

# PLANNING & DEVELOPMENT COMMITTEE

Tuesday, April 20, 2021

6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

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## AGENDA

- I. Roll Call
- II. Call to Order
- III. Approval of Minutes – 2/16/21
- IV. Proposals

**Address:** 204 Oak Street

**Applicant:** Patricia Bittar (Director, Land Development Projects, WM Schutt Associates, Quicklee's)

Proposal 1: Sketch Plan Review for the change of use for this existing 3,771 sq.' restaurant building; 2,771 sq.' will be used for a convenience store with retail fuel sales; 1,000 sq.' will be utilized for a drive-through restaurant

Actions: 1. Review application  
2. Discussion and recommendations

**Address:** 29 Northern Boulevard

**Applicant:** Gerald Williams, Esq. (attorney for John L. Mortellaro Sr. Trust)

Proposal 2: Minor Subdivision to divide a .283-acre (100' x 123') lot from this existing 10.5-acre undeveloped parcel. The 100' x 123' lot will be merged into an existing 25' x 123' neighboring parcel (71.020-1-52)

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

**Address:** 45-47 Ellicott Place

**Applicant:** V.J. Gautieri Constructors, Inc. (owner)

Proposal 3: Alteration to the previously approved design of exterior features of this building located within the Business Improvement District (BID). The proposal is to create ten 10' x 6' rooftop patios by enclosing areas outside of each dwelling unit with 42" tall protective guardrails

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

**Address:** 207-209, 211, 213 Main Street; 211 ½ Main Street Rear; 1-9, 10, 12-26, 17-23,  
28 Wiard Street; 17, 10 Summit Street; 216-220 Washington Avenue  
**Applicant:** Dave Ciurzynski (consultant); Steve Tanner, PE

Proposal 4: Sketch Plan Review for the construction of a 69,420 sq.' two story facility to house the YMCA with medical offices, off-street parking, new access point from Summit Street, and numerous site work / landscaping updates throughout the complex

Actions: 1. Review application  
2. Discussion and recommendations

V. Other/ New Business/Updates

VI. Setting of Next Meeting: May 18, 2021

VII. Adjournment

## **PLANNING & DEVELOPMENT COMMITTEE**

### ***DRAFT MINUTES***

**February 16, 2021**

**6:00 pm**

Council Board Room  
One Batavia City Centre, Batavia NY

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

Members absent: Tammy Hathaway

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

#### **I. Roll Call**

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

#### **II. Call to order**

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

#### **III. Previous Meeting Minutes**

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

**RESULT: Approval of January 19, 2021 meeting minutes.**

#### **IV. Proposals (Order of proposals was reversed from the agenda because the applicant for 39-43 Jackson Street was not present at the start of the meeting.)**

A. Site Plan review to construct a two-story addition covering approximately 5,113 sq.' of parcel area. A portion of the proposed addition is located within the front yard setback

**Address:** *127 North Street.*

**Applicant:** Dave Hetrick (agent)

**Actions:**

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

##### **1. Review Application**

Mr. Preston read the summary of the proposal.

##### **2. Public Hearing and Discussion**

**MOTION:** Mr. Gray 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 6:09 pm.**

Joe Hanss, of Clark Patterson Lee, explained that the project involves an addition to the first floor for the renovation of radiology services, and a shell on the second floor for future expansion and modernization of the ICU. There will be an additional entrance from Summit Street.

Mr. Gray observed that a considerable amount of parking was lost when the cancer center was added to the hospital. He wanted to know where parking for the new facility would be located. Mr. Hanss said there would be parking across the street. Mr. Hetrick added that the shuttle service from Bank Street has opened a significant amount of parking at the main building.

Mr. Randall stated that there had been a few questions from members of the public, but there was no commentary from the public.

**MOTION:** Mr. Gray 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 6:28 pm.**

### **3. SEQR**

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

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

**RESULT: Negative declaration of SEQR**

### **4. Action by the Board**

**MOTION:** Mr. Flynn moved to approve the Site Plan; the motion was seconded by Mr. Beatty, and on roll call, was approved 4-0.

**RESULT: Site Plan approved.**

B. Alter the exterior appearance of this property located within the Business Improvement District by: building out the store front entrances flush to the face of the building; replacing windows; installing exterior down lighting on the west elevation; removing existing ridge canopy projections and installing new retractable fabric awnings; installing new aluminum-clad wooden door with transoms and side lights on the west and south elevations; new aluminum-clad wood store fronts with transom windows on the west and south elevations

**Address:** 39-43 Jackson Street

**Applicant:** Jack Waggoner (owner)



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

**1. Review Application**

Mr. Flynn explained the scope of the project for the owner who was unable to attend. He pointed out that the focus of the exterior changes would be on the Jackson Street side of the building. Mr. Gray noted that the Genesee County Planning Board had recommended approval, and the changes are consist with City developed guidelines for downtown.

**2. Discussion and Action by the Board**

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

**RESULT: Exterior changes approved.**

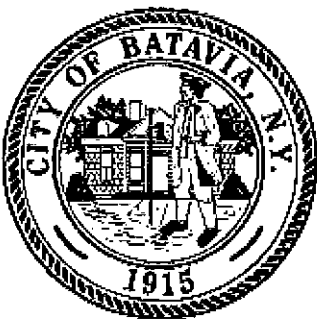
**V. Setting of Next Meeting:** March 16, 2021

**VI. Adjournment**

Mr. Preston moved to adjourn the meeting at 6:36 p.m., and Mr. Beatty seconded the motion. All voted in favor.

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Meg Chilano  
Recording Secretary



*City of Batavia*  
***Department of Public Works***  
***Bureau of Inspections***

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

To: Planning and Development Committee  
From: Doug Randall, Code Enforcement Officer  
Date: 3/25/21  
Re: 204 Oak St.  
Tax Parcel No. (71.014-2-5.2)

Zoning Use District: C-2

The applicant, Patricia Bittar, Director of Land Development Projects at WM Schutt Associates for Quicklee's, has submitted renderings of a proposed project that will result in a change of use for this existing 3,771 square foot restaurant building. 2,771 sq.ft. will be used for a convenience store with retail fuel sales. 1,000 sq.ft will be utilized for a drive thru restaurant.

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".

190-13 C (5) Automobile service stations and drive-in restaurants are permitted with issuance of a special use permit when in compliance with 190-37- E (1-14) and 190-37 K (1-14).

190-37 PDC may authorize special use permits that comply with the terms and specifications of this chapter.

- Area variance is required from 190-37 E (10) Service stations may not be located within 500 feet of a public entrance to a church.
- Area variance is required from 190-37 E (8) 40 parking spaces are required for the drive-in restaurant (4 per 100 sq.' of floor area) and 28 spaces for the service station (1 per 100 sq.' of floor area). A total of 68 spaces are required, 40 spaces are proposed.

190-44 C (1)(c) PDC shall review special use permit applications for site plan compliance.

March 22, 2021

Mr. Doug Randall  
Code Enforcement Office  
City of Batavia City Hall  
One Batavia City Center  
Batavia, NY 14020



Re: Proposed Quicklee's Convenience Store with Retail Fuel  
204 Oak Street  
(C) Batavia, NY

Dear Mr. Randall:

On behalf of Quicklee's Convenience Stores, I am completing a Sketch Plan submittal for review by the City Planning & Development Committee. The proposed project involves converting a former Bob Evans restaurant, located at 204 Oak Street, into a Quicklee's Convenience Store with retail fuel. The proposed project will convert the existing 3,771 square foot building into a 2,700+/- square foot Quicklee's Convenience store. In addition, the remaining 1,000+/- square feet, will be used for a quick service restaurant partner with drive-thru window.

