

## **BATAVIA CITY COUNCIL CONFERENCE MEETING**

**City Hall - Council Board Room  
One Batavia City Centre  
Monday, October 26, 2020**

### **AGENDA**

- I. Call to Order
- II. Invocation – Councilmember Briggs
- III. Pledge of Allegiance
- IV. Public Comments
- V. Council Response to Public Comments
- VI. Communications
  - a. Just Kings Trunk or Treat – 10/30/20 Alva Place Parking Lot
- VII. Council President Report
  - a. Announcement of the next City Council Business Meeting to be held on Monday, November 9, 2020 at 7:00 p.m. at the City Hall Council Board Room, 2<sup>nd</sup> Floor, City Centre
  - b. Public Hearing - A Public Hearing Amending Ordinance Under Chapter 190 Entitled “Zoning” Of The City Of Batavia Municipal Code To Amend I-1 Industrial Zone To Included Public Garage Business With Special Use Permits
- VIII. SEQR Lead Agency Determination and Negative Declaration Determination
- IX. Adoption of Zoning Ordinance Change
- X. Design Consultant Jackson Square
- XI. Carolwood Drive Extension – Clinton Gardens Subdivision Park 21A
- XII. Ellicott Trail Project – Final Costs Adjustments
- XIII. Natural Gas Commodity Contract
- XIV. Budget Amendment for National Grid Urban Corridor Grant
- XV. Adoption of the LGS-1 Retention and Disposition Schedule
- XVI. 2020-2021 STOP-DWI “Crackdown” Award
- XVII. Permission to Accept Rotary Grant & Amend Youth Bureau Budget
- XVIII. Adjournment

**JUST KINGS TRUNK OR TREAT - 10/30/2020 (2020-19)**

There were no costs from the departments.



City of Batavia  
Batavia, New York 14020  
(585) 345-6300

PAID  
OCT. - 6 2020  
CITY OF BATAVIA  
CLERK-TREASURER

Official Use Only:

2020-19

Event Application #:

**Event Application Fee - \$25.00 (non-refundable)**  
(A separate permit must be issued for each item requested)

Event Sponsor Just Kings

Type of Event Trunk or Treat

Date of Event 10/30/20 Friday

Time of Event (don't include set up time here - just actual event time) 6pm - 8pm

Location of Event Alba Place Parking Lot

Details of Event (be as specific as possible) Kids will be walking from each trunk collecting candy. Trunks will be decorated. Tent will be set up for t-shirt sales, donations, and giveaways.

**Contact Information:**

Primary contact:

Name Brandon Armstrong  
Phone # 585-993-2750  
E-mail address Royal.Barber585@yahoo.com

Secondary contact:

Haven Armstrong  
1-317-292-8050

\* Events will be posted on the City's website calendar. If there is a website you would like to include that people can visit for more information or registration, if applicable, note website here: \_\_\_\_\_

Will there be alcohol at your event? Yes  No  If yes, complete the following:

Type of alcoholic beverage to be served: Liquor  Wine  Beer

Will you be providing alcohol to your group? Yes  No

Will you be selling alcohol to your group? Yes  No  Insurance certificate **WILL BE** required with Liquor Legal.

Will people be allowed to bring alcohol to the event? Yes  No

Who will be applying to the NYS Liquor Authority for the permit to sell? \_\_\_\_\_

**It is the Applicant's responsibility to police the area during the gathering to make sure all Alcohol Beverage Control rules are followed. Also, after the event Applicant is responsible to dispose of all empty bottles and debris.**

**\*\* If you are contracting with a group to sell alcohol during your event on city property, separate insurance is required from them with Liquor Legal in addition to your insurance. \*\***

**EVENT INFORMATION (required):**

Set up date: 10/30/20 Set up time: 3pm

Tear down date: 10/30/20 Tear down time: 8pm

**PLEASE LIST ALL DATES / TIMES AND CROWD INFORMATION BELOW:**

Date: 10/30/20 Start time: 6pm End time: 8pm

Estimated crowd size: 100 # of Vendors/Displays 25 Approx.

**WILL THE EVENT INCLUDE:**

- Parade: Yes  No  (MAP OF DESIRED ROUTE MUST BE ATTACHED)
- Run or Walk: Yes  No  (MAP OF DESIRED ROUTE MUST BE ATTACHED)
- Music: Yes  No  (SITE DRAWING OF STAGE OR DJ LOCATION ATTACHED)
- Street Closure(s): Yes  No  (MAP OF CLOSED STREETS AND DROP LOCATION OF BARRICADES)
- Other: Yes  No  (MAP OF DESIRED ROUTE MUST BE ATTACHED)

Fireworks or Hazardous Materials? Yes  No  Carnival or Amusement Rides? Yes  No

\_\_\_\_\_  
Name of Company Providing Above: \_\_\_\_\_ Company Contact/Representative \_\_\_\_\_ Phone # \_\_\_\_\_

\_\_\_\_\_  
Address, Street \_\_\_\_\_ City \_\_\_\_\_ Zip Code \_\_\_\_\_

Music: Live Group  Recorded/DJ

\_\_\_\_\_  
Name of Company Providing Above: \_\_\_\_\_ Company Contact/Representative \_\_\_\_\_ Phone # \_\_\_\_\_

\_\_\_\_\_  
Address, Street \_\_\_\_\_ City \_\_\_\_\_ Zip Code \_\_\_\_\_

**CITY SERVICES SUPPORT:**

**City Code 66-15, D-2** *The City reserves the right, as part of the permitting process, to require the applicant to pay for additional operational costs of the City associated with the event.*

**FOR EVENTS IN CITY PARKS, GARBAGE PICK-UP WILL BE MADE ONLY TO GARBAGE CANS ON SITE. ADDITIONAL GARBAGE MUST BE BAGGED AND REMOVED FROM PREMISES BY EVENT SPONSOR.**

**ELECTRIC:**

Will electric be needed for the event? Yes  No

What will you be providing electric to? \_\_\_\_\_

Will generators be used? Yes  No  \*see Special Events Inspection list for compliance\*

**If yes, INCLUDE SITE DRAWING INDICATING PLACEMENT/LOCATION OF GENERATOR**

SIZE OF GENERATOR(S) \_\_\_\_\_ FUEL SOURCE - GAS -  - DIESEL -  - PROPANE -

**TENTS/CANOPIES/POP-UPS: See appendices for compliance checklist – all tents will be inspected \*\***

Will Tents/Canopies or other membrane structures be erected at event?  
Will a bounce house or other air supported structures be erected at event?

Yes  No   
Yes  No

**NOTE** – Appropriate anchoring is required for all tents, canopies, and pop-up structures

Please list size(s) of Tents/Canopies or other temporary structures erected\*

10 x 10 Canopy's

**ANCHORING INTO PAVEMENT IS PROHIBITED!**

If anchoring in grass, soil areas please contact the NYS Dig Safe # at: 1-800-962-7962 or 811

**STREET CLOSURE(S):**

**ANY EVENT REQUIRING A STREET CLOSURE REQUIRES 90 DAY ADVANCE NOTICE**

Will street(s) need to be closed for the event? Yes  No  Reason: \_\_\_\_\_

List Street(s) and Cross Street(s) that will be affected:

_____	_____	&	_____
Street to be closed		Cross Streets	
_____	_____	&	_____
Street to be closed		Cross Streets	
_____	_____	&	_____
Street to be closed		Cross Streets	
_____	_____	&	_____
Street to be closed		Cross Streets	

Will street barricades be requested from the City? Yes  No  How Many? \_\_\_\_\_

Will traffic cones be requested from the City? Yes  No  How Many? \_\_\_\_\_  
*(Drop off locations of requested items must be identified on the site drawing)*

**BANNERS, SIGNS OR OTHER DECORATIONS ARE NOT TO BE ATTACHED TO STREET BARRICADES, TRAFFIC CONES, LIGHT POLES, OR ANY OTHER CITY PROPERTY**

Are there any other city materials or personnel requested for the event? Identify below: *(there may be additional costs)*

**POLICE**

Will City Police Officers be requested for the event? Yes  No

**FINAL DETERMINATION FOR NUMBER OF POLICE OFFICERS and UTILIZATION WILL BE AT THE DISCRETION OF THE CITY.**

**PLEASE NOTE:**

1. Be as specific as possible in the description so we have the best understanding of your event. Also, be clear as to what you would like provided by the City. **Applications should be submitted at least 30 days in advance.**
2. Fire hydrants, Cross Streets/Alleys and Store Fronts **Shall Not Be Blocked** by any Vehicle or Concession at any time.
3. An Emergency Vehicle Safety Lane Must be Maintained at All times at All Locations
4. Fuel Containers Must be of an Approved type and Must be Properly Secured
5. Deep Fryers Must Be Approved. Commercial Types Require a Type "K" Portable Fire Extinguisher
6. All Food Vendors Must Have a Type ABC Fire Extinguisher. All Fire Extinguishers Must Be Inspected Within The Last Year. **A Valid Health Department Permit Must Be Displayed.**
7. No grease or substance of any kind may be discharged upon the streets, sidewalks, or into the storm drains and/or sewers
8. City Sign Ordinances Shall Be Complied With At All Times And In All Regards
9. No paint or other markings may be placed on the street surface.
10. Any overtime and/or material costs in excess of \$500, as determined by City Departments, must be paid by the event sponsor or other party
11. The application fee is due at time of submission of the application and is non-refundable.
12. If approved, a Certificate of Liability Insurance of at least \$1,000,000 naming the City of Batavia as an additional insured for at least the day(s) of the event must be submitted to the City Clerk prior to the event date.

**Hold Harmless Agreement**

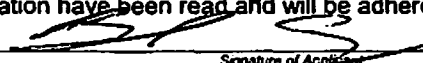
Just Kings, the organizer/sponsor, shall indemnify, hold harmless, assume liability for and defend the City of Batavia/its employees, officers and agents from any and all damages, costs and expenses including but not limited to, attorney's fees, court costs, and all other sums which the City of Batavia its employees, officers and agents may pay or become obligated to pay on account of any and every demand, claim or assertion of liability, or any claim founded thereon, arising or alleged to have arisen out of the activities described in this special event application and sanctioned by the permit issued by the City of Batavia or by any act or omission of the Just Kings (Organizer/Sponsor), its members, agents, employees, volunteers, officers, or directors in relation to activities described in this application and sanctioned by the issuance of a special event permit.

