

PLANNING & DEVELOPMENT COMMITTEE

DRAFT MINUTES

October 15, 2019

6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

Members present: *David Beatty, Edward Flynn, Matt Gray, Robert Knipe, 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. Five members were present and Chairman Duane Preston declared a quorum.

II. Call to order

Mr. Preston called the meeting to order at 6:01 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 September 17, 2019 meeting minutes.

IV. Proposal

Minor subdivision of this existing parcel into three new parcels

Address: *40-70 Ellicott St.*

Applicant: Courtney Cox (manager for Ellicott Station LLC)

Actions:

1. Take application from the table
2. Review application
3. Discussion and action by the board

1. Take Application from Table

MOTION: Mr. Gray moved to take the application from the table; the motion was seconded by Mr. Knipe, and on roll call, was approved 5-0.

RESULT: Take the application from the table.

2. Review Application

Mr. Preston read the summary of the proposal. Samuel Savarino, developer for the project, was present to speak about the proposal.

Mr. Savarino explained that the site of the project originally consisted of three parcels that were merged into one. The new division will not follow the same property lines as the original three parcels. The intent of the subdivision is to separate the residential portion of the site for the purposes of funding. The lender for the State of New York requires security interest for the portion of the property that is residential. The residential portion needs to be distinct and separate.

Mr. Savarino acknowledged the board's concern regarding access to the three parcels, and stipulated that he will establish permanent easement agreements to allow for three access points:

1. Access into the front parking lot of the existing building which will be renovated, in order to get into the parking area beneath the residential project
2. Access to the entrance on Ellicott Street, which will be shared by all parcels and allow easy navigation around the properties
3. Access by all parcels to Evans Street

3. Discussion and Action by the Board

Mr. Flynn asked if there is an existing access agreement for the storm sewer conduit on the property. According to Mr. Savarino, there is an agreement with the City in place for the conduit, which runs beneath two of the three parcels.

Mr. Gray asked if the parking area would be part of the access agreements, and Mr. Savarino answered that parking will be shared among the parcels.

Mr. Flynn asked about documents for the agreement, and Mr. Savarino said that he is stipulating the access agreements for the record, but they have not yet been written.

Mr. Knipe asked about the timeline for the project, and if Mr. Savarino would be willing to provide a written timeline once notification of funding is announced by the State. Mr. Savarino said he would.

Mr. Savarino explained that the State of New York changed the guidelines for the funding of these types of projects, changing the due dates for the applications as well. What had originally been due in the spring time was eventually shifted to December.

Mr. Savarino said that the likely timeline is that the application will be submitted in December with the funding letter arriving in the first quarter of 2020. Remediation of the site will begin immediately.

Mr. Gray asked about remediation, and Mr. Savarino assured the board that the entire site would be remediated at the same time.

Mr. Flynn asked if any other approvals are needed for the project, such as sign permits. Mr. Savarino said they are set.

Mr. Randall pointed out that the existing garage straddles two parcels and will need to be demolished before the subdivision is approved.

MOTION: Mr. Flynn moved to approve the subdivision on the condition that the access agreements are provided to the Inspection Bureau and approved by the City attorney; the motion was seconded by Mr. Knipe, and on roll call, was approved 5-0.

RESULT: Approval of subdivision with conditions.

V. Other/New Business/Updates: none

VI. Setting of Next Meeting: November 19, 2019

VII. Adjournment

Mr. Gray moved to adjourn the meeting at 6:18 p.m.; the motion was seconded by Mr. Flynn. All voted in favor.



Meg Chilano
Recording Secretary