

PLANNING & DEVELOPMENT COMMITTEE

Tuesday, November 19, 2019

6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

AGENDA

I. Roll Call

II. Call to Order

III. Approval of Minutes – 10/15/19

IV. Proposals

Address: 242 Ellicott St.

Applicant: Carrie Lawrence, Vance Group LLC (owner)

Proposal: Exterior changes to a building located within the Business Improvement District (BID)

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

V. Other/ New Business/Updates: Approval of 2020 Meeting Dates

VI. Setting of Next Meeting: December 17, 2019

VII. Adjournment

PLANNING & DEVELOPMENT COMMITTEE

DRAFT MINUTES

October 15, 2019

6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

Members present: *David Beatty, Edward Flynn, Matt Gray, Robert Knipe, Duane Preston*

Members absent: Tammy Hathaway

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

I. Roll Call

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

II. Call to order

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

III. Previous Meeting Minutes

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

RESULT: Approval of September 17, 2019 meeting minutes.

IV. Proposal

Minor subdivision of this existing parcel into three new parcels

Address: *40-70 Ellicott St.*

Applicant: Courtney Cox (manager for Ellicott Station LLC)

- Actions:**
1. Take application from the table
 2. Review application
 3. Discussion and action by the board

1. Take Application from Table

MOTION: Mr. Gray moved to take the application from the table; the motion was seconded by Mr. Knipe, and on roll call, was approved 5-0.

RESULT: Take the application from the table.

2. Review Application

Mr. Preston read the summary of the proposal. Samuel Savarino, developer for the project, was present to speak about the proposal.

Mr. Savarino explained that the site of the project originally consisted of three parcels that were merged into one. The new division will not follow the same property lines as the original three parcels. The intent of the subdivision is to separate the residential portion of the site for the purposes of funding. The lender for the State of New York requires security interest for the portion of the property that is residential. The residential portion needs to be distinct and separate.

Mr. Savarino acknowledged the board's concern regarding access to the three parcels, and stipulated that he will establish permanent easement agreements to allow for three access points:

1. Access into the front parking lot of the existing building which will be renovated, in order to get into the parking area beneath the residential project
2. Access to the entrance on Ellicott Street, which will be shared by all parcels and allow easy navigation around the properties
3. Access by all parcels to Evans Street

3. Discussion and Action by the Board

Mr. Flynn asked if there is an existing access agreement for the storm sewer conduit on the property. According to Mr. Savarino, there is an agreement with the City in place for the conduit, which runs beneath two of the three parcels.

Mr. Gray asked if the parking area would be part of the access agreements, and Mr. Savarino answered that parking will be shared among the parcels.

Mr. Flynn asked about documents for the agreement, and Mr. Savarino said that he is stipulating the access agreements for the record, but they have not yet been written.

Mr. Knipe asked about the timeline for the project. Mr. Savarino explained that the State of New York changed the guidelines for the funding of these types of projects, changing the due dates for the applications as well. What had originally been due in the spring time was eventually shifted to December.

Mr. Savarino said that the likely timeline is that the application will be submitted in December with the funding letter arriving in the first quarter of 2020. Remediation of the site will begin immediately.

Mr. Gray asked about remediation, and Mr. Savarino assured the board that the entire site would be remediated at the same time.

Mr. Flynn asked if any other approvals are needed for the project, such as sign permits. Mr. Savarino said they are set.

Mr. Randall pointed out that the existing garage straddles two parcels and will need to be demolished before the subdivision is approved.

MOTION: Mr. Flynn moved to approve the subdivision on the condition that the access agreements are provided to the Inspection Bureau and approved by the City attorney; the motion was seconded by Mr. Knipe, and on roll call, was approved 5-0.

RESULT: Approval of subdivision with conditions.

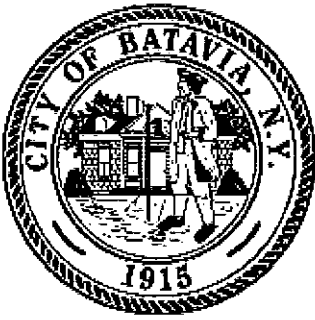
V. Other/New Business/Updates: none

VI. Setting of Next Meeting: November 19, 2019

VII. Adjournment

Mr. Gray moved to adjourn the meeting at 6:18 p.m.; the motion was seconded by Mr. Flynn. All voted in favor.