Attached for your review and distribution are seven (7) sets (11" by 17") of the Site Modification Plan. The Site Modification Plan has been provided with and without aerial background information. The Site Modification plan proposes the following:

- Conversion of the existing structure to a combination Quicklee's Convenience Store and quick service restaurant partner. The quick service restaurant will include a drive-thru window proposed along the north building wall. The Site Plan includes a designated 12-ft wide drive-thru lane along the east and north building walls. Adjacent to the drive-thru lane is a 13-ft wide escape lane.
- Addition of a fueling area to the south of the existing structure. The fueling area will include a total of four (4) fuel pumps with a 48-ft by 48-ft canopy. The fuel tanks will be located to the south of the fuel pumps.
- Edge of concrete curb/asphalt pavement shown in green reflects existing concrete curb/asphalt pavement to be removed.
- Edge of concrete curb/asphalt pavement shown in red reflects the proposed new edge of concrete curb/asphalt pavement.
- The existing dumpster/pad will be removed and relocated to the northeast corner of the site.
- The existing curb cut onto Noonan Drive will be maintained, as will the access drive along the east edge of the site, into the abutting Super 8 hotel. A Right-Out only curb

cut, 12-ft in width, is proposed along the west edge of the site, connecting to Oak Street.

- Parking spaces have been re-allocated around the perimeter of the site, with a total of 40 parking spaces under proposed conditions. The site has a total of 57 parking spaces under existing conditions, with sections of the existing parking area to be converted to green space.
- Existing site lighting on the building and within the parking area will be maintained. Lighting will be added at the canopy for the fuel pumps.

On behalf of the Petitioner, Quicklee's Convenience Stores, I am requesting placement of the proposed project on the April 20<sup>th</sup> Planning & Development Committee agenda for Sketch Plan approval. At the time of completing this submittal, building renderings are being prepared and will be presented at the April 20<sup>th</sup> meeting.

Please review the enclosed information and contact me with any comments or questions.

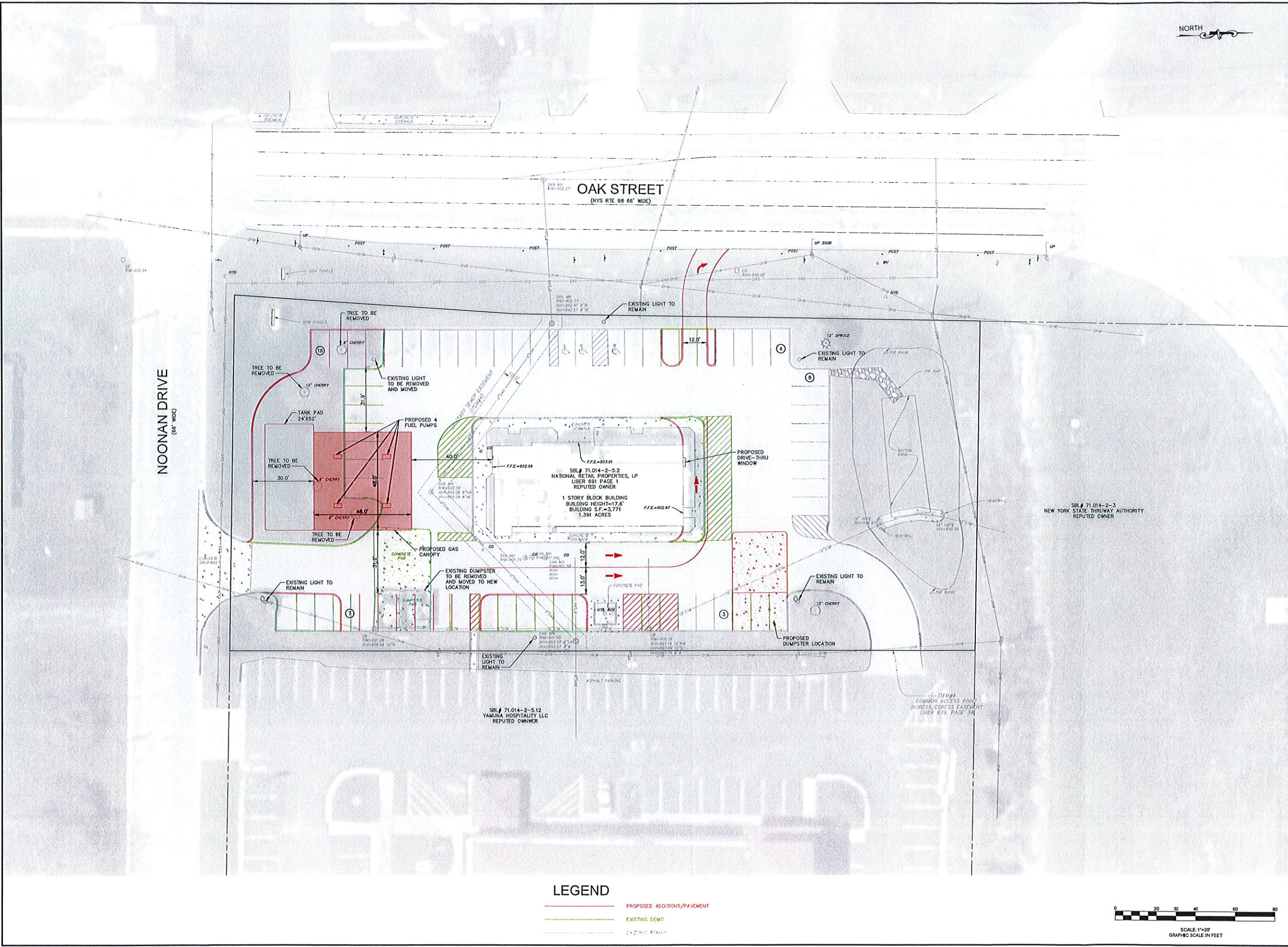
Sincerely,

A handwritten signature in black ink, appearing to read "Pat Bittar", with a stylized, cursive script.

Patricia Bittar  
Director of Land Development Projects

cc: 20213





DESIGNED BY: PMB

DRAWN BY: DLS

CHECKED BY: WES

DATE:

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WM SCHUTT  
ASSOCIATES

37 CENTRAL AVE.  
LANCASTER, NY 14086-2143  
PH. 716-683-5961  
FAX 716-683-0169  
WWW.WMSCHUTT.COM

QUICKLEE'S  
CITY OF BATAVIA  
GENESEE COUNTY - NEW YORK

SITE MODIFICATION PLAN

THIS SHEET ISSUED MARCH 1, 2021

SMP

DRAWING SCALE: 1" = 20'

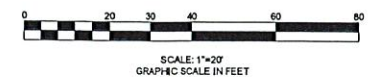
WSA PROJECT NO. 20213

LEGEND

- PROPOSED ADDITIONS/PAVEMENT
- EXISTING DEMO
- EXISTING REMAIN



NORTH



|   |     |
|---|-----|
| DESIGNED BY:  | PMB |
| DRAWN BY:   | DL5 |
| CHECKED BY:   | WES |
| DATE:   |     |
| <p>WARNING: THIS DOCUMENT IS INVOLATION OF<br/>         ALL RIGHTS RESERVED AS PROVIDED IN SECTION<br/>         702B, PART 2 OF THE NEW YORK STATE<br/>         EDUCATION LAW. © COPYRIGHT 2020<br/>         WM. SCHUTT &amp; ASSOCIATES P.C.</p> |     |



|                                 |
|---------------------------------|
| THIS SHEET ISSUED MARCH 1, 2021 |
| <b>SMP</b>                      |
| DRAWING SCALE: 1" = 20'         |
| WSA PROJECT NO. 20213           |



*City of Batavia*  
*City of Batavia, N.Y.*

***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: 3/26/21

Re: 29 Northern Blvd.  
Tax Parcel No. 71.020-1-24

Zoning Use District: R-1

The applicant, Gerald Williams, Esq. (attorney. for John L. Mortellero Sr. Trust), has filed a minor subdivision application to divide a .283 acre (100' x 123') lot from this existing 10.50 acre undeveloped parcel. The 100' x 123' lot will be merged to an existing 25' x 123' neighboring parcel (71.020-1-52).

