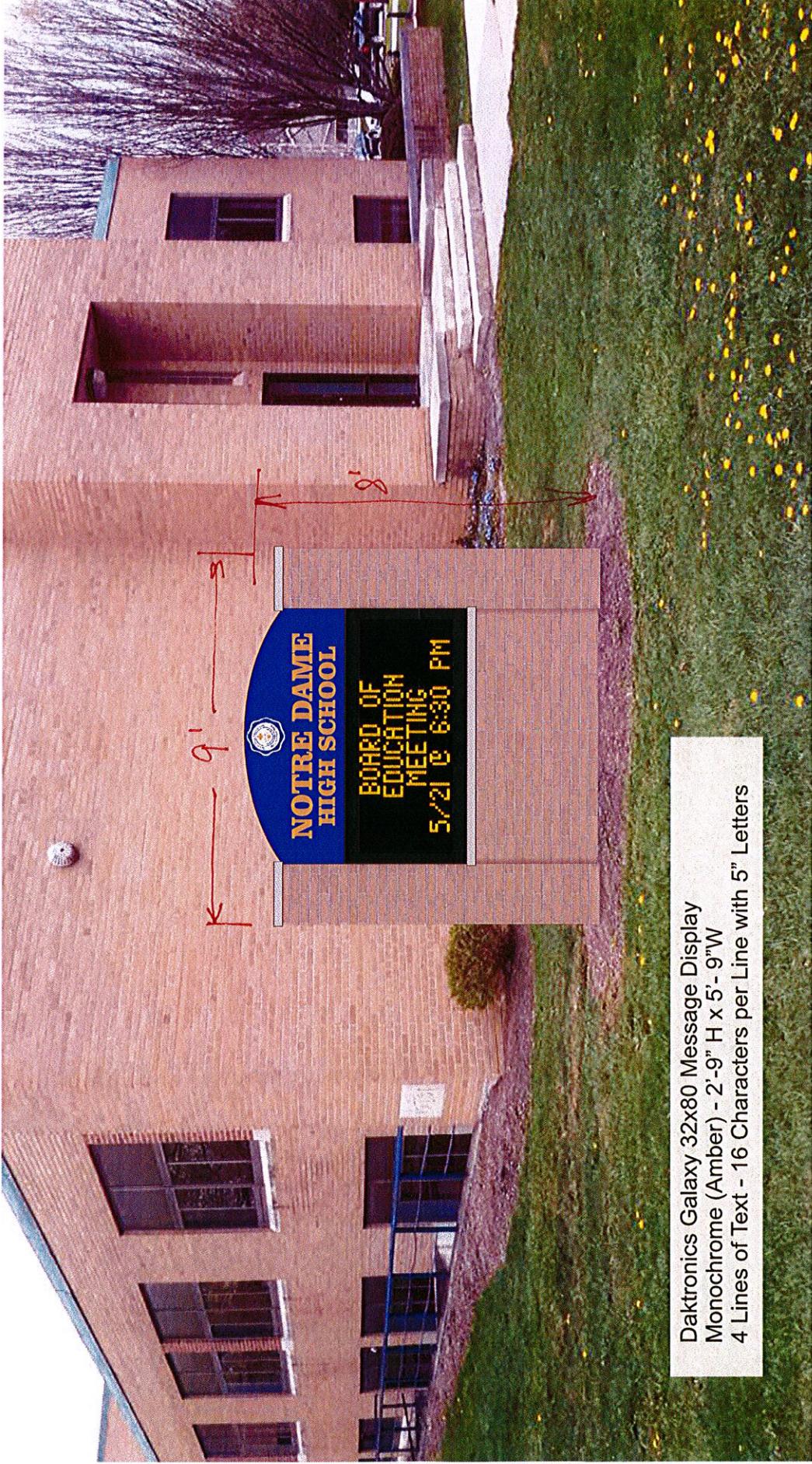
Date _____

FEES:

_____ \$25 Sign Permit

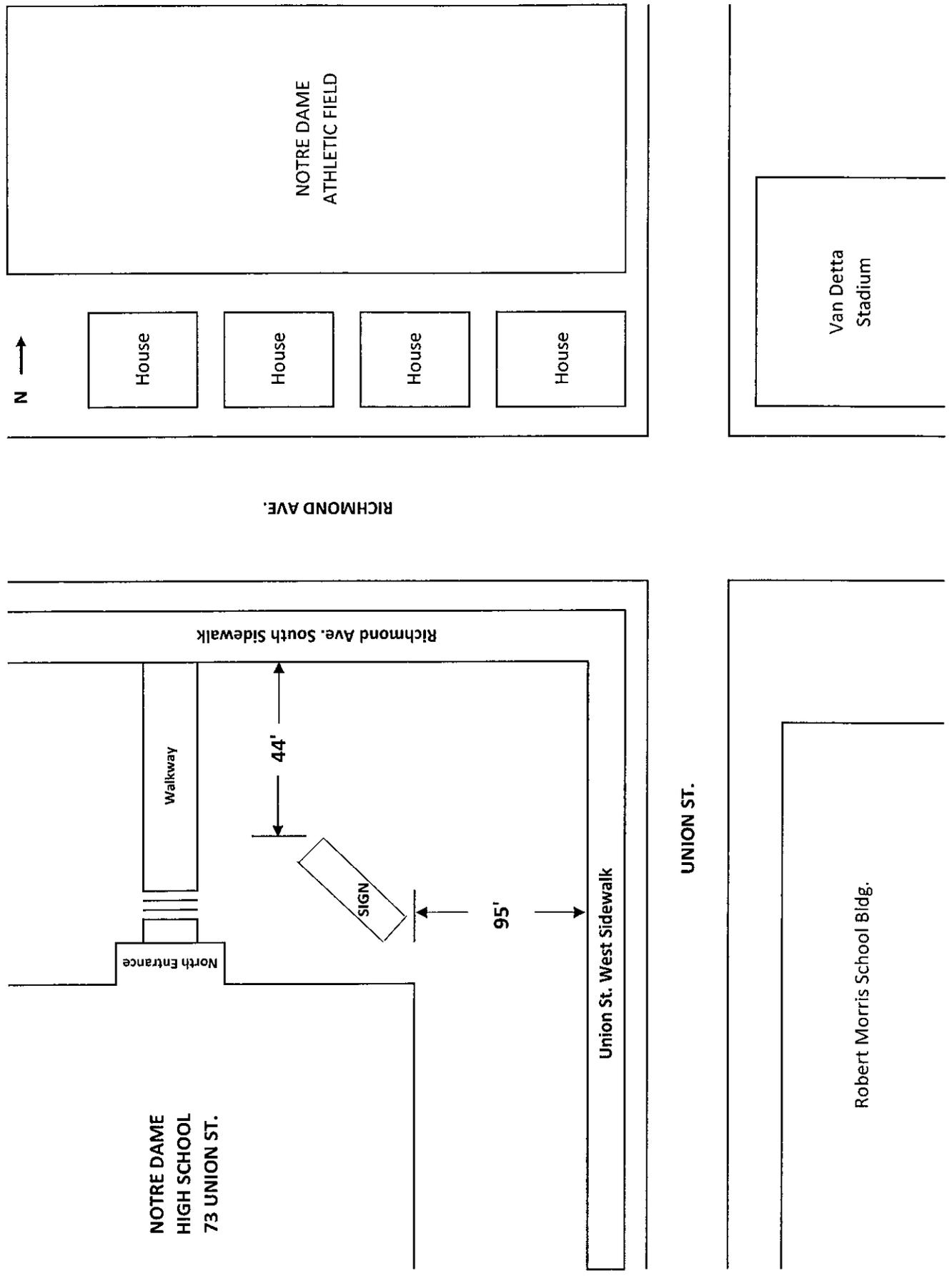
\$50 Special Sign Permit

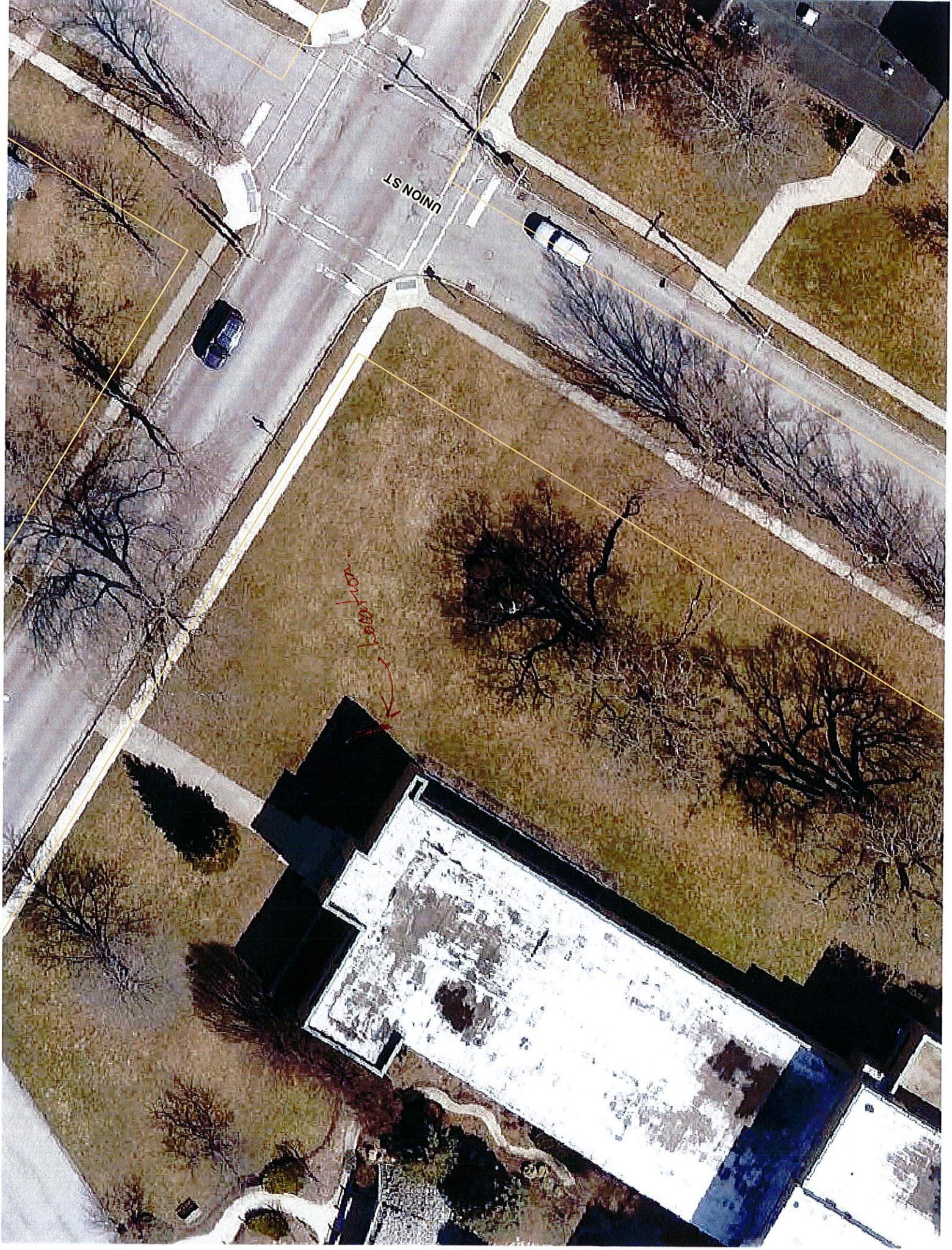
_____ \$10 Portable Sign



Daktronics Galaxy 32x80 Message Display
Monochrome (Amber) - 2'-9" H x 5'-9"W
4 Lines of Text - 16 Characters per Line with 5" Letters

