

PLANNING & DEVELOPMENT COMMITTEE

MINUTES

October 18, 2016

6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

Members present: *Edward Flynn (arrived 6:17 pm), Robert Knipe, Duane Preston, Rachael Tabelski*

Members absent: Matthew Gray, Marc Staley (Alt.)

Others present: Meg Chilano – Recording Secretary, Jason Molino – City Manager, Felipe Oltramari – Director, Genesee County Planning Board, Doug Randall – Code Enforcement Officer

I. Roll Call

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

II. Call to order

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

III. Previous Meeting Minutes

MOTION: Mr. Knipe moved to approve the minutes; the motion was seconded by Mr. Preston, and on roll call, was not approved 2-0-1.

Votes in favor: 2 (Robert Knipe, Duane Preston)

Votes opposed: 0

Votes abstained: 1 (Rachael Tabelski)

RESULT: Insufficient number of votes to approve September 20, 2016 meeting minutes.

IV. Proposals

- A. Construction of an approx. 1300 sq.' two story addition to the southwest corner; a 275 sq.' one story addition on the east elevation and a 400 sq.' wood frame deck on the west elevation of this existing 10,260 sq.' Community Residence/Convalescent Home located in the western portion of 424 East Main St. Also proposed is the expansion of paved parking areas on 424 and 432 East Main St.

Address: *424 and 432 East Main St.*

Applicant: Raymond Murphy, RA (architect for the owner)

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

1. Review Application

Mr. Preston read the summary of the proposal. He reported that the Genesee County Planning Board recommended approval of the project. Mr. Ryan, Genesee/Orleans Council on Alcohol and Substance Abuse (GCASA) Finance Director, explained that the project includes an update to Atwater House, with an addition to the southwest corner, and rebuilding and enclosing the porch. A new parking area will allow GCASA to move the 25-30 cars, which now occupy spaces leased from Cornell Cooperative Extension, to the premises, and re-organization of on-site traffic will allow smoother flow through the property. Mr. Ryan reported that the materials used on the building will maintain the historical character and the new porch shingles will match the existing roof.

Ms. Tabelski asked if the front porch would remain open. Mr. Ryan said it would.

Mr. Ryan acknowledged that concern has been raised over the issue of smoking on site. He said that the GCASA board favors having a designated smoking area on site, however, NYS Office of Alcohol and Substance Abuse Services (OASAS) regulations do not permit smoking on site. He said that GCASA will be seeking permission to allow on site smoking and there is an existing pavilion beside the garage that will be designated for that purpose. When asked about the time frame, a representative from GCASA noted that the waiver application process could take several months.

Mr. Preston asked if there will be additional rooms. According to Mr. Ryan, no residential rooms will be added. An intake room is being added in response to OASAS regulation changes.

Mr. Preston asked about lights in the parking area. Mr. Ryan said there will be new LED lights according to the photometric.

Mr. Flynn asked about additional landscaping and Mr. Ryan said there will be some.

Mr. Flynn asked about drainage and Mr. Randall referred to the retention pond.

2. Public Hearing

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

RESULT: Public hearing opened at 7:22 pm.

There was no one in attendance who wished to speak, and no phone calls or correspondence regarding the proposal.

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

RESULT: Public hearing closed at 7:24 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 4-0.

RESULT: Negative declaration of SEQR

4. Discussion and Action by the Board

MOTION: Mr. Flynn moved to approve the application; the motion was seconded by Mr. Knipe, and on roll call, was approved 3-0. (Mr. Knipe recused himself from voting as his wife is a GCASA board member.)

RESULT: Application approved.

B. Special Sign Permits: Various signs for United Memorial Medical Center.

Address: *Various addresses-see listed below*

Applicant: Phil Dotson (sign contractor)

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

1. Review Application

The board decided to vote on each of the sign locations separately.

2. Discussion and Action by the Board

211 East Main St.

Mr. Dotson noted the signs are unlit and the same size as the previous ones. The hospital is updating its logo.

MOTION: Mr. Flynn moved to approve the application; the motion was seconded by Ms. Tabelski, and on roll call, was approved 4-0.

RESULT: Special Sign Permits approved.

208-214 Washington Ave.

Mr. Dotson said the sign will be the same size but sit a little closer to the ground. The names of the tenants will be updated and the verbiage will change slightly.

MOTION: Mr. Flynn moved to approve the sign with the size modification of 4' x 5'; the motion was seconded by Mr. Knipe, and on roll call, was approved 4-0.

RESULT: Special Sign Permit approved.

26-31 Bank St.

Mr. Dotson said just the sign faces are changing.

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

RESULT: Special Sign Permits approved.

219 East Main St.

Mr. Dotson said the sign will be the same size as the previous sign and mounted on the existing pole.

MOTION: Mr. Flynn moved to approve the application; the motion was seconded by Ms. Tabelski, and on roll call, was approved 4-0.

RESULT: Special Sign Permit approved.

127 North St.

Mr. Dotson explained that the digital reader board on this sign will be replaced with an internally lit sign the same size as the reader board. The copy will be illuminated with an opaque background. Since it is a sign for the emergency room, it will be lit at all times.

MOTION: Mr. Flynn moved to approve the application with the stipulation that the signs are no larger than the current signs; the motion was seconded by Mr. Knipe, and on roll call, was approved 4-0.

RESULT: Special Sign Permits approved.

C. Special Sign Permits: Placement of three window signs, two on the north elevation and one on the west elevation of this commercial building located within the General Commercial District

Address: 311-313 West Main St.

Applicant: Zach Mattiaccio (agent for Ziebart)

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

The applicant was not in attendance.

MOTION: Ms. Tabelski moved to table the application; the motion was seconded by Mr. Flynn, and on roll call, was approved 4-0.

RESULT: Application tabled.

V. Other/New Business/Updates: Digital Sign Code

City Manager Jason Molino reviewed the changes in the updated version of the sign code reflecting the changes outlined in the last meeting. In summary it includes:

- Table M on page 5 – Projecting, Shingle and Bracket signs increased to 10 sf from 6 sf.
- Sections N through Y - adjusted the standards part of the table to line up “Sec. M above” with the other dimensions below.
- Added #3 to the General provisions of Section S on page 11 to clarify how overall area allocation is measured for window signs, and
- Added the last sentence to Section EE on page 21 to require City Planning and Development Committee review of area variances for signs in the C-3 District.

Also, the City Attorney has reviewed the document and provided the following changes:


- Under Section Z, (7), (n) was deleted. This section referenced the PDC being the entity to address violations in the code. The PDC does not fill this enforcement role. The proper way to address violations would be through City Court. This is consistent with how current code and zoning violations are addressed.
- Under Section AA, (1), this was additional language added to the nonconforming sign section to provide clarity for nonconforming signs at the time of adoption of this section.
- Under Section BB, the last sentence of this section was added to allow for the removal of signs that do not comply with the code and pose a safety risk.

The board agreed it was ready to hold a public hearing on the updated sign code at the November 15, 2016 meeting.

VI. Setting of Next Meeting: November 15, 2016

VII. Adjournment

Mr. Preston moved to adjourn the meeting at 7:02 pm; the motion was seconded by Ms. Tabelski. All voted in favor.


Meg Chilano
Bureau of Inspection Clerk