

PLANNING & DEVELOPMENT COMMITTEE

Tuesday, June 16, 2020

6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

AGENDA

- I. Roll Call
- II. Call to Order
- III. Approval of Minutes – 2/18/20
- IV. Proposals

Address: *151 Oak St.*

Applicant: Fred Mruczek (owner)

Proposal 1: Area Variance to widen two existing 10'3" wide, loose stone driveways. Each of the two driveways would be expanded by 5.75', placing one 16' width of asphalt on each side of this two family dwelling

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

Regarding: *Public Garage (automotive repair shop)*

Proposal 2: City Council has been petitioned to amend the current zoning ordinance to allow the principal use of "Public Garage" for the storage, hiring, selling, greasing, washing, servicing, or repair of motor vehicles, operated for gain in the I-1 Industrial Use District

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

Address: *424 East Main St. (GCASA)*

Applicant: Raymond Murphy, RA (agent for GCASA)

Proposal 3: Sketch Plan Review for a proposed project that will result in the expansion of the existing Atwater Residence to create a 20 bed, supervised detoxification center. The purpose of this "sketch plan review" submittal is to familiarize the PDC with the proposal and to obtain direction prior to final site plan submission

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

Address: 555 East Main St. (*DePaul Apartments*)
Applicant: Paul Schreiner, PE (agent for DePaul)

Proposal 4: Special Use Permit and Area Variance for the construction of a 20,100 sq.', two story, 20 dwelling unit addition to an existing 49,786 sq.', 42 dwelling unit "Large-scale Multifamily Development" building

Actions: 1. Review application (Site Plan Review)
2. Public hearing and discussion
3. SEQR
4. Recommendation to the ZBA for Area Variance
5. Special Use Permit (contingent upon Area Variance)

Address: *Clinton Gardens Subdivision (aka 387 Garden Dr. Rear*
Applicant: Robert Pidanick (agent for owner)

Proposal 5: Final Plat for a Major Subdivision of this property. The proposal is to divide this property into six separate parcels. The plan includes a street and other public improvements that will be dedicated to the City of Batavia. Five of the parcels are dimensioned for development and the remaining portion has been set aside for future development

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

V. Other/ New Business/Updates

VI. Setting of Next Meeting: July 21, 2020

VII. Adjournment

PLANNING & DEVELOPMENT COMMITTEE

DRAFT MINUTES

February 18, 2020

6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

Members present: *David Beatty, Tammy Hathaway, Robert Knipe, Duane Preston*

Members absent: Edward Flynn, Matt Gray

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

I. Roll Call

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

II. Call to order

Mr. Preston called the meeting to order at 6:00 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 January 21, 2020 meeting minutes.

IV. Proposals

- A. Minor subdivision to reconfigure these two parcels and create two new parcels with different boundary configurations. One parcel will contain an existing commercial building with parking exceeding the minimum requirements of the BMC. The other parcel will remain a parking lot for the existing neighboring occupancies

Address: *311-313 and 309 West Main Street.*

Applicant: John Houseknecht (owner)

- Actions:**
1. Remove application from table
 2. Review application
 3. Public Hearing
 4. SEQR
 5. Discussion and action by the board

1. Remove Application from the Table

MOTION: Mr. Beatty moved to open the public hearing; the motion was seconded by Ms. Hathaway, and on roll call, was approved 4-0.

RESULT: Application removed from the table.

2. Review Application

Mr. Preston read the summary of the proposal.

3. Public Hearing

MOTION: Mr. Knipe moved to open the public hearing; the motion was seconded by Mr. Beatty, and on roll call, was approved 4-0.

RESULT: Public hearing opened at 6:04 pm.

Mr. Houseknecht explained that his intention is to sell the building and the large garage to the rear of the building to Ziebart, which currently occupies it. Easements will be drawn up in order for both parties to access the driveways on each side of the building. Mr. Houseknecht will lease space from the existing lot, still owned by him, to Ziebart for the purpose of parking.

There was no one from the public who wished to speak, and no calls, letters, or email concerning the proposal.

MOTION: Ms. Hathaway moved to close the public hearing; the motion was seconded by Mr. Beatty, and on roll call, was approved 4-0.

RESULT: Public hearing closed at 6:06 pm.

4. SEQR

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

MOTION: Mr. Knipe moved to approve a negative declaration of SEQR; the motion was seconded by Ms. Hathaway, and on roll call, was approved 4-0.

RESULT: Negative declaration of SEQR

5. Discussion and Action by the Board

MOTION: Mr. Knipe moved to approve the proposal; the motion was seconded by Mr. Beatty, and on roll call, was approved 4-0.

RESULT: Minor Subdivision application approved.

B. Exterior changes to a building located within the Business Improvement District (BID)

Address: 200 Ellicott Street

Applicant: Ben Boyce (contractor)

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

1. Review Application

Mr. Preston read the summary of the proposal. Mr. Boyce explained that he is cutting a hole in the rear of the west wall of the building for the installation of an overhead door and a man door.

2. Discussion and Action by the Board

Ms. Hathaway asked if the purpose of the door is to accommodate more traffic, and Mr. Boyce responded that traffic is not expected to change; the doors are just for the sake of convenience.

MOTION: Ms. Hathaway moved to approve the proposal; the motion was seconded by Mr. Knipe, and on roll call, was approved 4-0.

RESULT: Approval of the application.

C. Sketch Plan Review for the construction of a 20,100 sq.' two story addition containing twenty dwelling units

Address: 555 East Main Street.

Applicant: Timothy Zigarowicz, AIA (project manager)

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

1. Review Application

Mr. Preston read the summary of the proposal.

2. Discussion and Recommendations

Mr. Zigarowicz described the project as a two story, twenty-unit addition to the rear of the existing building. The materials used will be the same as those in Phase I. The siding, roofing, and windows will all match the original building. Twenty-five spaces will be added to the parking lot.

Mr. Parrone, engineer for the project, explained that there will be modifications to the storm water retention system to comply with capacity requirements for quality and quantity. He also assured the board that as many trees as possible will be preserved during construction.

The board expressed satisfaction with the proposal.

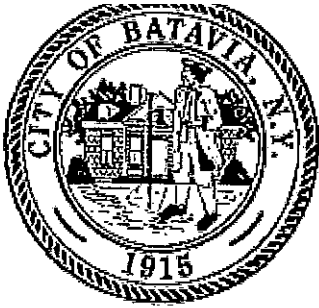
V. Other/New Business/Updates: none

VI. Setting of Next Meeting: March 17, 2020

VII. Adjournment

Mr. Knipe moved to adjourn the meeting at 6:23 p.m.; the motion was seconded by Mr. Beatty. All voted in favor.

Meg Chilano
Bureau of Inspection Secretary



City of Batavia
Department of Public Works
Bureau of Inspections

One Batavia City Center, Batavia, New York 14020

(585)-345-6345

(585)-345-1385 (fax)

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

From: Doug Randall, Code Enforcement Officer

Date: 5/18/20

Re: 151 Oak St.
Tax Parcel No. 71.018-1-18

Zoning Use District:

The applicant, Fred Mruzek (owner), has applied for a permit to widen two existing 10'- 3" wide, loose stone driveways. Each of the two driveways would be expanded by 5.75' placing one 16' width of asphalt on each side of this two family dwelling.

Note: This is a type II action as defined by Environmental Conservation Law and is not subject to review under SEQR 6 NYCRR Part 617.5 (c) (13).

Review and Approval Procedures:

County Planning Board- Pursuant to General Municipal Law 239 m, referral to the County Planning Board is required since the property is within 500 feet of the 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 190-49 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.

	Permitted	Proposed	Difference
Total driveway width	20.5' (25%)	32' (39%)	11.5 (14%)



*** 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) PDC and ZBA
Address One Batavia City Centre
City, State, Zip Batavia, NY 14020
Phone (585) 345 - 6345 Ext. _____

2. APPLICANT INFORMATION

Name Fred Mruczek
Address 1 Valle Dr.
City, State, Zip Batavia, NY 14020
Phone (585) 705 - 0618 Ext. _____ Email mmruczek@rochester.rr.ca

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 | <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 type="checkbox"/> Site Plan Review | <input type="checkbox"/> Other: _____ | |

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

- A. Full Address 151 Oak St.
B. Nearest intersecting road Burke
C. Tax Map Parcel Number 71.018-1-18
D. Total area of the property _____ Area of property to be disturbed _____
E. Present zoning district(s) R-1A

5. REFERRAL CASE INFORMATION:

- A. Has this referral been previously reviewed by the Genesee County Planning Board?
☒ NO ☐ YES If yes, give date and action taken _____
- B. Special Use Permit and/or Variances refer to the following section(s) of the present zoning ordinance and/or law
BMC 190-39 E(1)
- C. Please describe the nature of this request Approval to widen two existing driveways on this property

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

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

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

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



CITY OF BATAVIA
APPLICATION TO THE ZONING BOARD OF APPEALS

Application No.: _____

Hearing Date/Time: _____

APPLICANT: Fred Mruczek mmruczek@rochester.rr.com
Name E-Mail Address
1 VALLE DR 585-705-0618
Street Address Phone
BATAVIA NY 14020
City State Zip

STATUS: ☒ Owner ☐ Agent for Owner ☐ Contractor

OWNER: Fred Mruczek mmruczek@rochester.rr.com
Name E-Mail Address
1 VALLE DR 585-705-0618
Street Address Phone
BATAVIA NY 14020
City State Zip

LOCATION OF PROPERTY: 151 OAK ST BATAVIA NY

DETAILED DESCRIPTION OF REQUEST: see attached

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.

Fred Mruczek
Applicant's Signature

April 15 2020
Date

Fred Mruczek
Owner's Signature

April 15 2020
Date

To be Filled out by Zoning Officer

TAX PARCEL: 71.018-1-18 ZONING DISTRICT: R-1 FLOOD PLAIN: C

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 E(1)

PAID

MAY 18 2020

CITY OF BATAVIA
CLERK-TREASURER

Criteria to Support Area Variance

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

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

1. Undesirable Change in neighborhood Character. The granting of the variance will not produce an undesirable change in the neighborhood or a detriment to nearby properties.

NO BLACKTOP DRIVEWAY WILL ENHANCE
THE APPEARANCE OF THE NEIGHBORHOOD

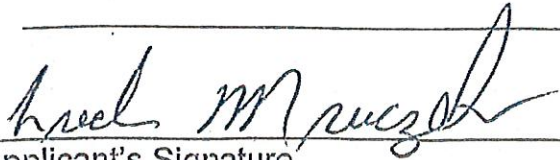
2. Alternative Cure Sought. There are no other means feasible for the applicant to pursue that would result in the difficulty being avoided or remedied, other than the granting of the area variance. NO

3. Substantiality. The requested area variance is not substantial. NO

4. Adverse Effect or Impact. The requested variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or community.

NO

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. NO


Applicant's Signature

April 15, 2020
Date



Permit No. _____

Date: _____

DRIVEWAY AND PARKING SPACE PERMIT**\$10 fee – Please attach Survey / Illustration**ADDRESS OF PROPERTY: 151 ORK ST

OWNER: FRED M RUCZEK m.mruczek@rochester,rr.com
Name E-mail Address
151 ORK ST 585-705-0618
Street Address Phone
BATAVIA NEW YORK 14020
City State Zip

CONTRACTOR: Fred M RUCZEK m.mruczek@rochester,rr.com
Name E-mail Address
1 VALLE DR 585-705-0618
Street Address Phone
BATAVIA NY 14020
City State Zip
Fred M Ruczek April 15 2020
Owner/Contractor's Signature Date

DIMENSIONS OF EXISTING DRIVEWAY:

Width 10'2" Length 46'

DIMENSIONS OF NEW DRIVEWAY / ADDITION:

Width 16' Length 46'SURFACE MATERIAL: Existing STONE Proposed BLACKTOP

To be filled out by Zoning Enforcement Officer

TAX PARCEL: 71.018-1-18 ZONING DISTRICT: R-1 SURVEY: YesDIMENSIONS OF LOT: Lot Frontage 82' Front Yard _____PERCENTAGE OF LOT FRONTAGE: 39% proposed SURFACE MATERIAL: AsphaltAPPROVED: _____ AREA VARIANCE: Yes GRADE PLAN: _____

ISSUING OFFICER: _____ DATE: _____

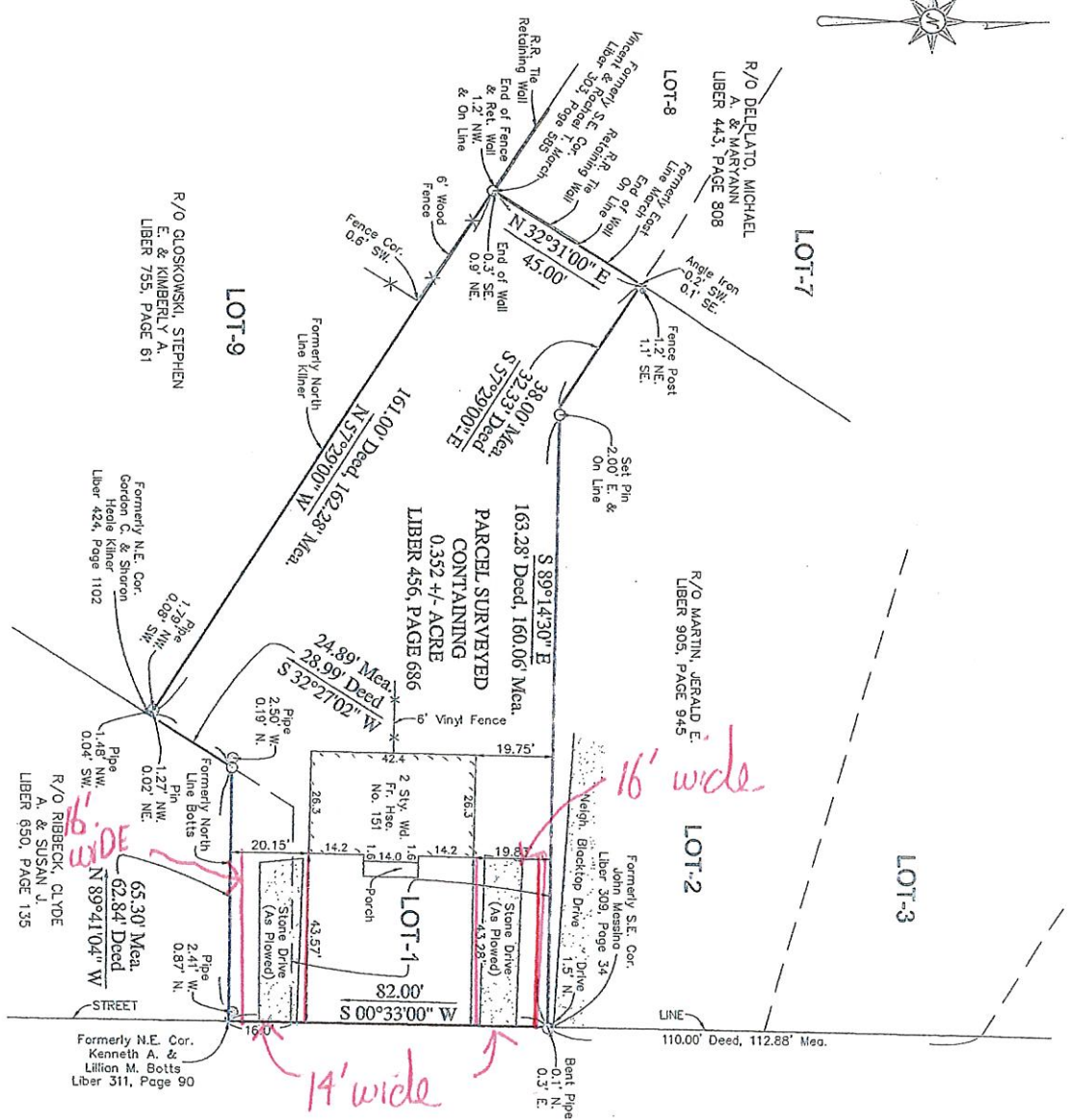
20.5' Permitted (.25)32' Proposed (.39)11.5 over (.14) ZBA req.

A proposed 16' asphalt driveway where 2 cars can park side by side towards the house part of the driveway. This will alleviate the unnecessary hazard of one vehicle backing out into the excessive traffic of Oak Street to let another vehicle exit the driveway.

The wider two car driveway will create a convenience & a safer environment for exiting the driveway for tenants.



Oak Street (NY 98)



OAK STREET - ROUTE 98 (66.0' R.O.W.)

LEGEND
o EXISTING IRON STAKE
o SET IRON PIN

REFERENCES
EDSON R. PHILLIPS SUBDIVISION FILED AT BOOK
5 OF MAPS, PAGE 252, MAP NO. 482
SHELWITT LAND SEPARATION FILED AT MAP
CABINET NO. 3, SLIDE NO. 3, MAP NO. 1673
SURVEY MAP NO. 14-11 BY GREGORY W.
TOWNSEND, L.S., DATED JANUARY 20, 2014

GREGORY W. TOWNSEND
Licensed Land Surveyor
115 Washington Avenue
Batavia, New York 14020
Phone (585) 344-1331
gwtownsendsurvey@gmail.com

"UNAUTHORIZED ALTERATION OR ADDITIONS
TO A SURVEY MAP EXISTING ON UNDEVELOPED LAND
OR TO A SURVEY MAP EXISTING ON DEVELOPED LAND
7509, SUB-DIVISION 2, OF THE NEW YORK
STATE EMBLEM LAW."
"ONLY COMES FROM THE ORIGINAL OF THIS
SURVEY MAP OR FROM A COPY OF THIS
MAP WHICH THE SURVEYOR'S LICENSED SIGN SHALL
BE CONSIDERED TO BE VALID FOR THE PURPOSES."
"CERTIFICATIONS INVOLVED HEREIN SHALL BE
THE PROPERTY OF THE SURVEYOR AND SHALL BE
RETURNED TO THE SURVEYOR UPON REQUEST. THE
ASSOCIATION OF PROFESSIONAL LAND SURVEYORS
SAID CERTIFICATION SHALL RUN ONLY TO THE
SURVEYOR AND NOT TO THE CLIENT OR TO ANY
AND ON HIS/HER BEHALF TO THE TITLE COMPANY,
GOVERNMENTAL AGENCY AND LENDING INSTITUTION.
THESE CERTIFICATIONS AND TO ASSOCIATED WITH THE
LENDING INSTITUTION CERTIFICATION ARE NOT TO
BE REPRODUCED OR COPIED WITHOUT THE WRITTEN
SUPPORTING ORDERS."

BOUNDARY SURVEY SHOWING THE PROPERTY
OF ADOLPH A. & STEPHENIE MRUCZEK BEING
PART OF VILLAGE LOTS NO. 6 & 7 AND FURTHER
DISTINGUISHED AS ALL OF SUBDIVISION LOT 1
OF THE EDSON R. PHILLIPS SUBDIVISION AND
OTHER LANDS SITUATE IN VILLAGE LOT NO. 7,
SITUATE IN THE CITY OF BATAVIA, COUNTY OF
GENESEE AND STATE OF NEW YORK.

JANUARY 25, 2017
JOB NO. 17-23
REVISOR (HSE. & DRIVE LOCATION) - FEBRUARY 6, 2020
SCALE 1" = 30'

DATE N.Y.S.R.L.S. NO. 50249

18'

151 OAK ST

160.5'

42'

20'

APT. A

APT. B

20'

16'

16'

PROPOSED DRIVEWAY

PROPOSED DRIVEWAY

NEXT DOOR DRIVE

5'-6" SIDEWALK

sidewalk 4'

13'8"

16'

STORM DRAIN 82'

14'

20'

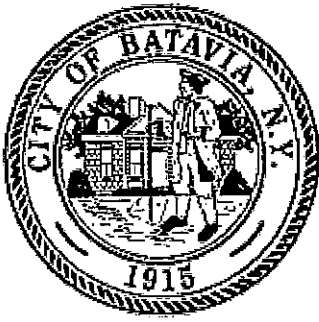
OAK STREET

CONCRETE APRON

68.5'

46'

4'



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: 5/18/20
Re: Public Garage (**automotive repair shop**)

City Council has been petitioned to amend the current zoning ordinance to allow the principal use of "Public Garage" for the storage, hiring, selling, greasing, washing, servicing, or repair of motor vehicles, operated for gain in the I-1 Industrial Use District.

City Council has requested the Planning and Development Committee review permitted zoning of "Public Garage" in the Batavia Municipal Code, to include application and implementation matters, as well as potential revisions, and make recommendations to City Council for consideration.

Review Procedures:

City Planning and Development Committee- Pursuant to City Charter chapter 13-3, the Planning and Development Committee shall serve in an advisory capacity to City Council and make recommendations regarding proper use of private lands as outlined in the comprehensive plan.

The PDC should consider, at a minimum;

- 1) Whether Public Garage should be an approved principal use within the I-1 Industrial District.
- 2) Which zoning use districts would be best suited for these types of uses.
- 3) What restrictions or conditions should be placed on this use.

#32-2020

**A RESOLUTION REFERRING THE REVIEW OF THE PERMITTED ZONING USE
OF PUBLIC REPAIR GARAGE IN THE BATAVIA MUNICIPAL CODE TO THE
PLANNING AND DEVELOPMENT COMMITTEE**

Motion of Councilmember

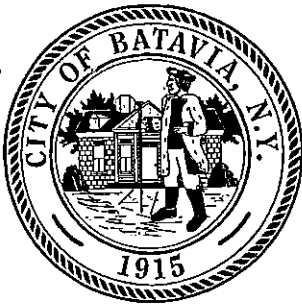
WHEREAS, the City Council is desirous of reviewing the Batavia Municipal Code, Section §190, in response to a petition from Eric V. Biscaro, owner of 653 Ellicott Street, in relation to the lack of permitted zoning use of public repair garage; and

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

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

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia hereby requests that the City Planning and Development Committee is to review permitted zoning of public repair garage in the Batavia Municipal Code, to include application and implementation matters, as well as potential revisions, and make a recommendation to the City Council for consideration.

**Seconded by Councilmember
and on roll call**



City of Batavia

Memorandum

To: Martin Moore, City Manager

From: Matt Worth, Director of Public Works

Date: February 18, 2020

Subject: Petition for Zoning Ordinance Change

The City received a formal petition from Mr. Eric V. Biscaro who is the owner of 653 Ellicott Street for a change to the current Zoning Ordinance. Currently, the City of Batavia Zoning Ordinance does not allow for any public repair garages in an I-1 Industrial zone and that type of use is limited to C-2 Commercial zones with a special use permit per the Zoning Ordinance.

The petition as received requests that I-1 Industrial Zones be changed to allow for the operation of a public automotive service garage business. This item was originally considered for a use variance, however, granting a variance would not have been a successful approach due to NYS General City Law. The recommendation from the Genesee County Planning Board of Referrals was to file the petition before you to consider changing the code to allow this use. A review of the updated comprehensive plan does not appear to address this issue specifically, as it relates to either Industrial Zones, however it does suggest a change to a commercial zone for this section of the City.

It is appropriate for City Council to consider referring this matter to the City of Batavia Planning and Development Committee for review.

Supporting Documentation:
Draft Resolution
Genesee County Planning Response
Petition for Zoning Change

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

Phone: 585-345-6330
Fax: 585-343-8182
www.batavianewyork.com



GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID C-03-BAT-1-20
Review Date 1/16/2020

Municipality
Board Name
Applicant's Name
Referral Type
Variance(s)
Description:

BATAVIA, C.

ZONING BOARD OF APPEALS

Eric Biscaro

Use Variance

Use Variance to operate a motor vehicle repair shop.

Location
Zoning District

653 Ellicott St. (NYS Rt. 63), Batavia

Industrial (I-1) District

PLANNING BOARD DECISION

DISAPPROVAL

EXPLANATION:

Under the criteria set forth in NYS General City Law, this proposal does not appear to meet the thresholds for the granting of a Use Variance. The parcel was purchased by the applicant with the prohibition in place therefore the hardship appears to be self-created. Additionally, the applicant's financial data arguably shows that the property is making a reasonable return with the uses currently allowed under the zoning law. Furthermore, there is no evidence that the property and its circumstances are unique in this zoning district. By State Law, the applicant must meet all four tests in order for the Zoning Board of Appeals to grant the use variance. The applicant should instead approach City Council and ask if such a use could be added to the list of allowed uses in the I-1 district. Possible inappropriate application of use variances may pose significant impacts upon the development policies/processes of the City.

Director

January 16, 2020

Date

If the County Planning Board disapproved the proposal, or recommends modifications, the referring agency shall NOT act contrary to the recommendations except by a vote of a majority plus one of all the members and after the adoption of a resolution setting forth the reasons for such contrary action. Within 30 days after the final action the referring agency shall file a report of final action with the County Planning Board. An action taken form is provided for this purpose and may be obtained from the Genesee County Planning Department.

**PETITION TO AMEND
CITY OF BATAVIA ZONING CODE**

I, Eric V. Biscaro, am the owner of the property located at 653 Ellicott Street in the City of Batavia. The property is Tax Map Parcel Number 97.008-1-4. It consists of 3.22 acres of land improved by commercial/industrial buildings. It is presently located in an I-1 zone (Industrial District).

We wish to remodel part of an existing building to allow for a two-bay automotive service garage.

We have been advised that the City of Batavia Zoning Code does not allow an automotive service garage in an I-1 zone.

We respectfully request that the City Code be amended to include automotive service garages as a permitted use in an I-1 zoned property.

We have attached an aerial photograph of the property at 653 Ellicott Street.

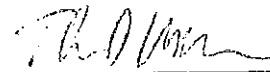
Respectfully submitted,


Eric V. Biscaro

STATE OF NEW YORK

COUNTY OF GENESSEE) SS.

On the 13th day of February, 2020, before me, the undersigned, a Notary Public in and for New York State, personally appeared Eric V. Biscaro, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

THOMAS D. WILLIAMS
Notary Public, State of New York
No. 02WI4839065
Qualified in Genesee County 21
Commission Expires: Dec 31, 2021

THE WILLIAMS LAW FIRM, LLP

(FORMERLY MURRAY & WILLIAMS)

ATTORNEYS AT LAW

2 COURT STREET PLAZA

P.O. BOX 402

BATAVIA, NEW YORK 14021-0402

TELEPHONE: (585) 343-1486

FAX: (585) 343-1487

E-MAIL: bjk@williamsllp.com

JAMES W. MURRAY (1908-1994)

GERALD O. WILLIAMS

THOMAS D. WILLIAMS

February 13, 2020

Martin D. Moore, City Manager City of Batavia
One Batavia City Centre
Batavia, NY 14020

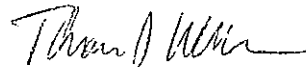
Dear Mr. Moore:

Enclosed please find a Petition to Amend the City of Batavia Zoning Code, with attachments, on behalf of our client, Eric V. Biscaro, and respectfully request that you submit it to the Batavia City Council for their consideration.

Please let me know if you would like anything further at this time. Thank you for your assistance in this matter.

Respectfully yours,

THE WILLIAMS LAW FIRM, LLP



Thomas D. Williams

DATE: 2-13-2020APPLICANT NAME & PHONE: Eric Biscaro 585-356-4423Project Location and Information

Permit #: _____ Fee: _____

Address of Project: 653 Ellicott ST Batavia N.Y.Owner & Address: Eric Biscaro 4927 Ellicott ST RD BataviaPhone: 585-356-4423Project Type/Describe WorkEstimated cost of work: 60,000 - 90,000 Start date: after zoning

Describe project:

Re work ~~up~~ 40% of existing open shed into a
2 Bay Automotive Service GarageContractor Information – Insurance certificates (liability & workers comp) required being on fileGENERALName/Address: Self - Amor Building SupplyPhone: 343-5367PLUMBING (City of Batavia Licensed Plumber Required)Name/Address: To be determined

Phone: _____

HEATINGName/Address: To be determined

Phone: _____

ELECTRICAL (Third Party Electrical Inspection Required)Name/Address: To be determined

Phone: _____

FOR OFFICE USE ONLY

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

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

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

Existing Use: _____ NYS Building Code Occupancy Class: _____

Proposed Use: _____ NYS Building Code Occupancy Class: _____

4.B Future Land Use Map

City of Batavia Comprehensive Plan

Future Land Use Plan

Existing Land Use Legend

- City Boundary
- Land Use Type
- Agricultural
- Commercial
- Community Services
- Industrial
- Mixed Use
- Parks, Recreation & Conservation Lands
- Public Services
- Residential - Low Density
- Residential - Medium Density
- Residential - High Density
- Vacant Land
- Undeveloped

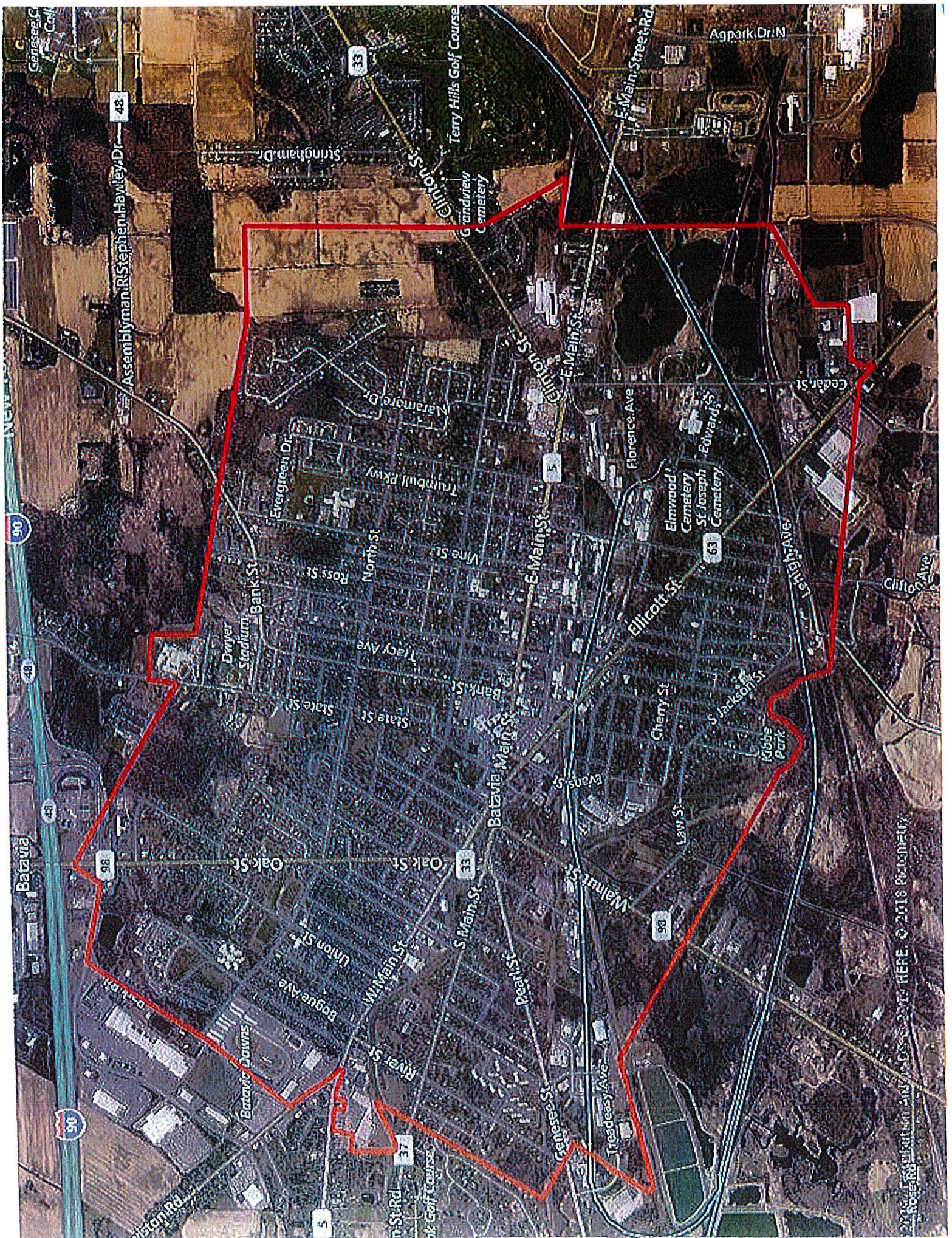


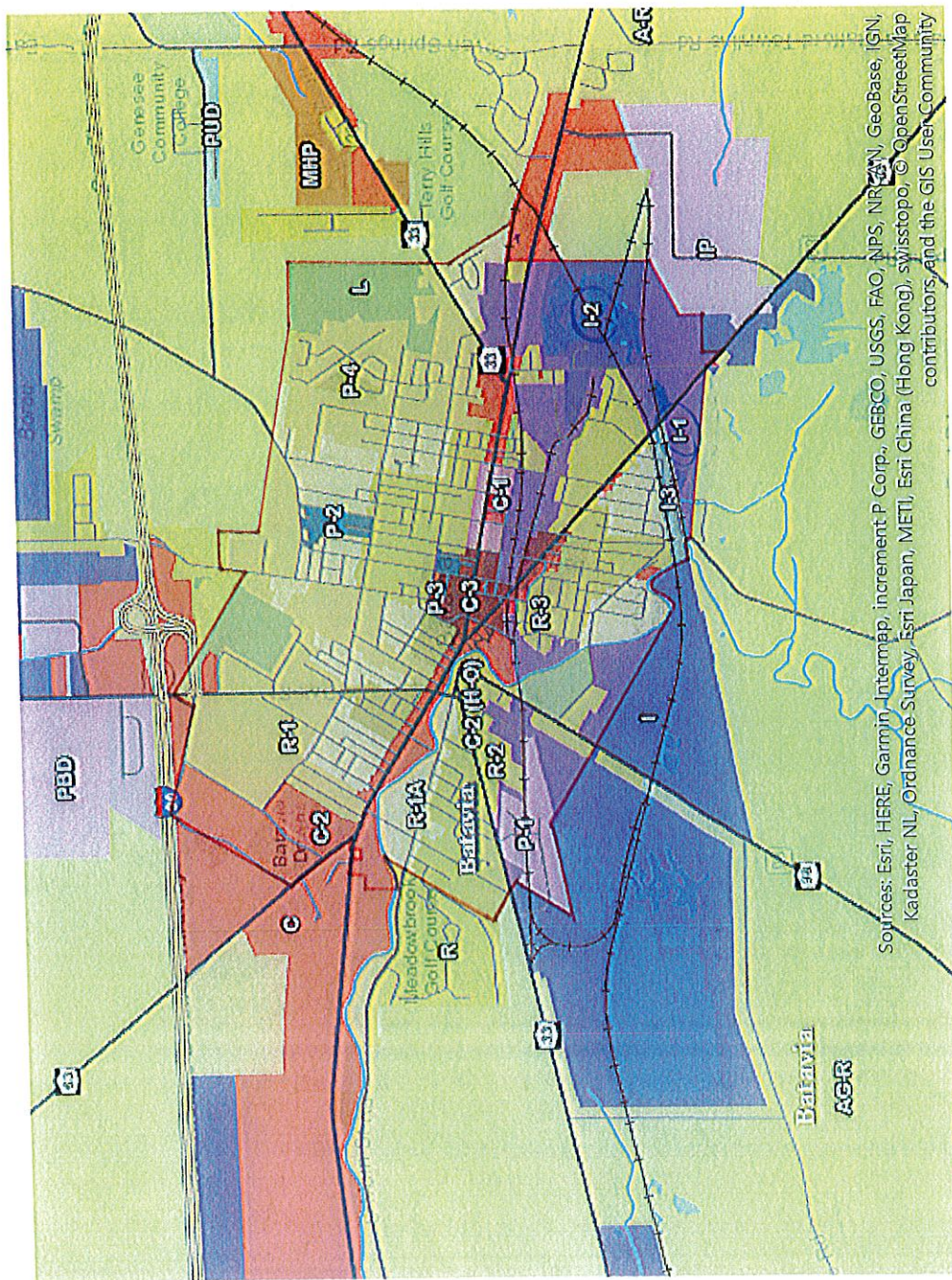
Date: January 2018
Source: City of Batavia
NAP 2013 map by INVISITS



This map is intended to be a general representation
and is not suitable for engineering,
surveying, or other purposes.



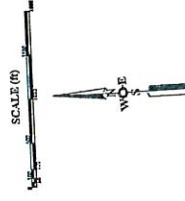




Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRTN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community

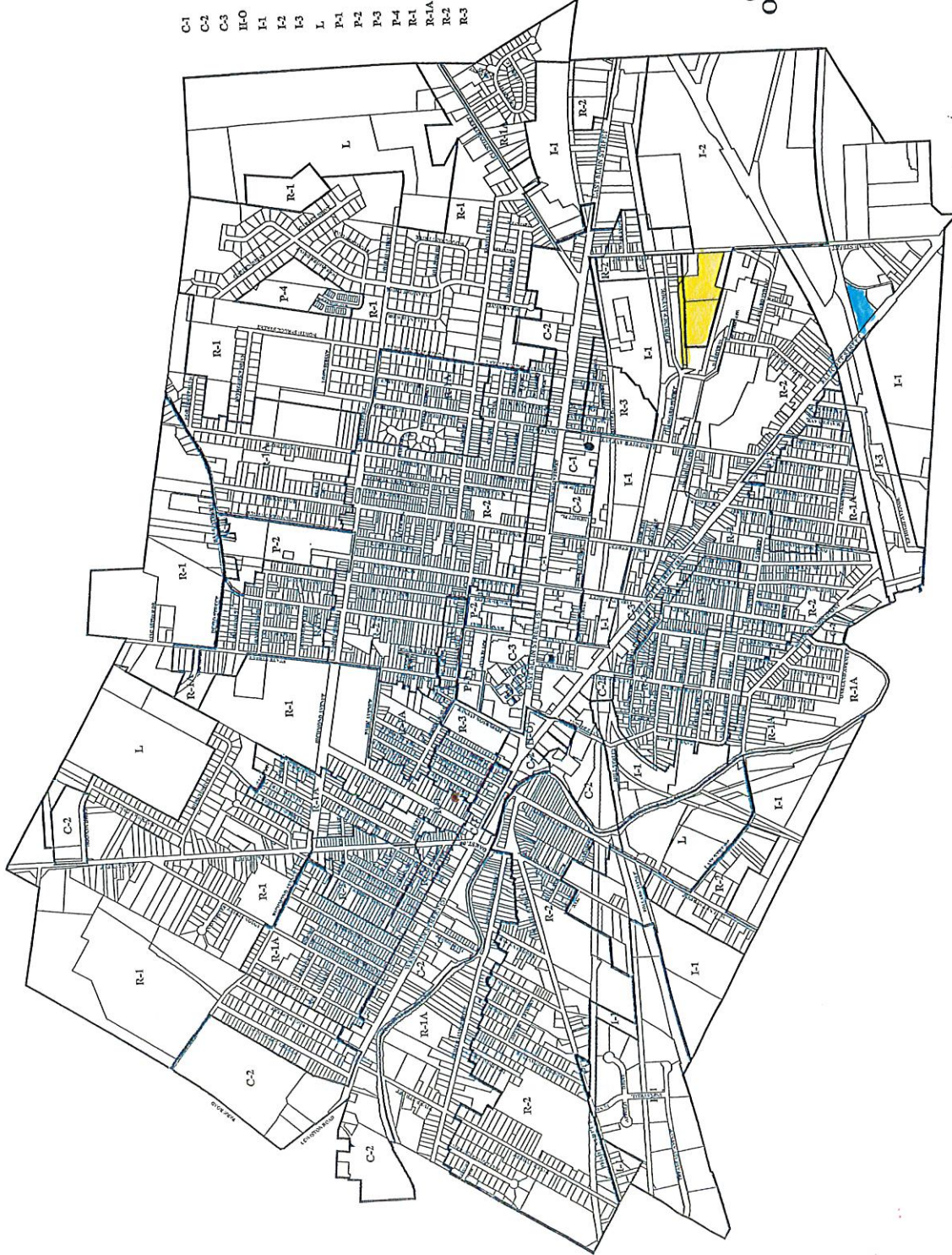
LIMITED COMMERCIAL DISTRICT
 GENERAL COMMERCIAL DISTRICT
 CENTRAL COMMERCIAL DISTRICT
 HISTORIC OVERLAY DISTRICT
 INDUSTRIAL DISTRICT
 INDUSTRIAL DISTRICT
 INDUSTRIAL DISTRICT
 LAND CONSERVATION DISTRICT
 PLANNED DEVELOPMENT-INDUSTRIAL
 PLANNED DEVELOPMENT-MEDICAL
 PLANNED DEVELOPMENT-SERV. COMMER.
 PLANNED DEVELOPMENT-RESIDENTIAL
 RESIDENTIAL DISTRICT
 RESIDENTIAL DISTRICT
 RESIDENTIAL DISTRICT
 RESIDENTIAL DISTRICT

C-1
 C-2
 C-3
 H-O
 I-1
 I-2
 I-3
 L
 P-1
 P-2
 P-3
 P-4
 R-1
 R-1A
 R-2
 R-3



OFFICIAL ZONING MAP OF THE CITY OF BATAVIA GENESSEE COUNTY, NY

Updated
 April 5, 2006
 August 15, 2006
 October 11, 2006



Blue highlighted area
 is 653 Ellicott St.