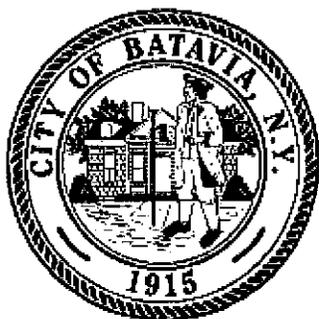
NOTRE DAME HIGH SCHOOL SIGN SITE LOCATION LAYOUT





UNION ST

200 ft front



City of Batavia
Department of Public Works
Bureau of Inspections

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

To: Planning and Development Committee
From: Doug Randall, Code Enforcement Officer
Date: 5/28/15
Re: 119 Washington Ave.
Tax Parcel No. 84.041-1-22

Zoning Use District: R-3

The applicant, Adam Lowder (sign contractor), has applied for Special Sign Permits to place three window signs on the south elevation of this business office use building located within a residential use district. A Special Sign Permit was approved by the PDC on 3/3/15 to place a 24 sq.' wall sign on the south elevation of this building.

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

Review and Approval Procedures:

City Planning and Development Committee- Pursuant to section 190-43 R, the Planning and Development Committee shall review and approve or deny Special Sign Permits.

BMC 190-43 F and Exhibit A Window signs are not permitted in the R-3 use district.



SIGN PERMIT APPLICATION

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

Permit No.: _____
Date: _____
Zone: B-3
Special Sign: Yes

84.041-1-22

APPLICANT: Adam Lowder (for Tim Tucker) alowder@vinylsticks.com
Name _____ E-mail Address _____
Vinyl Sticks 23 Ganson Avenue 585-409-5543
Street Address _____ Phone _____ Fax _____
Batavia NY 14020
City, State, Zip Code _____

OWNER: Tim Tucker
Name _____ E-mail Address _____
119 Washington Avenue 585-813-4969
Street Address _____ Phone _____ Fax _____
Batavia NY 14020
City, State, Zip Code _____

ADDRESS OF SIGN: 119 Washington Avenue, Batavia, NY 14020

SIGN AREA: Length 24" Width 34" Area 5.67 sq.ft.

TYPE OF SIGN:

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

Freestanding: Set Back _____ Height _____
 Wall: Wall Length _____ Wall Height _____ Area _____
 Projecting
 Marquee
 Awning/Canopy: Length _____ Height _____ Area _____
 Window: Window Length 24" Window Height 34" Area 5.67 sq.ft.
Portable

Perforated Window film
See out, Not in.

LIGHTING: Internal External

EXISTING SIGNS (Please list all existing signs with dimensions):

N/A

Applicant's Signature: [Signature] Date: 5/27/15

Issuing Officer: _____ Date: _____

Planning Board Chair person: _____ Date: _____

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



SIGN PERMIT APPLICATION

Permit No.: _____
Date: _____
Zone: R-3
Special Sign: Yes

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

APPLICANT: Adam Lowder (for Tim Tucker) alowder@vinylsticks.com
Name _____ E-mail Address _____
Vinyl Sticks 23 Ganson Avenue 585-409-5543
Street Address _____ Phone _____ Fax _____
Batavia NY 14020
City, State, Zip Code

OWNER: Tim Tucker
Name _____ E-mail Address _____
119 Washington Avenue 585-813-4969
Street Address _____ Phone _____ Fax _____
Batavia NY 14020
City, State, Zip Code

ADDRESS OF SIGN: 119 Washington Avenue, Batavia, NY 14020

SIGN AREA: Length 30" Width 21" Area 4.38 sq.ft.

TYPE OF SIGN:

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

Freestanding: Set Back _____ Height _____
Wall Wall Length _____ Wall Height _____ Area _____
 Projecting
 Marquee
 Awning/Canopy Length _____ Height _____ Area _____
 Window Window Length 30" Window Height 21" Area 4.38 sq.ft.
 Portable

Perforated Window Film

LIGHTING: Internal External See out, not in.

EXISTING SIGNS (Please list all existing signs with dimensions):

N/A

Applicant's Signature: [Signature] Date: 5/27/15
Issuing Officer: _____ Date: _____
Planning Board Chairperson: _____ Date: _____

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



SIGN PERMIT APPLICATION

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

Permit No.: _____
Date: _____
Zone: P-3
Special Sign: Yes

APPLICANT: Adam Lowder (for Tim Tucker) alowder@vinylsticks.com
Name _____ E-mail Address _____
Vinyl Sticks 23 Ganson Avenue 585-409-5543
Street Address _____ Phone _____ Fax _____
Batavia NY 14020
City, State, Zip Code

OWNER: Tim Tucker
Name _____ E-mail Address _____
119 Washington Avenue 585-813-4969
Street Address _____ Phone _____ Fax _____
Batavia NY 14020
City, State, Zip Code

ADDRESS OF SIGN: 119 Washington Avenue, Batavia, NY 14020

SIGN AREA: Length 53" Width 46" Area 16.93 sq.ft.

TYPE OF SIGN:

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

Freestanding: Set Back _____ Height _____
 Wall Wall Length _____ Wall Height _____ Area _____
 Projecting
 Marquee
 Awning/Canopy Length _____ Height _____ Area _____
 Window Window Length 53" Window Height 46" Area 16.93 sq.ft.
 Portable

LIGHTING: Internal External

Perforated Window Film
See out. Not in.

EXISTING SIGNS (Please list all existing signs with dimensions):

N/A.

Applicant's Signature: [Signature] Date: 5/27/15
Issuing Officer: _____ Date: _____
Planning Board Chairperson: _____ Date: _____

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



1111
The Family Care, Inc.
813-216-4777
Affordable Home Care

Velocity Physical
Therapy
813-935-7113



24 in

34 in



empire
ACCESS

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FIBER OPTIC
INTERNET**

EVERYDAY
LOW PRICE!



30 in

Packages start at
\$19.99
month
For 12 months

21 in

53 in

46 in

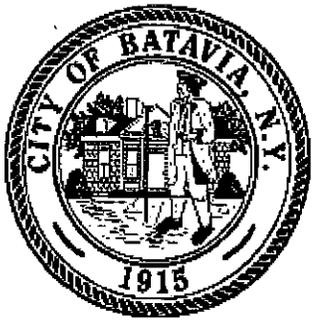


AUTHORIZED DEALER



WASHINGTON AVE

811



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: 6/2/15

Re: 165 Cedar St (aka 4815 Ellicott St. Rd.)(O-AT-KA Milk Products Coop. Inc.)
Tax Parcel No. Multiple (parcels to be merged)

Zoning Use District: I-1

The applicant, David Nutting, Chairman, VIP Structures (agent for owner) has filed an application to construct a 229,823 square foot (approx.) "Warehouse and Pallet & Labeling" addition to this existing industrial complex. The proposed addition will be constructed across the City/Town municipal boundaries and is subject to approvals from both municipalities. The majority of the "Warehouse" structure (188,048 sq' approx.) will be located within the Town of Batavia. The northern portion (6,495 sq' approx.) of the "Warehouse" and the entire "Pallet & Labeling" area (35,280 sq') will be located within the City of Batavia. The applicant is proposing to merge the multiple parcels in the project area to comply with the City's zoning requirements.

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 city/town municipal boundary.

City Planning and Development Committee- Pursuant to section 190-44 B (1) of the zoning ordinance, the Planning and Development Committee shall conduct site plan reviews.

BMC 190-44 C. (1)(a) Site plan review is required for nonresidential construction projects that increase the lot coverage by more than 1,300 sq.'.

This is a Type 1 action as defined by Environmental Conservation Law and is subject to review under SEQR 6 NYCRR Part 617.4 (6)(iv). Coordinated review between involved agencies is required per SEQR 6 NYCRR Part 617.6 (b)(2).

Because 82% of this project is located within the Town of Batavia, the City of Batavia Planning and Development Committee will concede "Lead Agency" status to the Town of Batavia Planning Board for the purposes of environmental quality review. The City of Batavia PDC will remain an "Involved Agency".

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 David Nutting, Chairman, VIP Structures

Address One Webster's Landing

City, State, Zip Syracuse, NY 13202

Phone (315) 214 - 7639 Ext. _____ Email dnutting@vipstructures.com

MUNICIPALITY: City Town Village of Batavia

3. TYPE OF REFERRAL: (Check all applicable items)

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

4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:

A. Full Address 165 Cedar St. Rear. (portion in City of Batavia)

B. Nearest intersecting road Ellicott St.

C. Tax Map Parcel Number Multiple (98.005-1-3.1)

D. Total area of the property 101 acres total Area of property to be disturbed 20 acres total

E. Present zoning district(s) I-1 (for portion in City of Batavia)

5. REFERRAL CASE INFORMATION:

A. Has this referral been previously reviewed by the Genesee County Planning Board?
 NO YES If yes, give date and action taken _____

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

C. Please describe the nature of this request Approval to construct a 41,775 sq.' portion of an addition on this property located within in City of Batavia.

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

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

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

7. CONTACT INFORMATION of the person representing the community in filling out this form (required information)

Name Douglas Randall Title Code Enf. Officer Phone (585) 345 - 6327 Ext. _____

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



O-AT-KA Milk Products Cooperative, Inc.

