

PLANNING & DEVELOPMENT COMMITTEE

Tuesday, January 17, 2023

6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

AGENDA

- I. Roll Call
- II. Call to Order
- III. Approval of Minutes – 12/20/22
- IV. Proposals

Address: 97 Main Street

Applicant: David Rowley (VJ Gautieri Constructors)

Proposal #1: Restricted Residential Use Special Use Permit for creation of four one-bedroom apartments in this existing building. Two dwellings will be created each of the second and third floors

Actions:

- 1. Review application
- 2. Public hearing and discussion
- 3. Action by the board on the Special Use Permit

Address: 327 Ellicott Street

Brad Trzeczieski (owner)

Proposal #2: Exterior alterations to a mixed use building located within the Central Commercial district / BID

Actions:

- 1. Review application and discussion
- 2. Action by the board

- VI. Setting of Next Meeting: February 21, 2023
- VII. Adjournment

PLANNING & DEVELOPMENT COMMITTEE

DRAFT MINUTES

December 20, 2022

6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

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

Members absent: Rebecca Cohen, Edward Flynn, Derek Geib

Others present: Lauren Donovan – Recording Secretary, Doug Randall – Code Enforcement Officer

I. Roll Call

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

II. Call to order

Mr. Preston called the meeting to order at 6:01 p.m.

III. Previous Meeting Minutes

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

RESULT: Approval of November 15, 2022 meeting minutes.

IV. Proposals

- A. Special Use Permit to create a “Live / Work Unit” that includes the existing second floor residential space and the first floor office space on the north side of the building. These spaces will be occupied by a tenant for dwelling and practicing musical instruments

Address: *110 Cedar Street*

Applicant: Harry Barsuk, owner (Barsuk Properties)

- Actions:
1. Review application
 2. Public hearing and discussion
 3. Action on Special Use Permit

1. Review Application

Mr. Preston read the summary of the proposal

2. Public Hearing and Discussion

MOTION: Mr. Beatty moved to open the public hearing. The motion was seconded by Mr. Ognibene, and on roll call, was approved 3-0.

RESULT: Public hearing opened at 6:03 p.m.

Attorney Jerry Williams and prospective tenant / artist Dan, accompanied Mr. Barsuk to speak on behalf of the project.

Mr. Barsuk told the board that there is an apartment in this building, which had at one time been occupied. A business was located on the lower level, and the owners of the business lived in the upper apartment. Mr. Barsuk would like the building to be occupied by an artist who could use the space to live and practice.

Mr. Preston asked if the space is just for the tenant's use. Dan answered that the downstairs space would be used by the band for practice, while he would live in the upstairs apartment. He pointed out that there are no neighbors who would be disturbed by the noise.

Mr. Preston stated that if the board approves the permit, the condition would be that it would apply only to the current tenant. Any future tenant would also have to apply for a Special Use Permit to be decided by the board.

Mr. Beatty asked if the rest of the space in the building is in use. Mr. Barsuk answered that Ben's Appliances is renting the rest of the building for warehouse use.

MOTION: Mr. Beatty moved to close the public hearing. The motion was seconded by Mr. Ognibene, and on roll call, was approved 3-0.

RESULT: Public hearing closed at 6:08 p.m.

3. Action by the Board

MOTION: Mr. Beatty moved to approve the permit; the motion was seconded by Mr. Ognibene, and on roll call, was approved 3-0.

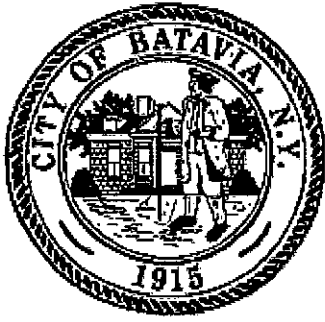
RESULT: Special Use Permit approved with the condition that each new tenant must be approved by the board.

V. Setting of Next Meeting: January 17, 2023

VI. Adjournment

Mr. Preston moved to adjourn the meeting at 6:11 p.m., and Mr. Beatty seconded the motion. All voted in favor.

Meg Chilano
Recording Secretary



City of Batavia
Department of Public Works
Bureau of Inspections

One Batavia City Center, Batavia, New York 14020 (585)-345-6345 (585)-345-1385 (fax)

To: Genesee County Planning
Planning and Development Committee

From: Doug Randall, Code Enforcement Officer

Date: 12/22/22

Re: 97 Main St.
Tax Parcel No. 84.049-1-20

Zoning Use District: C-3

The applicant, David Rowley for VJ Gautieri Constructors, has applied for a Restricted Residential Use Special Use Permit for the creation of four, one bedroom apartments in this existing building. Two dwellings will be created each of the second and third floors.

Note: This is a type II action as defined by Environmental Conservation Law and is not subject to review under SEQR 6 NYCRR Part 617.5 (c) (2).

Review and Approval Procedures:

County Planning Board- Pursuant to General Municipal Law 239 m, referral to the County Planning Board is required since the property is within 500 feet of the right of way of a state parkway, throughway, expressway, road or highway.

City Planning and Development Committee-

- 1) Pursuant to section 190-37 of the zoning ordinance, the Planning and Development Committee may authorize special use permits that comply with the terms and specifications listed in BMC 190-37 I and 190-37 K.
- 2) Pursuant to section 190-14 D (2)(a) of the zoning ordinance, the Planning and Development Committee shall review applications involving exterior changes that require issuance of a building permit.

SEND OR DELIVER TO:

GENESEE COUNTY DEPARTMENT OF PLANNING
3837 West Main Street Road
Batavia, NY 14020-9404
Phone: (585) 815-7901



DEPARTMENT USE ONLY:
GCDP Referral # _____

*** GENESEE COUNTY *
PLANNING BOARD REFERRAL**

Required According to:
GENERAL MUNICIPAL LAW ARTICLE 12B, SECTION 239 L, M, N
(Please answer ALL questions as fully as possible)

1. REFERRING BOARD(S) INFORMATION

Board(s) Planning and Development Committee
Address One Batavia City Centre
City, State, Zip Batavia, NY 14020
Phone (585) 345 -6345 Ext. _____

2. APPLICANT INFORMATION

Name David Rowley
Address 45 Liberty St.
City, State, Zip Batavia, NY 14020
Phone (585) 343 -0852 Ext. _____ Email drowley@gautieri.com