Google Maps 653 Ellicott St

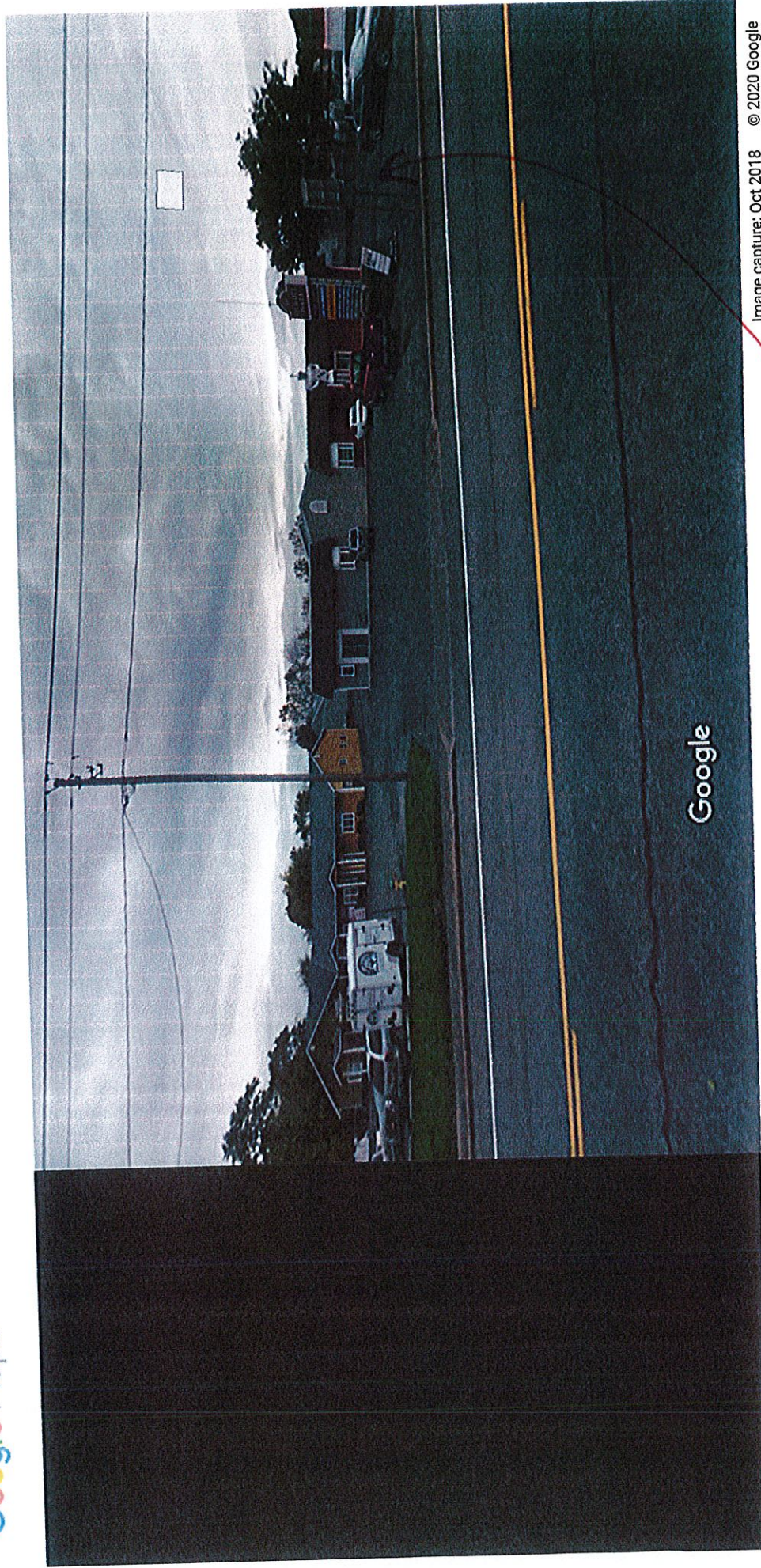


Image capture: Oct 2018 © 2020 Google

Batavia, New York

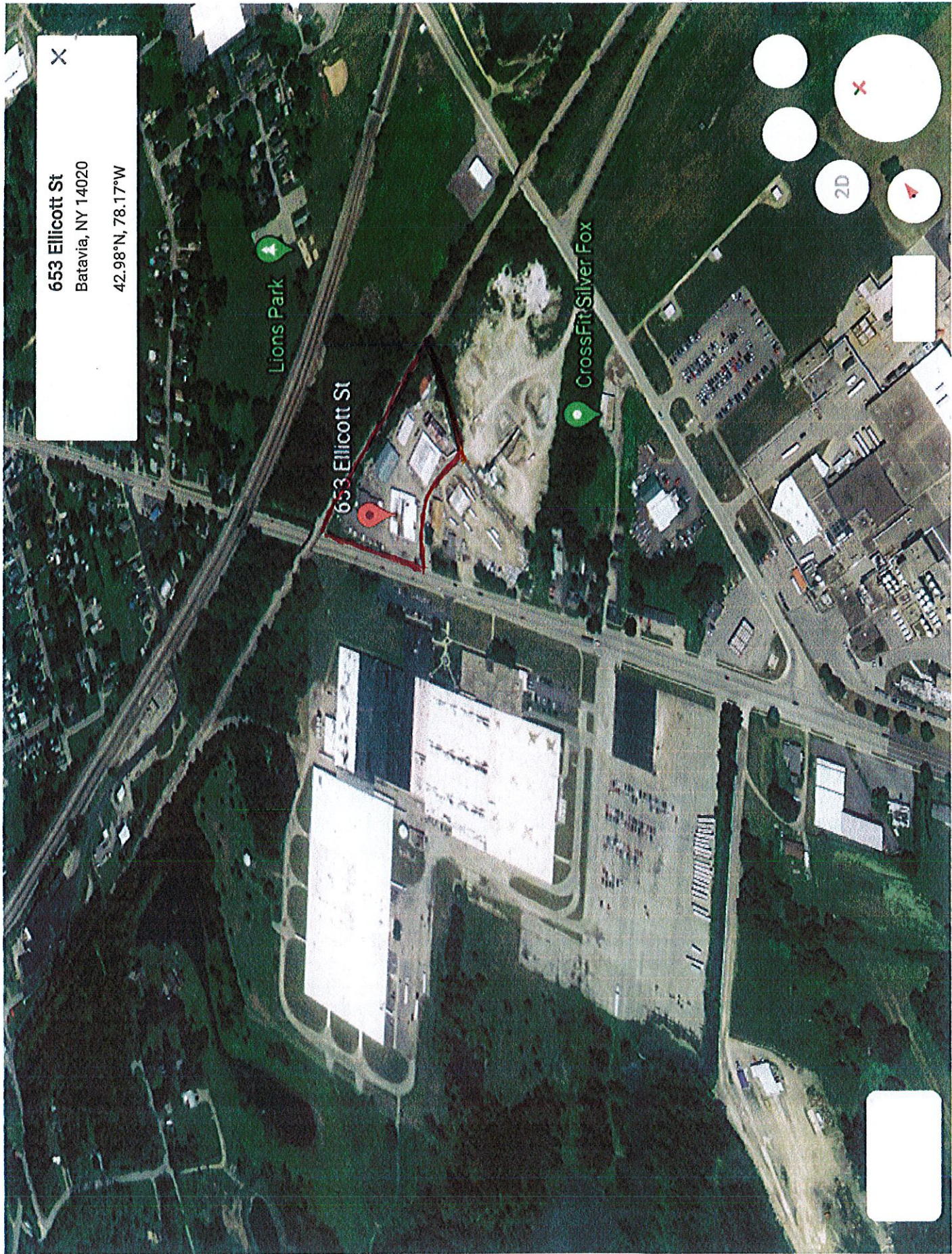


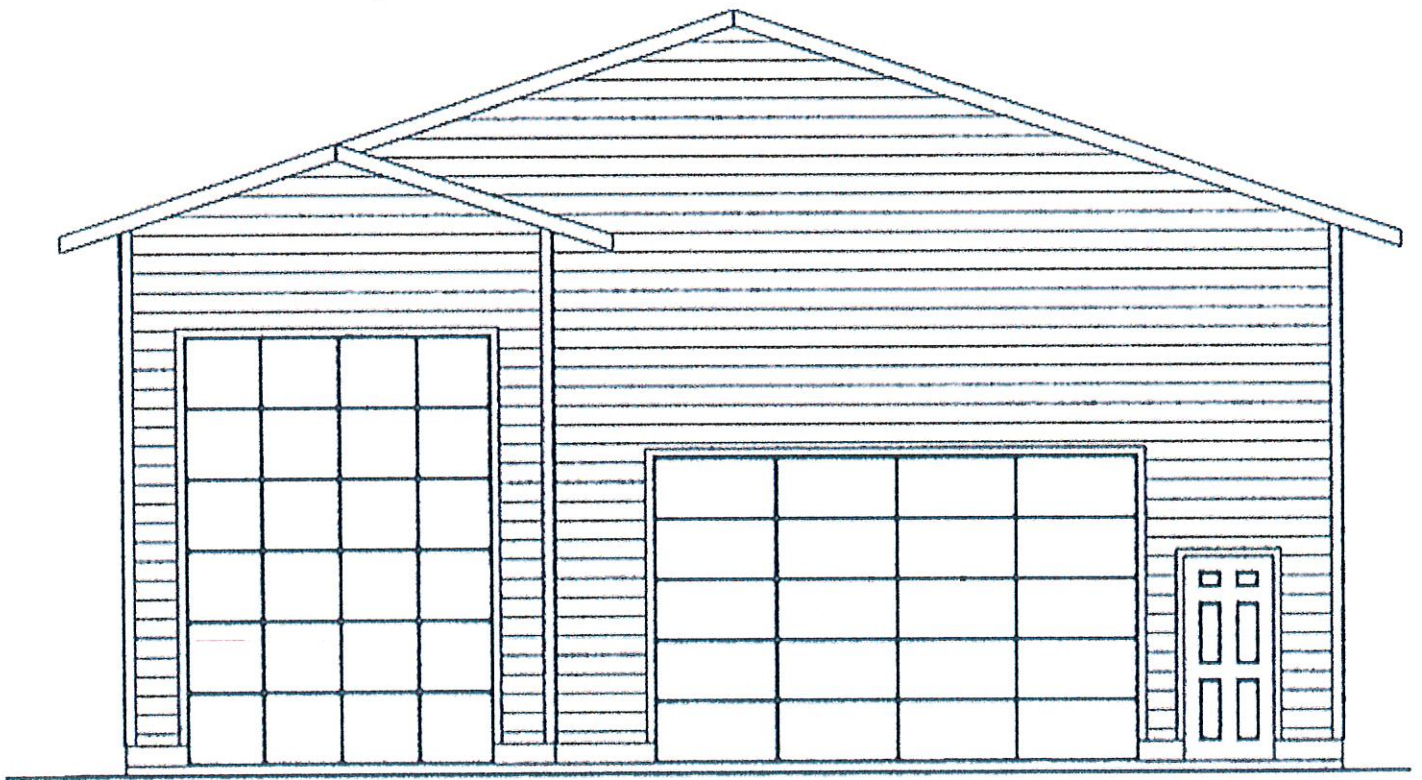
Street View

* Building 400 ft. down driveway



purposed building area
outlined in red.





Plan 012G

Click to enlarge. Views may vary slightly from working drawings. Refer to floor plan for actual layout.

§ 190-15. I-1 Industrial Districts.

In I-1 Industrial Districts, no building or structure shall be erected, altered or extended, and no land, building or structure or part thereof, shall be used for other than the following permitted uses, subject to the performance standards set forth in § 190-38:

A. Permitted principal uses.

- (1) Retail store, including storage, wholesale, and service operations customarily incidental thereto.
- (2) Any legal use of a light industrial nature which involves the processing, fabrication, assembly or packaging of previously prepared or refined materials, including uses providing repair or general services to industrial uses except:
 - (a) Those uses which, because of danger to the general public due to hazards of fire and explosion, including those uses where explosives, combustible bases or flammable liquids are manufactured or stored, shall be permitted only by a special use permit authorized by the Council according to the provisions of § 190-37 and only in conformance with the State Building Construction Code¹ and Labor Law of the State of New York.
 - (b) Uses of an extractive nature, including but not limited to the operation of sand and gravel mines, topsoil removal and mineral removal work.
- (3) Industrial office buildings for executive, engineering and administrative purposes.
- (4) Scientific or research laboratories devoted to research, design and/or experimentation and processing and fabricating incidental thereto.
- (5) Any use permitted in § 190-24B(2), except that retail stores shall be governed by Subsection A(1) of this section.
- (6) Art gallery. **[Added 8-14-2000]**

B. Permitted accessory uses.

- (1) Such accessory uses as are customarily incidental to any of the above uses, subject to the provisions of § 190-35.
- (2) Off-street parking subject to the provisions of § 190-39.

1. Editor's Note: See Ch. 51, Building Construction.

- (3) Signs subject to the provisions of § 190-43.
- C. Uses permitted by special use permit. **[Amended 8-14-2000]**
 - (1) Junkyards, salvage and scrap processing, outside storage.
 - (2) Uses which may cause a danger to the public due to the hazards of fire and explosion.
 - (3) Automobile service stations.
 - (4) Live/work units. Live/work units must comply with § 190-37, Subsection J, entitled "Standards applicable for all special use permits."
 - (5) Brew pub, micro brewery. Brew pubs and micro breweries must comply with § 190-37, Subsection J, entitled "Standards applicable for all special use permits."
 - (6) Public storage rental units/buildings with or without outside storage. **[Added 12-9-2019 by Ord. No. 2-2019]**

ARTICLE IV
Commercial Districts

§ 190-12. C-1 Limited Commercial Districts.

In C-1 Limited Commercial Districts, no building or structure shall be erected, altered, or extended and no land, building, or structure, or part thereof, shall be used for other than one or more of the following uses:

A. Permitted principal uses. **[Amended 8-14-2000]**

- (1) Any use permitted in the C-1 Limited Commercial Districts, regardless of the size of the new building or expansion, must be reviewed pursuant to § 190-44, Site plan review, prior to receiving a building permit.
- (2) Any principal use permitted in R-3 Residential Districts.
- (3) Banks or monetary institutions.
- (4) Business or professional offices.
- (5) Mortuary.
- (6) Bed-and-breakfast.
- (7) Restaurants.
- (8) Retail shops, excepting automobile service stations; automobile dealers, automobile rental stores and drive-in or drive-through facilities. **[Amended 10-22-2001]**

B. Permitted accessory uses.

- (1) Such accessory uses as are customarily incidental to the above uses, subject to the provisions of § 190-35.
- (2) Off-street parking, subject to provisions of § 190-39.
- (3) Signs subject to the provisions of § 190-43.

C. Uses permitted with special use permits. Any use permitted with special use permits in the R-3 Residential Districts, except professional offices, which are permitted uses in the C-1 Limited Commercial Districts.

§ 190-13. C-2 General Commercial Districts.

In C-2 General Commercial Districts, no building or structure shall be erected, altered, or extended and no land, building, or structure, or

part thereof, shall be used for other than one or more of the following uses:

A. Permitted principal uses.

- (1) Any use permitted in C-1 Limited Commercial Districts.
[Amended 8-14-2000]
- (2) Retail store.
- (3) Restaurant or other place for the serving of food or beverages.
- (4) Hotel or motel.
- (5) Theater, bowling alley, skating rink, or other place of amusement or assembly.
- (6) Offices of veterinarians and small animal hospitals.
- (7) Barbershops, beauty shops and florists.
- (8) Shopping center.

B. Permitted accessory uses.

- (1) Such accessory uses as are customarily incidental to any of the above uses, subject to the provisions of § 190-35.
- (2) Off-street parking subject to the provisions of § 190-39.
- (3) Signs subject to the provisions of § 190-43.

C. Uses permitted with special use permits.

- (1) Municipal or public utility structures or facilities when necessary for the service of a neighborhood and of a kind and character in keeping with the residential character of the neighborhood.
- (2) High-rise apartments.
- (3) Large-scale multifamily apartments.
- (4) Cleaning establishments.
- (5) Automobile service stations and/or garages for the storage, adjustment or repair of motor vehicles, drive-in restaurants, and other similar uses.
- (6) Food and beverage processing, warehousing and distribution business. **[Added 7-11-1988]**

§ 190-14. C-3 Central Commercial Districts.

In C-3 Central Commercial Districts, no building or structure shall be erected, altered or extended and no land, building or structure, or part thereof, shall be used for other than one or more of the following uses:

A. Permitted principal uses.

- (1) Retail store, including storage, wholesale, and service operations customarily incidental thereto.
- (2) Banks or monetary institutions.
- (3) Business or professional offices.
- (4) Restaurant or other place for the serving of food or beverages.
- (5) Hotel, motel.
- (6) Theater, bowling alley, skating rink, club rooms, or other places of amusement or assembly.
- (7) Commercial printer or publisher.
- (8) Places of business of the following and businesses of a similar nature, provided that any manufacture or processing of goods on the premises is clearly incidental to a retail business conducted on the premises:

Appliance service and repairman	Florist
Baker	Furrier
Barber	Hairdresser
Caterer	Milliner
Cleaner	Optician
Confectioner	Photographer
Decorator	Shoemaker; Shoeshiner
Dressmaker	Tailor
Dyer	Upholsterer
- (9) Parking lots and/or parking garages.
- (10) Municipal or public utility structures or facilities.
- (11) Shopping centers.

B. Permitted accessory uses.

- (1) Such accessory uses as are customarily incidental to any of the above uses, subject to the provisions of Subsection C of § 190-35.
- (2) Off-street parking subject to the provisions of § 190-39.
- (3) Signs subject to the provisions of § 190-43.

C. Uses permitted with special use permits.

- (1) Drive-in facilities for banks or dry cleaners.
- (2) Restricted residential uses. **[Added 7-8-1996]**

D. Downtown design guidelines. **[Added 8-14-2000]**

- (1) Intent and purpose. The City Council of the City of Batavia hereby finds that poor quality of design in the exterior appearance of buildings in Downtown Batavia adversely affects the desirability of the area for business uses and by doing so impairs the benefits of occupancy of existing property in such areas, impairs the value of property in such area, prevents the most appropriate development of such areas, deteriorates conditions affecting the health, safety, comfort and general welfare of the businesses thereof and destroys a proper relationship between the taxable value of real property in such areas and the cost of municipal services provided therefor.
- (2) Application procedures. The Planning and Development Committee shall review all applications for the following actions that lie within the Downtown Batavia Business Improvement District as described in Chapter 58 of the Code of the City of Batavia: **[Amended 1-23-2017 by L.L. No. 1-2017]**
 - (a) Any action, except those solely related to sign permits, involving exterior changes which requires the issuance of a building permit or demolition permit.
 - (b) Any application for a sign or sign structure. Applications are not necessary for the following actions:
 - [1] Any actions that require review by the Historic Preservation Commission.

- [2] Any action reviewed and approved for a Facade Grant award from the Downtown Batavia Business Improvement District (BID). A letter confirming approval of the award shall be forwarded to the Code Enforcement Officer by the BID Manager or President.
 - [3] Any ordinary maintenance or repair that does involve a change in design, material or outer appearance thereof. The Committee must act on all applications within 60 days of their receipt.
- (c) Hardship criteria and procedures. An applicant whose application to the Committee has been denied may apply to the Zoning Board of Appeals for relief on the grounds that the Committee standards are working a hardship upon him. To prove the existence of a hardship, the applicant shall establish that:
- [1] The property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible, if the application is denied. Dollars-and-cents proof shall be presented to the Zoning Board of Appeals by the applicant which demonstrates to the satisfaction of the Zoning Board of Appeals that the applicant's claim of hardship is well founded.
 - [2] The property cannot be adapted for any other use permitted by this chapter in the zoning district in which the property is located, whether by the current owner or by a purchaser, which would result in a reasonable return.
 - [3] In an application for demolition, reasonable good faith efforts to find a purchaser interested in acquiring the property and preserving it were made and have failed. The Zoning Board of Appeals will hold a public hearing on the hardship application within 90 days of filing the hardship application. Decisions on hardship applications shall be made not later than 60 days from the date of the final hearing.
- (d) Standards to guide Committee. To approve or disapprove an application, the Committee shall consider whether the proposed alteration or construction is compatible with the structure on the property and/or the surrounding

properties in the Downtown Batavia Business Improvement District with regard to:

- [1] Neighborhood context. New construction shall be sympathetic to older buildings that surround it.
 - [a] New construction should remain the common setback distance of its neighbors. In the case of a discrepancy of setbacks, the new building should align with at least one of the neighboring buildings.
 - [b] Buildings situated at corners should "wrap" the corner by continuing certain facade elements (such as the cornice or horizontal accent bands) on all street elevations.
 - [c] Main building entrances should face the street whenever possible, should be easily identifiable and scaled to the size of the street which they are on.
 - [d] In the case of large structures, the overall building mass should be made up of smaller components. Large, uninterrupted building masses should be avoided.
 - [e] Additional parking which is required to accommodate a new building should be located in back or in a central courtyard and should be out of sight from the street.
 - [f] Parking lots, service areas and courtyards located within sight of the street should be screened with trees and a low wall or fence to help maintain the street edge. Such parking lots should incorporate a minimum of 10% green space in the parking area.
 - [g] In the case of larger developments which may occupy an entire block, pedestrian paths which allow the public to circulate through a site are encouraged.
- [2] Building height and roof design.
 - [a] The height of a building should take into account the heights of buildings in the immediate area.

The height of proposed structures should be at least as tall as the lowest of the two neighboring buildings, but no less than two stories, especially at corners and intersections.

- [b] New facades should attempt to coordinate the relative heights of elements with adjacent buildings.
 - [c] Longer buildings should provide fluctuations in the roofline which break up the long run of facade and which attract attention to key places such as entryways.
 - [d] Air-handling equipment, antennas, satellite dishes and other mechanical equipment should be placed in such a manner as not to be visible from the street.
- [3] Building scale.
- [a] The overall facade composition should break the building down into smaller distinct portions to provide a relatively small human scale that is in keeping with the buildings around it.
 - [b] The size and scale of materials should complement the size and scale of a building. Small scale materials such as brick and wood are encouraged around pedestrian areas.
- [4] Building proportions. The relative shape of a building and its parts with regards to width and height.
- [a] New construction should be sympathetic to the proportions of the surrounding buildings.
 - [b] Facade elements such as windows and bays should be of a consistent proportion to each other. Elements which share a common area (e.g., all of the windows at the base level) should be of a consistent proportion and size as well.
 - [c] Buildings which are "squat" in proportion or which have very strong horizontal elements that dominate the facade are discouraged.

§ 190-3. Definitions.

A. Generally.

- (1) All words used in the present tense include the future tense; all words in the singular number include the plural number and vice versa; the word "person" includes corporations and all other legal entities; the words "lot," "plot," "parcel," "tract of land," and "premises" shall include one another; the word "premises" shall include the land and buildings thereon; the word "building" shall include "structure" and vice versa; "occupied" or "used" shall be considered as though followed by the words "or intended, arranged or designed to be used or occupied" unless the natural construction of the wording indicates otherwise. The word "shall" is mandatory and not directory.
- (2) Except where specifically defined herein, all words in this chapter shall carry their customary meanings.

B. Specific terms. As used in this chapter, unless the context or subject matter otherwise requires, the following terms shall have the following meanings:

ACCESSORY DWELLING UNIT — A self-contained dwelling unit, within a structure originally designed for a single-family residence, with separate kitchen facilities, with requirements set forth in § 190-37J.**[Added 10-25-1999]**

ADULT BOOKSTORE — An establishment having a stock-in-trade consisting partially or totally of books, magazines, any other periodicals or films, including videos or compact disks, for sale, rent or viewing on premises by use of motion picture devices or any other coin-operated means, and which establishment has a substantial portion of said enumerated stock-in-trade which is distinguished or characterized by its emphasis on matter depicting, describing or related to specified sexual activities or specified anatomical areas.**[Added 11-14-1994; amended 12-13-1999]**

ADULT EATING OR DRINKING ESTABLISHMENT — An eating or drinking establishment which features any one or more of the following:**[Added 11-14-1994; amended 12-13-1999]**

- (1) Live performances which are characterized by an emphasis upon the depiction or description of specified anatomical areas or specified sexual activities; or

- (2) Films, motion pictures, video cassettes, slides, or other visual representations which are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas; or
- (3) Employees who as part of their employment, regularly expose to patrons specified anatomical areas, and which is not customarily opened to the general public during such features because it excludes minors by reason of age.

ADULT ENTERTAINMENT CABARET — A public or private establishment which features topless dancers, strippers, male or female impersonators, exotic dancers or similar entertainers.**[Added 11-14-1994; amended 12-13-1999]**

ADULT MINI-MOTION-PICTURE THEATER — An enclosed building with a capacity of less than 50 persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.**[Added 11-14-1994; amended 12-13-1999]**

ADULT MOTEL — A motel which makes available to its patrons in their room films, slide shows or videotapes with an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.**[Added 11-14-1994; amended 12-13-1999]**

ADULT MOTION-PICTURE THEATER — An enclosed building with a capacity of 50 or more persons used regularly and routinely for presenting material having as a dominant theme material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.**[Added 11-14-1994; amended 12-13-1999]**

ADULT USE — Within a commercial establishment, any activity or use relating to specified sexual activities or specified anatomical areas, including but not limited to the activities and uses set forth in the definitions of adult bookstore, adult eating or drinking establishment, adult entertainment cabaret, adult mini-motion-picture theater, adult motion-picture theater, adult motel, massage establishment, nude model studio and peep shows.**[Added 11-14-1994; amended 12-13-1999]**

ALLEY — Narrow supplementary thoroughfare for the public use of vehicles or pedestrians, affording access to abutting property.

ALTERATION — Any change, rearrangement, or addition to a building, other than repairs; any modification in construction or in building equipment.

AREA, BUILDING — Total of area taken on a horizontal plane at the main grade level of principal buildings and all accessory buildings, exclusive of uncovered porches, parapets, steps, and terraces.

ART GALLERY — A structure or building utilized for the display of art work, including paintings, sculptures and paints for sale to the public.**[Added 8-14-2000]**

AUTOMOBILE SERVICE STATION — Any area of land, including structures thereon, that is used for the sale of gasoline or any other motor vehicle fuel and oil and other lubricating substances, including the sale of motor vehicle accessories and which may or may not include facilities for lubricating and other minor servicing of motor vehicles but not including the painting thereof by any means. Any rebuilding, reconditioning or collision services involving frame and fender straightening or repair, or any dismantling or disassembly of frame and exterior parts is not an automobile service station. The sale or rental of vehicles is not a permitted use under the definition of automobile service station. Such use may be allowed with special authorization of the Planning Board.

BASEMENT — That space of a building that is partly below grade, which has 1/2 or more of its height, measured from floor to ceiling, above the average finished grade.

BED-AND-BREAKFAST — A house or structure, or portion thereof, where short-term lodging rooms and meals are provided. The operator of the inn shall live on the premises or in adjacent premises.**[Added 8-14-2000]**

BREW PUB/MICRO-BREWERY — An eating and drinking establishment where certain beverages are prepared on the premises exclusively for on-site consumption. For a brew pub, the brewing of such beverages is accessory to the eating and drinking establishment. A micro-brewery, on the other hand, focuses on the production of beer, with the eating and drinking establishment as an accessory.**[Added 8-14-2000]**

BUILDING — A structure wholly or partially enclosed within exterior walls, or within exterior and party walls, and a roof. The term "building" shall be construed as if followed by the phrase "or part thereof," unless otherwise indicated by the text.

BUILDING COVERAGE — That percentage of the lot area covered by the building area.

BUILDING, HEIGHT OF — The vertical distance measured from the average level of the proposed finished grade across the front of the building to the ridgeline of the roof of the building.

BUILDING LINE — A line formed by the intersection of a horizontal plane at average grade level and a vertical plane that coincides with the exterior surfaces of the building on any side. In case of a cantilevered section of a building or projected roof or porch, the vertical plane will coincide with the most projected surface. All yard requirements are measured to the building line.

BUILDING OR STRUCTURE, ACCESSORY — A structure the use of which is incidental to that of the main building and which is located on the same premises.

CELLAR — That part of a building that is partly or entirely below grade, which has more than 1/2 of its height, measured from floor to ceiling, below the average finished grade.

DENSITY — The total number of dwelling units proposed divided by the total number of acres within the tract.

DRIVEWAY — Every entrance or exit used by vehicular traffic to or from lands or buildings abutting a highway.

DWELLING, MULTIFAMILY —

- (1) A building designed or occupied for residential purposes by more than two families; or
- (2) A series of attached, detached, or semidetached buildings, which are provided as a group collectively with essential services and utilities, and which are located on a lot, plot, or parcel of land, under common ownership; or
- (3) The residential part of a mixed occupancy building. Regardless of the foregoing, any residential building, other than a one- or two-family dwelling on a single zoning lot, shall be deemed to be a multiple dwelling.

DWELLING, ONE-FAMILY — A building containing only one dwelling unit, and occupied by only one family.

DWELLING, TWO-FAMILY — A building containing only two dwelling units, and occupied by only two families.

DWELLING UNIT — A complete self-contained residential unit, with living, sleeping, cooking, and sanitary facilities within the unit, for use by one family.

FAMILY — A single person; or two or more persons maintaining a common household with not more than two boarders, roomers, or lodgers. The term family does not include live-in household employees.¹

FENCE — A fence is a structure which prohibits or inhibits unrestricted travel between properties or portions of properties or between the street or public right-of-way and a property. Fences may be constructed of wood, metal, plastic or other materials. Densely planted shrubbery or hedges which inhibit travel may also be considered as a fence.

FLOODPLAIN — Any area adjacent to a water body which is subject to inundation from high water and/or wave action, and at a minimum that area subject to a one-percent or greater chance of flooding in any given year and all areas designated as Special Flood Hazard Zones by the Federal Insurance Administration's Official Map for the City shall be considered as floodplain areas.

GARAGE, PRIVATE — A roofed space for the storage of one or more motor vehicles, provided that no business, occupation or service is conducted for profit therein nor space therein for more than one car is leased to a nonresident of the premises.

GARAGE, PUBLIC — A building or part thereof used for the storage, hiring, selling, greasing, washing, servicing, or repair of motor vehicles, operated for gain.

GARDEN APARTMENTS — A residence building or group of one or more residence buildings of not more than 2 1/2 stories in height and two rooms in depth designed and erected as a project with singleness of use and operation and where joint or communal use is to be made of open areas by the occupants.

HELIPORT — An area used by helicopters which area includes passenger and cargo facilities, maintenance and overhaul, fueling service, storage space, tie-down space, hangars and other accessory buildings, and open spaces.

HELISTOP — An area on a roof or on the ground used by helicopters for the purpose of picking up or discharging passengers or cargo, but not including fuel service, maintenance or overhaul.

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. D).

HIGH RISE — An apartment complex three stories or more in height.

HOME OCCUPATION — Any occupation or profession which is customarily carried on in a dwelling unit or in a building or other structure accessory to a dwelling unit by a member of the family residing in the dwelling unit. Home occupations shall be clearly incidental and secondary to the use of the dwelling unit for residential purposes.

- (1) In particular, a home occupation includes, but is not limited to the following: licensed plumbers, hairdressing, dressmaking, laundering, homecooking, teaching (musical instruction limited to a single pupil at a time) and the skilled practice by an accountant, architect, artist, dentist, doctor, engineer, insurance agent, lawyer, musician, realtor, or member of any profession within a dwelling occupied by the same.
- (2) However, a home occupation shall not be interpreted to include the following: commercial stables and kennels, restaurants and tea rooms, musical instruction to groups, dancing instruction, tourist homes, convalescent homes, mortuary establishments, garages or shops for the repair of motor vehicles and other trades and businesses of a similar nature.
- (3) The occupation or profession shall be carried on wholly within the principal building or within a building or other structure accessory thereto. Not more than one person outside the family shall be employed in the home occupation. Under no circumstances shall the home occupation or professional use occupy more than 25% of the total gross habitable floor area of the principal building.

HOSPITAL — An establishment for temporary occupation by the sick or injured for the purpose of medical diagnosis and treatment, including a sanitarium and sanatorium, and shall be limited to the treatment or other care of humans.

HOTEL — A building containing primarily hotel units for the purpose of furnishing lodging, with or without meals, for transient occupancy; and with management maintaining a register and providing daily housekeeping and other incidental services, including desk, telephone, or bellboy services.

JUNKYARD; RECLAMATION CENTER — The use of more than 200 square feet of the area of any lot where waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled,

cleaned, packed, disassembled or handled, processed or reclaimed, including automobile wrecking yards, used lumberyards, and places or yards for used or salvage materials and equipment; as distinguished from such uses when conducted entirely within an enclosed building, and as distinguished from establishments for the sale, purchase or storage of used cars in operable condition, used machinery, furniture and household equipment, and the processing of used, or salvaged materials as part of a manufacturing process. Two or more abandoned, disabled, dismantled or partly dismantled vehicles allowed to remain on a premises for a period of more than 30 days shall constitute a junkyard.

KENNEL — A structure used for the harboring of more than three dogs that are more than six months old.

LARGE-SCALE MULTIFAMILY DEVELOPMENT — A development which is designed to provide habitation for six or more families. Large-scale multifamily development shall include apartment houses, flats, garden apartments, townhouses or any combination thereof which comprise six or more units.

LIVE/WORK UNIT — A place designed to be used, or used as, both a dwelling place and a place of work by an artist, artisan, or craftperson, including persons engaged in the application, teaching, or performance of fine arts such as, but not limited to, drawing, vocal or instrumental music, painting, sculpture, and writing.**[Added 8-14-2000]**

LOT — A parcel of land considered as a unit, occupied or capable of being occupied by one building and accessory buildings or uses, or by a group of buildings united by a common use or interest; and including such open spaces as are required by this chapter, and having its principal frontage on a public street or an officially approved place.

LOT AREA — The total horizontal area included within lot lines, except that no part of the area within a public right-of-way may be included in the computation of lot area.

LOT, CORNER — A lot located at the intersection of and fronting on two or more intersecting streets, and having an interior angle at the corner of intersection of less than 135°.

LOT COVERAGE — That percentage of the lot area covered by the building area. (See "building coverage.")

LOT DEPTH — The mean horizontal distance between the front and rear lot lines, measured from front to rear.

LOT, INTERIOR — A lot other than a corner lot.

LOT LINE, FRONT — In the case of a lot abutting upon only one street, the line separating such lot from such street. In the case of a lot that abuts more than one street, each street line shall be considered to be a front lot line.

LOT LINE, REAR — That lot line which is opposite and most distant from the front lot line.

LOT LINE, SIDE — That lot line not a front lot line or a rear lot line.

LOT, THROUGH — An interior lot having frontage on two approximately parallel or converging streets.

LOT WIDTH — The distance between side lot lines measured at right angles to the lot depth measured at a point from the front lot line equal to the front yard specified for the district.

MASSAGE ESTABLISHMENT — Any establishment having a fixed place of business where massages are administered for pay, including but not limited to massage parlors, sauna baths and steam baths. This definition shall not be construed to include a hospital, nursing home or medical clinic or the office of a physician, surgeon, chiropractor, osteopath, duly licensed massage therapist, or duly licensed physical therapist; or barbershops or beauty shops in which massages are administered only to the scalp, face, neck and shoulders. This definition shall also exclude health clubs which have facilities for physical exercise, such as tennis courts, racquetball courts or exercise rooms, and which do not receive their primary source of revenue through the administration of massages. **[Added 11-14-1994; amended 12-13-1999]**

MOBILE HOME — A mobile home is a movable living unit designed for year-round occupancy, sometimes termed a "house trailer." For the purposes of this chapter, a mobile home shall not be considered a dwelling.

MOBILE HOME COURT OR PARK — A parcel of land which has been planned and improved primarily for the placement of mobile homes.

MOTEL — A building with or without party walls, or any group of buildings, used primarily for sheltering transient motorists, and accessory uses, such as restaurants and parking.

NONCONFORMING BUILDING, STRUCTURE OR LOT — A building, structure, lot or use of land existing at the time of

enactment of this chapter or an amendment thereto, and which does not conform to the regulations of the district in which it is situated or to the provisions of such amendment if nonconforming to such amendment only.

NONCONFORMING USE — A property use legally existing at the time of the enactment of this chapter, or any subsequent amendment, which does not conform to the use regulations of the district in which it is situated.

NUDE MODEL STUDIO — Any place where a person who appears in a state of nudity or displays specified anatomical areas is regularly provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration, other than as part of a course of instruction offered by an educational institution established pursuant to the Laws of the State of New York.**[Added 11-14-1994; amended 12-13-1999]**

NURSING OR CONVALESCENT HOME — Any dwelling used for the accommodation and care of persons with, or recuperating from, illness or incapacity, where nursing services are furnished.

PARKING SPACE — An off-street space available for the parking of one motor vehicle measuring no less than eight feet in width and 19 feet in depth and including sufficient space for aisles and maneuverability.

PEEP SHOWS — A theater which presents material in the form of live shows, films or videotapes, viewed from an individual enclosure with an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas and for which a fee is charged.**[Added 11-14-1994; amended 12-13-1999]**

PERSON — Any person, firm, partnership, corporation, association, or legal representative, acting individually or jointly.**[Added 11-14-1994; amended 12-13-1999]**

PUBLIC STORAGE RENTAL UNITS/BUILDING — A building or buildings comprised of separate rental units of varying size for private storage of personal property by the general public.**[Added 12-9-2019 by Ord. No. 2-2019]**

RESTAURANT — Any establishment however designated, at which food is sold for consumption on the premises to patrons seated within an enclosed building. However, a snack bar or refreshment stand at a public, semipublic or community swimming pool, playground, playfield, or park operated by the

agency or group or an approved vendor operating the recreational facilities and for the convenience of the patrons of the facility shall not be deemed to be a restaurant.

RESTAURANT, DRIVE-IN — An establishment where patrons are served food, soft drinks, ice cream, and similar confections for principal consumption outside the confines of the principal building or in automobiles parked upon the premises, regardless of whether or not seats or other accommodations are provided for the patrons.

ROOMING HOUSE — Any building or portion thereof containing more than two and less than 10 rooms that are used, rented or hired out to be occupied or that are occupied for sleeping purpose for compensation, whether the compensation be paid directly or indirectly.

SALVAGE — The utilization of waste materials and processing of discarded or rejected materials that result from manufacturing or fabricating operations. **[Added 8-14-2000]**

SERVICE STATION — See "automobile service station."

SEXUAL ENCOUNTER CENTER — A business or commercial enterprise that offers for money or any form of consideration, a place where two or more persons may congregate, associate or consort for the purpose of specified sexual activities or exposure of specified anatomical areas or activities between male and female persons and/or persons of the same sex, when one or more of the persons is in the state of nudity or seminude. The definition of sexual encounter center shall not include an establishment where a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the State of New York engages in medically approved and recognized sexual therapy. **[Added 11-14-1994; amended 12-13-1999]**

SHOPPING CENTER — A group of commercial uses located on a single parcel of land under one ownership, having adequate space in rear for loading and unloading commodities; and required off-street parking.

SIGN — **[Amended 5-13-1985; 1-23-2017 by L.L. No. 1-2017; 3-11-2019 by L.L. No. 2-2019]**

- (1) **AWNING SIGN** — A sign where graphics or symbols are painted, sewn, or otherwise adhered to the awning material as an integrated part of the awning itself.

- (2) **BACKLIT ILLUMINATION** — Signs that are backlit illuminated involve a low level of external light shining out from behind solid object, most often letters, creating a soft glow around the outside of the objects.
- (3) **BRACKET SIGN** — A freestanding sign attached to the ground by one or more support structures that is not higher than five feet and hangs from a bracket or support.
- (4) **CANOPY SIGN** — A sign placed on a canopy so that the display surface is parallel to the plane of the wall.
- (5) **DIRECTIONAL SIGN** — A permanent sign which is designed for the purpose of directing traffic or pedestrian traffic to the location of an activity or business.
- (6) **DRIVE-THROUGH MENU BOARD SIGN** — A sign located outside of a building, on a route to a point of service, with or without built-in communication devices, which displays a list of items offered. A drive-through menu board sign may be designed as a pole sign, monument sign, wall sign, projecting sign or iconic sign.
- (7) **ELECTRICAL RACEWAY** — A raceway (sometimes referred to as a raceway system) is an enclosed conduit that forms a physical pathway for electrical wiring. Raceways protect wires and cables from heat, humidity, corrosion, water intrusion and general physical threats.
- (8) **ELECTRONIC MESSAGE BOARD** — An illumination type that produces a static or changeable electronic message using light-emitting diodes (LED), liquid crystal display (LCD) or other digital display method; that is designed to provide an electronic message or display that may generate and periodically change using an internal, external or remotely located electronic control system; which contains an illuminated, programmable message or graphic, whether fixed or moving.
- (9) **EXTERNAL ILLUMINATION** — Signs that are externally illuminated have light shining on to the outer surface of the sign. External illumination may be downlit (lit from above) and uplit (lit from below).
- (10) **FREESTANDING SIGN** — A self-supporting sign not attached to any building, wall or fence, but in a fixed location, includes pole signs, pylon signs, and masonry wall-type signs,

monument signs, but does not include drive-through menu boards and portable trailer-type signs.

- (11) **ICONIC SIGN** — A sculptural, typically three-dimensional sign whose form suggests its meaning, and which can either be building-mounted or freestanding.
- (12) **ILLUMINATED SIGN** — Any sign illuminated by electricity, gas or other artificial light either for the interior, back lit or exterior of the sign, and which includes reflective and phosphorescent light.
- (13) **INTERNAL ILLUMINATION** — Signs that are internally illuminated have light shining through the surface of the sign. Typically, these either involve a rectangular-shaped box sign or individual letters (channel letters) that are lit from inside. Neon signs are not considered internally illuminated.
- (14) **MARQUEE SIGNS** — A sign attached to the top or the face of a permanent roof-like structure.
- (15) **MONUMENT SIGN** — A freestanding sign attached to the ground along its entire length to a continuous pedestal. A monument sign is horizontally oriented or is square.
- (16) **OFF-PREMISES SIGN** — A sign unrelated to a business or a profession conducted, or to a commodity or service sold or offered, upon the premises where such a sign is located.
- (17) **POLE SIGN** — A freestanding sign constructed on a structure of one or more poles.
- (18) **PORTABLE SIGN** — A sign designed to be portable and not structurally attached to the ground, building, structure or another sign.
- (19) **PROJECTING SIGN** — A sign attached to the building facade at a ninety-degree angle, extending more than 15 inches. A projecting sign may be two or three dimensional.
- (20) **SHINGLE SIGN** — A small projecting sign that hangs from a bracket or support.
- (21) **SIDEWALK SIGN** — A moveable sign not secured or attached to the ground or surface upon which it is located.
- (22) **SIGN** — A structure or device designed or intended to convey information to the public in written or pictorial form.

- (23)SIGN STRUCTURE — Framework for the sign.
- (24)SIGN SURFACE AREA — The entire area within the single, continuous perimeter enclosing the limits of writing representation, emblem or any figure or similar character. Supports, uprights or structures on which any sign is supported shall not be included in the sign face area unless it is an integral part of the sign.
- (25)TEMPORARY SIGN — A sign having a duration of no more than 60 days.
- (26)WALL SIGN — A sign placed or painted against a building and attached to the exterior front, rear or side so that the display surface is parallel to the plane of the wall.
- (27)WINDOW SIGN — A sign visible from a sidewalk, street or other public place, painted or affixed on glass or other window material, or located inside within four feet of the window, but not including graphics in connection with customary window display of products.²

SITE PLAN — A plan of a lot or subdivision on which is shown topography, location of all buildings, structures, roads, rights-of-way, boundaries, all essential dimensions and bearings and any other information deemed necessary by the Planning Board.

SPECIFIED ANATOMICAL AREAS [Added 11-14-1994; amended 12-13-1999] —

- (1) Less than completely and opaquely covered human genitals, pubic region or female breast below a point immediately above the top of the areola.
- (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITIES [Added 11-14-1994; amended 12-13-1999] —

- (1) Human genitals in a state of sexual stimulation or arousal.
- (2) Acts of human masturbation, sexual intercourse, or sodomy.
- (3) Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

2. Editor's Note: The definition of "sign area," which immediately followed, was repealed 5-13-1985.

SUBSTANTIAL PORTION [Added 11-14-1994; amended 12-13-1999] — The following conditions are present:

- (1) The amount of actual stock-in-trade that is distinguished or characterized by its emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas is equal to or greater than 15% of the total stock-in-trade of the bookstore; and/or
- (2) Fifteen percent or more of the floor area of the building accessible to customers contains the enumerated materials distinguished or characterized by its emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, as compared to the total floor area of the building accessible to customers.

STREET — A public thoroughfare which has been dedicated or deeded to the public for public use, and which has been improved in accordance with municipal standards.

STREET LINE — That line determining the limit of the highway rights of the public, either existing or contemplated.

STRUCTURE — An assembly of materials, forming a construction framed of component structural parts for occupancy or use, including buildings.

STRUCTURAL ALTERATION — Any change to a structure which is not merely a repair or replacement of an existing part, or any change which would:

- (1) Enlarge or diminish the livable floor area of the structure or any part thereof;
- (2) Change the number of dwelling units contained in any structure;
- (3) Cause a change in the location or height of the exterior walls or roof of the structure;
- (4) Move the structure from one position to another;
- (5) Change any exit or entry facilities;
- (6) Change or rearrange the structural parts including bearing walls, beams, girders, columns.

TEMPORARY USE — An activity conducted for a specified limited period of time which may not otherwise be permitted by the provisions of this chapter.

TOURIST HOME — A dwelling in which overnight accommodations are provided or offered for transient guests for compensation.

TOWNHOUSE — One of a series of attached one-family dwelling units, each having a common wall between adjacent sections and having direct access to private, individual rear and/or front yards designed as an integral part of each one-family dwelling unit.

USE — The specific purposes for which land or a building is designed, arranged, intended or for which it is or may be occupied or maintained.

YARD — An open space on the same lot with a building, unoccupied or unobstructed by any portion of a structure from the ground upward, except as otherwise provided in this chapter.

YARD, FRONT — An open, unoccupied space on the same lot with the building, between the front line of the building and the street or highway line, and extending the full width of the lot.

YARD, REAR — An open, unoccupied space, except for accessory buildings, on the same lot with the building between the rear line of the building and the rear lot line and extending the full width of the lot.

YARD, SIDE — An open, unoccupied space on the same lot with the building, situated between the building and the side lot line, and extending from the front yard to the rear yard.

§ 190-37. Special use permits. [Amended 11-9-1998]

The following uses may be permitted provided a special use permit is authorized by the Planning and Development Committee under the terms and specifications herein. The necessity for certain specific uses is recognized. At the same time they, or any of them, may be or become inimical to the public health, safety and general welfare of the community if located without consideration to the existing conditions and surroundings. Special use permits authorize a particular land use that is permitted by the provisions of this chapter, but may require additional conditions to assure that the proposed use is in harmony with this chapter and will not adversely affect the neighborhood conditions. The following standards and proceedings are hereby established which are intended to provide the Planning and Development Committee with a guide for the purpose of reviewing certain uses not otherwise permitted in this chapter.

