

**PLANNING & DEVELOPMENT COMMITTEE**  
***OFFICIAL MINUTES***

**August 16, 2022**

**6:00 pm**

Council Board Room  
One Batavia City Centre, Batavia NY

Members present: *David Beatty, Edward Flynn, John Ognibene, Duane Preston*

Members absent:

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 5:59 p.m.

**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 July 26, 2022 meeting minutes.**

**IV. Proposals**

- A. Construct a wood-frame deck with a steel frame wall mounted canopy and permanently installed patio furniture with a barrier at the rear of this property

**Address:** *109 Main Street*

**Applicant:** Zac Condidorio (contractor, Whitney East Inc.)

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

**1. Review Application**

Mr. Preston read the summary of the proposal. Zac Condidorio from Whitney East was present to speak about the project.

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

Mr. Condidorio described the components of the deck:

- Covered canopy constructed of clear roofing material
- Some ground level seating
- Catenary lighting as well as lighting on the deck
- Some ground-level seating

- Aluminum construction doors
- Wood stairs

Mr. Flynn asked if the deck would be constructed on top of the existing concrete. Mr. Condidorio explained that the concrete would be removed. Instead, a foundation wall and a full frost foundation will be constructed.

Mr. Preston asked if there will be a fire pit, and Mr. Condidorio responded that a fire feature is not part of his contract.

Mr. Preston asked if egress would pose a problem. Mr. Randall noted that egress is approved and Mr. Condidorio clarified that though rock seating had been part of the original proposal, it had proved to be too costly. Planter boxes will be placed between the brewery and the public, providing a screen, which can be removed in winter for ease of snow removal.

Mr. Flynn asked about materials, and Mr. Condidorio said that he would use a composite material for the deck with a metal guardrail. He also said that the canopy would be galvanized in an industrial sort of style.

Mr. Flynn asked if the building is on the National Historic Register and a discussion ensued.

Mr. Preston asked if a ramp was needed for handicap accessibility. Mr. Condidorio responded that a ramp is unnecessary because there is an exit inside.

Mr. Preston asked if the lighting at night will pose a problem for the neighbors, and Mr. Condidorio said that lights would be shut off at closing time, which he believes takes place at 11:00 p.m.

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

**RESULT: Application approved.**

B. Recommendation to the ZBA for an area variance to place one 18' wide asphalt driveway on the south side and one 18' wide asphalt driveway on the north side of this parcel. The driveways will service this newly built two-family residential building

**Address:** 11 Orleans Avenue

**Applicant:** Fred Mruczek (owner)

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

### **1. Review Application**

Mr. Preston read the summary of the proposal. Mr. Mruczek was present to speak regarding the project.

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

Mr. Mruczek described the building as a high-end two-family dwelling. He explained that he would like the driveways on each side of the dwelling to be wide enough to fit two vehicles. He said that he does not believe his request is unreasonable, noting that there are other properties with wide driveways on the street.

Mr. Flynn asked if the driveway would be paved. Mr. Mruczek answered that though he intends to pave it eventually, for now it will consist of scalplings.

**MOTION:** Mr. Flynn moved to recommend approval of the application to the ZBA; the motion was seconded by Mr. Beatty, and on roll call, was approved 4-0.

**RESULT: Recommendation to the ZBA approved.**

**V. Setting of Next Meeting:** September 20, 2022

## **VI. Adjournment**

Mr. Preston adjourned the meeting at 6:14 p.m.



Meg Chilano  
Recording Secretary