Oct 5<sup>th</sup>, 2020  
Date:

Just Kings  
Name of Event Sponsor:  
  
Authorized Signature, Title

Brandon Armstrong  
Name - Printed or Typed

The rules and information contained within this application have been read and will be adhered to.  
10/5/20  
Date:

  
Signature of Applicant:

**Please forward this application to:**

**City Clerk's Office  
Attention: Events Applications Department  
One Batavia City Centre  
Batavia, New York 14020**

Appendices

SPECIAL EVENTS INSPECTION			
YES	Item to verify	NO	Corrective action
	Extension cords plugged into approved electrical boxes?		Do not use unless cords plugged direct
	Generator in use 20 feet from any structure?		Do not use generator unless moved to safe area
	Generator has appropriate extinguisher available		Do not use unless extinguisher present
	Generator grounded?		Do not use unless grounded
	Inflatable secured to ground?		Do not use unless secured
	Inflatable rods covered?		Do not use unless rods are covered for safety
	Propane tanks secured?		Do not use unless secured
	Outside cooking has appropriate extinguisher?		Do not use unless extinguisher present
	Fireworks display 75 feet from any structure?		Do not light unless in approved location
	Fireworks display has proper extinguishers?		Do not light unless extinguisher is present
	Does cooking under tent meet the safety standard?		Do not cook unless tent is rated for fire resistance or cooking outside tent
	Are Easy up tents properly roped, braced or anchored to withstand elements of weather and collapse?		Do not occupy until proper securing is approved by inspector
	Does Easy up tent have permanent label ID of size and fabric?		Tent not to be used without proper label
	Outdoor cooking that produces sparks or grease laden vapors?		Shall be outside of tents unless tent is fire rated and extinguishers or hood present
	Does the venue have a crowd of 250 people or more?		Must have crowd managers trained as approved by inspector

TEMPORARY STRUCTURE SETUP AND DAILY CHECKLIST (tent and membrane structures)			
YES	Item to Verify	NO	Corrective Action
	Is structure at least 20 feet from any property lines?		Do not occupy or use structure. Structure needs to be relocated a minimum of 20 feet from any property lines.
	Is structure within 20 feet of any building?		Do not occupy or use structure. Structure needs to be relocated a minimum of 20 feet from any building.
	Is structure within 20 feet of another structure?		Evaluate all structures within 20 feet of each other as a single structure meeting all applicable requirements.
	Is structure within 20 feet of parking?		Restrict parking or relocate structure at least 20 feet from parking.
	Is structure within 20 feet of any internal combustion engines?		Do not use internal combustion engine until relocated at least 20 feet from structure.
	Are "No Smoking" signs posted inside and outside?		Do not occupy or use structure unless no smoking signs are posted and enforced.
	Are fireworks and unapproved open flames prohibited inside and outside the structure?		Do not occupy or use structure unless fireworks and all unapproved open flames are prohibited in the structure and within 20 feet of exterior of structure.
	Are all points in the structure within 100 feet of an exit?		Do not occupy or use structure unless sufficient nearby exits are provided.
	Ensure "Exit" signs are posted and clearly visible.		Do not occupy or use structure unless required "Exit" signs are provided.
	Ensure "Exit" signs are illuminated.		Do not use or occupy structure unless illuminated exits are provided.
	Ensure that exit signs have either two separate circuits or two sources of power depending on occupant load.		Do not use or occupy structure until a minimum of two circuits or sources of power are provided as required. Typically this is accomplished through the use of AC Powered Exit signs with internal battery backup.
	Are exits open and uncovered?		Do not occupy or use structure unless all required exits are functional.
	Are all aisles at least 44 inches wide? Do aisles increase in width where required?		Do not occupy or use structure unless proper aisle widths are maintained.
	Is the Occupant Load posted appropriately?		Do not occupy or use structure unless the correct occupant load is posted appropriately.
	Ensure emergency lighting is provided.		Do not use or occupy structure unless emergency lighting is provided.
	Is a label permanently affixed to the structure bearing the identification of size and material type?		Do not use or occupy structure unless label is present.
	2A:10BC Fire extinguishers are provided (see information packet for minimum number required).		Do not use or occupy structure until sufficient, properly sized, fire extinguishers are provided.
	At least one 40BC rated fire extinguisher shall be provided for each kitchen, mess hall, power generator, or transformer and at locations where flammable or combustible liquids are used, stored, or dispensed.		Do not use or operate any of these hazards unless appropriate fire extinguishers are provided as described in Temporary Membrane Structures, Tents and Canopies document and applicable codes.
	Weeds and other combustible vegetation shall be removed from within 30 feet of the structure area.		Do not use or occupy the structure unless combustible vegetation has been removed from the specified area.
	The floor surface inside, including the grounds adjacent to or within 30 feet outside of temporary tents, canopies, and membrane structures, shall be kept free of combustible waste.		Do not use or occupy the structure unless combustible waste is removed or stored in proper containers.
	Such waste shall be stored in approved containers until removed from the premises.		Do not use or occupy the structure unless trash containers have been emptied from the previous day.
	Outdoor cooking that produces sparks or grease-laden vapors. Must be outside tent.		Do not use cooking source under tent
Inspection performed by:		Date:	



**SPECIAL EVENT APPLICATION  
DEPARTMENT APPROVAL SUMMARY**

**FOR OFFICIAL CITY USE ONLY**

<b>OFFICIAL USE ONLY</b>				
<b>Department Recommendations:</b>	<b>Approved</b>	<b>Denied</b>	<b>Additional Costs</b>	<b>Department Initials</b>
DPW (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Fire Dept. (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Police Dept. (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

*If recommendation is denied, please attach a brief explanation*

<b>OFFICIAL USE ONLY</b>	
_____	_____
<i>Date Received</i>	<i>Council Action: (Approved / Disapproved)</i>
_____	_____
<i>Date of Council Action</i>	<i>Insurance Received (if applicable)</i>

**Event Application #:** \_\_\_\_\_

**Department:** \_\_\_\_\_  
*List Department Name Here*

**Department Approval**

	<b>YES</b>	<b>NO</b>
DPW	<input type="checkbox"/>	<input type="checkbox"/>
Fire	<input type="checkbox"/>	<input type="checkbox"/>
Police	<input type="checkbox"/>	<input type="checkbox"/>

**Department Cost Estimate:** \_\_\_\_\_  
*If applicable*

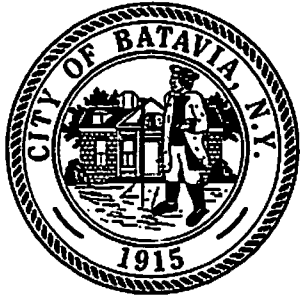
**Estimate based on:** *Fillable table - type your response here:*

--

**If Application not Approved, Provide Reason Here:** *Fillable table - type your response here:*

--


**Submitted By:** \_\_\_\_\_ *Name / Title* \_\_\_\_\_ *Date Submitted*



# City of Batavia

## *Memorandum*

To: Rachael Tabelski, Acting City Manager

From: Matt Worth, Director of Public Works 

Date: September 14, 2019

Subject: SEQR Lead Agency Designation and Negative Declaration Determination

It is appropriate for the City Council to be established as the lead agency in the State Environmental Quality Review Act (SEQR) determination for the proposed zoning ordinance change, specific to the amendments of Chapter 190-3, 190-15 and 190-42 including "Public Garage" in the I-1 Industrial district.

A review by staff has determined this to be an unlisted action, and has not found moderate or large environmental impact, and recommend a negative declaration as this action will not result in any significant adverse environmental impact.

### Supporting Documentation:

Draft Resolution  
Environmental Impact Assessment Form

**Full Environmental Assessment Form  
Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

<b>Name of Action or Project:</b> Zoning amendment to permit Public Garage in I-1 Industrial Use District with Special Use Permit		
<b>Project Location (describe, and attach a general location map):</b> All I-1 Industrial Use districts in the City of Batavia		
<b>Brief Description of Proposed Action (include purpose or need):</b> Amendment to the City of Batavia Municipal zoning code that permits motor vehicle repair shops (Public Garage) in the I-1 Industrial zoning use district with the issuance of a Special Use Permit.		
<b>Name of Applicant/Sponsor:</b> Eugene Jankowski Jr., City Council Pres.	<b>Telephone:</b> 585-345-6438	
	<b>E-Mail:</b> ejankowski@batavianewyork.com	
<b>Address:</b> One Batavia City Centre		
<b>City/PO:</b> Batavia	<b>State:</b> NY	<b>Zip Code:</b> 14020
<b>Project Contact (if not same as sponsor; give name and title/role):</b>	<b>Telephone:</b>	
	<b>E-Mail:</b>	
<b>Address:</b>		
<b>City/PO:</b>	<b>State:</b>	<b>Zip Code:</b>
<b>Property Owner (if not same as sponsor):</b> City of Batavia	<b>Telephone:</b>	
	<b>E-Mail:</b>	
<b>Address:</b>		
<b>City/PO:</b>	<b>State:</b>	<b>Zip Code:</b>

**B. Government Approvals**

<b>B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)</b>		
<b>Government Entity</b>	<b>If Yes: Identify Agency and Approval(s) Required</b>	<b>Application Date (Actual or projected)</b>
a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Batavia City Council	7/23/20
b. City, Town or Village <input type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission		
c. City, Town or <input type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
<b>i. Coastal Resources.</b> <i>i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>iii. Is the project site within a Coastal Erosion Hazard Area?</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

**C. Planning and Zoning**

<b>C.1. Planning and zoning actions.</b>	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>If Yes, complete sections C, F and G.</li> <li>If No, proceed to question C.2 and complete all remaining sections and questions in Part 1</li> </ul>	
<b>C.2. Adopted land use plans.</b>	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s): Batavia Opportunity Area (BOA) - Portions of I-1 Industrial Districts located in the central core of the city are located within specifically targeted BOA areas known as "Harvester Center" and "former Della Penna Site". _____ _____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s): _____ _____ _____	

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
 If Yes, what is the zoning classification(s) including any applicable overlay district?  
 I-1 Industrial Districts \_\_\_\_\_

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
 If Yes,  
 i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? City of Batavia

b. What police or other public protection forces serve the project site?  
City of Batavia, Genesee County, NYS Police

c. Which fire protection and emergency medical services serve the project site?  
City of Batavia Fire Dept.

d. What parks serve the project site?  
City of Batavia and Genesee County Parks system

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?  
 \_\_\_\_\_

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ acres  
 b. Total acreage to be physically disturbed? \_\_\_\_\_ acres  
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
 If Yes,  
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
 \_\_\_\_\_  
 ii. Is a cluster/conservation layout proposed?  Yes  No  
 iii. Number of lots proposed? \_\_\_\_\_  
 iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  No  
 i. If No, anticipated period of construction: \_\_\_\_\_ months  
 ii. If Yes:  
 • Total number of phases anticipated \_\_\_\_\_  
 • Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
 • Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,

i. Total number of structures \_\_\_\_\_  
 ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length  
 iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

i. Purpose of the impoundment: \_\_\_\_\_  
 ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_  
 iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_  
 iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres  
 v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length  
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  Yes  No  
 If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_  
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?  
 • Volume (specify tons or cubic yards): \_\_\_\_\_  
 • Over what duration of time? \_\_\_\_\_  
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_  
 iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_  
 v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres  
 vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres  
 vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet  
 viii. Will the excavation require blasting?  Yes  No  
 ix. Summarize site reclamation goals and plan: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No