- A. Municipal or public utility structures. Municipal or public utility structures or facilities may be permitted by special use permit in residential and commercial zoning districts provided that:
- (1) The proposed installation in a specific location is necessary and convenient for the efficiency of the public utility system or the satisfactory and convenient provision of service by the utility to the neighborhood or area in which the particular use is to be located.
 - (2) The design of any building in connection with such facility conforms to the general character of the area and will not adversely affect the safe and comfortable enjoyment of property rights of the district in which it is located.
 - (3) Adequate and attractive fences and other safety devices will be provided.
 - (4) A buffer strip 10 feet in width shall be provided around the perimeter of the property.
 - (5) Adequate off-street parking shall be provided.
 - (6) All of the area, yard and building coverage requirements of the respective zoning district will be met.
- B. Professional offices. Professional offices for attorneys, physicians and/or dentists may be permitted by special use permit in the R-3 Residential District, provided that:

- (1) A minimum area of 10,000 square feet with 75 feet of frontage shall be provided.
 - (2) Not more than 30% of the lot shall be covered by building area.
 - (3) A minimum of 35 feet for rear and front yards and a minimum of 12 feet for one side yard and a total of 25 feet for both side yards shall be required for all new construction.
 - (4) On an existing structure which is connected and providing no additions are required, the City Council shall determine that the proposed use and structure will not be detrimental to adjoining properties.
 - (5) Off-street parking shall be provided at a rate of one space per 150 square feet of floor area or fraction thereof. No parking shall be permitted within any portion of the front yard.
 - (6) Where a parking area for four or more cars adjoins a residential property, a planted buffer strip at least 10 feet wide shall be provided between the parking area and the adjoining property.
 - (7) No more than four physicians or dentists shall occupy one building.
 - (8) If the proposed use is to be located in a residential building, the residential facade shall be maintained.
- C. High-rise apartments. High-rise apartments may be permitted by special use permit in the R-3 Residential, C-1 Limited Commercial and C-2 General Commercial Districts, provided that:
- (1) Detailed plot plans, showing parking, building location, buffer areas, etc., shall be submitted.
 - (2) No structure shall contain more than one dwelling unit per 650 square feet of lot area. For structures which exceed eight stories in height, the minimum lot area per dwelling unit shall not exceed 800 square feet.
 - (3) The minimum lot width shall be 150 feet.
 - (4) All yards shall have a minimum depth equal to not less than $\frac{1}{2}$ the height of the tallest building but in no case shall the required yard areas be less than 35 feet.

- (5) No apartment unit shall have less than 396 square feet of gross living area.
 - (6) Parking may be provided in any yard area but the front yard and shall be in the ratio as approved by the City Council.
 - (7) Not more than 40% of the lot area shall be covered by building area.
 - (8) Each building shall be provided with at least one passenger elevator and one service/passenger elevator.
 - (9) One project identification sign shall be permitted which shall not exceed 25 square feet in area and shall be situated not less than 10 feet within the property lines. The sign may include only the name of the project, the street address, and the presence or lack of vacancies.
- D. Cleaning establishments. Cleaning establishments may be permitted by special use permit in the C-2 General Commercial and Industrial Districts, provided that:
- (1) It shall be determined that the proposed use is compatible in the adjoining land uses.
 - (2) The proposed use will not adversely affect the general health, safety and welfare of the public.
 - (3) The applicant shall indicate precautions taken to protect the general health, safety and welfare of the public.
- E. Automobile service stations; garages; drive-in restaurants. Automobile service stations and/or garages for the storage, adjustment or repair of motor vehicles, drive-in restaurants and other similar uses where specific attention and consideration must be given to traffic generation and the disruption of traffic flow as well as the danger to the general public due to hazards by fire and explosion, may be permitted by special use permit in C-2, I-1 and I-2 Districts, provided that:
- (1) A site plan shall be prepared to show the location of buildings, parking areas, and driveways. In addition, the site plan shall show the number and location of fuel tanks to be installed; the dimensions and capacity of each storage tank; the depth the tanks will be placed below the ground; the number and location of pumps to be installed; the type of structure and accessory buildings to be constructed; the location, height,

and lighting power of proposed lighting standards; and the manner in which buffering is to be provided.

- (2) Automobile service stations and drive-in restaurants shall have the following yard restrictions:
 - (a) A minimum lot size of 15,000 square feet with a minimum width of 125 feet.
 - (b) Minimum front and side yard areas of 25 feet with a minimum rear yard of 35 feet.
 - (c) Maximum lot coverage of 20%.
 - (d) Maximum building height of one story or 18 feet.
- (3) Driveways at service stations, drive-in restaurants and other uses providing drive-in service shall not be less than 20 feet nor more than 24 feet in width at any point. Driveways must be at least 20 feet from any side lot line and 50 feet from the intersection of street lines. No more than two driveways shall be permitted for each 125 feet of street frontage.
- (4) The entire area of the site traveled by motor vehicles shall be hard surfaced.
- (5) Any repair of motor vehicles shall be performed in a fully enclosed building, and no motor vehicle shall be offered for sale on the site. No motor vehicle parts or partially dismantled motor vehicles shall be stored outside an enclosed building.
- (6) Accessory goods for sale may be displayed on the pump island and the building island only. The outdoor display of oil cans and/or antifreeze and similar products may be displayed on the respective island if provided for in a suitable stand or rack.
- (7) All fuel pumps shall be located at least 20 feet from any street or property line and pumps shall have automatic shutoffs as approved by the Fire Department.
- (8) Parking for service stations shall be provided in the ratio of one space per 100 square feet of floor area or fraction thereof in the principal building. Parking for drive-in restaurants shall be provided in the ratio of four spaces per 100 square feet of floor area or fraction thereof in the principal building.

- (9) Where such parking areas abut a residential zoning district, they shall be screened by a buffer area not less than 10 feet in depth composed of densely planted evergreen shrubbery, solid fencing, or a combination of both which, in the opinion of the City Council will be adequate to prevent the transmission of headlight glare across the district boundary line. Such buffer screen shall have a minimum height of six feet above finished grade at the highest point of the parking area. The materials shall be in keeping with the character of the adjacent residential area.
- (10) No automobile service station or public garage shall be located within 500 feet of any public entrance to a church, school, library, hospital, charitable institution or place of public assembly. The distance shall be measured in a straight line from the public entrance to the lot line nearest such entrance along the street line.
- (11) No service station shall be located within 1,000 feet of an existing station on the same side of the highway. If a station is located at the intersection of two streets, this distance shall be measured along both streets which abut the property.
- (12) The areas shall be illuminated by nonglare lighting standards, focused downward, and which, in the opinion of the City Council, will not create a nuisance to adjoining property owners.
- (13) Drive-in restaurants for the purposes of this subsection are defined as eating establishments for customers normally arriving by motor vehicles, who are provided quick service, food and drink, and such customers obtain their own food and drink at a counter or other place for dispensing food therein and consume such food and drink upon the premises; or in such type restaurants where customers may be waited upon without leaving their vehicles by employees of the drive-in restaurant.
- (14) The use of an automobile service station may include the sale or rental of vehicles with a special permit from the City Council. No vehicles shall be parked or displayed in the required front yards, and a detailed plot plan showing the areas in which such vehicles are to be stored shall accompany the application for the special use permit.
- F. Automobile junkyards; reclamation centers. As defined by this chapter, junkyards, automobile junkyards, or reclamation centers

may be permitted by special use permit in the I-1 and I-2 Industrial Districts, provided that:

- (1) All wrecking, dismantling, processing and other related operations shall be conducted within the property lines which shall be completely enclosed by a solid fence material of not less than six feet in height. Such fence shall be of a height sufficient to preclude the visibility of materials from all public rights-of-way.
- (2) The keeping of such fence in good maintenance shall be a condition of the issuance of the special use permit. The Council may revoke this authorization if such fence is not maintained in good condition.
- (3) No junkyard shall be located within 200 feet of a residential district. This distance shall be measured from the nearest point of the property line of the junkyard to the residential district.

G. Large-scale multifamily developments. Large-scale multifamily developments, including garden apartments and townhouses may be permitted in any residential district and the C-1 Limited Commercial District, provided that:

- (1) A detailed site plan showing the location of all buildings, driveways, parking areas, and recreation space buffer areas, is submitted in accordance with § 51-8B of Chapter 51, Building Construction, of the Code of the City of Batavia.
- (2) Special use permit for such uses shall be required at any time the number of units in a particular development reaches six or more, whether the six are proposed at any one time, single, or in any combination totaling six or more.
- (3) The total number of dwelling units for a multifamily project shall not exceed a density of:
 - (a) Six units per gross acre of land in R-1 Districts.
 - (b) Twelve units per gross acre of land in R-2 Districts.
 - (c) Twenty units per gross acre of land in R-3 and C-1 Districts.
- (4) There shall be no dwelling units below the first story or above the second story.

- (5) Each dwelling unit shall contain complete kitchen facilities, toilet and bathing facilities, and shall have a minimum gross floor area in accordance with the following:
 - (a) One-bedroom dwelling units and/or efficiency units shall have a minimum of 600 square feet.
 - (b) Two-bedroom dwelling units shall have a minimum of 800 square feet.
 - (c) Three-bedroom dwelling units shall have a minimum of 1,000 square feet.
- (6) There shall be no more than 16 dwelling units in each building or structure.
- (7) No multifamily dwelling structure shall be located within 25 feet of another dwelling structure, swimming pool, recreation building, or garage.
- (8) Every building shall have a minimum setback of 20 feet from any and all interior roads, driveways, and parking areas.
- (9) There shall be a buffer strip planted with evergreen shrubs along the entire perimeter of the property, exclusive of the front yard(s), of at least 15 feet in width measured from the property line. No parking or recreation areas shall be permitted within this buffer strip.
- (10) Parking shall be required at the ratio of no less than 1 1/2 spaces per dwelling unit.
- (11) A minimum of 10% of the total tract area shall be designated for common recreational purposes. The area designated for recreation shall, in the opinion of the City Council, be suitable for such purposes.
- (12) Sufficient laundry, drying, garbage pickup and other utility areas must be provided and shall be located with a view both to convenience and to minimizing the detrimental effect on the aesthetic character of the building(s) and shall be enclosed and shielded from view by fencing, walls or shrubbery of at least six feet in height around the perimeter.
- (13) There shall be a minimum common storage area in each building for bicycles, perambulators and similar type of equipment of 30 square feet in area and a minimum of six feet in height per dwelling unit.

(14) Driveways, parking areas, dwelling entranceways, and pedestrian walks shall be provided with sufficient illumination to minimize hazards to pedestrians and motor vehicles. Such light sources shall, where necessary, be shielded to avoid glare disturbing to occupants of buildings.

(15) Other standards and conditions to the site plan and to curbing, driveways, parking areas, pedestrian walks, landscaping and planting not otherwise specified herein may be attached as conditions by the City Council as circumstances indicate they will further the purposes and intent of this chapter.

(16) The proposed use shall meet the area and yard requirements specified in Schedule I of this chapter.¹

H. Heliports and helistops. Heliports and helistops may be permitted by special use permit in the I-1 and I-2 and P-1 and P-2 Districts, provided that:

(1) All applications for a heliport or helistop in the City shall include all of the information identified in § 51-8D of Chapter 51, Building Construction, of the Code of the City of Batavia, as well as anticipated frequency of helicopter operations; proposed landing areas, including ground and building sites; types of craft to be utilized; takeoff and landing approaches, emergency landing sites; fire participation facilities; and structural support capabilities for rooftop landing sites.

(2) Heliports or helistops shall not be permitted within 1,000 feet of any residential district except by special use permit authorized by the City Council.

(3) All helicopter landing areas shall be enclosed by wind-deflection fences which are four feet in height.

(4) All helicopter landing surfaces shall be free from dust, dirt and other loose material and shall be covered by a surface approved by the City Engineer.

(5) For rooftop landing areas the structure shall be capable of supporting a gross concentrated load equal to 1.75 times the helicopter's weight.

1. Editor's Note: Schedule I is included at the end of this chapter.

- (6) Routes of helicopters shall be over terrain which affords suitable emergency landing areas no farther away than a glide angle of one foot vertically to four feet horizontally.
 - (7) Minimum landing areas for a heliport shall be 100 feet by 100 feet exclusive of tie-down facilities, taxi-ways, service and parking areas. On rooftop sites, the minimum landing area shall be 40 feet by 40 feet for helicopters of less than 3,500 pounds gross weight. The minimum size of the touchdown area for helicopters over 3,500 pounds gross weight shall be at least 1 1/2 times the rotor diameter.
 - (8) Rooftop helicopter landing facilities shall be located in an area that will permit a glide slope angle of eight feet horizontal distance for every one foot vertical clearance required. Two such approaches shall be available, at least 90° removed from each other.
 - (9) On all touchdown or landing areas, whether elevated or flush with the roof, provision shall be made for collecting fuel which may be spilled in event of any emergency. Separator or clarifier tanks for collecting spilled fuel shall be installed under approval and supervision of the City Engineer.
 - (10) Fire-fighting facilities approved by the Batavia Fire Department shall be provided at all landing sites.
 - (11) All landing sites shall be approved and marked as prescribed by the Federal Aviation Administration.
 - (12) For rooftop sites no light standards, roof vents, guy lines, television antennas, or other similar rooftop obstructions which may be difficult to see from the air shall be permitted within the required glide slope on three sides, or within an arc of 270°.
 - (13) Such lights as are installed shall illuminate and be directed onto the touchdown pad only, and in such a manner that the light rays cannot interfere with the helicopter pilot's vision.
 - (14) Approved means of communication, such as telephone, radio, fire alarm box or signaling device, shall be provided adjacent to the landing area.
- I. Restricted residential uses. Restricted residential uses shall be permitted in C-3 Central Commercial Districts as defined herein with the following provisions: **[Added 7-8-1996]**

- (1) A detailed site plan showing the location and size of all buildings, entrances, exits, driveways, signage, parking areas, and dumpsters is submitted in accordance with § 51-8 of Chapter 51, Building Construction, of the Code of the City of Batavia.
 - (2) A detailed floor plan drawn to scale of all interior portions of any building or any renovations to existing buildings shall be submitted as part of the special use permit application.
 - (3) The maximum height from curb level for any new building constructed shall be four stories.
 - (4) No residential use shall be permitted on the first floor. The first floor use must be consistent with other allowed uses in the C-3 Central Commercial Districts.
 - (5) There shall be no more than two bedrooms per unit.
 - (6) Any new building constructed shall be built to the front lot lines on Main Street and Jackson Street within the C-3 Central Commercial District.
 - (7) A parking plan shall be submitted detailing plans for parking. An annual fee for parking shall be required for any use by residents of City-owned parking lots with those limitations set forth by the City Council if the special use permit application is approved.
 - (8) Separate signage denoting residential use shall be allowed as approved in the special use review.
 - (9) Other standards and conditions to the site plan and to curbing, driveways, parking areas, pedestrian walks, landscaping and planting not otherwise specified herein may be attached as conditions by the City Council as circumstances indicate they will further the purposes and intent of this chapter.
- J. Accessory dwelling units. Accessory dwelling units may be permitted by special use permit in the R-1 Residential District, provided that: **[Added 10-25-1999]**
- (1) No changes are made to the front exterior of the single-family dwelling to maintain the appearance of a single-family home.
 - (2) Accessory units will only be allowed in owner-occupied single-family residences.

- (3) Garages may not be converted to accessory dwelling units.
 - (4) Entrances for the accessory unit shall not be on the front exterior to maintain the single-family appearance of the structure.
 - (5) One parking space to be provided for the accessory dwelling unit.
- K. Standards applicable for all special use permits. The Planning and Development Committee may issue a special use permit only after it has found that all the following standards and conditions have been satisfied, in addition to any other applicable standards and conditions contained elsewhere in this chapter. **[Added 11-9-1998]**
- (1) The location and size of such use and intensity of the operations involved in or conducted therewith, its site layout and its relation to access streets shall be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons therewith will not be hazardous and shall be in harmony with the orderly development of the district.
 - (2) The location, nature and height of buildings, walls and fences will not discourage the appropriate development and use of adjacent land and buildings, nor impair their value.
 - (3) The operation of any such use shall not be more objectionable to nearby properties than would be operation of any permitted use.
 - (4) The operation of any such use shall not cause undue noise, vibration, odor, lighting glare, and unsightliness so as to detrimentally impact adjacent properties.
 - (5) When a commercial or industrial special use abuts a residential property the Planning and Development Committee may find it necessary to require screening of sufficient height and density (i.e. fences, hedges, etc.) to reduce or eliminate the conflicting environmental conditions previously mentioned.
 - (6) Electrical disturbances shall not be caused so as to disrupt radio or television communications in the immediate area.
 - (7) The proposed use shall meet the off-street parking and loading requirements of similar uses.

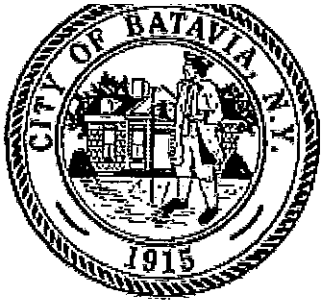
- (8) Appropriate on-lot drainage shall be provided so as to eliminate any potential on-site water-related problems. Also, the drainage systems created shall not detrimentally impact on adjacent properties.
- (9) Traffic access to and from the use site, as well as on-lot traffic circulation, shall be designed so as to reduce traffic hazards.
- (10) Such use shall be attractively landscaped.
- (11) A special use permit shall not be issued for a use on a lot where there is an existing violation of this chapter unrelated to the use which is the subject of the requested special use permit, as determined by the Planning and Development Committee.
- (12) As a condition of all special use permits, right of entry for inspection with reasonable notice shall be provided to determine compliance with the conditions of said permit.
- (13) In addition to the general standards for special use permits as set forth herein, the Planning and Development Committee may, as a condition of approval for any such use, establish any other additional standards, conditions, and requirements it deems necessary or appropriate to promote the public health, safety and welfare, and to otherwise implement the intent of this chapter.
- (14) The above standards are not intended to apply to uses whose regulation has been preempted by the state or federal government.

L. Adult uses as per Article VI. **[Added 12-13-1999]**

M. Public storage rental units/buildings. Public storage rental units/buildings may be permitted by special use permit in the I-1 and I-2 Districts provided: **[Added 12-9-2019 by Ord. No. 2-2019]**

- (1) A site plan be prepared and show the arrangement of storage buildings and outside storage areas, exterior lighting, landscaping, screening, fencing, and garbage/trash storage areas, in addition to the site plan requirements of § 190-44.
- (2) Buildings are not to exceed one story in height and not more than 20 feet above grade.
- (3) Buildings and outside storage areas are to be a minimum of 100 feet from any residential use property.

- (4) Storage of the following will be prohibited:
- (a) Flammable liquids, gases or solids in excess of those permitted by the International Fire Code.
 - (b) Storage of food products.
 - (c) Outside storage of junk automobiles/vehicles, auto parts, or mechanical equipment other than recreational vehicles, motor homes, travel trailers, campers, boats.
 - (d) Storage of garbage, trash or recyclable materials.
- (5) Off-street parking shall be provided for visitors at the rate of one space per 20 rental units.
- (6) No materials or products of any kind may be displayed or offered for sale on site.
- (7) Outdoor lighting shall be designed so the maximum illumination at the property line does not exceed zero footcandle on adjacent residential use properties.



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: 5/29/20
Re: 424 East Main St. (GCASA)
Tax Parcel No. 84.016-1-4.1

Zoning Use District: C-1

The applicant, Raymond Murphy, RA. (representative for GCASA), has submitted renderings of a proposed project that will result in the expansion of the existing Atwater Residence to create a twenty bed, supervised detoxification center. The purpose of this "sketch plan review" submittal is to provide the applicant with the opportunity to familiarize the PDC with the proposal and to obtain direction prior to final site plan submission.

Review and Approval Procedures:

City Planning and Development Committee- Pursuant to section 190-44 B(1) and 190-44 D(1) of the zoning ordinance, the Planning and Development Committee is authorized to conduct "sketch plan reviews".



FONTANESE FOLTS AUBRECHT ERNST, ARCHITECTS
6395 WEST QUAKER STREET, ORCHARD PARK, NY 14127
p: 716/662-2200 | f: 716/662-0072 | Email: rmurphy@ffae.biz

May 28, 2020

Mr. Douglas Randall
City of Batavia
One Batavia City Centre
Batavia, NY 14020

Re: GCASA Detoxification Center
424 East Main Street, City of Batavia, New York

Dear Douglas,

On behalf of GCASA, Genesee Council on Alcoholism and Substance Abuse, we are pleased to submit a concept sketch for an addition to the existing Atwater Residence for your consideration. This addition would be for the purpose of a medically supervised detoxification center. We request that this project be placed on the agenda for the Planning and Development Committee (PDC) meeting on June 16th for Sketch Plan Review.

This new 20 bed facility looks to enhance the GCASA campus for the treatment of people afflicted with substance dependency who are seeking support and recovery.

The following information is a brief summary of the project and intended use. Hard copies of the attached documents may be provided on request.

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

Respectfully submitted,

FONTANESE FOLTS AUBRECHT ERNST, ARCHITECTS, P.C.

A handwritten signature in blue ink, appearing to read 'Ray A. Murphy', written over a horizontal line.

Raymond A. Murphy, R.A.

Cc: John Bennett, GCASA
Eleanor Asquith, FFAE

Narrative

Located on the existing Genesee/Orleans Council on Alcohol and Substance Abuse (GCASA) campus at 424 East Main Street in Batavia, NY. This new facility looks to enhance the campus for the treatment of people afflicted with alcohol and drug dependency who are seeking recovery. This 20-bed facility contains 16 beds serving OASAS Part 816.7 regulations for medically supervised detoxification, and 4 transitional residential beds.

The new facility will be constructed as a 2-story wood framed building attached to one of the existing buildings on the GCASA Campus, the Atwater Residence. The Atwater Residence is the community residence component of the campus. GCASA believes that operationally, the Atwater Residence and the new 816.7 facility will benefit from close proximity to one another. This will offer more flexibility, comfort, and support to clients in transitioning to a residential program, a key component in the continuum of care.

Proposed Building Site

The existing structures and parking were built on a flat portion of the site on the west side of the property. Immediately to the east of the existing structure the grade remains relatively flat, continuing a slight rise eastward and away from the Tonawanda Creek watershed. The site, being located in the center of town, has a mixture of commercial, light manufacturing and agricultural center entities (east and west) with a small open and wooded area (south). The proposed location of the new addition is fairly open with only a few small trees needing to be removed.

Project Site Zoning characteristics:

- a. Zoning Classification: C-1 – Limited Commercial
- b. Zoning Use: Most similar use described in the zoning code is convalescent/nursing home
- c. Setbacks:
 - i. Minimum Lot Area – 5,000 sf – Compliant (3.04 acres)
 - ii. Minimum Lot Frontage- 50' – Compliant (284')
 - iii. Front –Compliant (Addition is located behind the original structure)
 - iv. Sides – Required: 12' - Provided: 81' East Side, 22' West Side (Compliant)
 - v. Rear – 35' – Compliant (90')
 - vi. Street Frontage – 50' – Compliant
 - vii. Max. Height – 40' – Compliant (32')
 - viii. Coverage – 30% – Compliant (15%)

Building Massing and Site

The new 2- story volume fits into the surrounding context and allows for ample parking on the existing site without taking measures to remove the existing garage. To accommodate for additional staff parking, 13 new parking spots will be added, one of which will be accessible.

Parking Requirements:

Spaces Required:

Outpatient Clinic: $6,600 \text{ SF} / 200 = 33$ Spaces for 1st floor, $6,600 \text{ SF} / 300 = 22$ Spaces for 2nd Floor (55 Total)

Methadone Clinic: $2,877 \text{ SF} / 200 = 14$ Spaces

Atwater Residence: 1 Space/ 2 Beds (12 Beds)= 6 Spaces

Supportive Living: 1 Spaces/ 2 Beds (10 Beds)= 5 Spaces

Detox Center: 1 Space per 2 Beds + 1 per 2 Employees= 14 Spaces

Total Anticipated # of Spaces Needed: 94 Spaces

Existing on site: 82 spaces (including 6 accessible)

Leased: 12 Spaces to the west of the site

Current Total: 94 Spaces, Proposed: Additional 13 Spaces

Proposed Total: 107 Spaces

We are confident that the current proposed number of parking spaces will be sufficient. Additionally, the above count does not include the available on street parking spaces.

Building and Program Summary:

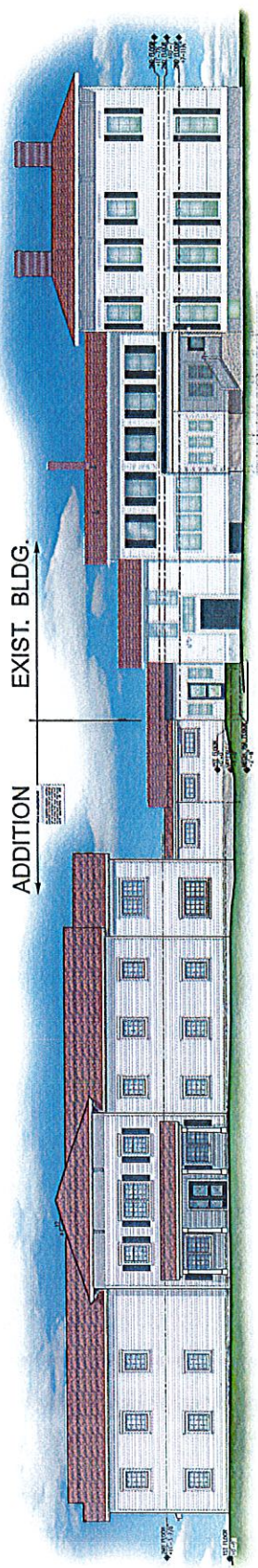
Bed Count: 20 Beds

Area (Gross Square Footage): 8,786 s.f.

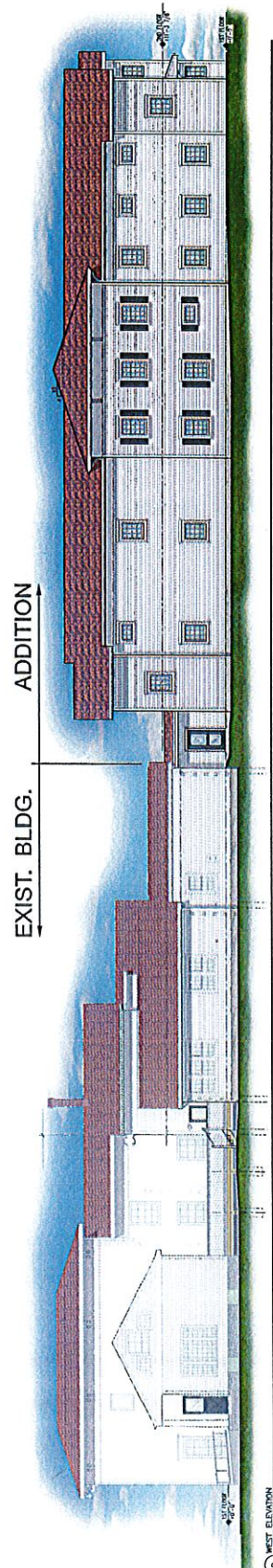
Materials: The building will be type VB construction, consisting of wood stud wall framing set on concrete foundation walls, TJI engineered floor joists (2nd floor), pre-engineered wood roof trusses. The first floor will be concrete slab on grade. The finish materials are intended to remain in keeping with the aesthetic character of the campus- Fiber Cement Lap siding painted to match the Atwater Residence, fiber cement trim, decorative brackets, asphalt roofing, clad wood double hung windows.

Shared between males and females, this building lends to a two- wing form with the nurse and shared facilities in the middle. The second story will be split into the aforementioned two wings, each of which will contain four shared bed rooms (2 beds each), and a bathroom facility. The multi-fixture bathrooms will provide flexibility for clients and allow easier maintenance for staff. The center block, situated between the wings contains a central lounge, client laundry, and nursing/ physician spaces. The first floor of this new facility will house the communal functions of the building, such as dining and serving, group rooms, intake, and employee offices/resources.

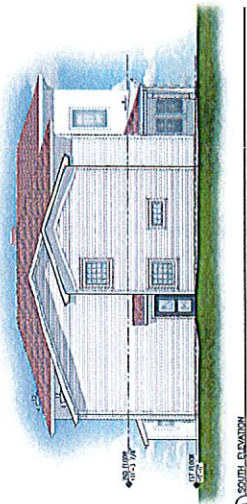
Additionally, located on the north end of the first floor, is the connection to the Atwater Residence and the four transition beds (again, shared rooms with 2 beds each). These beds are intended to be used to transition clients to care in a residential program, whether that is at the Atwater residence or elsewhere. A bathing suite is located between the beds. The connection to Atwater is a hallway which will contain access control means to restrict free flow among the two buildings. The Atwater Residence contains a commercial kitchen with the size and storage capacity to serve the clients within this new 20 bed facility. This connecting "hall" provides a direct path from the Atwater Kitchen where food is prepared, to the servery where food will be plated and served.



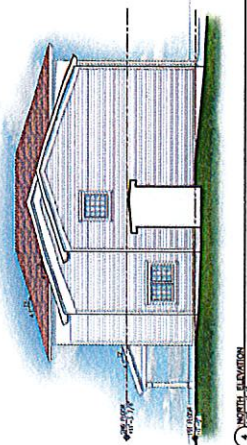
1 EAST ELEVATION
 $1/8" = 1'-0"$



2. WEST ELEVATION
 $\frac{1}{8}'' = 1'-0''$



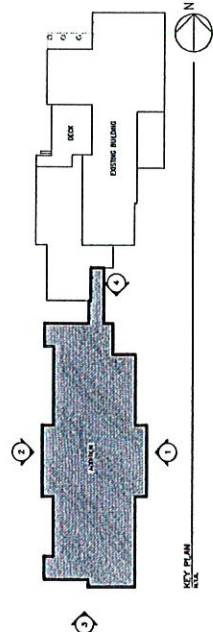
SOUTH ELEVATION

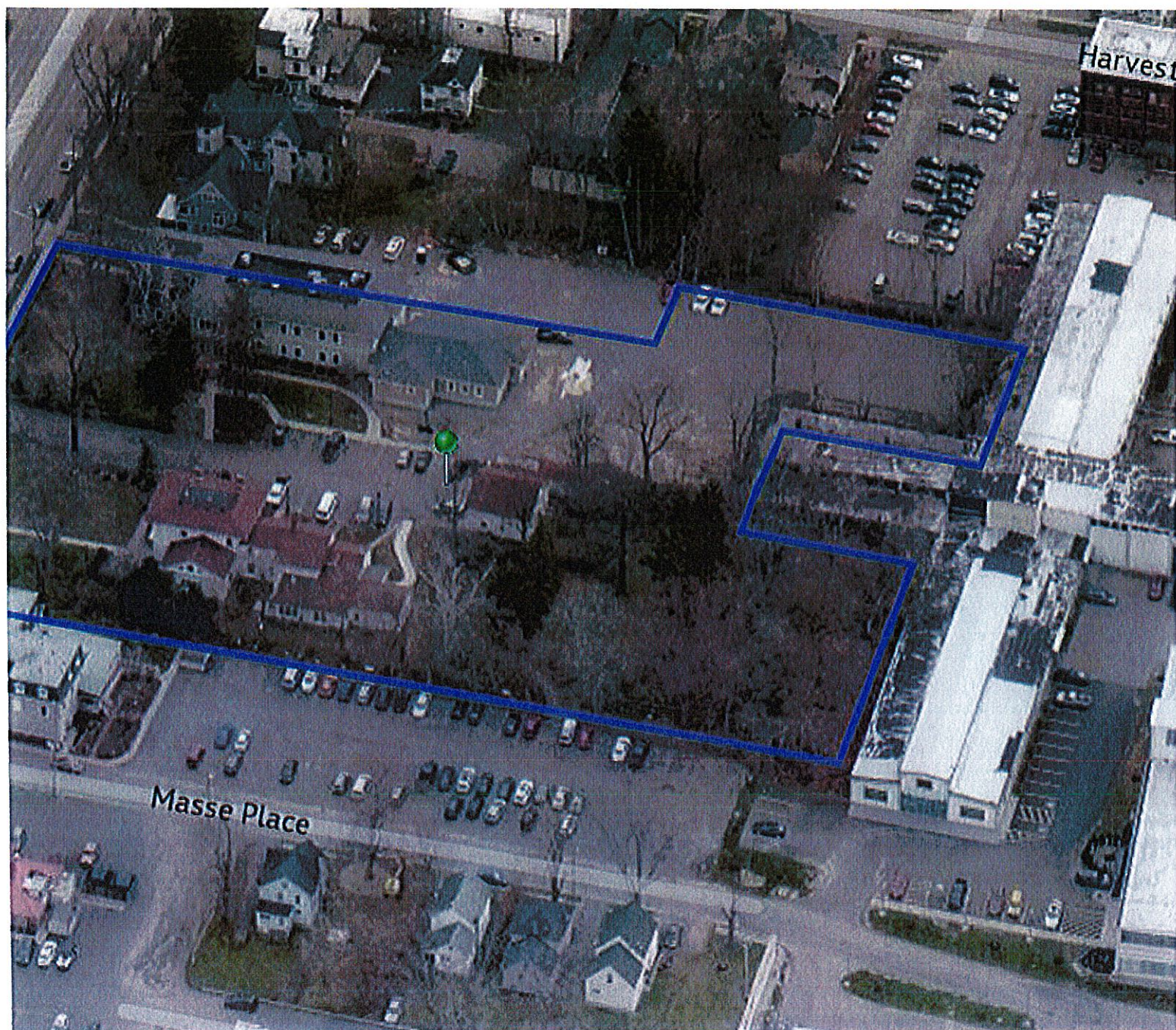


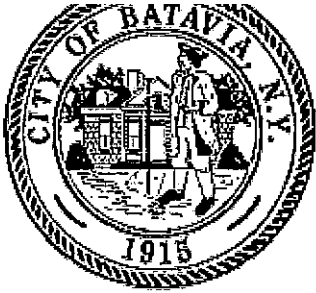
4 NORTH ELEVATION



PHOTOGRAPH OF EXISTING NORTH ELEVATION
TO REMAIN AS IS, NO NEW WORK)

[illegible]





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: 6/1/20

Re: 555 East Main St. (DePaul Apartments)
Tax Parcel No. 84.012-3-51.1

Zoning Use District: C-2

The applicant, Paul Schreiner, PE (agent for DePaul Apartments), has filed a Building Permit application, Special Use Permit application, and ZBA area variance application for the construction of a 20,100 square foot, two story, 20 dwelling unit addition to an existing 49,786 square foot, 42 dwelling unit "Large-scale Multifamily Development" building.

Review and Approval Procedures:

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

City Planning and Development Committee- Pursuant to section 190-44 B of the zoning ordinance, the Planning and Development Committee is authorized to conduct a site plan review to ensure compliance with BMC 190-44 D (2)

Also; In compliance with BMC 190-37, the PDC may authorize Special Use Permits that are in compliance with BMC 190-37 G (1-16) and 190-37 K (1-14).

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

Required variances- Area

- 1) BMC 190-37 G (6) The maximum permitted number of dwelling units per building is 16 for Large-scale Multifamily Developments. There are 42 units existing and 20 more are proposed for a total of 62.
- 2) BMC 190-37 G (8) Buildings in Large-scale multifamily developments are required to be set back from interior roads, driveways and parking lots by at least 20 feet. 8 feet is proposed.

- 3) BMC 190-37 G (10) Off street parking is required at the rate of 1.5 spaces for each dwelling unit.
- 93 spaces would be required for 62 dwelling units.
 - 32 spaces are provided now for the existing 42 dwelling units.
 - 24 new spaces are proposed for the additional 20 dwelling units.
 - 56 total spaces will be provided at .90 spaces per dwelling unit.

The Planning and Development Committee will conduct an Uncoordinated Review of SEQR.



*** 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) PDC and ZBA
Address One Batavia City Centre
City, State, Zip Batavia, NY 14020
Phone (585) 345-6345 Ext. _____

2. APPLICANT INFORMATION

Name Paul Schreiner, PE (agent for DePaul Apartments)
Address 3349 West Commercial Street, Suite 3200
City, State, Zip East Rochester, NY 14445
Phone (585) 586-0200 Ext. _____ Email pschreiner@djparrone.com

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 | <input type="checkbox"/> Subdivision Proposal |
| <input type="checkbox"/> Use Variance | <input type="checkbox"/> Zoning Text Amendments | <input type="checkbox"/> Preliminary |
| <input checked="" 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 555 East Main St.
B. Nearest intersecting road Clinton St.
C. Tax Map Parcel Number 84.012-3-51.1
D. Total area of the property 5.4 acres Area of property to be disturbed 2 acres
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 G and 190-37 K (Special Use Permits) BMC 190-37 G (6), 190-37 G (8) and 190-37 G (10) (variance)
C. Please describe the nature of this request Approval to construct a 20,100 sq.', 20 dwelling unit addition to an existing 49,786 sq.', 42 dwelling unit Large-scale Multifamily Development building.

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

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

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

May 28, 2020



ROCKSOLID

Mr. Douglas Randall
City of Batavia
One Batavia City Centre
Batavia, NY 14020

THE PIANO WORKS
349 WEST COMMERCIAL STREET
SUITE 3200
EAST ROCHESTER, NEW YORK 14445
T 585.586.0200
F 585.586.6752
WWW.PARRONEENG.COM

Re: DePaul Apartments
555 East Main Street

Dear Doug,

We are making application to the City of Batavia for site plan approval for the above referenced project. We are requesting that this project be placed on the June 16, 2020 City Planning and Development Committee meeting agenda as a matter for site plan and Special Use Permit approval. Additionally, we are requesting that the project be placed on the June 25, 2020 Zoning Board of Appeals meeting as a matter for variance consideration. We also understand that your office will send this project to the Genesee County Planning Board for their June 11, 2020 meeting.

The project includes the construction of a 20-unit addition to the existing 42-unit, two-story facility that is located along the north side of East Main Street. The project will also include the expansion of the existing parking area and adjustment of existing storm drainage, sanitary lateral and site grading to support the proposed addition.

Attached we are providing two full sized sets of the site plans and 12 copies each of plan sets reduced to 11"x17" size, Short form EAF, Building Permit Application, Special Use Permit Application and Area Variance application. We are also including checks in the amounts of \$100.00 for the ZBA application and \$100.00 for the Special Use Permit fee.

Please feel free to contact our office if you should have any questions or if we can provide any added information or plans for this application.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul Schreiner".

Paul Schreiner, P.E.
PARRONE ENGINEERING

CC: Joe Gibbons, Gillian Conde, Steve Vandale

CITY OF BATAVIA

BUILDING PERMIT APPLICATION

DATE: 5-28-2020APPLICANT NAME & PHONE: DEPAUL PROPERTIESProject Location and Information

Permit #: _____ Fee: _____

Address of Project: 555 EAST MAIN STREET, BATAVIA, NY 14020Owner & Address: BATAVIA SPECIAL NEEDS APARTMENTS, LLC 555 E. MAIN ST., BATAVIAPhone: 585-426-8000Project Type/Describe WorkEstimated cost of work: \$3.5 MStart date: 3/2021

Describe project: PROJECT INCLUDES THE CONSTRUCTION OF A 20-UNIT APARTMENT ADDITION TO THE EXISTING 42-UNIT APARTMENT COMPLEX. THE ADDITION WILL ALSO INCLUDE SITE IMPROVEMENTS FOR THE PROJECT

Contractor Information – Insurance certificates (liability & workers comp) required to be on fileGENERALName/Address: WHITNEY EAST INC 1504 SCOTTSVILLE RD, ROCHESTER NY 14623Phone: 585-328-7100PLUMBING (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: _____

PERMIT NO. 20-01



SPECIAL USE PERMIT

CITY OF BATAVIA, NEW YORK

LOCATION: 555 EAST MAIN STREET
OWNER: BATAVIA SPECIAL NEEDS APTS, LLC
Address: 555 EAST MAIN ST, BATAVIA, NY

Application Date: 5-28-2020
Tax Parcel No.: 084.012-3-51.1
Phone No. 585-201-7900

☒ COUNTY PLANNING REVIEW

☒ ZONING VARIANCE REQUIRED

C-2 ZONING DISTRICT

☐ HISTORIC DISTRICT

☐ FLOOD ZONE

☐ HISTORIC LANDMARK

☐ CORNER LOT

☒ CITY ENGINEER REVIEW

☒ SITE PLAN REVIEW

☐ CITY COUNCIL REVIEW

☐ BID

☐ OTHER

PROJECT DESCRIPTION:

THE PROPOSED PROJECT INCLUDES THE CONSTRUCTION OF A 20-UNIT APARTMENT ADDITION TO THE EXISTING 42-UNIT COMPLEX THAT WAS CONSTRUCTED IN 2009. THE PROPOSED ADDITION WILL BE 2 STORIES AND MATCH THE EXISTING BUILDINGS ARCHITECTURE.

EXISTING USE: APARTMENTS

PROPOSED USE: APARTMENTS

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

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

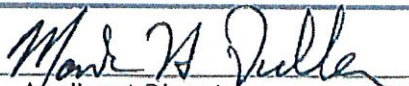
LOT SIZE: 5.4 AC

LOT AREA: 5.4 AC

CITY PLANNING & DEVELOPMENT REVIEW:

☐ APPROVAL AS PRESENTED ☐ DISAPPROVAL ☐ APPROVAL WITH CONDITIONS

CHAIRMAN SIGNATURE: _____ DATE: _____

 Applicant Signature	May 26, 2020 Date	_____ Issuing Officer
Permit Fee: <u>\$100.00</u>	Issue Date: _____	



CITY OF BATAVIA
APPLICATION TO THE ZONING BOARD OF APPEALS

PAID

JUN - 2 2020

CITY OF BATAVIA
CLERK-TREASURER

20-07
Application No.:

Hearing Date/Time:

APPLICANT: DEPAUL PROPERTIES GCONDE@DEPAUL.ORG
Name E-Mail Address
1931 BUFFALO ROAD 585-426-8000 FAX: - 8082
Street Address Phone Fax
ROCHESTER NY 14624
City State Zip

STATUS: ☒ Owner ☐ Agent for Owner ☐ Contractor

OWNER: BATAVIA SPECIAL NEEDS APARTMENTS, LLC
Name E-Mail Address
555 EAST MAIN STREET 585-201-7900
Street Address Phone Fax
BATAVIA NY 14020
City State Zip

LOCATION OF PROPERTY: 555 EAST MAIN STREET, BATAVIA, NY

DETAILED DESCRIPTION OF REQUEST: THE FOLLOWING VARIANCES ARE REQUESTED FOR THE BUILDING ADDITION FOR THE REFERENCED PROJECT:

- 1.) CODE SECTION 190-37: MAX # OF UNITS IN ONE BUILDING 16 PROPOSED: 62 UNITS
- 2.) CODE SECTION 190-39: PARKING FOR LARGE SCALE MULTIFAMILY 93 REQD PROPOSED 56 SPACES

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.

Mande A. Vulle
Applicant's Signature

May 26, 2020

Date

Mande A. Vulle
Owner's Signature

May 26, 2020

Date

To be Filled out by Zoning Officer

TAX PARCEL: 84.012-3-51.1 ZONING DISTRICT: C-2 FLOOD PLAIN: C

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 G(6), BMC 190-37 G(8),
BMC 190-37 G(10).