P.O. BOX 718 • BATAVIA, NEW YORK 14021-0718 • 585/343-0536 • FAX 585/343-4473

June 3, 2015

Mr. Doug Randall
Bureau of Inspection
City of Batavia
One Batavia City Centre
Batavia, NY 14020

Re: O-AT-KA Milk Products Building Addition

Dear Mr. Randall,

Per your discussions with our project team, O-AT-KA Milk Products Cooperative is committed to merging the various parcels that the plant is located on that are within the City's corporate limits as is necessary to meet existing codes and regulations or desirable for mutual administrative ease. Please recommend the necessary steps to facilitate this outcome.

If you have any questions or comments, please feel free to contact me or members of the project team directly.

Sincerely,

Michael R. Patterson
Chief Financial Officer

C: Mr. Dave Nutting, VIP Structures
Mr. Thomas Malinowski, VIP Structures
Mr. Rodney Ives, Napierala Consulting

Innovative Solutions. Proven Results.

**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: O-AT-KA Milk Products Cooperative, Inc.		
Project Location (describe, and attach a general location map): 4815 Ellicott Street, Batavia, NY 14020		
Brief Description of Proposed Action (include purpose or need): The design and construction of a 194,600 +/- SF warehouse addition and 35,279 SF pallet and labeling addition to the existing facility at 4815 Ellicott Street in Batavia, NY.		
Name of Applicant/Sponsor: O-AT-KA Milk Products Cooperative, Inc.	Telephone: (585) 343-0538	E-Mail:
Address: 700 Ellicott Street		
City/PO: Batavia	State: NY	Zip Code: 14020
Project Contact (if not same as sponsor; give name and title/role): Tom Malinowski, Project Architect	Telephone: (315) 471-5338	E-Mail: tmalinowski@vipstructures.com
Address: One Webster's Landing		
City/PO: Syracuse	State: NY	Zip Code: 13202
Property Owner (if not same as sponsor):	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Town and City of Batavia	8/2/15
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources. <i>i.</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 <i>ii.</i> Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>iii.</i> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> • 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s): <u>Flood plan overlay district. Wellhead protection overlay district</u> _____ _____	
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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?
Industrial

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
If Yes,
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 Central Schools

b. What police or other public protection forces serve the project site?
Batavia City Police Department, NYS Police

c. Which fire protection and emergency medical services serve the project site?
Batavia Fire Department and Town of Batavia Fire Department

d. What parks serve the project site?
N/A

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)? Industrial

b. a. Total acreage of the site of the proposed action? 101 +/- acres
b. Total acreage to be physically disturbed? 20 +/- acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 101 +/- acres

c. Is the proposed action an expansion of an existing project or use? Yes 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)? % 83 Units: Square Feet

d. Is the proposed action a subdivision, or does it include a subdivision? Yes 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? Yes No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: 10-12 months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase I (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? Yes No
 If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,
 i. Total number of structures 2
 ii. Dimensions (in feet) of largest proposed structure: 40 height; 479 width; and 462 length
 iii. Approximate extent of building space to be heated or cooled: 231,000 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? Yes No
 If Yes,
 i. Purpose of the impoundment: _____
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams 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? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 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?
 • 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? Yes 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? Yes 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? Yes 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: _____ N/A Fire Protection 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: Batavia Water District No. 3
- 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: _____
The additional water supply is for the proposed fire water needed for the proposed building.
- 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: _____ 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: _____
- Name of district: _____
- 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

• Do existing sewer lines serve the project site? Yes No
 • Will line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____
 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? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or 8.79 acres (impervious surface)
 _____ Square feet or 101 acres (parcel size)
 ii. Describe types of new point sources. None

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)?
On site storm water management facility with no off site discharge.

 • If to surface waters, identify receiving water bodies or wetlands: _____

 • Will stormwater runoff flow to adjacent properties? Yes No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes 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? Yes No
 If Yes, identify:
 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)

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? Yes No
 If Yes:
 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) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ 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)

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 1/2 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: _____

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

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.

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 7:00 am - 6:00 pm • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 24 hours • Saturday: _____ 24 hours • Sunday: _____ 24 hours • Holidays: _____ 24 hours
--	---

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:

i. Provide details including sources, time of day and duration:
Heavy earth moving and construction equipment from 7:00 am to 6:00 pm

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
Describe: _____

n. Will the proposed action have outdoor lighting? Yes No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
Exterior lighting fixtures will be attached to the building.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

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? Yes No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

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: _____

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	22.2	31.0	8.8
• Forested	15.9	15.9	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	4.3	4.3	0
• Agricultural (includes active orchards, field, greenhouse etc.)	43.5	39.5	-4.0
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: <u>Lawn</u>	15.1	10.3	-4.8

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: _____

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): _____
 Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____
 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): _____
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? Yes 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? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ unknown feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

Palmyra	_____	95 %
Fredon	_____	5 %
	_____	%

d. What is the average depth to the water table on the project site? Average: _____ unknown feet

e. Drainage status of project site soils: Well Drained: _____ 100 % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes 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)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes 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? Yes 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? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100 year Floodplain? Yes No

k. Is the project site in the 500 year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____
 Deer: _____
 Rodents: _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

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? Yes No

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? Yes No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

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? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
ii. Name: _____	
iii. Brief description of attributes on which listing is based: _____	
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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
i. Describe possible resource(s): _____	
ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Identify resource: _____	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
iii. Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Identify the name of the river and its designation: _____	
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

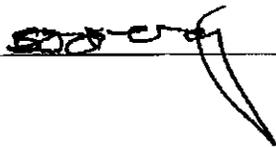
Attach any additional information which may be needed to clarify your project.

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 David C. Nutting Date June 3, 2015

Signature  Title CEO

PRINT FORM

DATE: 06.01.15APPLICANT NAME & PHONE: O-AT-KA Milk Products Cooperative, Inc. (585) 343-0536**Project Location and Information**

Permit #: _____ Fee: _____

Address of Project: 4815 Ellicott Street, Batavia, NYOwner & Address: O-AT-KA 700 Ellicott Street, Batavia, NYPhone: (585) 343-0536**Project Type/Describe Work**Estimated cost of work: \$1,690,000Start date: TBDDescribe project: The design & construction of a 35,280 +/- sq. ft. pallet & labeling addition to the existing facility at 4815 Ellicott Street in Batavia, NY.**Contractor Information – Insurance certificates (liability & workers comp) required to be on file****GENERAL**Name/Address: VIP Structures, Inc., One Webster's Landing, Syracuse, NY 13202Phone: (315) 471-5338**PLUMBING (City of Batavia Licensed Plumber Required)**Name/Address: TBD

Phone: _____

HEATINGName/Address: TBD

Phone: _____

ELECTRICAL (Third Party Electrical Inspection Required)Name/Address: TBD

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 Size: _____

Existing Use: _____ NYS Building Code Occupancy Class: _____

Proposed Use: _____ NYS Building Code Occupancy Class: _____

DATE: 06.01.15

APPLICANT NAME & PHONE: O-AT-KA Milk Products Cooperative, Inc. (585) 343-0536

Project Location and Information

Permit #: _____ Fee: _____

Address of Project: 4815 Ellicott Street, Batavia, NY

Owner & Address: O-AT-KA 700 Ellicott Street, Batavia, NY

Phone: (585) 343-0536

Project Type/Describe Work

Estimated cost of work: \$9,310,000

Start date: TBD

Describe project: The design & construction of a 194,543 sq. ft. warehouse addition to the existing facility at 4815 Ellicott St. in Batavia, NY.

Contractor Information – Insurance certificates (liability & workers comp) required to be on file

GENERAL

Name/Address: VIP Structures, Inc., One Webster's Landing, Syracuse, NY 13202

Phone: (315) 471-5338

PLUMBING (City of Batavia Licensed Plumber Required)

Name/Address: TBD

Phone: _____

HEATING

Name/Address: TBD

Phone: _____

ELECTRICAL (Third Party Electrical Inspection Required)

Name/Address: TBD

Phone: _____

FOR OFFICE USE ONLY

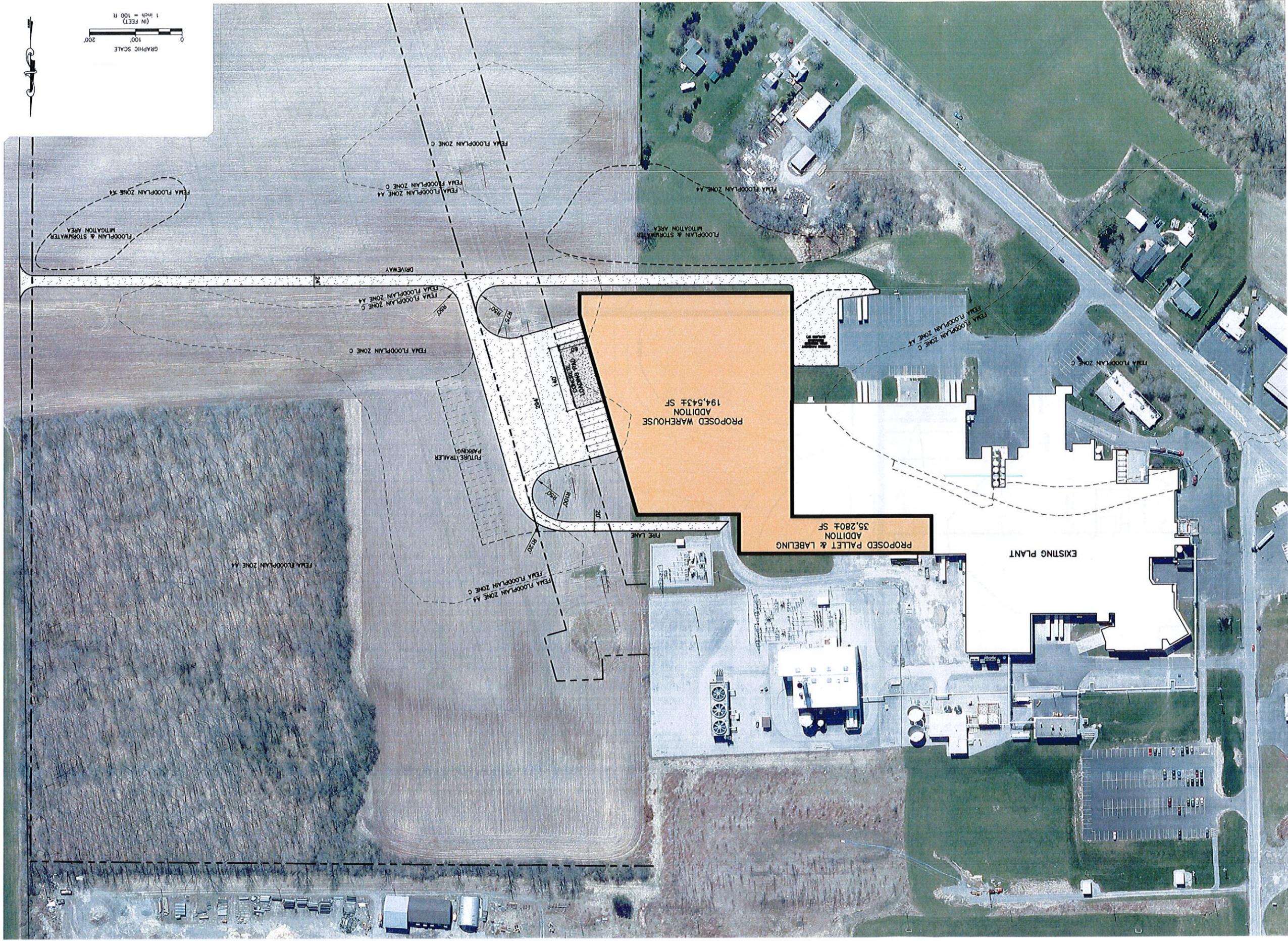
Zoning District: _____ Flood Zone: _____ Corner Lot: _____ Historic District/Landmark: _____