Meg Chilano
Recording Secretary



City of Batavia
Department of Public Works
Bureau of Inspections

One Batavia City Center, Batavia, New York 14020

(585)-345-6345

(585)-345-1385 (fax)

To: Genesee County Planning
Planning and Development Committee

From: Doug Randall, Code Enforcement Officer

Date: 11/1/19

Re: 242 Ellicott St.
Tax Parcel No. 84.066-1-9

Zoning Use District: C-3

The applicant, Carrie Lawrence of Vance Group LLC (owner), is preparing to file a building permit application that includes exterior changes to a building located within the downtown Batavia Improvement District (BID). Those changes include:

- New fiber cement infill panels on knee wall and around new windows.
- Two fixed awnings
- Six new window sections to replace the storefront (3 on side, 3 on front)
- Wrap stucco finish around rear of building to match front
- New upper floor windows in existing openings to match

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 a state road or highway.

City Planning and Development Committee- Pursuant to section 190-14 D (2)(a) of the zoning ordinance; Any action involving exterior changes requiring issuance of a building permit, shall be approved by the Planning and Development Committee before permit issuance.

SEND OR DELIVER TO:

GENESEE COUNTY DEPARTMENT OF PLANNING
3837 West Main Street Road
Batavia, NY 14020-9404
Phone: (585) 815-7901

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 - 6327 Ext. _____

2. APPLICANT INFORMATION

Name Carrie Lawrence

Address 21 Jackson St.

City, State, Zip Batavia, NY 14020

Phone (716) 228 - 9633 Ext. _____ Email ifo@vallejewelersbatavia.ny.us

MUNICIPALITY: ☒ City ☐ Town ☐ Village of Batavia

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

☐ Area Variance

☐ Use Variance

☐ Special Use Permit

☐ Site Plan Review

☐ Zoning Map Change

☐ Zoning Text Amendments

☐ Comprehensive Plan/Update

☒ Other: exter. changes in BID

Subdivision Proposal

☐ Preliminary

☐ Final

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

A. Full Address 424 Ellicott St.

B. Nearest intersecting road Liberty

C. Tax Map Parcel Number 84.066-1-9

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

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

5. REFERRAL CASE INFORMATION:

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

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

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

C. Please describe the nature of this request Approval of exterior changes to a commercial building located within the Business Improvement District.