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 EXISTING CONSTRUCTED PARKING DENSITY IS 0.74 SPACES/UNIT AND HAS WORKED WELL FOR THE PROJECT WITH NO SIGNIFICANT NEGATIVE IMPACT. THE PROPOSAL WILL INCREASE THE DENSITY TO 0.89 SPACES/UNIT TO MATCH /OR EXCEED.
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. THERE IS A SIGNIFICANT GRADE CHANGE FROM THE FRONT TO THE REAR OF THE SITE PROHIBITTING REASONABLE VEHICLE ACCESS TO INSTALL THE CODE REQUIRED PARKING.
3. **Substantiality.** The requested area variance is not substantial. WE FEEL THAT THE REQUESTED VARIANCE MAGNITUDE IS CONSTANT WITH THE EXISTING SITE PARKING DENSITY
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 REQUESTED VARIANCE WILL RESULT IN AVOIDING FURTHER PHYSICAL DISTURBANCE OF THE SITE.
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 TOPOGRAPHY OF THE SITE WAS A NATURAL CONDITION OF THE SITE THAT RESTRICTS DEVELOPMENT OF THE SITE ACCORDING TO CODE REQUIREMENTS.


Applicant's Signature

6/2/2020

Date

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

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

Part 1 - Project and Sponsor Information							
DePaul Properties 1931 Buffalo Road, Rochester, NY 14624							
Name of Action or Project: DePaul Apartments - Building Addition							
Project Location (describe, and attach a location map): 555 East Main Street, Batavia, NY 14020 (See plan sets for mapping)							
Brief Description of Proposed Action: The proposed project includes the construction of a 20-unit, 2-story, apartment building addition to an existing 42-unit apartment complex located at 555 East Main Street, Batavia, NY. The building addition will be consistent in appearance with the existing building complex. The project will include the expansion of the existing parking lot, modification of the existing storm drainage system and related site improvements.							
Name of Applicant or Sponsor: DePaul Properties		Telephone: 585-426-8000 E-Mail: gconde@depaul.org					
Address: 1931 Buffalo Road							
City/PO: Rochester		State: New York	Zip Code: 14624				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; text-align: center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; text-align: center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? 5.4 acres							
b. Total acreage to be physically disturbed? 2.0+/- acres							
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 5.4 acres							
4. Check all land uses that occur on, adjoining and near the proposed action. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <u>Storm water runoff will be collected and discharged to a storm water management facility prior to discharge to an existing City storm sewer system that traverses the northerly portion of the site</u>			

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: _____ <u>The site improvements for the building addition will require modification of the existing storm water management facility. The facility will be reshaped and slightly increased in footprint size. The main storm water management facility is approximately 0.4 ac in size.</u>	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: Paul Schreiner, PE Parrone Engineering _____ Date: 5-28-20 _____ Signature: <u>Paul Schreiner</u> _____		

Project:

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

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

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

PRINT FORM

Project: Date:

Short Environmental Assessment Form

Part 3 Determination of Significance

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

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM

Development Committee
Minutes
City of Batavia
Tuesday, December 16, 2008
6:00 P.M.
Council Board Room
City Hall, One Batavia City Centre, Batavia NY

Attendance: Edward Jones, David McCurdy, Zepher Raymond, Paul Viele, John Deleo

Absent: None

Ann Chilano calls the roll
Edward Jones declares a quorum at 6:05PM

1. Approval of Minutes – December 18, 2008

Motion by: Zepher Raymond

I move the minutes of the meeting of the Planning and Development Committee on November 18, 2008 to be approved as submitted.

Seconded by: David McCurdy

Vote for: 5 (David McCurdy, Edward Jones, Zepher Raymond, Paul Viele John Deleo)

Vote against: 0

Results of motion: Approval of November 18, 2008 meeting minutes.

(SEE MINUTES ON FILE IN CITY CLERKS OFFICE)

2. **Address:** 549-559 East Main Street
 Applicant: DePaul Properties, owner
 Proposal: Construct a 42-unit 2-story apartment complex
- Actions:** a. SEQR
 b. Public Hearing
 c. Special Use permit review

Gary Smith and Joe Gibbons of Parrone Engineering were present to explain the project. Mr. Smith explained that there is no change from the October 2008 to now in the project. SHPO made a negative declaration for the project. Everything was submitted to the City Engineering Department and there are some minor clarifications that need to be done, but it should not hinder any decisions tonight. The soil from the hill that will be graded down will be used in the back of the property to even the land out some. The detention ponds have been reconfigured to be further away from the residential areas and a fence will be completely around the ponds. There will be a one-way entrance at the front of the building and to the west of the building a two-way entrance. All the drainage from the property will go to the detention ponds. The back portion of the plaza will go to the detention pond also.

Dave McCurdy asked about the buffer that is presently there between the plaza and the property – will the trees that are there right now stay. Mr. Smith stated they are going to maintain as much of the trees as possible. Southeast section will maintain trees and keep the vegetative state. There will be tree along Main Street – pulling the existing trees and planting new ones further back from road.

- a. Chairperson Jones read the Genesee County Planning Board approval and there was no comment from the Board. Chairperson Jones read the prepared SEQR document.

Motion By: Dave McCurdy

I move that the revised plans for the proposed DePaul Properties development at 549-559 East Main Street in the City of Batavia, as presented to the City of Batavia Planning and Development Committee on December 16, 2008 will not result in any significant adverse environmental impacts based upon the Environmental Assessment Form and study that was conducted and attached to this motion and to declare a Negative Declaration regarding this proposed action.

Seconded By: Zepher Raymond

Vote for: 5 (Edward Jones, Zepher Raymond, David McCurdy, Paul Viele, John Deleo)

Vote against: 0

Results of motion: SEQR Negative Declaration made.

- b. Chairperson Jones opened the Public Hearing at 6:23 PM. Vinod Luthra from Parkside Manor Apartments was present and asked about the occupants of the apartment complex and what kind of special needs do they need. Chris Syracuse of DePaul was present and responded with permission from Chairperson Jones. Mr. Syracuse stated that the occupants are clients who have mental health issues – depression, and/or are Bipolar, etc. They are people who live in Genesee County now and come from the community. There may be one or two who have physical disabilities. There will be security on the site, mainly for the residents not the community. Mr. Luthra stated he had a concern about the drainage. Gary Smith stated the drainage will be better and there will be no drainage onto the Parkside Manor property. The parking lot will have a storm sewer. Also Mr. Luthra wanted to know if there will be containment around the property – just the buffering that is there right now – no fence.

Motion By: Zepher Raymond

I move that we close the Public Hearing.

Seconded By: John Deleo

Vote for: 5 (Edward Jones, Zepher Raymond, David McCurdy, Paul Viele, John Deleo)

Vote against: 0

Results of motion: Public Hearing closed at 6:30 PM

c. Chairperson Jones opened discussion on the Special Use permit and Preliminary Site Plan Approval. Chairperson Jones read the special use code verbatim. The Board can move forward to a final Site Plan tonight contingent upon final approval from DEC, NYS DOT for any access issues, all City Staff (Engineering Consultant, Fire and any permits needed).

Motion By: Zepher Raymond

I move for the approval of the Special Use Permit and for Final Site Plan approval for the revised DePaul Properties development at 549-559 East Main Street in the City of Batavia, as presented to the City of Batavia Planning and Development Committee on December 16, 2008, with the following conditions:

- DEC approval
- NYS DOT approval
- City staff approval
- Test review 6 months if not progressing

Seconded By: Paul Viele

Vote for: 5 (Edward Jones, Zepher Raymond, David McCurdy, Paul Viele, John Deleo)

Vote against: 0

Results of motion: Approved the Special Use Permit and Final Site Plan with conditions.



CERTIFICATE OF OCCUPANCY

This certificate certifies that the structure or part of located at

555 East Main Street

Tax Parcel No. 84.012-3-51

Conforms substantially to the approved plans for which
Building Permit No. ***B09-029*** issued on ***February 27, 2009***
by Michael P. Smith, Zoning/Code Enforcement Officer

for

Two Story Apartment Complex with 42 Units

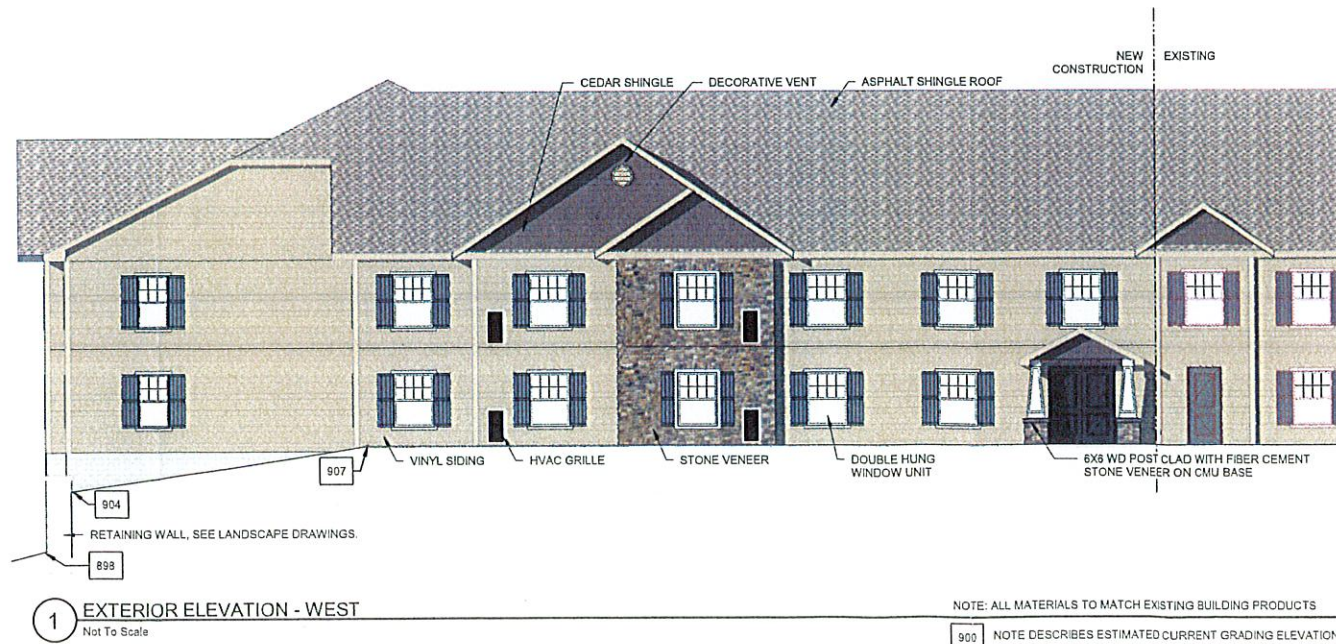
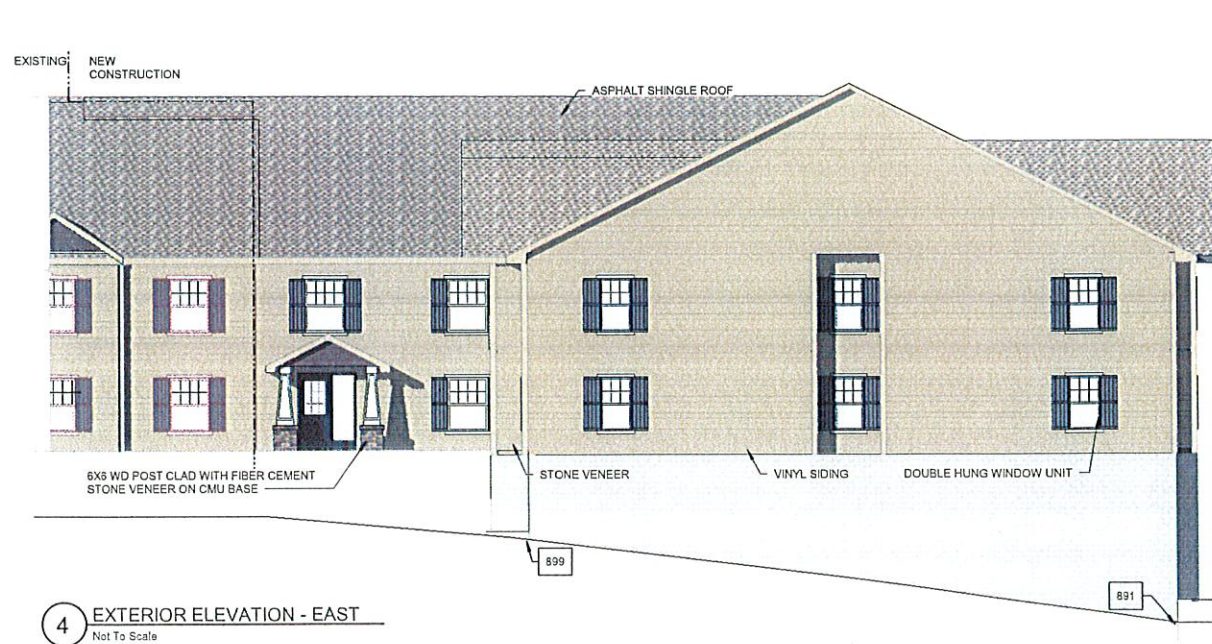
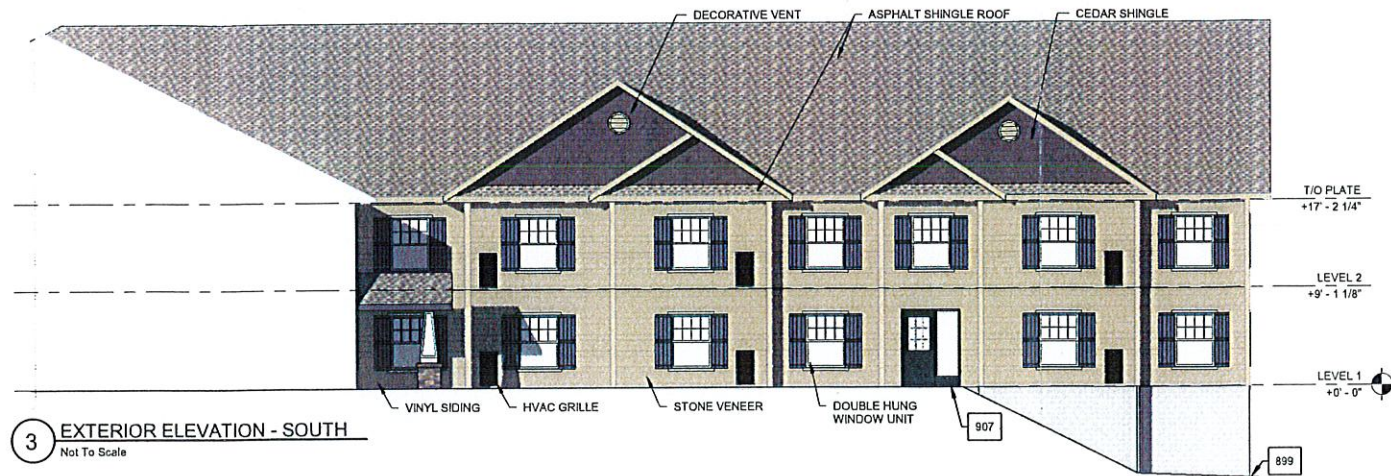
- NYS Building Code Occupancy Classification: Assembly Group A3 & Residential Group R2
- NYS Building Construction Classification: Type VB
- Automatic Sprinkler and Fire Alarm Systems
- Genesee County Planning Board Review and Approval on 12-11-08
- City Planning Board Approved Special Use Permit and Final Site Plan on 12-16-08
- Middle Department Electrical Inspection Agency
- Plumbing Permit No. P09-093 (exterior) issued on 5-1-09 to Master Lic. Plumber Larry Toal
- Plumbing Permit No. P09-108 (interior) issued on 5-21-09 to Master Lic. Plumber Larry Toal
- Daniel D. Turner, NYS PE No. 070661
- Lauren R. Knapp, NYS RA No. 013586

and conforms to all of the requirements of the
New York State Uniform Fire Prevention and Building Code and
all applicable Local Codes and Ordinances.

Date of Issuance: ***December 16, 2009***

Michael P. Smith
Zoning/Code Enforcement Officer





NOTE: ALL MATERIALS TO MATCH EXISTING BUILDING PRODUCTS
900 NOTE DESCRIBES ESTIMATED CURRENT GRADING ELEVATIONS

Drawn By: KR
Checked By: RS
Project Manager: TNZ

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Revisions

DePaul Batavia Apartments
Addition
SWBR Project Number 19850.00

DePaul
750 W. Main Street

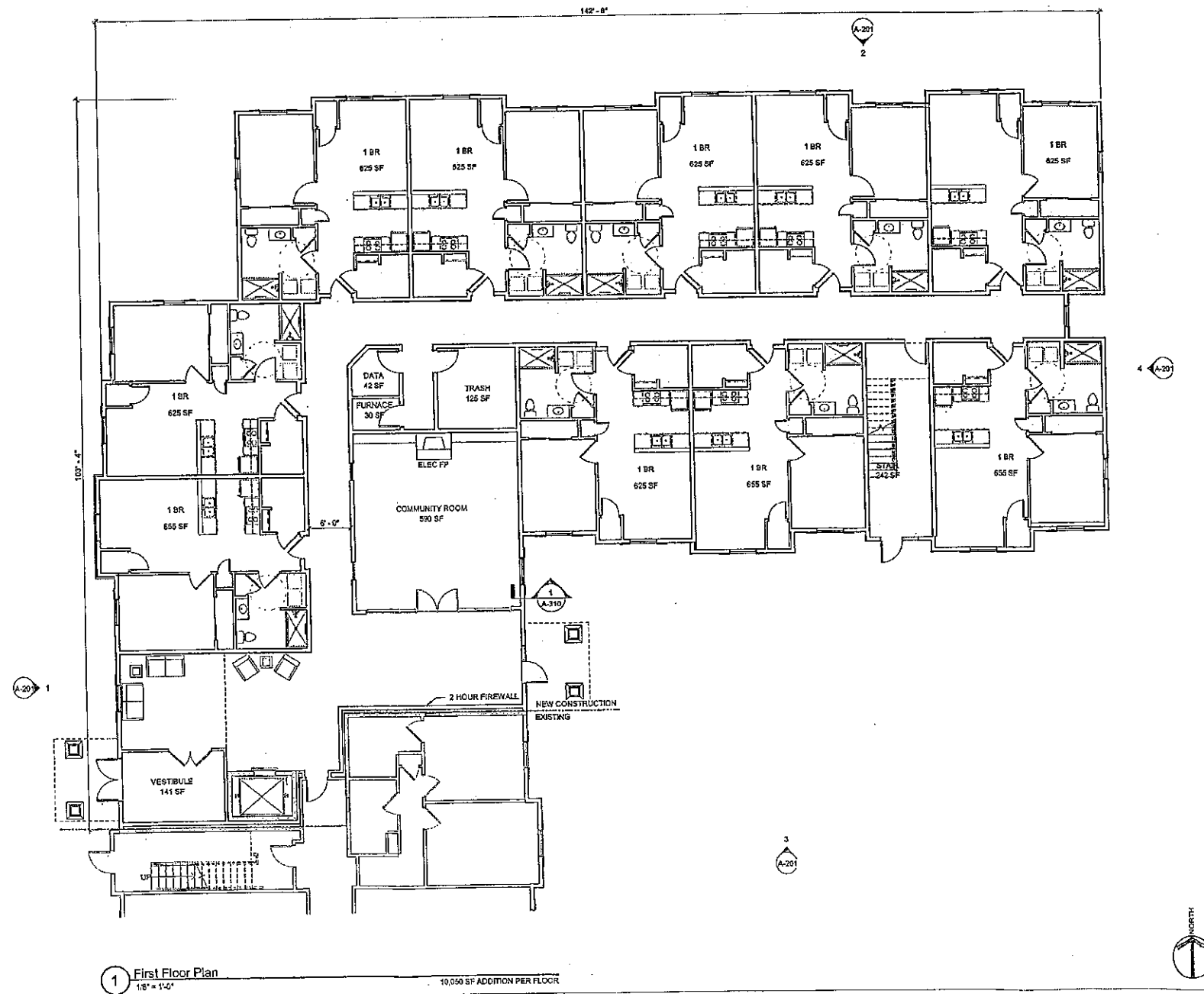
A-201

Exterior Elevations

January 22, 2020
Schematic Design

1/29/2020 14:53:38 PM

FILE PATH: C:\1-Local Revit Models\2019\DePaul Apartments Addition_krmoe@swbr.com.rvt



SWBR

367 East Main Street Rochester NY 14604
585.226.8363 swbr.com

Drawn By: KR
Checked By: RFS
Project Manager: TNZ

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Revisions

DePaul Apartments Addition
SWBR Project Number 15850.00

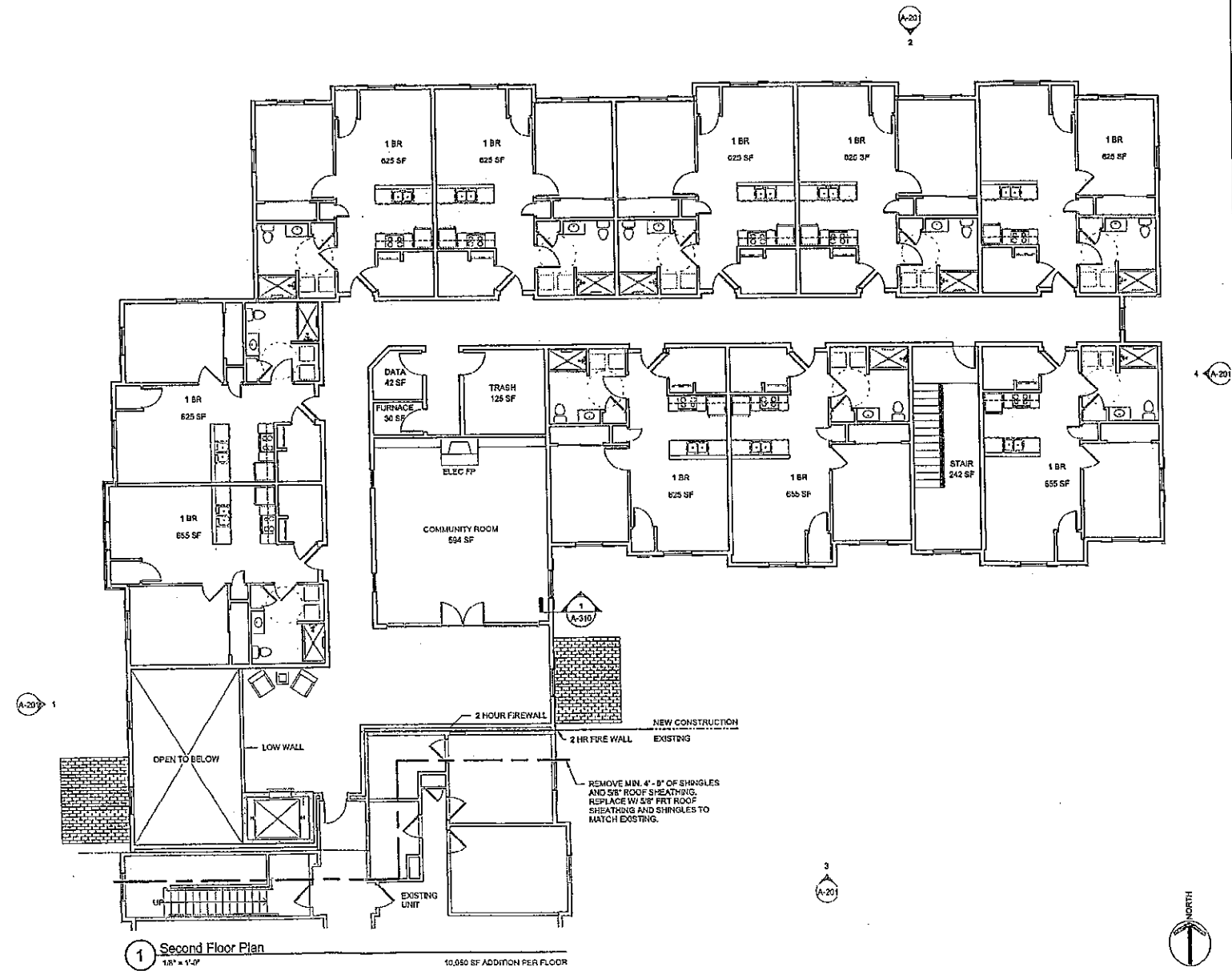
DePaul
750 W. Main Street

A-101

First Floor Plan

January 29, 2020
Schematic Design

FILE PATH: C:\1-Local Revit Models 2019\DePauli Batavia Apartments Addition_kramos@swbr.com.rvt

**SWBR**

207 East Main Street Rochester NY 14604
tel 202 1040 | rochester@nrcy.com

Drawn By:	KR
Checked By:	RS
Project Manager:	TNZ

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Revisions

DePaul Botavia Apartments
Addition
SWBR Project Number 19850.00

DePaul
750 W. Main Street

A-102

Second Floor Plan

January 29, 2020
Schematic Design

CONSTRUCTION DRAWINGS

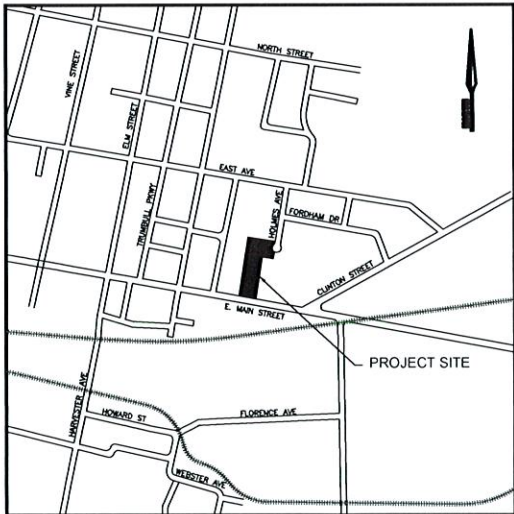
FOR:

DEPAUL APARTMENTS

BUILDING ADDITION

SITUATE IN:

CITY OF BATAVIA • GENESEE COUNTY • NEW YORK



LOCATION MAP

N.T.S.



THE PIANO WORKS
349 WEST COMMERCIAL STREET
SUITE 3200
EAST ROCHESTER, NEW YORK 14445
T 585.586.0200 F 585.586.6752



DRAWING INDEX:

SHT. NO.	DESCRIPTION	DWG. NO.
-	TITLE SHEET, LOCATION MAP & DRAWING INDEX	-
1	NOTES, LEGEND, AND ABBREVIATIONS	C-000
2	DEMOLITION PLAN	C-100
3	LAYOUT PLAN	C-200
4	SITE PLAN	C-300
5	UTILITY PLAN	C-400
6	GRADING AND EROSION CONTROL PLAN	C-500
7	LIGHTING PLAN	C-600
8	CONSTRUCTION DETAILS	C-700
9	CONSTRUCTION DETAILS	C-701
10	CONSTRUCTION DETAILS	C-702

SWBR

PARRONE
engineering

APRIL 13, 2020



SCALE 1" = 20'

Drawn By	M J Y
Checked By	P S
Project Manager	P S

These designs and all the data, such as patient designs and their status at time of presentation should be submitted to and receive the property of ONAMI and no part thereof shall be utilized by any person, firm, or corporation for any purpose of research or profit. This is made a part of the contract of ONAMI and is hereby accepted. 0

Revisions

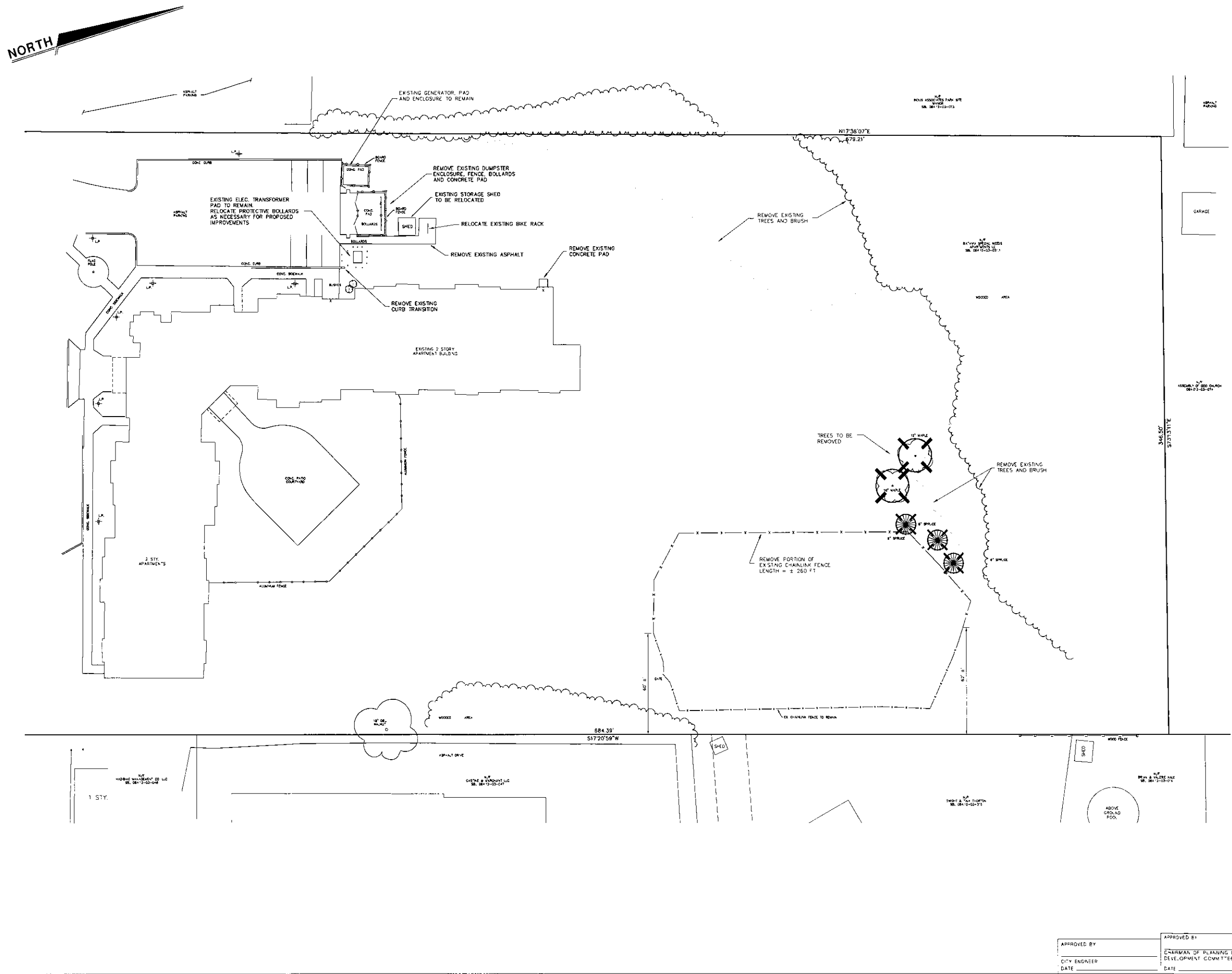
[illegible]DEPAUL BATAVIA APARTMENTS
BUILDING ADDITION

SWBR Project Number: 19650-00
PARRONE Project Number: 6570

DePaul
1931 BUFFALO RD
ROCHESTER NY 14624

C-100
DEMOLITION PLAN

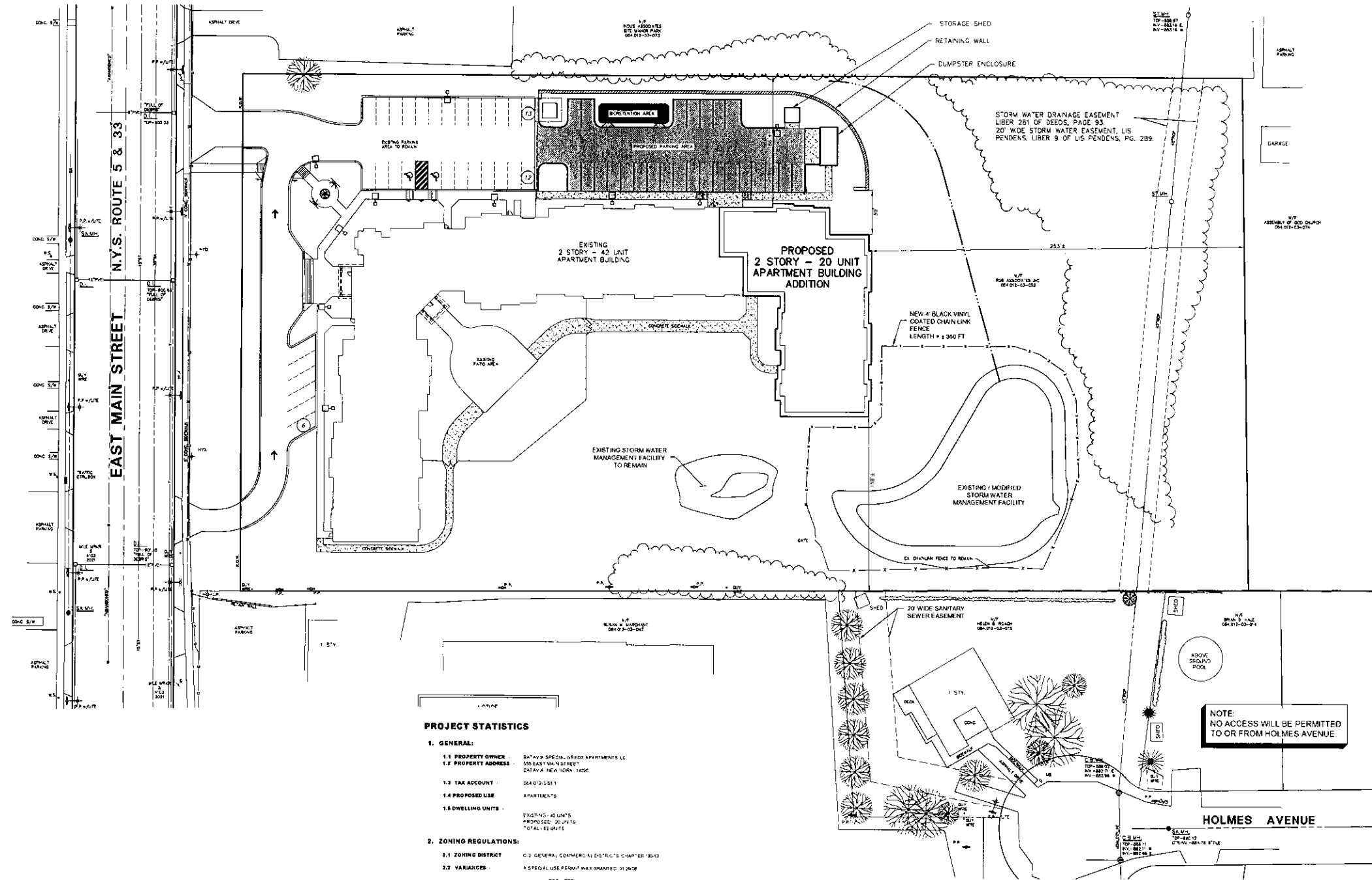
APRIL 13, 2020



FILE PATH: P:\DJP-HOLDIDWG\7261 PLAN SET

APPROVED BY _____	APPROVED BY _____
CITY ENGINEER _____	CHAIRMAN OF PLANNING & DEVELOPMENT COMMITTEE _____
DATE _____	DATE _____

FILE PATH: P:\DIP-HOLDING\7261 PLAN SET



PROJECT STATISTICS

1. GENERAL:

- 1.1 PROPERTY OWNER: BATAVIA SPECIAL NEEDS APARTMENTS, LLC
1.2 PROPERTY ADDRESS: 555 EAST MAIN STREET
BATAVIA, NEW YORK 14020
1.3 TAX ACCOUNT: 064-012-1581
1.4 PROPOSED USE: APARTMENTS
1.5 DWELLING UNITS:
EXISTING: 42 UNITS
PROPOSED: 20 UNITS
TOTAL: 62 UNITS

2. ZONING REGULATIONS:

- 2.1 ZONING DISTRICT: C-2 GENERAL COMMERCIAL DISTRICT CHAPTER 190-13
2.2 VARIANCES: A SPECIAL USE PERMIT WAS GRANTED 31/2406
2.3 CODE REQUIREMENTS:
FRONT YARD SETBACK: 40' MIN. PROPOSED: 60' EXIST: 250' L.F.T.
REAR YARD SETBACK: 20' MIN. PROPOSED: 25' EXIST: 86' L.F.T.
SIDE YARD SETBACK: 12' MIN. PROPOSED: 15' EXIST: 86' L.F.T.

3. PARKING REQUIREMENTS:

- 3.1 AREA: 1.44 ACRES
3.2 FLOOD ZONE: PARCEL IS LOCATED WITHIN ZONE C OF THE NATIONAL FLOOD INSURANCE PROGRAM
FIRM COMMUNITY PANEL 30079-001-E
AREA OF MINOR FLOODING

4. SPECIAL USE PERMIT REQUIREMENTS:

- 4.1 SPECIAL USE PERMIT: UPDATE OF PERMIT GRANTED 1/26/07 TO INCREASE APARTMENT UNITS FROM 42 TO 62 UNITS IN AN EXISTING C-2 DISTRICT 6/04/18/37.
4.2 SPECIAL USE PERMIT CONDITIONS FOR "LARGE SCALE MULTIFAMILY DEVELOPMENTS" (BMC 190-37) REQUIRING RELIEF / CONSIDERATION:
G1: NUMBER OF UNITS ABOVE 8: 56 TOTAL UNITS PROPOSED
G2: MAXIMUM OF 6 UNITS BLDG: 40 TOTAL UNITS PROPOSED
G10: MAXIMUM PARKING RATIO OF 1.5 SPACES / UNIT: 93 SPACES PROPOSED



SWBR

3211 Main Street, Buffalo, NY 14202
585.273.8400 | www.swbr.com

PARRONE
engineering

The PARSONS GROUP
240 WEST COMMERCIAL STREET
SUITE 200
EAST ROCHESTER, NEW YORK 14445
716.585.1000 | 716.585.1001
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PARRONE engineering



SCALE 1" = 30'

Drawn By: M.J.Y.
Checked By: P.S.
Project Manager: P.S.

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Revisions:

REPAIR, BATAVIA APARTMENTS
BUILDING ADDITION

SWBR Project Number: 14850-00
PARRONE Project Number: 6170

DePaul
1551 BUFFALO RD.
ROCHESTER, NY 14624

C-200
OVERALL CAMPUS
PLAN

APRIL 13, 2020

APPROVED BY: _____
DATE: _____

APPROVED BY: _____
DATE: _____

CHAIRMAN OF PLANNING &
DEVELOPMENT COMMITTEE



Drawn By	M J Y
Checked By	P S
Project Manager	P S

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Revisions

[illegible]

SINER Project Number 19850 00
PARRONE Project Number 6570

DePaul
1931 BUFFALO RD
ROCHESTER NY 14624

APRIL 13, 2020

APPROVED BY _____	APPROVED BY _____
CITY ENGINEER _____	CHAIRMAN OF PLANNING & DEVELOPMENT COMMITTEE _____
DATE _____	DATE _____

APPROVED BY _____
 CHAIRMAN OF PLANNING &
 DEVELOPMENT COMMITTEE
 DATE _____

APRIL 13, 2020



SCALE 1" = 2'

Drawn By	M J Y
Checked By	F S
Received By	S S

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Revisions _____

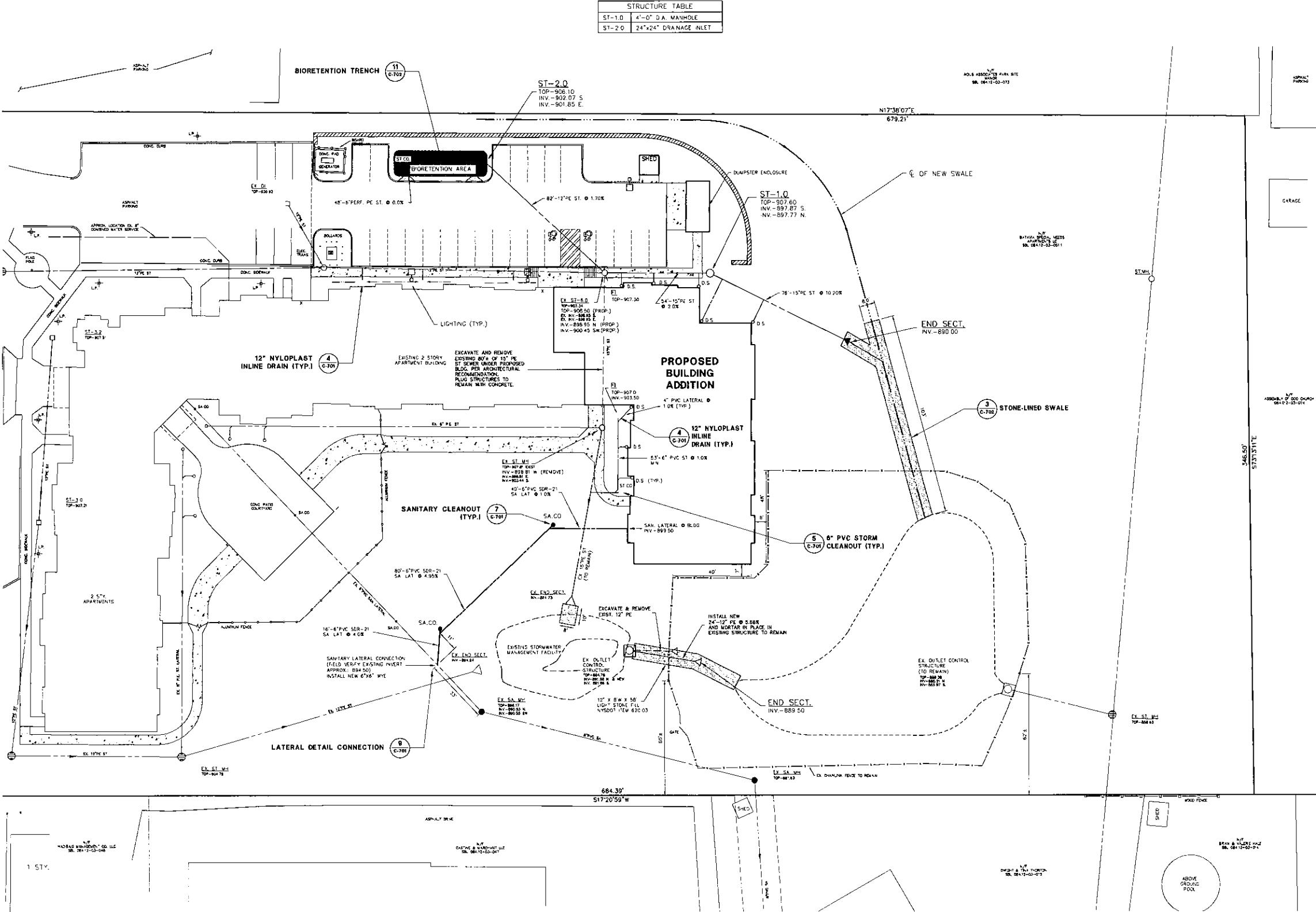
DEPAUL BATAVIA APARTNE
BUILDING ADDITION

SISIR Project Number 1985
PARRONE Project Number 1

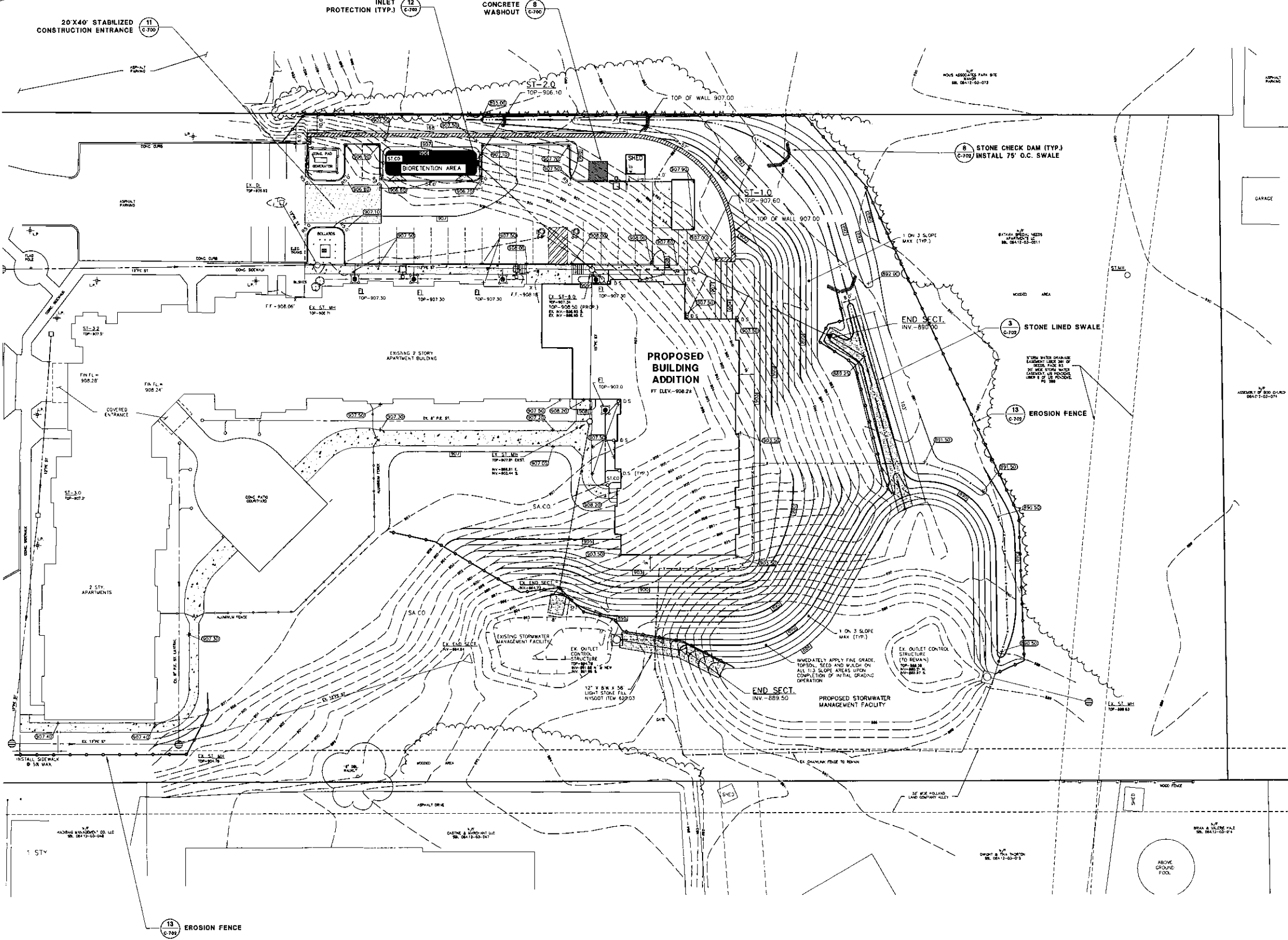
DePaul
1931 BUEFALO RD
ROCHESTER NY 14624

C-400
UTILITY PLAN

APRIL 13, 2020



APPROVED BY _____ CITY ENGINEER DATE _____	APPROVED BY _____ CHAIRMAN OF PLANNING & DEVELOPMENT COMMITTEE DATE _____
--	--



SWBR
131 E. Buffalo Rd.
Chester, NY 14024
516-734-1000

PARRONE
engineering
140 WEST COMMERCIAL STREET
SUITE 1200
EAST ROCHESTER, NEW YORK 14445
716-487-0000
FAX 716-487-0001
parrone@parrone.com

SCALE 1" = 20'

Drawn By	M.J.Y.
Checked By	P.S.
Project Manager	P.S.

