

**PLANNING & DEVELOPMENT COMMITTEE**

**Tuesday, February 20, 2024**

*6:00 pm*

Council Board Room

One Batavia City Centre, Batavia NY

---

**AGENDA**

I. Roll Call

II. Call to Order

III. Approval of Minutes – 1/16/ 24

IV. Proposals

**Address:** *201 East Main Street*

**Applicant:** GO ART!

Proposal 1-A: Area Variance to mount a sign on the railing of the building located at 201 East Main Street

Proposal 1-B: Area Variance to place two signs on the west elevation and two signs on the south elevation

Actions: 1. Review application and discussion  
2. Recommendation to the ZBA

**Address:** *18 Ellicott Street*

**Applicant:** Benjamin Bonarigo, agent for Big Daddy Properties, LLC

Proposal 2: Minor subdivision to divide this property into two separate parcels. One parcel would be .240 acres in area, and the .207 acres in area. Each parcel has on it an existing two-story wood-frame building.

Actions: 1. Review application and discussion  
2. SEQR  
3. Action by the board

VI. Setting of Next Meeting: March 19, 2024

VII. Adjournment

# PLANNING & DEVELOPMENT COMMITTEE

## *DRAFT MINUTES*

Tuesday, January 16, 2024

6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

Members present: *David Beatty, Ed Flynn, Jim Krencik, John Ognibene, Duane Preston*

Members absent: none

Others present: Meg Chilano – Recording Secretary, Doug Randall – Code Enforcement Officer

### **I. Roll Call**

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

### **II. Call to order**

Mr. Preston called the meeting to order at 6:00 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 14, 2023 meeting minutes.**

### **IV. Proposal**

Apply vinyl shake shingle siding on the southern elevation rake end (gable) of this building located within the Business Improvement District

**Address:** *156 Washington Avenue*

**Applicant:** Stephen Dayka, (contractor)

**Actions:**

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

#### **1. Review Application**

Mr. Preston read the summary of the application.

Mr. Dayka, contractor for the project, explained that the vinyl shake shingle siding will look nicer. He noted that both sides will not be done at the same time and asked if it will be necessary to return for permission for the other side.

#### **2. Discussion and Action by the Board**

Mr. Preston asked if the other side will be the same color, and Mr. Dayka answered said that it would.

**MOTION:** Mr. Flynn moved to approve the proposal with the understanding that when the second side is completed, it will match the first side. The motion was seconded by Mr. Preston and on roll call, was approved 5-0.

**RESULT: Application approved.**

**V. Setting of Next Meeting:** February 20, 2024

**VI. Adjournment**

Mr. Preston adjourned the meeting at 6:05 p.m.

---

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: Planning and Development Committee  
Zoning Board of Appeals

From: Doug Randall, Code Enforcement Officer

Date: 1/25/24

Re: 201 East Main St. (Go Art)  
Tax Parcel No. 84.011-1-31

Zoning Use District: C-3

The applicant, Gregory Hallock, Director of Go Art, has applied for approval to place two 21' x 5' vertical banners on the south elevation wall; one 5.5' x 2.7' "Go Art" sign, and 13.5' x 6.83' "puzzle piece mural" on the west elevation wall; and one 11' x 2' "Tavern 2.0.1" sign on the ramp guardrail at the west entry ramp.

This building is an historic landmark property. The application was reviewed and approved by the City of Batavia Historic Preservation Commission during their meeting of 1/24/24.

**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 190-43 EE., the Planning and Development Committee shall review and issue recommendations to the ZBA for variances pertaining to signs located within the Central Commercial District (C-3).

**Zoning Board of Appeals-** Pursuant to section 190-49 and 190-43 EE., the ZBA shall review and act on required variances.

Variance- Area

- 1) BMC 190-43 (L) Signs mounted on a railing are not listed as permitted sign types.
- 2) BMC 190-43 (M) Only one wall sign is permitted per building wall visible from a right of way. Two signs are proposed on the west elevation. Two new signs on the south elevation.





CITY OF BATAVIA
APPLICATION TO THE ZONING BOARD OF APPEALS

Application No.: 2024-2

Hearing Date/Time:

Gregory Hallock, Executive Director

APPLICANT: Genesee-Orleans Regional Arts Council
Name: Genesee-Orleans Regional Arts Council
E-Mail Address: ghallock@goart.org
Street Address: 201 East Main St.
City: Batavia, State: NY, Zip: 14020
Phone: (585) 343-9313, Fax: N/A

STATUS: Owner, [X] Agent for Owner, Contractor

OWNER: Genesee-Orleans Regional Arts Council
Name: Genesee-Orleans Regional Arts Council
E-Mail Address: ghallock@goart.org
Street Address: 201 East Main Street
City: Batavia, State: NY, Zip: 14020
Phone: (585) 343-9313, Fax: N/A

LOCATION OF PROPERTY: 201 East Main Street, Batavia, NY 14020

DETAILED DESCRIPTION OF REQUEST: Variance for 5 signs not permitted.

Applicant must be present at the hearing date. Failure to do so will result in the application being discarded. It is the responsibility of the applicant to present evidence sufficient to satisfy the Zoning Board of Appeals that the benefit of the applicant does not outweigh the health, safety, morals, aesthetics and general welfare of the community or neighborhood.

Applicant's Signature: Gregory A. Hallock, Date: 01/25/2024
Owner's Signature: Gregory A. Hallock, Executive Director, Date: 01/25/2024

To be Filled out by Zoning Officer

TAX PARCEL: ZONING DISTRICT: FLOOD PLAIN:

TYPE OF APPEAL: Area Variance, Use Variance, Interpretation, Decision of Planning Committee
FEE: \$50 (One or Two Family Use), [X] \$100 (All other Uses)

PAID

Provision(s) of the Zoning Ordinance Appealed: JAN 29 2024

CITY OF BATAVIA CLERK-TREASURER

## Criteria to Support Area Variance

In making its determination, the zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety, moral, aesthetics and welfare of the neighborhood or community. The Zoning Board of Appeals shall consider the following test, as per §81-b of the General City Law when making its determination:

Explain how the proposal conforms to EACH of the following requirements:

1. **Undesirable Change in neighborhood Character.** The granting of the variance will not produce an undesirable change in the neighborhood or a detriment to nearby properties.

it will not

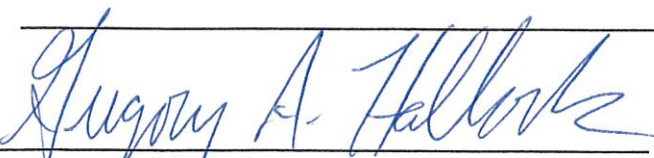
2. **Alternative Cure Sought.** There are no other means feasible for the applicant to pursue that would result in the difficulty being avoided or remedied, other than the granting of the area variance. there are no other means

3. **Substantiality.** The requested area variance is not substantial. it is not

4. **Adverse Effect or Impact.** The requested variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or community.