Zoning Review: _____ Variance Required: _____ Site Plan Review: _____ Other: _____

National Grid Sign Off (Pools): _____ Lot Size: _____

Existing Use: _____ NYS Building Code Occupancy Class: _____

Proposed Use: _____ NYS Building Code Occupancy Class: _____



STRUCTURES
ONE WEBSTER'S LANDING
SYRACUSE, NY
315.471.5338



NAPERALA CONSULTING
PROFESSIONAL ENGINEERING, P.C.
110 FARMER STREET
MANASSAS, NEW YORK 13104

BUILDING EXPANSION
O-AT-KA
Milk Products
Cooperative, Inc.



700 Ellcott Street
Batavia, New York
14020

NO.	DATE	DESCRIPTION
A	06.01.15	CONCEPT

VIP PROJECT NO.	15.8617
CAD DWG FILE	
DRAWN BY	RCI
CHECKED BY	WRN

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CONCEPT SITE PLAN
SHEET NUMBER
C-001

A-200
SHEET NUMBER

EXTERIOR ELEVATIONS

SHEET TITLE

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VLP STRUCTURES - 2014
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CHECKED BY	
DRAWN BY	
CAD DWG FILE	X-XXX.X.DWG
VLP PROJECT NO.	15 8617
MK DATE	
DESCRIPTION	

BUILDING EXPANSION

O-AT-KA
Milk Products
Cooperative, Inc.

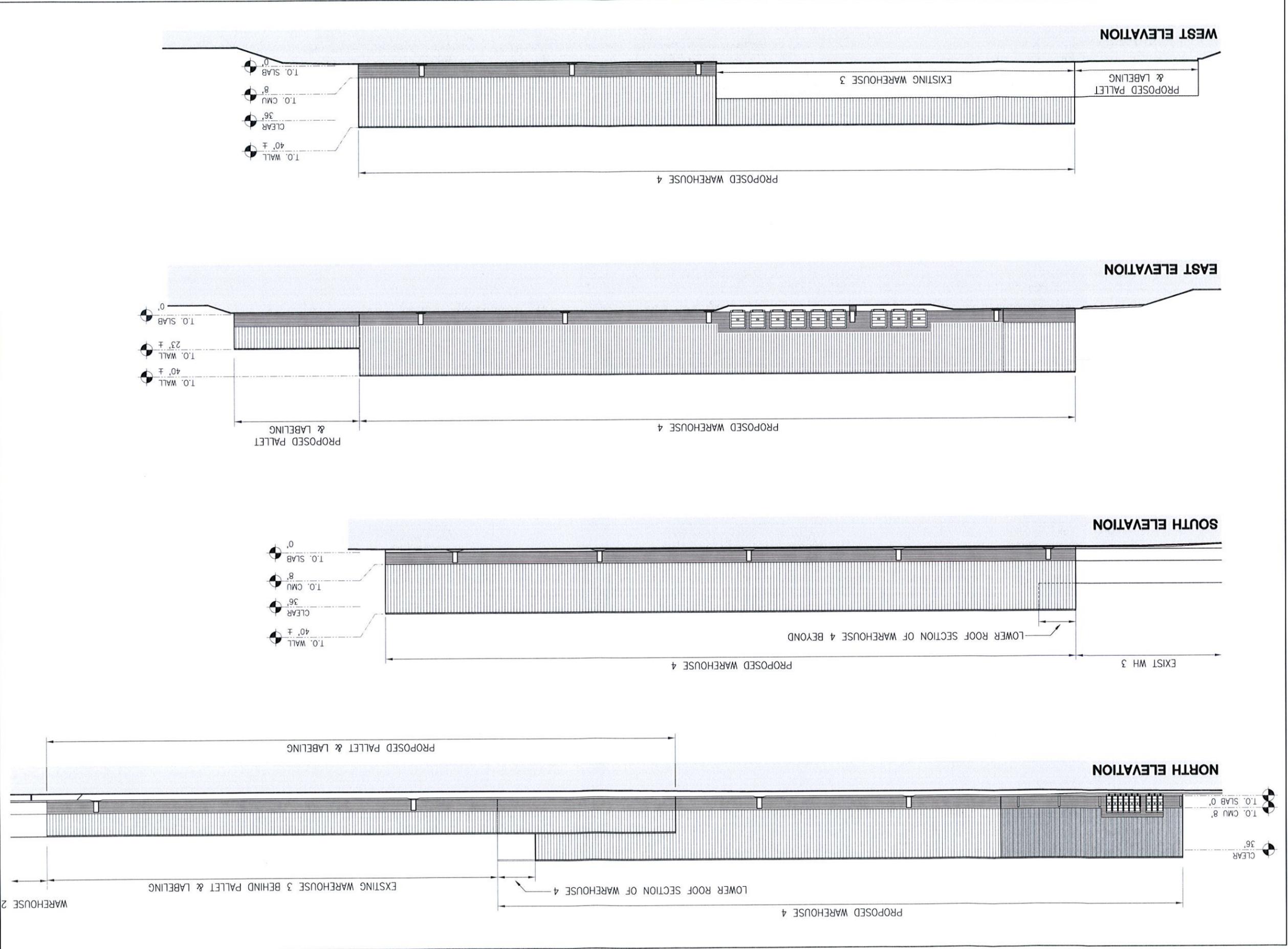


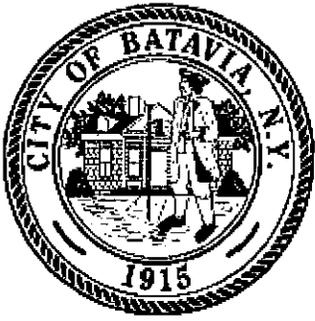
700 Ellcott Street
Batavia, New York
14020



STRUCTURES

ONE WEBSTER'S LANDING
SYRACUSE, NY
315.471.5338





City of Batavia
Department of Public Works
Bureau of Inspections

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

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

From: Doug Randall, Code Enforcement Officer

Date: 5/29/15

Re: 311-313 West Main St. (rear building)
Tax Parcel No. 84.006-3-38

Zoning Use District: C-2

The applicant, Tony Mattiaccio (President/CEO of Monroe County Automotive Services Inc., perspective occupant) has filed a Special Use Permit application for the rear building on this parcel, to establish the use of auto detailing, protection and accessories that include washing, waxing and shampoo, undercoating, sprayed on bed-lining, remote car starters, window tinting, vehicle graphics & films, truck accessories such as tube steps and tonneau covers. This use, by definition [BMC 190-3] is classified as a "Public Garage"- A building or part thereof used for the storage, hiring, selling, greasing, washing, servicing, or repair of motor vehicles, operated for gain.

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) (12).

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 State Route 5.

City Planning and Development Committee- Pursuant to section 190-37 of the zoning ordinance, the Planning and Development Committee is authorized to issue Special Use Permits that are in conformance with the provisions of 190-37 E. (1,4,5,10 and 12) and 190-37 K. (1-14).

BMC 190-37 K. (7) The proposed use shall meet the off street parking requirements of similar uses.

BMC 190-39 A. (3)(a)[4] The provisional parking standards for this type of use indicates 1 space for each 200sq.' of sales floor area and 1 space for each 600 sq.' of service area plus 1 space for each company vehicle. The area of the front building (sales floor) is 1,406 sq.' and the rear building (shop) is 4,500 sq.'. Total spaces without company vehicles is 15 spaces.

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. 190-37 E. (10) Public garages are not permitted to be located within 500 feet of the public entrance to a church as measured from the lot line to the nearest entrance. This parcel shares lot lines with a church to the west and is within 500 feet of the required set back.

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 Tony Mattiaccio
Address 1505 Lyell Ave.
City, State, Zip Rochester, NY 14606
Phone (585) 254 - 7288 Ext. _____ Email _____

MUNICIPALITY: City Town Village of Batavia

3. TYPE OF REFERRAL: (Check all applicable items)

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

4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:

- A. Full Address 311-313 West Main St. (aka 311 West Main)
- B. Nearest intersecting road Vernon Ave.
- C. Tax Map Parcel Number 84.006-3-38
- D. Total area of the property _____ Area of property to be disturbed _____
- E. Present zoning district(s) C-2

5. REFERRAL CASE INFORMATION:

- A. Has this referral been previously reviewed by the Genesee County Planning Board?
 NO YES If yes, give date and action taken _____
- B. Special Use Permit and/or Variances refer to the following section(s) of the present zoning ordinance and/or law
BMC 190-37
- C. Please describe the nature of this request Approval of Special Use permit application to establish an auto detailing, protection and accessory shop on this parcel.