If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No

If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No

If, Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No

If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

• Do existing sewer lines serve the project site?  Yes  No  
 • Will a line extension within an existing district be necessary to serve the project?  Yes  No  
 If Yes:  
 • Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:  
 • Applicant/sponsor for new district: \_\_\_\_\_  
 • Date application submitted or anticipated: \_\_\_\_\_  
 • What is the receiving water for the wastewater discharge? \_\_\_\_\_  
 v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)  
 ii. Describe types of new point sources. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
 \_\_\_\_\_  
 \_\_\_\_\_  
 • If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
 \_\_\_\_\_  
 • Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:  
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_  
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_  
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 \_\_\_\_\_  
 \_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)



h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

---

i. Will the proposed action result in the release of air pollutants from open-air operations or processes; such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

---

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>
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m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
 If yes:  
 i. Provide details including sources, time of day and duration:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

n. Will the proposed action have outdoor lighting?  Yes  No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:  
 \_\_\_\_\_  
 \_\_\_\_\_

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally, describe the proposed storage facilities: \_\_\_\_\_  
 \_\_\_\_\_

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No  
 If Yes:  
 i. Describe proposed treatment(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 • Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

---

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_

\_\_\_\_\_

ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_

\_\_\_\_\_

iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

\_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No

If Yes: provide name and location of facility: \_\_\_\_\_

\_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

\_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)

Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe: \_\_\_\_\_

\_\_\_\_\_

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b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
 i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
 If Yes,  
 i. Identify Facilities: \_\_\_\_\_  
 \_\_\_\_\_

e. Does the project site contain an existing dam?  Yes  No  
 If Yes:  
 i. Dimensions of the dam and impoundment:  
 • Dam height: \_\_\_\_\_ feet  
 • Dam length: \_\_\_\_\_ feet  
 • Surface area: \_\_\_\_\_ acres  
 • Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
 ii. Dam's existing hazard classification: \_\_\_\_\_  
 iii. Provide date and summarize results of last inspection: \_\_\_\_\_  
 \_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
 If Yes:  
 i. Has the facility been formally closed?  Yes  No  
 • If yes, cite sources/documentation: \_\_\_\_\_  
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_  
 \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
 If Yes:  
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: \_\_\_\_\_  
 \_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
 If Yes:  
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
 ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
 If yes, provide DEC ID number(s): \_\_\_\_\_  
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): \_\_\_\_\_  
 \_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site: \_\_\_\_\_ %  
 \_\_\_\_\_ %  
 \_\_\_\_\_ %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ % of site  
 Moderately Well Drained: \_\_\_\_\_ % of site  
 Poorly Drained: \_\_\_\_\_ % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ % of site  
 10-15%: \_\_\_\_\_ % of site  
 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_  
 \_\_\_\_\_

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No  
 If Yes to either *i* or *ii*, continuc. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name \_\_\_\_\_ Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_  
 \_\_\_\_\_

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i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100-year Floodplain?  Yes  No

k. Is the project site in the 500-year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: \_\_\_\_\_

m. Identify the predominant wildlife species that occupy or use the project site: \_\_\_\_\_  
 \_\_\_\_\_

n. Does the project site contain a designated significant natural community?  Yes  No  
 If Yes:  
 i. Describe the habitat/community (composition, function, and basis for designation): \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Source(s) of description or evaluation: \_\_\_\_\_  
 iii. Extent of community/habitat:  
 • Currently: \_\_\_\_\_ acres  
 • Following completion of project as proposed: \_\_\_\_\_ acres  
 • Gain or loss (indicate + or -): \_\_\_\_\_ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?  Yes  No  
 If Yes:  
 i. Species and listing (endangered or threatened): \_\_\_\_\_  
 \_\_\_\_\_

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?  Yes  No  
 If Yes:  
 i. Species and listing: \_\_\_\_\_  
 \_\_\_\_\_

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  Yes  No  
 If yes, give a brief description of how the proposed action may affect that use: \_\_\_\_\_  
 \_\_\_\_\_

**E.3. Designated Public Resources On or Near Project Site**

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No  
 If Yes, provide county plus district name/number: \_\_\_\_\_

b. Are agricultural lands consisting of highly productive soils present?  Yes  No  
 i. If Yes: acreage(s) on project site? \_\_\_\_\_  
 ii. Source(s) of soil rating(s): \_\_\_\_\_

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  Yes  No  
 If Yes:  
 i. Nature of the natural landmark:  Biological Community  Geological Feature  
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: \_\_\_\_\_  
 \_\_\_\_\_

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  Yes  No  
 If Yes:  
 i. CEA name: \_\_\_\_\_  
 ii. Basis for designation: \_\_\_\_\_  
 iii. Designating agency and date: \_\_\_\_\_

e. 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
f. 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 type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: _____	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
<i>iii.</i> Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Eugene Jankowski Jr. Date \_\_\_\_\_

Signature \_\_\_\_\_ Title City Council Pres.

**Full Environmental Assessment Form**  
**Part 2 - Identification of Potential Project Impacts**

Agency Use Only [If applicable]  
 Project : Zoning amendment I-1  
 Date : 7/23/20

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency and the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

**Tips for completing Part 2:**

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>



**2. Impact on Geological Features**  
 The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)  NO  YES  
*If "Yes", answer questions a - c. If "No", move on to Section 3.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**3. Impacts on Surface Water**  
 The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)  NO  YES  
*If "Yes", answer questions a - l. If "No", move on to Section 4.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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**4. Impact on groundwater**  
 The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer.  NO  YES  
 (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)  
*If "Yes", answer questions a - h. If "No", move on to Section 5.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**5. Impact on Flooding**  
 The proposed action may result in development on lands subject to flooding.  NO  YES  
 (See Part 1. E.2)  
*If "Yes", answer questions a - g. If "No", move on to Section 6.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air			
The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals			
The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>8. Impact on Agricultural Resources</b>			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>9. Impact on Aesthetic Resources</b> The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>10. Impact on Historic and Archeological Resources</b> The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical 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.	E3c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

<b>11. Impact on Open Space and Recreation</b> The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>				<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b, E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c, E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>		
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>		
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

<b>12. Impact on Critical Environmental Areas</b> The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>				<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>		
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

**13. Impact on Transportation**  
 The proposed action may result in a change to existing transportation systems.  NO  YES  
 (See Part 1. D.2.j)  
*If "Yes", answer questions a - f. If "No", go to Section 14.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**14. Impact on Energy**  
 The proposed action may cause an increase in the use of any form of energy.  NO  YES  
 (See Part 1. D.2.k)  
*If "Yes", answer questions a - e. If "No", go to Section 15.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

**15. Impact on Noise, Odor, and Light**  
 The proposed action may result in an increase in noise, odors, or outdoor lighting.  NO  YES  
 (See Part 1. D.2.m., n., and o.)  
*If "Yes", answer questions a - f. If "No", go to Section 16.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>16. Impact on Human Health</b> The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) <i>If "Yes", answer questions a - m. If "No", go to Section 17.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			



**17. Consistency with Community Plans**  
 The proposed action is not consistent with adopted land use plans.  NO  YES  
 (See Part 1. C.1, C.2. and C.3.)  
 If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**18. Consistency with Community Character**  
 The proposed project is inconsistent with the existing community character.  NO  YES  
 (See Part 1. C.2, C.3, D.2, E.3)  
 If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**PRINT FULL FORM**

Project : Zoning amendment I-1

Date : 7/23/20

**Full Environmental Assessment Form**  
**Part 3 - Evaluation of the Magnitude and Importance of Project Impacts**  
**and**  
**Determination of Significance**

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

**Reasons Supporting This Determination:**

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status:  Type I  Unlisted

Identify portions of EAF completed for this Project:  Part 1  Part 2  Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the  
Batavia City Council as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Zoning amendment to permit Public Garage in I-1 Industrial use district with Special Use Permit

Name of Lead Agency: Batavia City Council

Name of Responsible Officer in Lead Agency: Eugene Jankowski Jr.

Title of Responsible Officer: Council President

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

**For Further Information:**

Contact Person: Eugene Jankowski, Council Pres.

Address: One Batavia City Centre, Batavia NY 14020

Telephone Number: 585-345-6438

E-mail: [ejankowski@batavianewyork.com](mailto:ejankowski@batavianewyork.com)

**For Type I Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

**PRINT FULL FORM**

#-2020

**A RESOLUTION ESTABLISHING THE CITY OF BATAVIA AS LEAD AGENCY  
UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT ("SEQR")  
AND ISSUING A NEGATIVE DECLARATION**

**Motion of Councilperson**

**WHEREAS**, the City of Batavia has proposed to amend the Batavia Municipal Code §190-15, and §190-37 to include public garages in I-1; and

**WHEREAS**, this amendment of the City's zoning ordinance Section §190-15, and §190-37, is UNLISTED action under SEQR; and

**WHEREAS**, in accordance with SEQR the City Council of the City of Batavia has declared its intent to act as lead agency for the Action; and

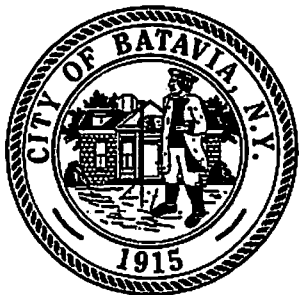
**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Batavia in accordance with SEQR and 6 NYCRR §617.6 hereby establishes itself as Lead Agency for the purpose of completing SEQR review of the amendment to the City's Batavia Municipal Code; and

**BE IT FURTHER RESOLVED**, that the City Council of the City of Batavia in accordance with SEQR and 6 NYCRR §617.6 hereby establishes itself as Lead Agency for the purpose of completing SEQR review of the amendment to Chapter 190; and

**BE IT FURTHER RESOLVED**, that the City Council of the City of Batavia, having reviewed the SEQR environmental assessment form and supporting documents hereby issues a negative declaration on this unlisted action in accordance with 6 NYCRR §617.6; and

**BE IT FURTHER RESOLVED**, the City Council does hereby authorize and direct the City Clerk to duly file this Negative Declaration.

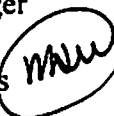
**Seconded by Councilperson  
And on roll call**



# City of Batavia

## *Memorandum*

To: Rachael Tabelski, Acting City Manager

From: Matt Worth, Director of Public Works 

Date: October 19, 2020

Subject: Adoption of Zoning Ordinance Change

City Council has reviewed the proposed changes to the Zoning Ordinance allowing for Public Garage facilities in I-1 Industrial Zones, with a special use permit. The proposed ordinance has been reviewed by City Council, City of Batavia Planning and Development Committee, Genesee County Planning Department, and has been subject to a public hearing without negative comments or changes.

In addition, this process has been reviewed for environmental impacts with a negative declaration in the SEQR process. It is recommended that this change be approved and adopted by City Council.