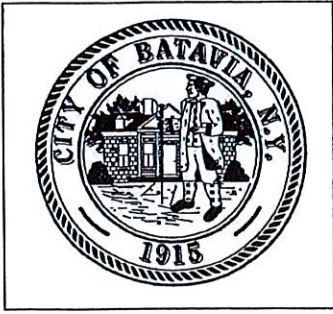
it will not

5. **Not Self-Created.** The alleged difficulty existed at the time of the enactment of the provision or was created by natural force or governmental action, and was not the result of any action by the owner or the predecessors in title. no

  
Applicant's Signature

\_\_\_\_\_  
Date





Permit No.: \_\_\_\_\_  
Date: \_\_\_\_\_  
Zone: C-3

**SIGN PERMIT APPLICATION**  
**City of Batavia**  
One Batavia City Centre, Batavia, NY 14020  
(585) 345-6345 • Fax (585) 345-1385

**APPLICANT/OWNER:** Genesee-Orleans Regional Arts Council ghallock@goart.org  
Name (E-mail Address)  
201 East Main Street (585) 343-9313 N/A  
Street Address Phone Fax  
Batavia, NY 14020  
City, State, Zip Code

**ADDRESS OF SIGN:** 201 East Main Street, Batavia, NY

**AREA OF SIGN:** Length 11' Width 2' Area 22 sq ft

- TYPE OF SIGN:**
1. All sign applications must have an illustration of the sign with its dimensions and copy.
  2. Freestanding signs must have a Sit Plan to show the sign's location on the property.
  3. All other signs must include an elevation plan to show the sign's placement on the building.

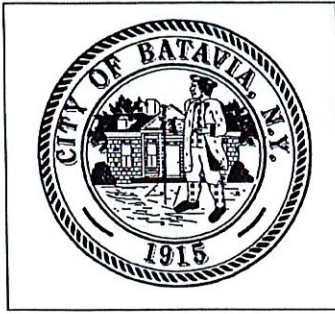
- Freestanding Set Back \_\_\_\_\_ Height \_\_\_\_\_
- Wall Fence Wall Length 15' Wall Height 3.5' Area 52.5 sq ft
- Projecting
- Marquee
- Awning / Canopy Length \_\_\_\_\_ Height \_\_\_\_\_ Area \_\_\_\_\_
- Window Window Length \_\_\_\_\_ Window Height \_\_\_\_\_ Area \_\_\_\_\_
- Portable

**Lighting:**  Internal  External (Tavern 2.0.1 sign on Railing)

**Existing Signs** (Please list all existing signs with dimensions):  
GO ART! 5'x3'

Applicant's Signature Gregory A. Hallack Date 11/28/2023  
Issuing Officer \_\_\_\_\_ Date \_\_\_\_\_  
Planning Board Chairperson \_\_\_\_\_ Date \_\_\_\_\_

~~FEES: \_\_\_\_\_ \$25 Sign Permit \_\_\_\_\_ \$50 Special Sign Permit \_\_\_\_\_ \$10 Portable Sign \_\_\_\_\_~~



Permit No.: \_\_\_\_\_  
Date: \_\_\_\_\_  
Zone: C-3

**SIGN PERMIT APPLICATION**  
**City of Batavia**  
One Batavia City Centre, Batavia, NY 14020  
(585) 345-6345 • Fax (585) 345-1385

**APPLICANT/OWNER:** Genesee-Orleans Regional Arts Council ghallock@goart.org  
Name (E-mail Address)  
201 East Main Street (585) 343-9313 N/A  
Street Address Phone Fax  
Batavia, NY 14020  
City, State, Zip Code

**ADDRESS OF SIGN:** 201 East Main Street, Batavia, NY

**AREA OF SIGN:** Length 5.5' Width 2.7' Area 14.85 sq Ft.

- TYPE OF SIGN:**
1. All sign applications must have an illustration of the sign with its dimensions and copy.
  2. Freestanding signs must have a Sit Plan to show the sign's location on the property.
  3. All other signs must include an elevation plan to show the sign's placement on the building.

Freestanding Set Back \_\_\_\_\_ Height \_\_\_\_\_  
 ~~Wall Fence~~ Wall Length 84' Wall Height 3.5' 25' Area 49 sq Ft. 1,848 sq'  
 Projecting Length \_\_\_\_\_ Height \_\_\_\_\_ Area \_\_\_\_\_  
 Marquee Window Length \_\_\_\_\_ Window Height \_\_\_\_\_ Area \_\_\_\_\_  
 Awning / Canopy  
 Window  
 Portable

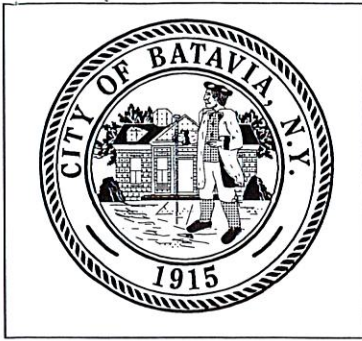
**Lighting:**  Internal  External N/A (Go Art sign on West Elev.)

**Existing Signs** (Please list all existing signs with dimensions):  
GO ART! 5' x 3'

Applicant's Signature Gregory A. Hallock Date 11/28/2023  
Issuing Officer \_\_\_\_\_ Date \_\_\_\_\_  
Planning Board Chairperson \_\_\_\_\_ Date \_\_\_\_\_

~~FEES:~~ \_\_\_\_\_ \$25 Sign Permit \_\_\_\_\_ \$50 Special Sign Permit \_\_\_\_\_ \$10 Portable Sign





Permit No.: \_\_\_\_\_

Date: \_\_\_\_\_

Zone: C-3

### SIGN PERMIT APPLICATION

#### City of Batavia

One Batavia City Centre, Batavia, NY 14020  
(585) 345-6345 • Fax (585) 345-1385

**APPLICANT/OWNER:**

Genesee-Onlean Regional Arts Council  
 Name (ghallock@gart.org) E-mail Address  
201 E. Main St. Phone 343-9313  
 Street Address  
Batavia Fax  
 City, State, Zip Code

**ADDRESS OF SIGN:** 201 East Main

**AREA OF SIGN:** Length 21' Width 5' Area 105

- TYPE OF SIGN:**
- All sign applications must have an illustration of the sign with its dimensions and copy.
  - Freestanding signs must have a Sit Plan to show the sign's location on the property.
  - All other signs must include an elevation plan to show the sign's placement on the building.

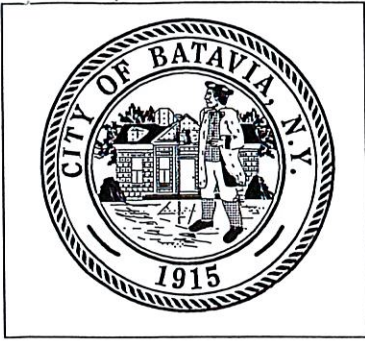
- Freestanding Set Back \_\_\_\_\_ Height \_\_\_\_\_
- Wall Wall Length 51' Wall Height 31' Area 1,581 (South elev)
- Projecting
- Marquee
- Awning / Canopy Length \_\_\_\_\_ Height \_\_\_\_\_ Area \_\_\_\_\_
- Window Window Length \_\_\_\_\_ Window Height \_\_\_\_\_ Area \_\_\_\_\_
- Portable

**Lighting:**  Internal  External (Vertical banner)

**Existing Signs** (Please list all existing signs with dimensions):  
\_\_\_\_\_  
\_\_\_\_\_

Applicant's Signature Gregory A. Fallock Date 01/29/2024  
 Issuing Officer \_\_\_\_\_ Date \_\_\_\_\_  
 Planning Board Chairperson \_\_\_\_\_ Date \_\_\_\_\_

**FEES:** Sign permit, see attached table \_\_\_\_\_ \$30 Portable Sign



Permit No.: \_\_\_\_\_

Date: \_\_\_\_\_

Zone: C-3

### SIGN PERMIT APPLICATION

#### City of Batavia

One Batavia City Centre, Batavia, NY 14020  
(585) 345-6345 • Fax (585) 345-1385

**APPLICANT/OWNER:**

Genesee-Onondaga Regional Arts Council  
 Name \_\_\_\_\_ E-mail Address \_\_\_\_\_  
(ghallock@gort.org)  
201 E. Main St. \_\_\_\_\_ 343-9313 \_\_\_\_\_  
 Street Address \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_  
Batavia \_\_\_\_\_  
 City, State, Zip Code \_\_\_\_\_

**ADDRESS OF SIGN:** 201 East Main

**AREA OF SIGN:** Length 21' Width 5' Area 105

- TYPE OF SIGN:**
- All sign applications must have an illustration of the sign with its dimensions and copy.
  - Freestanding signs must have a Sit Plan to show the sign's location on the property.
  - All other signs must include an elevation plan to show the sign's placement on the building.