**Review and Approval Procedures:**

**City Planning and Development Committee-** Pursuant to BMC Sec. 190-2 and 13-3 The Planning and Development Committee is authorized to review and approve or disapprove plats. BMC 162-40 B; The PDC shall act on the pre-application sketch and if approved the Chairman will sign and date the reproducible plat.

The PDC will be the lead agency to conduct SEQR.



## GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID C-06-BAT-4-21

Review Date 4/8/2021

Municipality

Board Name

Applicant's Name

Referral Type

Variance(s)

Description:

BATAVIA, C.

PLANNING BOARD

Gerald Williams, Esq.

Subdivision: Final

Final Subdivision to convey 0.283 acres to a neighboring property.

Location

Zoning District

29 Northern Blvd., Batavia

Residential (R-1) District

### PLANNING BOARD DECISION

APPROVAL

### EXPLANATION:

The proposed subdivision should pose no significant county-wide or inter-community impact.

Director

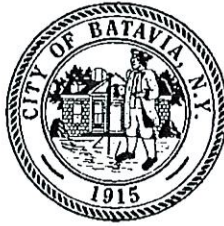
April 8, 2021

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.



Application No.: 21-01  
Date: \_\_\_\_\_



## MINOR SUBDIVISION APPLICATION

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

ADDRESS OF SUBDIVISION 29 Northern Boulevard 71.020-1-24

**OWNER:**

|  |                |     |
|--|----------------|-----|
| <u>John L. Montellaro, Sr. Trust</u> <u>kms@williamslawllp.com</u> |                |     |
| Name   | E-mail Address |     |
| <u>56 Redfield Parkway</u> <u>5853435353</u> <u>343-1487</u>       |                |     |
| Street Address   | Phone          | Fax |
| <u>Batavia NY 14020</u>  |                |     |
| City, State, Zip Code  |                |     |

**SIGNATURE**

David A. Luthman attorney for  
John L. Montellaro, Sr. Trust

**FEES:** ☒ \$50 Residential Subdivision ☐ \$100 Non-Residential Subdivision

# 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.

| <b>Part 1 – Project and Sponsor Information</b>   |  |   |   |  |  |                                     |                                     |  |  |                                      |                                  |  |  |                                   |  |  |  |  |
|---|--|---|---|--|--|-------------------------------------|-------------------------------------|--|--|--------------------------------------|----------------------------------|--|--|-----------------------------------|--|--|--|--|
| <b>Name of Action or Project:</b><br>Minor subdivision of 29 Northern Blvd.   |  |   |   |  |  |                                     |                                     |  |  |                                      |                                  |  |  |                                   |  |  |  |  |
| <b>Project Location (describe, and attach a location map):</b><br>29 Northern Blvd., Batavia, NY 14020  |  |   |   |  |  |                                     |                                     |  |  |                                      |                                  |  |  |                                   |  |  |  |  |
| <b>Brief Description of Proposed Action:</b><br>Divide 100' x 123' lot from existing 10.50 acre parcel, for merger to neighboring 25' x 123' parcel.  |  |   |   |  |  |                                     |                                     |  |  |                                      |                                  |  |  |                                   |  |  |  |  |
| <b>Name of Applicant or Sponsor:</b><br>Gerald Williams, Esq. for John L. Mortellaro Sr. Trust  |  | <b>Telephone:</b> 585-343-5353<br><br><b>E-Mail:</b> sme@williamslawllp.com |   |  |  |                                     |                                     |  |  |                                      |                                  |  |  |                                   |  |  |  |  |
| <b>Address:</b><br>2 Court Street Plaza   |  |   |   |  |  |                                     |                                     |  |  |                                      |                                  |  |  |                                   |  |  |  |  |
| <b>City/PO:</b><br>Batavia  |  | <b>State:</b><br>NY   | <b>Zip Code:</b><br>14020   |  |  |                                     |                                     |  |  |                                      |                                  |  |  |                                   |  |  |  |  |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?<br>If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.  |  |   | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; padding: 5px;">NO</td> <td style="text-align: center; padding: 5px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><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 government Agency?<br>If Yes, list agency(s) name and permit or approval:  |  |   | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; padding: 5px;">NO</td> <td style="text-align: center; padding: 5px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><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? <span style="float: right;">10.5 acres</span><br>b. Total acreage to be physically disturbed? <span style="float: right;">0 acres</span><br>c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <span style="float: right;">.283 acres</span>  |  |   |   |  |  |                                     |                                     |  |  |                                      |                                  |  |  |                                   |  |  |  |  |
| 4. Check all land uses that occur on, are adjoining or near the proposed action:<br><table style="width: 100%;"> <tr> <td><input type="checkbox"/> Urban</td> <td><input type="checkbox"/> Rural (non-agriculture)</td> <td><input type="checkbox"/> Industrial</td> <td><input type="checkbox"/> Commercial</td> <td><input checked="" type="checkbox"/> Residential (suburban)</td> </tr> <tr> <td><input checked="" type="checkbox"/> Forest</td> <td><input type="checkbox"/> Agriculture</td> <td><input type="checkbox"/> Aquatic</td> <td colspan="2"><input type="checkbox"/> Other(Specify):</td> </tr> <tr> <td colspan="5"><input type="checkbox"/> Parkland</td> </tr> </table> |  |   |   | <input type="checkbox"/> Urban                             | <input type="checkbox"/> Rural (non-agriculture) | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Residential (suburban) | <input checked="" type="checkbox"/> Forest | <input type="checkbox"/> Agriculture | <input type="checkbox"/> Aquatic | <input type="checkbox"/> Other(Specify): |  | <input type="checkbox"/> Parkland |  |  |  |  |
| <input type="checkbox"/> Urban  | <input type="checkbox"/> Rural (non-agriculture) | <input type="checkbox"/> Industrial   | <input type="checkbox"/> Commercial   | <input checked="" type="checkbox"/> Residential (suburban) |  |                                     |                                     |  |  |                                      |                                  |  |  |                                   |  |  |  |  |
| <input checked="" 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 type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b. Consistent with the adopted comprehensive plan?   | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" 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                                 |                                     |
|  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                                     |
| 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 checked="" type="checkbox"/> | <input 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:<br>_____<br>_____  | <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: _____<br>Undeveloped parcel.   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                                     |
| 11. Will the proposed action connect to existing wastewater utilities?   | NO                                  | YES                                 |                                     |
| If No, describe method for providing wastewater treatment: _____<br>Undeveloped parcel   | <input checked="" type="checkbox"/> | <input 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 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                                  | YES                                 |                                     |
|  | <input checked="" type="checkbox"/> | <input 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: _____<br>_____<br>_____   |                                     |                                     |                                     |

|   |                                     |                          |
|---|-------------------------------------|--------------------------|
| 14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:<br><input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional<br><input type="checkbox"/> Wetland <input 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                                  | 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?<br>If Yes,   | NO                                  | YES                      |
|   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a. Will storm water discharges flow to adjacent properties?   | <input type="checkbox"/>            | <input type="checkbox"/> |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?   | <input type="checkbox"/>            | <input type="checkbox"/> |
| If Yes, briefly describe:<br>_____<br>_____   |                                     |                          |
| 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)?<br>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?<br>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?<br>If Yes, describe:   | NO                                  | YES                      |
|   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b><br><br>Applicant/sponsor/name: <u>Gerald Williams, Esq. for John L. Mortellaro Sr. Trust</u> Date: <u>3/26/21</u><br><br>Signature: <u></u> Title: <u>attorney</u>   |                                     |                          |





9-1-195  
9-1-198  
9-1-196  
9-1-200  
9-1-219  
9-1-117  
9-1-111  
9-1-112  
9-1-113.11  
9-1-202  
9-1-203  
9-1-113.121  
71.020-1-18  
71.020-1-17  
71.020-1-21  
71.020-1-55  
71.020-1-54  
71.020-1-52  
71.020-1-22  
71.020-1-23  
71.020-1-24  
71.020-1-25  
84.008-2-1  
84.008-1-44  
84.008-1-46  
84.008-1-48  
84.008-1-50.1  
Bank Street Road  
Evergreen Drive  
72.  
84.



