### PLANNING & DEVELOPMENT COMMITTEE Tuesday, March 21, 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 -2/28/23
- IV. Proposals

**Address:** 210-212 East Main Street (City Church)

**Applicant:** Jon Flannery (contractor)

Proposal: Exterior changes to the northern façade of this building in the

downtown Business Improvement District

Actions: 1. Review application

2. Remove from the table

3. Discussion and action by the board

- VI. Setting of Next Meeting: April 18, 2023
- VII. Adjournment

#### PLANNING & DEVELOPMENT COMMITTEE

## DRAFT MINUTES February 28, 2023 6:00 pm

Council Board Room One Batavia City Centre, Batavia NY

Members present: David Beatty, Derek Geib, John Ognibene, Duane Preston

Members absent: Rebecca Cohen, Edward Flynn

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

Officer

#### I. Roll Call

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

#### II. Call to order

Mr. Preston called the meeting to order at 6:01 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 January 17, 2023 meeting minutes.

#### IV. Proposals

A. Area Variance to widen an existing 10' wide asphalt driveway by placing an additional 10' of gravel to the east side of the existing driveway

**Address**: 177 South Main Street **Applicant**: Kathy Antinore (owner)

Actions: 1. Review application and discussion

2. Recommendation to the ZBA

#### 1. Review Application

Mr. Preston read the summary of the application.

Ms. Antinore was present to speak about the project. She explained that the house is a duplex with a tenant in the upper. The driveway is narrow and there is not enough space to park all of the vehicles; there is always a vehicle on the street. The extra space Ms. Antinore has requested would be near the front door and accommodate the upstairs tenant, who uses the front door.

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

Mr. Preston noted that the board prefers not to have driveways or parking spaces in the front yard; however, there is clearly a need for more space in this case. The board decided that the request was not significant.

**MOTION**: Mr. Beatty moved to recommend approval of the variance to the ZBA; the motion was seconded by Mr. Ognibene, and on roll call, was approved 4-0.

RESULT: Recommendation to the ZBA for approval of the variance.

B. Exterior changes to the northern façade of this building in the downtown Business Improvement District

Address: 210-212 East Main Street (City Church)

**Applicant**: Jon Flannery (contractor)

Actions: 1. Review application and discussion

2. Action by the board

#### 1. Review Application and Discussion

Mr. Preston read the summary of the proposal.

Mr. Flannery said that since the sign has been approved, the church is ready to replace the roof on the marquee. They also wish to remove the ticket booth and put tile on the façade, as well as replace the front doors.

Mr. Preston asked about the progress of the marquee sign and if the lights along the bottom will be replaced. Mr. Flannery said that the sockets will be taken out and a sheet of aluminum placed in the channel with strip lights. He indicated that the detail would remain.

Mr. Beatty asked if the curved shape of the front will remain after the ticket booth is removed, and Mr. Flannery answered that it would.

Mr. Beatty asked about the tile that will make up the façade, but Mr. Flannery said that the tile has not yet been chosen. He speculated that it would be something small that can handle the transition of the curve.

Mr. Preston asked if the door to the ticket booth would be replaced. Mr. Flannery said no and explained that the entrance will consist of four doors. Structural changes would be required to accommodate five doors.

Mr. Beatty asked for clarification of the door changes on the plans. Mr. Flannery said that the doors will be replaced in kind, with an aluminum transom aluminum and bronze doors.

Mr. Geib pointed out that without a tile selection, the board has no way of knowing what the building will look like. The board decided they want to see samples before approving the proposal.

#### 2. Action by the Board

**MOTION:** Mr. Beatty moved to table the proposal; the motion was seconded by Mr. Ognibene, and on roll call, was approved 4-0.

**RESULT:** Application tabled.

C. <u>Restricted Residential Use Special Use Permit for the creation of two additional apartments</u> on the third floor of this existing mixed-use building

**Address**: 5-7 Jackson Street

**Applicant**: David Ciurzynski (agent for the owner)

Actions: 1. Review application and discussion

2. Public hearing

3. SEQR

4. Action on Special Use Permit

#### 1. Review Application and Discussion

Mr. Preston read the summary of the proposal.

Colin Lewis was present to speak about the project. He explained that the project involves replacing windows, putting in two third-story two-bedroom apartments, and cleaning up the façade.

#### 2. Public Hearing

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

RESULT: Public hearing opened at 6:25 p.m.

There was no one present who wished to speak, and no calls, or email concerning the proposal.

**MOTION:** Mr. Beatty moved to close the public hearing; the motion was seconded by Mr. Ognibene, and on roll call, was approved 4-0.