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

☒ Local application

☐ Site plan

☐ Subdivision plot plans

☐ SEQR forms

☐ Zoning text/map amendments

☐ Location map or tax maps

☒ Elevation drawings

☐ Agricultural data statement

☐ New or updated comprehensive plan

☒ Photos

☒ Other: Cover Letter

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

BUILDING IMPROVEMENTS

BATAVIA DRI BUILDING IMPROVEMENT FUND



242 Ellicott Street
Steve Valle

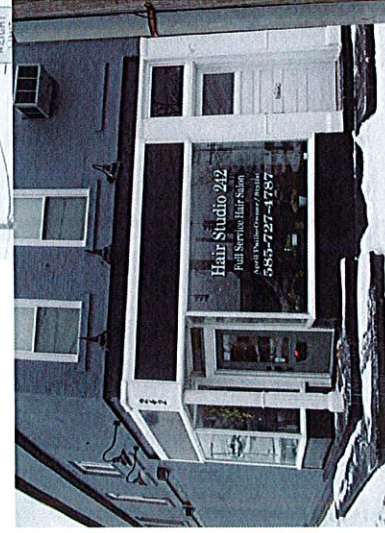
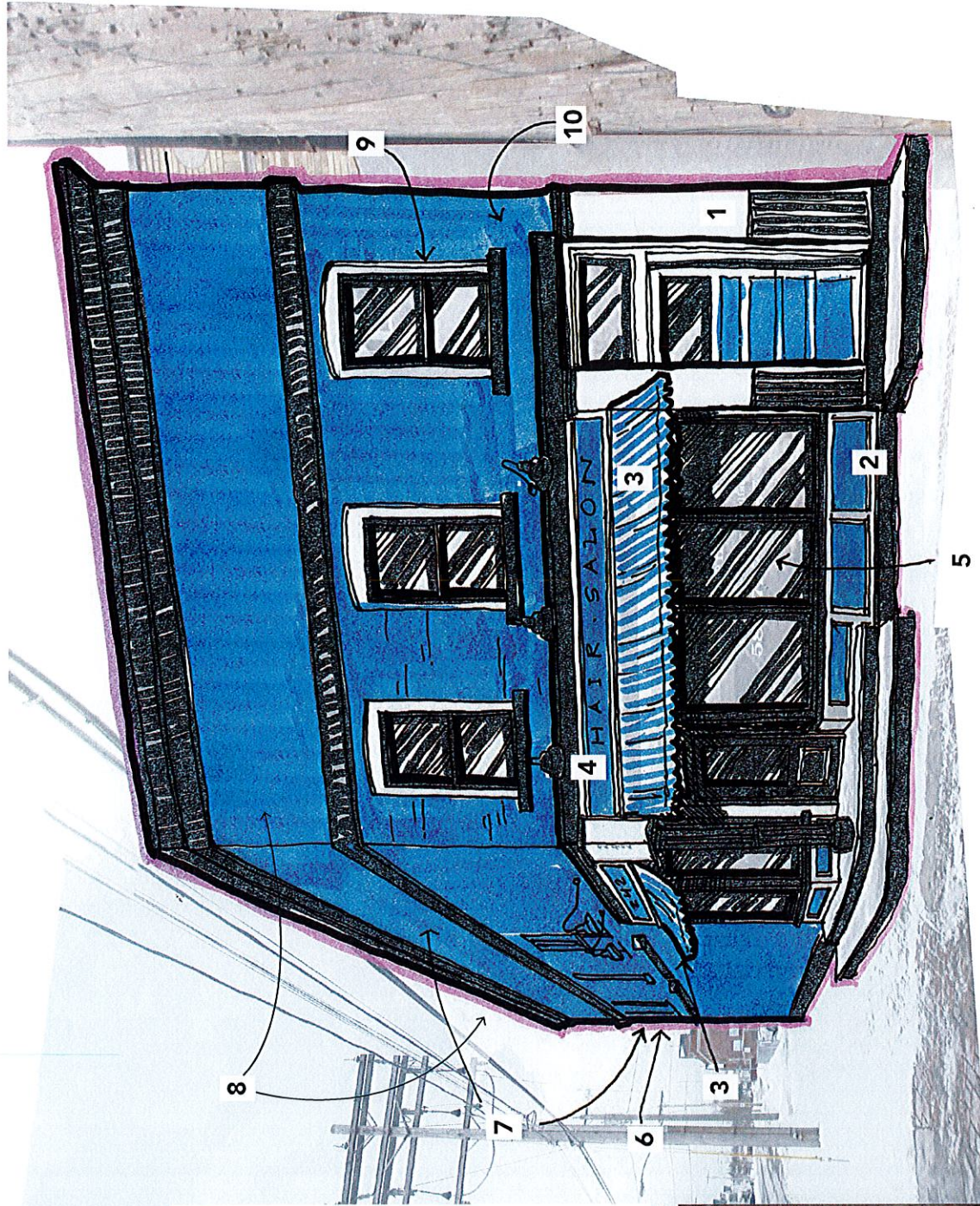
EXTERIOR ITEMIZED SCOPE: (~\$33,500)

1. New Paint on the columns, trim and panel knee wall, window framing, doors, etc. (includes labor and materials)
2. New Fiber cement infill panels on knee wall + around new windows
3. 2 fixed awnings
4. Individual raised lettering on the signboard
5. 6 New window sections to replace the storefront (3 on side, 3 on front with installation)
6. 2 new LED lighting fixtures at the rear parking lot
7. Masonry repair as needed in rear/side
8. Wrap stucco finish around rear of building (to match front)
9. New upper floor window in existing opening (to match)
10. 15% contingency

INTERIOR ITEMIZED SCOPE (1 apartment): (~\$40,000)

- New drywall in interior apartment
- Remove drop down ceiling
- New floor and ceiling trim
- Refinish existing kitchen cupboards/cabinets
- New kitchen fixtures
- New interior lighting
- New interior doors
- New bathroom fixtures
- New composite flooring on interior