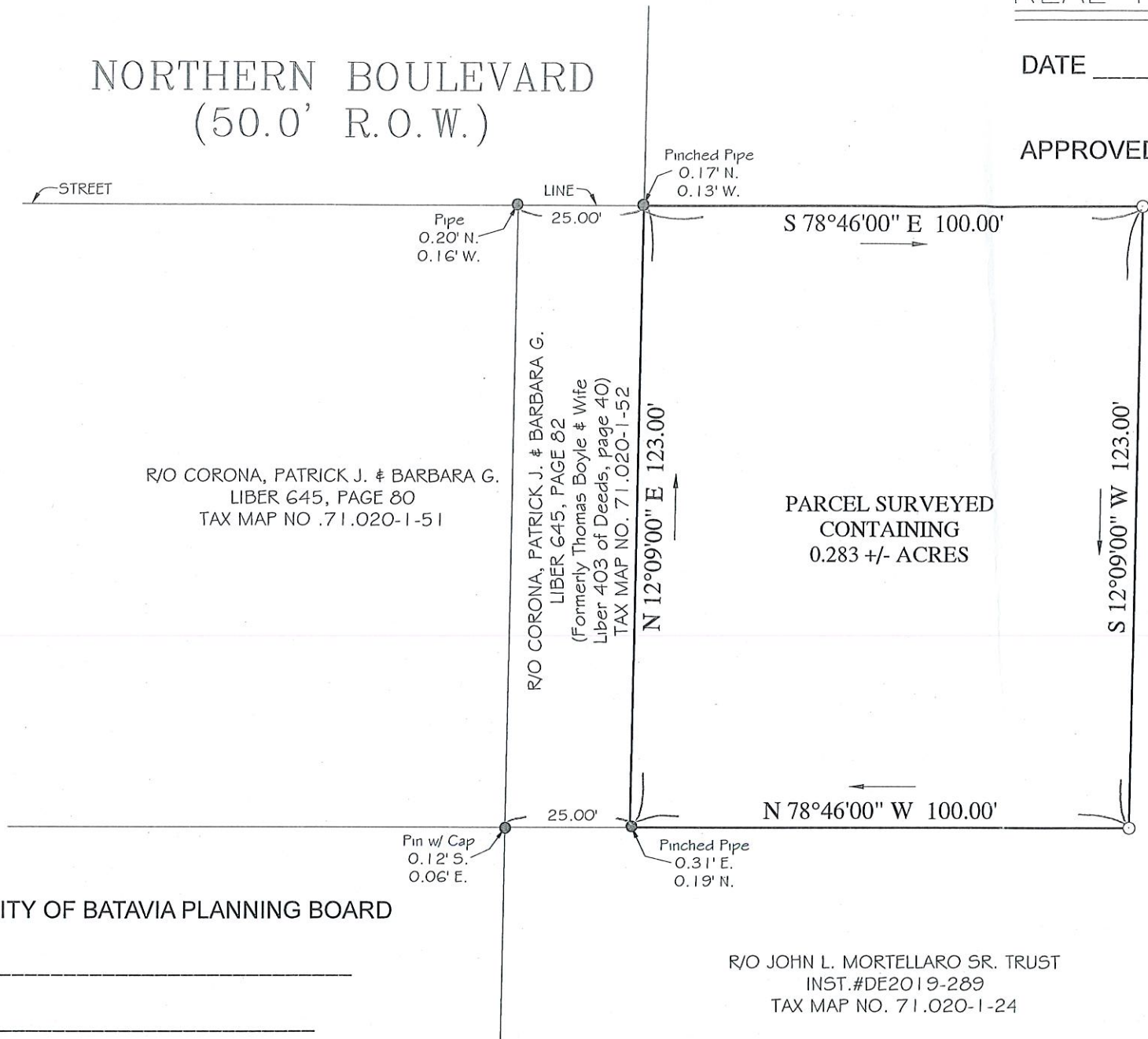
REAL PROPERTY TAX SERVICES

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

DATE \_\_\_\_\_

APPROVED BY \_\_\_\_\_

NORTHERN BOULEVARD  
(50.0' R.O.W.)



LEGEND  
● EXISTING IRON STAKE  
○ SET IRON PIN

REFERENCE  
NORTH ACRES SUBDIVISION FILED AT BOOK  
4 OF MAPS, PAGE 156, MAP NO. 712

NOTES:  
- The parcel surveyed is part of land conveyed to John L. Mortellaro Sr. Trust at INST.#DE2019-289  
- The parcel surveyed is part of Tax Map No. 71.020-1-24  
- The parcel surveyed is to be merged with Tax Map No. 71.020-1-52

APPROVED BY CITY OF BATAVIA PLANNING BOARD

CHAIRMAN \_\_\_\_\_

DATE \_\_\_\_\_

APPROVED BY CITY OF BATAVIA ENGINEERS

ENGINEER \_\_\_\_\_

DATE \_\_\_\_\_

FILED IN GENESEE COUNTY CLERK'S OFFICE AS:

MAP No. \_\_\_\_\_, SLIDE No. \_\_\_\_\_,

CABINET No. \_\_\_\_\_.

COUNTY CLERK \_\_\_\_\_

DATE \_\_\_\_\_

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

Signature \_\_\_\_\_

Date \_\_\_\_\_

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

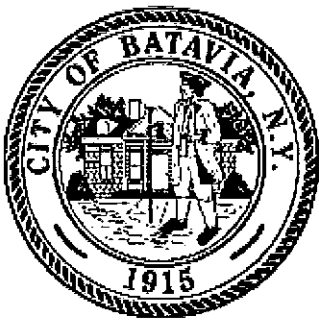
"ONLY COPIES FROM THE ORIGINAL OF THIS  
SURVEY MARKED WITH AN ORIGINAL OF THE  
LAND SURVEYOR'S EMBOSSED SEAL SHALL  
BE CONSIDERED TO BE VALID TRUE COPIES."  
"CERTIFICATIONS INDICATED HEREON SIGNIFY  
THAT THIS SURVEY WAS PREPARED IN ACCORDANCE  
WITH THE EXISTING CODE OF PRACTICE FOR LAND  
SURVEYORS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

I HEREBY CERTIFY THAT THIS LAND SEPARATION AND MERGER WAS  
PREPARED BY ME, AND WAS MADE FROM AN ACTUAL SURVEY COMPLETED  
BY ME ON JANUARY 26, 2021 AND REFERENCES LISTED HEREON

BOUNDARY SURVEY SHOWING THE SEPARATION  
AND MERGER OF LANDS OF JOHN L. MORTELLARO,  
SR. TRUST, BEING A PART OF ORIGINAL (NOW CITY)  
VILLAGE LOTS 42 AND 44. SITUATE IN THE CITY  
OF BATAVIA, COUNTY OF GENESEE AND STATE OF  
NEW YORK

JANUARY 26, 2021 SCALE 1" = 30'  
JOB NO. 21-38

DATE \_\_\_\_\_  
N.Y.S.R.L.S. No. 50249



*City of Batavia*  
*Department of Public Works*  
*Bureau of Inspections*

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

To:                Genesee County Planning  
                     Planning and Development Committee

From:            Doug Randall, Code Enforcement Officer

Date:             3/30/21

Re:               45-47 Ellicott St. (Ellicott Place)  
                     Tax Parcel No. 84.011-3-7

Zoning Use District: C-3

The applicant, V.J. Gautieri Constructors Inc. (owner), has requested approval to alter the previously approved design of exterior features of this building located within the Business Improvement District. The proposal is to create ten 10' x 6' roof top patios by enclosing areas outside of each dwelling unit with 42" tall protective guardrails.