Supporting Documentation:

Draft Resolution

**#-2020**

**A RESOLUTION TO ADOPT AN ORDINANCE AMENDING CHAPTER 190  
ENTITLED "ZONING" OF THE CITY OF BATAVIA MUNICIPAL CODE TO  
AMEND I-1 INDUSTRIAL ZONE TO INCLUDED  
PUBLIC GARAGE BUSINESS WITH SPECIAL USE PERMITS**

**Motion of Councilmember**

**BE IT RESOLVED** that a proposed Ordinance entitled "AN ORDINANCE AMENDING CHAPTER 190 ENTITLED "ZONING" OF THE CITY OF BATAVIA MUNICIPAL CODE TO AMEND I-1 TO INCLUDED PUBLIC GARAGE BUSINESSES BY A SPECIAL USE PERMIT IN THE CITY OF BATAVIA" is introduced before the City Council of the City of Batavia, New York; and

**WHEREAS**, copies of the aforesaid proposed Ordinance were laid upon the desk of each member of the City Council; and

**WHEREAS**, the City Council held a public hearing on said proposed Ordinance at the City Hall, One Batavia City Centre, Batavia, New York, at 7:00 P.M. on Monday, October 26, 2020; and

**WHEREAS**, the City Clerk published a public notice in the official newspaper of the City of said public hearing at least five days prior thereto; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council Adopts Ordinance #2-2020 entitled an Ordinance Amending Chapter 190 Entitled "Zoning" of the City of Batavia Municipal Code to amend I-1 to include public garage businesses by a special use permit in the City of Batavia.

**BE IT FURTHER RESOLVED**, that the Ordinance #2-2020 shall take effect immediately.

**Seconded by Councilmember  
and roll call**

## ORDINANCE #2-2020

### AN ORDINANCE AMENDING CHAPTER 190 ENTITLED "ZONING" OF THE CITY OF BATAVIA MUNICIPAL CODE TO INCLUDE PUBLIC GARAGES IN AN I-1 DISTRICT

Be It Enacted by the City Council of the City of Batavia, New York as follows:

#### SECTION 1.

##### **190-15. I-1 Industrial Districts**

C. Uses permitted by special use permit.

- (1) Junkyards, salvage and scrap processing, outside storage.
- (2) Uses which may cause a danger to the public due to the hazards of fire and explosion.
- (3) Automobile service stations.
- (4) Live/work units. Live/work units must comply with § 190-37, Subsection J, entitled "Standards applicable for all special use permits."
- (5) Brew pub, micro brewery. Brew pubs and micro breweries must comply with § 190-37, Subsection J, entitled "Standards applicable for all special use permits."
- (6) Public storage rental units/buildings with or without outside storage.
- (7) **Public garages for the storage, adjustment or repair of motor vehicles.**

##### **190-37. Special Use Permits.**

E. Automobile service stations; garages; drive-in restaurants. Automobile service stations and/or **garages for the storage, adjustment or repair of motor vehicles**, drive-in restaurants and other similar uses where specific attention and consideration must be given to traffic generation and the disruption of traffic flow as well as the danger to the general public due to hazards by fire and explosion, may be permitted by special use permit in C-2, 1-1 and 1-2 Districts, provided that:

- (1) **A site plan shall be prepared to show the location of buildings, parking areas, and driveways. In addition, the site plan shall show the number and location of fuel tanks to be installed; the dimensions and capacity of each storage tank; the depth the tanks will be placed below the ground; the number and location of pumps to be installed; the type of structure and accessory buildings to be constructed; the location, height, and lighting power of proposed lighting standards; and the manner in which buffering is to be provided.**
- (2) Automobile service stations and drive-in restaurants shall have the following yard restrictions:

- (a) A minimum lot size of 15,000 square feet with a minimum width of 125 feet.
  - (b) Minimum front and side yard areas of 25 feet with a minimum rear yard of 35 feet.
  - (c) Maximum lot coverage of 20%.
  - (d) Maximum building height of one story or 18 feet.
- (3) Driveways at service stations, drive-in restaurants and other uses providing drive-in service shall not be less than 20 feet nor more than 24 feet in width at any point. Driveways must be at least 20 feet from any side lot line and 50 feet from the intersection of street lines. No more than two driveways shall be permitted for each 125 feet of street frontage.
- (4) The entire area of the site traveled by motor vehicles shall be hard surfaced.**
- (5) Any repair of motor vehicles shall be performed in a fully enclosed building, and no motor vehicle shall be offered for sale on the site. No motor vehicle parts or partially dismantled motor vehicles shall be stored outside an enclosed building.**
- (6) Accessory goods for sale may be displayed on the pump island and the building island only. The outdoor display of oil cans and/or antifreeze and similar products may be displayed on the respective island if provided for in a suitable stand or rack.**
- (7) All fuel pumps shall be located at least 20 feet from any street or property line and pumps shall have automatic shutoffs as approved by the Fire Department.
- (8) Parking for service stations shall be provided in the ratio of one space per 100 square feet of floor area or fraction thereof in the principal building. Parking for drive-in restaurants shall be provided in the ratio of four spaces per 100 square feet of floor area or fraction thereof in the principal building.
- (9) Where such parking areas abut a residential zoning district, they shall be screened by a buffer area not less than 10 feet in depth composed of densely planted evergreen shrubbery, solid fencing, or a combination of both which, in the opinion of the City Council will be adequate to prevent the transmission of headlight glare across the district boundary line. Such buffer screen shall have a minimum height of six feet above finished grade at the highest point of the parking area. The materials shall be in keeping with the character of the adjacent residential area.
- (10) No automobile service station or public garage shall be located within 500 feet of any public entrance to a church, school, library, hospital, charitable institution or place of public assembly. The distance shall be measured in a straight line from the public entrance to the lot line nearest such entrance along the street line.**
- (11) No service station shall be located within 1,000 feet of an existing station on the same side of the highway. If a station is located at the intersection of two streets, this distance shall be measured along both streets which abut the property.



(12) The areas shall be illuminated by nonglare lighting standards, focused downward, and which, in the opinion of the City Council, will not create a nuisance to adjoining property owners.

(13) Drive-in restaurants for the purposes of this subsection are defined as eating establishments for customers normally arriving by motor vehicles, who are provided quick service, food and drink, and such customers obtain their own food and drink at a counter or other place for dispensing food therein and consume such food and drink upon the premises; or in such type restaurants where customers may be waited upon without leaving their vehicles by employees of the drive-in restaurant.

(14) The use of an automobile service station may include the sale or rental of vehicles with a special permit from the City Council. No vehicles shall be parked or displayed in the required front yards, and a detailed plot plan showing the areas in which such vehicles are to be stored shall accompany the application for the special use permit.

**K. Standards applicable for all special use permits. The Planning and Development Committee may issue a special use permit only after it has found that all the following standards and conditions have been satisfied, in addition to any other applicable standards and conditions contained elsewhere in this chapter.**

**[Added 11-9-1998]**

**(1) The location and size of such use and intensity of the operations involved in or conducted therewith, its site layout and its relation to access streets shall be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons therewith will not be hazardous and shall be in harmony with the orderly development of the district.**

**(2) The location, nature and height of buildings, walls and fences will not discourage the appropriate development and use of adjacent land and buildings, nor impair their value.**

**(3) The operation of any such use shall not be more objectionable to nearby properties than would be operation of any permitted use.**

**(4) The operation of any such use shall not cause undue noise, vibration, odor, lighting glare, and unsightliness so as to detrimentally impact adjacent properties.**

**(5) When a commercial or industrial special use abuts a residential property the Planning and Development Committee may find it necessary to require screening of sufficient height and density (i.e. fences, hedges, etc.) to reduce or eliminate the conflicting environmental conditions previously mentioned.**

**(6) Electrical disturbances shall not be caused so as to disrupt radio or television communications in the immediate area.**

**(7) The proposed use shall meet the off-street parking and loading requirements of similar uses.**

- (8) Appropriate on-lot drainage shall be provided so as to eliminate any potential on-site water-related problems. Also, the drainage systems created shall not detrimentally impact on adjacent properties.**
- (9) Traffic access to and from the use site, as well as on-lot traffic circulation, shall be designed so as to reduce traffic hazards.**
- (10) Such use shall be attractively landscaped.**
- (11) A special use permit shall not be issued for a use on a lot where there is an existing violation of this chapter unrelated to the use which is the subject of the requested special use permit, as determined by the Planning and Development Committee.**
- (12) As a condition of all special use permits, right of entry for inspection with reasonable notice shall be provided to determine compliance with the conditions of said permit.**
- (13) In addition to the general standards for special use permits as set forth herein, the Planning and Development Committee may, as a condition of approval for any such use, establish any other additional standards, conditions, and requirements it deems necessary or appropriate to promote the public health, safety and welfare, and to otherwise implement the intent of this chapter.**
- (14) The above standards are not intended to apply to uses whose regulation has been preempted by the state or federal government.**



# City of Batavia

## *Memorandum*

To: Rachael Tabelski, Acting City Manager

From: Matt Worth, Director of Public Works

*MW*

Date: October 15, 2020

Subject: Design Consultant Jackson Square

One of the Downtown Revitalization (DRI) projects is for the enhancement of Jackson Square as a community gathering place. The project has a budget of \$750,000 which is the full amount of the grant issued as part of the DRI process. The design and construction of this project is the next step in moving this project forward.

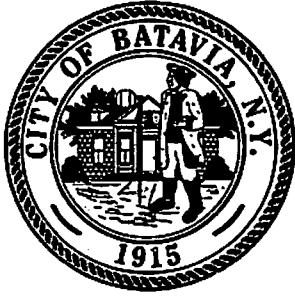
The City issued an RFQ to professional firms, specifically reaching out to MWBE firms for this project. The letters of interest are due on October 21<sup>st</sup> for consideration and scoring by City staff and stakeholders. A City team consisting of the City Manager, Director of Public Works, and Superintendent of Maintenance and a BID representative will score the applicants based on specific criteria. An update as to the scoring results and proposal shall be provided to City Council members ahead of the November 9, 2020 business meeting.

The cost of this service shall be charged against the DRI grant as a project cost.

### Supporting Documentation:

Draft Resolution

RFQ



# City of Batavia

September 25, 2020

RE: Jackson Square

Dear Consultant,

The City of Batavia is starting the consultant selection process for a Department of State project to improve Jackson Square. This is part of the New York's Downtown Revitalization Initiative (DRI) providing municipalities with grant funds to improve the City of Batavia's downtown area. This locally administered Department of State project has an estimated total cost of \$750,000 for construction and design. The City is inviting firms to provide a proposal of project understanding and qualifications. Please allow this letter to serve as an invitation to your firm to provide a "Project Understanding and Qualifications" for engineering and design services for the DRI project (see attached project description). We are looking for you to provide technical expertise and preparation of specifications and bidding documents, contract administration during construction and limited construction inspection. This project has a MWBE participation of 30% and a SDVOB goal of 6%. The City of Batavia strongly encourages participation of MWBE and SDVOB firms. The engineer shall not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status.