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

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

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

7. CONTACT INFORMATION of the person representing the community in filling out this form (required information)

Name Douglas Randall Title Code Enf. Officer Phone (585) 345 - 6327 Ext. _____
Address, City, State, Zip One Batavia City Centre, Batavia, NY 14020 Email drandall@batavianewyork.com

Douglas E. Randall

From: Tony Mattiaccio <TMattiaccio@ziebart.com>
Sent: Wednesday, May 20, 2015 3:45 PM
To: Douglas E. Randall
Cc: Zach Mattiaccio.rny; Ryan Mattiaccio.rny; Ann Scalia.rny
Subject: Ziebart Batavia

Hello Mr Randall,

I am writing to you to ask for permission to open a Ziebart franchise in Batavia. The address is as follows, 309, 311, & 313 west Main Street in Batavia.

The 3 addresses represent a parking lot (309) to be used for parking, a small showroom (311) for displaying our products, and a shop (313) to install our products.

Ziebart is a provider of auto detailing, protection & accessories. Our services will include automotive detailing including washing, waxing & shampoo. We also install undercoating, sprayed on bed lining, remote car starters, window tinting, vehicles graphics & films, along with truck accessories such as tube steps & tonneau covers.

I have been in business in the Rochester are for over 25 years and recently opened a store in Canandaigua, NY and hopefully with your permission Batavia NY as well. I hope to be able to open this location this summer so please let me know anything you need from me to expedite the approval.

Respectfully,

Tony Mattiaccio
President / CEO
585-764-3741
Ziebart | Rochester, NY Group

PERMIT NO. _____



SPECIAL USE PERMIT

CITY OF BATAVIA, NEW YORK

LOCATION: 311-313 West Main Batavia, NY
OWNER: John Houseknecht
Address: _____

Application Date: 5/28/15
Tax Parcel No.: 84.006-3-38
Phone No. 739-4394

- Yes COUNTY PLANNING REVIEW
- Yes ZONING VARIANCE REQUIRED
- C-2 ZONING DISTRICT
- No HISTORIC DISTRICT
- No FLOOD ZONE
- No HISTORIC LANDMARK
- No CORNER LOT
- No CITY ENGINEER REVIEW
- No SITE PLAN REVIEW
- No CITY COUNCIL REVIEW
- No BID
- OTHER

PROJECT DESCRIPTION:

We would like to move-in to 313 W. Main St. and Service Customer Vehicles in Batavia, NY. Ziebart provides automotive Appearance & Protection Services including Detailing, Accessories, Remote Starts, and more.

EXISTING USE: B occ. (Front bldg.) - Business PROPOSED USE: Same (Auto accessory shop)
S1 occ (Rear bldg.) - Auto Repair

N.Y.S. BLDG. CODE OCC. CLASS: _____ N.Y.S. BLDG. CODE OCC. CLASS: B and S1

LOT SIZE: 311-313 = .62 Acres LOT AREA: _____
309 = 1.32 Acres

CITY PLANNING & DEVELOPMENT REVIEW:

___ APPROVAL AS PRESENTED ___ DISAPPROVAL ___ APPROVAL WITH CONDITIONS

CHAIRMAN SIGNATURE: _____ DATE: _____

<u>John Houseknecht</u>	<u>5-28-15</u>	
Applicant Signature	Date	Issuing Officer
Permit Fee: <u>\$100.-</u>		Issue Date: _____



CITY OF BATAVIA APPLICATION TO THE ZONING BOARD OF APPEALS

Application No.: _____

Hearing Date/Time: _____

APPLICANT: Monroe County Automotive Services Inc. accounting.rny@ziebart.com

Name	E-Mail Address	
1505 Lyell Avenue	585.254.7288	585.254.7268
Street Address	Phone	Fax
Rochester	NY	14606
City	State	Zip

STATUS: Owner Agent for Owner Contractor

OWNER: John Houseknecht Shouseknecht@CricklerVending.com

Name	E-Mail Address	
311 West Main Street	585-739-4394	
Street Address	Phone	Fax
Batavia, NY 14020		
City	State	Zip

LOCATION OF PROPERTY: 313 West Main Street Batavia, NY 14020

DETAILED DESCRIPTION OF REQUEST: Approval to establish an Auto. Accessory shop/"Public garage" at this property that is located within 500' of a church. The rear building is already a private mechanic shop for maintenance of a truck fleet.

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

[Signature]
Applicant's Signature

[Signature]
Owner's Signature

Date

Date

To be Filled out by Zoning Officer

TAX PARCEL: 84.006-3-38 **ZONING DISTRICT:** C-2 **FLOOD PLAIN:** No

TYPE OF APPEAL: Area Variance Use Variance Interpretation Decision of Planning Committee

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

Provision(s) of the Zoning Ordinance Appealed: BMC 190-37 E.(10) public garage shall not be located within 500' of a church.

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:

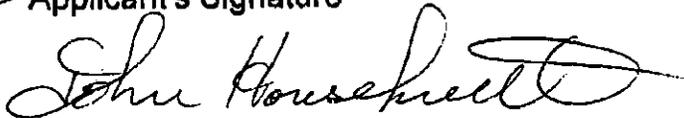
Explain how the proposal conforms to EACH of the following requirements:

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.
Ziebart will bring positive change to the local community. We will provide our existing customers that commute to Rochester to service their vehicle with a location in their home city of Batavia, NY. We also plan on employing local city residents in various positions (we currently employ over 100 employees in Rochester, NY).
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. We have been looking for a location in Batavia, NY for over a year now and have not had any success with finding a suitable location. Our Franchise has strict requirements and this location meets all of their requirements. We are very confident that our business can do very well in this location and help the local market.
3. **Substantiality.** The requested area variance is not substantial. The existing variance is for mechanical work on personal / company vehicles, we need to change this to accomodate mechanical work (detailing, remote car starters, accessories, etc.) on customer vehicles.
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. They type of work performed in this building will not change, the only thing that will change is who we are doing the work for (customers instead of personal use). With this said, there will not be a negative impact on the physical or environmental condition in the neighborhood or community. Additionally, we are closed on Sundays and will not interfere with the local church.
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. This difficulty existed before we sought the location and was not caused by ourself. We look forward to being a strong successful business in the city of Batavia.


 Applicant's Signature

May 25th, 2015

Date





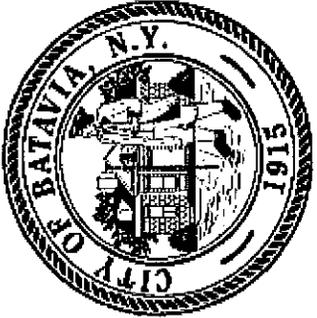
Tombawanda Creek

SILYON ST

W MAIN ST

311-313

NLY



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: 5/28/15

Re: 335 Bank St.
Tax Parcel No. 71.020-1-6.2

Zoning Use District: R-1

The applicant, David Renzo (property manager), has applied for approval to place a 4' x 6' unlit freestanding sign in the south yard of this multiple dwelling apartment complex located in the R-1 residential use district. This sign was previously approved by the PDC on September 18, 2012, with no conditions, but was never installed. The Special Sign Permit expired on 9/19/13.

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

Review and Approval Procedures:

County Planning Board- Pursuant to General Municipal Law 239 m, referral to the County Planning Board is required since the property is within 500 feet of the boundary of the city.

City Planning and Development Committee- Pursuant to section 190-43 R, the Planning and Development Committee shall review and approve or deny Special Sign Permits.

BMC 190-43 F and Schedule A Free standing signs are not permitted in the R-1 use district.

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

DEPARTMENT USE ONLY:
GCDD 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. _____

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: Special Sign Permit

- Subdivision Proposal
 Preliminary
 Final

4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:

A. Full Address 335 Bank St.

B. Nearest intersecting road Chandler

C. Tax Map Parcel Number 71.020-1-6.2

D. Total area of the property _____

Area of property to be disturbed _____

E. Present zoning district(s) R-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 C-29-BAT-9-12 (recommend approval)

B. Special Use Permit and/or Variances refer to the following section(s) of the present zoning ordinance and/or law
BMC 190-43 R

C. Please describe the nature of this request Approval to place a free standing sign in the south yard of this apartment complex located in the R-1 use district.

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

- Local application
 Site plan
 Subdivision plot plans
 SEQR forms
- Zoning text/map amendments
 Location map or tax maps
 Elevation drawings
 Agricultural data statement

- New or updated comprehensive plan
 Photos
 Other: Cover letter

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

7. CONTACT INFORMATION of the person representing the community in filling out this form (required information)

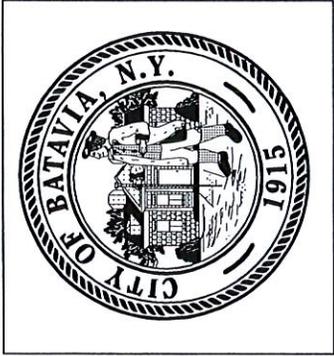
Name Douglas Randall

Title Code Enf. Officer

Phone (585) 345 - 6327 Ext. _____

Address, City, State, Zip One Batavia City Centre, Batavia, NY 14020

Email drandall@batavianewyork.com



Permit No.: _____
Date: _____
Zone: R-1

SIGN PERMIT APPLICATION

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

71.000-1-6.2

DAVID RENZO FOR
APPLICANT/OWNER: NORTHSIDE MEADOWS ASSOCIATES davidrenzo@gmail.com

Name - RO. BOX 982 E-mail Address _____
Street Address _____ Phone 585-343-2356 Fax 585-343-5278

City, State, Zip Code BATAVIA, NY 14021-0982

ADDRESS OF SIGN: 335 BANK ST, BATAVIA NY 14020

AREA OF SIGN: Length 48" Width 72" Area 24 sq ft

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

- Freestanding
 - Wall
 - Projecting
 - Marquee
 - Awning / Canopy
 - Window
 - Portable
- Set Back 21' Height 6' Area _____
Wall Length _____ Wall Height _____
- Length _____ Height _____ Area _____
Window Length _____ Window Height _____