RESULT: Public hearing closed at 6:26 p.m.

#### 3. SEQR

**MOTION**: Mr. Geib moved to approve a negative declaration of SEQR; the motion was seconded by Mr. Ognibene, and on roll call, was approved 4-0.

RESULT: SEQR approved.

#### 4. Action by the Board

**MOTION:** Mr. Beatty moved to approve the proposal as presented; the motion was seconded by Mr. Geib, and on roll call, was approved 4-0.

**RESULT:** Special Use Permit approved.

D. Restricted Residential Use Special Use Permit for the creation of four apartments on the second floor and three apartments on the third floor of this existing building

Address: 101-103 Main Street

**Applicant**: David Ciurzynski (agent for the owner)

Actions: 1. Review application and discussion

2. Public hearing

3. SEQR

4. Action on Special Use Permit

#### 1. Review Application and Discussion

Mr. Preston read the summary of the proposal.

Mr. Lewis told the board that the building will be repointed and the limestone façade refreshed. Windows will be replaced, except for the part of the building facing 5-7 Jackson Street, where window openings will be created.

Mr. Preston asked if there are any plans for the first floor. Mr. Lewis responded that the focal point for the moment is the second and third floor. Eventually, they will look for a commercial tenant and retrofit the first floor space to meet the business's needs.

#### 2. Public Hearing

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

RESULT: Public hearing opened at 6:33 p.m.

There was no one present who wished to speak, and no calls, or email concerning the proposal.

**MOTION:** Mr. Beatty moved to close the public hearing; the motion was seconded by Mr. Ognibene, and on roll call, was approved 4-0.

RESULT: Public hearing closed at 6:34 p.m.

#### 3. SEQR

**MOTION**: Mr. Geib moved to approve a negative declaration of SEQR; the motion was seconded by Mr. Ognibene, and on roll call, was approved 4-0.

RESULT: SEQR approved.

#### 4. Action by the Board

**MOTION:** Mr. Geib moved to approve the proposal as submitted; the motion was seconded by Mr. Beatty, and on roll call, was approved 4-0.

**RESULT: Special Use Permit approved.** 

E. Restricted Residential Use Special Use Permit for the creation of four apartments on the second floor of this existing building

Address: 105-107 Main Street

**Applicant**: David Ciurzynski (agent for the owner)

Actions: 1. Review application and discussion

2. Public hearing

3. SEQR

4. Action on Special Use Permit

#### 1. Review Application and Discussion

Mr. Preston read the summary of the proposal.

Mr. Lewis said that the replacement windows for this building would match the windows on 101-103 Main Street. Once again, the building will be repointed and the façade refreshed. The heating/cooling unit on the roof will not be visible from Main Street.

Mr. Randall asked for clarification on the number of apartments in each building, and Mr. Lewis said that 101-103 Main Street will have six apartments and 105-107 Main Street will have four apartments.

Mr. Preston asked about the elevator, and Mr. Lewis answered that the interior elevator has been retrofitted.

#### 2. Public Hearing

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

RESULT: Public hearing opened at 6:42 p.m.

There was no one present who wished to speak, and no calls, or email concerning the proposal.

**MOTION:** Mr. Geib moved to close the public hearing; the motion was seconded by Mr. Beatty, and on roll call, was approved 4-0.

RESULT: Public hearing closed at 6:43 p.m.

#### 3. SEOR

**MOTION**: Mr. Geib moved to approve a negative declaration of SEQR; the motion was seconded by Mr. Beatty, and on roll call, was approved 4-0.

**RESULT: SEOR approved.** 

#### 4. Action by the Board

**MOTION**: Mr. Geib moved to approve proposal as submitted; the motion was seconded by Mr. Beatty, and on roll call, was approved 4-0.

**RESULT:** Special Use Permit approved.

#### V. Setting of Next Meeting: March 21, 2023

#### VI. Adjournment

Mr. Preston moved to adjourn the meeting at 6:46 p.m., and Mr. Beatty seconded the motion. All voted in favor.

Meg Chilano Bureau of Inspection 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

From:

Doug Randall, Code Enforcement Officer

Date:

2/3/23

Re:

210-212 East Main St.

Tax Parcel No. 84.058-1-4.2

Zoning Use District: C-3

The applicant, Jon Flannery, (contractor for the owner), is requesting the PDC review proposed exterior changes to the northern façade in the downtown Business Improvement District.

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, any action involving exterior changes requiring issuance of a building permit, shall be approved by the Planning and Development Committee.

