

# ZONING BOARD OF APPEALS

Thursday, May 27, 2021

6:00 pm

Council Board Room

One Batavia City Centre, Batavia, NY

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## AGENDA

- I. Roll Call
- II. Call to order
- III. Pledge of Allegiance
- IV. Approval of April 22, 2021 minutes
- V. Statement about the role of the Zoning Board of Appeals and the procedure it follows
- VI. Variance Requests

### **A. Request #1**

*1 Ellicott Place*

Allan Bischoff, owner

Area Variance:

Expand an existing rear porch by constructing an 8' x 5.8' wood frame deck extension. The new construction will be located within the rear yard clear space

- 1. Review application
- 2. Remove application from table
- 3. Public hearing and discussion
- 4. Action by the board

### **B. Request #2**

*282 Ross Street*

Robert Doty, owner

Area Variance:

Widen a 10' wide Portland cement driveway by placing 11' of Portland cement to the south side of the existing driveway

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

### **C. Request #3**

*136 Trumbull Parkway*

Felipe and Laurie Oltramari, owners

Area Variance: Place a 12' x 16' wood frame utility shed in the south, front yard of this corner lot property. Also, remove an existing 55.43 sq.' detached garage structure to construct a new 630 sq.' garage in the same location as the existing one

1. Review application
2. Public hearing and discussion
3. Action by the board

**D. Request #4**

*20 Madison Avenue*  
Joshua Macklem, owner

Area Variance: Place a 24' diameter above ground swimming pool in the side yard of this corner lot property

1. Review application
2. Public hearing and discussion
3. Action by the board

VII. Setting of Next Meeting: June 24, 2021

VIII. Adjournment

**ZONING BOARD OF APPEALS**  
***Draft Minutes***  
**Thursday, April 22, 2021**  
**6:00 pm**  
**Council Board Room**  
**One Batavia City Centre, Batavia, NY**

Members present: *Jeff Gillard, Deborah Kerr-Rosenbeck, Leslie Moma, Paul McCarthy, Jim Russell*

Members absent: Nick Harris

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 Paul McCarthy declared a quorum.

**II. Call to Order**

Mr. McCarthy called the meeting to order at 6:01 pm.

**III. Pledge of Allegiance**

**IV. Approval of Minutes**

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

**RESULT: Approval of February 25, 2021 minutes.**

**V. Zoning Board of Appeals statement**

Mr. McCarthy explained the role of the Zoning Board of Appeals and the procedures it follows.

**VI. Variance Requests**

- A. Area Variance: Convert an existing art studio/shop to an independent dwelling unit. This existing living space is located in a detached building located on street frontage within the bounds of this corner lot parcel

Address: *129 Trumbull Parkway*

Applicant: David Chua, owner

- Actions:
1. Review proposal
  2. Public hearing and discussion
  3. Action by the board

### **1. Review Application**

Acting Vice Chair, Jim Russell, read the summary of the proposal.

### **2. Public Hearing and Discussion**

**MOTION:** Mr. McCarthy moved to open the public hearing; the motion was seconded by Mr. Russell, and on roll call, was approved 5-0.

**RESULT: Public hearing opened at 6:08 pm.**

Mr. Chua explained that he would like to keep his adult autistic son near as he learns life skills by living in a separate unit. The apartment will also house another son when he returns from college.

There were no calls, letters, or email concerning the proposal.

**MOTION:** Mr. McCarthy moved to close the public hearing; the motion was seconded by Mr. Gillard, and on roll call, was approved 5-0.

**RESULT: Public hearing closed at 6:10 pm.**

Mr. Russell asked Mr. Randall if it is possible to approve the application with the condition that no rental is allowed.

Mr. Randall responded that it would not be possible to enforce it.

Mr. McCarthy asked if it is possible to approve the application with the condition that the variance ends when the owner sells the property.

Mr. Randall explained that a variance applies to the property rather than the owner.

Mr. Chua pointed out that there are no outward-facing doors for the unit. The only door is in the back yard, which makes the unit less desirable as a rental.

He also explained that Mr. Chua is only asking for a variance for the size of the lot. Everything else is permitted already.

### **3. Action by the Board**

Mr. McCarthy went through the list of supporting criteria for the variance:

- Undesirable change in neighborhood character: no
- Alternative cure sought: no
- Substantiality: not substantial
- Adverse effect or impact on neighborhood/community: no
- Self-created: no

**MOTION:** Mr. Russell moved to approve the variance with 120 days to obtain the permit. The motion was seconded by Mr. Gillard, and on roll call, was approved 5-0.

**RESULT: Area Variance approved.**

- B. Area Variance: expand an existing rear porch by constructing an 8' x 5.8' wood frame deck extension. The new construction will be located within the rear yard clear space

Address: *1 Ellicott Place*  
Applicant: Allan Bischoff, owner

- Actions: 1. Review application  
2. Public hearing and discussion  
3. Action by the board

### **Review Application**

The applicant was absent from the meeting.

**MOTION:** Mr. Russell moved to table the application; the motion was seconded by Mr. McCarthy, and on roll call, was approved 5-0.

**RESULT: Application tabled.**

### **VII. Setting of Next Meeting: May 27, 2021**

### **VIII. Adjournment**

Mr. McCarthy adjourned the meeting at 6:19 pm.

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Meg Chilano  
Bureau of Inspection Secretary



# GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID **C-10-BAT-5-21**  
Review Date **5/13/2021**

Municipality	<b>BATAVIA, C.</b>
Board Name	<b>BATAVIA CITY COUNCIL</b>
Applicant's Name	<b>Batavia City Council</b>
Referral Type	<b>Zoning Map Change</b>
Variance(s)	
Description:	<b>Zoning Map Change to rezone one parcel from Planned Development Medical (P-2) to Central Commercial (C-3).</b>
Location	<b>211 E. Main St. (NYS Rts. 5 &amp; 33), Batavia</b>
Zoning District	<b>Planned Development Medical (P-2) District</b>

## PLANNING BOARD DECISION

**APPROVAL**

## EXPLANATION:

The proposed rezoning should pose no significant county-wide or inter-community impact. The map change is not inconsistent with the City's Comprehensive Plan adopted in 2017.

Director

May 13, 2021

Date

If the County Planning Board disapproved the proposal, or recommends modifications, the referring agency shall NOT act contrary to the recommendations except by a vote of a majority plus one of all the members and after the adoption of a resolution setting forth the reasons for such contrary action. Within 30 days after the final action the referring agency shall file a report of final action with the County Planning Board. An action taken form is provided for this purpose and may be obtained from the Genesee County Planning Department.

# C-10-BAT-5-21



© All Pictometry

03/21/2021

**As mandated by State Law, this form must be completed and filed within 30 days after Final Action by the local agency.**



**-NOTICE OF FINAL ACTION-**  
**ZONING REFERRALS**

PURSUANT TO SECTIONS 239 l, m and n OF GENERAL MUNICIPAL LAW

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

Reference : G.C.D.P. Referral Number : \_\_\_\_\_

Applicant : \_\_\_\_\_  
\_\_\_\_\_

AGREEMENT with County Planning Board recommendations.

OVERRULED County Planning Board recommendations.

Is a copy of the resolution attached?      YES            NO     

If not, please list the substance of the resolution below.

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

\_\_\_\_\_  
Signature of the Referring Official

\_\_\_\_\_  
Representing Board

Article 12B, Sections 239 l, m and n of the General Municipal Law requires the County Planning Board to review all zoning matters as specified by that resolution. It also provides that a recommendation of the County Planning Board may be overruled by the local referring agency. The local referring agency must pass a resolution expressing the reason for such action by a majority plus one vote of its membership. Article 12B also requires that the local municipal agency file a report of its final action informing the County Planning Board of what action the local agency took.

Please return this form within 30 days of your final action to:  
GENESEE COUNTY DEPARTMENT OF PLANNING  
3837 West Main Street Road  
Batavia, New York 14020-9404





*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  
Zoning Board of Appeals

From: Doug Randall, Code Enforcement Officer

Date: 3/26/21

Re: 1 Ellicott Place  
Tax Parcel No. 84.015-3-7.1

Zoning Use District: R-2

The applicant, Allan Bischoff, owner, has filed an application to expand an existing rear porch by constructing an 8' x 5.8' wood frame deck extension. The new construction will be located within the rear yard clear space.

**Note:** This is a type II action as defined by Environmental Conservation Law and is not subject to review under SEQRR 6 NYCRR Part 617.5 (c) (12).

**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 a NYS road or highway

**Zoning Board of Appeals-** Pursuant to BMC Sec. 190-49 of the zoning ordinance, the ZBA shall review and act on required variances.