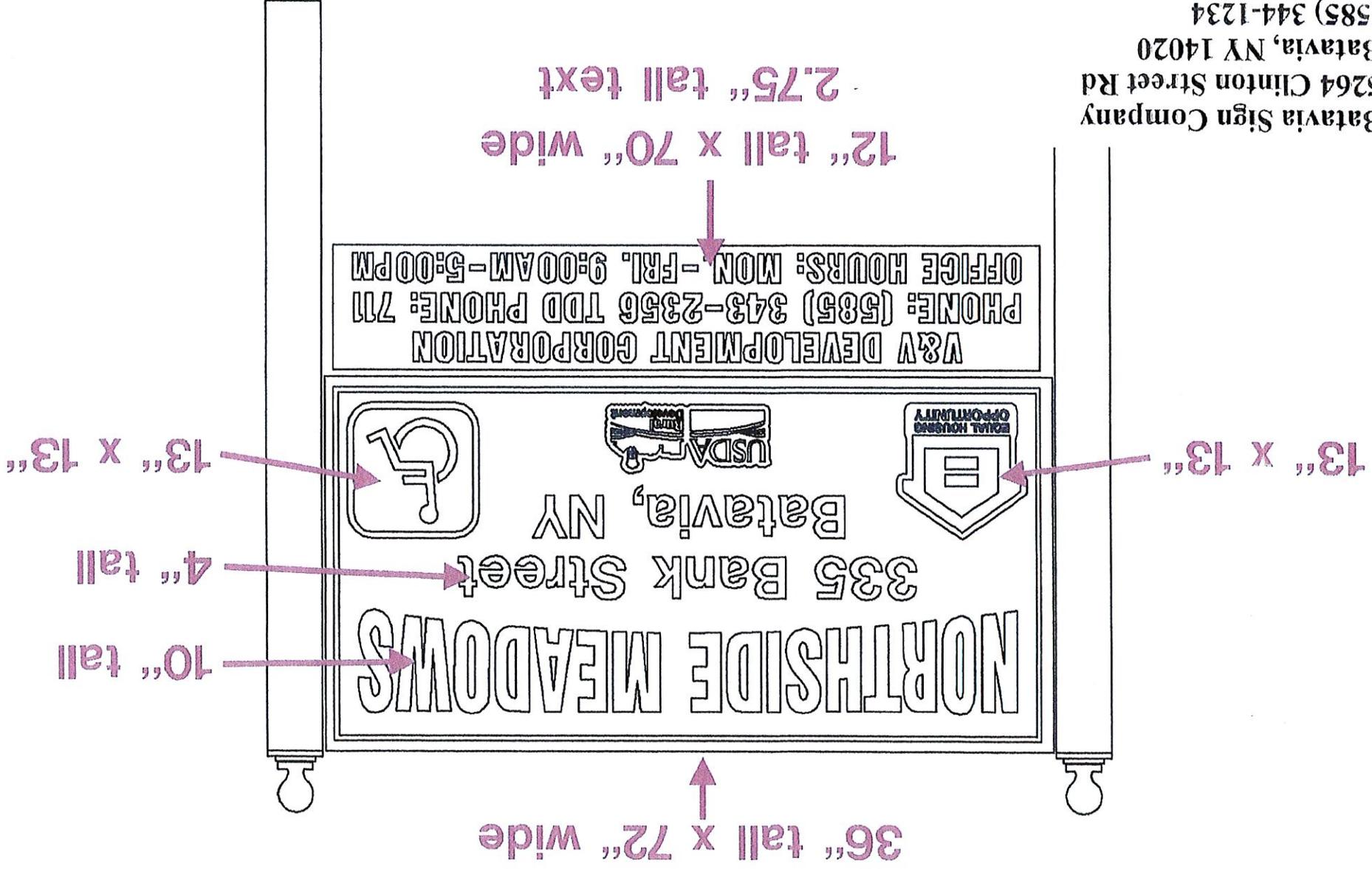
Lighting: Internal External

Existing Signs (Please list all existing signs with dimensions):
48" x 96"

Applicant's Signature [Signature] Date 5/21/15
Issuing Officer _____ Date _____
Planning Board Chairperson _____ Date _____

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

Batavia Sign Company
5264 Clinton Street Rd
Batavia, NY 14020
(585) 344-1234
bataviasign@yahoo.com





Batavia Sign Company
5264 Clinton Street Rd
Batavia, NY 14020
(585) 344-1234
bataviasign@yahoo.com

NORTHSIDE MEADOWS

335 Bank Street

Batavia, NY



V&V DEVELOPMENT CORPORATION

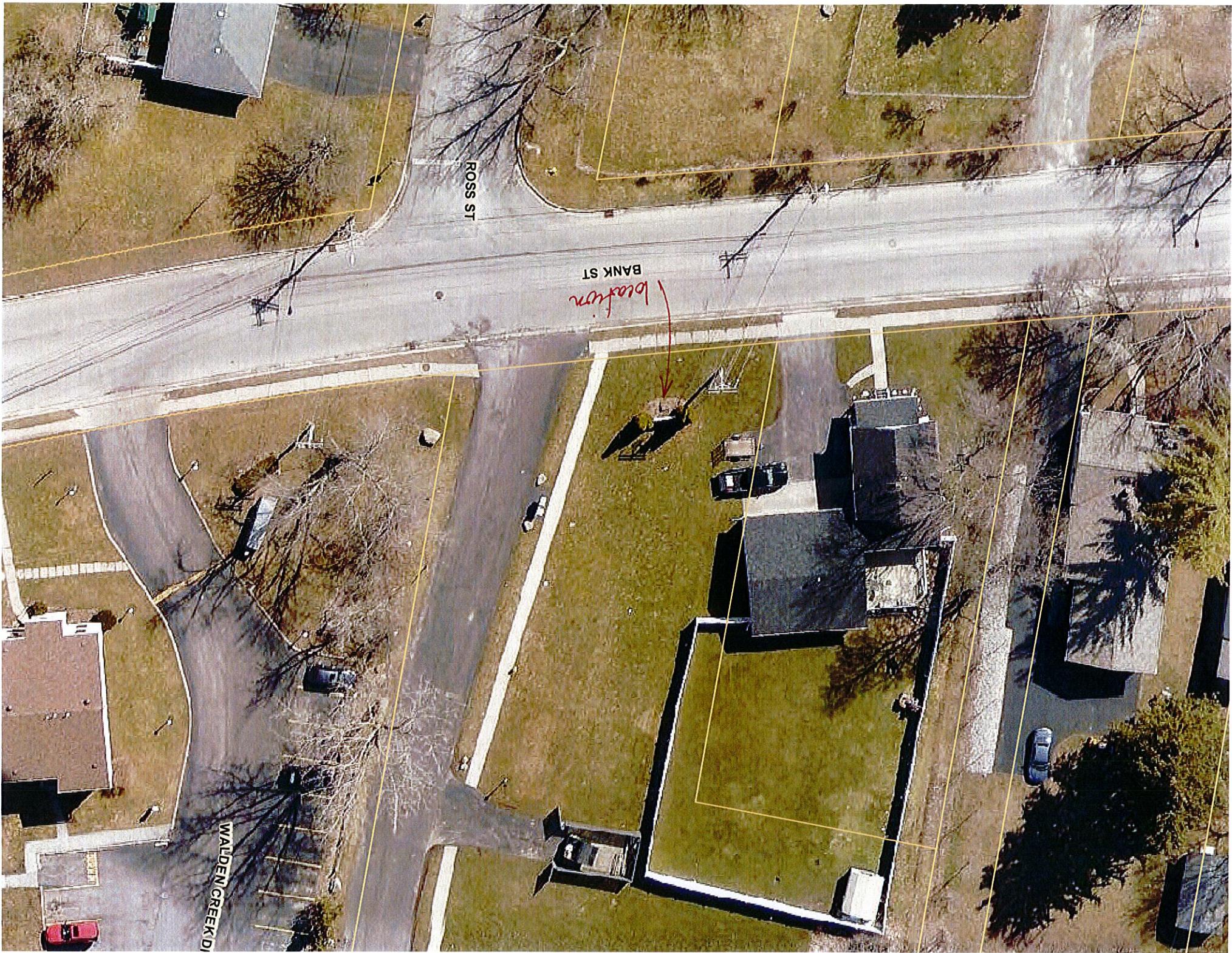
PHONE: (585) 343-2356 TDD PHONE: 711

OFFICE HOURS: MON. - FRI. 9:00 AM - 5:00 PM

Batavia Sign Company Copyright 2012.

The copyright to this artwork is held by Batavia Sign Company.

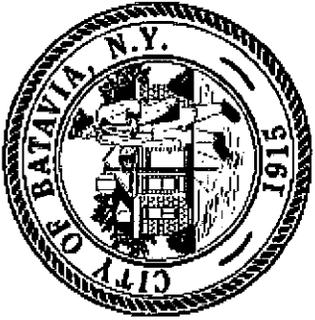
It may not be used or copied without consent or until it is purchased from Batavia Sign Company. All rights are reserved.



ROSS ST

BANK ST
location

WALDEN CREEK DR



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: 5/27/15

Re: 427 West Main St. (aka 4152 West Main)
Tax Parcel No. 84.005-2-1

Zoning Use District: C-2

The applicant, Michael Houseknecht (owner), has applied for a Special Sign Permit to place a 6' x 20' interior lit wall sign on the east elevation of this commercial building in addition to an already approved 6' x 6' interior lit wall sign being placed on the north elevation.

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

Review and Approval Procedures:

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

City Planning and Development Committee- Pursuant to section 190-43 R, the Planning and Development Committee shall approve or deny Special Sign Permits.

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

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

Name Michael Houseknecht

Address One Batavia City Centre

Address 398 Garden Dr.

City, State, Zip Batavia, NY 14020

City, State, Zip Batavia, NY 14020

Phone (585) 345 - 6347 Ext. _____

Phone (585) 815 - 5227 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: Special Sign Permit

Subdivision Proposal

- Preliminary
- Final

4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:

A. Full Address 427 West Main (aka 4152 West Main St.)

B. Nearest intersecting road Lewiston Rd

C. Tax Map Parcel Number 84.005-2-1

D. Total area of the property _____

Area of property to be disturbed _____

E. Present zoning district(s) C-2

5. REFERRAL CASE INFORMATION:

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

- NO YES If yes, give date and action taken _____

B. Special Use Permit and/or Variances refer to the following section(s) of the present zoning ordinance and/or law
BMC 190-43 R

C. Please describe the nature of this request Approval to place an interior lit wall sign on the east elevation not facing
frontage.