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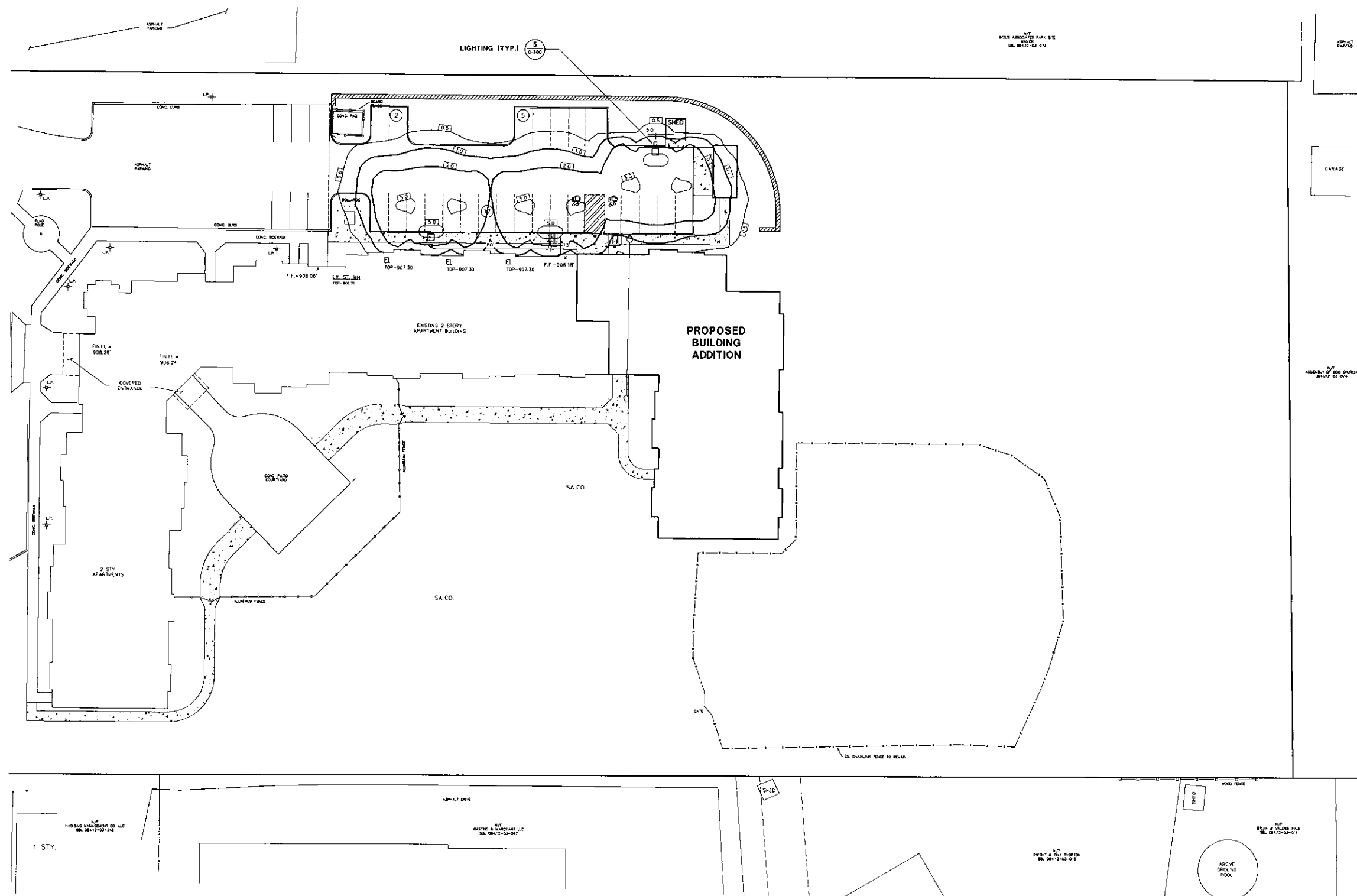
Revisions	

**DEPAUL BATAVIA APARTMENTS
BUILDING ADDITION**
SWBR Project Number: 186AC00
PARRONE Project Number: 6370
DePaul
1331 BUFFALO RD.
ROCHESTER, NY 14624
C-500
GRADING AND
EROSION CONTROL
PLAN
APRIL 13, 2020

APPROVED BY	APPROVED BY
CTY ENGINEER	CHAIRMAN OF PLANNING & DEVELOPMENT COMMITTEE
DATE	DATE

FILE PATH: P:\DIP\HOLDING\7261 PLAN SET

SYMBOL	DESCRIPTION	LAMP	LUMENS	QTY	MOUNTING HEIGHT
□	HUBBELL OUTDOOR LIGHTING "CIMARRON" LED, BLACK CL1-A-60L-3K-4	(1) 135W	12,578	3	16 FEET



347 E. and Main Street Featherman NY 14
540-753-8700 (11) - www.fatherman.com

PARRONE
engineering

THE PIANO WORKS
340 WEST COMMERCIAL STREET
SUITE 3000
EAST ROCHESTER, NEW YORK 11418
T 565 508 0200 F 565 508 875
Copyright ©2018
PACIFIC ENGINEERING



SCALE 1" = 20'

Drawn By	M J Y.
Checked By	P S
Project Manager	P S

These discussions and all the ideas, strategies, and plans related to them are on paper. Thanks are earned by and receive the proper credit and no part thereof shall be subject to payment, fees or any charges for any purpose whatsoever in any way or by any means, whether written or verbal, for the amount of \$100,000.

Revisions

DEPAUL BATAVIA APARTM
BUILDING ADDITIONSWBR Project Number 196
PARRONE Project Number

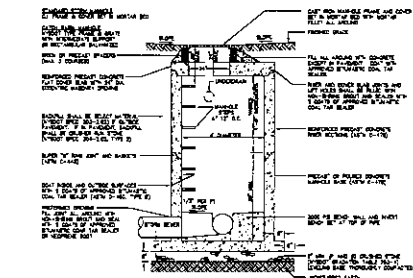
DePaul
1931 BUFFALO RD
ROCHESTER NY 14624

C-600
LIGHTING PLAN

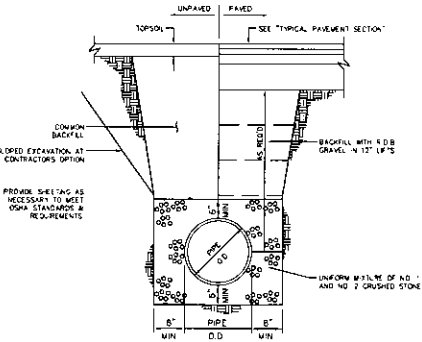
APRIL 13, 2020

APPROVED BY _____	APPROVED BY _____
CITY ENGINEER _____	CHAIRMAN OF PLANNING & DEVELOPMENT COMMITTEE _____
DATE _____	DATE _____

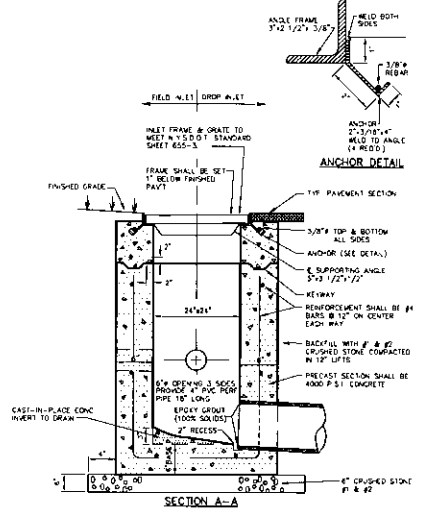
FILE PATH: P:\DJP-HOLD\DWG\7281 PLAN SET



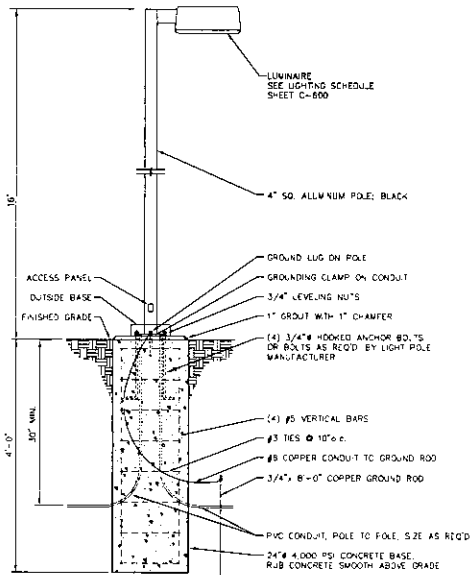
3 STORM MANHOLE



2 STORM TRENCH

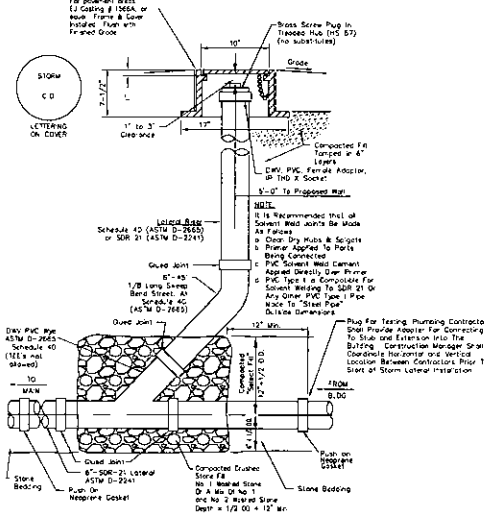


1 DROP/FIELD INLET

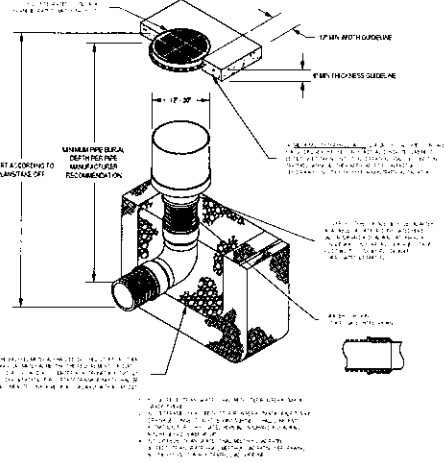


- NOTES:
1. POLE BASE MAY BE PRECAST BY LAKELANDS (LB24048)
 2. LIGHT POLE MANUFACTURER TO SUPPLY ANCHOR BOLTS, OUTSIDE BASE, AND BOLT PATTERN TEMPLATES

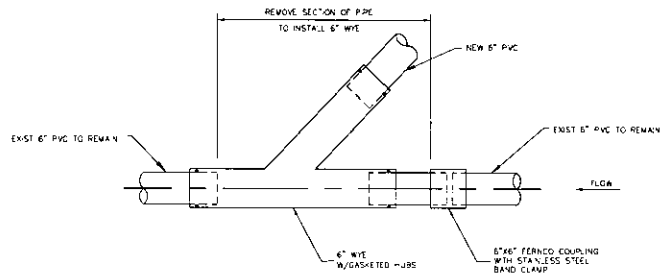
6 LIGHTING



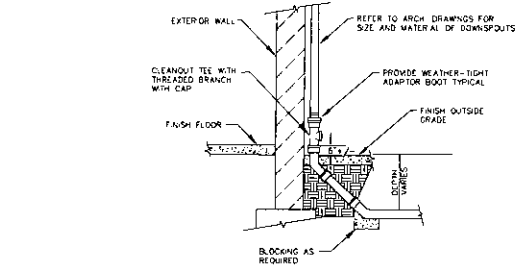
5 6" PVC STORM CLEANOUT



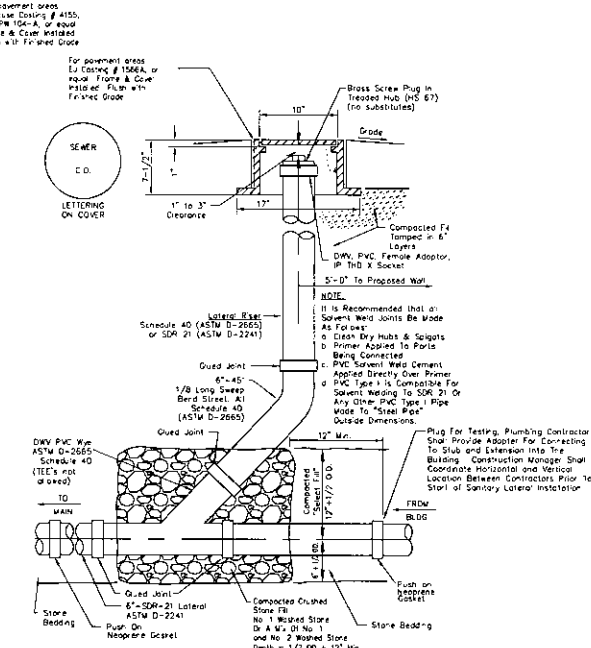
4 NYOPLAST INLINE DRAIN



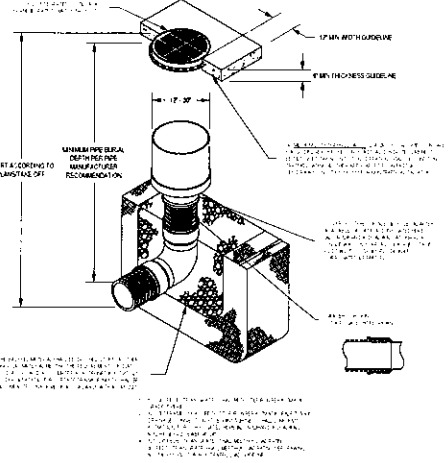
9 LATERAL CONNECTION DETAIL



8 DOWNSPOUT COLLECTOR



7 6" PVC SANITARY CLEANOUT



4 NYOPLAST INLINE DRAIN

N.T.S.

Drawn By:	M.J.V.
Checked By:	P.S.
Project Manager:	P.S.

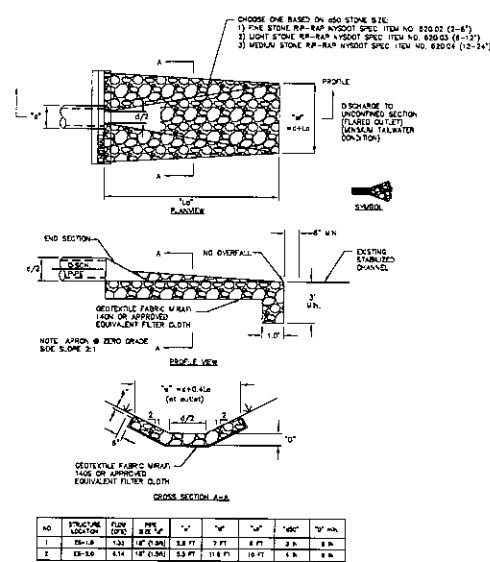
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Revisions

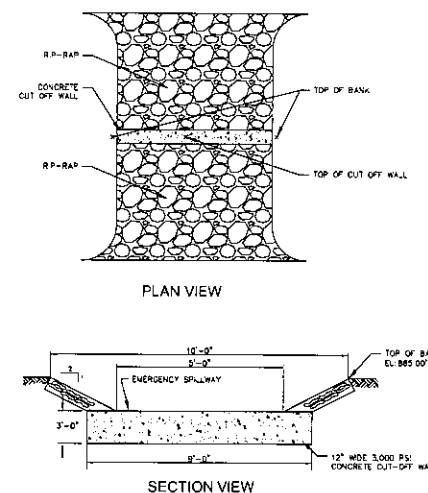
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DETAIL: BATAVIA APARTMENTS
ADDITION

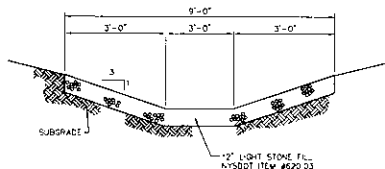
Silver Project Number: 18650.00
PARRONE Project Number: 0570



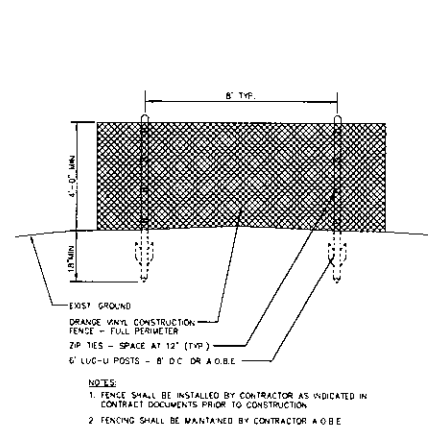
1 RIPRAP OUTLET PROTECTION



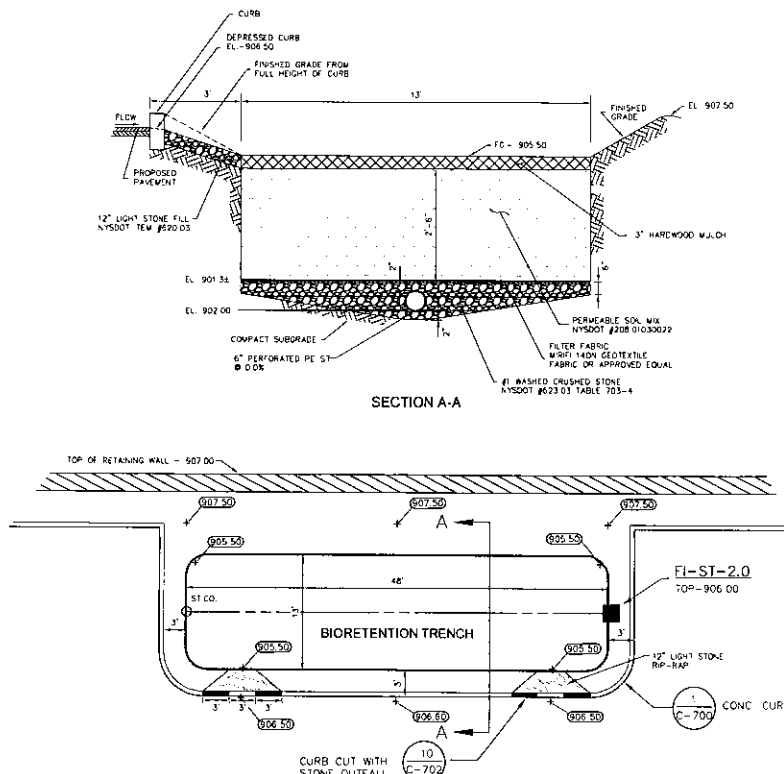
2 EMERGENCY SPILLWAY



3 STONE-LINED SWALE

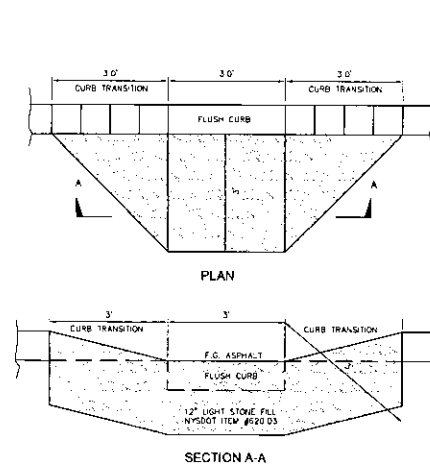


4 CONSTRUCTION FENCE

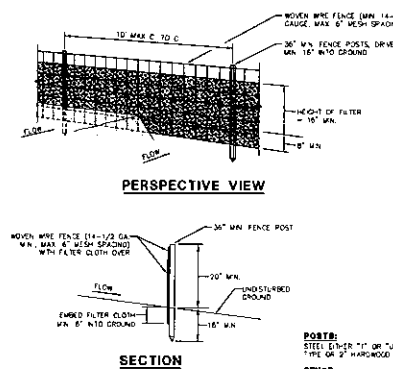


- NOTES:
- PLANTING SOIL IS DEFINED AS A SOIL THAT IS SANDY LOAM, LOAMY SANDY LOAM, TEXTURE PER (USDA) TEXTURE TRIANGLE. MAXIMUM CLAY CONTENT IS LESS THAN 5%. SOIL MIXTURE SHALL BE 85-100% SAND, 0-10% SOIL FINES, AND 3-5% TOPSOIL MEETING THE FOLLOWING STANDARDS:
- SOILS WILL FALL WITHIN THE SM OR MC CLASSIFICATIONS OF THE UNIFIED SOIL CLASSIFICATION SYSTEM (USCS).
 - SOILS WILL HAVE A MINIMUM PERMEABILITY OF 1.0 FEET PER DAY (0.5"/HOUR).
 - SOILS SHALL BE A UNIFORM MIX FREE OF STONES, STUMPS, ROOTS OR OTHER SOLID MATERIAL, OVER 1" IN DIAMETER, BRUSH OR SEEDS FROM NOxious WEEDS.
 - SOILS SHALL BE TESTED AND MEET THE FOLLOWING CRITERIA:
- | PARAMETER | MIN. VALUE | MAX. VALUE |
|----------------|-----------------------|------------|
| PH RANGE | 6.5-7.2 | |
| ORGANIC MATTER | 1% MIN. | 5% MAX. |
| NITROGEN | 30 LB/AC | |
| PHOSPHORUS | 75 LB/AC | |
| SOLUBLE SALTS | NOT TO EXCEED 500 PPW | |
- ALL BIORETENTION AREAS SHALL HAVE A MINIMUM OF ONE TEST. EACH TEST SHALL CONSIST OF BOTH THE STANDARD SOIL TEST FOR PH, PHOSPHORUS, AND NITROGEN AND ADDITIONAL TESTS OF ORGANIC MATTER AND SOLUBLE SALTS. A TEXTURE ANALYSIS IS REQUIRED FROM THE SITE TOPSOIL. IF TOPSOIL IS IMPORTED, THEN A TEXTURE ANALYSIS SHALL BE PERFORMED FOR EACH LOCATION WHERE THE TOPSOIL WAS EXCAVATED.
 - ALL TESTING RESULTS SHALL COME FROM THE SAME TESTING FACILITY.
 - SHOULD THE PH FALL OUT OF THE ACCEPTABLE RANGE, IT MAY BE ADJUSTED (HIGHER) WITH LIME OR (LOWER) WITH IRON SULFATE PLUS SULFUR.
 - SAND SHALL BE A COARSE CONCRETE SAND MEETING ASTM M-6 OR ASTM C-33 WITH A FINENESS MODULUS OF 2.5 TO 3.2.
 - COMPOST USED TO INCREASE THE SOIL WATER HOLDING CAPACITY MAY BE YARD WASTE, LEAF OR BIO-SOLID COMPOSTS PROVIDED THEY MEET THE FOLLOWING CRITERIA:
- | PARAMETER | MIN. VALUE | MAX. VALUE |
|--|--|------------|
| ORGANIC MATTER CONTENT | NO LESS THAN 40% AS DETERMINED BY ASTM D2974 | |
| MOISTURE CONTENT | 35-70% AS DETERMINED BY ASTM D2974 | |
| C. A CARBON/NITROGEN RATIO OF 15:1 TO 30:1 | | |
| D. A SOLUBILITY INDEX OF 6 TO 8 | | |
| E. 95% PASSING A 3/8" SCREEN | | |
| F. NON-PHYTOTOXIC | | |
- ANY MATERIAL NOT MEETING THE ABOVE REQUIREMENTS SHALL BE DESIGNATED AS AN UNSUITABLE MATERIAL. CERTAIN MAN-MADE DEPOSITS OF INDUSTRIAL WASTE, SLUDGE OR LANDFILL MAY ALSO BE DETERMINED TO BE UNSUITABLE MATERIALS.

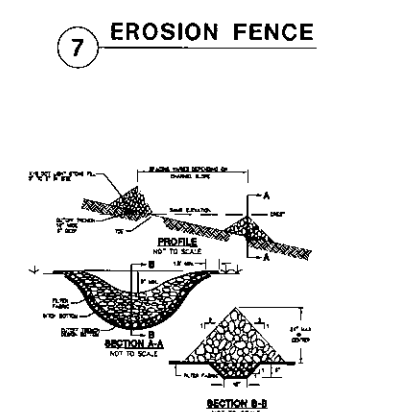
5 BIORETENTION FACILITY



6 CURB CUT W/STONE OUTFALL



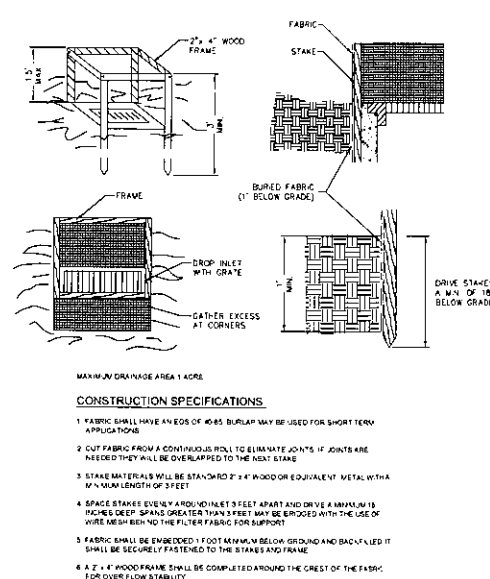
- CONSTRUCTION NOTES FOR FABRICATED METAL FENCE:
- MOVING FENCE SHALL BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES.
 - FENCE CLOTH TO BE FASTENED SECURELY TO MOVING FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION.
 - WHEN TWO SECTIONS OF FENCE CLOTH ADJOIN, EACH OTHER THEY SHALL BE OVERLAPPED BY SIX INCHES AND TIED.
 - MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN IT CAUSES DEVELOPMENT OF THE FENCE.



- CONSTRUCTION SPECIFICATIONS:
- STONE SHALL BE PLACED ON A FILTER FABRIC FOUNDATION TO THE UNITS.
 - STAPLES OR DRILL CLOTH TO BE FASTENED TO THE UNITS OF THE FIRST OR SECOND SECTION OF THE SAME LENGTH OF THE TOP OF THE.
 - EXTEND THE STONE A MINIMUM OF 1.5 FEET BEYOND THE DOWN BANK TO PREVENT CUTTING INTO THE BANK.
 - PROTECT THE DOWN BANK WITH A MINIMUM OF 1.5 FEET OF STONE.
 - EXTEND THE STONE DOWNSTREAM AS FAR AS POSSIBLE TO PREVENT CUTTING INTO THE BANK.

MAXIMUM DRAINAGE AREA = 2 ACRES

8 STONE CHECK DAM



MAXIMUM DRAINAGE AREA = 1 ACRE

9 FILTER FABRIC INLET PROTECTION

- CONSTRUCTION SPECIFICATIONS:
- FABRIC SHALL HAVE AN EIGHTH OF 40-60 BURLAP MAY BE USED FOR SHORT TERM APPLICATIONS.
 - CUT FABRIC FROM A CONTINUOUS ROLL TO ELIMINATE JOINTS. IF JOINTS ARE NEEDED THEY WILL BE OVERLAPPED TO THE NEXT STAKE.
 - STAKE MATERIALS WILL BE STAKED 2' x 4' WOOD OR EQUIVALENT METAL WITH 10' MAXIMUM LENGTH OF 3 FEET.
 - SPACE STAKES EVERY 4' AND INLET 3 FEET APART AND DRIVE A MINIMUM 18 INCHES DEEP. SPANS GREATER THAN 3 FEET MAY BE BRIDGED WITH THE USE OF WIRE MESH BENEATH THE FILTER FABRIC FOR SUPPORT.
 - FABRIC SHALL BE EMBEDDED 1 FOOT MINIMUM BELOW GROUND AND BACKFILLED IT SHALL BE SECURELY FASTENED TO THE STAKES AND FRAME.
 - A 2' x 4' WOOD FRAME SHALL BE COMPLETED AROUND THE CREST OF THE FABRIC FOR OVER FLOW STABILITY.

SWBR

501 W. Main Street, Suite 101
Rochester, NY 14602

PARRONE
engineering

THE PARRONE GROUP
240 WEST COMMERCIAL STREET
SUITE 200
Rochester, NY 14602
1-800-541-0000 FAX 584-8874
PARRONE@parrone.com

STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
NO. 001824

N.T.S.

Drawn By: M.J.V.

Checked By: P.S.

Project Manager: P.S.

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Revisions:

NO.	DESCRIPTION
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DETAILED BATAVIA APARTMENTS ADDITION

SWBR Project Number: 16650-00

PARRONE Project Number: 6570

Draft:

1931 BUFFALO RD
ROCHESTER, NY 14624

C-702
CONSTRUCTION
DETAILS

APRIL 13, 2020



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
Genesee County Planning

From: Doug Randall, Code Enforcement Officer

Date: 6/2/20

Re: Clinton Gardens Subdivision (aka 387 Garden Dr. Rear)
Tax Parcel No. 72.017-3-2.1

Zoning Use District: R-1

The applicant, Robert Padanik, Senior Project Manager for Nussbaumer & Clarke Inc., representing Batavia Homes & Development (owner), has filed a Final Plat for a Major Subdivision application. The proposal is to divide this property into six separate parcels. The plan includes a street and other public improvements that will be dedicated to the City of Batavia. Five of the parcels are dimensioned for development and the remaining portion has been set aside for future development.

Review and Approval Procedures:

City Planning and Development Committee- Pursuant to BMC 162-2 A The Planning and Development Committee is authorized to approve plats showing lots, blocks or sites, with or without streets.

NOTE:

- 1) Lot numbers 186, 187, 188, 189 and 193 exceed the minimum requirements of Schedule 1 for single family development in the R-1 residential use district and the Bureau of Inspections has determined the lots are suitable for development as designed.
- 2) The Department of Public works has examined the plans for development of the public right of way with utility services and has found the plan acceptable.
- 3) BMC 162-21 PDC to set a reasonable time period for completion of the street and utility improvements.
- 4) BMC 162-23 M An abstract of title showing ownership, free of encumbrances, of the property to be dedicated to the City, will be provided by the owner prior to the PDC meeting.
- 5) BMC 162-22 B Requires the final plat be recorded by the owner with the office of the County Clerk within 62 days of PDC approval.
- 6) BMC 162-23 N The street and other public improvements will remain private property until offered for dedication and excepted by City Council.

The PDC will conduct an Uncoordinated Review of SEQR for this unlisted action.

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 - 6345 Ext. _____

2. APPLICANT INFORMATION

Name Robert Padanick, Senior Project Manager

Address 3556 Lake Shore Rd., Suite 500

City, State, Zip Buffalo, NY 14219

Phone (716) 827 - 8000 Ext. 230 Email rpidanick@nussclarke.com

MUNICIPALITY: ☒ City ☐ Town ☐ Village of Batavia

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

- ☐ Area Variance
☐ Use Variance
☐ Special Use Permit
☐ Site Plan Review

- ☐ Zoning Map Change
☐ Zoning Text Amendments
☐ Comprehensive Plan/Update
☐ Other: _____

- Subdivision Proposal
☐ Preliminary
☒ Final

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

A. Full Address 387 Garden Dr. Rear

B. Nearest intersecting road Carolwood Dr. and Harrold Sq.

C. Tax Map Parcel Number 72.017-3-2.1

D. Total area of the property 11.78 acres Area of property to be disturbed 2.62 acres

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 _____

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 Major Subdivision

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

- ☒ Local application
☐ Site plan
☒ Subdivision plot plans
☒ SEQR forms

- ☐ Zoning text/map amendments
☐ Location map or tax maps
☐ Elevation drawings
☐ Agricultural data statement

- ☐ New or updated comprehensive plan
☒ Photos
☒ Other: Cover letters

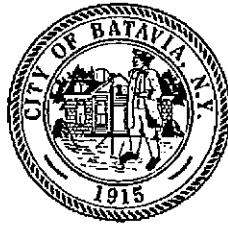
7. CONTACT INFORMATION of the person representing the community in filling out this form (required information)

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

Application No.: _____

Date: _____



MAJOR SUBDIVISION APPLICATION


CITY OF BATAVIA

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

LOCATION (SBL #) 72.017-3-2.1

NAME OF SUBDIVISION Clinton Gardens Subdivision, Part 21A

OWNER:	<u>Batavia Homes & Development Inc.</u>	<u>jharrower@geneseelumber.com</u>	
	Name	E-mail Address	
	<u>76 Franklin Street</u>	<u>585-409-7835</u>	<u>585-343-0779</u>
	Street Address	Phone	Fax
	<u>Batavia, NY 14020</u>		
	City, State, Zip Code		


SIGNATURE _____
Robert J. Pidanic (as agent for Owner)

FEES: Preliminary Plat _____

Final Plat \$250.00



May 21, 2019

Douglas E. Randall
Code Enforcement Officer
One Batavia City Centre
Batavia, New York 14020

Re: Sketch Plan Submission
Clinton Gardens Subdivision
Batavia, New York
Batavia Homes & Development Corp., Project Sponsor
NCI Job No. 19J5-0006

Dear Mr. Randall:

Pursuant to our discussions, enclosed are ten (10) copies of a sketch plan which are being submitted on behalf of Batavia Homes & Development Corp. for informal "sketch plan review" by the Planning and Development Committee (PDC).

Clinton Gardens Subdivision was approved by the City of Batavia about 25 years ago and portions of the development were built. The Project Sponsor is proposing to extend existing Carolwood Drive and Harrold Square, connecting two public dead-end streets, allowing development of five (5) additional lots: 186, 187, 188, 189 & 193, as depicted on the attached sketch plan (shaded area).

About 460-ft of new pavement will be constructed along with sanitary sewer, water and drainage utilities, which were previously designed and approved. Approvals will need to be updated and plans brought up to current construction standards.

Assuming required approvals can be granted/updated, the Project Sponsor plans construction of the road and utilities this year.

We look forward to meeting with the PDC to discuss this proposal at their June 18, 2019 meeting.

Please contact me if you have any questions or need additional information at (716) 827-8000 x 230 or by email at rpidanick@nussclarke.com

Sincerely,

NUSSBAUMER & CLARKE, INC.



Robert J. Pidanic
Senior Project Manager

c: John Harrower, Batavia Homes and Development Corp.
Michael Harrower
Eric Harrower

City of Batavia Planning and Development Committee

June, 19, 2019

Batavia Homes and Development
76 Franklin St.
Batavia, NY 14020

Regarding: Preliminary Plat for the major subdivision of parcel number 72.017-3-2.1 (Clinton Gardens Subdivision- Carolwood Drive and Harold Square)

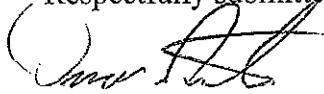
Dear Mr. Harrower:

During its regularly scheduled meeting of June 18, 2019, the Planning and Development Committee reviewed the preliminary plat for the subdivision of parcel number 72.017-3-2.1.

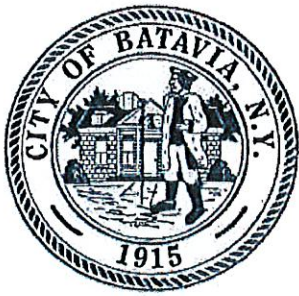
After discussion, a motion was supported to recommend conditional approval of the preliminary plat. Within one year of preliminary plat approval, you will need to submit a "final plat" to the City for review by the City Engineer and this board.

Please feel free to contact me if you have any questions regarding this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Duane Preston', is written over the typed name.

Duane Preston
Chairman



City of Batavia

November 21, 2019

RECEIVED

DEC 06 2019

NUSSBAUMER & CLARKE, INC

Mr Rob Pidanick, Senior Project Manager
Nussbaumer and Clarke, Inc
3556 Lake Shore Road
Suite 500
Buffalo, NY 14219-1494

RE: Clinton Gardens Sub-Division, Part 21-A

Dear Rob:

Please be advised that the City has reviewed the submitted plans for the construction of Clinton Gardens Subdivision Part 21-A and find the submittal of November 15, 2019 to be acceptable without further comment. Please consider this letter as your formal approval.

Sincerely,

Matthew Worth
Director of Public Works

Department of Public Works
One Batavia City Centre
Batavia, New York 14020

Phone: 585-345-6325
Fax: 585-343-1385
www.batavianewyork.com



**GENESEE COUNTY HIGHWAY
DEPARTMENT**

153 Cedar Street
Batavia, New York 14020
Phone: (585) 344-8508 Fax: (585) 343-9303

Paul Osborn
Park Supervisor-Forester
Terry Ross
Facility Maintenance Supervisor
Jason Long
Airport Supervisor
Chris Klein
Fleet Maintenance Supervisor
Laura Wadhams, P.E.
Assistant County Engineer

Timothy J. Hens, P.E. Highway Superintendent
David Wozniak, Deputy Superintendent

May 20, 2020

Robert J. Pidanic
Nussbaumer & Clark
3556 Lake Shore Rd, Suite 500
Buffalo, NY 14219

RE: Certificate of Approval, Clinton Gardens Subdivision, Part 21A

Dear Mr. Pidanic:

I have approved your application for subdivision certificate effective until May 20, 2025.

Please be advised that water and sewer mains shall be tested and certified by a Licensed Professional Engineer before they are placed in service. Certification reports shall be submitted to the County Health Department for approval.

Any modifications or deviations from the plans and specifications will require additional submittals and approvals from the County Health Department.

If you have any questions feel free to me at (585) 344-8508 with any questions.

TIMOTHY J. HENS, P.E.
Superintendent of Highways

cc: Sarah Balduf, GCHD

RECEIVED

MAY 26 2020

NUSSBAUMER & CLARKE, INC.



**GENESEE COUNTY HIGHWAY
DEPARTMENT**

153 Cedar Street
Batavia, New York 14020
Phone: (585) 344-8508 Fax: (585) 343-9303

Timothy J. Hens, P.E. Highway Superintendent
David Wozniak, Deputy Superintendent
Paul Osborn, Deputy Superintendent – Facilities, Parks, Recreation & Forestry

Jason Long
Airport Supervisor
Chris Klein
Fleet Maintenance Supervisor
Laura Wadhams, P.E.
Assistant County Engineer

January 13, 2020

Robert J. Pidanic
Nussbaumer & Clarke Inc
3556 Lake Shore Road
Buffalo NY 14219

RE: CLINTON GARDENS SUBDIVISION, PART 21A

Dear Mr. Pidanic,

We have, this date, approved the plans and specifications submitted by your firm for the above-referenced project which includes the construction of a watermain extension in the Clinton Gardens Subdivision.

When time comes to finish looping the watermain, a hydrant should be placed near the bend on the northwest side of Harold Square.

PLEASE BE ADVISED that the proposed improvements approved herein may not be placed into service until such a time that a COMPLETED WORKS APPROVAL certificate has been issued by the Genesee County Health Department. Before that certificate can be issued, a New York State Licensed Professional Engineer must submit certification that he or his designated representative has witnessed the construction, testing, and disinfection procedures as per conditions of the original APPROVAL OF PLANS and that he has collected an appropriate number of water samples from the completed works for bacteriological analysis by an approved laboratory. Copies of the results of the analyses must also be submitted for this above-mentioned certification.

One copy of the approved plans is being retained for our files. Please do not hesitate to call if you have any questions regarding this matter.

Very truly yours,

Laura Wadhams PE

Laura A. Wadhams, P.E.
Assistant County Engineer
cc: Sarah Balduf, GCHD

RECEIVED

JAN 15 2020

NUSSBAUMER & CLARKE, INC.

Approval of Plans for Public Water Supply Improvement

This approval is issued under the provision of 10 NYCRR, Part 5:


1. Applicant City of Batavia	2. Location of Works (C,V,T) Batavia (C)	3. County Genesee	4. Water District (Specific Area Served) N/A
5. Type of Project			
<div style="display: flex; flex-wrap: wrap;"><div style="width: 50%;"><input type="checkbox"/> 1 Source</div><div style="width: 50%;"><input type="checkbox"/> 3 Pumping Units</div><div style="width: 50%;"><input type="checkbox"/> 5 Fluoridation</div><div style="width: 50%;"><input checked="" type="checkbox"/> 7 Distribution</div><div style="width: 50%;"><input type="checkbox"/> 2 Transmission</div><div style="width: 50%;"><input type="checkbox"/> 4 Chlorination</div><div style="width: 50%;"><input type="checkbox"/> 6 Other Treatment</div><div style="width: 50%;"><input type="checkbox"/> 8 Storage</div><div style="width: 50%;"><input type="checkbox"/> 9 Other</div></div>			
Remarks: Installation of 412 LF of 8" watermain on Harrold Square.			