**1) Required variances- Area BMC Sec. 190-29 A. and Schedule I**

	<u>Required</u>	<u>Proposed</u>	<u>Difference</u>
Rear yard set-back	35'	11.29'	23.71'



## GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID C-07-BAT-4-21  
Review Date 4/8/2021

Municipality	<b>BATAVIA, C.</b>
Board Name	<b>ZONING BOARD OF APPEALS</b>
Applicant's Name	<b>Allen Bischoff</b>
Referral Type	
Variance(s)	<b>Area Variance(s)</b>
Description:	<b>Area Variance to expand an existing rear porch for a single-family home.</b>  <b>Rear Yard Setback</b> <b>Minimum required: 35 ft.</b> <b>Existing home: 17.09 ft.</b> <b>Proposed porch: 11.29 ft.</b>
Location	<b>1 Ellicott Pl., Batavia</b>
Zoning District	<b>Residential (R-1) District</b>

### PLANNING BOARD DECISION

**APPROVAL**

### EXPLANATION:

The proposed variance should pose no significant county-wide or inter-community impact.

Director

April 8, 2021

Date

If the County Planning Board disapproved the proposal, or recommends modifications, the referring agency shall NOT act contrary to the recommendations except by a vote of a majority plus one of all the members and after the adoption of a resolution setting forth the reasons for such contrary action. Within 30 days after the final action the referring agency shall file a report of final action with the County Planning Board. An action taken form is provided for this purpose and may be obtained from the Genesee County Planning Department.

**SEND OR DELIVER TO:**

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



**\* GENESEE COUNTY \*  
PLANNING BOARD REFERRAL**

**DEPARTMENT USE ONLY:**  
GCDP 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) Zoning Board of Appeals  
Address One Batavia City Centre  
City, State, Zip Batavia, NY 14020  
Phone (585) 345 - 6345 Ext. \_\_\_\_\_

**2. APPLICANT INFORMATION**

Name Allan Bischoff  
Address 1 Ellicott Place  
City, State, Zip Batavia, NY 14020  
Phone (585) 813 - 5078 Ext. \_\_\_\_\_ Email allenbischoff@yahoo.com

MUNICIPALITY:  City  Town  Village of Batavia

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

- |   |  |   |
|---|--|---|
| <input checked="" 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 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 1 Ellicott Place
- B. Nearest intersecting road Ellicott St
- C. Tax Map Parcel Number 84.015-3-7.1
- D. Total area of the property \_\_\_\_\_ Area of property to be disturbed \_\_\_\_\_
- E. Present zoning district(s) R-2

**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 190-29 A and Schedule I
- C. Please describe the nature of this request Approval to place a porch extension within the rear yard clear space

**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 checked="" type="checkbox"/> Site plan         | <input type="checkbox"/> Location map or tax maps    | <input checked="" type="checkbox"/> Photos                     |
| <input type="checkbox"/> Subdivision plot plans       | <input type="checkbox"/> Elevation drawings          | <input checked="" type="checkbox"/> Other: <u>Cover letter</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 drrandall@batavianewyork.com



CITY OF BATAVIA  
APPLICATION TO THE ZONING BOARD OF APPEALS

PAID  
MAR 26 2021  
CITY OF BATAVIA  
CLERK-TREASURER

Application No.: 21-04  
Hearing Date/Time: \_\_\_\_\_

APPLICANT: Allen Bischoff  
Name  
1 Ellicott Place  
Street Address  
Batavia NY  
City State  
E-Mail Address allenbischoff@yahoo.com  
Phone 585-813-5078  
Fax 14020  
Zip

STATUS:  Owner \_\_\_\_\_ Agent for Owner \_\_\_\_\_ Contractor

OWNER: Allon Bischoff  
Name  
1 Ellicott Place  
Street Address  
Batavia NY  
City State  
E-Mail Address 585-813-5078  
Phone  
Fax 14020  
Zip

LOCATION OF PROPERTY: \_\_\_\_\_

DETAILED DESCRIPTION OF REQUEST: Build an addition to an existing porch 8' x 6' approximately 3' high

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.

Allen Bischoff \_\_\_\_\_ 3-25-21  
Applicant's Signature Date  
Allen Bischoff \_\_\_\_\_ 3-25-21  
Owner's Signature Date

To be Filled out by Zoning Officer

TAX PARCEL: 84.015-3-7.1 ZONING DISTRICT: R-2 FLOOD PLAIN: AH  
TYPE OF APPEAL:  Area Variance FEE:  \$50 (One or Two Family Use)  
 Use Variance  \$100 (All other Uses)  
 Interpretation  
 Decision of Planning Committee

Provision(s) of the Zoning Ordinance Appealed: BMC 190-29A and Schedule 1  
The minimum rear yard clearance is 35'

## 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.

No

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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. No
- 
- 

3. **Substantiality.** The requested area variance is not substantial. No
- 
- 

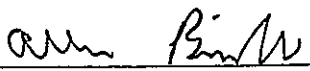
4. **Adverse Effect or Impact.** The requested variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or community.

No

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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

3-25-21  
Date

DATE: 3-25-21

APPLICANT NAME & PHONE: Allen Bischoff

**Project Location and Information**

Permit #: \_\_\_\_\_ Fee: \_\_\_\_\_

Address of Project: 1 Ellicott Place Batavia NY

Owner & Address: Allen Bischoff 1 Ellicott Pl

Phone: 585-813-5078

**Project Type/Describe Work**

Estimated cost of work: 5000

Start date: May 1st

Describe project:

Support existing porch roof and replace everything below roof w/ new 8' long addition attached

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

**GENERAL**

Name/Address: \_\_\_\_\_

Phone: \_\_\_\_\_

**PLUMBING** (City of Batavia Licensed Plumber Required)

Name/Address: \_\_\_\_\_

Phone: \_\_\_\_\_

**HEATING**

Name/Address: \_\_\_\_\_

Phone: \_\_\_\_\_

**ELECTRICAL** (Third Party Electrical Inspection Required)

Name/Address: \_\_\_\_\_

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: \_\_\_\_\_

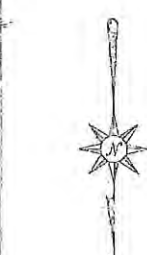
DATE 11/02/20  
OCTOBER 30, 2020 JOB NO. 20-474  
SCALE 1" = 20'  
GENESEE AND STATE OF NEW YORK  
IN THE CITY OF BATAVIA, COUNTY OF  
ORIGINAL VILLAGE LOT NO. 37, SITUATE  
TO BE CONVEYED BEING PART OF  
BOUNDARY SURVEY SHOWING THE PARCEL

REFERENCES  
SURVEY MAP NO. 08-129 BY GREGORY W.  
TOWNSEND, L.S., DATED MAY 21, 2008  
ABSTRACT OF TITLE NOS. 1600 AND 1608  
CORNER STONE ABSTRACT

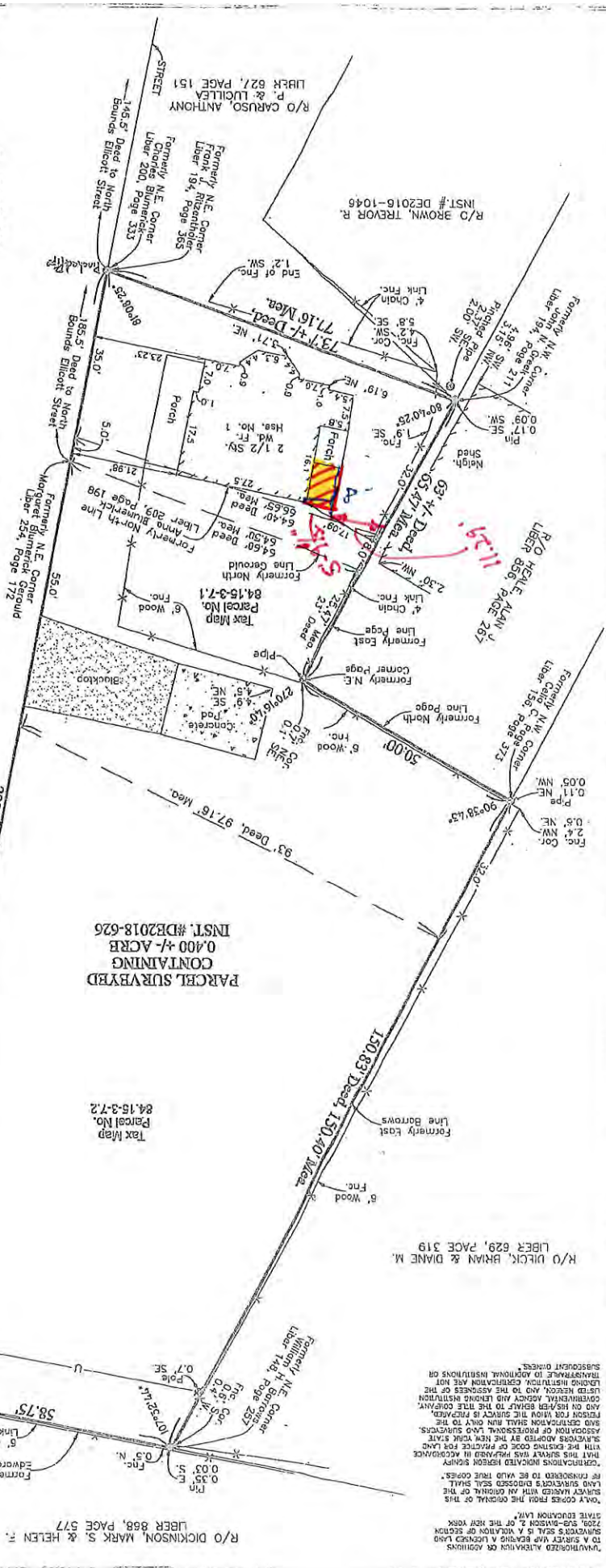
LEGEND  
EXISTING IRON STAKE  
UTILITY POLE  
OVERHEAD UTILITY LINES