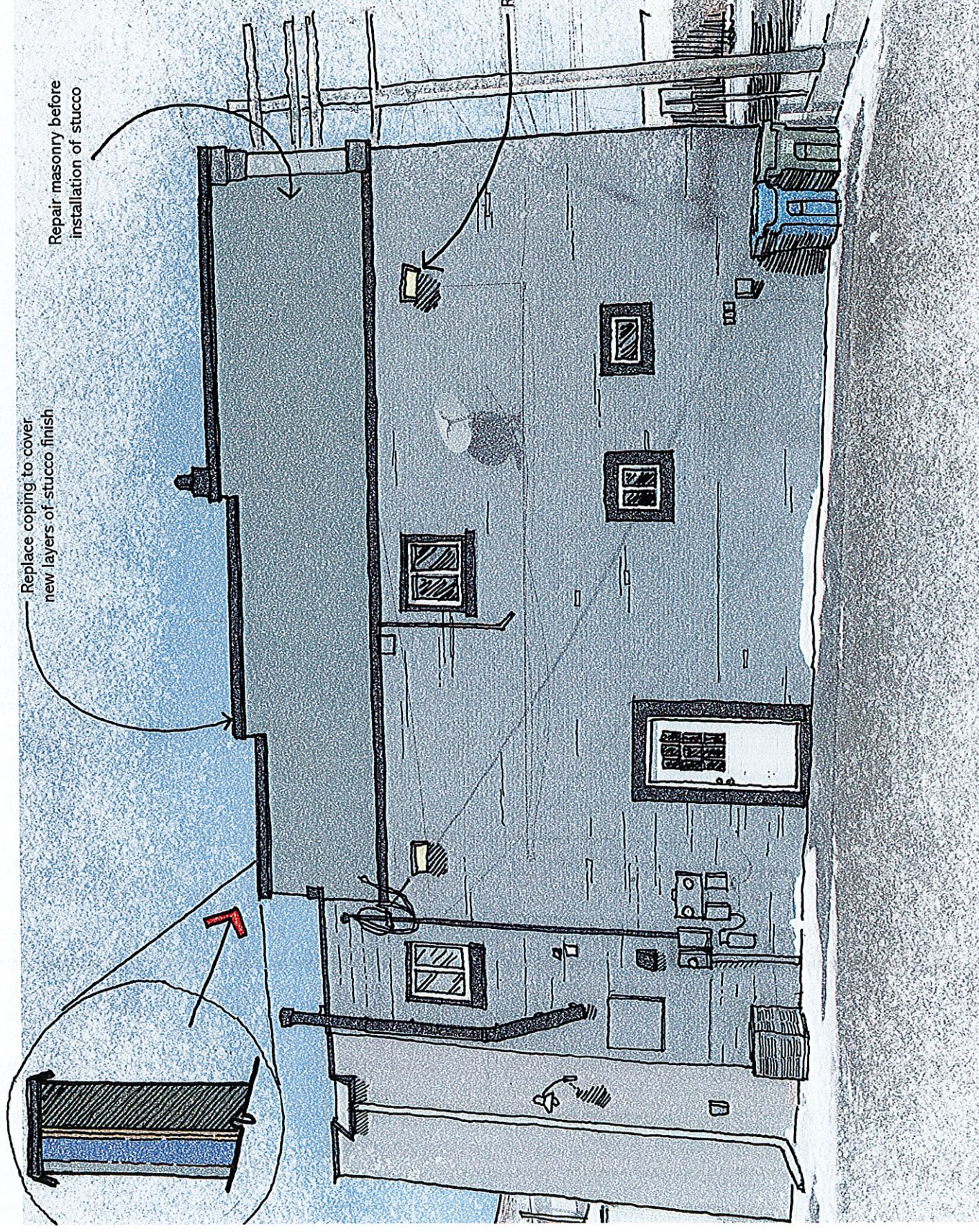
• TOTAL PROJECT COST: \$73,500



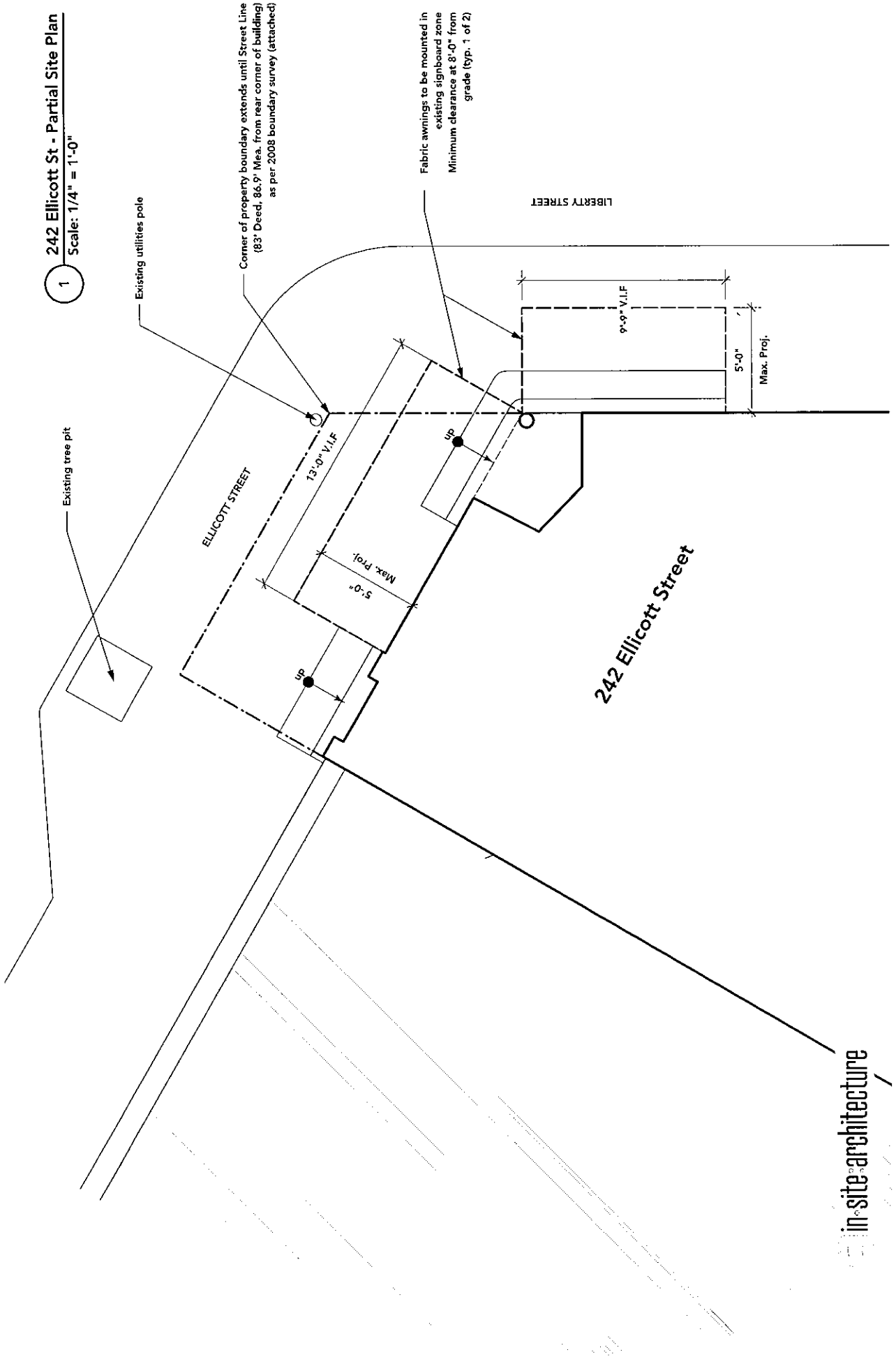
EXISTING CONDITIONS PHOTOGRAPH

242 Ellicott

Rear facade improv



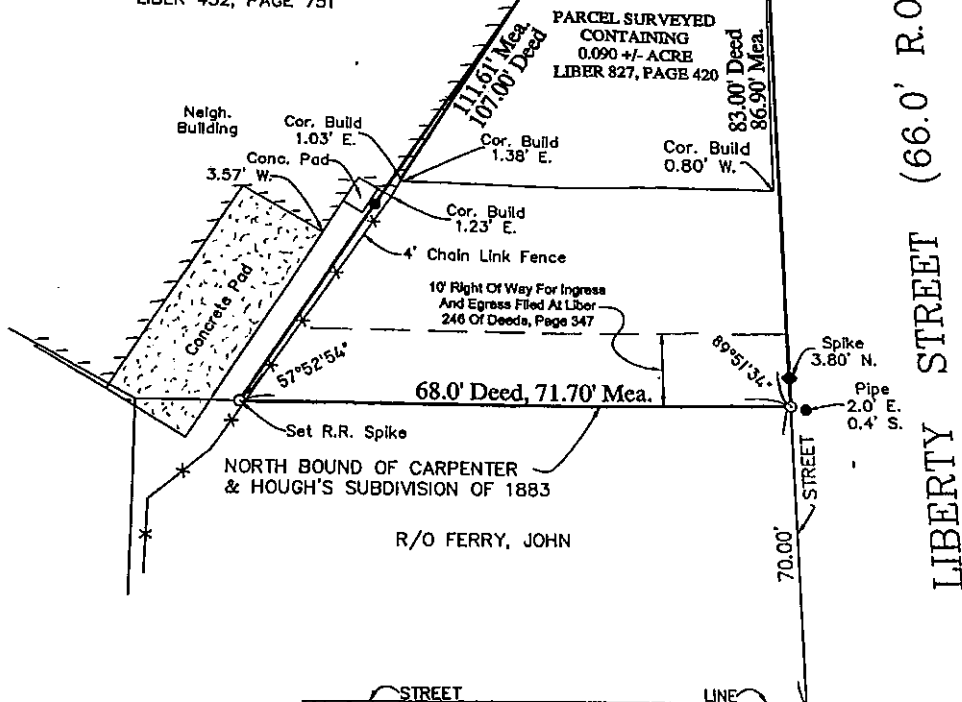
1 242 Ellicott St - Partial Site Plan
Scale: 1/4" = 1'-0"



- LEGEND**
 ○ SET IRON PIN
 ◆ EXISTING RR SPIKE
 ● EXISTING IRON PIN

REFERENCES:
 BENJAMIN PRINGLE SUBDIVISION FILED
 AT BOOK 3 OF MAPS, PAGE 106.
 CARPENTER & HOUGH'S SUBDIVISION
 FILED AT BOOK 4 OF MAPS, PAGE
 200.
 SURVEY MAP NO. 03-180 BY DAVID
 S. LAMENDOLA, L.S., LAST DATED
 SEPTEMBER 25, 2003.
 LIBER 458, PAGE 354
 SURVEY MAP NO. B-3242 BY McINTOSH &
 McINTOSH, L.S., DATED JUNE 23, 1972

R/O 238 ELLICOTT CORPORATION
 LIBER 452, PAGE 751



"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."

BOUNDARY SURVEY SHOWING THE PARCEL TO BE CONVEYED BEING PART OF THE SUBDIVISION OF PART OF LOT NO. 29 BY BENJAMIN PRINGLE. SITUATE IN THE CITY OF BATAVIA, COUNTY OF GENESEE AND STATE OF NEW YORK.

