

# ZONING BOARD OF APPEALS

Thursday, February 25, 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 December 17, 2020 minutes
- V. Statement about the role of the Zoning Board of Appeals and the procedure it follows
- VI. Variance Requests

**A. Request #1**                      *60 Ellicott St. (Pok A Dot)*  
Mike Hodgins, sign contractor

Area Variance:                      Replace the existing internally illuminated, white background roof sign face panels with new, white background, internally illuminated face panels identifying the existing business. The signs are located within the Central Commercial District/Business Improvement District

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

**B. Request #2**                      *8 Carolwood Dr.*  
Matthew Hume, RA

Area Variance:                      Place a 24' x 24', 28' above grade, wood frame detached garage in the northwest (front/side) yard of this corner lot property

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

**C. Request #3**                      *301 North St.*  
Emily Fraser-Branche, owner

Use Variance: Non-permitted use, food service business (Commit to Well/Eat Well Grill meal preparation service) in an existing kitchen/food preparation area of this existing multi use building

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

**D. Request #3** *45-47 Ellicott St.*  
Mike Hodgins, sign contractor

Area Variance: Replace four existing internally illuminated sign face panels identifying the existing business. The signs are located within the Central Commercial District / Business Improvement District

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

**E. Request #4** *438 East Main St.*  
Mike Hodgins, sign contractor

Area Variance: Place a 4' x 4' non-illuminated pole sign in the north yard of this commercial parcel

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

**F. Request #5** *127 North St.*  
Dave Hetrick, agent for the owner

Area Variance: Construct a two-story addition covering approximately 5,113 sq.' of parcel area. A portion of the proposed addition is located within the front yard setback

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

VII. Setting of Next Meeting: March 25, 2021

VIII. Adjournment



**ZONING BOARD OF APPEALS**  
***Draft Minutes***  
**Thursday, December 17, 2020**  
**6:00 pm**  
**Council Board Room**  
**One Batavia City Centre, Batavia, NY**

Members present: *Nick Harris, Paul McCarthy, Leslie Moma, Jim Russell*

Members absent: Jeff Gillard, Deborah Kerr-Rosenbeck

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 McCarthy declared a quorum.

**II. Call to Order**

Mr. McCarthy called the meeting to order at 6:02 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 November 19, 2020 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: construct a 13' x 20' open-sided carport on the north side of the attached garage. A portion of the projection will be located within the 8' side yard clear space

Address: *16 Meadowcrest Dr.*

Applicant: Patsy Rapone, owner

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

### **1. Review Application**

Vice Chair Nick Harris read the summary of the proposal. Mr. McCarthy reported that the Genesee County Planning Board recommended approval of the variance.

### **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 4-0.

**RESULT: Public hearing opened at 6:04 pm.**

Mr. Rapone told the board that the slab where the carport will be placed has already been in existence. The carport will extend 8-12" beyond the edge of the slab.

The neighbor provided a letter of support for the project. There was no one present who wished to speak, and no calls, or email concerning the proposal.

Ms. Moma asked if the side facing the neighbor would be sided. Mr. Rapone said the side is open.

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

**RESULT: Public hearing closed at 6:07 pm.**

### **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. McCarthy moved to approve the variance with 30 days to obtain the permit. The motion was seconded by Mr. Russell, and on roll call, was approved 4-0.

**RESULT: Area Variance approved.**

## **VII. Setting of Next Meeting: January 28, 2021**

## **VIII. Adjournment**

Mr. McCarthy adjourned the meeting at 6:10 pm.

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Meg Chilano  
Bureau of Inspection Secretary



## GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID **C-02-BAT-1-21**  
Review Date **1/14/2021**

Municipality  
Board Name  
Applicant's Name  
Referral Type  
Variance(s)  
Description:

**BATAVIA, C.**

**ZONING BOARD OF APPEALS**

**Matthew Hume, RA**

**Area Variance(s)**

**Area Variances to build a garage for a new single-family home.**

**Accessory structure not permitted in a yard other than a rear yard and not to exceed 20 ft. in height.**

**Proposed garage height 28 ft. within front yard (corner lot).**

Location  
Zoning District

**8 Carolwood Dr., Batavia**

**Residential (R-1) District**

### PLANNING BOARD DECISION

**APPROVAL**

### EXPLANATION:

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

Director

January 14, 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-02-BAT-1-21



© All Pictometry

04/23/2018

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



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

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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.