I, GREGORY W. TOWNSEND, CERTIFY TO:  
DOLLINGER ASSOCIATES, P.C.  
PREMIUM MORTGAGE CORPORATION, ITS SUCCESSORS  
AND/OR ASSIGNS, AS THEIR INTERESTS MAP APPEAR  
ALLEN J. BISCHOFF  
ABSTRACT

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



58.75'  
109.52'  
0.7' N. W.  
0.2' W.  
0.2' W.  
0.18' E  
5' Chain  
Fnc. Cor.  
Formerly South Line  
Edward G. Richmond



PARCEL SURVEYED  
CONTAINING  
0.400 +/- ACRES  
INST. #DE2018-626

R/O DICKSON, MARK S. & HELEN J.  
LIBER 888, PAGE 577

R/O DICKIN, BRIAN & DIANE M.  
LIBER 629, PAGE 319

"UNREGISTERED" MEANS OR ADMITS  
TO A SURVEY MAP BEARING A LICENSED LAND  
SURVEYOR'S SEAL IS A VIOLATION OF SECTION  
7205, 85-B-AMENDMENT 2 OF THE NEW YORK  
STATE EDUCATION LAW.  
"ONLY COPIES FROM THE ORIGINAL OF THE  
SURVEY MAPS WITH AN ORIGINAL OF THE  
LAND SURVEYOR'S PROPOSED SEAL SHALL  
BE CONSIDERED TO BE VALID FOR RECORD."  
"CERTIFICATIONS INCLUDING HEREON SIGNIFY  
THAT THE SURVEY WAS PREPARED IN ACCORDANCE  
WITH THE SURVEY CODE OF PRACTICE FOR LAND  
SURVEYORS ADOPTED BY THE NEW YORK STATE  
BOARD OF PROFESSIONAL LAND SURVEYORS,  
AND CERTIFICATION SHALL RUN ONLY TO THE  
PERSON FOR WHOM THE SURVEY IS PREPARED.  
NO GUARANTEE OR WARRANTY IS MADE BY THE  
LAND SURVEYOR AS TO THE ACCURACY OF THE  
CERTIFICATION OR AS TO THE VALIDITY OF THE  
TRANSFER TO ANY OTHER INSTITUTION OR  
SUBSEQUENT OWNERS."

R/O CARUSO, ANTHONY  
P. & LUCILLE  
LIBER 627, PAGE 151  
148.5' Deed to North  
Boundary Fillicott Street

Formerly NE Corner  
From J. Richmond  
Liber 194, Page 365  
Formerly NE Corner  
Margaret Blumrick  
Liber 200, Page 303

Formerly NW Corner  
Liber 194, Page 211  
3.98' SW  
2.15' SW  
2.30' SW  
2.30' SW

Formerly NE Corner  
Liber 856, Page 287  
Formerly NW Corner  
Liber 156, Page 373

Formerly NE Corner  
Liber 254, Page 172  
Formerly NE Corner  
Liber 203, Page 198  
Formerly North Line  
Anna Blumrick  
Liber 254, Page 172

Formerly NE Corner  
Liber 254, Page 172  
Formerly NE Corner  
Liber 254, Page 172

Formerly NE Corner  
Liber 254, Page 172

22' overall

8' long

T<sub>1</sub>

V10

Existing Road

15'

27 8/10 on 15' on 15' on 15'

0-

How to get into road

Access to road

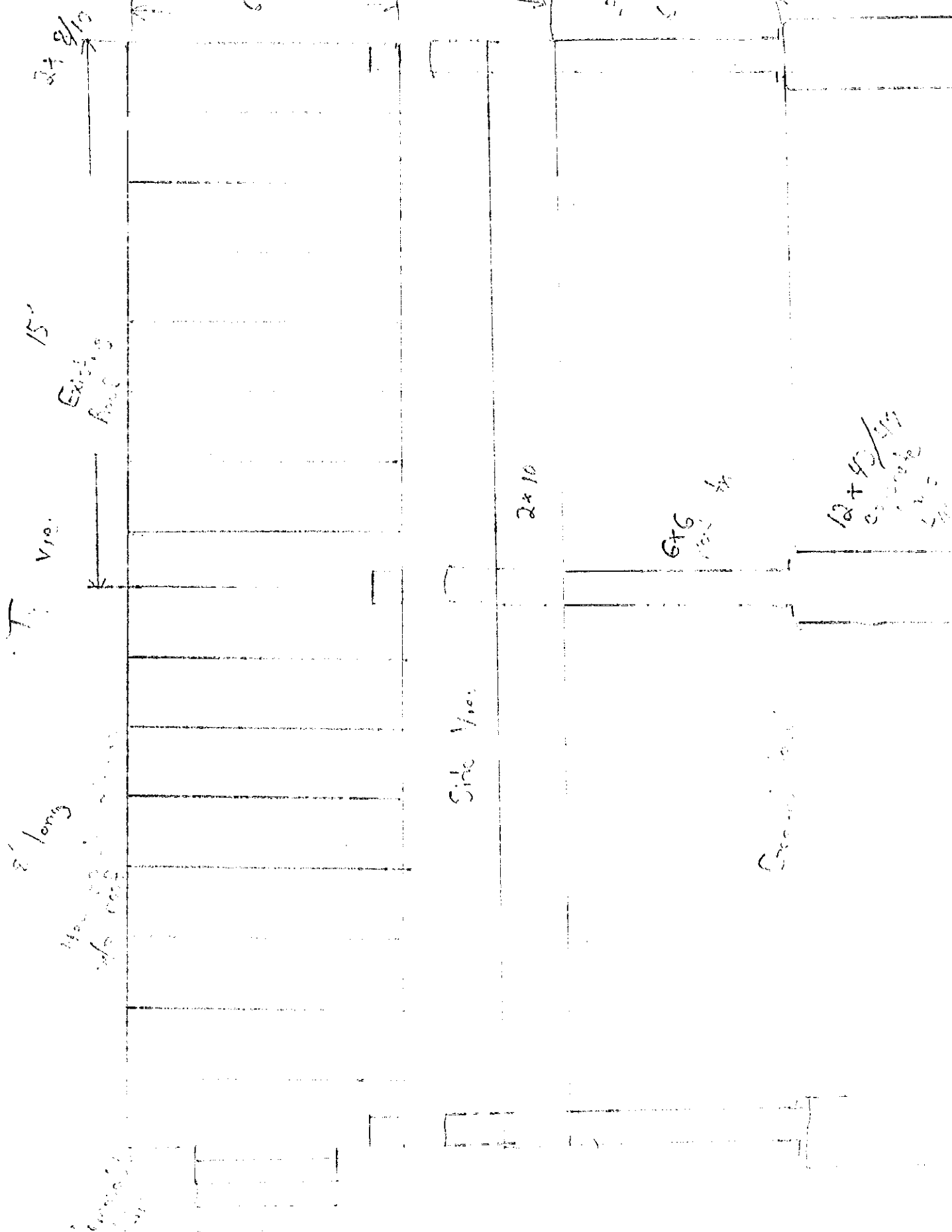
Site View

2x10

6x6

Access to road

12' x 40' on 15' on 15' on 15'







Ellicott Place

84.015-3-9

84.015-3-8

84.015-3-10

84.015-3-7.1

**THE CITY OF BATAVIA  
PLANNING & DEVELOPMENT COMMITTEE  
ZONING RECOMMENDATIONS**

**Meeting Date:**

Applicant's Name	Robert Doty
Location	282 Ross Street
Zoning District	R-1A
Referral Type	
Variance(s)	Area
Description	Widen an existing Portland cement driveway by 1'

**PLANNING & DEVELOPMENT COMMITTEE RECOMMENDATION**

Approval – widening the existing driveway by 1' will not create a significant impact
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**ZONING BOARD OF APPEALS DECISION**

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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  
Zoning Board of Appeals

From: Doug Randall, Code Enforcement Officer

Date: 4/27/21

Re: 282 Ross St.  
Tax Parcel No. 71.020-1-78

Zoning Use District: R-1A

The applicant, Robert Doty (owner), has applied for a permit to widen an existing 10' wide Portland cement driveway by placing 11' of Portland cement to the south side of the existing driveway.