JANUARY 17, 2007 SCALE 1" = 20'
 JOB NO. 07-14

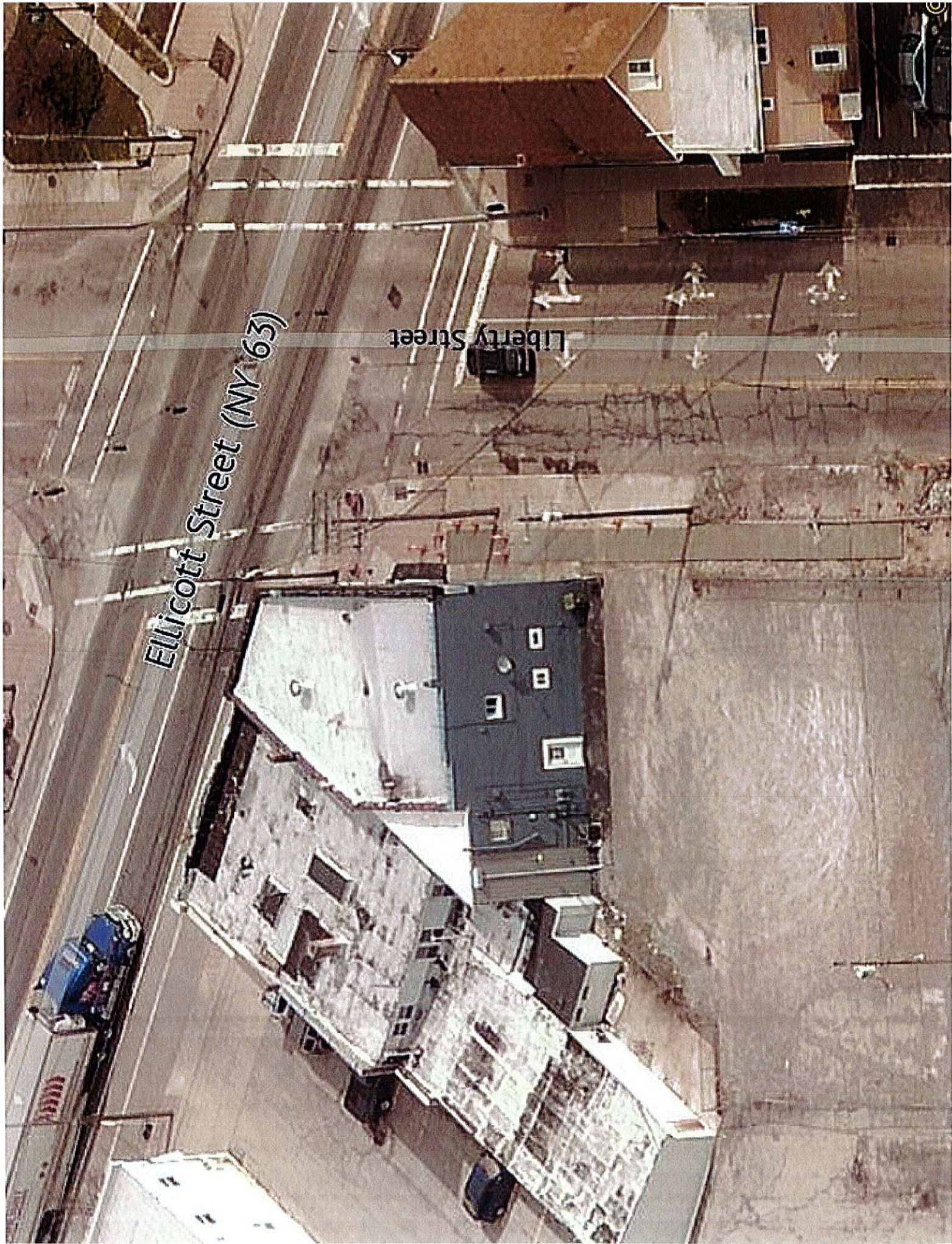
Revised -- April 18, 2008
 Revised -- November 4, 2008