MUNICIPALITY: City Town Village of Batavia

3. TYPE OF REFERRAL: (Check all applicable items)

- | | | |
|--|--|---|
| <input type="checkbox"/> Area Variance | <input type="checkbox"/> Zoning Map Change | <input type="checkbox"/> Subdivision Proposal |
| <input type="checkbox"/> Use Variance | <input type="checkbox"/> Zoning Text Amendments | <input type="checkbox"/> Preliminary |
| <input checked="" type="checkbox"/> Special Use Permit | <input type="checkbox"/> Comprehensive Plan/Update | <input type="checkbox"/> Final |
| <input type="checkbox"/> Site Plan Review | <input type="checkbox"/> Other: _____ | |

4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:

- A. Full Address 97 Main St.
- B. Nearest intersecting road Jackson St.
- C. Tax Map Parcel Number 84.049-1-20
- D. Total area of the property _____ Area of property to be disturbed _____
- E. Present zoning district(s) _____

5. REFERRAL CASE INFORMATION:

- A. Has this referral been previously reviewed by the Genesee County Planning Board?
 NO YES If yes, give date and action taken _____
- B. Special Use Permit and/or Variances refer to the following section(s) of the present zoning ordinance and/or law
BMC 190-37
- C. Please describe the nature of this request Approval of a special use permit to create 4 dwelling units above the first floor.

6. ENCLOSURES – Please enclose copy(s) of all appropriate items in regard to this referral

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Local application | <input type="checkbox"/> Zoning text/map amendments | <input type="checkbox"/> New or updated comprehensive plan |
| <input type="checkbox"/> Site plan | <input type="checkbox"/> Location map or tax maps | <input type="checkbox"/> Photos |
| <input type="checkbox"/> Subdivision plot plans | <input checked="" type="checkbox"/> Elevation drawings | <input checked="" type="checkbox"/> Other: <u>Cover letters</u> |
| <input type="checkbox"/> SEQR forms | <input type="checkbox"/> Agricultural data statement | |

7. CONTACT INFORMATION of the person representing the community in filling out this form (required information)

Name Douglas Randall Title Code Enf. Officer Phone (585) 345 -6327 Ext. _____
Address, City, State, Zip One Batavia City Centre, Batavia, NY 14020 Email drandall@batavianewyork.com

PERMIT NO. _____



SPECIAL USE PERMIT

CITY OF BATAVIA, NEW YORK

LOCATION: 97 MAIN St.
OWNER: PETER F. HUNT
Address: 97 MAIN St., BATAVIA, NY 14020

Application Date: 12/23/22
Tax Parcel No.: 84.049-1-20
Phone No. 716 583-4070

- | | |
|--|---|
| <input checked="" type="checkbox"/> COUNTY PLANNING REVIEW | <u>No</u> ZONING VARIANCE REQUIRED |
| <u>C-3</u> ZONING DISTRICT | <u>No</u> HISTORIC DISTRICT |
| <input checked="" type="checkbox"/> FLOOD ZONE | <u>No</u> HISTORIC LANDMARK |
| <u>Yes</u> CORNER LOT | <u>No</u> CITY ENGINEER REVIEW |
| <u>No</u> SITE PLAN REVIEW | <u>No</u> CITY COUNCIL REVIEW |
| <u>Yes</u> BID | <input checked="" type="checkbox"/> OTHER <u>SUP.</u> |

PROJECT DESCRIPTION:

Conversion of second and third floors of building to 4 ea. apartments

EXISTING USE: Vacant office

PROPOSED USE: Residential

N.Y.S. BLDG. CODE OCC. CLASS: R-2

N.Y.S. BLDG. CODE OCC. CLASS: R-2

LOT SIZE: 85' x 25' + ALLEY 16.12' x 50'

LOT AREA: _____

CITY PLANNING & DEVELOPMENT REVIEW:

APPROVAL AS PRESENTED DISAPPROVAL APPROVAL WITH CONDITIONS

CHAIRMAN SIGNATURE: _____ DATE: _____

Applicant Signature _____	Date _____	Issuing Officer _____
Permit Fee: <u>\$150.</u>	Issue Date: _____	

DATE: 12/09/2022

APPLICANT NAME & PHONE: V. J. Gautieri Constructors, Inc. (David Rowley) 585-343-0852

Project Location and Information

Permit #: _____ **Fee:** _____

Address of Project: 97 E. Main Street Batavia, NY 14020

Owner & Address: Peter Hunt 430 Dick Road Depew NY 14043

Phone: 716- 633-9400

Project Type/Describe Work

Estimated cost of work: Yet to be Determined

Start date: Feb. 1, 2023

Describe project:

Renovation of existing vacant 2nd and 3rd floor space into 4 ea. residential apartments; install new wet sprinkler system throughout building; alternate to provide roof deck terrace; alternate to provide dumbwaiter (exterior)

Contractor Information – Insurance certificates (liability & workers comp) required being on file

GENERAL

Name/Address: V. J. Gautieri Constructors, Inc. 45 Liberty Street Suite 1 Batavia, NY 14020

Phone: 585-343-0852

PLUMBING (City of Batavia Licensed Plumber Required)

Name/Address: Yet to be Determined

Phone: _____

HEATING

Name/Address: Yet to be Determined

Phone: _____

ELECTRICAL (Third Party Electrical Inspection Required)

Name/Address: Yet to be Determined

Phone: _____

FOR OFFICE USE ONLY

Zoning District: _____ Flood Zone: _____ Corner Lot: _____ Historic District/Landmark: _____

Zoning Review: _____ Variance Required: _____ Site Plan Review: _____ Other: _____