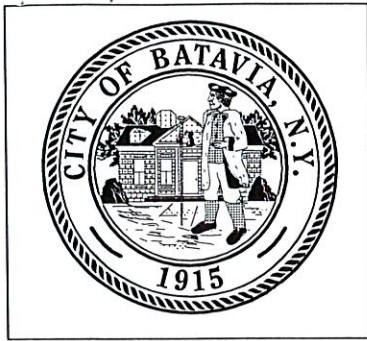
- Freestanding Set Back \_\_\_\_\_ Height \_\_\_\_\_
- Wall Wall Length 51' Wall Height 31' Area 1,581 (South elev)
- Projecting
- Marquee
- Awning / Canopy Length \_\_\_\_\_ Height \_\_\_\_\_ Area \_\_\_\_\_
- Window Window Length \_\_\_\_\_ Window Height \_\_\_\_\_ Area \_\_\_\_\_
- Portable

**Lighting:**  Internal  External (Vertical banner)

**Existing Signs** (Please list all existing signs with dimensions):  
\_\_\_\_\_  
\_\_\_\_\_

Applicant's Signature Gregory A. Hallock Date 01/29/2024  
 Issuing Officer \_\_\_\_\_ Date \_\_\_\_\_  
 Planning Board Chairperson \_\_\_\_\_ Date \_\_\_\_\_

**FEES:** Sign permit, see attached table \_\_\_\_\_ \$30 Portable Sign



Permit No.: \_\_\_\_\_

Date: \_\_\_\_\_

Zone: C-3

### SIGN PERMIT APPLICATION

#### City of Batavia

One Batavia City Centre, Batavia, NY 14020  
(585) 345-6345 • Fax (585) 345-1385

**APPLICANT/OWNER:**

Genesee-Orleans Regional Arts Council  
 Name (ghallock@gcart.org) E-mail Address  
201 E. Main St. 343-9313  
 Street Address Phone Fax  
Batavia  
 City, State, Zip Code

**ADDRESS OF SIGN:** 201 East Main St.

**AREA OF SIGN:** Length 13.5' Width 6.83' Area 92.20 sq. ft.

**TYPE OF SIGN:**

1. All sign applications must have an illustration of the sign with its dimensions and copy.
2. Freestanding signs must have a Sit Plan to show the sign's location on the property.
3. All other signs must include an elevation plan to show the sign's placement on the building.

- |  |                        |                        |                          |
|--|------------------------|------------------------|--------------------------|
| <input type="checkbox"/> Freestanding    | Set Back _____         | Height _____           |                          |
| <input checked="" type="checkbox"/> Wall | Wall Length <u>84'</u> | Wall Height <u>22'</u> | Area <u>1848 sq. ft.</u> |
| <input type="checkbox"/> Projecting      |                        |                        |                          |
| <input type="checkbox"/> Marquee         |                        |                        |                          |
| <input type="checkbox"/> Awning / Canopy | Length _____           | Height _____           | Area _____               |
| <input type="checkbox"/> Window          | Window Length _____    | Window Height _____    | Area _____               |
| <input type="checkbox"/> Portable        |                        |                        |                          |

**Lighting:**  Internal  External (Puzzle Piece Mural)

**Existing Signs** (Please list all existing signs with dimensions):

\_\_\_\_\_

Applicant's Signature Gregory A. Ghallock Date 01/29/2024

Issuing Officer \_\_\_\_\_ Date \_\_\_\_\_

Planning Board Chairperson \_\_\_\_\_ Date \_\_\_\_\_

**FEES:** Sign permit, see attached table \_\_\_\_\_ \$30 Portable Sign



Fabric banners are polyester fabric, hard to tear or stretch, moisture resistant, do not crease when folded, have pole pockets, have 1440 DPI resolution.

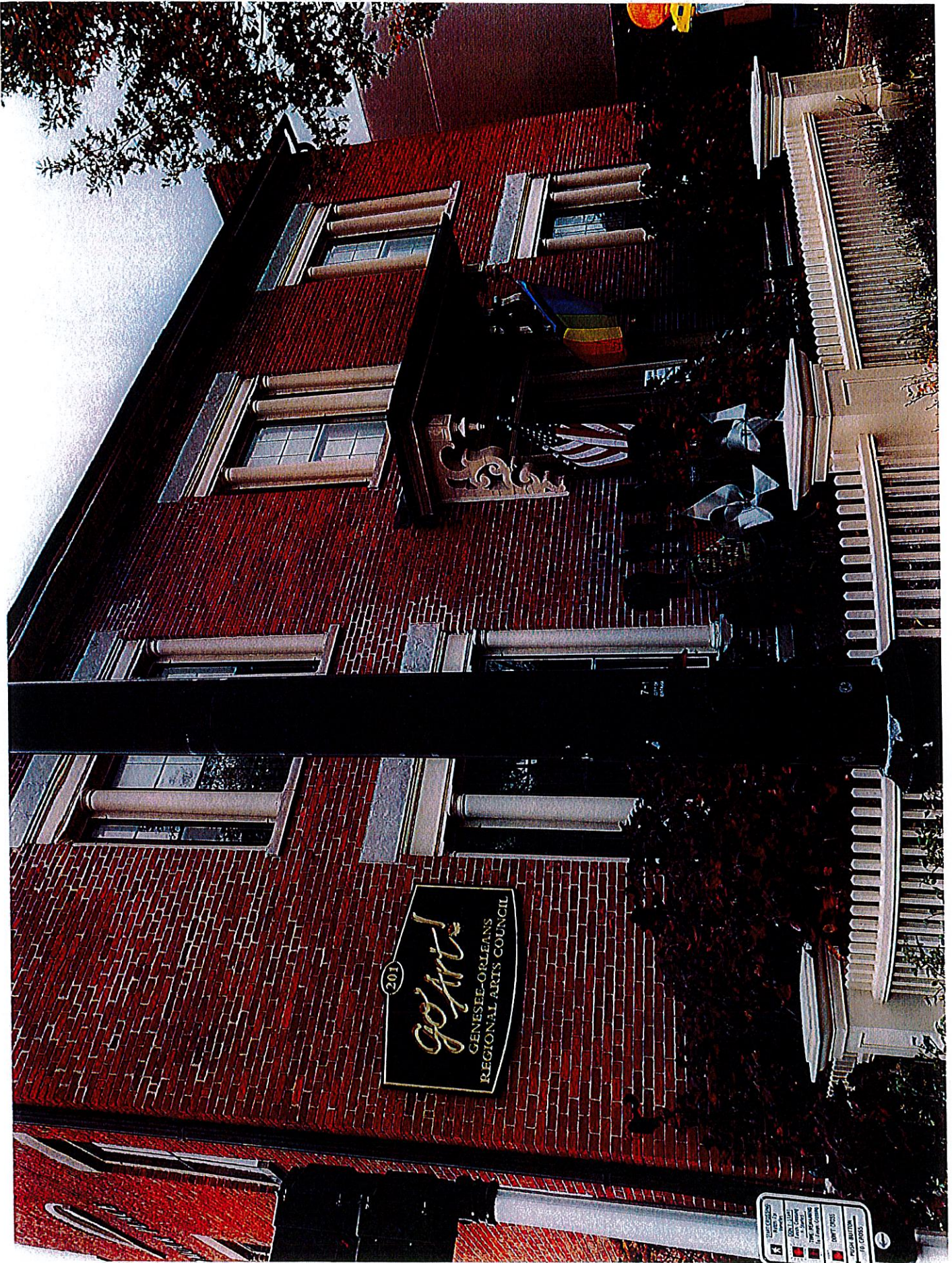
→ Banners are 5' x 21', fitting in a 7' x 28' space. Lighting will come from the ground, specs of lighting fixtures are included.