The proposed concept is a public square with decorative pavement, enhanced lighting, relocation of electrical utilities, planters, benches, tables, chairs for seating and a stage. In order to complete this work (2021 Construction), the selected consultant shall be familiar with Department of State projects, surveying, landscape design, SHPO, ADA, ESA, public/stakeholder involvement and project development procedures and requirements. The project scope shall be defined in Winter 2020-2021, with investigation and design work to be performed during Spring of 2021 and progress through to construction in Late Summer/ Fall 2021 after the Jackson Square performance season. There will be stakeholder/ property owner meetings as well as two public informational meetings. Our desired bid opening date for the construction contract is May/ June 2021. If your firm is interested in providing engineering services for this project, submit the following information for evaluation:

1. Identify the primary project team and list experience with similar projects
2. Describe your team's approach and understanding of this project.
3. Descriptions of similar projects by your firm.
4. MWBE participation (Please complete the attached Form D).

Please limit your submission to a cover letter, Form D, and no more than **nine (9) single sided pages** with 12-point font. Submit four (4) copies of this information along with an electronic copy to my office by **10 A.M. on Wednesday, October 21<sup>st</sup>**.

Sincerely,

Matthew Worth  
Director of Public Works

**Department of Public Works**  
One Batavia City Centre  
Batavia, New York 14020

Phone: 585-345-6325  
Fax: 585-343-1385  
[www.batavianewyork.com](http://www.batavianewyork.com)

## ENHANCE JACKSON SQUARE



<b>PROJECT</b>	Enhance Jackson Square
<b>APPLICANT/OWNER</b>	City of Batavia
<b>LOCATION</b>	Jackson Square, Map # 9
<b>PROJECT COST</b>	\$750,000
<b>DRI FUNDING</b>	\$750,000

### PROJECT DESCRIPTION AND FUTURE USE

Jackson Square is a unique public space in the heart of downtown Batavia. Bordered by historic buildings, the generous central open space is accessed via alleyways. There has been a continued effort to develop the space into a venue for outdoor events and enhance the environment for the adjacent residents and restaurant patios.

The City's 2004 redevelopment of the Square with a New York Main Street grant led to significant reinvestment in the area and proposed upgrades are expected to encourage additional reinvestment. The Jackson Square DRI project proposes a second phase of improvements for the open spaces and adjacent alleyways.

In the concept design, the Jackson Street Alley, Center Street Alley, and Jackson Square Alley serve as informal gathering areas and circulation spaces. The Jackson Square Performance Plaza is the central space for outdoor events and music concerts. Site improvements include wood plank-inspired scored concrete boardwalks with brick banding; planters; benches, tables and chairs for seating. A multi-level deck with a glass and steel canopy is proposed to serve as a public lounge space during the day and a stage at night. A combination of catenary and post-top lighting is proposed to illuminate the spaces at night. Vertical metal signage and a decorative gate bring greater attention to the alleyway entrances from Jackson and Center streets. The replacement of deteriorated stamped concrete strips on Jackson Street and Center Street is also included in the proposed improvements.

Separate DRI proposals from adjacent properties include gardens and patios to further enhance the Square as a lively hub and gathering space.

## **ENHANCE JACKSON SQUARE**

### **PROJECT COSTS**

<b>TOTAL COSTS:</b>	<b>\$750,000</b>
Hard Costs:	<b>\$650,000</b>
Engineering & Landscape Design:	<b>\$100,000</b>

### **FUNDING SOURCES**

<b>DRI Funding:</b>	<b>\$750,000</b>
---------------------	------------------

### **LPC & PUBLIC SUPPORT**

The project was the 12<sup>th</sup> priority project based on the Local Planning Committee's evaluation of projects submitted for DRI funding.

Public support was moderate based on voting at a DRI Open House.

### **OWNERSHIP OF PROPERTY/LEGAL JURISDICTION**

Jackson Square and the associated alleyways are within the public right-of-way under the jurisdiction of the City of Batavia.

### **PROJECT PARTNERS**

Project partners include the City of Batavia, City DPW, Downtown BID, and adjacent property owners.

### **CAPACITY**

The City has the capacity to finance the project if necessary.

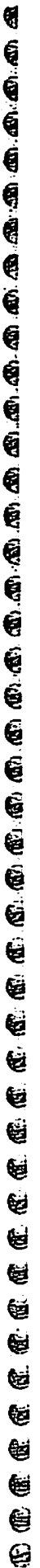
### **DRI STRATEGY ALIGNMENT**

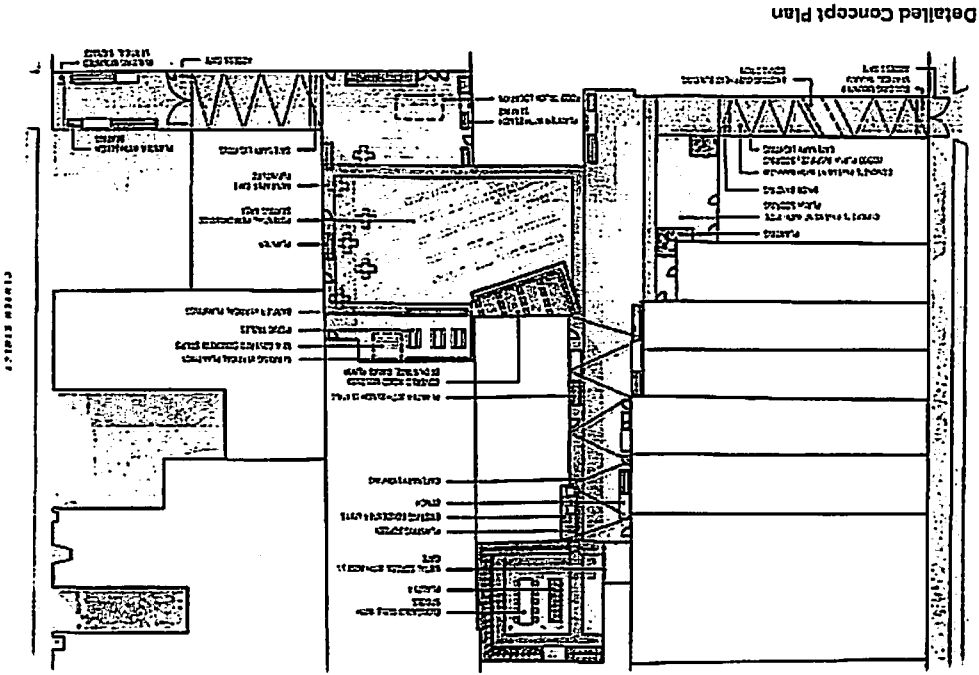
The project aligns with the following DRI Strategies:

- Provide activities for youth
- Support services and activities for young families
- Encourage entertainment and arts/culture to locate Downtown
- Connects a critical mass of small businesses and properties in a focused area to maximize impact
- Redevelop for the human scale
- Create an arts/culture district

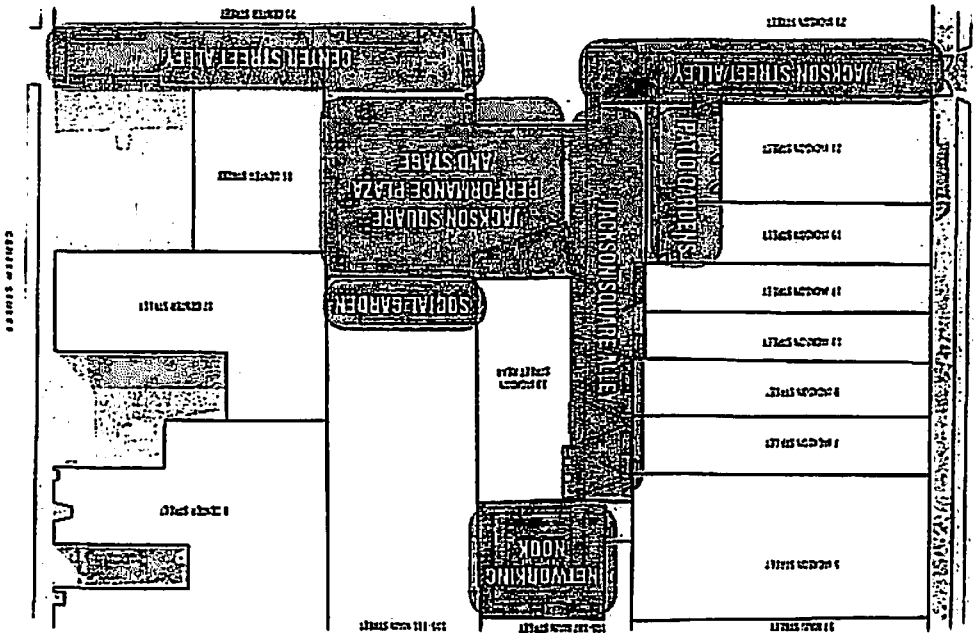
The project also aligns with recommendations from the FLREDC Strategic Plan and other existing local plans:

- The project would encourage redevelopment of adjacent underutilized real property
- Reinforce the identity, sense of place and character of the area





Program Areas / Spatial Relationship Diagram



# ENHANCE JACKSON SQUARE

DOWNTOWN REVITALIZATION INITIATIVE CITY OF BATAVIA

**GENERAL SHEET NOTES - LAYOUT**

1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL CODES AND STANDARDS.
2. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL CODES AND STANDARDS.
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**NOTES - SURVEY**