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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

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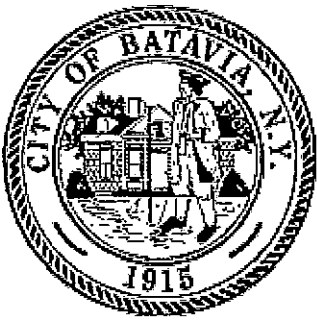
**THE CITY OF BATAVIA  
PLANNING & DEVELOPMENT COMMITTEE  
ZONING RECOMMENDATIONS**

**Meeting Date: 1/19/21**

Applicant's Name	Mike Hodgins (sign contractor)
Location	60 Liberty Street (Pok A Dot)
Zoning District	C-3
Referral Type	
Variance(s)	Area
Description	Replace four existing internally lit sign panels

**PLANNING & DEVELOPMENT COMMITTEE RECOMMENDATION**

Disapproval – the internal illumination and the light background with dark letters do not meet design guidelines



*City of Batavia*  
*Department of Public Works*  
*Bureau of Inspections*

One Batavia City Center, Batavia, New York 14020

(585)-345-6345

(585)-345-1385 (fax)

To: Genesee County Planning  
Planning and Development Committee  
Zoning Board of Appeals

From: Doug Randall, Code Enforcement Officer

Date: 1/4/21

Re: 60 Ellicott St., aka 233 Ellicott St. (Pok A Dot)  
Tax Parcel No.

Zoning Use District: C-3

The applicant, Mike Hodgins (sign contractor), has applied for approval to replace the existing internally illuminated, white background, roof sign face panels with new, white background, internally illuminated face panels identifying the existing business. The signs are located within the Central Commercial District / 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:**

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

**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 Z (8) Internal illumination is not permitted for signs located within the Central Commercial (C-3) District.

2) BMC 190-43 Z (2)(a) The background of the sign must be a darker color than the message.

BMC 190-43 AA (3) Existing non-conforming signs may change the face panel of a sign that does not meet the area or height standards, but the new panels must conform to the illumination standards of subsection Z.

**SEND OR DELIVER TO:**

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

**DEPARTMENT USE ONLY:**

GCDP Referral # \_\_\_\_\_



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

Required According to:

**GENERAL MUNICIPAL LAW ARTICLE 12B, SECTION 239 L, M, N**

(Please answer ALL questions as fully as possible)

**1. REFERRING BOARD(S) INFORMATION**Board(s) PDC and ZBAAddress One Batavia City CentreCity, State, Zip Batavia, NY 14020Phone (585) 345 - 6345

Ext. \_\_\_\_\_

**2. APPLICANT INFORMATION**Name Mike Hodgins (John's Studio signs)Address 56 Harvester Ave.City, State, Zip Batavia, NY 14020Phone (585) 345 - 1030

Ext. \_\_\_\_\_

Email mhodgins@johnsstudio.comMUNICIPALITY: ☒ City ☐ Town ☐ Village of Batavia**3. TYPE OF REFERRAL:** (Check all applicable items)☒ Area Variance☐ Use Variance☐ Special Use Permit☐ Site Plan Review☐ Zoning Map Change☐ Zoning Text Amendments☐ Comprehensive Plan/Update☒ Other: \_\_\_\_\_

Subdivision Proposal

☐ Preliminary☐ Final**4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:**A. Full Address 60 Ellicott St. aka 233 Ellicott St. (Pok A Dot)B. Nearest intersecting road LibertyC. Tax Map Parcel Number 84.015-1-29

D. Total area of the property \_\_\_\_\_ Area of property to be disturbed \_\_\_\_\_

E. Present zoning district(s) \_\_\_\_\_

**5. REFERRAL CASE INFORMATION:**

A. Has this referral been previously reviewed by the Genesee County Planning Board?

☒ NO☐ YES

If yes, give date and action taken \_\_\_\_\_

B. Special Use Permit and/or Variances refer to the following section(s) of the present zoning ordinance and/or law

BMC 190-43 Z(8) and 190-43 Z (2)(a)C. Please describe the nature of this request Approval to place internally lit, light colored background signs in existing internally lit, light colored background sign frames.**6. ENCLOSURES** – Please enclose copy(s) of all appropriate items in regard to this referral☒ Local application☒ Site plan☐ Subdivision plot plans☐ SEQR forms☐ Zoning text/map amendments☐ Location map or tax maps☐ Elevation drawings☐ Agricultural data statement☐ New or updated comprehensive plan☒ Photos☒ Other: Cover letter**7. CONTACT INFORMATION** of the person representing the community in filling out this form (required information)Name Douglas RandallTitle Code Enf. OfficerPhone (585) 345 - 6327