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

**Review and Approval Procedures:**

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

**City Planning and Development Committee-** Pursuant to section 190-14 D (2)(a) of the zoning ordinance, the Planning and Development Committee shall review permit applications involving exterior changes that require a building permit on properties located within the Business Improvement District.



## GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID **C-05-BAT-4-21**

Review Date **4/8/2021**

Municipality

**BATAVIA, C.**

Board Name

**CITY PLANNING AND DEVELOPMENT COMM.**

Applicant's Name

**Victor Gautieri**

Referral Type

**Downtown Design (Site Plan) Review**

Variance(s)

Description:

**Downtown Design (Site Plan) Review for exterior alterations to create 10 roof-top patios.**

Location

**45 Ellicott St. (NYS Rt. 63), Batavia**

Zoning District

**Central Commercial (C-3) District**

### PLANNING BOARD DECISION

**APPROVAL**

### EXPLANATION:

**The proposed exterior alterations should pose no significant county-wide or inter-community impact.**

Director

April 8, 2021

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.



# PLANNING & DEVELOPMENT COMMITTEE

## *DRAFT MINUTES*

November 17, 2020

6:00 pm

Council Board Room  
One Batavia City Centre, Batavia NY

Members present: *Matt Gray, Tammy Hathaway, Robert Knipe*

Members absent: David Beatty, Edward Flynn, Duane Preston

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

### **I. Roll Call**

Roll call of the members was conducted. Three members were present and Acting Chair Matt Gray declared a quorum.

### **II. Call to order**

Mr. Gray called the meeting to order at 6:03 pm.

### **III. Previous Meeting Minutes**

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

**RESULT: Approval of October 20, 2020 meeting minutes.**

### **IV. Proposals**

- A. Alter the previously approved design of the second floor. The proposal is to relocate the elevator originally planned for the interior of the existing building, to a location on the exterior wall of the north elevation. This would result in an exterior alteration to a building located within the Business Improvement District (BID)

**Address:** 45-47 Ellicott Street (Ellicott Place)

**Applicant:** V.J. Gautieri Constructors (owner)

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

#### **1. Review Application**

Mr. Gray read the summary of the proposal.

#### **2. Discussion and Action by the Board**

Mr. Gautieri described the changes from the previously approved project to the new design. Originally, the design called for the elevator to be located inside, however, two problems were revealed: the elevator would be located a long walk down the entry corridor; and, a small recess would be created by the alcove in which the elevator would be located, posing a possible safety

issue. He also noted that the stairway would cause structural interference because it would have to wrap around the elevator.

Mr. Gautieri pointed out on the new drawing where the elevator will be located, in the projection directly above the Save-A-Lot sign. He noted that the elevator will look like just another projection design element, and will maintain the same esthetic scheme. Mr. Gautieri believes the changed plan will be better for tenants, safer and more esthetically pleasing.

Mr. Knipe asked if there will be a stairway at both ends of the hall, and Mr. Gautieri said yes.

**MOTION:** Mr. Knipe moved to approve the proposal; the motion was seconded by Ms. Hathaway, and on roll call, was approved 3-0.

**RESULT: Approval of the application.**

**B. Recommendation to the Zoning Board of Appeals for an Area Variance to replace four existing internally illuminated sign face panels. The signs will be located within the Central Commercial District / Business Improvement District**

**Address:** 45-47 Ellicott Street

**Applicant:** Mike Hodgins (sign contractor)

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

**1. Review Application**

Mr. Gray read the summary of the proposal.

**2. Discussion and Recommendations**

Mr. Hodgins told the board that the pylon as well as the signs will remain the same size. The sign panels are being changed to reflect the store's updated logo.

Mr. Gray asked about the color of the signs, which is blue. Mr. Hodgins described them as translucent with light coming through at night. Mr. Randall reminded the board that the signs are consistent with the Comprehensive Plan's preference for dark background with light letters.

Mr. Knipe asked if Mr. Hodgins had considered a plain sign without interior lighting. Mr. Hodgins explained that Save-A-Lot is a national company, which makes its own signs. He is the contractor hired to do the permitting and installation.

**MOTION:** Mr. Gray moved to recommend approval of the application to the ZBA; the motion was seconded by Mr. Knipe, and on roll call, was approved 3-0.

**RESULT: Approval of the application.**

**V. Approval of 2021 Meeting Dates**

Mr. Knipe moved to approve the 2021 meeting dates; Ms. Hathaway seconded the motion, and all voted aye.

# PLANNING & DEVELOPMENT COMMITTEE

## *DRAFT MINUTES*

**July 21, 2020**

**6:00 pm**

Council Board Room

One Batavia City Centre, Batavia NY

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

Members absent: Matt Gray

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

### **I. Roll Call**

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

### **II. Call to order**

Mr. Preston called the meeting to order at 6:00 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 June 16, 2020 meeting minutes.**

### **IV. Proposals**

- A. Special Use Permit to create a “Restricted Residential Use” on the second floor of this commercial building located within the Central Commercial District

**Address:** 45-47 Ellicott St.

**Applicant:** V.J. Gautieri Constructors Inc. (owner)

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

#### **1. Review Application**

Mr. Preston read the summary of the proposal.

## **2. Public Hearing and Discussion**

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

**RESULT: Public hearing opened at 6:03 pm.**

Victor Gautieri and Dave Rowley spoke on behalf of the project. Mr. Gautieri outlined the changes to the building. Save-A-Lot has a new logo, so the signage will be changing. Four new windows will be installed, allowing for more natural light. The main entrance will be relocated, providing the store with more usable space. The new entrance will also lead to the second floor apartments. Mr. Rowley noted that the roof is scheduled to be replaced as part of the project.

Mr. Knipe asked if the upstairs windows will open. Mr. Rowley answered that the windows will open onto Juliet balconies.

Mr. Flynn asked if the units will have air conditioning, and Mr. Rowley said that each unit will have its own system.

Mr. Flynn observed that the lower windows are clear and asked if the upper windows will be shaded. Mr. Rowley replied that all of the windows will be clear. He noted that the only tinted windows are the already existing ones on the first floor of the northwest corner of the building.

Mr. Flynn asked what is the reason why there are not as many bump-outs on the Ellicott side of the building versus the other sides. He pointed out that the side with only one bump-out will be the one people see from the street. Mr. Flynn said that he would like to see more bump-outs on the Ellicott side because it presents a more appealing esthetic.

Ms. Hathaway commented that she remembered a more elaborate façade from the original renderings and asked if any of the architectural details have changed since the plans were submitted as part of the DRI. Mr. Gautieri said that some of the details have changed. In the time since the DRI submission, it was decided that it would be more desirable to make the exterior on that side generic because there still is no tenant for that space. Some flexibility was left in the rendition to allow for the tenant to create their own exterior esthetic.

Mr. Flynn requested the addition of two more bump-outs, one on either side of the bump-out for the stairs, between the windows. Mr. Gautieri said that the floor layout cannot be changed. Mr. Flynn suggested that architectural detail could be added around the windows, rather than bump-outs between the windows, which would not change the floor plan.