National Grid Sign Off (Pools): _____ Lot Size: _____

Existing Use: _____ NYS Building Code Occupancy Class: _____

Proposed Use: _____ NYS Building Code Occupancy Class: _____

403 Main Street, Suite 200
Buffalo, NY 14203
716-395-0055



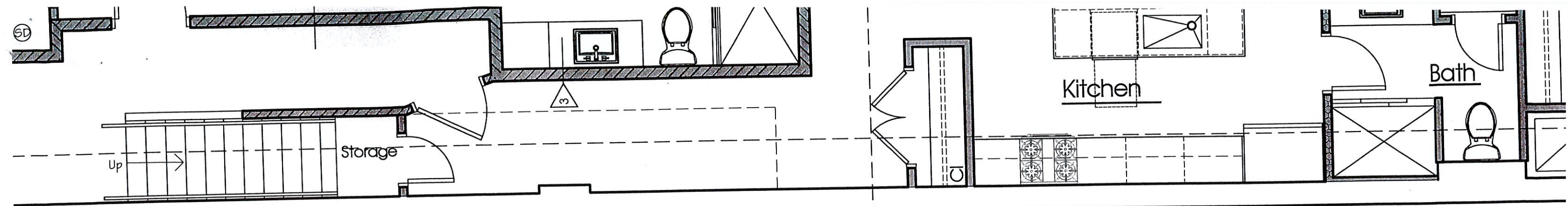
PROPERTY
SOLUTIONS

Additional information required for Special Use Permit for 97 Main Street

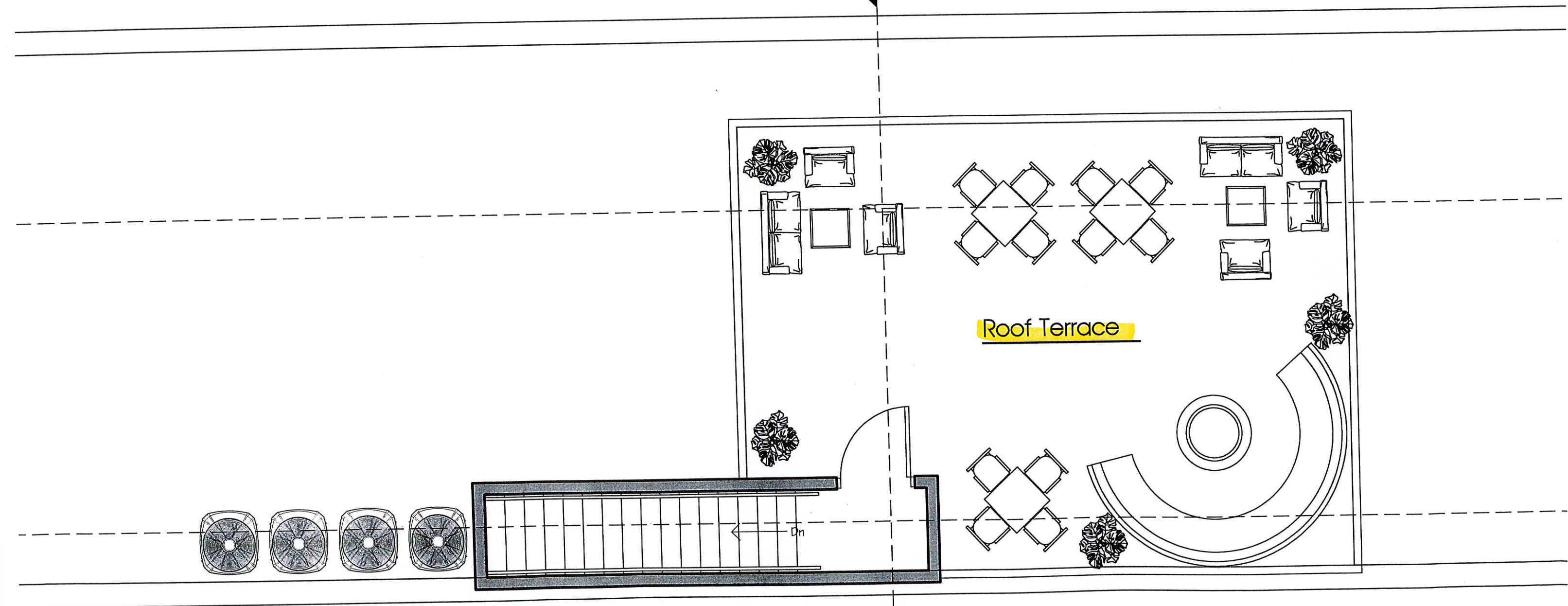
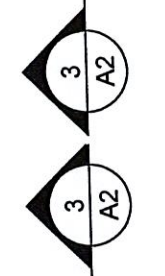
- **Waste Receptacle/Dumpster Location** – One waste tote and one recycling tote will be allocated for each of the four apartments. These will be in the alley behind the building on Jackson Street
- **Off Street Parking** – Parking for the apartments would be in the surface lot adjacent to the intersection of Jackson and Ellicott Streets in the area designated for overnight parking. Residents would obtain the necessary permits.
- **Other Exterior Changes** – A dumbwaiter is shown on the south side of the building in the alley. We are proposing this to assist residents with carrying groceries and other heavy objects up the stairs.
- **Entrance to Residences** – The entrance on Jackson Street is being updated for security, practical and weather-related reasons. A single 42” door will replace the double doors providing greater security and a wide enough entrance to move furniture through. We will also install a canopy to shield residents from the rain and snow while they’re unlocking the door.