Banner poles are made of steel and painted either black, or gold. Hooks are painted either black, gold, or, glazed pot (color of the brick). Hooks are permanently attached with tap con screws through <sup>the</sup> mortar; no historic bricks will be damaged. The tap con screws will be non-expanding.

---

An outdoor ~~electronic~~ display board will be placed on the 1960's portion of the building with 5 minute ~~plus~~ intervals of program displays. It will be framed with a historic looking gold frame and attached directly to the wall.  $\pm$  will be attached with <sup>non-expanding</sup> tap con screws in the mortar; no bricks will be harmed. The electric conduit will require either 3/4" of 1 brick being drilled through or 2 splitting that measurement. Another option is having the conduit run up two bars overhanging from the roof. Specs for the display board are included.





201  
*Go Art!*  
GENESEE-ORLEANS  
REGIONAL ARTS COUNCIL

ARTS COUNCIL  
CLASS LIST  
Paint & Drawing  
\$10.00  
Sculpture  
\$15.00  
Pottery  
\$20.00  
Ceramics  
\$25.00  
Glass  
\$30.00  
Jewelry  
\$35.00  
Photography  
\$40.00  
Video  
\$45.00  
Digital Art  
\$50.00  
Total  
\$200.00





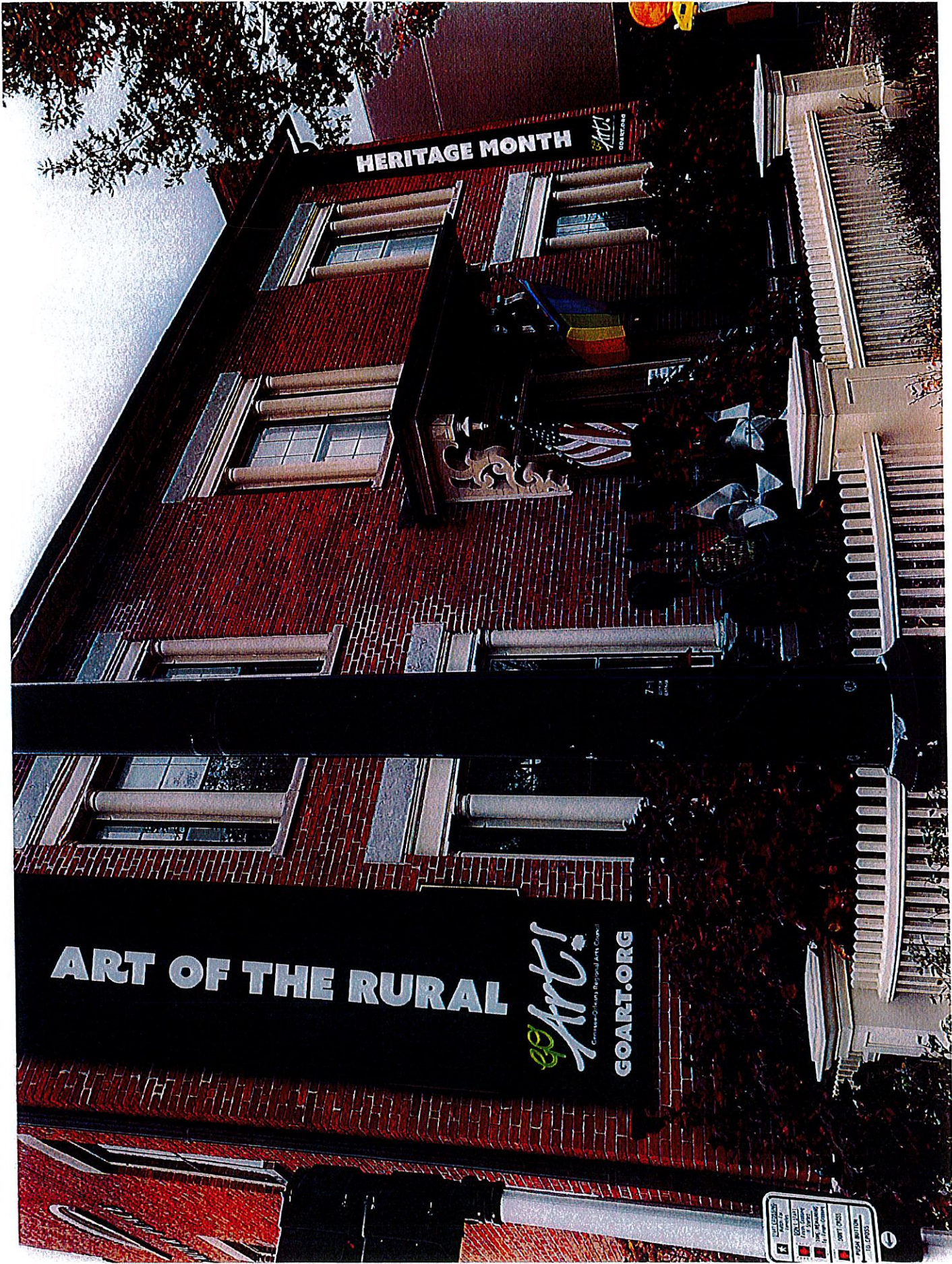
ST. LOUIS, MO

Art!