**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) (13).

**Review and Approval Procedures:**

**City Planning and Development Committee-** Pursuant to section 190-49 C. of the zoning ordinance, the Planning and Development Committee shall review and make recommendations to the ZBA for applications that include parking variances.

**Zoning Board of Appeals-** Pursuant to BMC Sec. 190-49 of the zoning ordinance, the ZBA shall review and act on required variances.

Required variances- Area

**BMC Sec. 190-39 E (1)** The width of driveways shall not exceed 25% of the lot frontage.

	<u>Permitted</u>	<u>Proposed</u>	<u>Difference</u>
Driveway width	20'	21'	1'



CITY OF BATAVIA  
APPLICATION TO THE ZONING BOARD OF APPEALS

Application No.: 21-08  
Hearing Date/Time: \_\_\_\_\_

APPLICANT: Robert Doty  
Name 282 Ross St E-Mail Address \_\_\_\_\_  
Street Address Batavia NY 14020 Phone \_\_\_\_\_ Fax \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_

STATUS:  Owner  Agent for Owner  Contractor

OWNER: Robert Doty  
Name 282 Ross St E-Mail Address \_\_\_\_\_  
Street Address Batavia NY 14020 Phone \_\_\_\_\_ Fax \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

LOCATION OF PROPERTY: 282 Ross St Batavia NY

DETAILED DESCRIPTION OF REQUEST

Widen Existing Concrete Driveway 1' From Front Porch to the Carport  
11' From the Edge of Existing to the South.

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.

[Signature] Applicant's Signature Date April 12 2021

Owner's Signature \_\_\_\_\_ Date \_\_\_\_\_

To be Filled out by Zoning Officer

TAX PARCEL: 71.020-1-78 ZONING DISTRICT: R-1A FLOOD PLAIN: C

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

Provision(s) of the Zoning Ordinance Appealed: BMC 190-39.5(c) Width of driveways shall not exceed 25% of lot frontage.


PAID  
APR 28 2021  
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.  
The Addition to the Driveway will Allow Guest to Park in the Driveway instead of in the Street.
- 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.  
The Requested Area is only 1 meter than the Code Allows without the Variance
- 3. Substantiality.** The requested area variance is not substantial.  
The Area Exceeding Permissible is minimal
- 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.  
There will be no adverse effects to the Neighborhood
- 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.

  
Applicant's Signature

April 12 2021  
Date



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

### DRIVEWAY AND PARKING SPACE PERMIT \$10 fee – Please attach Survey / Illustration

APPLICANT: Western NY Concrete wnyconcrete@empacc.net  
 Name E-mail Address  
638 East Main St 585-343-6850  
 Street Address Phone  
Batavia NY 14020  
 City State Zip  
 \_\_\_\_\_ Owner \_\_\_\_\_ Agent for Owner  Contractor

OWNER: Robert Doty robertgdoty@yahoo.com  
 Name E-mail Address  
282 Ross St 297-6319  
 Street Address Phone  
BATAVIA NY 14020  
 City State Zip

ADDRESS OF PROPERTY: 282 Ross St

DIMENSIONS OF EXISTING DRIVEWAY: Width 10 Length 60

DIMENSIONS OF NEW DRIVEWAY / ADDITION: Width 11 Length 42

SURFACE MATERIAL: Existing Concrete Proposed Concrete

Joseph A. Penzant Mar 29, 2021  
Applicant's Signature Date

\_\_\_\_\_  
Owner's Signature Date

*To be filled out by Zoning Enforcement Officer*

TAX PARCEL: \_\_\_\_\_ ZONING DISTRICT: \_\_\_\_\_ SURVEY: \_\_\_\_\_

DIMENSIONS OF LOT: Lot Frontage \_\_\_\_\_ Front Yard \_\_\_\_\_

PERCENTAGE OF LOT FRONTAGE: \_\_\_\_\_ SURFACE MATERIAL: \_\_\_\_\_

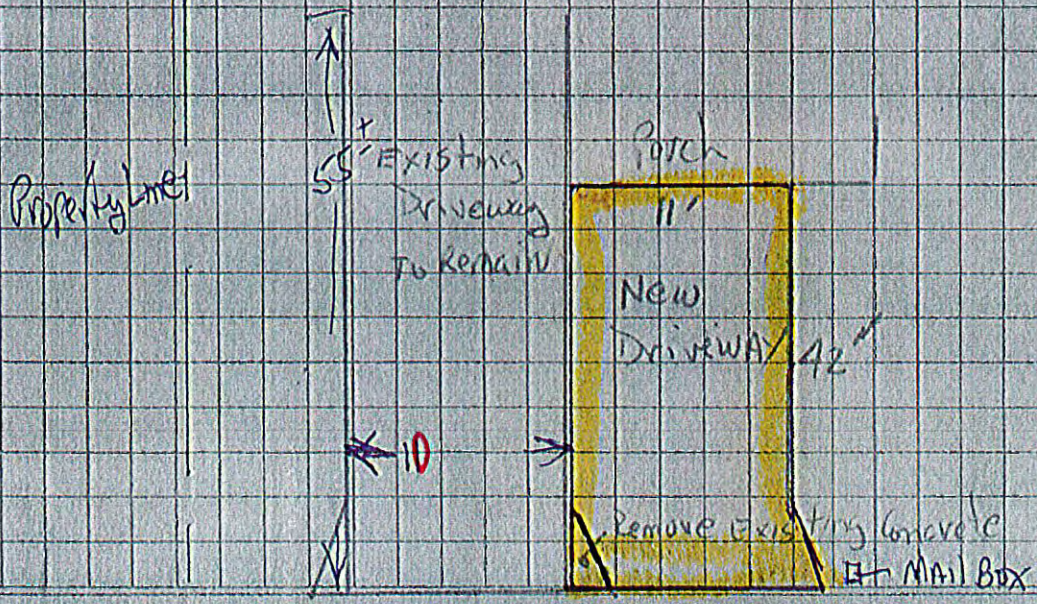
APPROVED: \_\_\_\_\_ AREA VARIANCE: \_\_\_\_\_ GRADE PLAN: \_\_\_\_\_

ISSUING OFFICER: \_\_\_\_\_ DATE: \_\_\_\_\_

ORIGINAL CONTRACT

WESTERN N.Y. CONCRETE CORP.  
638 E. MAIN ST. • BATAVIA • NEW YORK • 14020 • 585-343-6850

CUSTOMER: Robert Doty Doty DATE: March 11, 2021  
 ADDRESS: 282 Ross St. PHONE: 297-6319  
Batavia Nj WK PHONE: \_\_\_\_\_  
 PROJECT LOCATION: robert.gdoty@yachoo.com