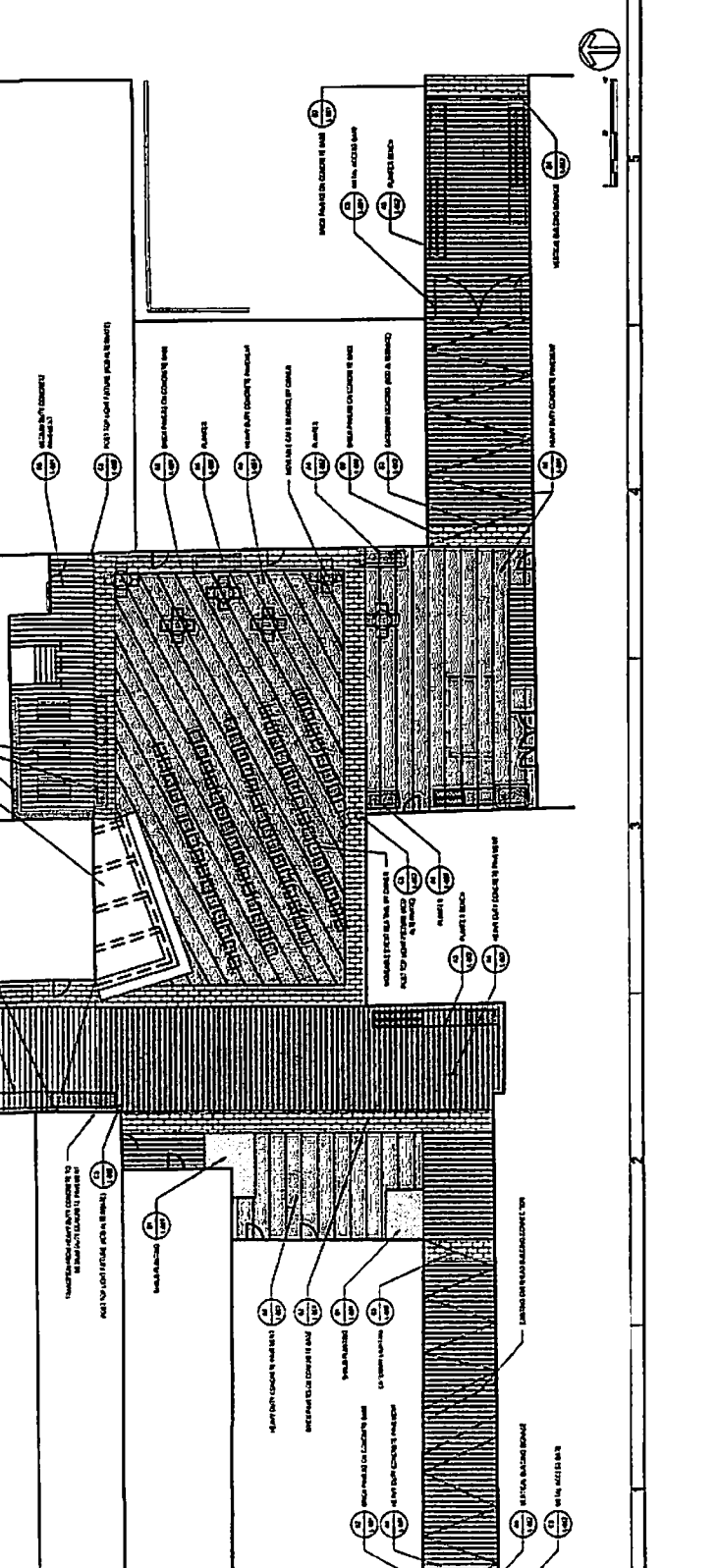
1. ALL SURVEY WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL CODES AND STANDARDS.
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4. ALL SURVEY WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL CODES AND STANDARDS.
5. ALL SURVEY WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL CODES AND STANDARDS.

NO.	REVISION	DATE
01	ISSUED FOR PERMIT	10/10/2018
02	REVISIONS TO PERMIT	10/10/2018
03	REVISIONS TO PERMIT	10/10/2018
04	REVISIONS TO PERMIT	10/10/2018
05	REVISIONS TO PERMIT	10/10/2018

DATE: 10/10/2018  
 PROJECT: BATAVIA DRI  
 DRAWING: LAYOUT PLAN

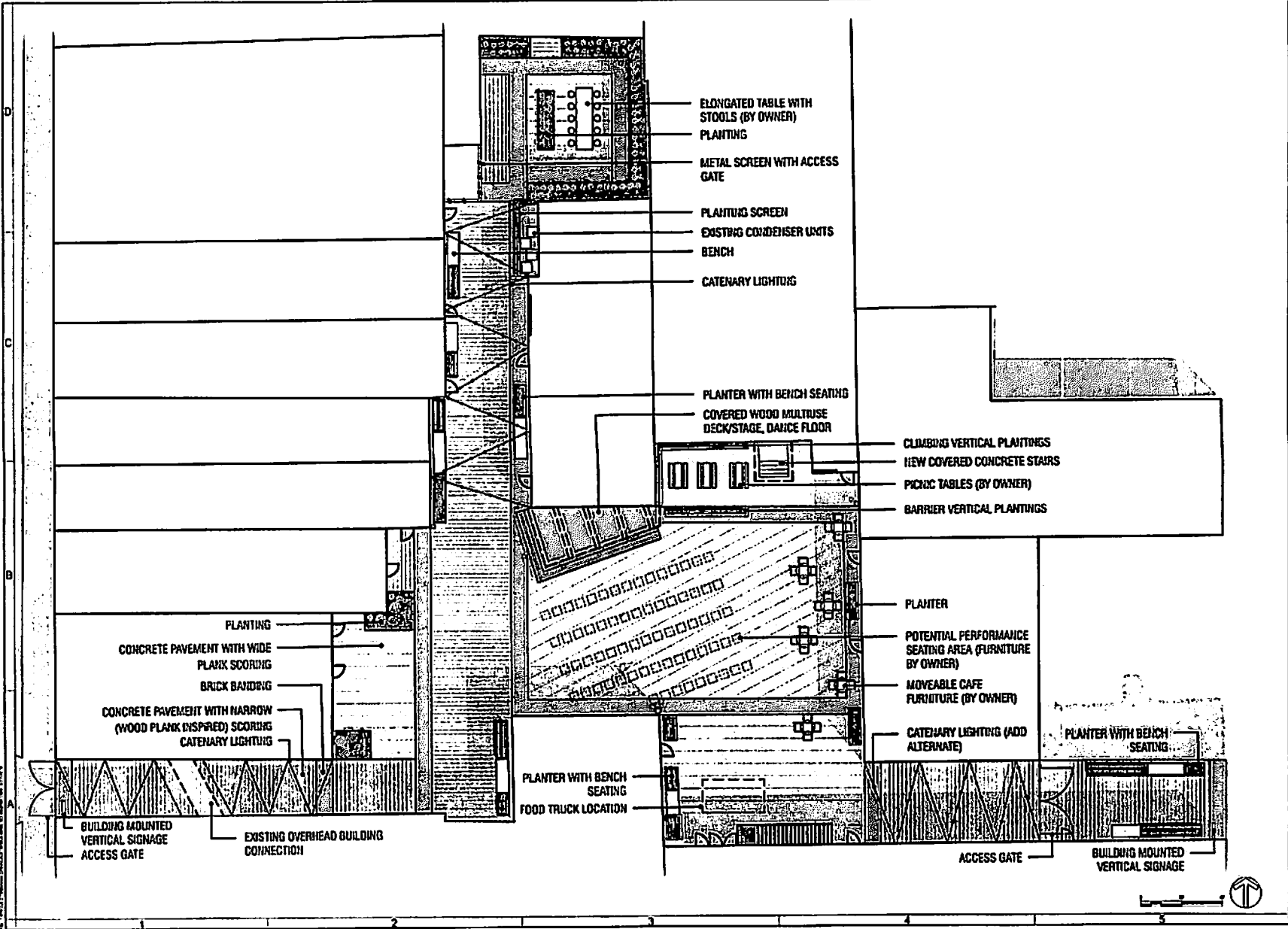
BATAVIA, New York

L201





It is a condition of use that the recipient, without action, shall not disseminate or otherwise use the information contained herein for any purpose other than that intended by the architect. The recipient shall be responsible for obtaining all necessary permits and approvals for the project. The architect shall not be responsible for any delays or cost overruns caused by the recipient's failure to obtain such permits and approvals. The architect shall not be responsible for any damage to property or persons caused by the recipient's failure to obtain such permits and approvals. The architect shall not be responsible for any other consequences of the recipient's failure to obtain such permits and approvals.



**BATAVIA DRI**  
Batavia, New York

DATE:	REVISION:
PROJECT:	SCALE:
OWNER:	DATE:
CLIENT:	BY:

LAYOUT PLAN





**FORM D  
M/WBE UTILIZATION PLAN**

**INSTRUCTIONS:** This form must be submitted with any bid, proposal, or proposed negotiated contract or within a reasonable time thereafter, but prior to contract award. This Utilization Plan must contain a detailed description of the supplies and/or services to be provided by each certified Minority and Women-owned Business Enterprise (M/WBE) under the contract. Attach additional sheets if necessary.

Offeror's Name:  
Address:  
City, State, Zip Code:  
Telephone No.:  
Region/Location of Work:

Federal Identification No.:  
Project/Contract No.:

M/WBE Goals in the Contract: MBE 15% WBE 15%

1. Certified M/WBE Subcontractors/Suppliers Name, Address, Email Address, Telephone No.	2. Classification	3. Federal ID No.	4. Detailed Description of Work (Attach additional sheets, if necessary)	5. Dollar Value of Subcontracts/ Supplies/Services and intended performance dates of each component of the contract.
A.	<b>NYS ESD CERTIFIED</b> <input type="checkbox"/> MBE <input type="checkbox"/> WBE			
B.	<b>NYS ESD CERTIFIED</b> <input type="checkbox"/> MBE <input type="checkbox"/> WBE			

6. IF UNABLE TO FULLY MEET THE MBE AND WBE GOALS SET FORTH IN THE CONTRACT, OFFEROR MUST SUBMIT A REQUEST FOR WAIVER FORM E.

PREPARED BY (Signature): DATE:	TELEPHONE NO.:	EMAIL ADDRESS:
NAME AND TITLE OF PREPARER (Print or Type): SUBMISSION OF THIS FORM CONSTITUTES THE OFFEROR'S ACKNOWLEDGEMENT AND AGREEMENT TO COMPLY WITH THE M/WBE REQUIREMENTS SET FORTH UNDER NYS EXECUTIVE LAW, ARTICLE 15-A, 5 NYCRR PART 143, AND THE ABOVE-REFERENCED SOLICITATION. FAILURE TO SUBMIT COMPLETE AND ACCURATE INFORMATION MAY RESULT IN A FINDING OF NONCOMPLIANCE AND POSSIBLE TERMINATION OF YOUR CONTRACT.	<b>FOR M/WBE USE ONLY</b>	
	REVIEWED BY:	DATE:
	UTILIZATION PLAN APPROVED: <input type="checkbox"/> YES <input type="checkbox"/> NO Date: _____ Contract No.: _____ Project No. (if applicable): _____  Contract Award Date: _____ Estimated Date of Completion: _____ Amount Obligated Under the Contract: _____ Description of Work: _____ NOTICE OF DEFICIENCY ISSUED: <input type="checkbox"/> YES <input type="checkbox"/> NO Date: _____ NOTICE OF ACCEPTANCE ISSUED: <input type="checkbox"/> YES <input type="checkbox"/> NO Date: _____	

#-2020

**A RESOLUTION TO ENTER INTO AN AGREEMENT  
WITH XXXXX FOR ENGINEERING SERVICES FOR THE  
DRI JACKSON SQUARE PROJECT**

**Motion by Councilmember**

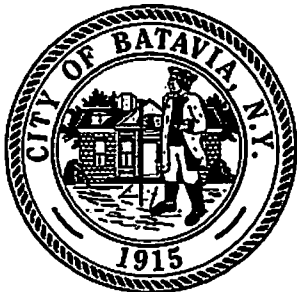
**WHEREAS**, a Project for the enhancement of Jackson Square was approved for the Downtown Revitalization Initiative (DRI) in the City of Batavia; and

**WHEREAS**, a request for proposals were received for a consultant to perform the Engineering Services, and a committee of City personnel selected XXXXXXXX to perform the work.

**NOW, THEREFORE**, be it resolved that City Council approves the award of a contract for Engineering Services for the enhancement of Jackson Square to XXXXX in the amount of \$XX,XXX.