Mr. Flynn asked if the first floor improvements would be part of Phase I, and Mr. Rowley answered that everything shown on the drawings will be completed as part of Phase I. Mr. Preston asked about the location of the tenant parking. Mr. Gautieri said that a conversation with the City will have to take place regarding assigning a place for the tenants to park, by permit.

Mr. Preston asked where the dumpster will be located. Mr. Gautieri indicated it will be located on the southeast side of the building in the same space where the dumpster is currently located. The screen surrounding it will be repaired. He clarified that the dumpster for the tenants will be separate from the dumpster for the store.

Ms. Hathaway asked if each apartment will have its own storage space, and Mr. Gautieri said tenants could have it if they wished.

There was no commentary from the public.

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

**RESULT: Public hearing closed at 6:23 pm.**

### **3. SEQR**

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

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

**RESULT: Negative declaration of SEQR**

### **4. Action by the Board**

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

**RESULT: Special Use Permit approved.**

**MOTION:** Mr. Flynn moved to amend the previous motion to include the addition of the architectural detail discussed above to the two south windows; the motion was seconded by Mr. Knipe, and on roll call, was approved 5-0.

**RESULT: Special Use Permit approval amended to include the window detail.**

**B. Site Plan Review of a two story, 8,788 sq.’, 20 bed detoxification facility that will be added to the existing Atwater Residence located on this treatment campus**

**Address:** 424 East Main St.

**Applicant:** John Bennett (GCASA)

**Actions:** 1. Review application  
2. Public hearing and discussion



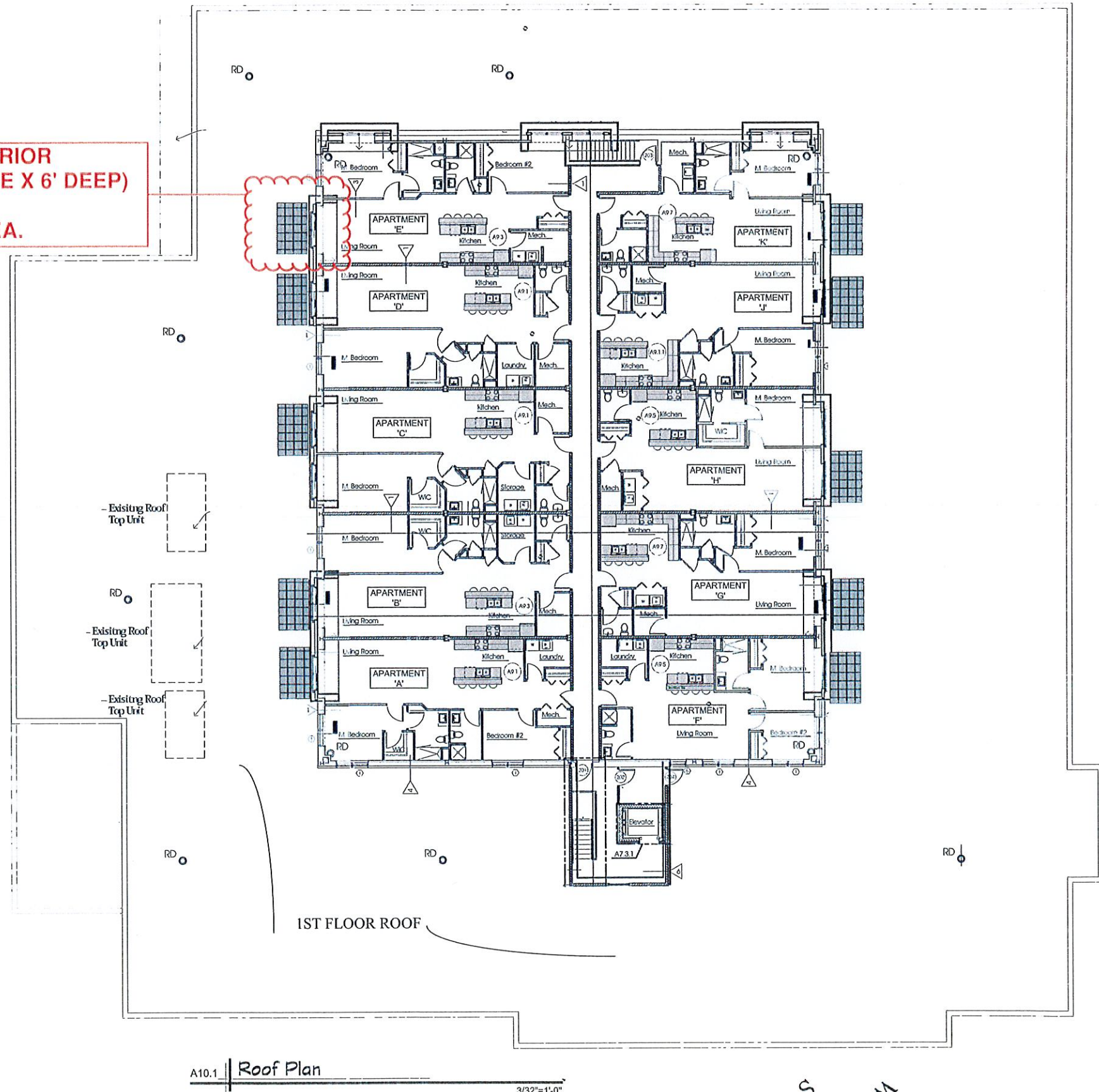
ELLCOTT PLACE  
PROPOSED APARTMENT PATIO PLAN  
MARCH 25, 2021  
V.J. GAUTIERI CONSTRUCTORS, INC.

TYPICAL EXTERIOR  
PATIO (10' WIDE X 6' DEEP)  
TOTAL OF 10 EA.



**DESCRIPTION**

- AREA = 10 FT WIDE X 6 FT DEEP
- PREFABRICATED RAILING SECTIONS - 36" HIGH WITH ALUMINUM BALLUSTERS 3.75" OC
- P.T. 4X4 WOOD CORNER POSTS WITH CAPS
- P.T. 2X6 WOOD BOTTOM PLATE
- STAIN P.T. LUMBER TO MATCH ADJACENT SIDING
- 2" X 24"X24" RUBBER INTERLOCKING ROOF TILE DECK



Proposed Mixed Use Build-Out:

**Ellicott Place**

45-47 Ellicott Street  
Batavia, NY 14020

| No. | Description | Date | By |
|-----|-------------|------|----|
| 1   |             |      |    |
| 2   |             |      |    |

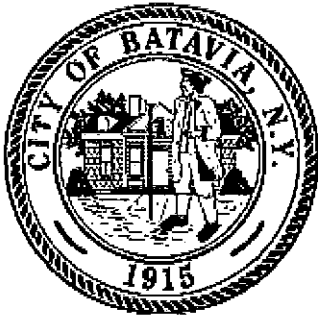
DATE:  
March 25, 2021

SCALE:  
3/32" = 1'-0"

Roof Plan

**A1**





*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: 3/29/21

Re: **207-209**, 211, **213** East Main; 211 ½ East Main Rear; **1-9**, 10, 12-26, 17-23, 28 Wiard St; 17, 19 Summit St.; 216-220 Washington.  
Tax Parcel No. 84.011-1-30.1, 84.011-1-29, 84.011-1-28, 84.011-1-26.11, 84.011-1-28, 84.011-1-24, 84.011-1-13, 84.011-1-12, 84.011-1-28, 84.011-1-15, 84.011-1-16, 84.042-1-29, 84.042-1-27 (no address parcel).