Ext. \_\_\_\_\_

Address, City, State, Zip One Batavia City Centre, Batavia, NY 14020Email drandall@batavianewyork.com





CITY OF BATAVIA  
APPLICATION TO THE ZONING BOARD OF APPEALS

Application No.: 21-01

Hearing Date/Time: \_\_\_\_\_

APPLICANT: Signs by John's Studio mhodgins@johnsstudio.com  
Name 56 Harvester Ave. 345-1030 343-4469 com  
Street Address Phone Fax  
Batavia NY 14020  
City State Zip

STATUS: ☐ Owner ☐ Agent for Owner ☒ Contractor

OWNER: Pak A Oat Timbers@hotmail.com  
Name 239 Ellicott St. 818-581-6998 N/A  
Street Address Phone Fax  
Batavia NY 14020  
City State Zip

LOCATION OF PROPERTY: 60 239 Ellicott St., Batavia

DETAILED DESCRIPTION OF REQUEST: To replace sign faces with  
new faces using existing fixtures. No changes  
to fixtures or building

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.

Mimi J. Hodgins  
Applicant's Signature

12/28/20  
Date

[Signature]  
Owner's Signature

12/28/20  
Date

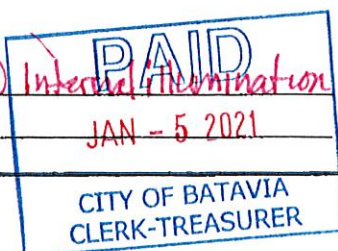
To be Filled out by Zoning Officer

TAX PARCEL: 84.815-1-29 ZONING DISTRICT: C-3 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 140-43 Z(8) Interior Illumination  
is not permitted within the C-3 (BID)



See Attached

## 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.

See Page 2

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.

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

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.

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

Date

Page 1

## Criteria to Support Area Variance

December 28, 2020

City of Batavia

ZBA application – Pok A Dot Restaurant

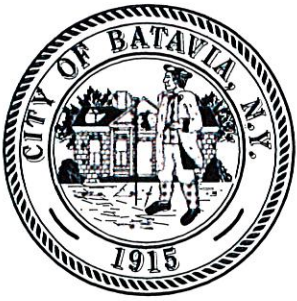
1. **Undesirable Change in Neighborhood Character** - The Pok A Dot has contributed to the character of the neighborhood for over 65 years and maintaining the existing sign configuration will in fact enhance the neighborhood and the surrounding area.
2. **Alternative Cure Sought** - There is no alternative location or area for the signs. The existing fixtures are being utilized so there is no physical changes to the structure or the sign fixtures.
3. **Substantiality** - The request is not substantial as there is no change to the size or scope of the signs.
4. **Adverse Effect or Impact** - There is no adverse effect to the neighborhood. The existing size and placement of the current signs will be maintained with no changes. This iconic Batavia landmark will continue to contribute to the unique character of the neighborhood by maintaining it's visual image.
5. **Not Self-Created** - The existing signs and fixtures have been in place for over 50 years and the owner is seeking to replace and update the faces only with no change to the size or scope of the signs that display the Pok a Dot image.

  
Applicant's Signature

  
Date

Page 2





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

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

Zone: \_\_\_\_\_

**SIGN PERMIT APPLICATION****City of Batavia**

One Batavia City Centre, Batavia, NY 14020

(585) 345-6345 • Fax (585) 345-1385

APPLICANT/OWNER: POK A DotName POK A Dot E-mail Address Timbors77@hotmail.comStreet Address 229 ~~Liberty St.~~ ~~233 Elliott St.~~ 229 Elliott Street Phone 818 581-6998 Fax N/ACity, State, Zip Code Batavia, NY 14020ADDRESS OF SIGN: 229 Elliott Street Batavia

AREA OF SIGN:

Length 2 @ 152" x Width 36" Area 38 sq. ft. = 76 sq. ft. total  
2 @ 251" x Width 36" Area 63 sq. ft. = 126 sq. ft. total

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 type="checkbox"/> Wall            | Wall Length _____   | Wall Height _____   | Area _____ |
| <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

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

Replace existing faces with new on existing fixtures

2 @ 152" x 36"

2 @ 251" x 36"