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



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: C-2
Special Sign: Yes
84.005-2-1

APPLICANT: Michael House-Knecht mhouseknecht@statesidemachinery.com
Name _____ E-mail Address _____
398 Garden Drive
Street Address _____
Batavia, NY 14020
City, State, Zip Code _____

Phone _____
Fax _____
585-815-5227
585-426-0317

OWNER: Stateside Machinery info@statesidemachinery.com
Name _____ E-mail Address _____
600 Pixley Industrial Pkwy 585-426-3870
Street Address _____
Rochester, NY 14624
City, State, Zip Code _____

Phone _____
Fax _____
585-426-0317

ADDRESS OF SIGN: 4152 W. Main St. Batavia, NY 14020

SIGN AREA: Length 20' Width 6' Area 120'

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

*180 sq' Permit - 20
150 Proposed
ew*

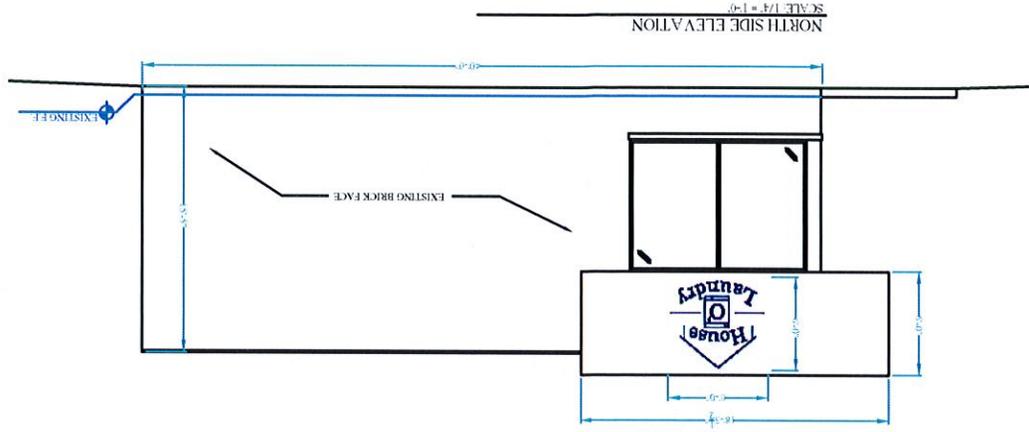
- Freestanding:
 - Wall
 - Projecting
 - Marquee
 - Awning/Canopy
 - Window
 - Portable
- | | | |
|---------------------------|---------------------------|--------------------|
| Set Back _____ | Height _____ | Area _____ |
| Wall Length <u>80' 3"</u> | Wall Height <u>15' 5"</u> | Area <u>1,236'</u> |
| Length _____ | Height _____ | Area _____ |
| Window Length _____ | Window Height _____ | Area _____ |

LIGHTING: Internal External

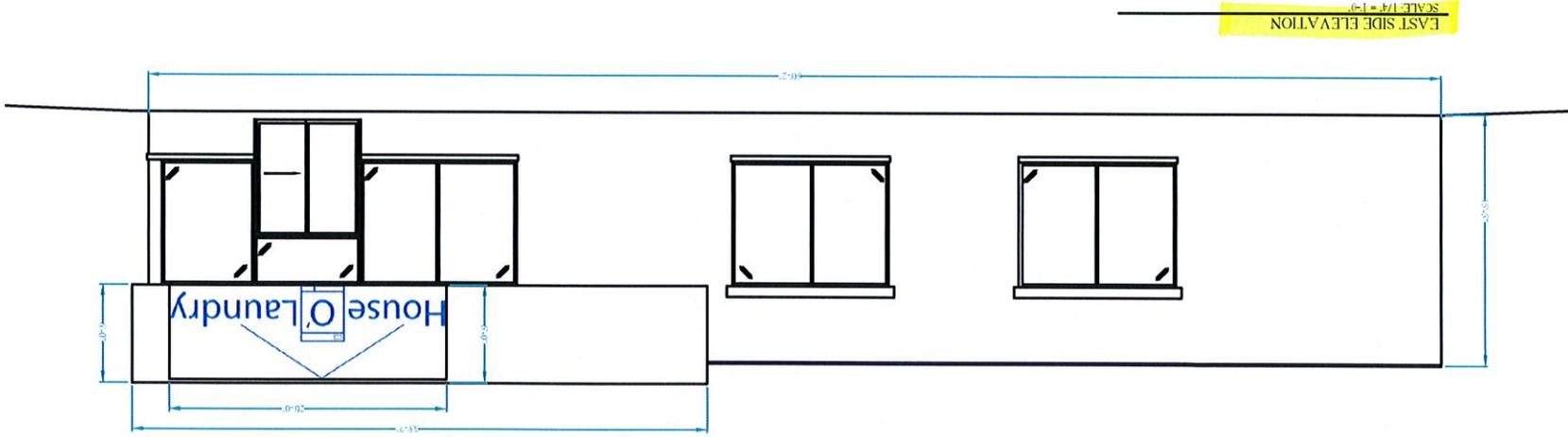
EXISTING SIGNS (Please list all existing signs with dimensions):

Applicant's Signature: Michael House-Knecht Date: 5/21/15
Issuing Officer: _____ Date: _____
Planning Board Chairperson: _____ Date: _____

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



NOTE: SIGNAGE WILL BE AN ENCLOSED LIGHTED SIGN BOX MOUNTED FLUSH TO EXISTING BUILDING
EAST SIDE OF BUILDING 20' x 6'
NORTH SIDE OF BUILDING 6' x 6'





1700 S. DIXIE HWY
 P. O. Box 776
 Lima, Oh. 45802
 P: 1-800-289-6570
 F: (419) 224-1138
 Web: Signsourcesainc.com

Date: 3/27/2015

Written By:SSK

Ship to Location: ROCHESTER, NY

QUANTITY: 1

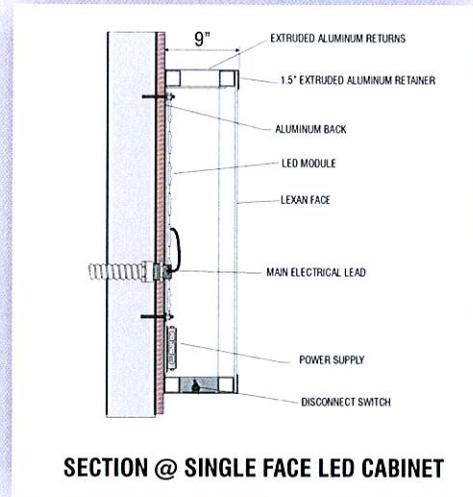
JOB# 34654-A (A/B)

JOB NAME: LAUNDRY

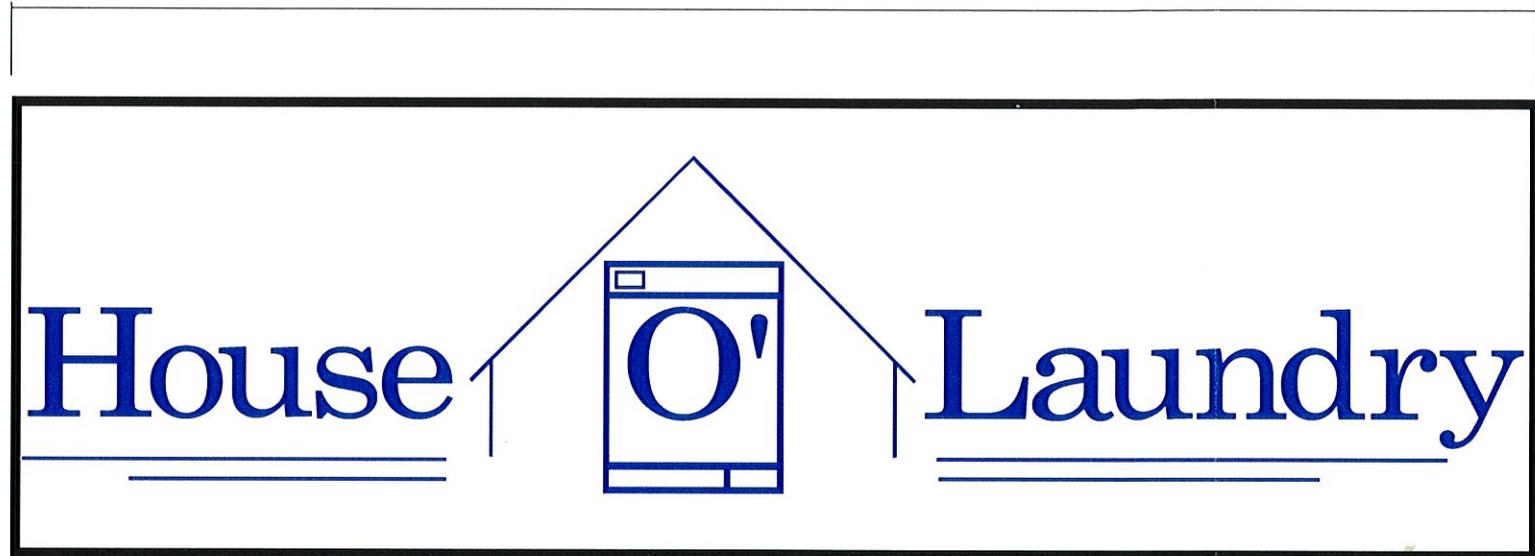
REVISION: 3

CUSTOMER P.O. #: N/A

240"



72"



274 MODULES

39/39/39/39/39/39/40 PER POWER SUPPLY

RETURNS	9" EXTRUDED ALUMINUM RETURNS PAINTED BLACK
RETAINER	1.5" EXTRUDED ALUMINUM RETAINER PAINTED BLACK
FACES	WHITE LEXAN FACES WITH ORACAL 8500-006 INT. BLUE VINYL LETTERING AND DETAILS
ILLUMINATION	WHITE GLOBAL LUX 0.5W
TRANS	12V 60W JS TRANS (SELF-CONTAINED)
SINGLE SIDED	YES
DRAIN HOLE	YES
U L	YES (VISIBLE)
MOUNTING	WALL MOUNT