Zoning Use District: P-2 and C-3 (**207-209 and 213 East Main St.; 1-9 Wiard St.**)

The applicants, Dave Ciurzynski, Consultant and Steve Tanner, PE, have submitted renderings of a proposed project that will result in the removal of three buildings. The existing YMCA building located at 207-209 East Main St., a medical office building at 211 East Main St. and a maintenance building at 211 ½ East Main Rear.

The proposed new facility will include a two story, 69,420 sq. ft. building to house a YMCA with medical offices, off street parking, new access point from Summit St., and numerous site work/landscaping updates throughout the complex. The structure is to be located on parcels 211 and 213 East Main St., 1-9 Wiard St. and a small portion of 211 ½ East Main Rear. Parcels will be merged to accommodate the new structure.

Zoning changes will need to be effected prior to formal approval of this development, because a portion of the proposed building is located within the P-2 use district that does not permit the use for YMCA. This process has begun.

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".



## Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO  
Governor

ERIK KULLESEID  
Commissioner

February 25, 2021

Mr. Charles Vandrei  
Agency Historic Preservation Officer  
NYS Environmental Conservation  
Division of Lands and Forests  
625 Broadway  
Albany, NY 12233-4255

Re: DEC  
GLOW YMCA / Rochester Regional Health - Healthy Living Campus/New Construction  
207-209, 211, 213 East Main Street and 1-9 Wiard Street, Batavia, Genesee County  
21PR00679

Dear Mr. Vandrei:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the submitted materials in accordance with the New York State Historic Preservation Act of 1980 (section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6NYCRR Part 617).

We note that the proposed project is adjacent to 201 East Main Street, which is listed in the State and National Registers of Historic Places. We further note that 201 East Main Street is one of two known remaining examples of work by Rochester architect-builder, Hezekiah Eldredge. 207 -209 East Main Street and 209 East Main Street are not eligible for listing in the State and National Registers of Historic Places.

We have reviewed the submission received on February 3, 2021, including the Schematic Design Report dated January 12, 2021. Based on that review, it is the OPRHP's opinion that the project, as described, will have No Adverse Impact on historic resources provided the following conditions are met:

- A construction protection plan will be created and implemented to protect 201 East Main Street from damage which may result from construction vehicles, debris, and vibration associated with the demolition of the adjacent building. Please see the National Park Service's Tech Notes Temporary Protection Number 3: Protecting a Historic Structure during Adjacent Construction (<https://www.nps.gov/tps/how-to-preserve/tech-notes/Tech-Notes-Protection03.pdf>) for assistance in creating a plan.
- It appears that the design plans are not finalized at this time. Should there be a substantial change in the design, updated drawings and site plans will be submitted to this office for our comments and review prior to any work occurring.

---


### Division for Historic Preservation

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • [parks.ny.gov](http://parks.ny.gov)



Should you be unable to meet these conditions, consultation with this office will resume. If you have any questions, I can be reached at (518) 268-2170.

Sincerely,

A handwritten signature in black ink, appearing to read "Robyn Sedgwick".

Robyn Sedgwick  
Historic Site Restoration Coordinator  
e-mail: [robyn.sedgwick@parks.ny.gov](mailto:robyn.sedgwick@parks.ny.gov)