TAVERN 2.0.1

COLUMBIA ST





HERITAGE MONTH

Art!  
GOART.ORG

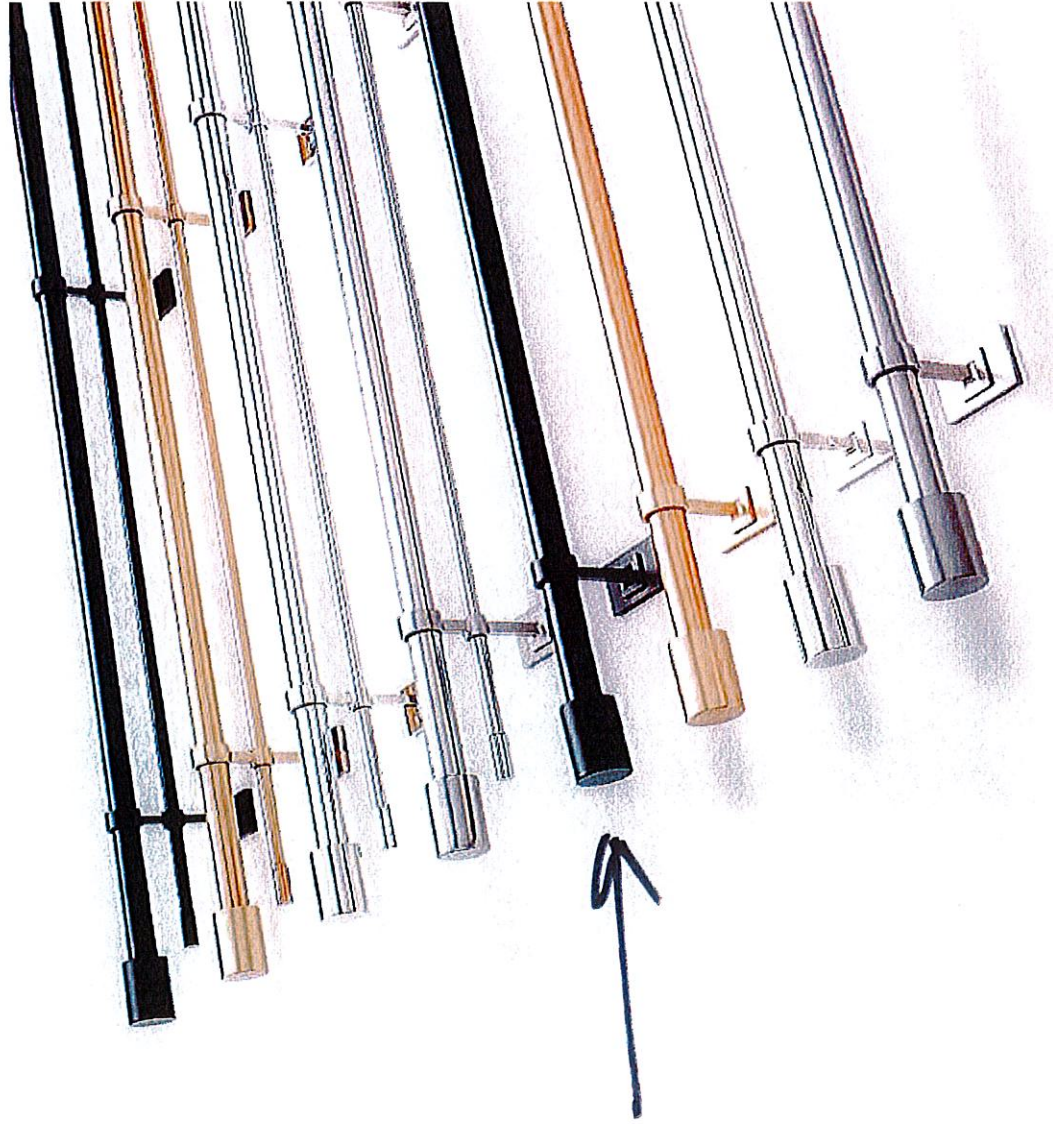
ART OF THE RURAL

Art!  
Connecticut's Regional Arts Council

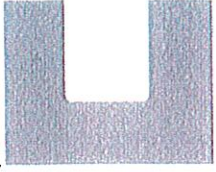
GOART.ORG

ART OF THE RURAL  
AUG 1-12  
ART OF THE RURAL  
GOART.ORG  
SUPPORT LOCAL BUSINESS  
DONATE TO THE ARTS





## Oversized Adjustable Curtain Rod w/ Cylinder Finials



Details

Dimensions

Assembly & care



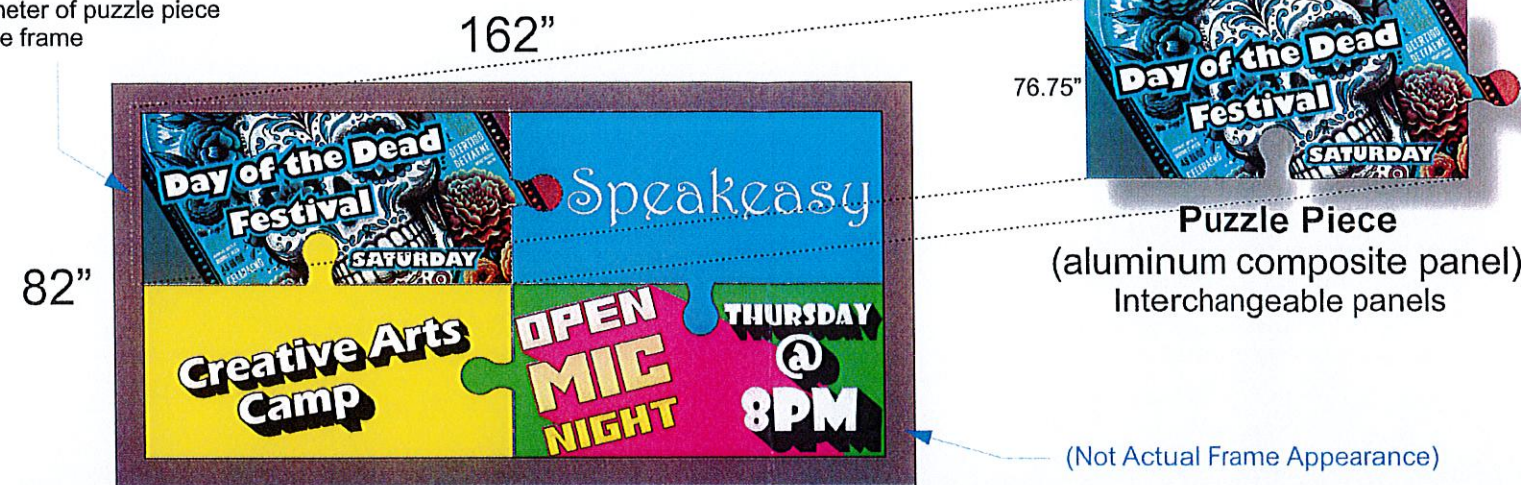




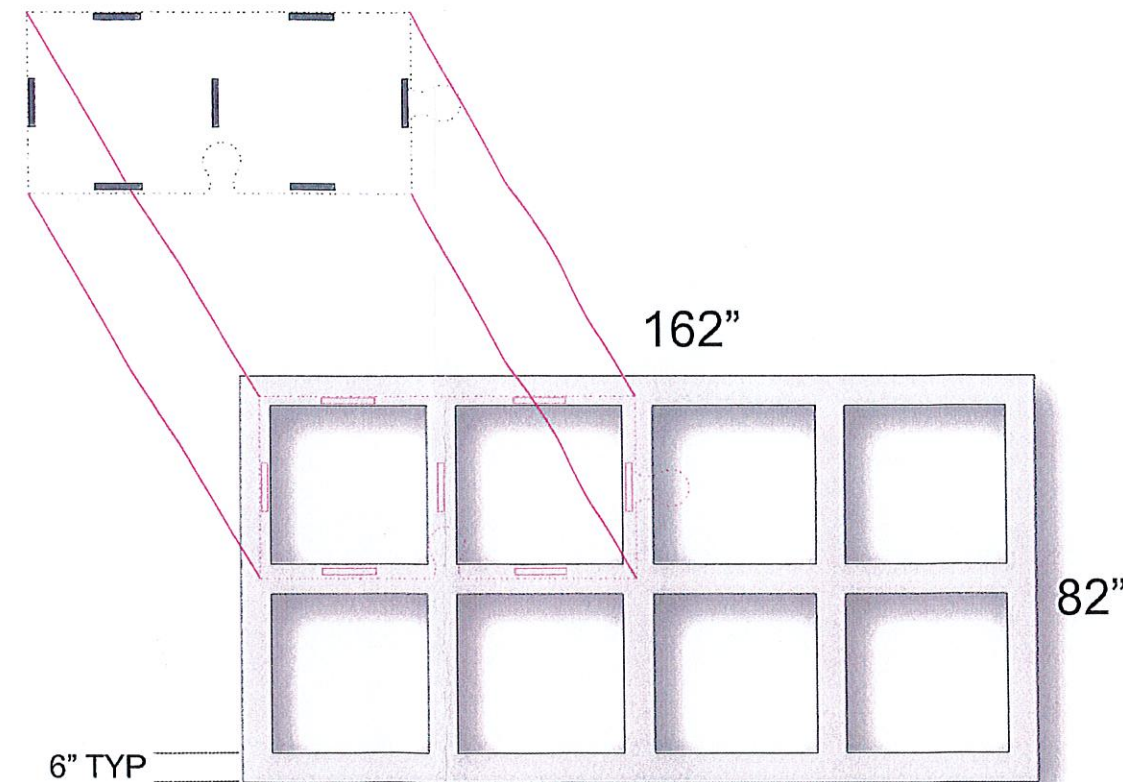
# Exterior Mural Design

Drawn by D. Butler  
Date: 1/24/24

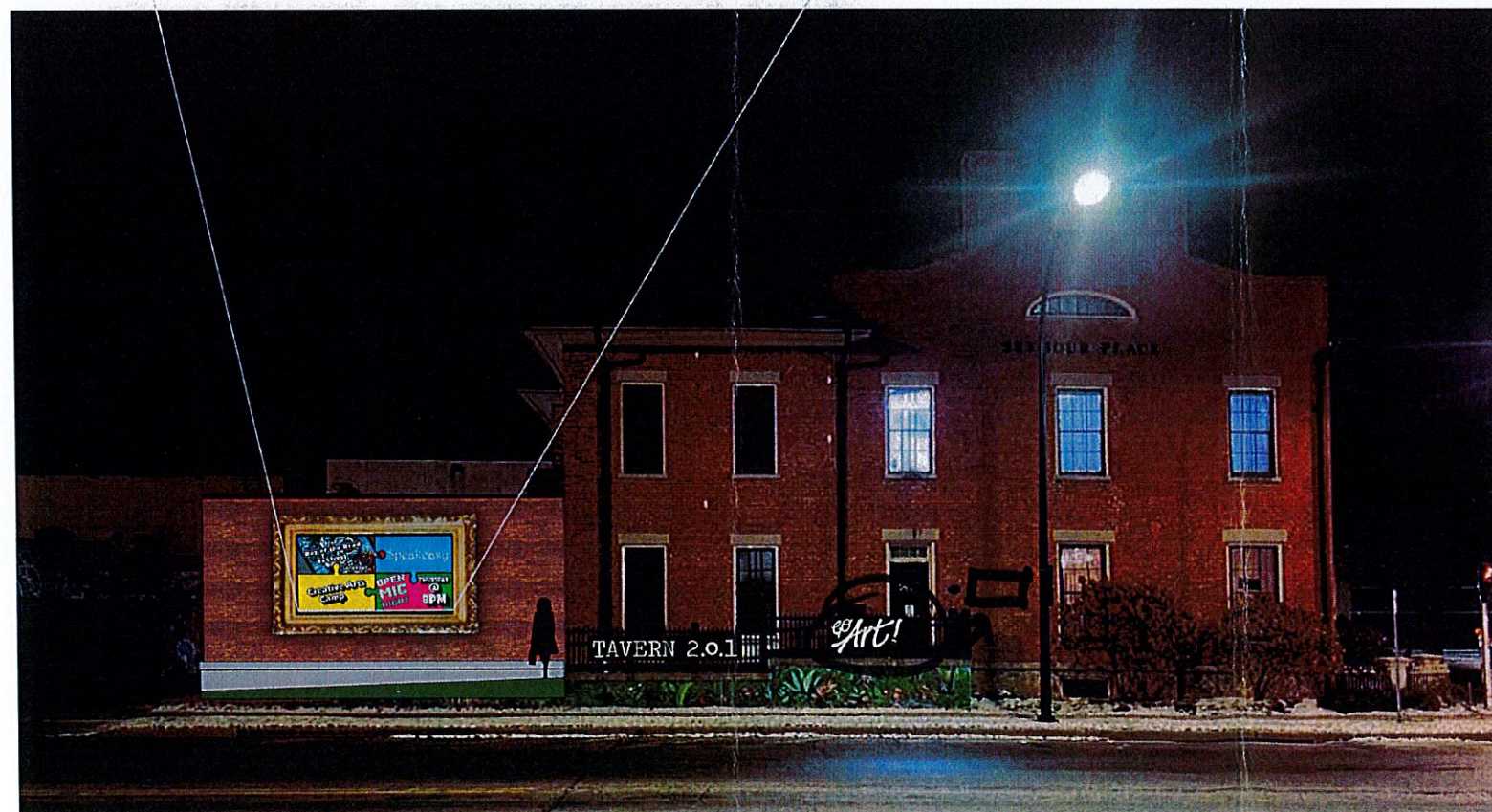
Full perimeter of puzzle piece behind the frame



**Magnetic Strips**  
(adhered to the back of the Aluminum Composite Panel Puzzle Piece)



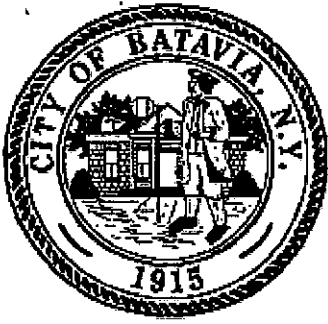
**Steel Frame**  
(secured to mortar in between bricks with Tapcon screws)



View from across the sidewalk of GO Art! on Bank Street

**DRAWING NOT TO SCALE**





*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: 1/25/24  
Re: 18 Ellicott St.  
Tax Parcel No. 84.10-4-9.2

Zoning Use District: C-2 H/O

The applicant, Benjamin Bonarigo, agent for 18 Ellicott Big Daddy Properties LLC (owner), has filed a minor subdivision application to divide this property into two separate parcels, one of which to be .240 acres in area, and