**Seconded by Councilmember  
And on roll call**

**DRAFT**



# City of Batavia

## *Memorandum*

To: Rachael Tabelski, Acting City Manager

From: Matt Worth, Director of Public Works *MW*

Date: October 15, 2020

Subject: Carolwood Drive Extension - Clinton Gardens Subdivision Part 21A

Batavia Homes and Development has completed the installation of the Storm Water System, Sanitary Sewer System, Water Main, House Services, and the Paved Street in accordance with plans provided to and approved by the City of Batavia Planning and Development Committee. The installation of these utilities have received the necessary approvals of the NYSDEC, and GCDOH as well as inspections by City staff to ensure compliance.

It is recommended that the extension of Carolwood Drive, per Clinton Gardens Subdivision Part 21A, be accepted into the City of Batavia Street System in accordance with Section 162-32 D(2) of the Batavia Municipal Code.

Supporting Documentation:  
Offer of Dedication  
Draft Resolution



**BATAVIA HOMES**  
— AND DEVELOPMENT —

October 19, 2020

Dear Matt Worth,

As the owner operator of Batavia Homes and Development, Inc., I am requesting for the City of Batavia to accept the recent addition of the city street system on Carolwood Drive. It will add an additional 5 residential home building lots as a part of the Clinton Gardens Part 21A subdivision.

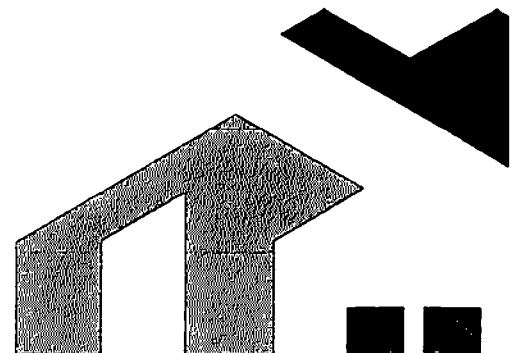
Sincerely,

A handwritten signature in black ink, appearing to read "John R. Harrower".

John R. Harrower  
President

Batavia Homes and Development, Inc.

76 Franklin Street  
Batavia, NY 14020  
P: (585)343-0777  
E: [jharrower@geneseelumber.com](mailto:jharrower@geneseelumber.com)



#-2020

**A RESOLUTION ACCEPTING PUBLIC DEDICATION OF CAROLWOOD  
DRIVE EXTENTION ALSO KNOWN AS CLINTON GARDENS SUBDIVISION  
PART 21A**

**Motion of Councilmember**

**WHEREAS**, Batavia Homes and Development have constructed the infrastructure for Clinton Gardens Subdivision Part 21A; and

**WHEREAS**, The City of Batavia Planning and Development Committee has approved the Clinton Gardens Subdivision Part 21A; and

**WHEREAS**, the City has been provided with the record drawings and operation documents for Clinton Gardens Subdivision Part 21A from Batavia Homes and Development; and

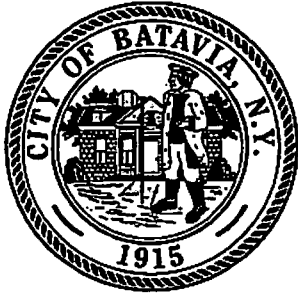
**WHEREAS**, The City has inspected the installation and the utilities were constructed per the City of Batavia's specifications.

**NOW, THEREFORE, BE IT RESOLVED**, the Council of the City of Batavia determines it to be in the best interest for the City of Batavia to accept dedication of Carolwood Drive as per Clinton Gardens Subdivision Part 21A; and

**BE IT FURTHER RESOLVED** that the City Council of the City of Batavia shall fully accept the dedication of Clinton Gardens Subdivision Part 21A for public use as described above and all associated appurtenances.

**Seconded by Councilmember  
and roll call**





## *Memorandum*

To: Rachael Tabelski, Acting City Manager

From: Matt Worth, Director of Public Works *MW*

Date: October 19, 2020

Subject: Ellicott Trail Project – Final Costs Adjustment

The City entered into an inter-municipal agreement to split the local cost share of the Ellicott Trail project which was administered by the Town of Batavia. The project has been concluded and the Town has completed a full analysis of the costs. The original estimate was a City share cost of \$170,750 based on original construction budget. Upon the conclusion of the project, and consideration of all in-kind services provided the City's portion of the local share is \$196,763.

It is recommended that City Council appropriate an additional \$26,013 for the completion of this project. Several areas of the project are eligible for CHIPs funding which has a large enough balance to absorb this cost without impacting future scheduled projects.

The project has been well received in the community and continues to be regularly used by residents.

### Supporting Documentation:

Draft Resolution

Project Cost and Funding Summary

**Ellicott Trail Project**  
**Project Cost and Funding Summary**  
9/24/2020

Project Budget	
DESCRIPTION	Budget
Engineering Design, Constr. Mang. and Inspection	
Town Engineering design	\$69,000
B&L design Fee	\$158,000
CPL CSX bridge Design Fee	\$9,500
CPL Ton. Creek Bridge design fee	\$25,000
CSX Bridge Design review	\$12,500
Phase II Archeological Investigation	\$6,000
Right of Way Purchases	\$138,000
Construction Phase	
Trail cost - Contractor build	\$990,000
Town Construction cost- Labor, equip and materials, Constr. Mang. and Insp.	\$176,000
City Construction cost- Labor, Equip, materials	\$0
CME Testing	\$10,000
Ravi Construction Office Clerk	\$12,500
CSX Flagger during construction	\$62,500
<b>Total Project Cost</b>	<b>\$1,669,000</b>

Actual Expenses								
	Exp. Code	2015	2016	2017	2018	2019	2020	Total to Date
Engineering Design, Constr. Mang. and Inspection								
Town Engineering design	F	\$73	\$1,139	\$1,723	\$3,616	\$116,568		\$123,119
B&L design/ROW Fee	C	\$88,988	\$18,575	\$38,700	\$31,342			\$157,606
CPL CSX bridge Design Fee	D		\$9,500					\$9,500
CPL Ton. Creek Bridge design fee	E			\$16,862	\$13,138			\$30,000
CSX Bridge Design review	G		\$13,860					\$13,860
Phase II Archeological Investigation	J				\$5,395			\$5,395
Right of Way Purchases	N				\$138,100			\$138,100
Construction Phase								
Trail cost - Contractor build	A					\$938,115		\$938,115
Town Construction cost- Labor, equip and materials, Constr. Mang. and Insp.	B			\$2,500		\$44,868	\$191,634	\$239,100
City Construction cost- Labor, Equip, materials							\$40,915	\$40,915
CME Testing	L					\$8,807		\$8,807
Ravi Construction Office Clerk	M					\$13,142		\$13,142
CSX Flagger during construction	H					\$88,628	-\$54,437	\$32,189
<b>Total Project Cost</b>		<b>\$89,062</b>	<b>\$43,074</b>	<b>\$59,785</b>	<b>\$191,591</b>	<b>\$1,208,224</b>	<b>\$178,112</b>	<b>\$1,749,848</b>

**Project Funding**

	Final funding
Federal/ State Share	\$1,024,492
City of Batavia Share	\$237,678
Town of Batavia Share	\$237,678
SAM Grant	\$250,000
<b>Total Funding Available</b>	<b>\$1,749,848</b>

Reimbursed to Date ( cash or in Kind svc)	amount owed	Amt owed per City/Town IMA	add'l amt. owed
\$902,999	\$121,493		
\$40,915	\$198,763	\$170,750	\$28,013
\$362,219	-\$124,541	\$170,750	
\$0	\$250,000		
<b>\$1,306,133</b>	<b>\$443,715</b>		

#-2020

**A RESOLUTION FOR APPROVAL OF CONTRACT INCREASE FOR ELLICOTT TRAIL PROJECT**

**Motion of Councilmember**

**WHEREAS**, on March 14, 2016 the City of Batavia City Council approved an inter-municipal agreement to split the local cost share of the Ellicott Trail project; and

**WHEREAS**, the City's original share was \$170,750; and

**WHEREAS**, it was determined that there was a contract increase needing to be resolved; and

**WHEREAS**, The City has a large enough balance in CHIPS monies to cover the increase.

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Batavia is hereby approved that the City's portion of the contract increase in the amount of \$26,013 will be paid with CHIPS monies.

**Seconded by Councilmember  
and on roll call**

**DRAFT**



# City of Batavia

## *Memorandum*

To: Rachael Tabelski, Acting City Manager

From: Matt Worth, Director of Public Works

Date: October 16, 2020

Subject: Natural Gas Commodity Contract

The City received bids for the purchase of Natural Gas for the next three years to replace an expiring contract. In addition to the bid prices, the City received a quote through the Municipal Electric and Gas Alliance (MEGA) aggregation which allows for direct purchase which was a higher cost. Per the attached memo from Bill Davis it is recommended that the City enter into the three year fixed price of \$3.28/dekatherm contract.

### Supporting Documentation:

Bill Davis Memo

Draft Resolution



***Memorandum***

**To:** Matt Worth, Director of Public Works

**From:** Bill Davis, Superintendent Water and Wastewater

**Date:** October 15, 2020

**Subject:** Natural Gas Contract

I recently requested bids for the Natural Gas Contract for the City facilities, for the period of January 1, 2021 to December 31, 2023. We had two companies offer bids.

- EnergyMark from Williamsville NY offered a bid of 3.45/dth fixed.
- New Wave Energy Corp from Buffalo NY offered a bid of 3.282/dth fixed.

New Wave Energy provided me with 2 references, I spoke with Mark from Russells Chop House. And Jon from The Buffalo Sabres. Both had positive statements about New Wave Energy.

I would recommend we enter into this agreement with New Wave Energy.

**#-2020**

**A RESOLUTION TO ENTER INTO AN AGREEMENT WITH NEW WAVE ENERGY CORPORATION FOR THE PURCHASE OF NATURAL GAS**

**Motion of Councilmember**

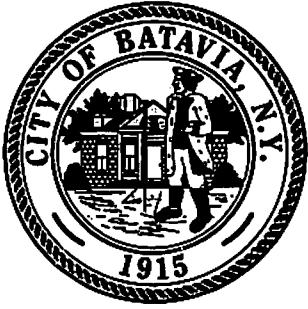
**WHEREAS**, the City has advertised for competitive, sealed bids for the purchase of Natural Gas for 2020-23; and

**WHEREAS**, two (2) bids were received on October 1, 2020, and New Wave Energy Corporation was the lowest responsible bidder at \$3.28 per dekatherm.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Batavia that a contract is hereby awarded to New Wave Energy Corporation for the purchase of natural gas for city buildings.

**Seconded by Councilmember  
and on roll call**

**DRAFT**



# City of Batavia

## *Memorandum*

**To:** Honorable Council Members

**From:** Rachael J. Tabelski, MPA, Interim City Manager

**Date:** October 19, 2020

**Subject:** Budget Amendment for National Grid Urban Corridor Grant- Ellicott Trail

The City of Batavia City Council passed a resolution (#78-2018) in 2018 to accept a National Grid Urban Corridor Grant to improve the Ellicott Trail. Savarino Companies LLC. will undertake the work as part of the Ellicott Station development project.