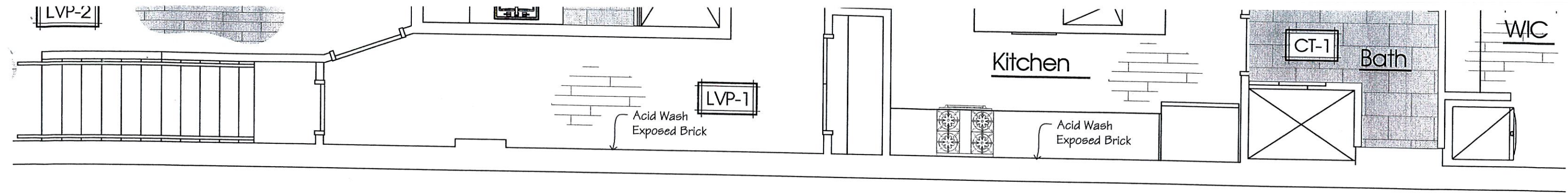
OFF-STREET PARKING



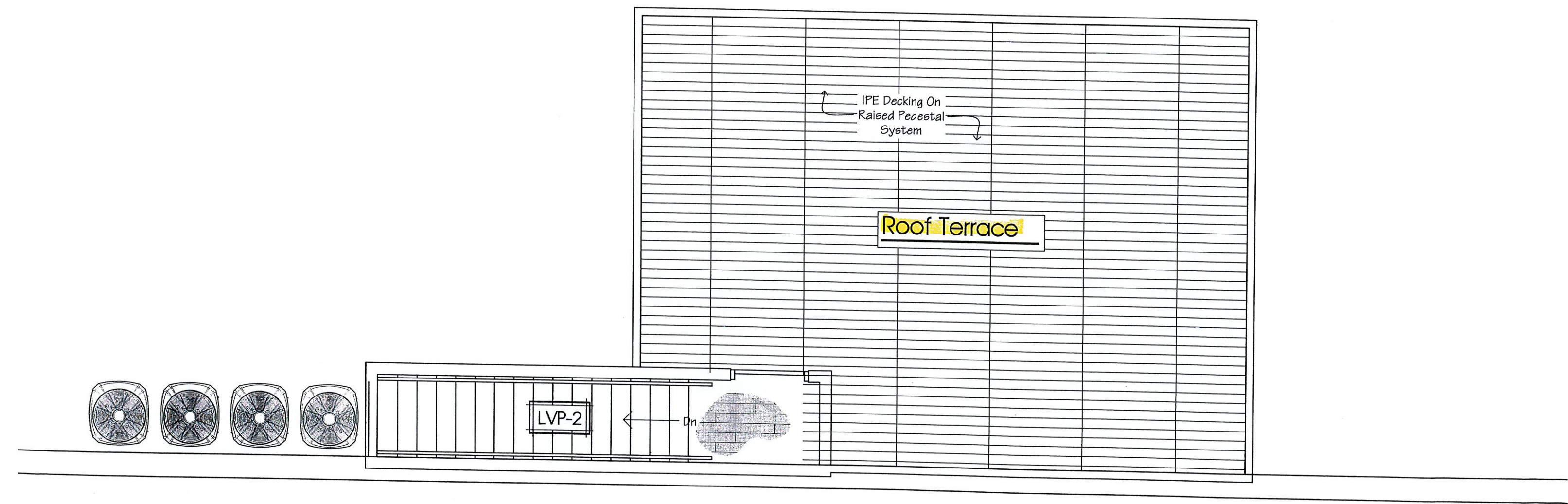
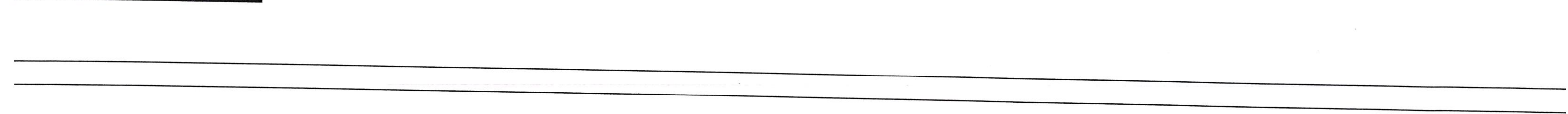
FLOOR PLAN



ROOF TERRACE PLAN



AN



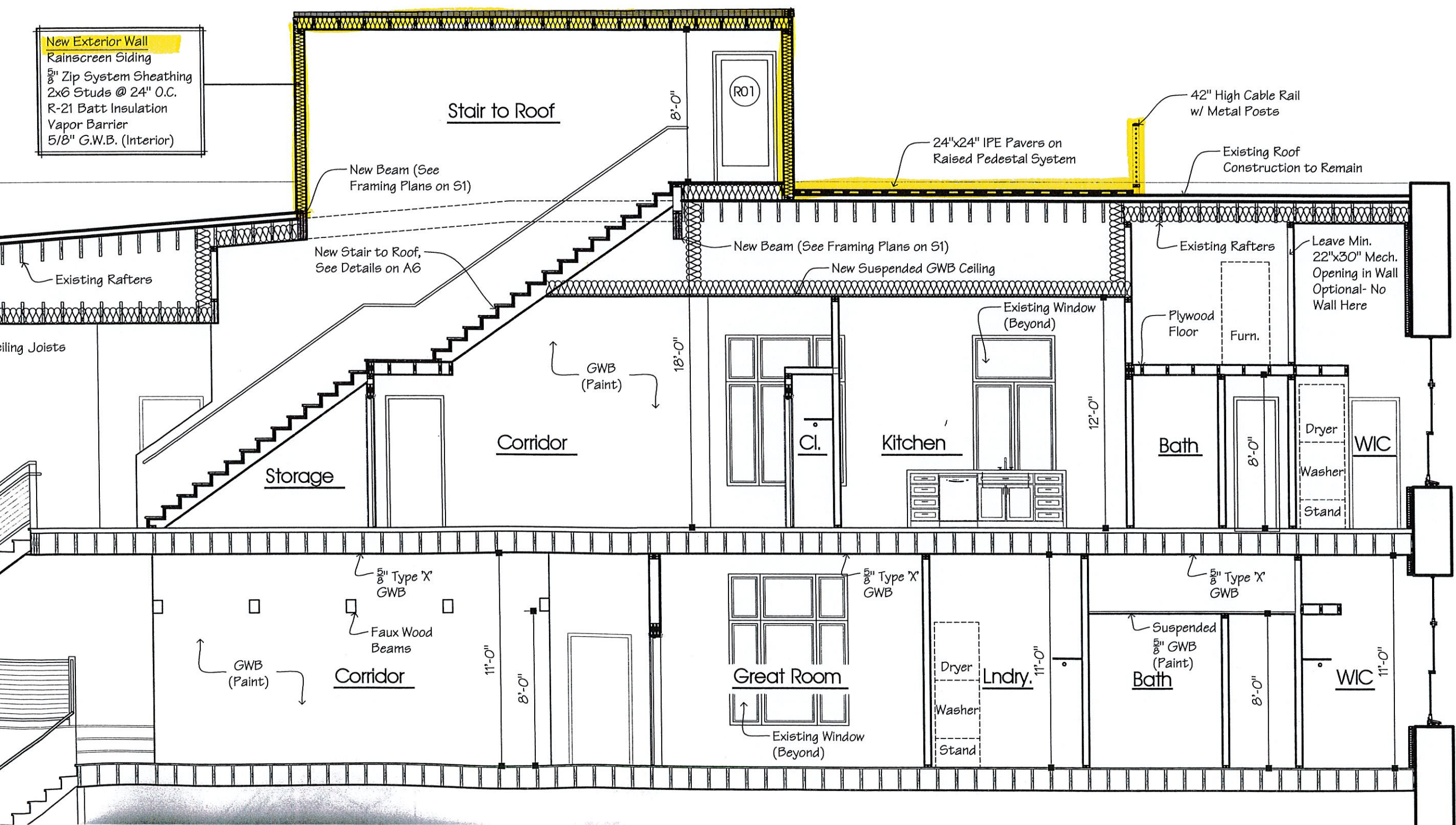
E PLAN



1 BUILDING SECTION

3/16=1'-0"

New Exterior Wall
 Rainscreen Siding
 5/8" Zip System Sheathing
 2x6 Studs @ 24" O.C.
 R-21 Batt Insulation
 Vapor Barrier
 5/8" G.W.B. (Interior)



42" High Cable Rail
w/ Metal Posts

24"x24" IPE Pavers on
Raised Pedestal System

Existing Roof
Construction to Remain

New Beam (See
Framing Plans on S1)

New Beam (See Framing Plans on S1)

New Suspended GWB Ceiling

New Stair to Roof,
See Details on A6

Existing Rafters

Leave Min.
22"x30" Mech.
Opening in Wall
Optional- No
Wall Here

Existing Rafters

Existing Joists

GWB
(Paint)

Plywood
Floor

Furn.

Storage

Corridor

Cl.