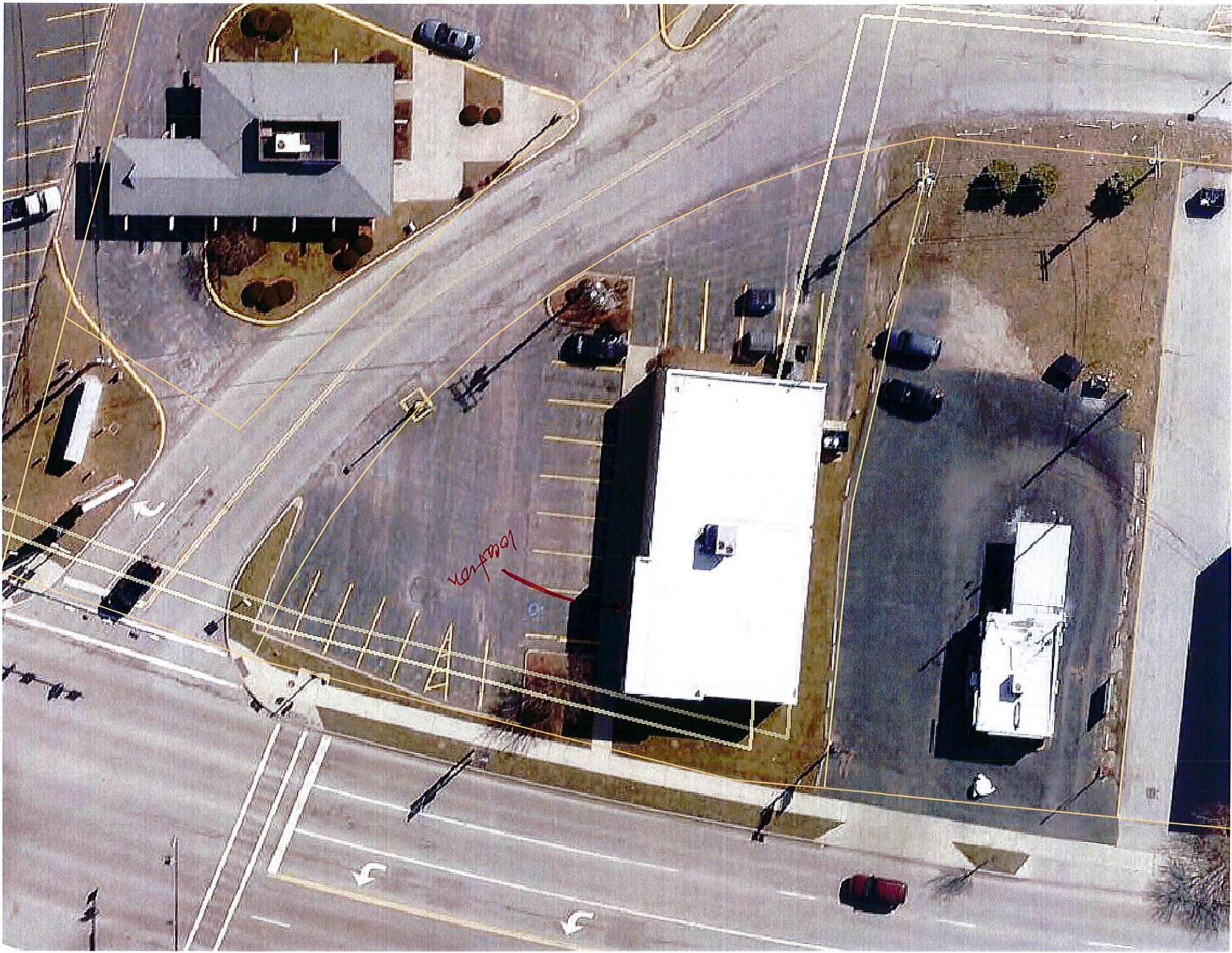
Customer Approval x _____ Date: _____

Approved Approved as Noted

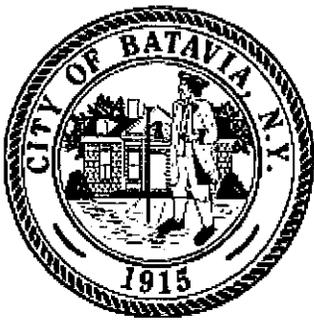
TOTAL AMPS: _5.25_ AMPS

CONNECT TO 110V WIRING

INSTALL SINGLE SIDED CABINET USING APPROPRIATE WALL FASTENERS. INSTALL SIGN IN ACCORDANCE WITH APPLICABLE CODES, INCLUDING ARTICLE 600 OF THE NEC, AND IN PARTICULAR NOTING THE IMPORTANCE OF COMPLIANCE WITH THE GROUNDING and BONDING PROVISIONS FOR SIGNS AND SIGN ENCLOSURES. CONNECT TO 110 VOLT WIRING.



Location



City of Batavia
Department of Public Works
Bureau of Inspections

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

To: Planning and Development Committee
From: Doug Randall, Code Enforcement Officer
Date: 5/27/15
Re: 176 Washington Ave.
Tax Parcel No. 84.011-1-7

Zoning Use District: P-3

The applicant, Andrew Hilburger, MD (occupant), has applied for approval to place a 3.5' x 1.7 sq.' free standing sign in the north yard of this medical office building property located within the Business Improvement District.

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

Review and Approval Procedures:

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



SIGN PERMIT APPLICATION

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

Permit No.: _____
Date: _____
Zone: P-3 (BID)
Special Sign: No
84.011-17

APPLICANT: Adam Lowder (for A. Hilburger) alowder@vinylsticks.com
Name E-mail Address
Vinyl Sticks - 23 Ganson Avenue 585-409-5543
Street Address Phone Fax
Batavia NY 14020
City, State, Zip Code

OWNER: Andrew Hilburger, M.D. batavianeuro@wny.twcbc.com
Name E-mail Address
176 Washington Avenue 585-813-6044 585-250-4149
Street Address Phone Fax
Batavia NY 14020
City, State, Zip Code

ADDRESS OF SIGN: 176 Washington Avenue, Batavia, NY 14020

SIGN AREA: Length 42" Width 20.5" Area 6 Sqft 

TYPE OF SIGN:

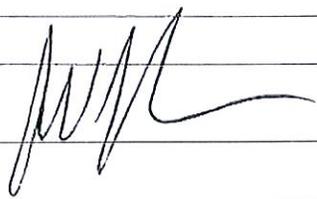
- 1. All sign applications must have an illustration of the sign with its dimensions and copy.
- 2. Freestanding signs must have a Site Plan to show the sign's location on the property
- 3. All other signs must include an elevation plan to show the sign's placement on the building

Freestanding: Set Back 10 ft Height 6 ft
 Wall Wall Length _____ Wall Height _____ Area _____
 Projecting
 Marquee
 Awning/Canopy Length _____ Height _____ Area _____
 Window Window Length _____ Window Height _____ Area _____
 Portable

LIGHTING: Internal External

EXISTING SIGNS (Please list all existing signs with dimensions):

N/A

Applicant's Signature:  Date: 5/28/15

Issuing Officer: _____ Date: _____

Planning Board Chairperson: _____ Date: _____

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

5.5 in

72 in

48 in

**Batavia Neurological
Services, P.C.**

Andrew Hilburger, M.D.
Paul C. Nation, Ph.D.

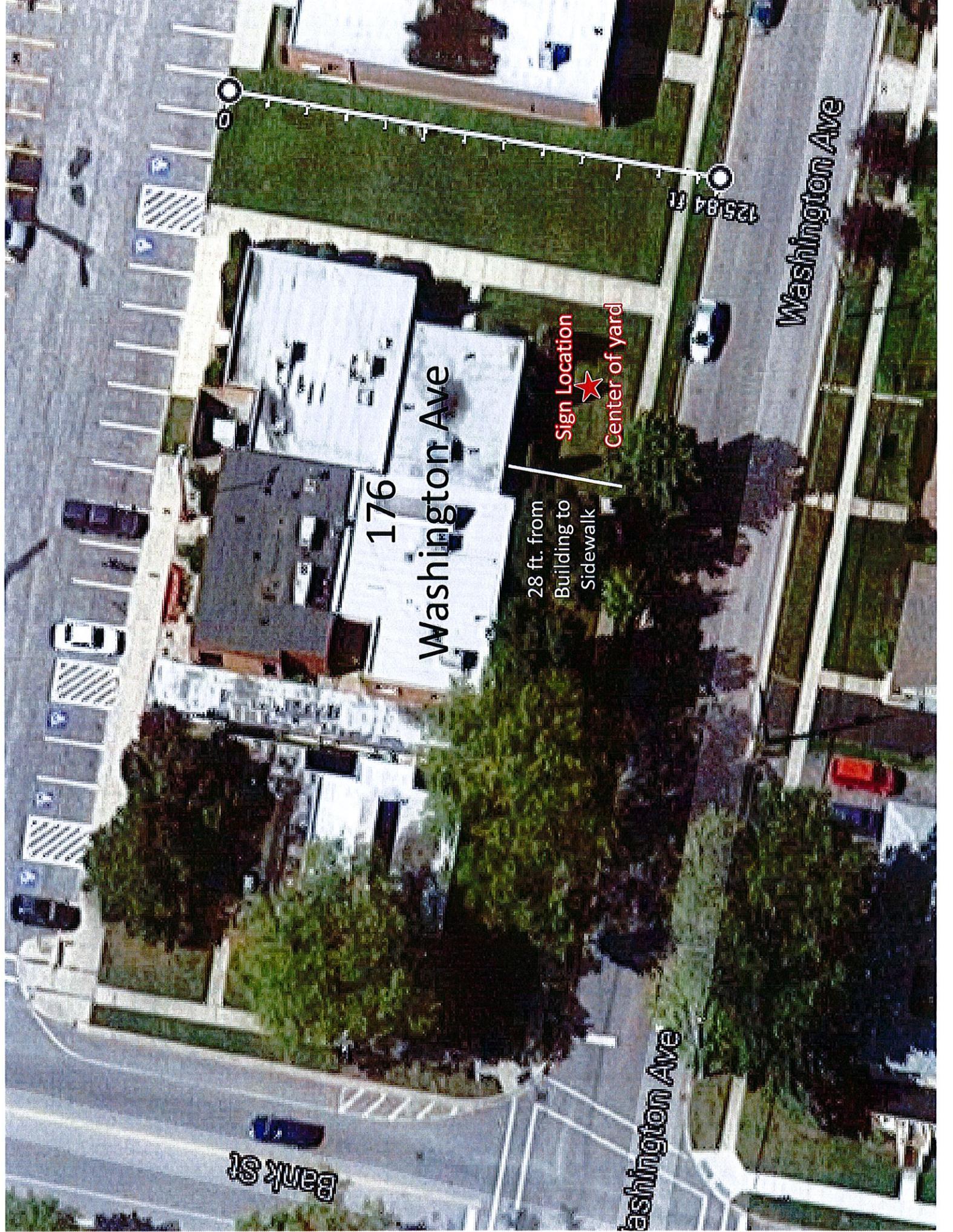
42 in

20.5 in

MAXIMUM SIGN
ALLOWANCE
IS 6 SQ. FT.

BELOW GROUND





Bank St

176

Washington Ave

28 ft. from
Building to
Sidewalk

Sign Location
Center of yard

125.84 ft

Washington Ave

Washington Ave