The Ellicott Trail project will enhance the area of the trail adjoining the Ellicott Station redevelopment site. Savarino Companies will install lighting, landscaping, seating and parking along the trail.

As a housekeeping measure I recommend that City Council approve a resolution to amend the 2020-21 general fund budget to recognize the National Grid grant revenue and expenses.

#-2020

**A RESOLUTION AMENDING THE 2020-21 GENERAL FUND BUDGET TO RECOGNIZE NATIONAL GRID URBAN CORRIDOR GRANT FUNDS ON BEHALF OF SAVARINO COMPANIES LLC. AND THE ELLICOTT STATION PROJECT**

**Motion of Councilperson**

**WHEREAS**, the City of Batavia City Council approved a resolution in 2018 to entered into a grant disbursement agreement with National Grid for a grant of up to \$250,000 for the Ellicott Trail Urban Corridor Project located in the City of Batavia; and

**WHEREAS**, The City also entered into an undertaking agreement with Savarino Companies to perform public improvements on the Ellicott Station development property consisting of lighting, landscaping, seating, parking; and

**WHEREAS**, The City needs to amend the general fund budget to recognize the revenue and expense related to this project.

**NOW, THEREFORE BE IT RESOLVED**, That the city of Batavia City Council hereby authorizes the City Manager is hereby authorized to amend the 2020-2021 budget as set forth below.

**Effective November 10, 2020 amend the general fund budget:**

**Increase expenditure account**

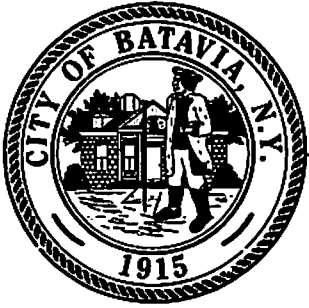
Expense: A.01.6460 423 Project 423 Community Development – Contract services \$250,000

**Increase revenue accounts**

Revenue: A.00.0000.0000 2705 Project 201193 – Donations \$250,000

**Seconded by Councilperson  
and on roll call**





# City of Batavia

## **MEMORANDUM**

**To:** Rachael Tabelski, Acting City Manager  
**From:** Heidi J. Parker, Clerk-Treasurer  
**Date:** October 13, 2020  
**Subject:** LGS-1 Retention and Disposition Schedule

On August 1, 2020, the New York State Archives issued a new retention and disposition schedule, LGS-1, replacing the MU-1 schedule currently in use by the City of Batavia for determining when records could be destroyed, if at all. The MU-1 will expire on December 31, 2020. The City of Batavia must adopt LGS-1 prior to utilizing the schedule and therefore I am requesting the attached draft resolution be adopted at the November business meeting.

The recommendation is that Council adopt the LGS-1 at the November business meeting so the City will have the most recent retention and disposition schedule available for use when managing records.

#-2020

**A RESOLUTION AUTHORIZING THE ADOPTION OF THE LGS-1 RETENTION AND DISPOSITION SCHEDULE**

**Motion of Councilmember**

**WHEREAS**, the Schedule MU-1, which was adopted by City Council on February 13, 1989, is expiring on December 31, 2020; and

**WHEREAS**, the Schedule MU-1 was the retention and disposition schedule used by cities, towns, villages, and fire districts; and

**WHEREAS**, the LGS-1 Retention and Disposition Schedule issued by the New York State Archives has replaced the MU-1 and will be used once adopted;

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Batavia that Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein; and

**BE IT FURTHER RESOLVED**, that in accordance with Article 57-A:

- (a) Only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein;
- (b) Only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

**Seconded by Councilmember  
and on the roll call**



# City of Batavia

## *Memorandum*

To: Rachael Tabelski, Interim City Manager

From: Shawn Heubusch, Police Chief

Date: October 19, 2020

Subject: 2020-2021 STOP-DWI "Crackdown" Award

On October 5, 2020 the Genesee County STOP-DWI program awarded \$5,000 to the City of Batavia Police Department for the 2020/2021 High Visibility Road Checks/ Saturation Patrols/ DRE Call Out During Impaired Driving Crackdown periods.

These enhanced efforts include joint DWI patrols or checkpoints with other law enforcement agencies as well as reimbursement for Drug Recognition Expert (DRE) call-outs during the grant period (see the attached Grant Award letter for specific dates).

The City of Batavia will benefit greatly from these additional DWI details by enhancing the Police Department's ability to conduct more specialized enforcement details to target alcohol or drug impaired drivers.

Feel free to call with any questions you may have. Thank you.

Attachments: Award  
Draft Resolution

Cc: Lisa Neary, Deputy Director of Finance

**Police Department**  
**10 Main Street**  
**Batavia, New York 14020**



**Phone: 585-345-6350**  
**Fax: 585-344-1878**  
**Records: 585-345-6303**  
**Detective Bureau: 585-345-6370**  
**[www.batavianewyork.com](http://www.batavianewyork.com)**

#-2020

**A RESOLUTION TO AMEND THE 2020-2021 POLICE DEPARTMENT BUDGET TO REFLECT THE RECEIPT OF A STOP-DWI GRANT AMENDMENT IN THE AMOUNT OF \$5,000 TO ADDRESS THE CRIMES OF DRIVING WHILE INTOXICATED AND/OR DRIVING WHILE ABILITY IMPAIRED BY DRUGS DURING SPECIFIED CRACKDOWN PERIODS**

**Motion of Councilmember**

**WHEREAS**, the City of Batavia Police Department has received additional grant funding in the amount of \$5,000 from THE GENESEE COUNTY STOP-DWI PROGRAM TO COMBAT IMPAIRED DRIVING BY FUNDING SPECIALIZED PATROL FUNCTIONS AND EQUIPMENT; and

**WHEREAS**, to properly account for the expenditure of this money, a budget amendment needs to be made; and

**NOW THEREFORE, BE IT RESOLVED**, by the Council of the City of Batavia that the City Manager be and hereby is authorized to make the following budget amendment to the 2020-2021 budget to cover various initiatives to combat alcohol and drug related traffic offenses:

Effective November 9, 2020 amend the 2020-21 budget:

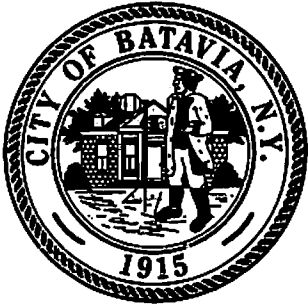
Increase expenditure accounts

A 04.3120 0101 \$ 5,000.00

Increase revenue accounts

A 00.0000.0000 4389 \$ 5,000.00

**Seconded by Councilmember  
and on roll call**



# City of Batavia

## *Memorandum*

To: Batavia City Council

From: Jocelyn Sikorski, Executive Director

Date: October 20, 2020

Subject: Permission to Accept Rotary Grant & Amend Youth Bureau Budget

### Permission to Apply & Accept Rotary District Grant

Source: Batavia Rotary Club & The Rotary Foundation  
Amount: \$6,000  
Purpose: To expand and support outdoor recreation through purchase of kayaks, kayak launch, paddles and vests. Youth will learn how to kayak through the youth center and summer recreation participation. We will also incorporate STEM education through this outdoor activity.

Budget Impact: Amendment to increase .2705 (gifts & donations) to cover costs that will be expended in small equipment and supplies & materials will be offset by a like amount in revenue.

### Request for Budget Amendment

The City of Batavia Youth Bureau received a grant through the Batavia Rotary Club and their District in the amount of \$6,000. This funding was pursued by the Executive Director to expand our outdoor recreation for the youth that are served through the youth center as well as summer recreation.

An appropriation budget amendment request has been submitted to the interim city manager that will cover the increase in revenue and expenditures for the current fiscal year. The following budget lines will need to be increased by amending the 20-21 City Budget.

Revenue:	A.00.0000.0000.2705	Gifts/Donations	\$6,000
Expense:	7310.0201	Small Equip	\$1,680
	7310.0401	Supp/Material	\$4,320

All expenditures in this grant are offset by revenue. There is no net city cost.



September 23, 2020

Re District Grant DG2117134

Your Club: Batavia      Your Individual Project Report Number – DG175

Description of Project: Provide kayak dock, kayaks, paddles and vests for recreational park.

On behalf of the Rotary Foundation Grants Spending Plan Sub-Committee, we are pleased to report to you that District 7090 has received final approval of our District Grant Spending Plan from the Rotary Foundation. Accordingly, your district grant proposal as described in your grant application is now approved to a maximum matching grant of \$3,000.00 US Funds.

We will be pleased to advance the District matching grant funds to your club upon the completion of the following:

- a. Successful completion of the project;
- b. Completion by your club of the District Grant Final Report Form and Club Cheque Requisition, 2020-21;
  - Please note that all supporting documentation is to be attached to the *District Grant Final Report Form and Club Cheque Requisition, 2020-21* (Invoices, receipts and cancelled cheques) must indicate that the **project was started after September 23, 2020;**
  - If any of the documentation indicates that the project was started before September 23, 2020, your project will be disqualified from District funding; and
- c. Compliance with all obligations contained in the Club Qualification Memorandum of Understanding and Addendum.

Please note that the sooner your project is completed and your final report filed, the sooner you will receive your matching funds.

If reporting time limits are not met, The Rotary Foundation will withhold funds to our District and the funding of future projects for all clubs in the District may be jeopardized. **Therefore, we are requesting that the *District Grant Final Report Form and Club Cheque Requisition, 2020/21* be submitted within two months of the completion of your project, or by April 30, 2021, whichever is earlier.**

If you are unable to complete your project, please inform us as soon as possible.

We wish you every success with this project.

**Patricia Castilgia, District 7090 Rotary Foundation Committee Chair**

**Lezlie Murch, District 7090 District Grants Spending Plan Sub-Committee Chair**

#-2020

**A RESOLUTION, ACCEPTANCE OF ROTARY GRANT AND BUDGET  
AMENDMENT TO THE 2020-2021 YOUTH BUREAU BUDGET TO REFLECT THE  
RECEIPT OF FUNDS**

**Motion of Councilmember**

**WHEREAS**, the City of Batavia Youth Bureau has received a grant in the amount of \$6,000.00 for award period October 1, 2020 through April 30, 2021 from the Batavia Rotary Club & The Rotary Foundation to provide assistance to expand outdoor recreation and STEM education; and

**WHEREAS**, to properly account for the expenditure of this money, a budget amendment needs to be made; and

**WHEREAS**, the City will gift all equipment from this grant to the Genesee County Parks who will assist in the maintenance and storage of program equipment once purchased.

**NOW THEREFORE, BE IT RESOLVED**, by the Council of the City of Batavia that the City Manager is authorized to make the following budget amendment to the 2020-2021 budgets effective November 9, 2020 to cover various purchases:

Increase Revenue line:

000.0000.0000.2705      \$6,000.00

Increase Expense lines:

001.7310.0201      \$1,680.00

001.7310.0401      \$4,320.00

**Seconded by Councilmember**

**And on roll call**