the other .207 acres. Each parcel has an existing two story wood frame building. Access from the Ellicott Street right of way to the rear parcel is provide by a continuous 15' wide, existing blacktop driveway along the western side of both buildings.

**Review and Approval Procedures:**

**City Planning and Development Committee-** Pursuant to BMC Sec. 162-2 and 13-3 The Planning and Development Committee is authorized to approve plats showing lot, blocks, or sites, with or without streets or highways.

- 1) BMC 162-40 B; The PDC shall act on the pre-application sketch and if approved the Chairman will sign and date the reproducible plat.**

The PDC will be the lead agency to conduct SEQR.

Parcel ID No. 84.10-4-9.2



PAID

JAN 19 2024

CITY OF BATAVIA  
CLERK-TREASURER

### Minor Subdivision Application

Address of parcel being divided 18 ELLICOTT ST., BATAVIA

Owner: 18 ELLICOTT BIG DADDY PROPERTIES, LLC

Name	E-mail address		
<u>18 1/2 ELLICOTT ST.</u>	<u>BATAVIA</u>	<u>NY</u>	<u>14020</u>
Mailing Address	City	Zip Code	Phone No.
			<u>585-356-7745</u>

Applicant (if not the owner): 18 ELLICOTT BIG DADDY PROPERTIES, LLC

Name	E-mail address		
<u>18 1/2 ELLICOTT ST.</u>	<u>BATAVIA</u>	<u>14020</u>	
Mailing address	City	Zip Code	Phone No.
			<u>585-356-7745</u>

Owner signature:  Date: 1/9/2024  
AS Agent

\$250. 