Applicant's Signature [Signature]Date 10/5/20

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

Date \_\_\_\_\_

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

Date \_\_\_\_\_

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

East Side

152"W

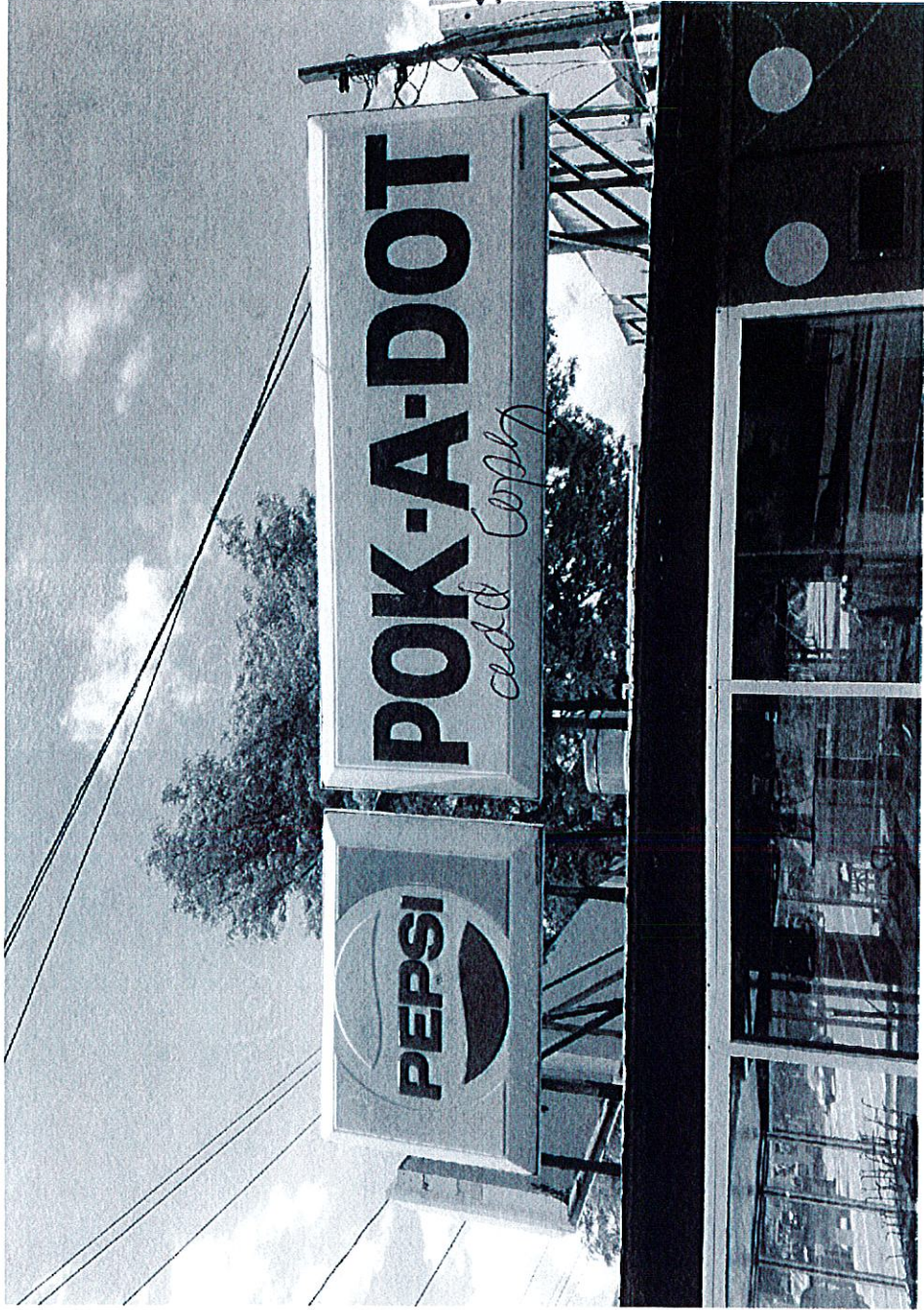


**POK•A•DOT**  
**HOTS•HAMBURGERS**  
**BEEF ON WECK**

H,9E



Existing East Side



West Side

152"W

**POK•A•DOT**  
**HOTS•HAMBURGERS**  
**BEEF ON WECK**



36"H



Existing West Side





North Side

*Famous*  
**PEPPER  
& EGG  
SANDWICH**

**POK•A•DOT**  
**HOTS • HAMBURGERS • BEEF • ON WECK**

*Since*  
**1953**

36" H

25" W

Existing North Side



251" W

South Side

H, 96

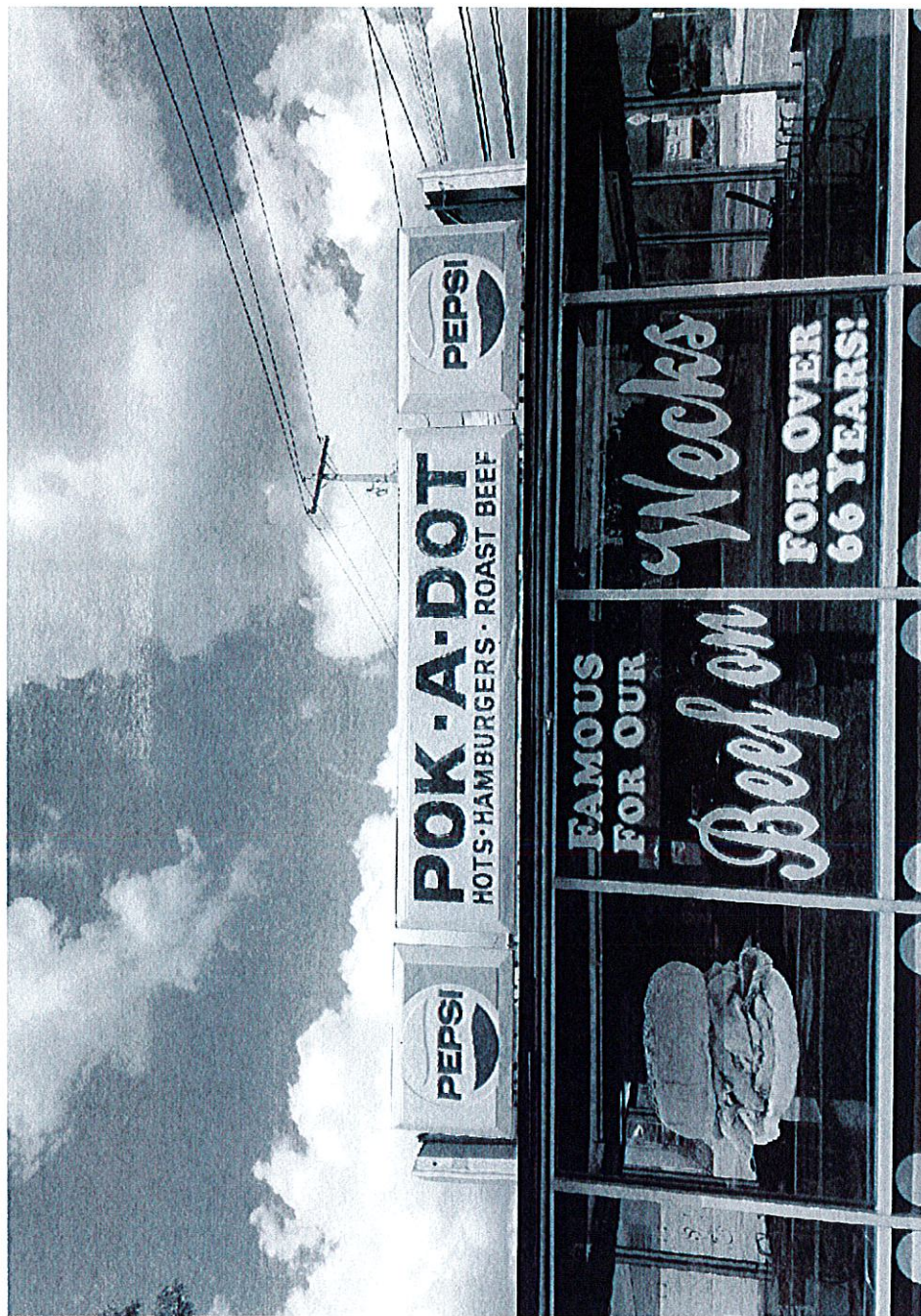


**POK•A•DOT**  
**HOTS • HAMBURGERS • BEEF ON WECK**





Existing South Side







12/16/80 (Dhw)





*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: 1/4/21

Re: Lot 193 of Clinton Gardens Subdivision Part 21A (387 Garden Drive Rear) aka 8 Carolwood Dr.  
Tax Parcel No. 72.017-3-2.1

Zoning Use District: R-1

The applicant, Matthew Hume, RA., has filed an application to place a 24' x 24' two story, 28' above grade, wood frame detached garage in the northwest (front/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.** Accessory buildings are not permitted to occupy spaces other than a rear yard.
- 2) **BMC 190-35 D** Accessory buildings are not permitted to exceed 20 feet in height.