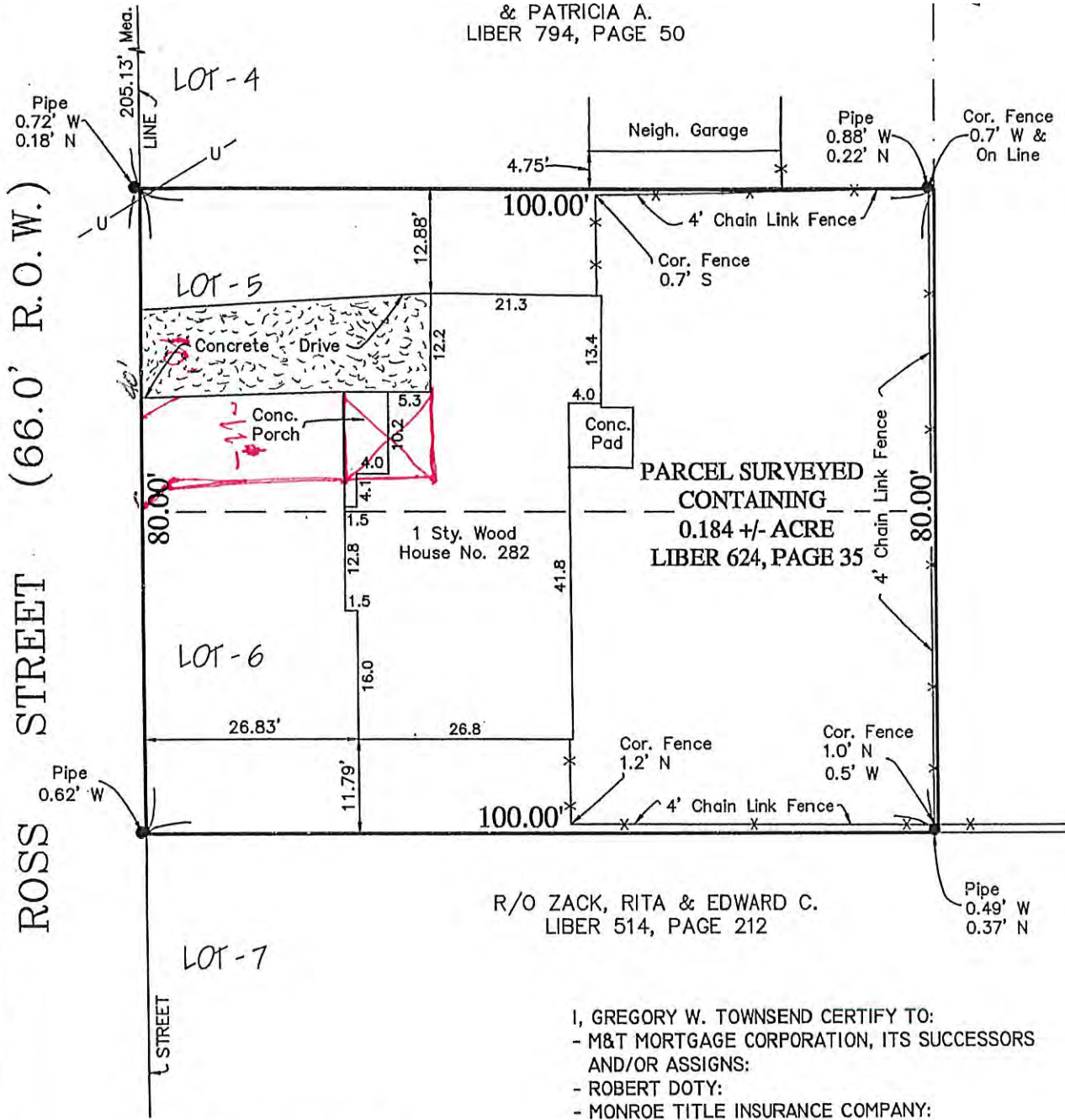


WE HEREBY FURNISH THE LABOR AND MATERIALS IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS AND SUBJECT TO CONDITIONS ON THE REVERSE SIDE: CONCRETE STRENGTHS ARE DESIGN ONLY. IN PLACE STRENGTHS ARE NOT GUARANTEED.

CONCRETE WORK

- 1.) Remove Sod & Subsoil From 11' x 42' Area Along Existing Driveway From Front Porch to Curb
- 2.) Tamp 4" Crusher Run
- 3.) Pour New 11' x 42' Concrete Driveway

ROSS STREET (66.0' R.O.W.)



R/O ZACK, RITA & EDWARD C.  
LIBER 514, PAGE 212

I, GREGORY W. TOWNSEND CERTIFY TO:  
 - M&T MORTGAGE CORPORATION, ITS SUCCESSORS  
 AND/OR ASSIGNS:  
 - ROBERT DOTY:  
 - MONROE TITLE INSURANCE COMPANY:

"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."

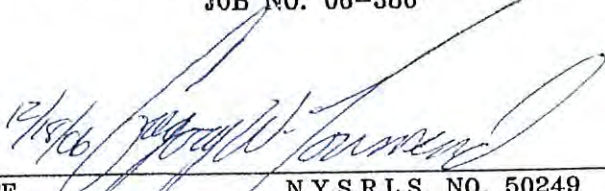
"ONLY COPIES FROM THE ORIGINAL OF THIS  
 SURVEY MARKED WITH AN ORIGINAL OF THE  
 LAND SURVEYOR'S EMBOSSED SEAL SHALL  
 BE CONSIDERED TO BE VALID TRUE COPIES."

"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.  
 SAID CERTIFICATION SHALL RUN ONLY TO 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."

BOUNDARY SURVEY SHOWING THE PARCEL TO BE  
 CONVEYED BEING PART OF ORIGINAL VILLAGE LOT  
 NO. 34, DISTINGUISHED AS SUBDIVISION LOTS NOS.  
 5 AND 6 OF THE GEORGE HAYNES SUBDIVISION.  
 SITUATE IN THE CITY OF BATAVIA, COUNTY OF  
 GENESEE AND STATE OF NEW YORK.

DECEMBER 07, 2006 SCALE 1" = 20'  
 JOB NO. 06-386

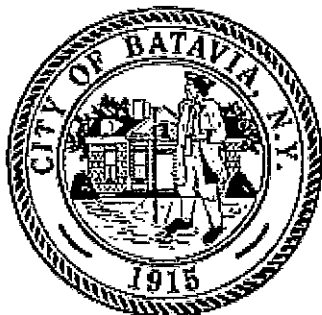
DAVID S. LAMENDOLA  
 GREGORY W. TOWNSEND  
 Licensed Land Surveyors  
 206 East Main Street  
 Batavia, New York 14020  
 Phone (585) 344-1331  
 Fax (585) 343-2691

DATE  N.Y.S.R.L.S. NO. 50249





Ross Street



*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: Zoning Board of Appeals  
From: Doug Randall, Code Enforcement Officer  
Date: 4/29/21  
Re: 136 Trumbull Pkwy.  
Tax Parcel No. 84.008-2-18.1

Zoning Use District: R-1A

The applicants, Felipe and Laurie Oltramari (owners), have filed an application to place a 12' x 16' wood frame utility shed in the south, front yard of this corner lot property. They also propose to remove an existing 550.43 sq. ft. detached garage structure to construct a new 630 sq. ft. garage in the same location as existing.

**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) (12).

**Review and Approval Procedures:**

**Zoning Board of Appeals-** Pursuant to BMC Sec. 190-49 of the zoning ordinance, the ZBA shall review and act on required variances.

Required variances- Area

- 1) BMC 190-35 D. Accessory buildings are not permitted to occupy spaces other than a rear yard.



CITY OF BATAVIA  
APPLICATION TO THE ZONING BOARD OF APPEALS

PAID  
APR 26 2021  
CITY OF BATAVIA  
CLERK-TREASURER

Application No.: 21-07  
Hearing Date/Time: \_\_\_\_\_

APPLICANT: Felipe & Laurie Oltramari fao1999@yahoo.com

Name 136 Trumbull Pkwy E-Mail Address (585) 356-7361

Street Address Batavia Phone \_\_\_\_\_ Fax 14020

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

STATUS:  Owner  Agent for Owner  Contractor

OWNER: Same as above

Name \_\_\_\_\_ E-Mail Address \_\_\_\_\_

Street Address \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

LOCATION OF PROPERTY: 136 Trumbull Pkwy, Batavia, NY 14020

DETAILED DESCRIPTION OF REQUEST: Locate a new garden shed (12 x 16) and replace an existing detached garage in a yard other than a rear yard (corner lot).

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.

Felipe A. Oltramari 4/26/21

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

Felipe A. Oltramari 4/26/21

Owner's Signature \_\_\_\_\_ Date \_\_\_\_\_

To be Filled out by Zoning Officer

TAX PARCEL: 84.008-2-18.1 ZONING DISTRICT: R-1A FLOOD PLAIN: C

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

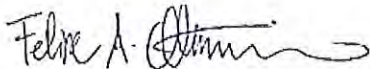
Provision(s) of the Zoning Ordinance Appealed: BMC 190-35D Accessory bldgs. are not permitted to occupy spaces other than a rear yard.