Gregory W. Townsend  
*Licensed Land Surveyor*  
115 Washington Avenue  
Batavia, New York 14020  
Phone (585) 344-1331  
gwtownsendsurvey@gmail.com

18 ½ Ellicott Street

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Batavia, County of Genesee and State of New York, being part of Original Village Lot No. 19, distinguished as being part of Lot 17 of a subdivision of Village Lots 19, 21 and 23, and more particularly described as follows:

Commencing at a point on the southerly street line of Ellicott Street at a distance of 135.08' westerly from the intersection of the southerly street line of Ellicott Street and the original westerly street line of Evans Street;

Thence westerly, along the street line of Ellicott Street, a distance of 55.00' to a point, said point being the northeasterly corner of land conveyed to Cosima Realty, Inc. at Liber 436 of Deeds, page 521;

Thence southerly, along the easterly line of Cosima Realty, Inc. lands and forming an interior angle of 90°00'00", a distance of 192.21' to the point of beginning of the parcel to be described herein;

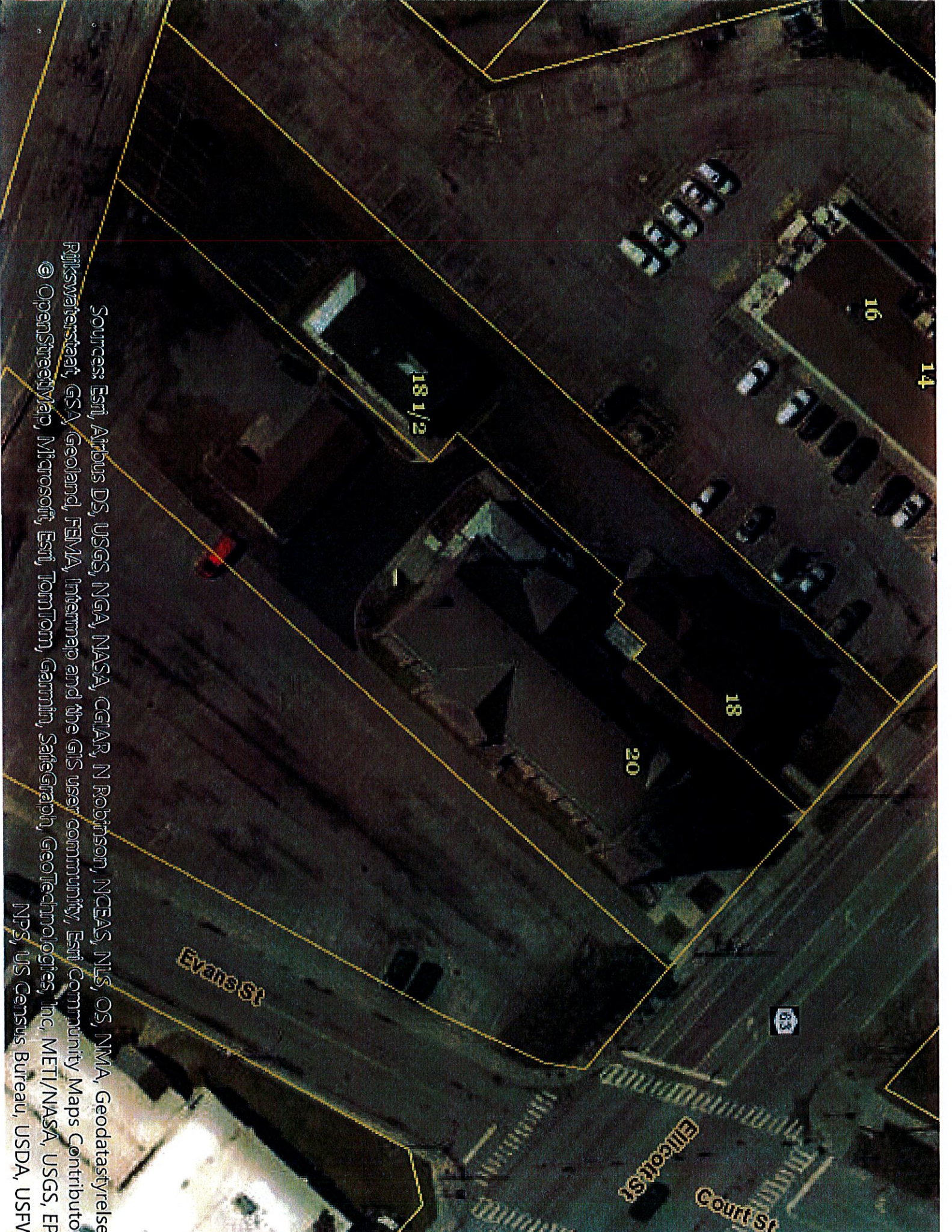
Thence southerly, along the easterly line of Cosima Realty, Inc. lands, a distance of 182.82' to a point on the northerly line of land conveyed to the County of Genesee at Liber 673 of Deeds, page 63, said point being the southeast corner of Cosima Realty, Inc. lands;

Thence easterly, along the northerly line of County of Genesee lands and forming an interior angle of 63°51'40", a distance of 60.27' to a point;

Thence northerly, forming an interior angle of 115°24'10", a distance of 156.29' to a point;

Thence westerly, forming an interior angle of 90°44'10", a distance of 52.09' to the point of beginning, said final course forming an interior angle of 90°00'00" with the first described course, containing 0.207 +/- acre





Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodastystreiser  
Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Esri Community Maps Contributor  
© OpenStreetMap, Microsoft, Esri, TomTom, Garmin, Safegraph, GeoTechnologies, Inc, METI/NASA, USGS, EPI  
NPS, US Census Bureau, USDA, USFW



# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
18 ELLICOTT BIG DADDY PROPERTIES, LLC			
Name of Action or Project: BIG DADDY SEPARATION			
Project Location (describe, and attach a location map): 18 ELLICOTT ST. BATAVIA, N.Y. 14020			
Brief Description of Proposed Action: FORMER RECTORY AND CONVENT TO ST. MARY'S CHURCH (RESURRECTION) PURCHASED BY APPLICANT. RECTORY REPURPOSED FOR BONARIGO + Mc CUTCHEON LAW OFFICE AND CONVENT HAS REMAINED RESIDENTIAL. APPLICANT DESIRES TO SEPARATE LAW OFFICE FROM RESIDENCE FOR INSURANCE AND ESTATE PLANNING.			
Name of Applicant or Sponsor: BENJAMIN J. BONARIGO, AGENT		Telephone: 585-356-7745	
		E-Mail: bona1956@gmail.com	
Address: 18 1/2 ELLICOTT ST.			
City/PO: BATAVIA		State: N.Y.	Zip Code: 14020
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: PLANNING AND DEVELOPMENT COMMITTEE, CITY OF BATAVIA			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		.411 +/- acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor/name: <u>18 ELLICOTT BIG DADDY PROPERTIES, LLC</u> Date: <u>1/10/2024</u> Signature: <u>Benjamin J. Bonarig</u> Title: <u>Agent</u>		



Project:

18 Ellicott St.

Date:

1/10/24

***Short Environmental Assessment Form***  
***Part 2 - Impact Assessment***

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Project: 18 Ellicott St.