By initiating improvement of the approved supply, the applicant accepts and agrees to abide by and conform with the following:

- a. THAT the proposed works be constructed in complete conformity with the plans and specifications approved this day or approved amendments thereto.
- b. THAT the proposed works not be placed into operation until such time as a Completed Works Approval is issued in accordance with Part 5 of the New York State Sanitary Code.
- c.-i. Attached

ISSUED FOR THE STATE COMMISSIONER OF HEALTH

January 13, 2020
Date

 , P.E.
Designated Representative

Laura A Wadhams, P.E., Assistant County Engineer
Name and Title (Print)

- d. THAT pressure and leakage testing on the proposed works will be performed in accordance with American Water Works Association specifications, C-600.
- e. THAT disinfection of the proposed works will be performed in accordance with American Water Works Association requirements, C-651-93 (Items 5.1 & 5.3 deleted).
- f. THAT a New York State licensed professional engineer submit certification that he or his designated representative has witnessed the construction, testing, and disinfection procedures as per conditions a., b., c., and d. of this approval.
- g. THAT drawings indicating the "as-built" project be submitted to the Genesee County Health Department within thirty (30) days of completion of the project.
- h. THAT this certificate is granted with the understanding that the approved plans are subject to review and re-approval after two years from the date of approval, if installation is not complete by that time.
- i. THAT adequate erosion control measures shall be employed during all phases of construction.

6

1-202

9-1-203

9-1-109211

72.017-3-15

72.017-3-14

72.017-3-13

72.017-3-11

72.017-3-10

72.017-3-9

72.017-3-5

72.017-3-4

72.017-3-31

85.005-1-86

72.017-3-19

72.017-3-18

72.017-3-17

72.017-3-16

85.005-1-70

72.017-3-23

72.017-3-22

72.017-3-21

72.017-3-20

Harrold Square

85.005-1



Carolwood Drive

1-202

9-1-203

9-1-109211

72.017-3-15

72.017-3-14

72.017-3-13

72.017-3-11

72.017-3-10

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85.005-1-70

72.017-3-23

72.017-3-22

72.017-3-21

72.017-3-20

Harrold Square

85.005-1

Carolwood Drive



Sources: ESRI, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Short Environmental Assessment Form

Part 1 - Project Information

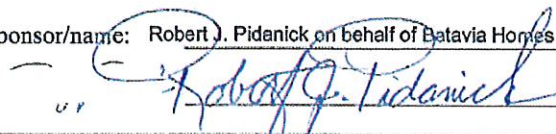
Instructions for Completing

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

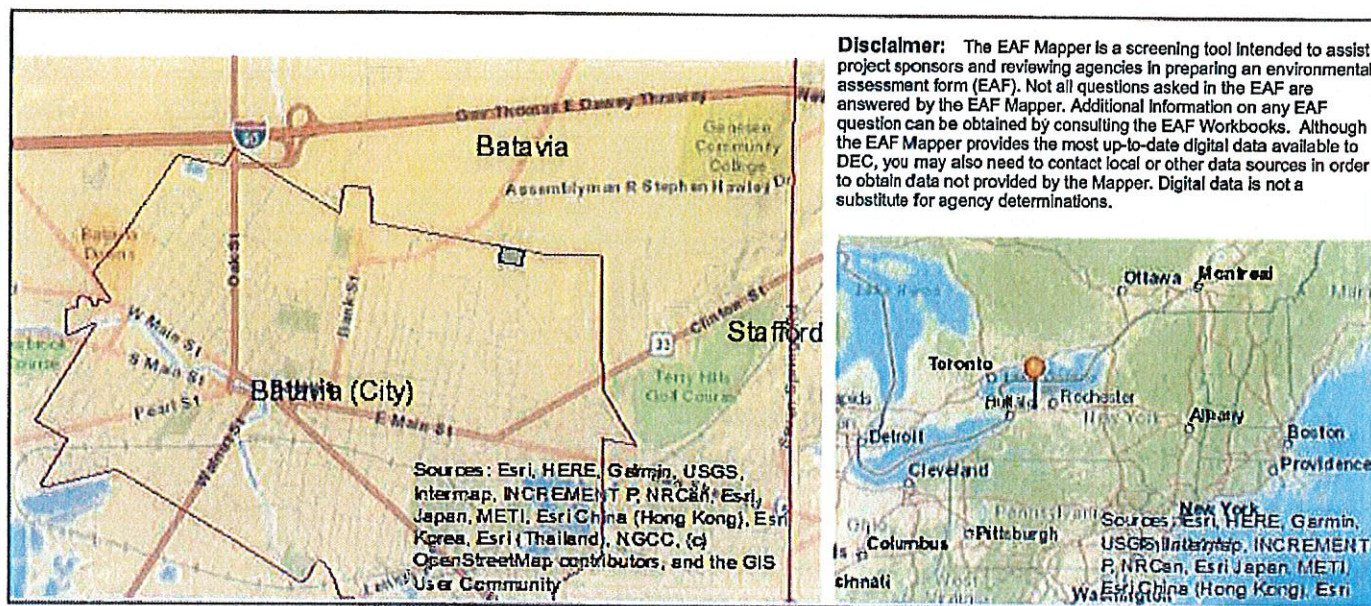
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Clinton Gardens Subdivision, Part 21A			
Name of Action or Project:			
Extension of Carolwood Dr. and Harrold Square (SBL 72.017-3-2.1)			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
<p>The Project Sponsor is proposing a five (5) subplot expansion within the existing Clinton Gardens Subdivision; the proposal will connect two existing dead end streets: Carolwood Drive and Harrold Square, allowing development of Lots 186, 187, 188, 189 & 193. Work includes construction of 500-ft of new pavement along with necessary sanitary sewers, waterlines, drainage, lot grading, landscaping and other infrastructure improvements. The proposed project ("action") includes all required discretionary approvals. A layout of the proposed development is depicted on the attached subdivision plat map. The proposed project is an "Unlisted Action" pursuant to the State Environmental Quality Review Act and the implementing regulations promulgated by the New York State Department of Environmental Conservation (collectively "SEQRA") since the project will not cross any of the applicable threshold for a Type 1 action.</p>			
Name of Applicant or Sponsor:		Telephone: 585-409-7835	
Batavia Homes & Development Inc.		E-Mail: jharrower@geneseeelumber.com	
Address:			
76 Franklin Street			
City/PO:		State:	Zip Code:
City of Batavia		New York	14020
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO YES
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.			<input checked="" type="checkbox"/> <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO YES
If Yes, list agency(s) name and permit or approval: City of Batavia - PDC, DPW and Bldg. Dept; NYSDEC - Sanitary Sewers; GCHD - Water & Subdivision; GCPB - Planning.			<input type="checkbox"/> <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		2.62 acres	
b. Total acreage to be physically disturbed?		2.62 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		14.23 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input checked="" type="checkbox"/> Urban <input checked="" 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			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. 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 type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Storm water will be directed via pipes, catch basins, and swales to the City drainage system located at the street.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Robert J. Pidanick on behalf of Batavia Homes & Development Corp.</u> Date: <u>May 27, 2020</u> Signature: <u></u> Title: <u>Manager of Land Development</u>		

PRINT FORM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No

Project:

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

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

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

PRINT FORM

Project: Date:

Short Environmental Assessment Form

Part 3 Determination of Significance

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

<input type="checkbox"/>	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.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM

me, the subscriber, personally appeared JAMES CALAFATIS and IRENE CALAFATIS, his wife, to me personally known and known to me to be the same persons described in and who executed the within Instrument, and they severally duly acknowledged to me that they executed the same.

Edward M. Kearney Notary Public
EDWARD M. KEARNEY NOTARY PUBLIC,
State of N.Y., Genesee Co. No. 261
Commission Expires March 30, 1955

A true copy of the original recorded February 15, 1954 at 11:00 o'clock A.M. & examined

Charles H. Hirsch

Clerk

THIS INDENTURE,

4796

Made the 15th day of February Nineteen Hundred and Fifty-Four

BETWEEN EDWARD W. CONKLIN, of 2101 Elmwood Avenue, Buffalo, Erie County, New York, as Attorney-in-Fact of MAY G. SWEZEY, under and by virtue of a Power of Attorney, dated July 30, 1953, and recorded in the Office of the Clerk of the County of Genesee, State of New York, on the 12th day of August, 1953, in Liber 307 of Deeds at page 406, party of the first part, and BATAVIA HOMES & DEVELOPMENT CORPORATION, a domestic corporation, having its principal office at No. 76 Franklin Street, Batavia, Genesee County, New York, party of the second part,

WITNESSETH, that the party of the first part, in consideration of One Dollar (\$1.00) lawful money of the United States, (and other valuable consideration) paid by the party of the second part, does hereby grant and release unto the party of the second part, its successors and assigns forever, all THAT TRACT OR PARCEL OF LAND, situate in the City (formerly Village) of Batavia, County of Genesee, and State of New York, being Lot 50, bounded east by Lot No. 52, 80 chains; south by Genesee Street, 5 chains; west by an alley 50 links wide, 80 chains, and north by the northern bounds of Batavia Village, 5 chains, containing 40 acres be the same more or less.

ALSO, ALL THAT TRACT OR PARCEL OF LAND, situate in the City (formerly Village) of Batavia, County of Genesee, and State of New York, being part of Lot 52, bounded as follows: Beginning at the southwest corner of said lot; thence north bounding on Lot 50, 80 chains; thence east along the north bounds of said Lot 52, 9 chains, 12 links, to an alley 50 links wide, thence south bounding thereon, 75 chains, 28 links, to the center of the Rochester Road; thence southwesterly along the center of said road to the south bounds of said Lot 52, and thence west along the north bounds of Genesee Street, 4 chains, 55 links, to the place of beginning, containing 72 acres more or less.

ALSO, ALL THAT TRACT OR PARCEL OF LAND, situate in the City (formerly Village) of Batavia, County of Genesee, and State of New York, being the east half of the alley between Village Lots Nos. 48 and 50 and the west half of the alley on the easterly side of Lot No. 52 and being the same alleys named in a deed executed by Jerome Thompson and Ann Elizabeth Thompson, his wife, to Hiram Swezey, and dated the 28th day of February, 1882.

EXCEPTING the following parcels heretofore conveyed out of the above described property:

From John Thompson and Jerusha, his wife, to Gilliam Bartholf, by Deed, dated October 29, 1855, recorded December 10, 1855, in Liber 90, at page 327.

From Hiram Swezey and Mary S. Swezey, his wife, to Charles A. Blocker, by Deed, dated April 16, 1907, recorded April 17, 1907, in Liber 209 of Deeds at page 70.

From H. Eugene Swezey and May G. Swezey, as executors of the last Will and Testament of Hiram Swezey, deceased, to John Arthur Kirby, by Deed dated October 22, 1920, recorded December 4, 1920, in Liber 238 of Deeds, at page 168.

From H. Eugene Swezey and May G. Swezey, as executors of the last Will and Testament

4/310
Deeds
P/116

of Hiram Swezey, deceased, to Vernon C. Scheek and Olive Tucker Scheek, his wife, by Deed, dated December 28, 1922, recorded December 30, 1922, in Liber 250 of Deeds at page 451.

From H. Eugene Swezey and May G. Swezey, as executors of the last Will and Testament of Hiram Swezey, deceased, to John Arthur Kirby, by Deed, dated August 7, 1923, recorded August 31, 1923 in Liber 253 of Deeds at page 236.

From May G. Swezey as surviving executrix of the last Will and Testament of Hiram Swezey to Albert Van Zant and Emma J. Van Zant, his wife, by Deed, dated August 15, 1925, recorded October 16, 1925, in Liber 258 of Deeds at page 266.

From May G. Swezey, as surviving executrix of the last Will and Testament of Hiram Swezey, deceased, to Fannie E. Norton, by Deed, dated August 24, 1925, recorded February 8, 1926 in Liber 261 of Deeds at page 87.

From May G. Swezey as surviving executrix of Hiram Swezey the last Will and Testament of deceased to Wesley E. Norton, by Deed, dated November 12, 1925, recorded February 8, 1926, in Liber 261 of Deeds at page 88.

From May G. Swezey as surviving executrix of the last Will and Testament of Hiram Swezey, deceased, to Frederick W. Reiss and Helen E. Reiss, his wife, by Deed, dated December 31, 1925, recorded March 15, 1926 in Liber 238 of Deeds at page 245.

From May G. Swezey as executrix of the last Will and Testament of Hiram Swezey, deceased, to William H. Moran and Alida M. Moran, his wife, by Deed, dated January 23, 1926, recorded March 20, 1926, in Liber 258 of Deeds at page 360.

From May G. Swezey, as executrix of the last Will and Testament of Hiram Swezey, deceased, to Hugh R. Happ, by Deed, dated April 16, 1926, recorded June 7, 1926, in Liber 258 of Deeds at page 446.

From May G. Swezey, individually and as sole surviving executrix of the last Will and Testament of Hiram Swezey, deceased, Cora J. Swezey and Carrie L. Swezey, devisees and legatees under the last Will and Testament of Hiram Swezey, deceased, to Standard Oil Company of New York, by Deed, dated November 25, 1925, recorded June 7, 1926 in Liber 261 of Deeds at page 249.

From May G. Swezey as executrix of the last Will and Testament of Hiram Swezey, deceased, by Deed, dated July 12, 1926, recorded July 17, 1926 in Liber 238 of Deeds at page 249, to George J. and Mary E. Buokholtz.

From May G. Swezey as executrix of the last Will and Testament of Hiram Swezey deceased to Martin Mulner and Anna Mulner, his wife, by Deed, dated August 23, 1926, recorded September 8, 1926, in Liber 261 of Deeds at page 337.

From May G. Swezey as executrix of the last Will and Testament of Hiram Swezey deceased to Charles W. Coulson and Helena Coulson, his wife, by Deed, dated October 20, 1926, recorded November 24, 1926 in Liber 261 of Deeds, at page 403.

From May G. Swezey, surviving executrix of the last Will and Testament of Hiram Swezey to Frank N. Conrad and William F. Conrad, by Deed, dated February 8, 1927, recorded February 17, 1927, in Liber 238 of Deeds, at Page 263.

From May G. Swezey as executrix of the last Will and Testament of Hiram Swezey, deceased, to Josephine T. McCormick and Adelaide F. McCormick to be held by them as joint tenants and not as tenants in common, by Deed, dated November 23, 1927, recorded November 29, 1927, in Liber 259 of Deeds at page 365.

From May G. Swezey as Executrix of the last Will and Testament of Hiram Swezey, deceased, to Albert F. Kleps, by Deed, dated April 6, 1928, recorded April 13, 1928, in Liber 238 of Deeds at page 304.

From May G. Swezey as executrix of the last Will and Testament of Hiram Swezey, deceased, to Hiram Kreger and Gertrude A. Kreger, his wife, by Deed, dated July 12, 1926, acknowl. July 12, 1926, recorded April 14, 1928 in Liber 238 of Deeds at page 305.

From May G. Swezey as executrix of the last Will and Testament of Hiram Swezey deceased to Herman Kreger and Gertrude A. Kreger, his wife, by Deed, dated July 12, 1926, acknowledged July 12, 1926, recorded April 14, 1928, in Liber 238 of Deeds at page 306.

From May G. Swezey, executrix of the last Will and Testament of Hiram Swezey, deceased, to Herman Kreger and Gertrude A. Kreger, his wife, by Deed, dated July 12, 1926, acknowledged July 12, 1926, recorded April 14, 1928 in Liber 238 of Deeds at page 307.

From May G. Swezey as executrix of the last Will and Testament of Hiram Swezey, deceased, to Emily L. Wood, by Deed, dated April 20, 1927, acknowledged April 23, 1927, recorded May 23, 1928 in Liber 238 of Deeds at Page 312.

From May G. Swezey individually and as sole surviving executrix of the last Will and Testament of Hiram Swezey, deceased, Cora J. Swezey and Carrie L. Swezey devisees and legatees under such Will, by deed, dated January 28, 1928, acknowledged March 1, 1928, recorded January 18, 1929, in Liber 267 of Deeds at page 5.

From May G. Swezey as executrix of the last Will and Testament of Hiram Swezey, deceased, Mary G. Swezey, individually and Cora J. Swezey and Carrie Swezey to Mildred F. Bushman, by Deed, dated April 26, 1932, recorded May 24, 1932, in Liber 273 of Deeds at page 15.

Also subject to an Easement from May G. Swezey, both individually and as sole surviving executrix of the last Will and Testament of Hiram Swezey deceased, Cora J. Swezey and Carrie B. Swezey to City of Batavia, dated October 6, 1938, recorded October 14, 1938 in Liber 281 of Deeds at page 94, and subject to all existing restrictions, ordinances, encumbrances and other easements now of record or in force, affecting any, or all of the premises intended hereby to be conveyed.

Also excepting that piece or parcel of land heretofore deeded by May G. Swezey individually and as executrix of the last Will and Testament of Hiram Swezey to Ory L. Pixley by deed dated February 27, 1950 and recorded March 1, 1950 in Liber 302 of Deeds at page 269.

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

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

~~AND the party of the first part covenants that he has not done or suffered anything whereby the said premises have been incumbered in any way whatever.~~

IN WITNESS WHEREOF, the party of the first part has hereunto set his hand and seal the day and year first above written.

IN PRESENCE OF

Int. Rev.

\$77.00

Cancelled

May G. Swezey

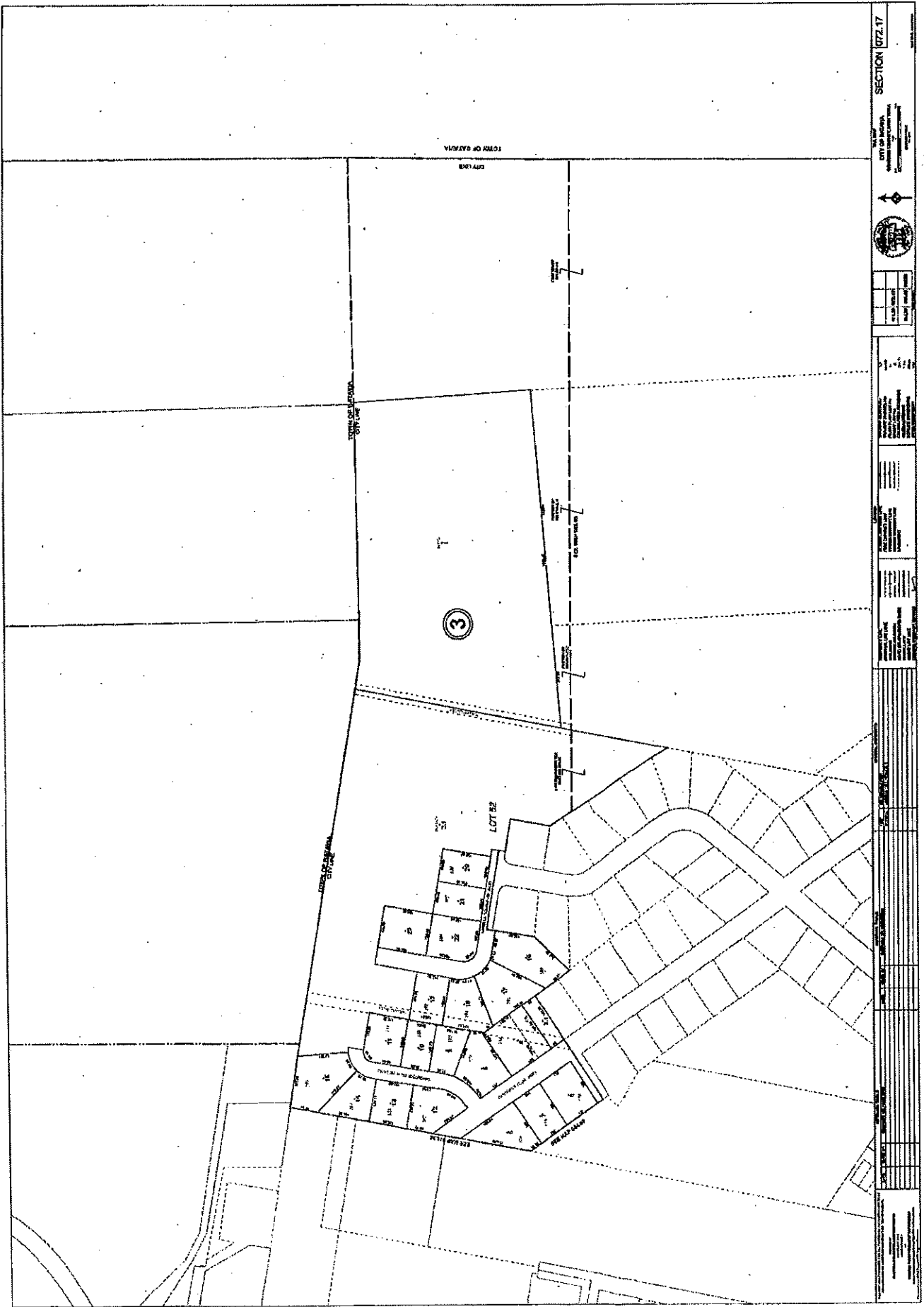
BY: Edward W. Conklin

Her Attorney-in-Fact

L.S.

STATE OF NEW YORK
COUNTY OF ERIE
CITY OF BUFFALO

On this 15th day of February Nineteen Hundred and Fifty Four before me the sub-



SECTION 072.17	
CITY OF SAKAIA	
PLAT NO. 072.17	
DATE: 07/21/17	
DRAWN BY: [Name]	
CHECKED BY: [Name]	
APPROVED BY: [Name]	
REMARKS: [Text]	
[Additional fields for survey data, bearings, and distances]	

BATAVIA HOMES AND DEVELOPMENT CORPORATION

CLINTON GARDENS SUBDIVISION

CAROLWOOD DRIVE AND HARROLD SQUARE

CITY OF BATAVIA, GENESEE COUNTY
STATE OF NEW YORK
MARCH 6, 2020



LOCATION MAP

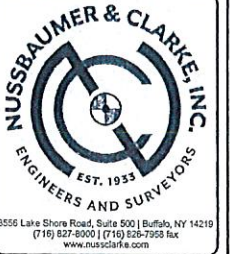
LIST OF DRAWINGS	
DWG	TITLE
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C-102	PAVING, GRADING AND DRAINAGE PLAN
C-103	SANITARY SEWER AND WATERLINE PLAN
C-104	PROFILES
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C-106	SITE DETAILS
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C-109	WATERLINE NOTES
C-110	EROSION AND SEDIMENT CONTROL DETAILS



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A CORPORATION REGISTERED TO PRACTICE
PROFESSIONAL ENGINEERING & LAND SURVEYING
IN THE STATE OF NEW YORK
CERTIFICATE NO. 027



CLINTON GARDENS SUBDIVISION
CAROLWOOD DRIVE-HARROLD SQUARE
EXISTING CONDITIONS PLAN

REVISIONS		
No.	DESCRIPTION	DATE
0		



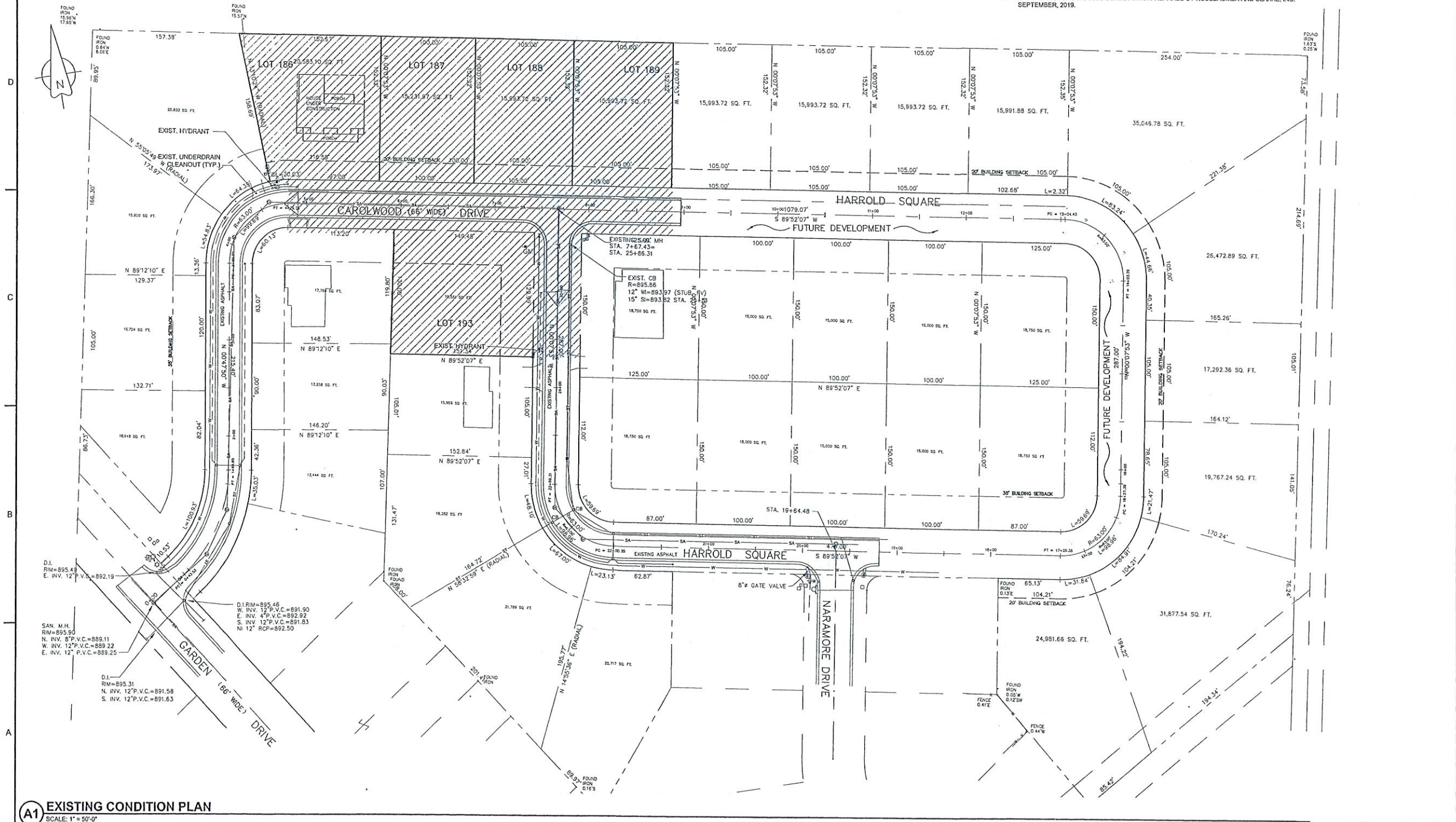
PROJECT NUMBER	19J5-0006
DATE	09-16-19
DRAWN BY	VBS
DESIGNED BY	RJP
CHECKED BY	BLS
APPROVED BY	MTM
SCALE:	AS NOTED
SHEET No.	2 OF 10
C-101	

EXISTING LEGEND

	EXISTING UTILITY POLE		EXISTING SPOT ELEVATION
	EXISTING GUY WIRE		EXISTING CONTOUR LINE (1 FOOT INTERVALS)
	EXISTING LIGHT POLE		EXISTING SANITARY SEWER LINE
	EXISTING CABLE BOX		EXISTING WATER LINE
	EXISTING TELEPHONE BOX		EXISTING STORM SEWER LINE
	EXISTING HYDRANT AND VALVE		EXISTING UNDERGROUND ELECTRIC
	EXISTING MANHOLE		EXISTING UNDERGROUND GAS
	EXISTING STORM SEWER MANHOLE		EXISTING OVERHEAD WIRE
	EXISTING STORM CATCH BASIN		PROPOSED SUBLOT AREA
	EXISTING WATER SERVICE BOX		

GENERAL NOTES:

- ALL UTILITIES TO BE FIELD VERIFIED PRIOR TO THE START OF CONSTRUCTION.
- ADDITIONAL TOPOGRAPHIC SURVEY DATA PREPARED BY NUSSBAUMER AND CLARKE, INC. SEPTEMBER, 2019.



A1 EXISTING CONDITION PLAN
SCALE: 1" = 50'-0"

GENERAL NOTES:

- TOPOGRAPHICAL INFORMATION BASED UPON SURVEY PERFORMED BY NUSSBAUMER & CLARKE, INC., SEPT. 2019
- ALL BIDDERS ARE REQUIRED TO INSPECT THE PROJECT SITE IN ITS ENTIRETY PRIOR TO SUBMITTING THEIR BID, AND BECOME FAMILIAR WITH ALL CONDITIONS AS THEY MAY AFFECT THEIR BID. CONTRACTOR AND SUB-CONTRACTOR SHALL BE FAMILIAR WITH ALL DRAWINGS AND SPECIFICATIONS PRIOR TO COMMENCING THE CONSTRUCTION.
- LOCATIONS OF ANY UTILITIES SHOWN ON THESE PLANS ARE APPROXIMATE ONLY. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF SUCH UTILITIES, PROTECTING ALL EXISTING UTILITIES AND REPAIRING ANY DAMAGE DONE DURING CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL ON-SITE COORDINATION WITH UTILITY COMPANIES AND PUBLIC AGENCIES AND FOR OBTAINING ALL REQUIRED PERMITS AND PAYING ALL REQUIRED FEES.
- WHERE AN EXISTING UTILITY IS FOUND TO CONFLICT WITH THE PROPOSED WORK, THE LOCATION, ELEVATION AND SIZE OF THE UTILITY SHALL BE ACCURATELY DETERMINED WITHOUT DELAY BY THE CONTRACTOR AND THE INFORMATION FURNISHED TO THE ENGINEER FOR RESOLUTION OF THE CONFLICT.
- THE CONTRACTOR SHALL MAKE ALL ARRANGEMENTS FOR THE ALTERATION AND ADJUSTMENT OF GAS, ELECTRIC, TELEPHONE AND ANY OTHER PRIVATE UTILITIES BY THE UTILITY OWNER AT NO ADDITIONAL COST TO THE OWNER.
- CONTRACTOR SHALL BE RESPONSIBLE FOR REVIEWING ALL DRAWINGS AND SPECIFICATIONS TO DETERMINE THE EXTENT OF EXCAVATION AND DEMOLITION REQUIRED TO RECEIVE SITE IMPROVEMENTS.
- ANY DISCREPANCIES OR CONFLICTS BETWEEN THE DRAWINGS AND EXISTING CONDITIONS, EXISTING CONDITIONS TO REMAIN, TEMPORARY CONSTRUCTION, PERMANENT CONSTRUCTION AND WORK OF ADJACENT CONTRACTS SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER BEFORE PROCEEDING. ITEMS ENCOUNTERED IN AREAS OF EXCAVATION THAT ARE NOT INDICATED ON THE DRAWINGS, BUT ARE VISIBLE ON SURFACE, SHALL BE THE CONTRACTOR'S RESPONSIBILITY AND SHALL BE REMOVED AT NO ADDITIONAL COST TO THE OWNER.
- ANY ALTERATIONS TO THESE DRAWINGS MADE IN THE FIELD DURING CONSTRUCTION SHALL BE RECORDED BY THE GENERAL CONTRACTOR ON "AS-BUILT" DRAWINGS.

- ALL AREAS DISTURBED BY THE CONTRACTOR'S OPERATIONS OUTSIDE THE PROJECT LIMITS, SHALL BE RESTORED TO THE ORIGINAL CONDITION BY THE CONTRACTOR AT NO ADDITIONAL COST AND TO THE SATISFACTION OF THE OWNER.
- ALL KNOWN EXISTING STATE, COUNTY AND TOWN LOCATION LINES AND PRIVATE PROPERTY LINES HAVE BEEN ESTABLISHED FROM AVAILABLE INFORMATION AND ARE INDICATED ON THE PLANS.
- THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PROTECT HIS EMPLOYEES, AS WELL AS PUBLIC USERS FROM INJURY DURING THE ENTIRE CONSTRUCTION PERIOD USING ALL NECESSARY SAFEGUARDS, INCLUDING BUT NOT LIMITED TO, THE ERECTION OF TEMPORARY WALKS, STRUCTURES, PROTECTIVE BARRIERS, COVERING, OR FENCES AS NEEDED.
- EXISTING TREES TO REMAIN SHALL BE PROTECTED FROM CONSTRUCTION ACTIVITIES. NO STOCKPILING OF MATERIAL, EQUIPMENT OR VEHICULAR TRAFFIC SHALL BE ALLOWED WITHIN THE Drip LINE OF TREES TO REMAIN. WHEN NECESSARY OR AS DIRECTED BY THE ENGINEER, THE CONTRACTOR SHALL ERECT TEMPORARY BARRIERS FOR THE PROTECTION OF EXISTING TREES DURING CONSTRUCTION.
- TREES AND SHRUBS WITHIN THE LIMITS OF WORK SHALL BE REMOVED ONLY UPON THE APPROVAL OF THE ENGINEER OR AS NOTED ON THE PLANS.
- THE CONTRACTOR SHALL CALL DIGSAFE NEW YORK AT AT LEAST 72 HOURS, SATURDAYS, AND HOLIDAYS EXCLUDED, PRIOR TO EXCAVATING AT ANY LOCATION.
- NO FILLING SHALL OCCUR AROUND EXISTING TREES TO REMAIN WITHOUT THE APPROVAL OF THE OWNER OR OWNER REPRESENTATIVE.
- THE CONTRACTOR SHALL REMOVE ALL SURFACE VEGETATION PRIOR TO GRADING THE SITE. STUMPS SHALL BE REMOVED BY THE CONTRACTOR. TEMPORARY EROSION CONTROL MEASURES SHOWN ON THE DRAWINGS (INCLUDING SILT FENCE, COMPOST FILTER TUBES, OR SILT SOCKS) SHALL BE INSTALLED BY THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THESE TEMPORARY EROSION CONTROL MEASURES THROUGHOUT THE PROJECT WHICH COST SHALL BE INCIDENTAL TO THE PROJECT.
- ALL UNSUITABLE UNCONTAMINATED EXCESS SOIL FROM CONSTRUCTION ACTIVITIES SHALL BE DISPOSED OF BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER. REMOVAL ACTIVITIES SHALL BE IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS AT NO ADDITIONAL COST TO THE OWNER.

- ALL EXISTING DRAINAGE FACILITIES TO REMAIN SHALL BE MAINTAINED FREE OF DEBRIS, SOIL, SEDIMENT, AND FOREIGN MATERIAL AND OPERATIONAL THROUGHOUT THE LIFE OF THE CONTRACT. REMOVE ALL SOIL, SEDIMENT, DEBRIS AND FOREIGN MATERIAL FROM ALL DRAINAGE STRUCTURES, INCLUDING BUT NOT LIMITED TO, DRAINAGE INLETS, MANHOLES AND CATCH BASINS WITHIN THE LIMIT OF WORK AND DRAINAGE STRUCTURES OUTSIDE THE LIMIT OF WORK THAT ARE IMPACTED BY THE WORK FOR THE ENTIRE DURATION OF CONSTRUCTION.
- CONTRACTOR'S STAGING AREA MUST BE WITHIN THE CONTRACT LIMIT LINE AND IN AREAS APPROVED BY OWNER. ANY OTHER AREAS THAT THE CONTRACTOR MAY WISH TO USE FOR STAGING MUST BE COORDINATED WITH THE OWNER.
- THE CONTRACTOR SHALL KEEP ALL STREETS, PARKING LOTS AND WALKS THAT ARE NOT RESTRICTED FROM PUBLIC USE DURING CONSTRUCTION BROOM CLEAN AT ALL TIMES. THE CONTRACTOR SHALL USE ACCEPTABLE METHODS AND MATERIALS TO MAINTAIN ADEQUATE DUST CONTROL THROUGHOUT CONSTRUCTION.
- CONTRACTOR SHALL COORDINATE ALL WORK WITH THE OWNER.
- CONTRACTOR SHALL DEWATER AS NECESSARY TO PERFORM THE PROPOSED WORK. CONTRACTOR SHALL BE AWARE OF PERCHED GROUNDWATER, THE LIMIT OF WORK SHALL BE DELINEATED IN THE FIELD PRIOR TO THE START OF SITE CLEARING OR CONSTRUCTION.
- HAULING OF EARTH MATERIALS TO AND FROM THE SITE SHALL BE RESTRICTED TO THE HOURS OF 7:00 AM TO 6:00 PM MONDAY THROUGH FRIDAY.

GRADING, DRAINAGE AND UTILITY NOTES:

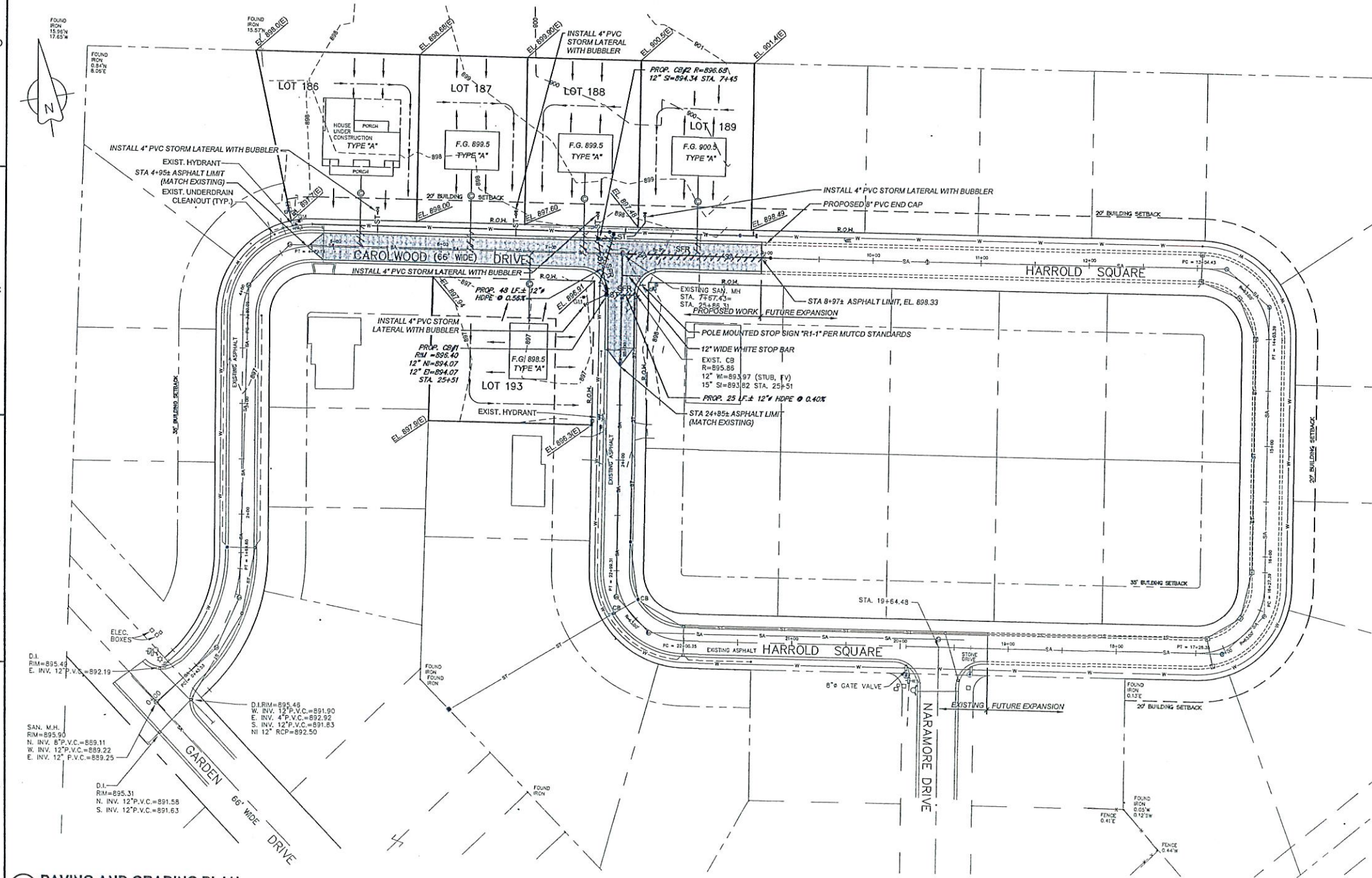
- ALL WORK RELATING TO INSTALLATION, RENOVATION OR MODIFICATION OF WATER, DRAINAGE AND/OR SEWER SERVICES SHALL BE PERFORMED IN ACCORDANCE WITH THE STANDARDS OF THE CITY OF BATAVIA.
- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND GRADES ON THE GROUND AND REPORT ANY DISCREPANCIES IMMEDIATELY TO THE OWNER.
- ALL GRADING IS TO BE SMOOTH AND CONTINUOUS WHERE PROPOSED GRAVEL SURFACE MEETS EXISTING SURFACE, BLEND THE TWO PAVEMENTS AND ELIMINATE ROUGH SPOTS AND ABRUPT GRADE CHANGES AND MEET LINE AND GRADE OF EXISTING CONDITIONS WITH NEW IMPROVEMENTS.
- CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE AWAY FROM ALL BUILDING FOUNDATIONS AND STRUCTURES.
- CONTRACTOR SHALL ENSURE ALL AREAS ARE PROPERLY PITCHED TO DRAIN, WITH NO SURFACE WATER PONDING OR FLOODING.
- ALL NEW WALKWAYS / ACCESS PATHS MUST CONFORM TO CURRENT AMERICANS WITH DISABILITIES ACT (ADA) REGULATIONS: WALKWAYS SHALL MAINTAIN A CROSS PITCH OF NOT MORE THAN ONE AND A HALF PERCENT (1.5%) AND THE RUNNING SLOPE (PARALLEL TO THE DIRECTION OF TRAVEL) BETWEEN 1% MIN. AND 5% MAX.
- MINIMUM SLOPE ON ALL WALKWAYS WILL BE 1:100 OR 1% TO PROVIDE POSITIVE DRAINAGE. ANY DISCREPANCIES NOT ALLOWING THIS TO OCCUR SHALL BE REPORTED TO THE OWNER PRIOR TO CONTINUING WORK.
- ALL UTILITY GRATES, COVERS OR OTHER SURFACE ELEMENTS INTENDED TO BE EXPOSED AT GRADE SHALL BE FLUSH WITH THE ADJACENT FINISHED GRADE AND ADJUSTED TO PROVIDE A SMOOTH TRANSITION AT ALL EDGES.
- THE CONTRACTOR SHALL SET SUBGRADE ELEVATIONS TO ALLOW FOR POSITIVE DRAINAGE AND PROVIDE EROSION CONTROL DEVICES, STRUCTURES, MATERIALS AND CONSTRUCTION METHODS TO DIRECT SILT MIGRATION AWAY FROM DRAINAGE AND OTHER UTILITY SYSTEMS, PUBLIC/PRIVATE STREETS AND WORK AREAS, CLEAN BASINS REGULARLY AND AT THE END OF THE PROJECT.
- EXCAVATION REQUIRED WITHIN PROXIMITY OF KNOWN EXISTING UTILITY LINES SHALL BE DONE BY HAND. CONTRACTOR SHALL REPAIR ANY DAMAGE TO EXISTING UTILITY LINES OR STRUCTURES INCURRED DURING CONSTRUCTION OPERATIONS AT NO COST TO THE OWNER.
- WHERE NEW EARTHWORK MEETS EXISTING EARTHWORK, CONTRACTOR SHALL BLEND NEW EARTHWORK SMOOTHLY INTO EXISTING, PROVIDING VERTICAL CURVES OR ROUNDS AT ALL TOP AND BOTTOM OF SLOPES.
- WHERE A SPECIFIC LIMIT OF WORK LINE IS NOT OBVIOUS OR IMPLIED, BLEND GRADES TO EXISTING CONDITIONS WITHIN 5 FEET OF PROPOSED CONTOURS.
- RESTORE ALL DISTURBED AREAS AND LIMITS OF ALL REMOVALS TO TOPSOIL AND SEED UNLESS OTHERWISE NOTED.