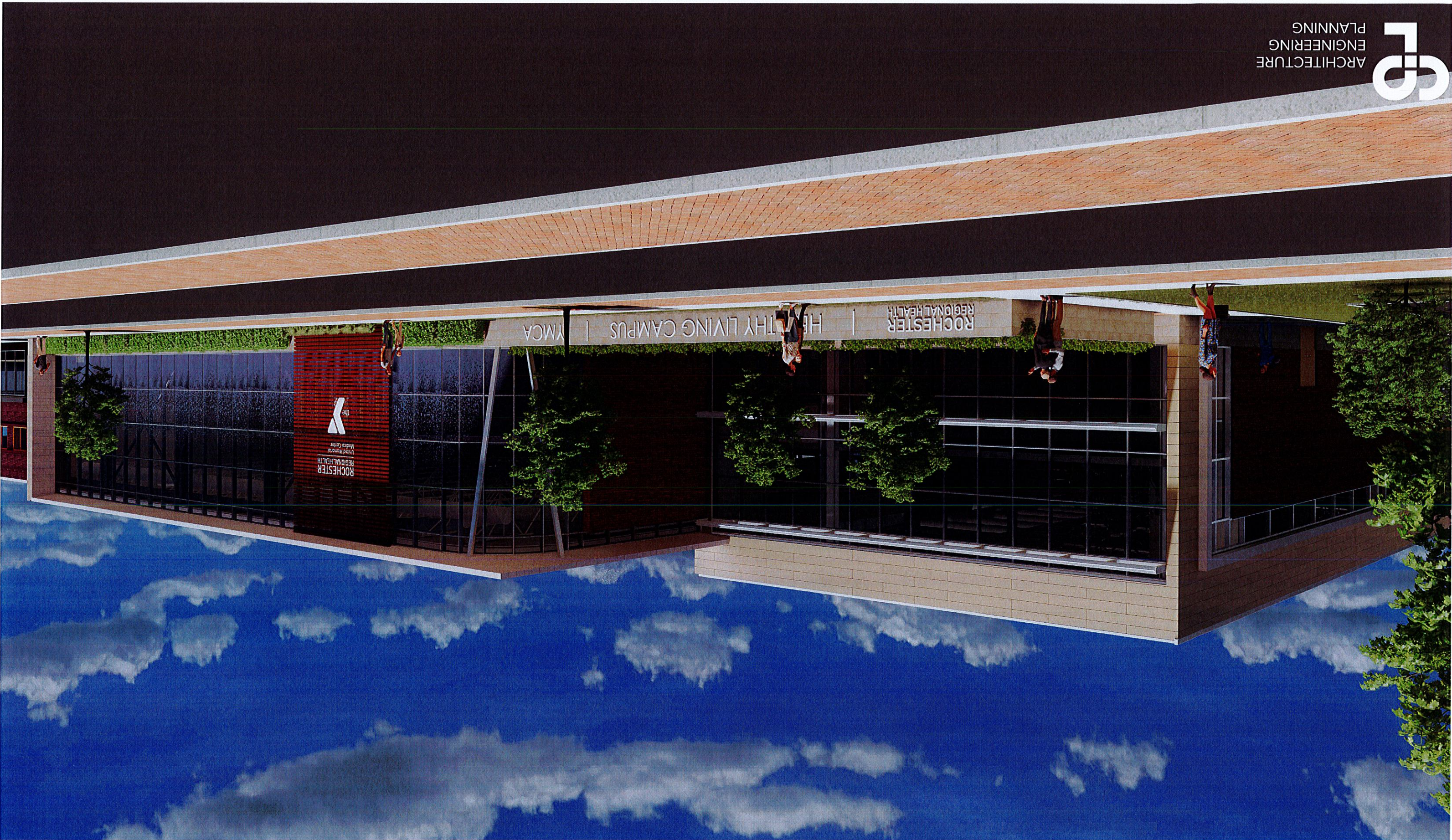
via e-mail only

cc: D. Young – CPL  
S. Tanner – CPL





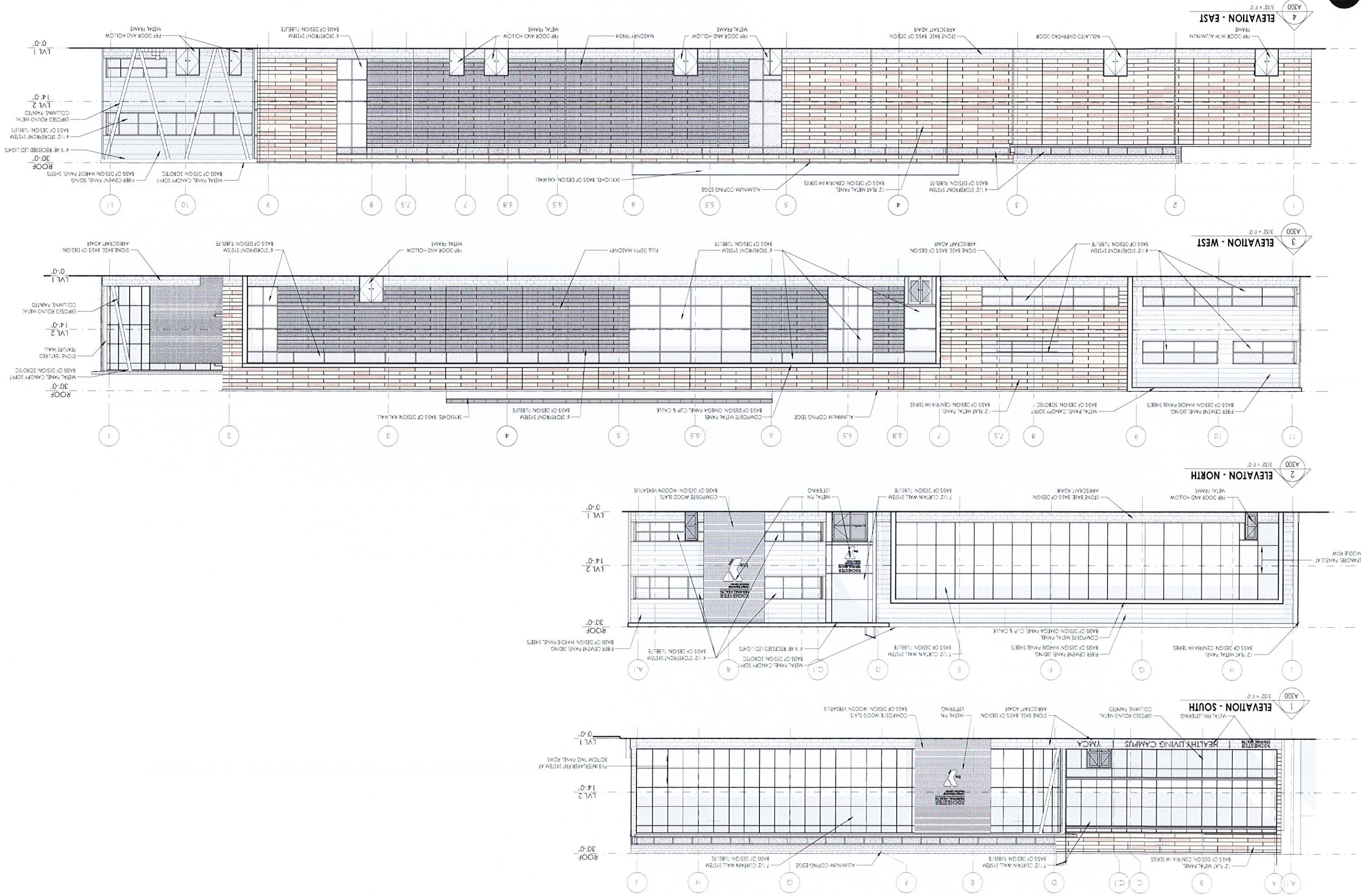




ARCHITECTURE  
ENGINEERING  
PLANNING

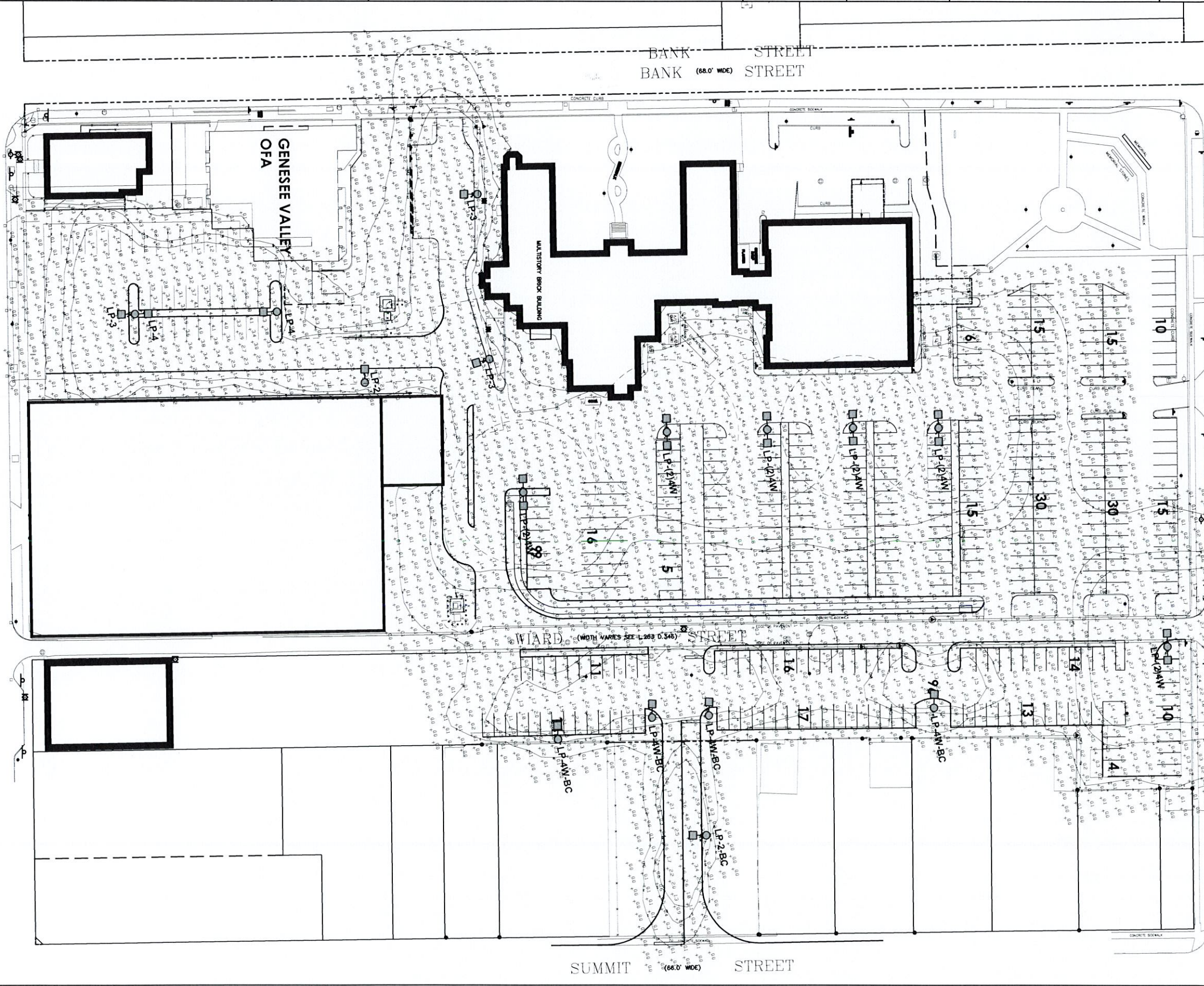








26 MISSISSIPPI STREET  
BUFFALO, NEW YORK 14203  
TEL (800) 274-9000  
FAX (585) 332-5836  
**CPlteam.com**  
ARCHITECTURE • ENGINEERING • PLANNING



GLOW YMCA HEALTHY LIVING CAMPUS

|                  |            |               |              |                    |
|------------------|------------|---------------|--------------|--------------------|
| DATE: 01/18/2021 | DRAWN: MMA | DESIGNED: MMA | CHECKED: SRT | SCALE: 1" = 60'-0" |
|------------------|------------|---------------|--------------|--------------------|

PROJECT NUMBER  
XXXX.XX