Date: 1/10/24

### *Short Environmental Assessment Form Part 3 Determination of Significance*

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

\_\_\_\_\_  
Name of Lead Agency

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Title of Responsible Officer

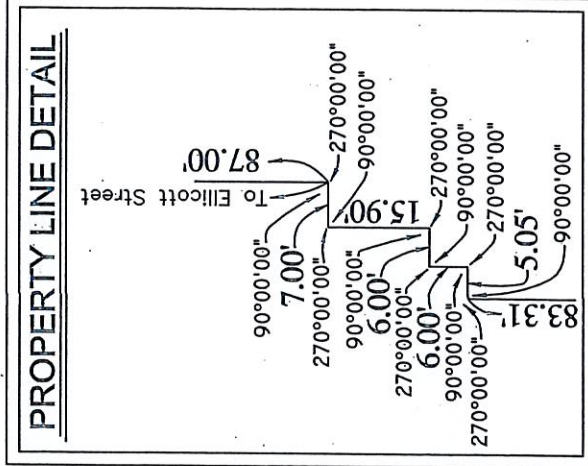
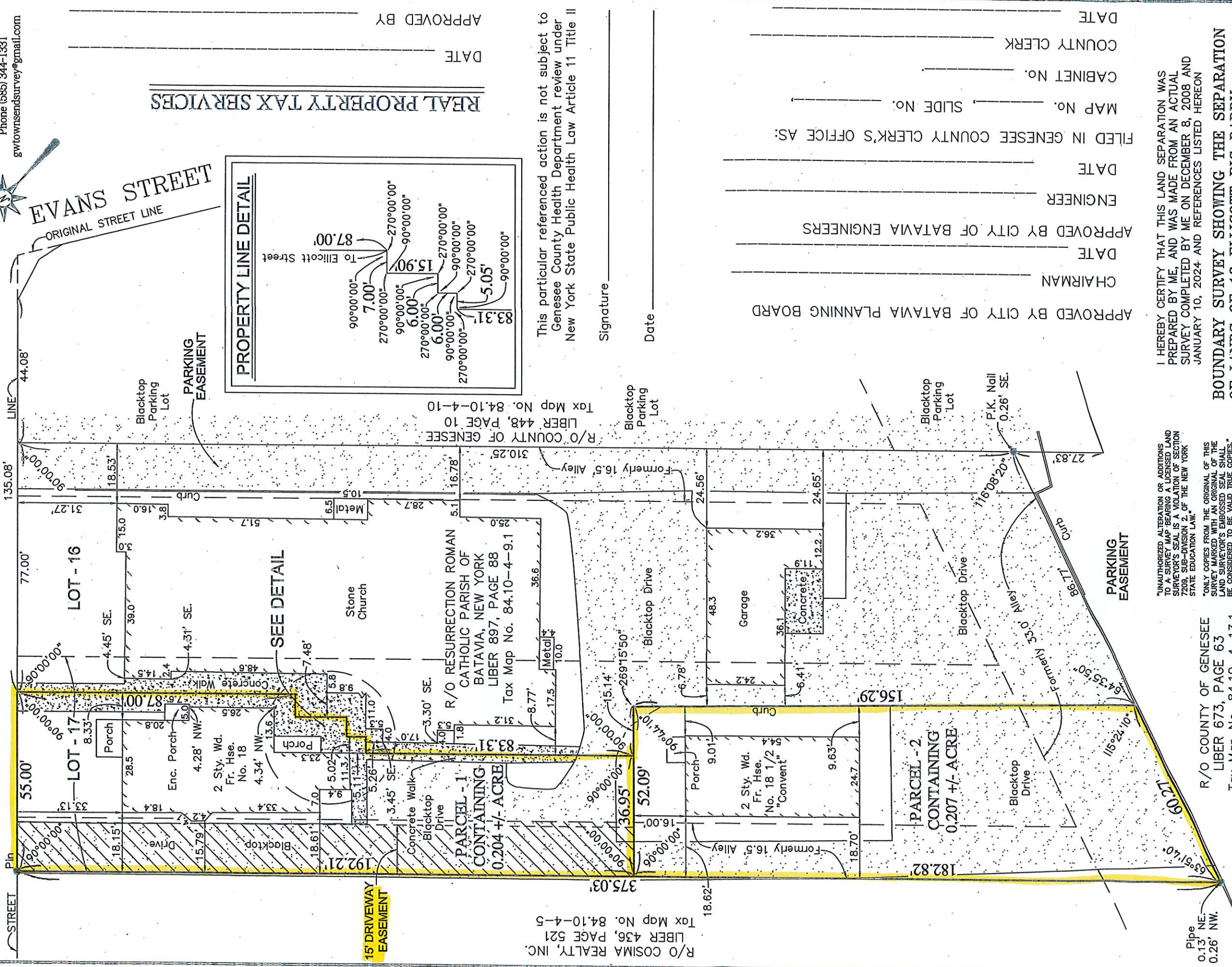
\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
Signature of Preparer (if different from Responsible Officer)



**ELLCOTT STREET -- ROUTE 63  
(99.0' R.O.W.) (BIG TREE STREET)**

**GREGORY W. TOWNSEND**  
Licensed Land Surveyors  
115 Washington Avenue  
Batavia, New York 14020  
Phone (585) 344-1331  
gwtownsendsurvey@gmail.com



R/O COSIMA REALTY, INC.  
LIBER 436, PAGE 521  
Tax Map No. 84.10-4-5

R/O COUNTY OF GENESEE  
LIBER 448, PAGE 10  
Tax Map No. 84.10-4-10

This particular referenced action is not subject to Genesee County Health Department review under New York State Public Health Law Article 11 Title II

Signature \_\_\_\_\_  
Date \_\_\_\_\_

REAL PROPERTY TAX SERVICES  
APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_  
APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_

APPROVED BY CITY OF BATAVIA PLANNING BOARD  
CHAIRMAN \_\_\_\_\_ DATE \_\_\_\_\_  
APPROVED BY CITY OF BATAVIA ENGINEERS  
ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_  
MAP No. \_\_\_\_\_ SLIDE No. \_\_\_\_\_  
COUNTRY CLERK \_\_\_\_\_  
FILED IN GENESEE COUNTY CLERK'S OFFICE AS:  
DATE \_\_\_\_\_

"UNAUTHORIZED ALTERATION OR ADDITIONS TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW."  
"ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MAP BEARING THE LICENSED SEAL AND SURVEYOR'S SIGNATURE SHALL BE CONSIDERED TO BE VALID TRUE COPIES."  
"CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYORS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS. THIS SURVEY IS FOR THE PROFESSIONAL USE OF THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS/HER BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. CERTIFICATION ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS."

R/O COUNTY OF GENESEE  
LIBER 673, PAGE 63  
Tax Map No. 84.10-4-13.1

LEGEND  
● EXISTING IRON STAKE

REFERENCES  
SURVEY MAP NO. 08-331 BY GREGORY W. TOWNSEND, L.S., FILED AT MAP CABINET 3, SLIDE 27, MAP NO. 1944  
SIDEWALK EASEMENT FILED AT LIBER 873 OF DEEDS, PAGE 736  
DRIVEWAY EASEMENT FILED AT LIBER 873 OF DEEDS, PAGE 764 AND AT LIBER 873 OF DEEDS, PAGE 769  
PARKING EASEMENT FILED AT LIBER 873 OF DEEDS, PAGE 750 AND AT LIBER 873 OF DEEDS, PAGE 755  
SEWER EASEMENT AND MAINTENANCE AGREEMENT FILED AT LIBER 873 OF DEEDS, PAGE 746 AND AT LIBER 873 OF DEEDS, PAGE 760

I HEREBY CERTIFY THAT THIS LAND SEPARATION WAS PREPARED BY ME, AND WAS MADE FROM AN ACTUAL SURVEY COMPLETED BY ME ON DECEMBER 8, 2008 AND JANUARY 10, 2024 AND REFERENCES LISTED HEREON  
**BOUNDARY SURVEY SHOWING THE SEPARATION OF LANDS OF 18 ELLICOTT BIG DADDY PROPERTIES, LLC, BEING PART OF ORIGINAL VILLAGE LOT NO. 19, DISTINGUISHED AS BEING PART OF LOT 17 OF A SUBDIVISION OF VILLAGE LOTS 19, 21 AND 23. SITUATE IN THE CITY OF BATAVIA, COUNTY OF GENESEE AND STATE OF NEW YORK**

JANUARY 10, 2024  
JOB NO. 24-12  
SCALE 1" = 30'

01/16/24  
*Gregory W. Townsend*  
DATE \_\_\_\_\_  
N.Y.S.R.L.S. No. 50249