EXISTING LEGEND

- EXISTING UTILITY POLE
- EXISTING GUY WIRE
- EXISTING LIGHT POLE
- EXISTING CABLE BOX
- EXISTING TELEPHONE BOX
- EXISTING HYDRANT AND VALVE
- EXISTING SAN MANHOLE
- EXISTING STORM SEWER MANHOLE
- EXISTING STORM CATCH BASIN
- EXISTING WATER SERVICE BOX
- EXISTING SPOT ELEVATION
- EXISTING CONTOUR LINE (1 FOOT INTERVALS)
- EXISTING SANITARY SEWER LINE
- EXISTING WATER LINE
- EXISTING STORM SEWER LINE
- EXISTING UNDERGROUND ELECTRIC
- EXISTING UNDERGROUND GAS
- EXISTING OVERHEAD WIRE

PROPOSED LEGEND

- PROPOSED CATCH BASIN
- PROPOSED STORM SEWER MANHOLE
- PROPOSED SANITARY SEWER MANHOLE
- PROPOSED SANITARY SEWER CLEANOUT
- PROPOSED WATERLINE VALVE
- PROPOSED WATER LINE
- PROPOSED SANITARY SEWER LINE
- PROPOSED STORM SEWER LINE
- SELECT FILL REQUIRED
- PROPOSED ASPHALT AREA
- PROPOSED FLOW ARROW
- PROPOSED FINISHED GRADE ELEVATION
- FUTURE CATCH BASIN
- FUTURE SANITARY SEWER MANHOLE
- PROPOSED CONCRETE GUTTER



A1 PAVING AND GRADING PLAN
SCALE: 1" = 50'-0"



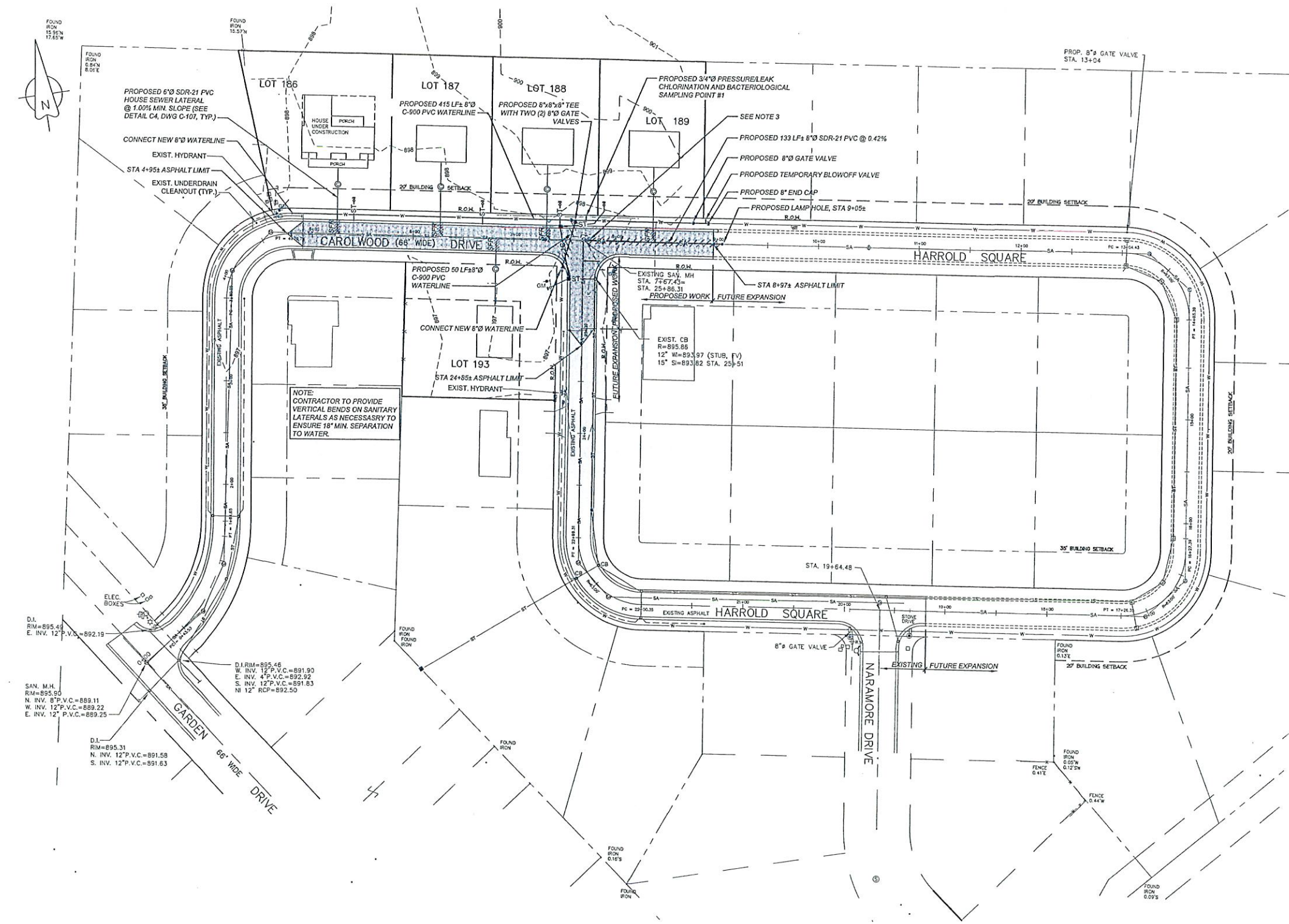
CLINTON GARDENS SUBDIVISION CAROLWOOD DRIVE-HAROLD SQUARE PAVING, GRADING AND DRAINAGE PLAN

REVISIONS		
No.	DESCRIPTION	DATE
1	REVISIONS PER CITY OF BATAVIA	11-14-19
2	REVISIONS PER NYDEC COMMENTS	03-06-20



PROJECT NUMBER	19J5-0006
DATE	09-16-19
DRAWN BY	VBS
DESIGNED BY	RJP
CHECKED BY	BLS
APPROVED BY	MTM
SCALE:	AS NOTED
SHEET No.	3 OF 11
C-102	

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- GENERAL NOTES:**
1. ALL UTILITIES TO BE FIELD VERIFIED PRIOR TO THE START OF CONSTRUCTION.
 2. ADDITIONAL TOPOGRAPHIC SURVEY DATA PREPARED BY NUSSBAUMER AND CLARKE, INC. SEPTEMBER, 2019.
 3. CONTRACTOR TO VERIFY

- EXISTING LEGEND**
- EXISTING UTILITY POLE
 - EXISTING GUY WIRE
 - EXISTING LIGHT POLE
 - EXISTING CABLE BOX
 - EXISTING TELEPHONE BOX
 - EXISTING HYDRANT AND VALVE
 - EXISTING SAN MANHOLE
 - EXISTING STORM SEWER MANHOLE
 - EXISTING STORM CATCH BASIN
 - EXISTING WATER SERVICE BOX
 - EXISTING SANITARY SEWER LINE
 - EXISTING WATER LINE
 - EXISTING STORM SEWER LINE
 - EXISTING UNDERGROUND ELECTRIC
 - EXISTING UNDERGROUND GAS
 - EXISTING OVERHEAD WIRE

- PROPOSED LEGEND**
- PROPOSED CATCH BASIN
 - PROPOSED STORM SEWER MANHOLE
 - PROPOSED SANITARY SEWER CLEANOUT
 - PROPOSED WATERLINE VALVE
 - PROPOSED WATER LINE
 - PROPOSED SANITARY SEWER LINE
 - PROPOSED STORM SEWER LINE
 - SELECT FILL REQUIRED
 - PROPOSED ASPHALT AREA
 - PROPOSED FLOW ARROW
 - PROPOSED FINISHED GRADE ELEVATION
 - FUTURE CATCH BASIN
 - FUTURE SANITARY SEWER MANHOLE
 - PROPOSED CONCRETE GUTTER

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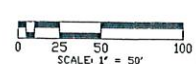
CLINTON GARDENS SUBDIVISION
CAROLWOOD DRIVE-HARROLD SQUARE
SANITARY SEWER AND WATERLINE PLAN

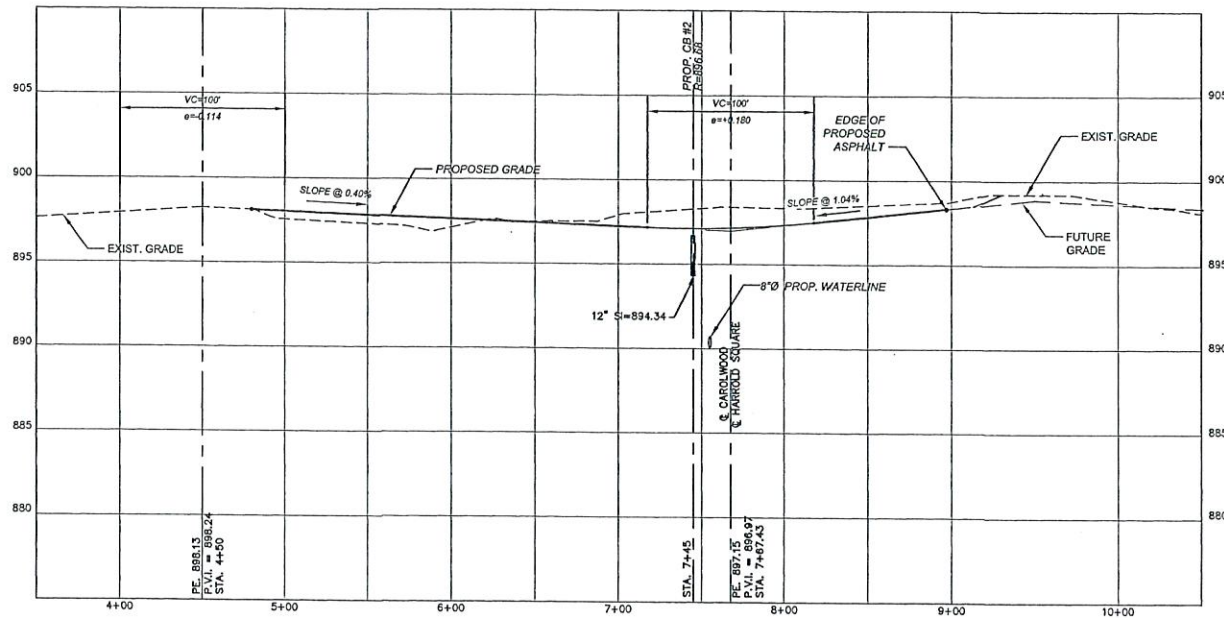
REVISIONS		
NO.	DESCRIPTION	DATE
1	REVISIONS PER CITY OF BATAVIA	11-14-19
2	REVISIONS PER NYDEC COMMENTS	03-06-20

UNAUTHORIZED ALTERATION OR ADDITION TO THIS ENGINEERING DRAWING IS A VIOLATION OF SECTION 7209, PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

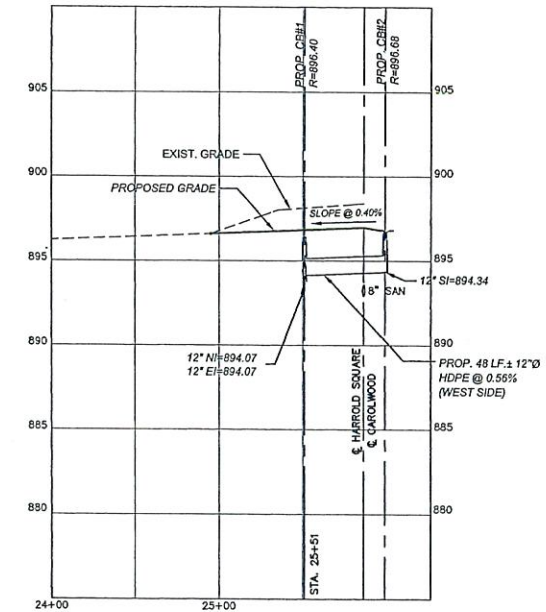
PROJECT NUMBER	1935-0006
DATE	09-16-19
DRAWN BY	VBS
DESIGNED BY	RJP
CHECKED BY	BLS
APPROVED BY	MTM
SCALE:	AS NOTED
SHEET No.	4 OF 11
C-103	

A1 SANITARY SEWER AND WATERLINE PLAN
SCALE: 1" = 50'-0"

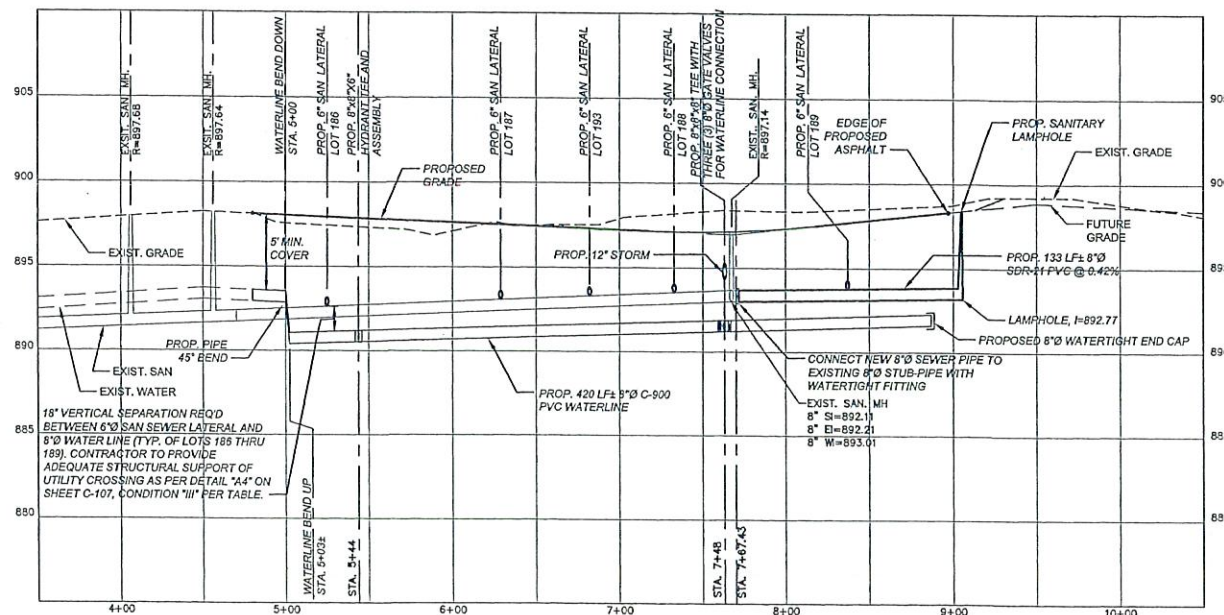




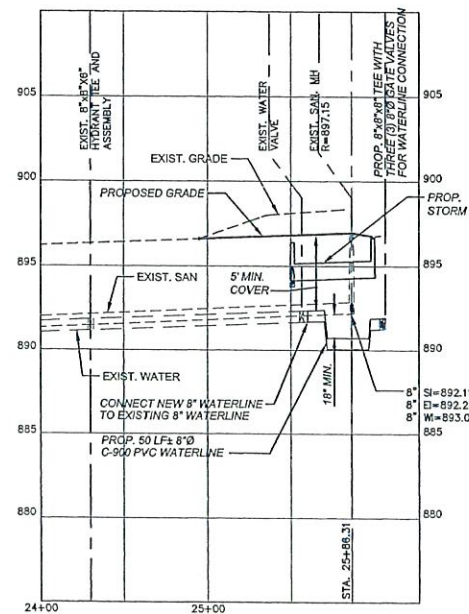
C1 PAVING AND DRAINAGE PROFILES - CAROLWOOD DRIVE & HARROLD SQUARE
SCALE: HORIZ.: 1" = 50'-0", VERT.: 1" = 5'



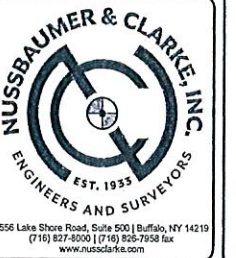
C5 PAVING AND DRAINAGE PROFILES - HARROLD SQUARE
SCALE: HORIZ.: 1" = 50'-0", VERT.: 1" = 5'



A1 SANITARY SEWER AND WATERLINE PROFILES - CAROLWOOD DRIVE & HARROLD SQUARE
SCALE: HORIZ.: 1" = 50'-0", VERT.: 1" = 5'



A5 SANITARY SEWER AND WATERLINE PROFILES - HARROLD SQUARE
SCALE: HORIZ.: 1" = 50'-0", VERT.: 1" = 5'



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CLINTON GARDENS SUBDIVISION
CAROLWOOD DRIVE-HARROLD SQUARE
PROFILES

REVISIONS		
No.	DESCRIPTION	DATE
1	REVISIONS PER CITY OF BATAVIA	11-14-19
2	REVISIONS PER NYDEC COMMENTS	03-06-20



PROJECT NUMBER	19J5-0006
DATE	09-16-19
DRAWN BY	VBS
DESIGNED BY	RJP
CHECKED BY	BLS
APPROVED BY	MTM
SCALE:	AS NOTED
SHEET No.	5 OF 11

C-104

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EROSION & SEDIMENT CONTROL NOTES:

1. ALL SEDIMENT AND EROSION CONTROL DEVICES SHALL BE PUT INTO PLACE PRIOR TO BEGINNING ANY CONSTRUCTION OR DEMOLITION. REFER TO PLAN FOR APPROXIMATE LOCATION OF EROSION AND SEDIMENT CONTROL. REFER TO DETAILS FOR TYPE OF EROSION AND SEDIMENT CONTROL.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CONTINUAL MAINTENANCE OF ALL CONTROL DEVICES THROUGHOUT THE DURATION OF THE PROJECT.
3. CONTRACTOR SHALL MEET ALL OF THE N.Y.S.D.E.C. REGULATIONS FOR SEDIMENT AND EROSION CONTROL.
4. EXCAVATED MATERIAL STOCKPILED ON THE SITE SHALL BE SURROUNDED BY A RING OF UNBROKEN SEDIMENT AND EROSION CONTROL FENCE. THE LIMITS OF ALL GRADING AND DISTURBANCE SHALL BE KEPT TO A MINIMUM WITHIN THE APPROVED AREA OF CONSTRUCTION. ALL AREAS OUTSIDE OF THE LIMIT OF CONTRACT SHALL REMAIN TOTALLY UNDISTURBED UNLESS OTHERWISE APPROVED BY OWNER'S REPRESENTATIVE.
5. ALL CATCH BASINS AND DRAIN GRATES WITHIN LIMIT OF CONTRACT SHALL BE PROTECTED WITH FILTER FABRIC DURING THE ENTIRE DURATION OF CONSTRUCTION.
6. EROSION CONTROL BARRIERS TO BE INSTALLED AT THE TOE OF SLOPES. SEE GRADING & DRAINAGE PLANS, NOTES, AND DETAILS.
7. ANY AREA OUTSIDE THE PROJECT LIMIT THAT IS DISTURBED SHALL BE RESTORED TO ITS ORIGINAL CONDITION AT NO COST TO THE OWNER.
8. THE CONTRACTOR SHALL PROVIDE DUST CONTROL FOR CONSTRUCTION OPERATIONS AS APPROVED BY OWNER.
9. ALL POINTS OF CONSTRUCTION EGRESS OR INGRESS SHALL BE MAINTAINED TO PREVENT TRACKING OR FLOWING OF SEDIMENT ON TO PUBLIC/PRIVATE ROADS.

SEQUENCE OF OPERATIONS

1. SURVEY AND STAKEOUT FOR CLEARING, STRIPPING AND EROSION CONTROL ACTIVITIES.
2. INSTALL EROSION AND SEDIMENT CONTROLS.
3. PERFORM THE NECESSARY WORK TO ENSURE PROPER SURFACE DRAINAGE WHILE MAINTAINING EROSION AND SEDIMENT CONTROL AS DEFINED BY CITY SPECIFICATIONS AND DESIGN DRAWINGS.
4. WHEN ACTIVITIES TEMPORARILY CEASE DURING CONSTRUCTION, SOIL STOCKPILES AND EXPOSED SOIL SHOULD BE STABILIZED BY SEED AND MULCH OR OTHER APPROPRIATE MEASURES AS SOON AS POSSIBLE, BUT IN NO CASE MORE THAN 7 DAYS AFTER CONSTRUCTION ACTIVITY HAS CEASED.
5. NOTIFY SEDIMENT CONTROL INSPECTOR AND OBTAIN APPROVAL BEFORE PROCEEDING FURTHER.
6. SITE PREPARATION AND CONSTRUCTION SHALL NOT ADVERSELY AFFECT THE FREE FLOW OF STORM RUNOFF OR WATER COURSES.
7. UPON COMPLETION OF PAVEMENT AND UTILITY INSTALLATION, RESTORATION SHALL COMMENCE.
8. EROSION AND SEDIMENT CONTROLS ARE TO BE REMOVED AS THEIR USEFULNESS DIMINISH. AT ALL INSTANCES, NOTIFY THE SEDIMENT CONTROL INSPECTOR AND OBTAIN WRITTEN APPROVAL BEFORE REMOVAL OF ANY EROSION AND SEDIMENT CONTROL DEVICE OR MECHANISM.

EXISTING LEGEND

- EXISTING UTILITY POLE
- EXISTING GUY WIRE
- EXISTING LIGHT POLE
- EXISTING CABLE BOX
- EXISTING TELEPHONE BOX
- EXISTING HYDRANT AND VALVE
- EXISTING SAN MANHOLE
- EXISTING STORM SEWER MANHOLE
- EXISTING STORM CATCH BASIN
- EXISTING WATER SERVICE BOX
- EXISTING SPOT ELEVATION
- EXISTING CONTOUR LINE (1 FOOT INTERVALS)
- EXISTING SANITARY SEWER LINE
- EXISTING WATER LINE
- EXISTING STORM SEWER LINE
- EXISTING UNDERGROUND ELECTRIC
- EXISTING UNDERGROUND GAS
- EXISTING OVERHEAD WIRE

PROPOSED LEGEND

- PROPOSED CATCH BASIN
- PROPOSED STORM SEWER MANHOLE
- PROPOSED SANITARY SEWER MANHOLE
- PROPOSED SANITARY SEWER CLEANOUT
- PROPOSED WATERLINE VALVE
- PROPOSED WATER LINE
- PROPOSED SANITARY SEWER LINE
- PROPOSED STORM SEWER LINE
- SELECT FILL REQUIRED
- PROPOSED ASPHALT AREA
- PROPOSED FLOW ARROW
- PROPOSED FINISHED GRADE ELEVATION
- FUTURE CATCH BASIN
- FUTURE SANITARY SEWER MANHOLE
- PROPOSED CONCRETE GUTTER

EROSION CONTROL LEGEND

- SILT FENCE
- STABILIZED CONSTRUCTION ENTRANCE
- CLEARING LIMITS
- FILTER FABRIC INLET PROTECTION
- SILT FENCE



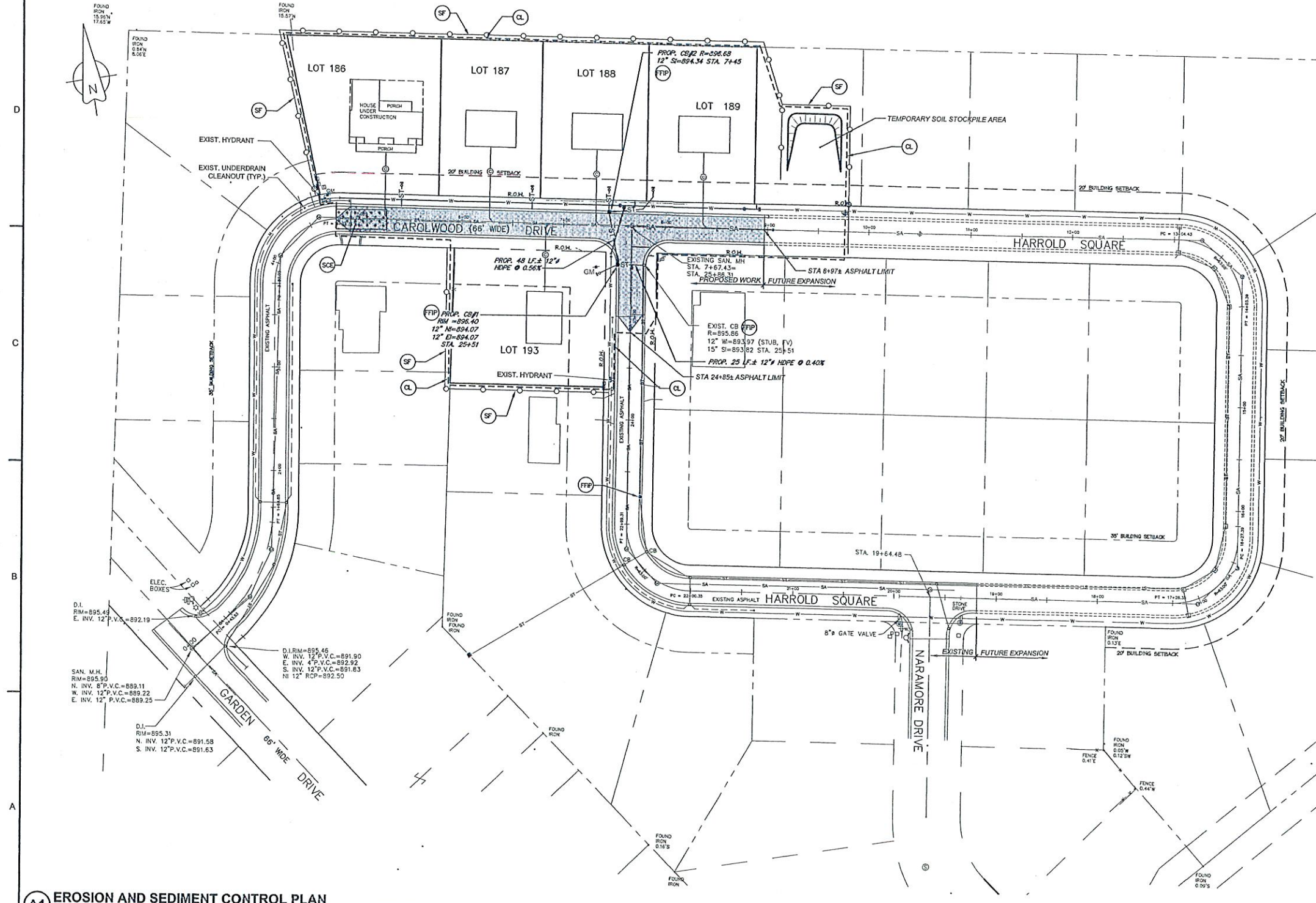
**CLINTON GARDENS SUBDIVISION
CAROLWOOD DRIVE-HARROLD SQUARE
SEDIMENT AND EROSION CONTROL PLAN**

REVISIONS		
No.	DESCRIPTION	DATE
1	REVISIONS PER CITY OF BATAVA	11-14-19



PROJECT NUMBER	19J5-0006
DATE	09-16-19
DRAWN BY	VBS
DESIGNED BY	RJP
CHECKED BY	BLS
APPROVED BY	MTM
SCALE:	AS NOTED
SHEET No.	6 OF 11

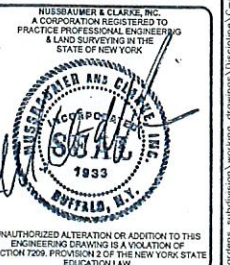
C-105



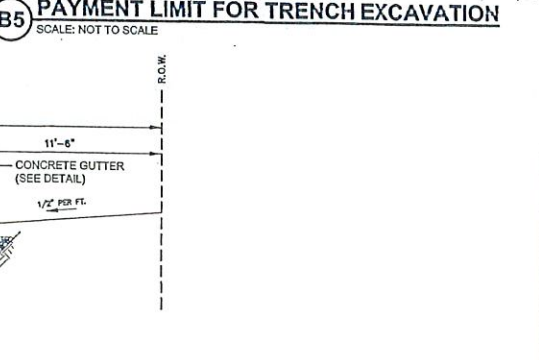
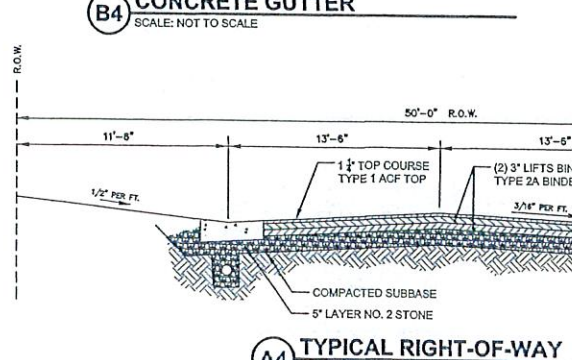
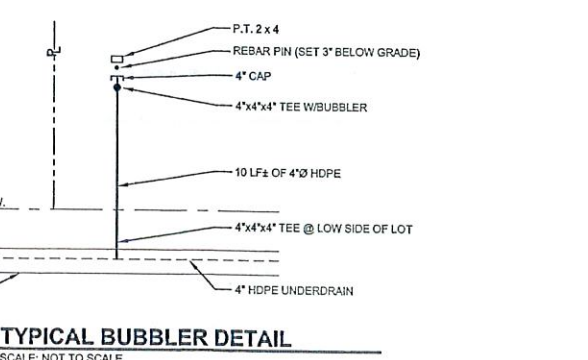
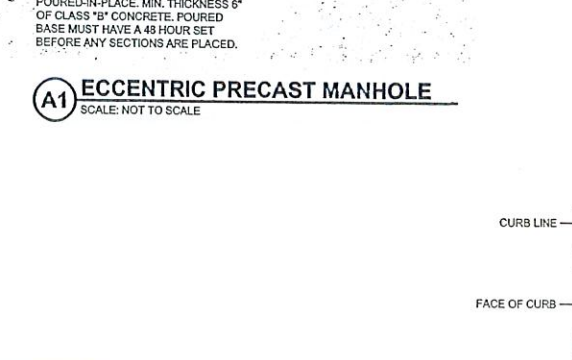
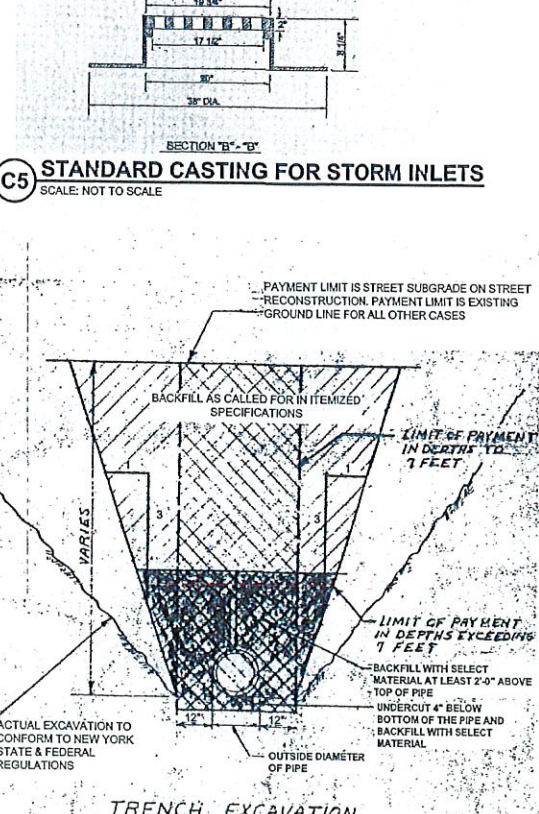
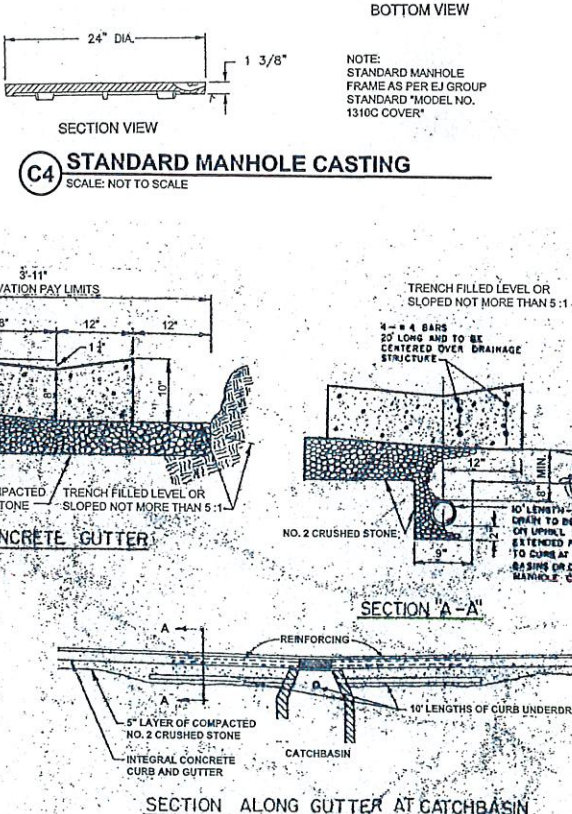
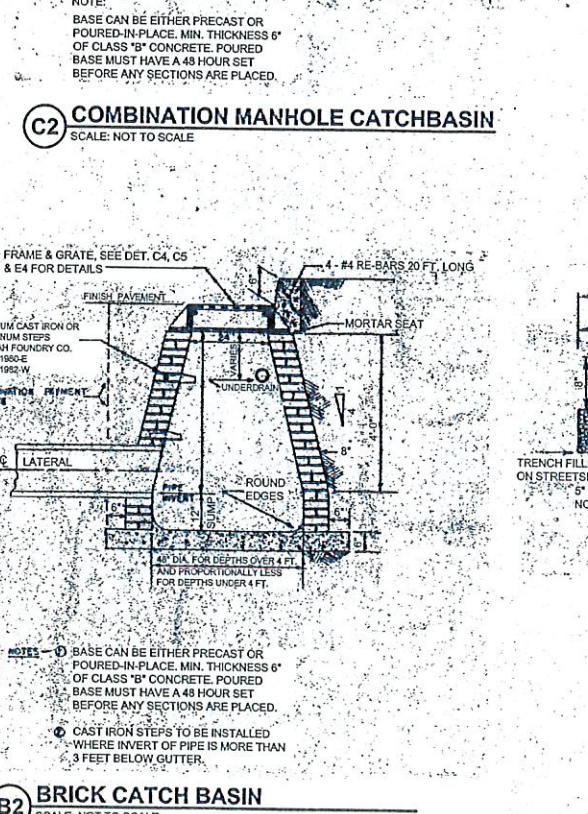
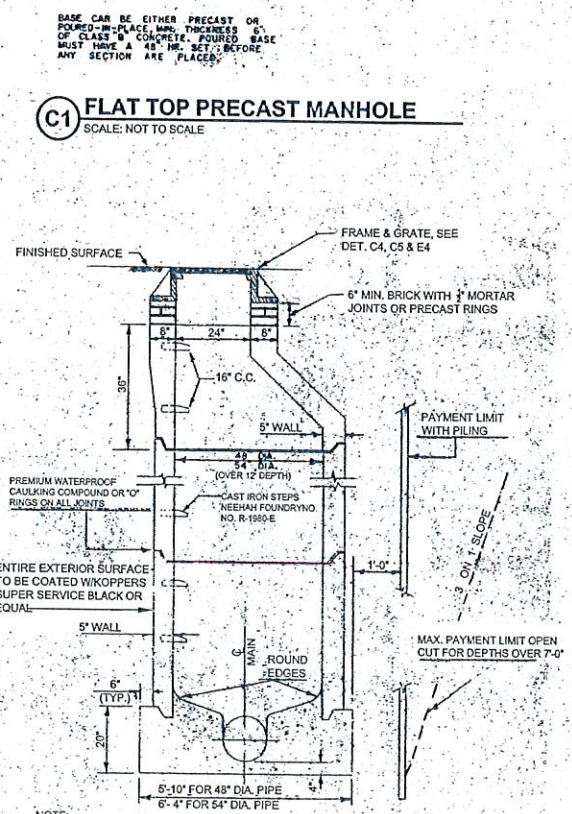
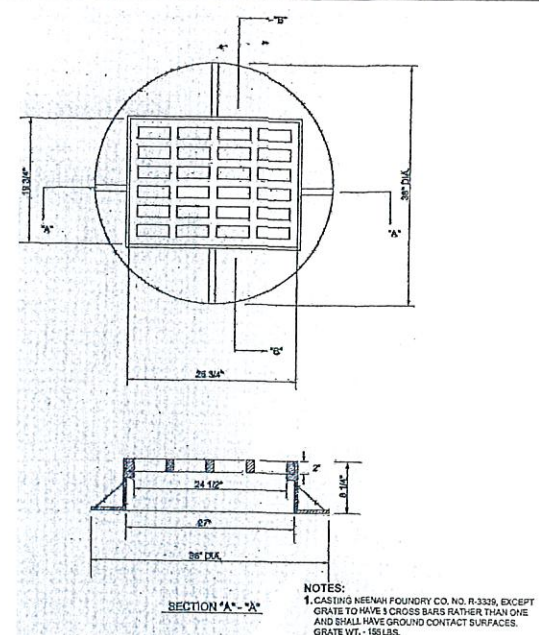
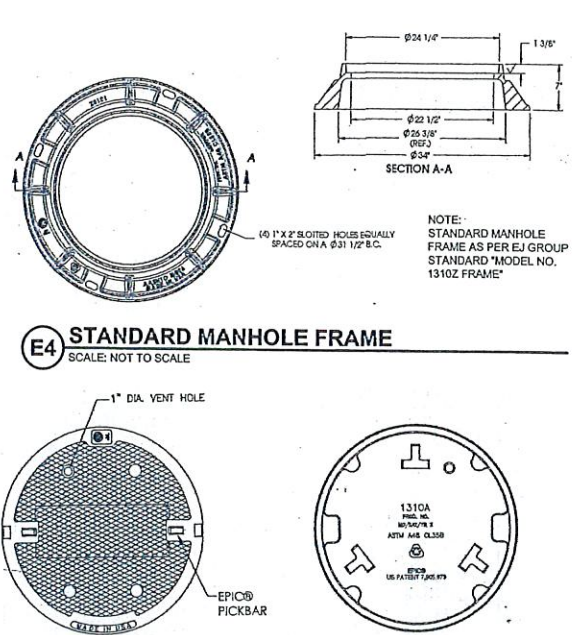
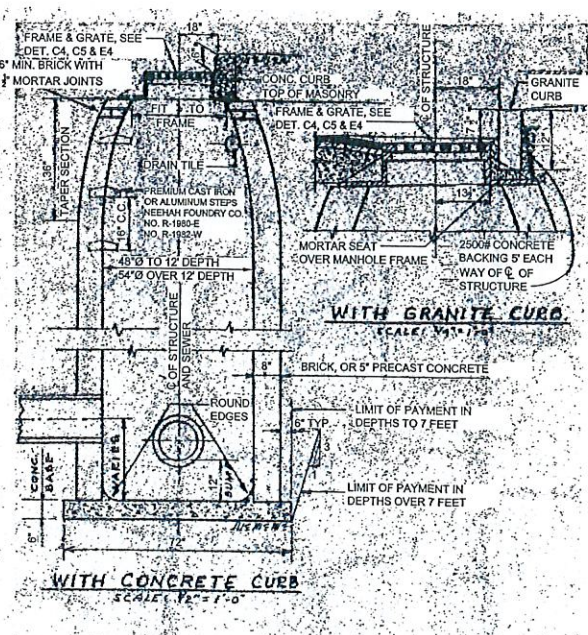
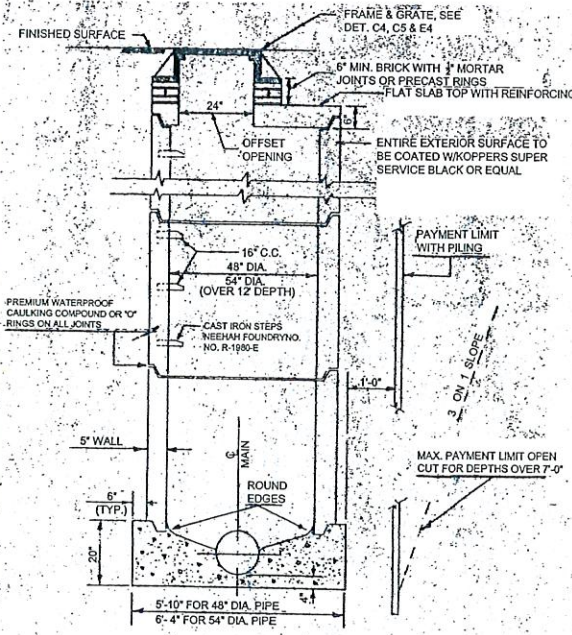
A1 EROSION AND SEDIMENT CONTROL PLAN
SCALE: 1" = 50'-0"



REVISIONS		
No.	DESCRIPTION	DATE
1	REVISIONS PER CITY OF BATAVIA	11-14-19
2	REVISIONS PER NYDEC COMMENTS	05-06-20



PROJECT NUMBER	13/5-0006
DATE	09-16-19
DRAWN BY	VBS
DESIGNED BY	RJP
CHECKED BY	BLS
APPROVED BY	MTM
SCALE	AS NOTED
SHEET No.	7 OF 11



SANITARY SEWER TESTING METHODS

AFTER BACKFILLING AND BEFORE FINAL ACCEPTANCE OF THE PROJECT, THE CONTRACTOR WILL BE REQUIRED TO PERFORM THE FOLLOWING TESTS ON ALL SEWERS TO BE BUILT UNDER THIS PROJECT.

LEAKAGE TESTS

1. THE TEST PERIOD WHICH THE MEASUREMENTS ARE TAKEN SHALL NOT BE LESS THAN 24 HOURS, REGARDLESS OF THE TEST METHOD USED.
2. THE TOTAL LEAKAGE OF ANY SECTION TESTED BY ANY TEST METHOD SHALL NOT EXCEED THE RATE OF 100 GALLONS PER MILE OF PIPE PER 24 HOURS PER INCH OF NOMINAL PIPE DIAMETER.
3. MANHOLES SHALL BE CONSIDERED AS SECTIONS OF 48" DIAMETER PIPE 2 FEET LONG.
4. WHEN MANHOLES ARE TESTED SEPARATELY, ALL PIPE OPENINGS SHALL BE PLUGGED AND THE TEST PROCEDURES AND CRITERIA SHALL BE SUPPLIED IN THE SAME MANNER AS FOR TESTS INVOLVING ONLY THE PIPE OR A COMBINATION OF PIPE AND MANHOLES.

INFILTRATION TEST

CRITERIA FOR USE

1. THIS TEST METHOD MAY ONLY BE USED WHEN GROUND WATER LEVELS ARE AT LEAST TWO (2) FEET ABOVE THE TOP OF THE PIPE FOR THE ENTIRE LENGTH OF THE SECTION TO BE TESTED DURING THE ENTIRE PERIOD OF THE TESTS.
2. GROUND WATER LEVELS MAY BE MEASURED IN AN OPEN TRENCH OR IN STANDPIPES PREVIOUSLY PLACED IN BACKFILLED TRENCHES DURING BACKFILLING.
3. THE NUMBER OF STANDPIPES REQUIRED AND LOCATION OF THE SAME ARE TO BE AS ORDERED BY THE ENGINEER. STANDPIPES MAY BE OF ANY PIPE MATERIAL BUT MUST BE OF SUCH DIAMETER (2-1/2" MINIMUM) AS TO PERMIT THE INSERTION OF A RULE OR LEVEL ROD. CRUSHED STONE SHALL BE PLACED AROUND THE LOWER OPEN ENDS OF THE STANDPIPES.
4. STANDPIPES ARE TO BE REMOVED AT THE SATISFACTORY COMPLETION OF THE TESTS.
5. IF IN LIEU OF STANDPIPES, THE TRENCH IS TO BE LEFT OPEN FOR GROUND WATER OBSERVATION, THE LENGTH OF UNBACKFILLED TRENCH AT ANY ONE TIME MAY HAVE TO BE LIMITED FOR REASONS OF SAFETY.

EXFILTRATION TEST

CRITERIA FOR USE

1. THIS TEST CONSISTS OF FILLING THE PIPE WITH WATER TO PROVIDE A HEAD OF AT LEAST TWO (2) FEET ABOVE THE TOP OF THE PIPE OR ABOVE THE GROUND WATER WHICHEVER IS HIGHER AT THE HIGHEST POINT OF THE PIPE LINE UNDER TEST, AND THEN MEASURING THE LOSS OF WATER TO MAINTAIN THE ORIGINAL LEVEL.
2. IN THIS TEST THE PIPE LINE MUST BE FILLED WITH WATER AND ALLOWED TO REMAIN SO FILLED FOR AT LEAST 24 HOURS PRIOR TO TAKING MEASUREMENTS.
3. REGARDING GROUND WATER MEASUREMENTS: SEE NOTES 2 THROUGH 5 ABOVE (INFILTRATION TEST).
4. REGARDING THE TEST STANDPIPE: THERE MUST BE SOME POSITIVE METHOD OF RELEASING ENTRAPPED AIR IN THE SEWER PRIOR TO TAKING MEASUREMENTS.