## 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.  
No undesirable change in neighborhood character. Similar structures are common in the neighborhood.
- 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. No alternative is possible, lot does not have a rear yard.
- 3. Substantiality.** The requested area variance is not substantial. Not a substantial variance. The location would be considered a rear yard if not a corner lot.
- 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. Shed and garage will help keep motor vehicles and lawn equipment indoors thus improving neighborhood.
- 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. Yes, self-created hardship



Applicant's Signature

4/26/2021

Date

DATE: 4/26/21

APPLICANT NAME & PHONE: Felipe & Laurie Oltramari (585) 356-7361 (mobile)

**Project Location and Information**

**Permit #:** \_\_\_\_\_ **Fee:** \_\_\_\_\_

Address of Project: 136 Trumbull Pkwy, Batavia, NY 14020

Owner & Address: Felipe & Laurie Oltramari 136 Trumbull Pkwy, Batavia, NY 14020

Phone: (585) 356-7361 (mobile)

**Project Type/Describe Work**

Estimated cost of work: TBD- depends on lumber prices Start date: 8/1/2021

Describe project:  
New garden shed (12x16) and replace existing 1- story garage with a slightly larger garage  
Existing garage is 20 x 20 ft with an attached 10 x 15 ft. shed. Proposed garage will be 4 ft.  
wider 20 x 24 ft. with 10 x 15 ft. attached shed. Shed construction in 2021, garage in 2022.

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

**GENERAL**

Name/Address: Self for Shed, TBD for garage

Phone: See above

**PLUMBING (City of Batavia Licensed Plumber Required)**

Name/Address: TBD for garage

Phone: \_\_\_\_\_

**HEATING**

Name/Address: N/A

Phone: \_\_\_\_\_

**ELECTRICAL (Third Party Electrical Inspection Required)**

Name/Address: TBD for garage

Phone: \_\_\_\_\_

**FOR OFFICE USE ONLY**

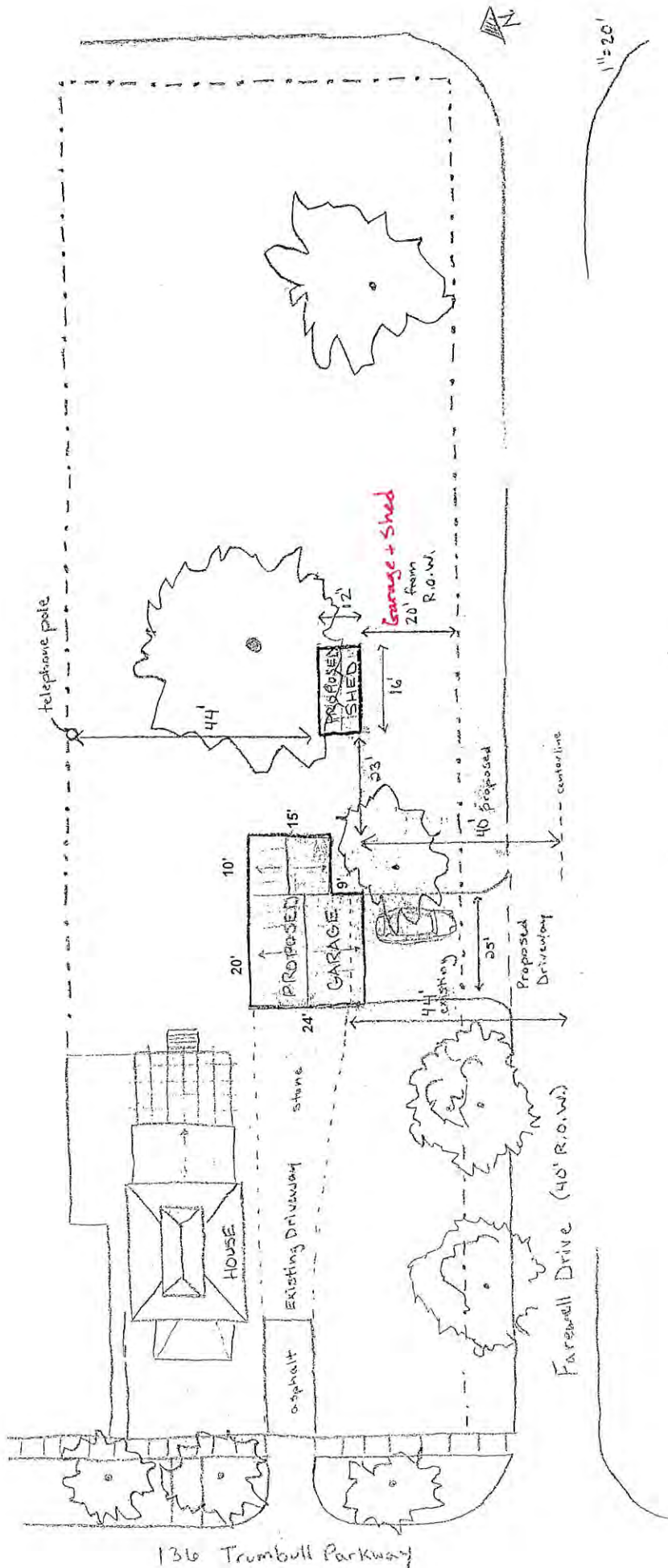
Zoning District: \_\_\_\_\_ Flood Zone: \_\_\_\_\_ Corner Lot: \_\_\_\_\_ Historic District/Landmark: \_\_\_\_\_

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: \_\_\_\_\_



OLTRAMARI  
 Shed + Garage Proposal  
 136 Trumbull Pkwy  
 Batavia, NY 14020  
 April 2021

136 Trumbull Parkway

DAVID S. LAMENDOLA  
 GREGORY W. TOWNSEND  
 Licensed Land Surveyors  
 206 East Main Street  
 Batavia, New York 14020  
 Phone (585) 344-1331  
 Fax (585) 343-2691

**LEGEND**  
 ● EXISTING IRON STAKE  
 ○ SET IRON PIN  
 ⚡ UTILITY POLE  
 -U-OVERHEAD UTILITY LINES

**REFERENCE**  
 WARD'S SUBDIVISION FILED AT BOOK  
 2 OF MAPS, PAGE 21

I, GREGORY W. TOWNSEND, CERTIFY TO:  
 HSBC MORTGAGE CORPORATION, USA, ITS SUCCESSORS AND/OR ASSIGNS  
 STATE OF NEW YORK MORTGAGE AGENCY, AS THEIR INTEREST MAY APPEAR  
 MONROE TITLE INSURANCE CORPORATION  
 FELIPE A. OLTREHARI AND LAURIE L. OLTREHARI  
 HARTER, SECREST & EMERY, LLP

R/O BUTLER, STACEY  
 LIBER 814, PAGE 85

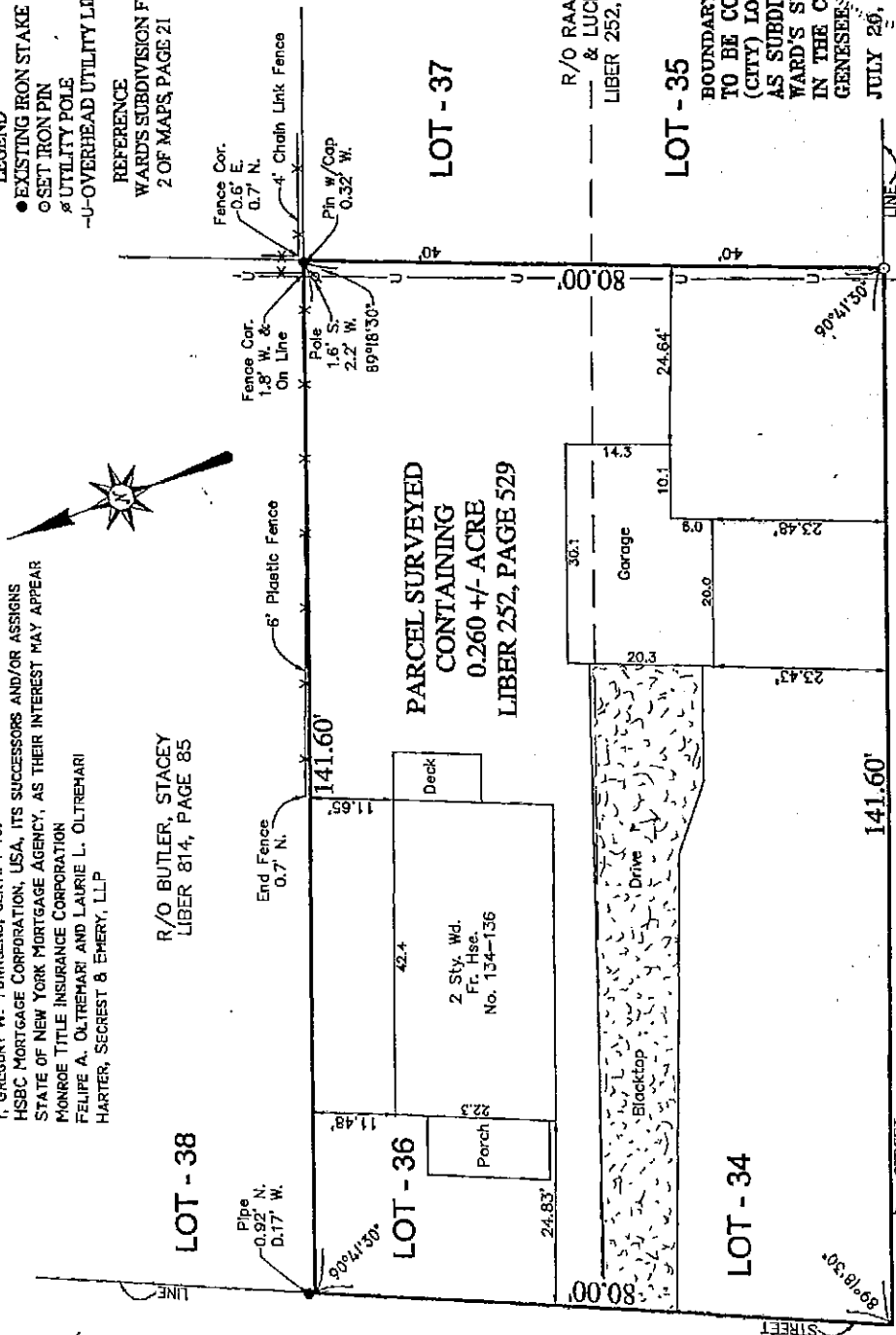
R/O RAAB, PHILIP  
 & LUCILLE C.  
 LIBER 252, PAGE 529