### CITY OF BATAVIA, NEW YORK APPLICATION FOR A BUILDING PERMIT

Application Date:1	-25-23	_			
APPLICANT NAME	Kircher Construction	on, Inc.	PHONE 585	5-370-8077	
APPLICANT MAILING ADDRESS 3090 Mt.Morris-Geneseo Road, Mt. Morris, NY 14510					
APPLICANT EMAIL iflannery@kircherconstruction.com					
Project Location and Information					
Address of Project: 210	-212 East Main Street				
Owner: The City Church			Phone: 585-343-1225		
Owners Mailing Address:	210-212 East Main St	reet Batavia NY 140	20		
Project Type/Describe	<u>e Work</u>	Estima	ted cost of work:	50,000	
Describe project: Replace	e storefront doors in kir	nds, replace marque	e roof and marquee	facade (addressed in othe	
permit and variance granted) Replace damaged terrazo with heated concrete, replace ticket wind					
with en	closed tile face				
GENERAL Name & Address: Kirche Phone: 585-370-8077		Liability	Workers of	——————————————————————————————————————	
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PLUMBING (C	ity of Batavia Licens	sea Plumber Requ	irea)		
Name & Address:				<del>-</del>	
Phone:					
HEATING					
Name & Address:					
Phone:					
ELECTRICAL (Third Party Electrical Inspection Required)  Name & Address: DJ Beardsley and Sons, Inc. Castile NY					
Phone: 585-493-5709					
FOR OFFICE USE ONLY					
Zoning District:				andmark:	
Zoning Review:					
	National Grid Sign Off (Pools): Lot Size:				
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## CITY CHURCH BATAVIA

210 E. MAIN STREET BATAVIA, NY 14020

#### SCOPE OF WORK:

THIS SET OF DRAWINGS INCLUDES THE PERMIT SET DRAWINGS REQUIRED FOR THE ENTRY ALTERATIONS TO AN EXISTING TWO STORY, MASONRY CHURCH LOCATED AT 210 E. MAIN STREET BATAVIA, NEW YORK.

DRAWINGS SHOW AN ALTERNATE DOOR SOLUTION PENDING CLIENT DETERMINATION BASED ON COST.

#### AREAS OF WORK:

- REPLACEMENT OF EXISTING ENTRY DOOR SYSTEM
- HISTORICALLY SENSITIVE REMOVAL OF THE EXISTING TICKET WINDOW. BEING REPLACED BY AN ACCENT WALL.
- LIGHT BULB REPLACMENT IN THE FRONT AND CEILING OF THE MARQUEE.
- · IMPROVEMENTS OF THE ROOF DRAINING SYSTEMS IN THE EXISTING MARQUEE.

#### **BUILDING CODES**

ALL WORK IS TO CONFORM TO THE LATEST EDITION OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE AND ALL BUILDING AND ZONING ORDINANCES OF THE AUTHORITIES HAVING JURISDICTION.

2020 EXISTING BUILDING CODE OF NYS
2020 BUILDING CODE OF NYS
2020 FIRE CODE OF NYS
2020 PLUMBING CODE OF NYS
2020 ENERGY CONSERVATION CONSTRUCTION CODE OF NYS
2003 ICC/ANSI A117.1

#### **DRAWING LIST:**

\*\* COVER SHEET

D-100 DEMO ELEVATION

D-101 DEMO PLAN

A-100 FLOOR PLANS

A-101 ELEVATION AND DETAILS

A-102 REFLECTED CEILING PLAN

A-103 PARAPET ROOF PLAN

A-104 ROOF DETAILS A

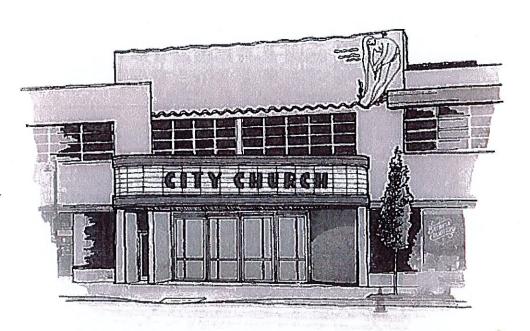
A-105 ROOF DETAILS B

A-106 ROOF DETAILS C

A-106 ROOF DETAILS D

B-100 ALTERNATE ELEVATION

B-101 ALTERNATE FLOOR PLAN



PROJECT # 2126 FEBRUARY 7 2022 PERMIT SET



Perry • Finger Lakes • Rochester V • 585.237.2614 F • 585.237.3679 2 Borden Ave Ste 202 Perry, NY 14530 www.insitearch.com

CONTACT.

JAMES REYNOLDS