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

DEPARTMENT USE ONLY:  
GCDP Referral # \_\_\_\_\_



\* GENESEE COUNTY \*  
PLANNING BOARD REFERRAL

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

1. REFERRING BOARD(S) INFORMATION

Board(s) Zoning Board of Appeals

Address One Batavia City Centre

City, State, Zip Batavia, NY 14020

Phone (585) 345 - 6345 Ext. \_\_\_\_\_

2. APPLICANT INFORMATION

Name Matthew Hume, RA

Address 2629 Pratt Rd.

City, State, Zip Batavia, NY 14020

Phone (585) 409 - 7682 Ext. \_\_\_\_\_ Email matt@humeconstructioninc.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 Lot 193 of Clinton Gardens Subdivision Part 21A (387 Garden Dr. Rear) aka 8 Carolwood Dr., Batav

B. Nearest intersecting road Harold Square

C. Tax Map Parcel Number 72.017-3-2.1

D. Total area of the property .45 acres Area of property to be disturbed \_\_\_\_\_

E. Present zoning district(s) R-1

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 190-35 D

C. Please describe the nature of this request Approval to place a 28' tall detached garage in a yard other than a

rear yard on this corner lot parcel.

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 checked="" 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 drandall@batavianewyork.com





**CITY OF BATAVIA**  
**APPLICATION TO THE ZONING BOARD OF APPEALS**

Application No.: \_\_\_\_\_

Hearing Date/Time: \_\_\_\_\_

APPLICANT: Matthew Hume matt@humeconstructioninc.com  
Name E-Mail Address  
2629 Pratt Rd 585-409-7682  
Street Address Phone Fax  
Batavia NY 14020  
City State Zip

STATUS: ☐ Owner ☐ Agent for Owner ☒ Contractor

OWNER: Dan Dilaura dan@danfire.com  
Name E-Mail Address  
7 Woodlawn Ave  
Street Address  
Batavia NY 14020  
City State Zip

LOCATION OF PROPERTY: Lot 193 of Clinton Gardens Subdivision Part 21A (387 Garden Dr. Rear)  
(aka) 8 Carlwood Drive, Batavia, NY 14020

DETAILED DESCRIPTION OF REQUEST: Variance for location and height (28')  
of new detached garage on a new home build

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

Date

12/30/20

Owner's Signature

Date

12/30/20

To be Filled out by Zoning Officer

Lot 193 of Clinton Gardens Subdivision Part 21A.  
TAX PARCEL: 72.017-3-2.1 (387 Garden Dr. Rear) ZONING DISTRICT: R-1 FLOOD PLAIN: C  
aka 8 Carlwood Dr.

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 Bldgs are not

permitted in any yard other than a Rear yard.

2) BMC 190-35 D, Accessory Bldgs are not permitted to exceed 20' in height.

PAID

CITY OF BATAVIA  
CLERK/TREASURER

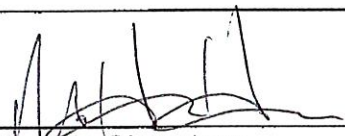


## Criteria to Support Area Variance

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.  
Design Intent was to conform to and add to  
neighborhood character.
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. Given the complexity of the corner lot, the design  
Design maximizes the practical use of the site and the  
corner lot
3. **Substantiality.** The requested area variance is not substantial. This is  
not a substantial variance from the neighborhood.
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 perceivable adverse effect. The new home will significantly  
add to the beauty and character of 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. The difficulty is caused  
by the corner lot.

  
Applicant's Signature

12/30/20  
Date

CITY OF BATAVIA BUILDING PERMIT APPLICATION  
DATE: 12/12/20  
APPLICANT NAME & PHONE: Matthew Hume - Hume Construction, Inc.

**Project Location and Information** Permit #: \_\_\_\_\_ Fee: \_\_\_\_\_  
Address of Project: Lot 193 of Clinton Gardens Subdivision Part 21A aka, 8 Carolwood Drive  
Owner & Address: Dan Delaura 7 Woodlawn Dr.  
Phone: \_\_\_\_\_

**Project Type/Describe Work**  
Estimated cost of work: \$450,000 Start date: December 28th 2020  
Describe project:  
New custom A-frame Home