LOT - 35

BOUNDARY SURVEY SHOWING THE PARCEL  
 TO BE CONVEYED BEING PART OF VILLAGE  
 (CITY) LOTS 40, 42 AND 44, DISTINGUISHED  
 AS SUBDIVISION LOTS 34 AND 36 OF THE  
 WARD'S SUBDIVISION, BLOCK "C". SITUATE  
 IN THE CITY OF BATAVIA, COUNTY OF  
 GENESEE AND STATE OF NEW YORK.

JULY 26, 2006 SCALE 1" = 20'  
 JOB NO. 06-251

DATE 07/28/06  
 David S. Lamendola  
 Gregory W. Townsend  
 N.Y.S.R.L.S. No. 50249



TRUMBULL PARKWAY (66.0' R.O.W.)

FARWELL STREET (40.0' R.O.W.)

"UNAUTHORIZED ALTERATION OR ADDITIONS TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL OR SIGNATURE IN VIOLATION OF SECTION 2 OF THE NEW YORK STATE EDUCATION LAW."  
 "ONLY COPIES FROM THE ORIGINAL OF THE SURVEY MAP SHALL BE VALID. ANY OTHER COPIES SHALL BE CONSIDERED TO BE INVALID TRUE COPIES."  
 "REGISTRATIONS INDICATED HEREIN 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. IT IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE SURVEYOR'S PRESENT OR HIS/HERS BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. CERTIFICATE OF TITLE IS NOT GUARANTEED BY ANY GOVERNMENTAL INSTITUTIONS OR SUBSEQUENT OWNERS."



03/21/2021





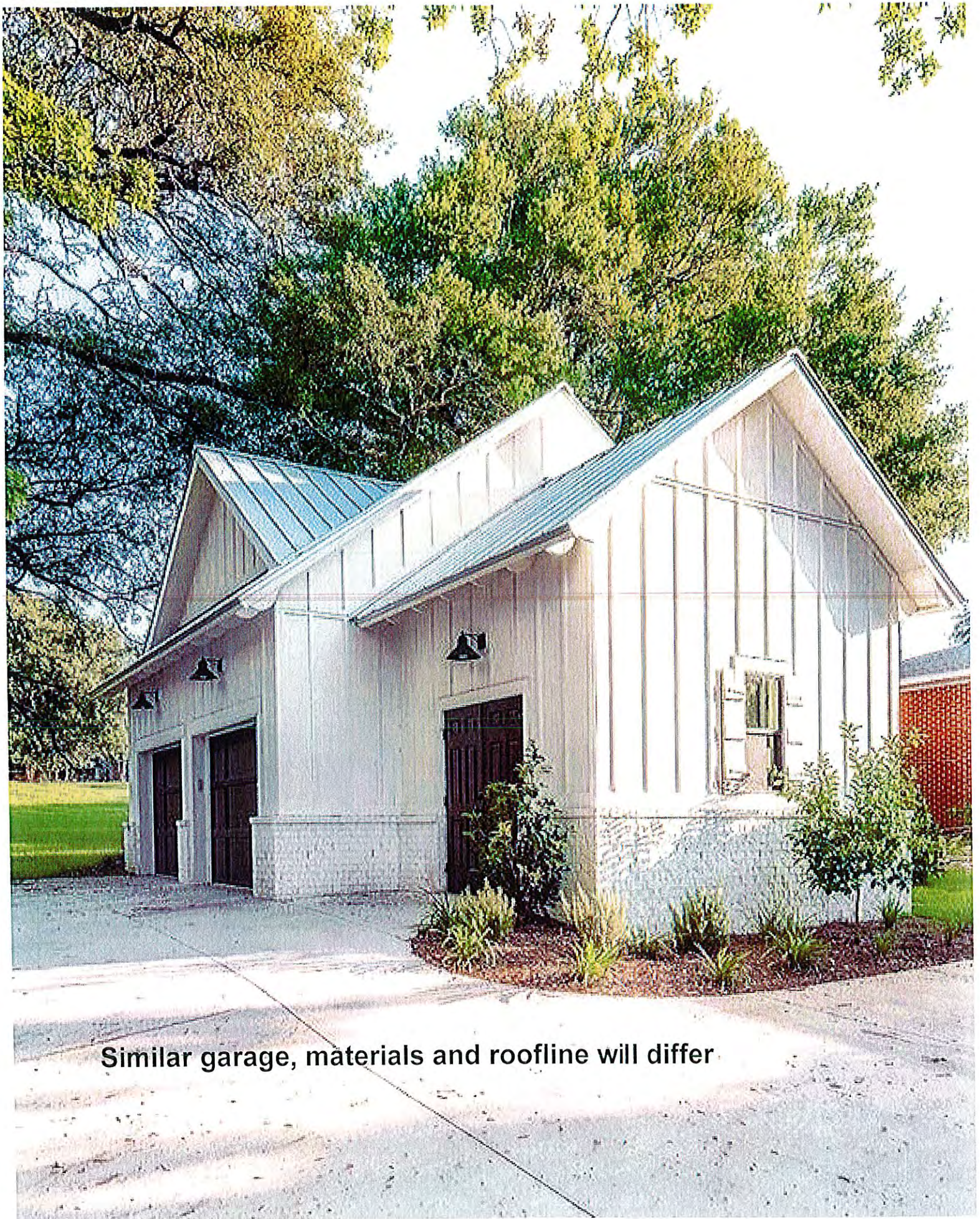
© 2021 Pictometry

03/21/2021

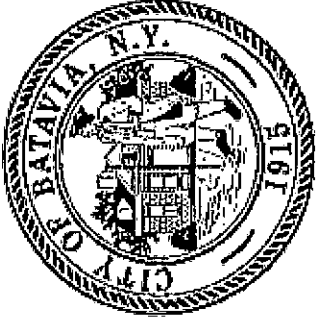


Similar shed to what is being proposed (will not have an overhead door)





**Similar garage, materials and roofline will differ**



*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: Zoning Board of Appeals  
From: Doug Randall, Code Enforcement Officer  
Date: 4/30/21  
Re: 20 Madison Ave.  
Tax Parcel No. 84.038-1-36  
Zoning Use District: R-2

The applicant, Joshua Macklem (owner), has filed an application to place a 24' diameter above ground swimming pool in the side yard of this corner lot property.

**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) (12).

Review and Approval Procedures:

**Zoning Board of Appeals-** Pursuant to BMC Sec. 190-49 of the zoning ordinance, the ZBA shall review and act on required variances.

Required variances- Area

- 1) **BMC 190-35 D.** Swimming pools are not permitted to occupy spaces other than a rear yard.