DEFLECTION TEST FOR P.V.C. SEWER PIPE

1. ALL FLEXIBLE (PVC) SEWERS 8" DIAMETER OR LARGER CONSTRUCTED UNDER THIS PROJECT SHALL BE INTERNALLY CHECKED, NO EARLIER THAN 30 CALENDAR DAYS AFTER THE TRENCHES ARE BACKFILLED, WITH A FIVE PERCENT (5%) DEFLECTION "GO-NO-GO PIG" OR MANDREL TO DETERMINE IF THE PIPES ARE DEFLECTING EXCESSIVELY. ANY SECTION OF PIPE UNABLE TO PASS THE DEFLECTION TEST "PIG TEST" SHALL BE REMOVED AND REPLACED AT THE CONTRACTOR'S EXPENSE.
2. DEFLECTION TESTING MANDRELS OR PIG SHALL BE PULLED THROUGH THE PIPE BY HAND OR HAND OPERATED WINCH. POWER WINCHES OR DRIVES ARE NOT PERMITTED.
3. NO PIPE SHALL EXCEED DEFLECTION OF 5% USING A DEFLECTION GAUGE.

INSPECTION AND TESTING

THE SPECIFICATIONS SHOULD INCLUDE A REQUIREMENT FOR THE INSPECTION AND TESTING OF MANHOLES FOR LEAKS OR DAMAGE. LEAKAGE TESTS MAY INCLUDE APPROPRIATE WATER OR VACUUM TESTING.

WATER (HYDROSTATIC) TESTING: THE LEAKAGE INFILTRATION RATE SHOULD NOT EXCEED 1 GALLON PER VERTICAL FOOT OF MANHOLE SECTION FOR A 24-HOUR PERIOD. A PERIOD OF TIME MAY BE PERMITTED, BEFORE BEGINNING THE TEST, TO ALLOW FOR ABSORPTION OF WATER INTO THE CONCRETE MANHOLE.

VACUUM TESTING: CONDUCT VACUUM TESTS ON A SEALED MANHOLE AT AN INITIAL TEST PRESSURE OF 10 INCHES OF MERCURY. THE VACUUM DROP SHOULD NOT EXCEED 1 INCH OF MERCURY OVER THE PERIOD OF TIME AS FOLLOWS:

0 TO 10-FOOT DEEP MANHOLES - 2 MINUTES
10- TO 15-FOOT DEEP MANHOLES - 2.5 MINUTES
> 15-FOOT DEEP MANHOLES - 3 MINUTES

ALIGNMENT TEST

1. ALIGNMENT OF SANITARY SEWER PIPE SHALL BE LAID STRAIGHT BETWEEN MANHOLES.
2. ALIGNMENT SHALL BE CHECKED BY EITHER USING A LASER BEAM OR BY LAMPING.

AIR TEST (REQUIRED FOR ALL DIAMETERS UP TO AND INCLUDING 36" 10 STATE STANDARD SECTION, 33.94

1. THIS TEST SHALL BE PERFORMED NO EARLIER THAN 14 CALENDAR DAYS AFTER THE TRENCHES ARE BACKFILLED.

2. PROCEDURE: THE PROCEDURE FOR AIR TESTING SHALL BE AS SPECIFIED HEREIN. THE MINIMUM ALLOWABLE TIME FOR THE TEST PRESSURE TO DECREASE FROM 3.5 PSI TO 3.0 PSI SHALL BE NOT LESS THAN AS CALLED FOR IN THE FOLLOWING TABLE:

PIPE DIAMETER	MINIMUM ACCEPTANCE TIMES FOR LENGTH SHORTER THAN MIN. SEC.	
	UP TO 100'	100'-200'
6"	2:50	2:50
8"	3:47	3:47
10"	4:43	4:43

PIPE LINES IN SIZES UP TO 36 INCHES IN DIAMETER CAN BE AIR TESTED FROM MANHOLE FOR DISTANCES NOT TO EXCEED 400 FEET.

IN WET TRENCHES WHERE PUMPING TO LOWER THE WATER TABLE IS IMPRACTICAL, APPROVED PERFORATED PIPE (WITH APPROVED CAP) SHALL BE PLACED AT EACH MANHOLE TO EXTEND FROM A POINT 6 INCHES BELOW THE LOWEST INVERT TO THE TOP OF THE GROUND. GROUND WATER ELEVATIONS WILL BE MEASURED AT EACH MANHOLE IN ORDER TO CALCULATE THE GROUNDWATER PRESSURE ACTING ON THE PIPE EXTERIOR. THE INITIAL AIR TEST PRESSURE SHALL BE INCREASED AS NECESSARY TO OVERCOME THE CALCULATED GROUNDWATER PRESSURE.

THE TESTING PROCEDURE OUTLINED SHALL BE STRICTLY ADHERED TO DURING CONSTRUCTION.

ALL TESTING EQUIPMENT SHALL BE SUPPLIED BY THE CONTRACTOR, FOR THE CONTRACTOR'S INFORMATION, SOME OF THE MAJOR EQUIPMENT REQUIRED FOR AIR TESTS IS THE FOLLOWING:

- A. STOP WATCH GRADUATED IN TENTHS OF A SECOND.
- B. COMPRESSOR OF 50 TO 100 PSI CAPACITY.
- C. BULKHEADS FOR PIPE.
- D. APPROXIMATELY 100 FEET OF 3/8" DIAMETER AIR HOSE.
- E. PRESSURE GAUGE - 0 TO 5 PSI GRADUATED IN 1/16TH OF A POUND INCREMENTS.
- F. THREE 3/8 INCH DIAMETER CHECK VALVES.

Barriers to Prevent Flow of Ground Water in Sewer Trenches

To prevent uninterrupted flow of ground water along sewer trenches, incidental migration of soil particles and subsequent settlement, floor slabs of manholes and chambers shall be poured on undisturbed foundations and cohesive soil shall be used to backfill the spaces between manholes and chambers and trench sides. Cohesive soil shall also be used to backfill sewer trenches for distances of about 5 feet upstream and downstream from each manhole or chamber. (See Fig. to be measured from outside wall faces.)

In most instances the natural subsoil consists of cohesive soil that can be used for backfilling as described above. Where, in the opinion of the Engineer, the material resulting from the excavation is granular or cohesiveness, and would not constitute a barrier to the movement of water, approved cohesive soil from stockpiles shall be used.

Cohesive soil, placed to form barrier at manholes and chambers, shall be placed in nine (9) to ten (10) inch lifts or layers, and shall be compacted by using approved tampers. Compaction shall be 90% of modified Proctor density which is equivalent to ASHTO Designation T-180-70.

Where proposed sewers are located in paved streets, the Engineer may require that cohesive soil barrier be omitted, or that they be constructed at locations other than at manholes and chambers.

The cost of furnishing or stockpiling cohesive soil, and the cost of all materials and labor required to construct cohesive soil barriers shall be included in the unit prices for sewer pipe.

RELATION TO WATER MAINS

1. HORIZONTAL SEPARATION

SEWERS SHALL BE LAID AT LEAST 10 FEET (3.0 m) HORIZONTALLY FROM ANY EXISTING OR PROPOSED WATER MAIN. THE DISTANCE SHALL BE MEASURED EDGE TO EDGE. IN CASES WHERE IT IS NOT PRACTICAL TO MAINTAIN A 10 FOOT (3.0 m) SEPARATION, THE APPROPRIATE REVIEWING AGENCY MAY ALLOW DEVIATION ON A CASE-BY-CASE BASIS, IF SUPPORTED BY DATA FROM THE DESIGN ENGINEER. SUCH DEVIATION MAY ALLOW INSTALLATION OF THE SEWER CLOSER TO A WATER MAIN, PROVIDED THAT THE WATER MAIN IS IN A SEPARATE TRENCH OR ON AN UNDISTURBED EARTH SHELVE LOCATED ON ONE SIDE OF THE SEWER AND AT AN ELEVATION SO THE BOTTOM OF THE WATER MAIN IS AT LEAST 18 INCHES (457 mm) ABOVE THE TOP OF THE SEWER.

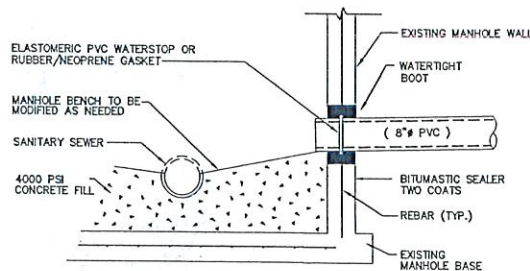
IF IT IS IMPOSSIBLE TO OBTAIN PROPER HORIZONTAL AND VERTICAL SEPARATION AS DESCRIBED ABOVE, BOTH THE WATER MAIN AND SEWER MUST BE CONSTRUCTED OF SLIP-ON OR MECHANICAL JOINT PIPE COMPLYING WITH PUBLIC WATER SUPPLY DESIGN STANDARDS OF THE AGENCY AND BE PRESSURE TESTED TO 150 PSI (1034 kPa) TO ASSURE WATERTIGHTNESS BEFORE BACKFILLING.

2. CROSSING

SEWERS CROSSING WATER MAINS SHALL BE LAID TO PROVIDE A MINIMUM VERTICAL DISTANCE OF 18 INCHES (457 mm) BETWEEN THE OUTSIDE OF THE WATER MAIN AND THE OUTSIDE OF THE SEWER. THIS SHALL BE THE CASE WHERE THE WATER MAIN IS EITHER ABOVE OR BELOW THE SEWER. THE CROSSING SHALL BE ARRANGED SO THAT THE SEWER JOINTS WILL BE EQUIDISTANT AND AS FAR AS POSSIBLE FROM THE WATER MAIN JOINTS. WHERE A WATER MAIN CROSSES UNDER A SEWER, ADEQUATE STRUCTURAL SUPPORT SHALL BE PROVIDED FOR THE SEWER TO MAINTAIN LINE AND GRADE.

WHEN IT IS IMPOSSIBLE TO OBTAIN PROPER HORIZONTAL AND VERTICAL SEPARATION AS STIPULATED ABOVE ONE OF THE FOLLOWING METHODS MUST BE SPECIFIED:

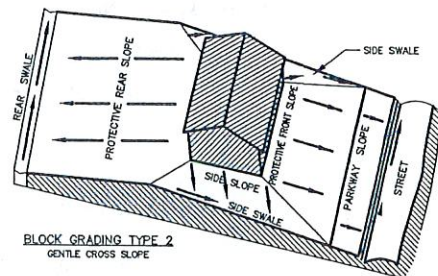
- a. THE SEWER SHALL BE DESIGNED AND CONSTRUCTED EQUAL TO WATER PIPE, AND SHALL BE PRESSURE TESTED AT 150 PSI (1034 kPa) TO ASSURE WATERTIGHTNESS PRIOR TO BACKFILLING.
- b. EITHER THE WATER MAIN OR THE SEWER LINE MAY BE ENCASED IN A WATERTIGHT CARRIER PIPE WHICH EXTENDS 10 FEET (3m) ON BOTH SIDES OF THE CROSSING MEASURED TO THE WATER MAIN. THE CARRIER PIPE SHALL BE OF MATERIALS APPROVED BY THE REGULATORY FOR USE IN WATER MAIN CONSTRUCTION.



- NOTES:
1. CORE DRILL ENTRANCE HOLE IN MANHOLE BARREL, BASE AND/OR BENCH FOR REQUIRED PIPE CLEARANCE.
 2. DOES NOT APPLY TO HOUSE LATERALS.

C2 CONNECTION TO EXISTING MANHOLE

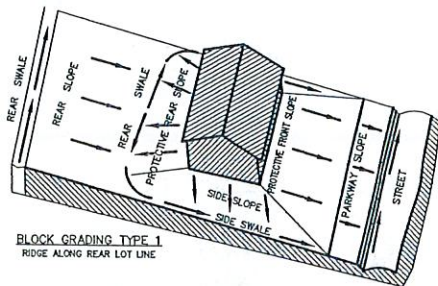
SCALE: NOT TO SCALE



(DRAINAGE BOTH TO STREET AND TO REAR LOT LINE)

B2 LOT GRADING TYPE B

SCALE: NOT TO SCALE



(ALL DRAINAGE TO STREET)

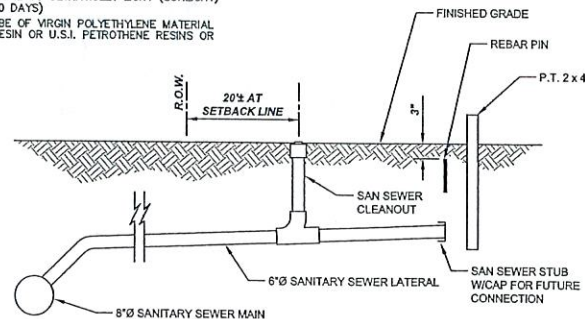
A2 LOT GRADING TYPE A

SCALE: NOT TO SCALE

GENERAL NOTES:

1. DUCTILE IRON PIPE SHALL CONFORM TO A.W.W.A. C-151 (ANSI A21.51), AND SHALL BE CLASS 52 INSTALLED IN ACCORDANCE WITH A.W.W.A. C-600 AND WRAPPED IN A.W.W.A. C-103 POLYETHYLENE POLYWRAP.
2. POLYVINYL CHLORIDE (P.V.C.) SHALL BE DR 18 (CLASS 150) AND CONFORM TO A.W.W.A. C-900 AND ASTM D-2241, AND SHALL HAVE INTEGRAL BELL JOINTS.
3. P.V.C. PRESSURE PIPE SHALL HAVE A MAGNETIC MARKER LAID DIRECTLY ABOVE THE FULL LENGTH OF PIPE, APPROXIMATELY 18" BELOW GROUND SURFACE. TAPE TO BE THREE (3) INCHES WIDE, ALARMATAPE-PAUL DOTTER WARNING TAPES INC. OR EQUAL.
4. FITTINGS SHALL BE FULL BODY AND CONFORM TO A.W.W.A. C-110 FOR GRAY AND DUCTILE IRON FITTINGS, OR BE SHORT BODY IRON FITTINGS IN ACCORDANCE WITH A.W.W.A. C-153 (ANSI 21.53). JOINTS SHALL CONFORM TO A.W.W.A. C-111. VALVES SHALL BE EITHER GATE VALVES IN ACCORDANCE WITH A.W.W.A. C-500 OR BUTTERFLY VALVES IN ACCORDANCE WITH A.W.W.A. C-504, UNLESS OTHERWISE NOTED.
5. HYDRANTS SHALL CONFORM TO A.W.W.A. C-502 STANDARD FOR DRY BARREL FIRE HYDRANTS.
6. PIPING SHALL BE INSTALLED AND TESTED IN ACCORDANCE WITH A.W.W.A. C-600 FOR DUCTILE IRON WATERMAINS OR A.W.W.A. C-900 FOR P.V.C. PIPE WITH INSTALLATION AND TESTING AS PER A.W.W.A. MANUAL M-23.
7. DISINFECTION, FLUSHING AND BACTERIOLOGICAL TESTING SHALL BE PERFORMED IN ACCORDANCE WITH A.W.W.A. SPECIFICATION C-651, LATEST REVISION.
8. THE CITY OF BATAVIA WATER DEPARTMENT SHALL OPERATE ALL VALVES ON EXISTING SYSTEMS AND SHALL OPEN NEW VALVES TO NEWLY CONSTRUCTED WATERMAINS.
9. ONLY ONE CONNECTION MAY BE MADE TO ANY EXISTING WATERMAIN PRIOR TO DISINFECTION AND HEALTH DEPARTMENT APPROVAL OF COMPLETED WORKS. AFTER APPROVAL, REMAINING CONNECTIONS MAY BE MADE.
10. CORPORATION STOPS SHALL HAVE THREADS CONFORMING TO A.W.W.A. C-800. CORPORATION STOPS AND CURB STOPS SHALL CONFORM TO ASTM B-62, COPPER TUBING SHALL BE TYPE "K" AND CONFORM TO ASTM B-88, AND SHALL BE CAREFULLY FLANGED BY THE USE OF THE PROPER FLANGING TOOL, SO THAT THE TUBING WILL MAKE THE PROPER SEAL WITH THE CORPORATION CONNECTION. LIKEWISE, THE CONNECTION TO THE CURB STOP SHALL BE PROPERLY FLANGED.
11. BACTERIOLOGICAL SAMPLES SHALL BE TAKEN FROM SAMPLING POINTS LOCATED AT APPROXIMATELY 1000 FOOT INTERVALS AND AT THE END OF EACH SECTION.
12. POLYETHYLENE TUBE ENCASEMENT FOR DUCTILE IRON PIPE ONLY.
13. POLYETHYLENE ENCASEMENT SHALL CONFORM WITH THE APPLICABLE REQUIREMENTS OF THE AMERICAN NATIONAL STANDARDS INSTITUTE FOR POLYETHYLENE ENCASEMENT FOR GRAY AND DUCTILE CAST IRON PIPING FOR WATER AND OTHER LIQUIDS, ANSI A-21.5 (A.W.W.A. C-105).
14. THE POLYETHYLENE MATERIAL SHALL MEET THE FOLLOWING STANDARD:
THICKNESS: 8 MILS. (MINIMUM)-CLASS "C"
PIGMENTATION: (1) NATURAL-WHERE EXPOSURE TO ULTRAVIOLET LIGHT (SUNLIGHT FOR EXAMPLE) WILL BE OF SHORT DURATION (LESS THAN 48 HOURS)
(2) BLACK-2.0% TO 2.5% WELL DISPERSED CARBON BLACK WITH STABILIZERS WHERE EXPOSURE TO ULTRAVIOLET LIGHT (SUNLIGHT) MAY BE PROLONGED (2-10 DAYS)

QUALITY: THE POLYETHYLENE MATERIAL SHALL BE OF VIRGIN POLYETHYLENE MATERIAL PRODUCED FROM DUPONT ALATHON RESIN OR U.S.I. PETROTHENE RESINS OR EQUAL.



NOTES:

1. SEWER STUBS FOR FUTURE (LATERALS) SHALL BE CAPPED/PLUGGED ON PROPERTY SIDE OF R.O.W. LINE.
2. SEWER STUB TO BE MARKED W/P.T. 2 x 4-3 FEET ABOVE GRADE W/REBAR PIN BURIED 3" BELOW GRADE ALONG SIDE END OF STUB FOR FUTURE LOCATING. 3 WAY TIES TO BE RECORDED & PROVIDED ON RECORD PLANS.

C4 SANITARY SEWER LATERAL CONNECTION DETAIL

SCALE: NOT TO SCALE

CONDITION	SCHEMATIC	REQUIREMENTS
I WATER LINE SEWER LINE		A) WATER LINE AND SEWER LINE PIPE LENGTHS TO BE CENTERED AT CROSSING. EACH LENGTH OF PIPE TO BE 10 FT. MINIMUM.
II WATER LINE ABOVE SEWER LINE		A) WATER LINE AND SEWER LINE PIPE LENGTHS TO BE CENTERED AT CROSSING. EACH LENGTH OF PIPE TO BE 10 FT. MINIMUM. B) WHEN BOTH WATER LINE AND SEWER LINE ARE NEW, SLEEVE SEWER LINE WITH STEEL CASING FOR 10 FT. EACH SIDE OF CROSSING. --OR-- WHEN ONE LINE IS EXISTING, SLEEVE PIPE BEING INSTALLED WITH STEEL CASING FOR 10 FT. EACH SIDE OF CROSSING.
III SEWER LINE ABOVE WATER LINE		A) WATER LINE AND SEWER LINE PIPE LENGTHS TO BE CENTERED AT CROSSING. EACH LENGTH OF PIPE TO BE 10 FT. MINIMUM. B) SLEEVE SEWER LINE WITH STEEL CASING FOR 10 FT. EACH SIDE OF CROSSING. C) PROVIDE CRADLE OF CONCRETE OR CRUSHER RUN STONE (SEE TRENCH SECTION DETAIL BELOW) FOR WATER LINE AND SEWER LINE FOR 10 FT. EACH SIDE OF CROSSING.
NOTES		WL (WATER LINE) SL (SEWER LINE, SANITARY OR STORM) D (OUTSIDE DIAMETER OF PIPE) IN NO CASE SHALL PIPES BE CLOSER THAN 12 INCHES APART. DISTANCES ARE MEASURED FROM OUTSIDES OF PIPE.

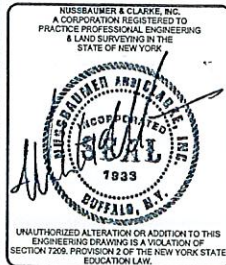
A4 WATERLINE MAIN / SEWER CROSSING DETAIL

SCALE: NOT TO SCALE



CLINTON GARDENS SUBDIVISION CAROLWOOD DRIVE-HARROLD SQUARE MISCELLANEOUS DETAILS AND SEWER NOTES

REVISIONS		
No.	DESCRIPTION	DATE
1	REVISIONS PER CITY OF BATAVIA	11-14-19
2	REVISIONS PER NYDEC COMMENTS	03-06-20



PROJECT NUMBER	19J5-0006
DATE	09-16-19
DRAWN BY	VBS
DESIGNED BY	RJP
CHECKED BY	BLS
APPROVED BY	MTM
SCALE:	AS NOTED
SHEET No.	8 OF 11

C-107

- Fire hydrants need to meet city specifications (Specs attached)
- Service pipe may be 1" Polyethylene tubing.
 - All material must be NSF approved suitable for use in potable water systems.
 - Polyethylene water service tubing, SDR 9, 200 psi, CTS size, meeting requirements of AWWA C901
 - Color shall be blue
- Curb Stops
 - Minimum size of stop shall be 1- inch
 - Curb Stops shall be manufactured by one of the following:
 - o Mueller Co. Oriseal Mark II, Model #15209 (1" compression by necessary for connection to house).
 - o Ford Z- series (1" compression by necessary for connection to house).
 - o Or approved equal
- Curb Boxes
 - Curb boxes shall be provided for all water services
 - Curb boxes shall be manufactured by:
 - o Bibby Ste. Croix Model V008, 94E
 - o Bingham & Taylor, Figure No. 4901, size 94E
 - o Or approved equal
 - Curb boxes shall screw extension style with arch pattern base.
- Corporation Stops
 - Minimum size of corporation stop shall be 1-inch size.
 - Corporation stops shall be manufactured by one of the following
 - o Mueller Co. Ball Corp Valve, Model #25008N (AWWA CC threads by 1-inch compression to CTS size tubing).
 - o Ford Model FB-1000 Ball Corp (AWWA CC threads by 1-inch compression to CTS size tubing).
 - o Or approved equal
- Service Saddles
 - o Service saddles shall be used for tapping all PVC watermain.
 - o Service Saddles shall have a one piece, Type 304 stainless steel band that is connected to saddle body using 2 stainless steel bolts.
 - o Bodies shall be brass alloy conforming to ASTM B62 (85-5-5) and shall have a threaded outlet conforming to AWWA C800 with AWWA taper threads.
 - o Gaskets shall be BUN-A rubber in accordance with ASTM D2000.
 - o Service Saddles shall be manufactured by one of the following
 - Ford style 202BS
 - Mueller Model BR-2W Series
 - Or approved equal
- Tracer Wire
 - o All water devices shall be installed with tracer wire.
 - o Tracer wire shall be #12 AWG, copper clad steel, high strength, minimum of 450 lbs. break strength, 30 mil HDPE insulation, blue color, as manufactured by copperhead Model 1230, or equal.
- Fittings
 - o Mechanical joint fittings shall be compact body type (class 350) conforming to ANSI/AWWA A21.53/C 153. Mechanical Joints shall be in accordance with ANSI/AWWA A21.11/C 111.
 - o Fittings shall be marked in accordance with ANSI/AWWA A21.53/C 153 and shall be manufactured by one of the following:
 - U.S. Pipe and Foundry Co.
 - American Cast Iron Pipe Co.
 - Clow, a division of McWane Inc.
 - Sigma Corp.
 - Star Pipe Products, Inc
 - Or approve equal
 - o All fittings shall be furnished with sufficient quantities of accessories for completion of the joint.
 - o Nuts, bolts, and gaskets required shall meet the above specifications for mechanical joint pipe.
 - o Fittings shall be Trim Tye Ductile Iron Fittings as manufactured by U.S. Pipe and Foundry Co. or Approved equal.

- AWWA Specification C502-54
- Working Pressure - 150 psi
- Type - 5-1/4 inch Valve Opening, Break Flange
- Inlet - Six (6) inch, Mechanical Joint or Flange
- Nozzle Arrangement - Two (2) 2 1/2 inch Hose Nozzles
One (1) 4 1/2 inch Pumper Nozzle
- Nozzle and Cap Threads - National Standard


2 1/2 inch Nozzle 4 1/2 inch Nozzle

7 1/2 TPI 4 TPI

3.068 OD 5.760 OD
- Operating and Cap Nuts - 1-1/2" Pentagon
- Operation - Open "Left" indicated by arrow cast on hydrant.
- Depth of Bury - Five (5) feet typical
- Design - Replaceable "Breakable" Components, such as break-point, or safety flange with upper stem coupling.
- Miscellaneous - Self Draining "O" Ring Packing
- Color - Yellow
- Acceptable Hydrants - Mueller "Super Centurion", Kennedy "K81"

A1 WATERLINE MATERIAL SPECIFICATIONS PER CITY OF BATAVIA
SCALE: NOT TO SCALE

A3 FIRE HYDRANT SPECIFICATIONS PER CITY OF BATAVIA
SCALE: NOT TO SCALE

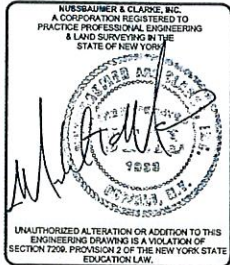


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CLINTON GARDENS SUBDIVISION
CAROLWOOD DRIVE-HARROLD SQUARE

WATERLINE NOTES

REVISIONS		
No.	DESCRIPTION	DATE
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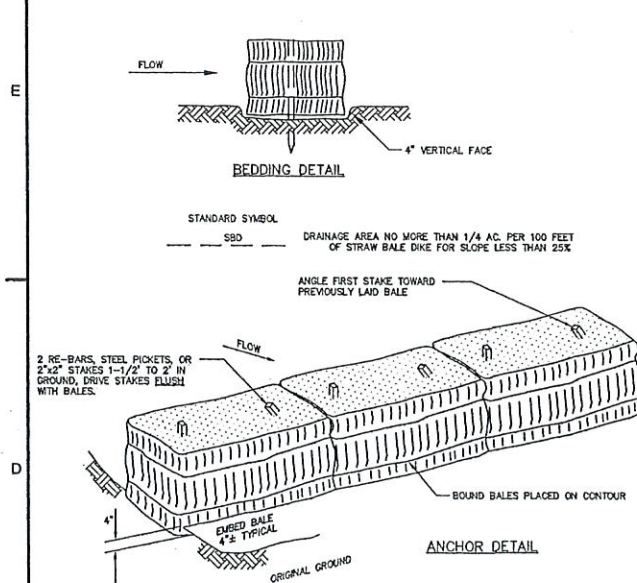


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SECTION 2209, PROVISION 2 OF THE NEW YORK STATE
EDUCATION LAW.

PROJECT NUMBER	19J5-0006
DATE	11-11-19
DRAWN BY	TJB
DESIGNED BY	RJP
CHECKED BY	BLS
APPROVED BY	MTM
SCALE:	AS NOTED
1" = 1' INCH	
SHEET No.	10 OF 11

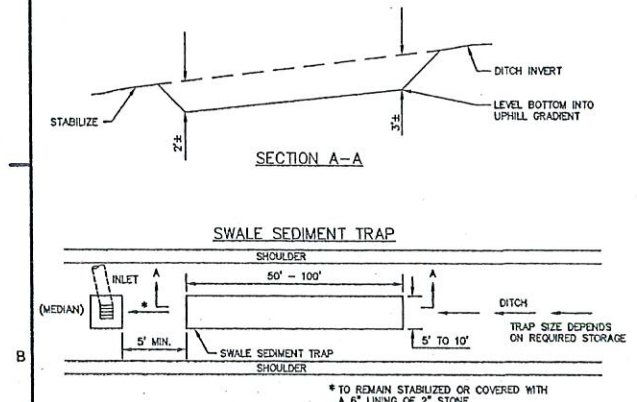
C-109

RE: Clinton Gardens Subdivision Watering Drawings (Nussbaumer & Clarke, Inc. - Civil) - 11/11/2019 - HCN1



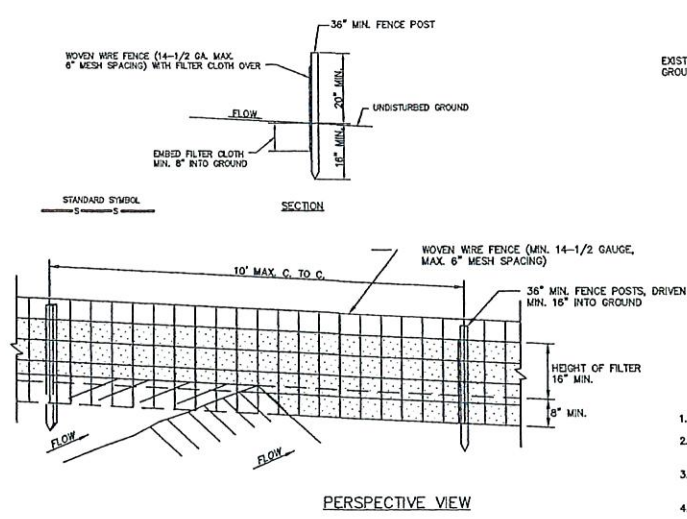
- CONSTRUCTION SPECIFICATIONS**
- BALES SHALL BE PLACED AT THE TOE OF A SLOPE OR ON THE CONTOUR AND IN A ROW WITH ENDS THOROUGHLY ADJUTING THE ADJACENT BALES.
 - EACH BALE SHALL BE ORIENTED IN THE SOIL A MINIMUM OF FOUR (4) INCHES, AND PLACED SO THE BINDINGS ARE HORIZONTAL.
 - BALES SHALL BE SECURELY ANCHORED IN PLACE BY EITHER TWO (2) STAKES OR RE-BARS DRIVEN THROUGH THE BALE. THE FIRST STAKE IN EACH BALE SHALL BE DRIVEN TOWARD THE PREVIOUSLY LAID BALE AT AN ANGLE TO FORCE THE BALES TOGETHER. STAKES SHALL BE DRIVEN FLUSH WITH THE BALE.
 - INSPECTION SHALL BE FREQUENT AND REPAIR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED.
 - BALES SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFULNESS SO AS NOT TO BLOCK OR IMPED STORM FLOW OR DRAINAGE.

FIGURE 5A.8
STRAW BALE DIKE DETAILS (SBD)



- CONSTRUCTION SPECIFICATIONS**
- THE SWALE SEDIMENT TRAP SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE DIMENSIONS PROVIDED ON THE DESIGN DRAWINGS OR SIZED TO PROVIDE THE MINIMUM STORAGE NECESSARY; 1800 CUBIC FEET OF STORAGE FOR EACH ACRE OF DRAINAGE AREA.
 - SEDIMENT SHALL BE REMOVED AND THE TRAP RESTORED TO ITS ORIGINAL DIMENSIONS WHEN THE SEDIMENT HAS ACCUMULATED TO 1/2 THE DESIGN DEPTH OF THE TRAP. REMOVED SEDIMENT SHALL BE DEPOSITED IN A SUITABLE AREA AND IN SUCH A MANNER THAT IT WILL NOT ERODE.
 - THE STRUCTURE SHALL BE INSPECTED AFTER EACH RAIN EVENT, AND REPAIRS MADE AS NEEDED.
 - CONSTRUCTION OPERATIONS SHALL BE CARRIED OUT IN SUCH A MANNER THAT EROSION AND WATER POLLUTION SHALL BE MINIMIZED.
 - THE SEDIMENT TRAP SHALL BE REMOVED AND THE AREA STABILIZED WHEN THE CONSTRUCTED DRAINAGE AREA HAS BEEN PROPERLY STABILIZED.
 - THE SWALE SEDIMENT TRAP WILL BE PROPERLY BACKFILLED AND THE SWALE OR DITCH RECONSTRUCTED.

FIGURE 5A.20
SWALE OUTLET SEDIMENT TRAP: ST-IV

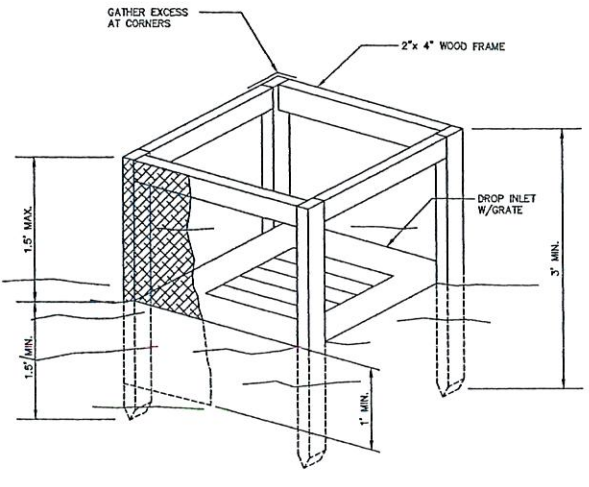


- CONSTRUCTION SPECIFICATIONS**
- WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES.
 - FILTER CLOTH TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24\"/>
- POSTS:**
STEEL EITHER T OR U TYPE OR 2\"/>

FENCE:
WOVEN WIRE, 14-1/2 GA. 6\"/>

FILTER CLOTH:
FILTER X, MARI 100X, STABILINA 140H OR APPROVED EQUIV.
GEOTAB, ENVIRONMENT, OR APPROVED EQUIV.

FIGURE 5A.9
SILT FENCE DETAILS (SF)



- CONSTRUCTION SPECIFICATIONS**
- FILTER FABRIC SHALL HAVE AN EOS OF 40-85. BURLAP MAY BE USED FOR SHORT TERM APPLICATIONS.
 - OUT FABRIC FROM A CONTINUOUS ROLL TO ELIMINATE JOINTS. IF JOINTS ARE NEEDED THEY WILL BE OVERLAPPED TO THE NEXT STAKE.
 - STAKE MATERIALS WILL BE STANDARD 2x4 WOOD OR EQUIVALENT. METAL WITH A MINIMUM LENGTH OF 3 FEET.
 - SPACE STAKES EVENLY AROUND INLET 3 FEET APART AND DRIVE A MINIMUM 18 INCHES DEEP. SPACES GREATER THAN 3 FEET MAY BE BRIDGED WITH THE USE OF WIRE MESH BEHIND THE FILTER FABRIC FOR SUPPORT.
 - FABRIC SHALL BE EMBEDDED 1 FOOT MINIMUM BELOW GROUND AND BACKFILLED. IT SHALL BE SECURELY FASTENED TO THE STAKES AND FRAME.
 - A 2x4 WOOD FRAME SHALL BE COMPLETED AROUND THE CREST OF THE FABRIC FOR OVER FLOW STABILITY.
- MAXIMUM DRAINAGE AREA 1 ACRE

FIGURE 5A.13
FILTER FABRIC DROP INLET PROTECTION DETAIL

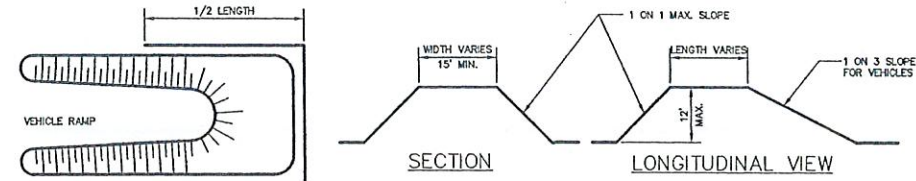


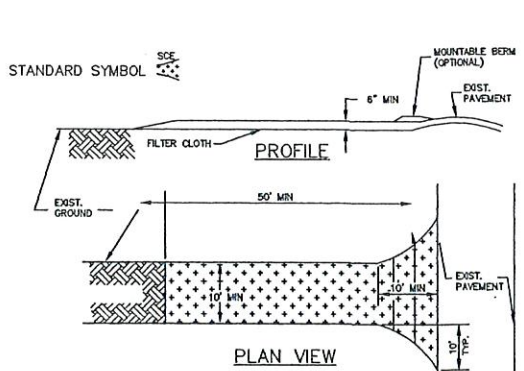
FIGURE 5A.2
TEMPORARY SWALE DETAIL

TYPE OF TREATMENT	CHANNEL GRADE	A (5 AC OR LESS)	B (5 AC - 10AC)
1	0.5-3%	SEED AND STRAW MULCH	SEED AND STRAW MULCH
2	3.1-5.0%	SEED AND STRAW MULCH	SEED WITH JUTE OR EXCELSIOR
3	5.1-8.0%	SEED WITH JUTE OR EXCELSIOR, 500	LINED RIP-RAP 4-8\"/>

FIGURE 5A.2
TEMPORARY SWALE DETAIL

- CONSTRUCTION SPECIFICATIONS**
- ALL TEMPORARY SWALES SHALL HAVE UNINTERRUPTED POSITIVE GRADE TO AN OUTLET.
 - DIVERTED RUNOFF FROM A DISTURBED AREA SHALL BE CONVEYED TO A SEDIMENT TRAPPING DEVICE.
 - DIVERTED RUNOFF FROM AN UNDISTURBED AREA SHALL OUTLET DIRECTLY INTO AN UNDISTURBED STABILIZED AREA AT NON-EROSION VELOCITY.
 - ALL TREES, BRUSH, STUMPS, OBSTRUCTIONS, AND OTHER OBJECTIONABLE MATERIAL SHALL BE REMOVED AND DISPOSED OF SO AS NOT TO INTERFERE WITH THE PROPER FUNCTIONING OF THE SWALE.
 - THE SWALE SHALL BE EXCAVATED OR SHAPED TO LINE, GRADE, AND CROSS SECTION AS REQUIRED TO MEET THE CRITERIA SPECIFIED HEREIN AND BE FREE OF BANK PROJECTIONS OR OTHER IRREGULARITIES WHICH WILL IMPED NORMAL FLOW.
 - FILLS SHALL BE COMPACTED BY EARTH MOVING EQUIPMENT.
 - ALL EARTH REMOVED AND NOT NEEDED ON CONSTRUCTION SHALL BE PLACED SO THAT IT WILL NOT INTERFERE WITH THE FUNCTIONING OF THE SWALE.
 - STABILIZATION SHALL BE AS PER THE CHART BELOW.

FLOW CHANNEL STABILIZATION



- CONSTRUCTION SPECIFICATIONS**
- STONE SIZE - USE 2\"/>

FIGURE 5A.38
STABILIZED CONSTRUCTION ENTRANCE DETAILS

- SEQUENCE OF CONSTRUCTION**
- NOTIFY SEDIMENT CONTROL INSPECTOR 24 HOURS PRIOR TO START OF CONSTRUCTION.
 - PERFORM CLEARING AND GRADING; NOTIFY SEDIMENT CONTROL INSPECTOR AND OBTAIN APPROVAL BEFORE PROCEEDING FURTHER.
 - COMPLETE ALL REQUIRED CLEARING AND GRADING.
 - COMPLETE MAINLINE SEWER AND ROAD.
 - BUILDING FOUNDATION AND UTILITIES.
 - COMPLETE FINAL GRADING, STABILIZATION, AND LANDSCAPING.
 - NOTIFY SEDIMENT CONTROL INSPECTOR AND OBTAIN APPROVAL TO REMOVE SEDIMENT AND EROSION CONTROL.

SEDIMENT AND EROSION CONTROL NOTES:

- ALL EROSION/SEDIMENT CONTROL MEASURES SHALL COMPLY WITH ALL REQUIREMENTS OF STATE AND CITY OF BATON Rouge SOIL EROSION CONTROL AND CONSERVATION AUTHORITIES.
- ALL DISTURBED AREAS TO BE SEED WITHIN 14 DAYS OF INITIAL GRADING. FOR TEMPORARY SEEDING SPECIFICATIONS, SEE NOTES ON THIS SHEET.
- ALL EROSION AND SEDIMENT CONTROL MEASURES ARE TO BE PLACED PRIOR TO THE INITIATION OF GRADING, AND/OR EXCAVATION.
- ALL EARTH BERMS AND SEDIMENT DAMS ARE TO BE MULCHED AND SEED WITHIN 7 DAYS AFTER GRADING. ALL SOIL STOCKPILES ARE TO BE MULCHED AND SEED WITHIN 14 DAYS.
- DURING CONSTRUCTION, ALL SEDIMENT CONTROL STRUCTURES WILL BE INSPECTED AFTER EACH RAINFALL AND REPAIRED IF NECESSARY. SEDIMENT TO BE REMOVED TO A SUITABLE DISPOSAL AREA AND STABILIZED WITH PERMANENT VEGETATIVE COVER.
- CONTRACTOR IS RESPONSIBLE FOR MAINTAINING ALL SEDIMENT AND EROSION CONTROL MEASURES UNTIL DISTURBED AREAS ARE STABILIZED.
- AFTER FINE GRADING, ALL DISTURBED AREAS ARE TO BE PERMANENTLY MULCHED AND SEED.
- NO SLOPE SHALL BE GREATER THAN 2:1.
- TOPSOIL MAY NOT BE REMOVED FROM THE WORK SITE WITHOUT A PERMIT FROM THE CITY OF BATON Rouge.
- FOLLOWING INITIAL SOIL DISTURBANCE, PERMANENT OR TEMPORARY STABILIZATION SHALL BE COMPLETED WITHIN SEVEN CALENDAR DAYS AS TO THE SURFACE OF ALL PERIMETER CONTROLS, DICES, SWALES, DITCHES, PERIMETER SLOPES, AND ALL SLOPES GREATER THAN 3 HORIZONTAL TO 1 VERTICAL (3:1), AND FOURTEEN DAYS AS TO ALL OTHER DISTURBED OR GRADED AREAS ON THE PROJECT SITE. THIS DOES NOT APPLY TO THOSE AREAS WHICH ARE CURRENTLY BEING USED FOR MATERIAL STORAGE OR FOR THOSE AREAS ON WHICH ACTUAL CONSTRUCTION ACTIVITIES ARE CURRENTLY BEING PERFORMED. MAINTENANCE SHALL BE PERFORMED AS NECESSARY TO ENSURE THAT STABILIZED AREAS CONTINUOUSLY MEET THE APPROPRIATE REQUIREMENTS OF GOVERNING AUTHORITIES.
- STUMPS AND BRUSH MAY NOT BE BURIED IN THE CITY OF BATON Rouge.
- ALL CITY OF BATON Rouge CONSTRUCTION SPECIFICATIONS SHALL APPLY. NO DEVIATIONS FROM THE SPECIFICATIONS WILL BE ALLOWED WITHOUT THE WRITTEN APPROVAL OF THE CITY ENGINEER.
- TEMPORARY SEEDING MIXTURE: ANNUAL RYE GRASS OR WINTER RYE IF PLANTED DURING OCTOBER/NOVEMBER. FOR PERMANENT SEEDING REFER TO TABLE IN MANUAL ENTITLED "NEW YORK GUIDELINES FOR URBAN EROSION AND SEDIMENT CONTROL".

NUSSBAUMER & CLARKE, INC.
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EST. 1953
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www.nussclark.com

CLINTON GARDENS SUBDIVISION
CAROLWOOD DRIVE-HARROLD SQUARE
EROSION AND SEDIMENT CONTROL DETAILS

REVISIONS		
No.	DESCRIPTION	DATE

NUSSBAUMER & CLARKE, INC.
A CORPORATION REGISTERED TO
PRACTICE PROFESSIONAL ENGINEERING
& LAND SURVEYING IN THE
STATE OF NEW YORK
1953
10/1/2019

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DRAWN BY	VBS
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