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

**GENERAL**  
Name/Address: Hume Construction, Inc.  
Phone: 585-402-7682

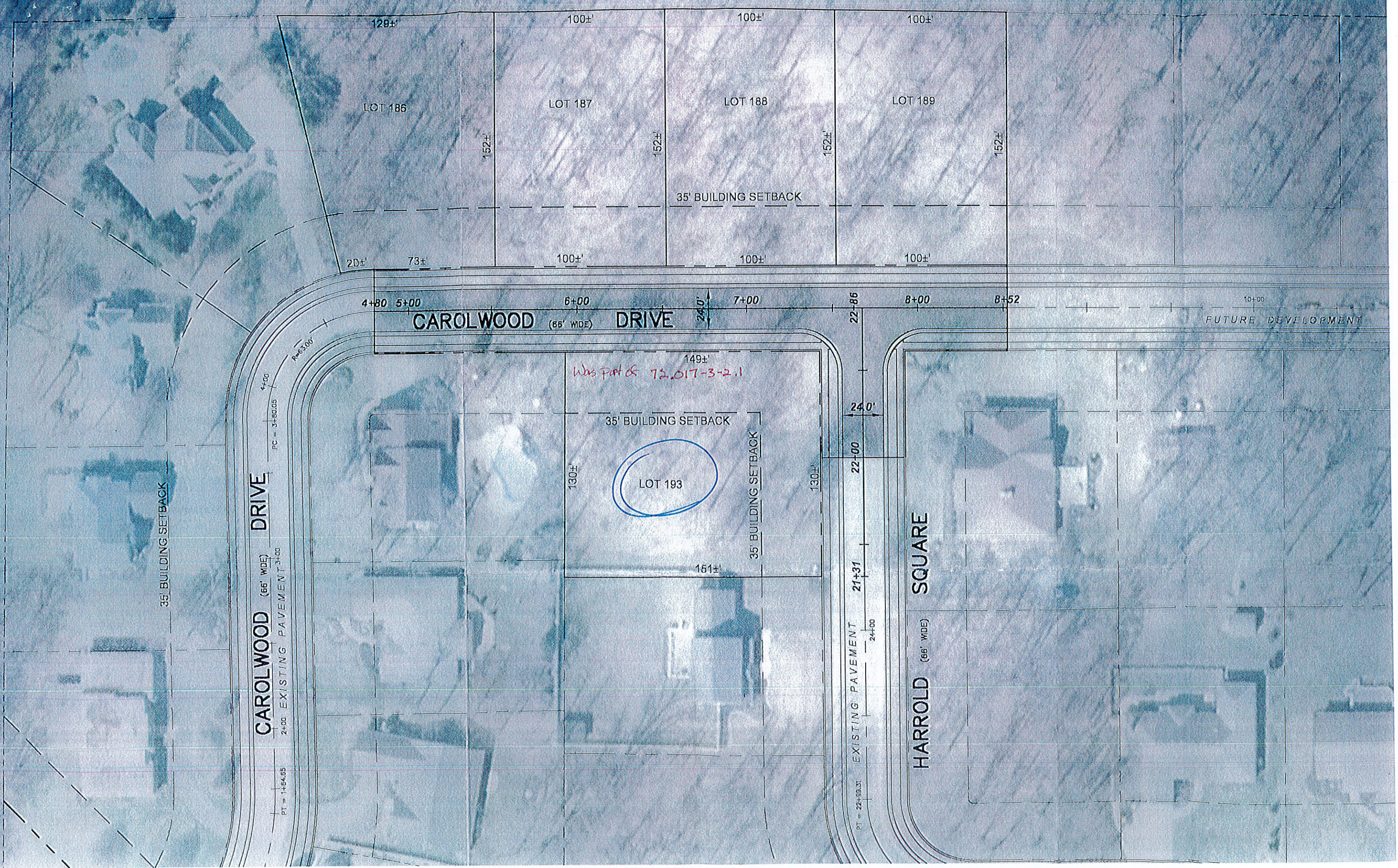
**PLUMBING** (City of Batavia Licensed Plumber Required)  
Name/Address: Napoleone Plumbing, LLC  
Phone: \_\_\_\_\_

**HEATING**  
Name/Address: J L Kingdom Mechanical, Inc.  
Phone: \_\_\_\_\_

**ELECTRICAL** (Third Party Electrical Inspection Required)  
Name/Address: J L Kingdom Mechanical, Inc.  
Phone: \_\_\_\_\_

FOR OFFICE USE ONLY			
Zoning District: _____	Flood Zone: _____	Corner Lot: <input checked="" type="checkbox"/>	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: <u>R3</u>		
Proposed Use: _____	NYS Building Code Occupancy Class: _____		





129±

100±

100±

100±

LOT 186

LOT 187

LOT 188

LOT 189

152±

152±

152±

152±

35' BUILDING SETBACK

20±

73±

100±

100±

100±

4+80 5+00

6+00

7+00

22+86

8+00

8+52

10+00

CAROLWOOD DRIVE (66' WIDE)

FUTURE DEVELOPMENT

149±

Was part of 72.017-3-2.1

35' BUILDING SETBACK

LOT 193

130±

130±

151±

35' BUILDING SETBACK

24'0"