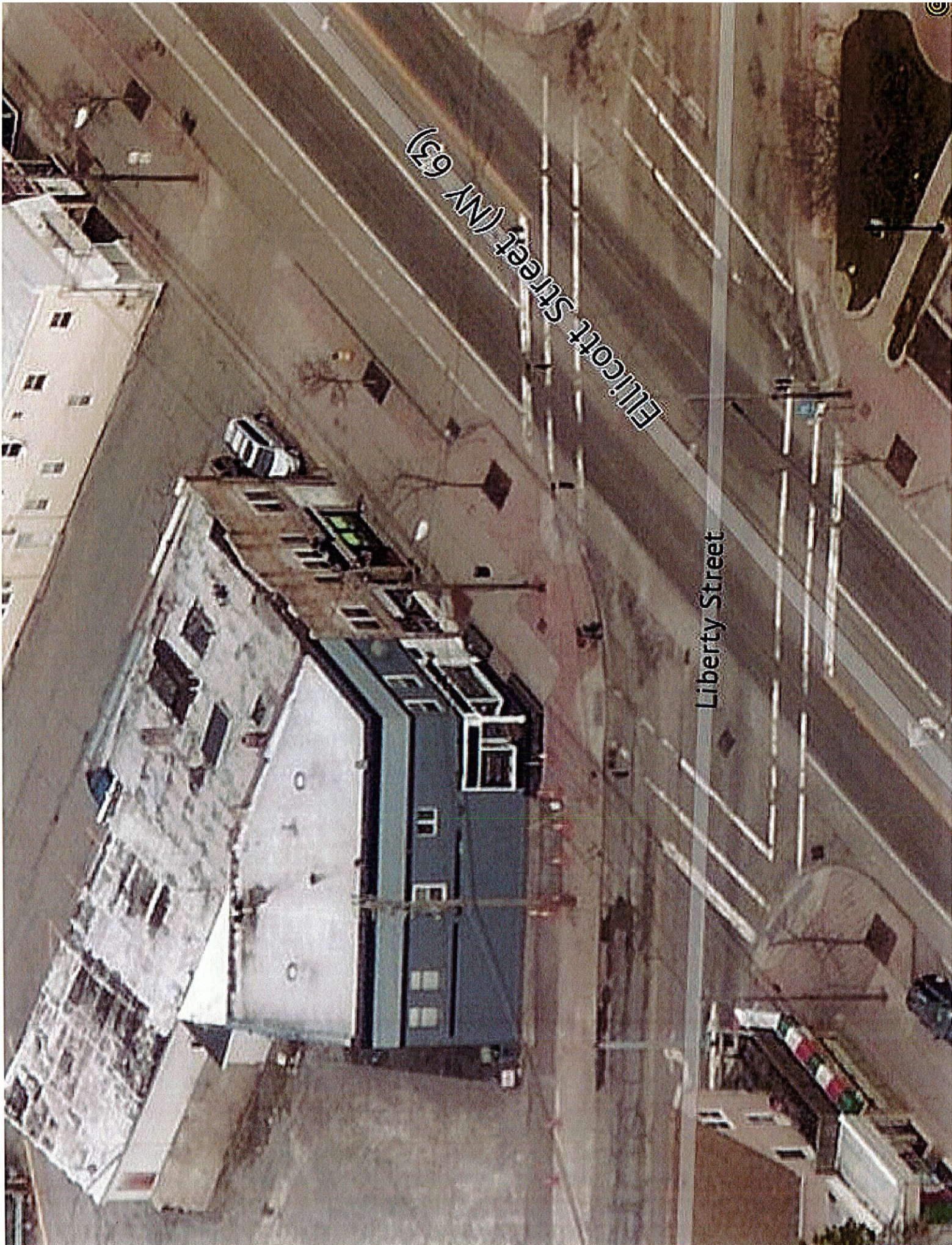
DAVID S. LAMENDOLA
 GREGORY W. TOWNSEND
 Licensed Land Surveyors
 206 East Main Street
 Batavia, New York 14020
 Phone (585) 344-1331
 Fax (585) 343-2691

DATE 11/04/08 N.Y.S.R.L.S. NO. 50249

Ellicott Street (NY 63)

Liberty Street





Google Maps 301 NY-63



Batavia, New York

Google

Street View - Oct 2018



Google Maps 107 Liberty St

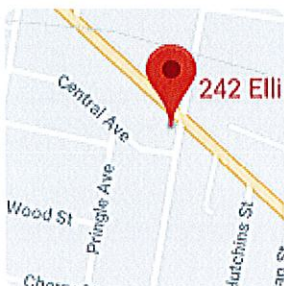


Image capture: Aug 2011 © 2019 Google

Batavia, New York

Google

Street View - Aug 2011



2020
Meeting Dates for
Planning and Development Committee
Deadline for applications is the last Thursday of the month

Planning and Development Committee

| | |
|--------------|-----------|
| January 21 | 6:00 p.m. |
| February 18 | 6:00 p.m. |
| March 17 | 6:00 p.m. |
| April 21 | 6:00 p.m. |
| May 19 | 6:00 p.m. |
| June 16 | 6:00 p.m. |
| July 21 | 6:00 p.m. |
| August 18 | 6:00 p.m. |
| September 15 | 6:00 p.m. |
| October 15 | 6:00 p.m. |
| November 17 | 6:00 p.m. |
| December 15 | 6:00 p.m. |