Kitchen

Bath

Dryer
Washer
Stand

WIC

5/8" Type 'X'
GWB

Faux Wood
Beams

GWB
(Paint)

Corridor

5/8" Type 'X'
GWB

Great Room

Existing Window
(Beyond)

5/8" Type 'X'
GWB

Suspended
5/8" GWB
(Paint)

Bath

Dryer
Washer
Stand

Lndry.

WIC

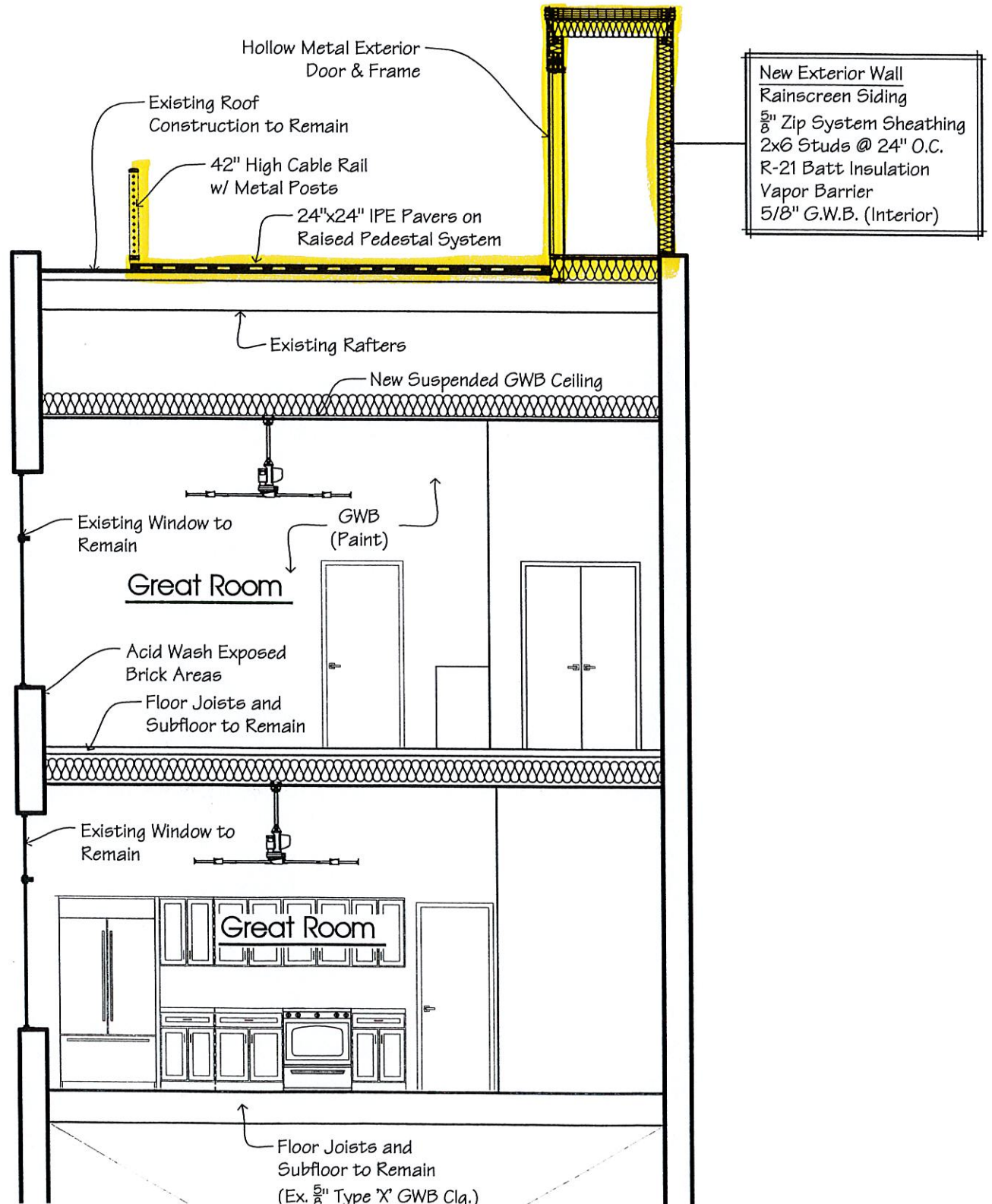
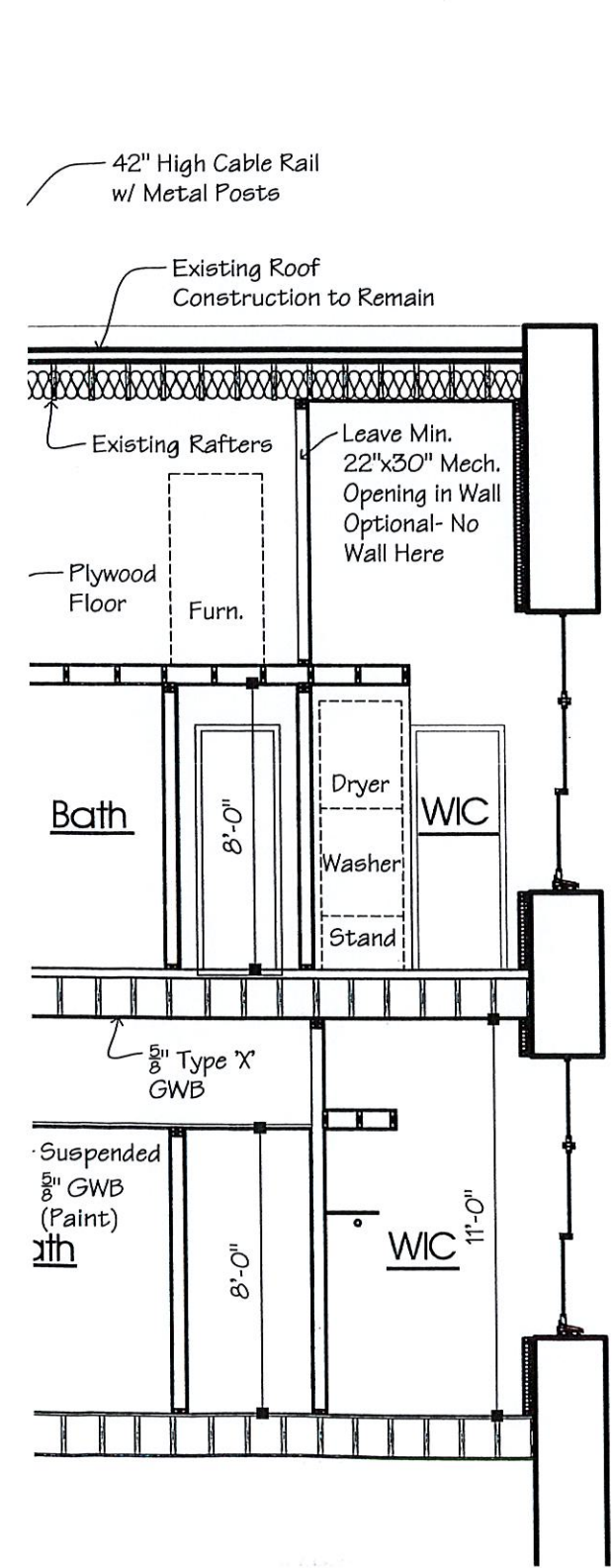
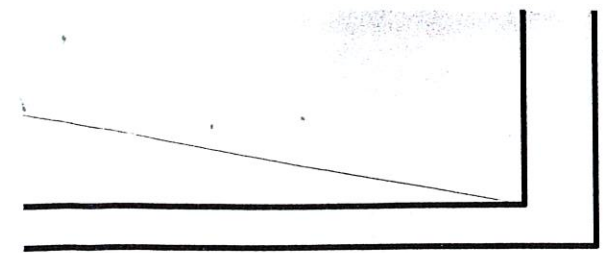
22-3

