

PLANNING & DEVELOPMENT COMMITTEE

MINUTES

May 15, 2018

6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

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

Members absent: Edward Flynn, Marc Staley

Others present: Janice Smith – Recording Secretary

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 6:04 pm.

III. Previous Meeting Minutes

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

RESULT: Approval of April 17, 2018 meeting minutes.

IV. Proposals

- A. Recommendation to the ZBA for an Area Variance: increase parking for this proposed two-family dwelling by adding two 9' x 20' asphalt parking spaces in the front (east yard of this former four family dwelling. Two parking spaces are already provided for in the existing 14.3' x 52' driveway

Recommendation to the ZBA for an Area Variance: construction of two sets of wood frame entry stairs, one at the front entrance and one at the north side entrance. Both sets will project into the required clear spaces

Address: *13 Porter Ave.*

Applicant: Gerald Freeman (agent for owner)

- Actions: 1. Review application
2. Discussion and recommendations to the ZBA for Area Variance

1. Review Application

Mr. Preston read the summary of the proposal. Cheryl Freeman spoke on behalf of the project. She said that Mr. Freeman had purchased the property four years ago with the intention to create four units from the single large dwelling, and that he had not realized only two units were permitted. Furthermore, a Certificate of Occupancy cannot be issued because there is insufficient parking for the number of units.

2. Discussion and Recommendation to the ZBA

Mr. Preston noted that though planning boards in the past have allowed parking in the front of residential property, this board has not previously allowed parking in the front of housing.

According to Mr. Gray, this occasion is the only one in his tenure as a board member that he would consider allowing parking in the front.

Mr. Preston asked if there is room to get behind the house and Mr. Freeman answered that there is not enough room without driving on the sidewalk.

Mr. Knipe asked if a compromise would be acceptable, and if Mr. Freeman would consider fewer spaces, and Mr. Freeman said he would.

MOTION: Mr. Gray moved to recommend approval of the application with the condition that according to the Site Plan provided, spaces labeled 2, 3, and 4 are permitted in the front yard of this property; the motion was seconded by Mr. Knipe, and on roll call, was approved 4-0.

RESULT: Recommendation to the ZBA for approval of the Area Variance with conditions.

MOTION: Mr. Gray moved to recommend approval the second proposal as submitted; the motion was seconded by Ms. Hathaway, and on roll call, was approved 4-0.

RESULT: Recommendation to the ZBA for approval of the Area Variance.

B. Rooming house permit for operation of an existing 11-room rooming house structure. The applicant is purchasing this property from the present operator, Terrence L. Platt

Address: 316 East Main St.
Applicant: Ryan Macdonald (agent for purchaser)
Actions: 1. Review application
2. Public hearing
2. Discussion and action by the board

1. Review Application

Mr. Preston read the summary of the proposal.

2. Public Hearing

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

RESULT: Public hearing opened at 6:27 pm.

Paul Lamendola was available to speak about the proposal. He said this property will be their fourth rooming house. He said that he is the caretaker for all of the properties and monitors all activities in the rooming houses, maintaining high standards in the properties.

There was no one else present who wished to speak, and no calls, emails, or letters regarding the project.

MOTION: Mr. Preston 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 6:29 pm.

3. Discussion and Action by the Board

Mr. Preston asked if there were any complaints about the property. Mr. Lamendola noted that the property had been well-cared for prior to taking ownership, and that the tenants are orderly.

Mr. Gray asked if there were any grass/weeds issues, and Mr. Lamendola said there are not. He noted that there are regular cleaners who take care of the property.

Mr. Knipe asked about parking, and Mr. Lamendola said that there is a large parking area.

Mr. Preston recommended that Mr. Lamendola relate to Ryan Macdonald, owner, that he should get clarification from Mr. Randall (Code Enforcement Officer) regarding signs on the front yard advertising rooms, which are not allowed according to the BMC.

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

RESULT: Approval of the Rooming House permit.

V. Other/New Business/Updates: none

VI. Setting of Next Meeting: June 19, 2018

VII. Adjournment

Mr. Preston adjourned the meeting at 6:36 p.m.



Meg Chilano

Bureau of Inspection Secretary