CITY OF BATAVIA  
APPLICATION TO THE ZONING BOARD OF APPEALS

Application No.: 21-06  
Hearing Date/Time: \_\_\_\_\_

APPLICANT: Joshua Macklem Name macklem3478@gmail.com E-Mail Address  
20 Madison Ave. Batavia, NY 14020 Street Address 585-813-8998 Phone  
Batavia City NY State 14020 Zip

STATUS:  Owner \_\_\_\_\_ Agent for Owner \_\_\_\_\_ Contractor \_\_\_\_\_

OWNER: Joshua Macklem Name macklem3478@gmail.com E-Mail Address  
20 Madison Ave. Street Address 585-813-8998 Phone  
Batavia City NY State 14020 Zip

LOCATION OF PROPERTY: 20 Madison Ave, Batavia, NY 14020

DETAILED DESCRIPTION OF REQUEST: New pool installation in fenced in back yard.

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.

Joshua Macklem Applicant's Signature 4/11/21 Date

Joshua Macklem Owner's Signature 4/11/21 Date

To be Filled out by Zoning Officer

TAX PARCEL: 84.038-1-36 ZONING DISTRICT: R-2 FLOOD PLAIN: AE

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

Provision(s) of the Zoning Ordinance Appealed: Bmc. 190-35 D. Accessory **PAID**  
Buildings including swimming pools are not permitted in any yard with rear yard. **APR 14 2021**  
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.

No

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. No

3. Substantiality. The requested area variance is not substantial. Correct

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. Correct, yes.

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. Correct, yes.



Applicant's Signature

4/11/21

Date

DATE: 4/11/21

APPLICANT NAME & PHONE: Joshua Macklem 585-813-8998 Christy Chamberlain 585-813-2444

Project Location and Information

Permit #: \_\_\_\_\_ Fee: \_\_\_\_\_

Address of Project: 20 Madison Avenue, Batavia NY 14020  
Owner & Address: Joshua Macklem, 20 Madison Ave, Batavia, NY 14020  
Phone: 585-813-8998

Project Type/Describe Work

Estimated cost of work: \_\_\_\_\_ Start date: Early June

Describe project: New Pool installation 24' Above ground

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

GENERAL

Name/Address: ~~As Homeowner~~  
Phone: 585-813-8998

PLUMBING (City of Batavia Licensed Plumber Required)  
Name/Address: New York Electrical Inspection Agency  
Phone: 585-430-4460

HEATING

Name/Address: Homeowner  
Phone: 585-813-8998

ELECTRICAL (Third Party Electrical Inspection Required)

Name/Address: ~~Henry Cook~~  
Phone: 585-345-0915

FOR OFFICE USE ONLY

Zoning District: R-2 Flood Zone: AE Corner Lot: YES Historic District/Landmark: NO  
Zoning Review: \_\_\_\_\_ Variance Required: \_\_\_\_\_ Site Plan Review: \_\_\_\_\_ Other: \_\_\_\_\_  
National Grid Sign Off (Pools): YES Lot Size: 80x160  
Existing Use: Family NYS Building Code Occupancy Class: \_\_\_\_\_  
Proposed Use: same NYS Building Code Occupancy Class: \_\_\_\_\_



30363585 \* 1097

"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 MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES."  
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ANNA T. MILEHAM'S SUBDIVISION FILED AT BOOK 3 OF MAPS, PAGE 121

LEGEND  
⊗ EXISTING IRON STAKE

I, GREGORY W. TOWNSEND, CERTIFY TO:  
FIVE STAR BANK, ITS SUCCESSORS AND/OR ASSIGNS  
SUTTON, DELEEUW, CLARK & DARCY, PLLC  
RICHARD P. RENZI, ESQ.  
MATTHEW C. AND SARAH FLEMING  
THE TITLE INSURANCE COMPANY INSURING THE MORTGAGE  
GARY KANELLIS, ESQ.

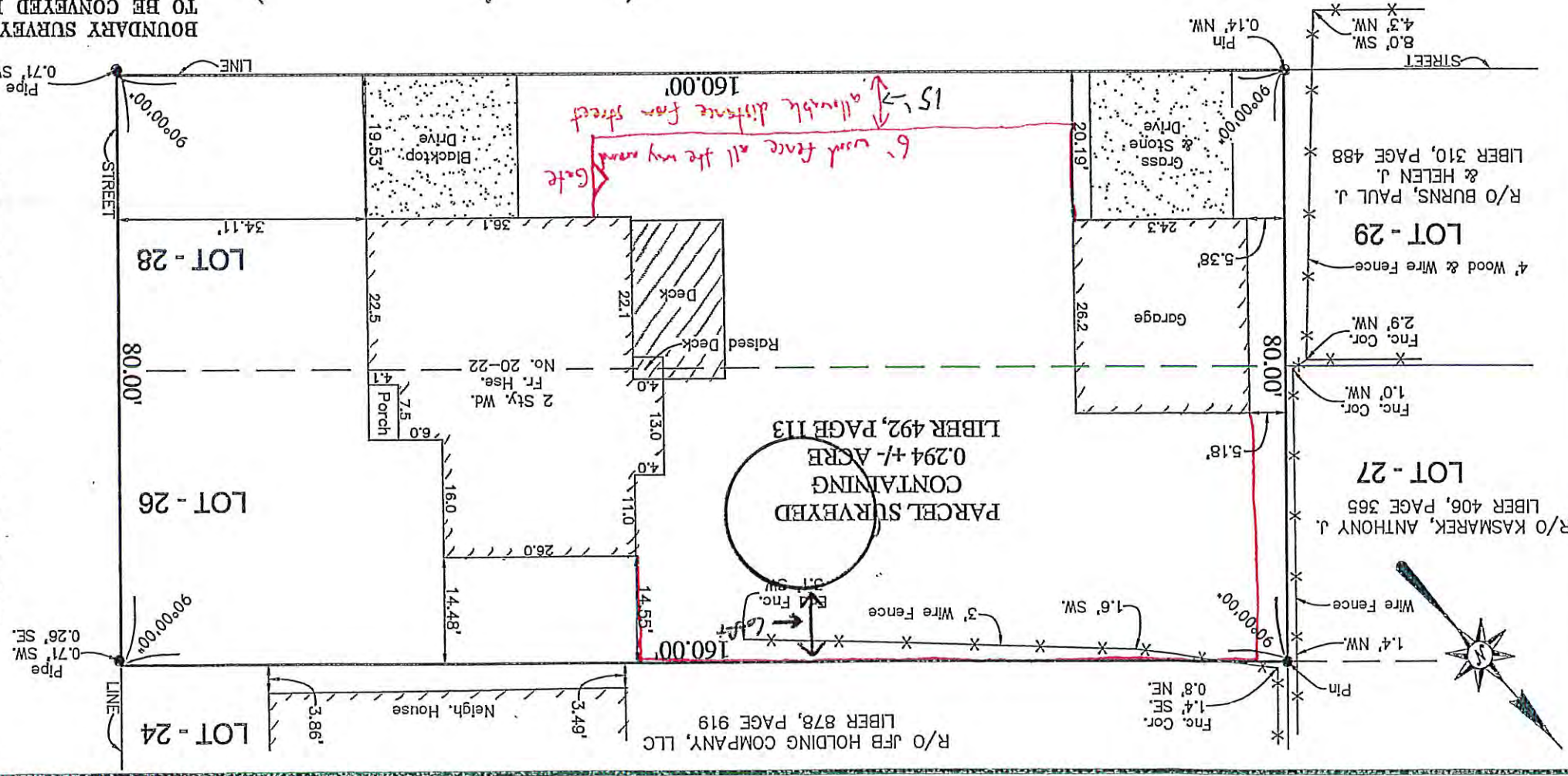
DATE NY.S.R.T.S. No. 50249

NOVEMBER 19, 2012  
JOB NO. 12-274  
RESURVEYED & REVISED - APRIL 3, 2014

BOUNDARY SURVEY SHOWING THE PARCEL TO BE CONVEYED BEING PART OF ORIGINAL VILLAGE LOT NO. 62, DISTINGUISHED AS BLOCK B OF THE ANNA T. MILEHAM'S SUBDIVISION, SITUATE IN THE CITY OF BATAVIA, COUNTY OF GENESEE AND STATE OF NEW YORK

ADAMS STREET (50.0' R.O.W.)

MADISON AVENUE (50.0' R.O.W.)



DAVID S. LAMENDOLA  
GREGORY W. TOWNSEND  
Licensed Land Surveyors  
435 East Main Street  
Batavia, New York 14020  
Phone (585) 344-1831  
Fax (585) 219-4813