2nd & 3rd Floor Apartments

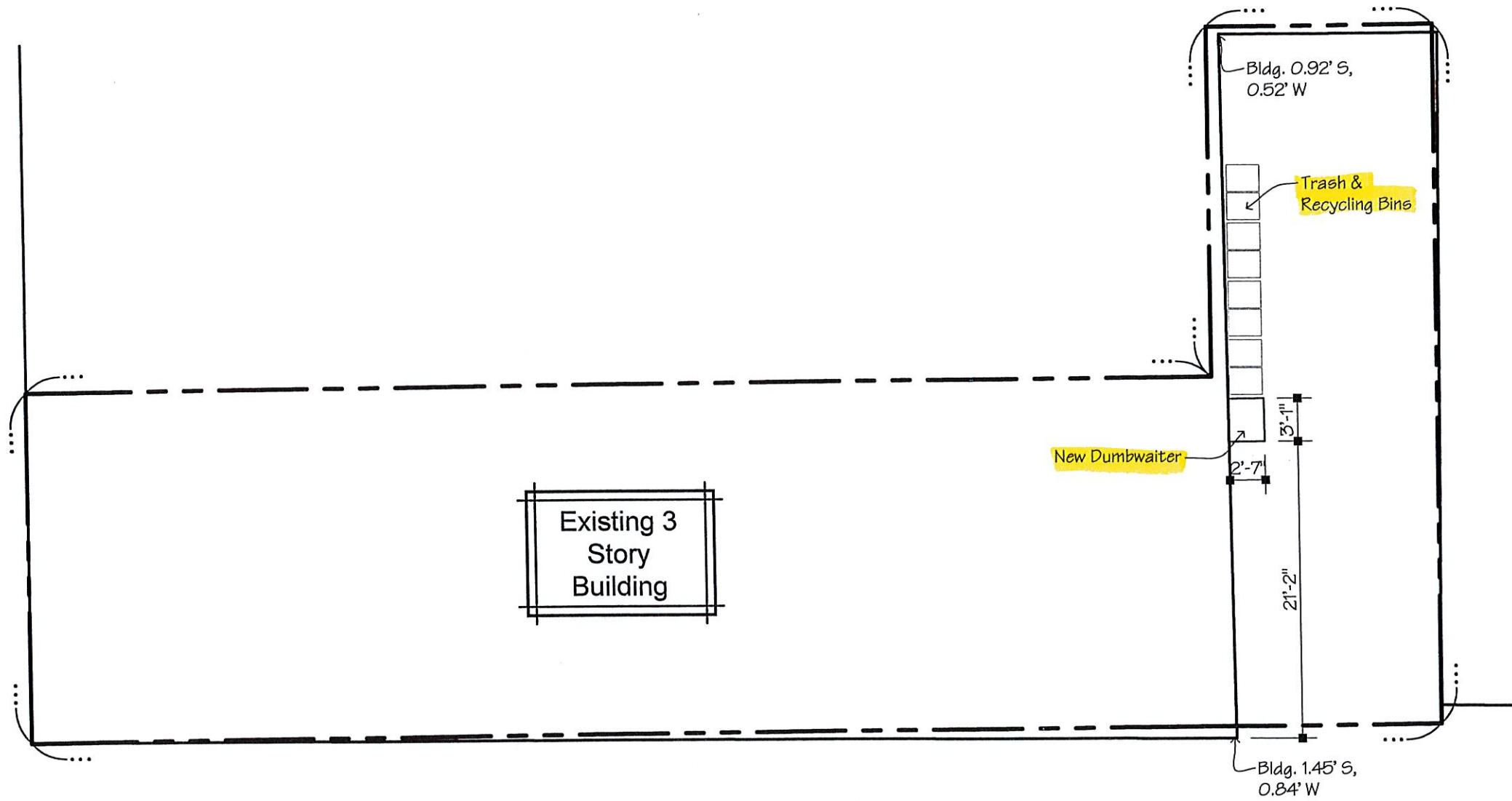
FRONT

No.	Description

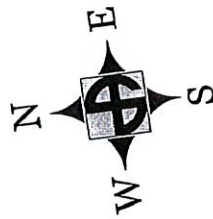
DATE: 12-27-22
 DRAWN BY: D. Wzientek
 SCALE: 1/4" = 1'-0"



MAIN<sup>(99.0'
WIDE)</sup> STREET

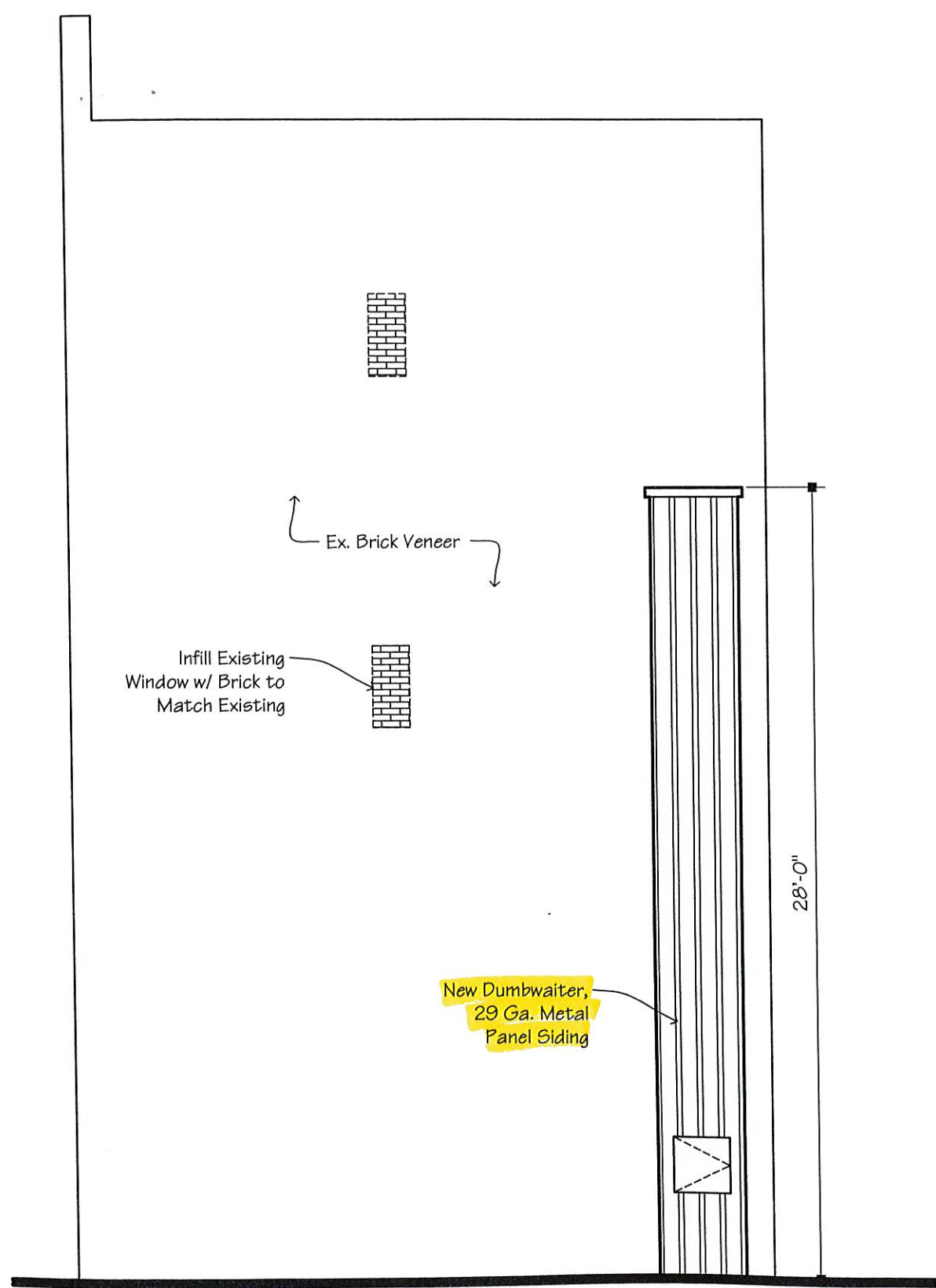


JACKSON<sup>(WIDTH
VARIES)</sup> STREET

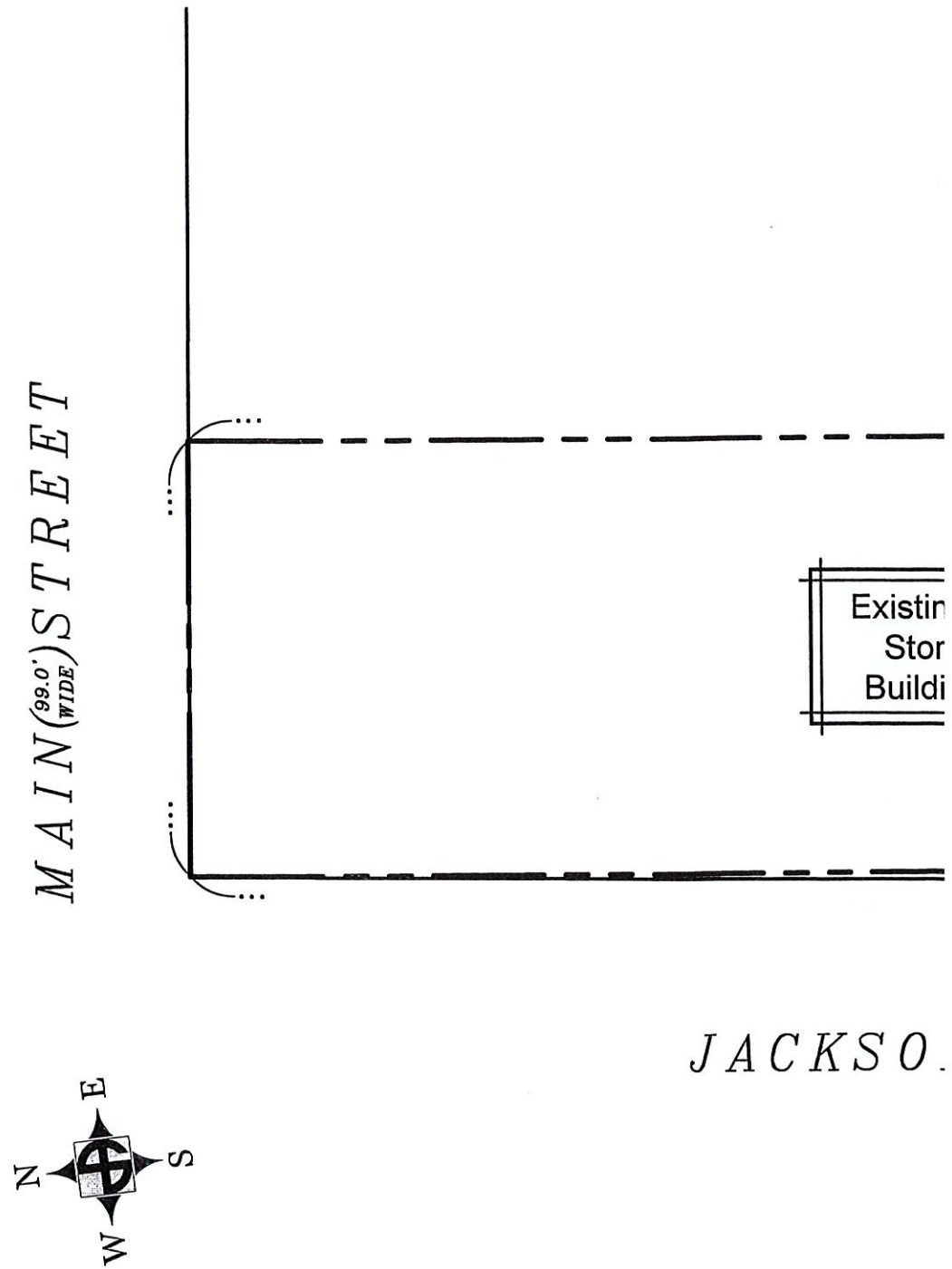


4 | SITE PLAN

1=10'-0"



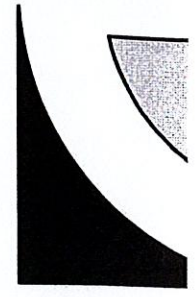
3 | REAR ELEVATION
3/16=1'-0"



4 | SITE PLAN
1=10'-0"



2 | RIGHT ELEVATION
 3/16=1'-0"

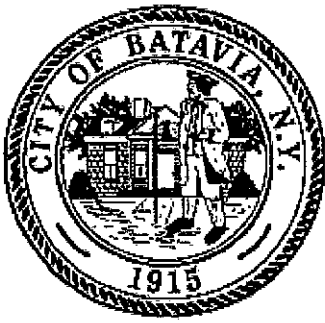


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ARC
 www.de



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City of Batavia
Department of Public Works
Bureau of Inspections

One Batavia City Center, Batavia, New York 14020 (585)-345-6345 (585)-345-1385 (fax)

To: Planning and Development Committee
From: Doug Randall, Code Enforcement Officer
Date: 12/22/22
Re: 327 Ellicott St.
Tax Parcel No. 84.066-2-9

Zoning Use District: C-3

The applicant, Brad Trzeczieski, owner, has applied for a building permit that includes exterior alteration to a mixed use building located within the Central Commercial district / BID.

Note: This is a type II action as defined by Environmental Conservation Law and is not subject to review under SEQR 6 NYCRR Part 617.5 (c) (1).

Review and Approval Procedures:

City Planning and Development Committee- Pursuant to section 190-14 D (2)(a) of the zoning ordinance, the Planning and Development Committee shall review applications involving exterior changes that require issuance of a building permit.



Napoleone Plumbing and Carpentry, LLC
6976 Kinne Rd
Lockport NY, 14094
(716) 525-2781

PROJECT:

327 Ellicott St.

Batavia, NY 14020

DATE:

December 13, 2022

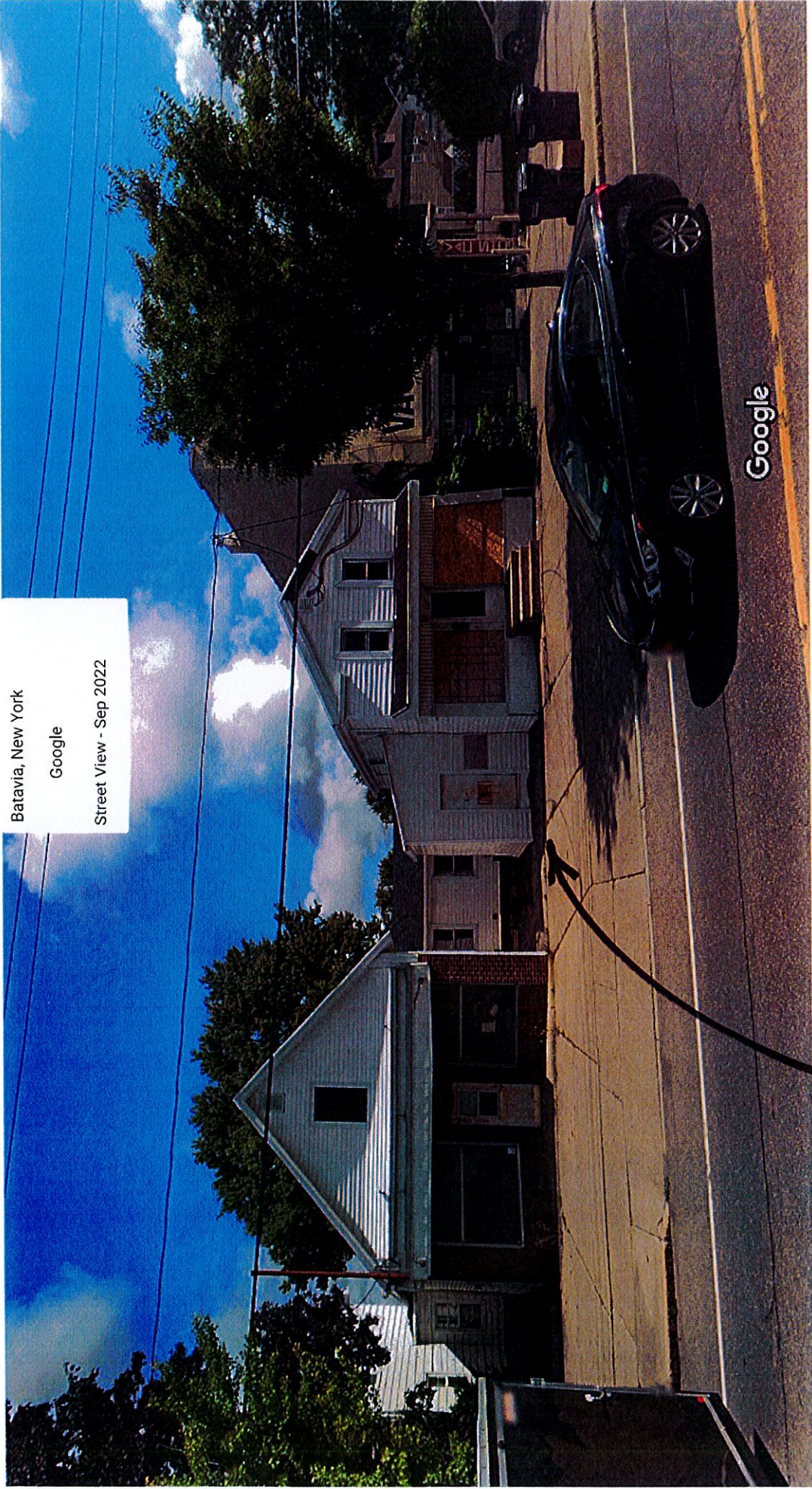
CONTRACTOR:

Mark Napoleone Jr.

Napoleone Plumbing and Carpentry, LLC

EXTERIOR OUTLINE:

- The exterior of the building is going to essentially keep the existing building materials.
 - Siding will be removed and building will be re- sealed in TYVEK
 - There will be new vinyl double hung windows installed per plans
 - All windows will be taped and sealed per code
 - The soffit and fascia will remain white aluminum
 - The vinyl installed will be standard 4" vinyl in forest green color
 - Roof and awning will remain the colors and materials they are



Batavia, New York
Google
Street View - Sep 2022

Image capture: Sep 2022 © 2022 Google

← 327 Ellicott St

All Street View & 360°

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