22+00

21+31

24+00

HARROLD SQUARE (66' WIDE)

CAROLWOOD DRIVE (66' WIDE)

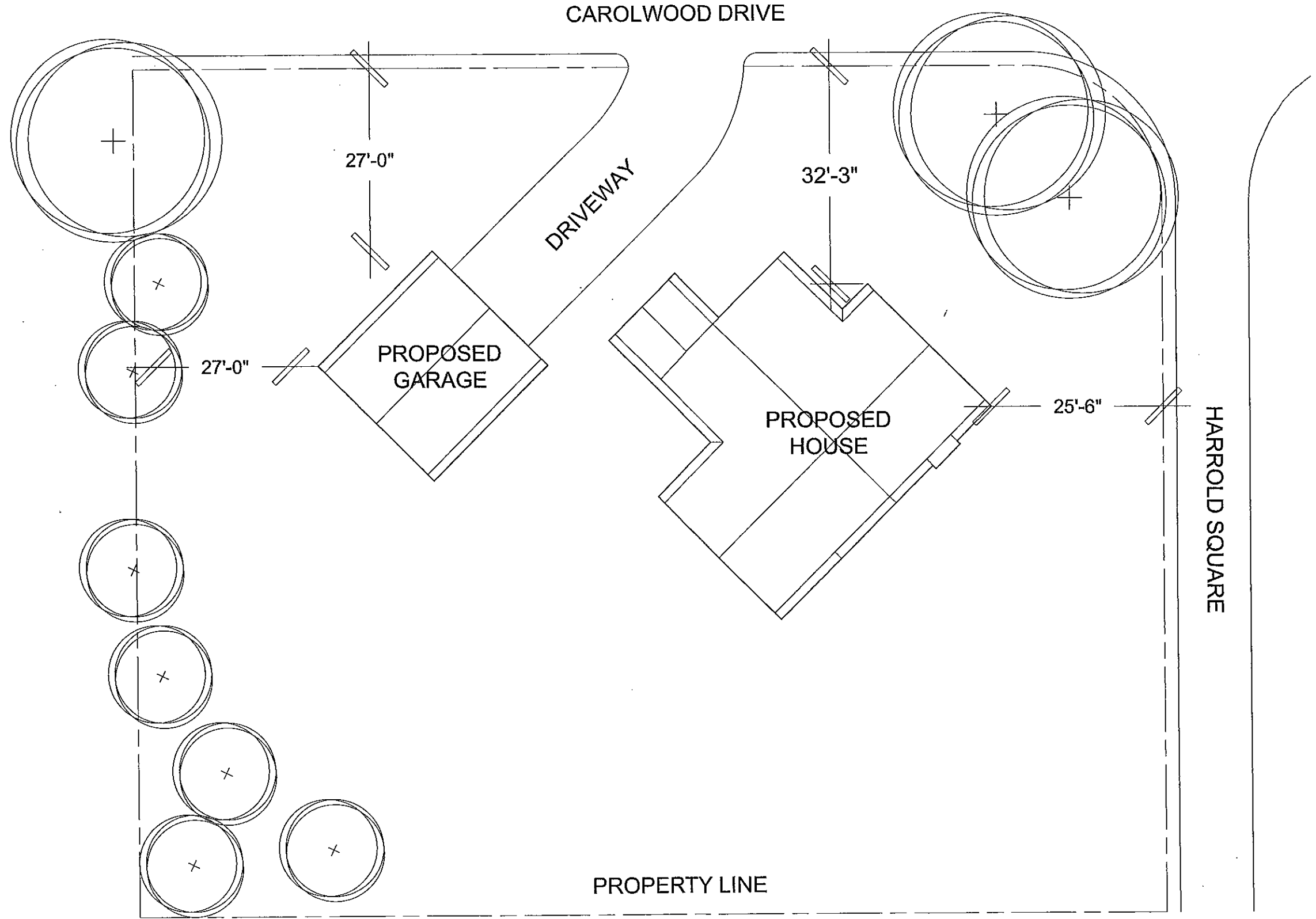
EXISTING PAVEMENT

35' BUILDING SETBACK

PT = 1+54.65

PT = 22+86.31





CAROLWOOD DRIVE

DRIVEWAY

PROPOSED GARAGE

PROPOSED HOUSE

HARROLD SQUARE

PROPERTY LINE

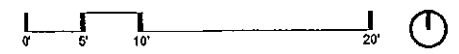
27'-0"

32'-3"

27'-0"

25'-6"

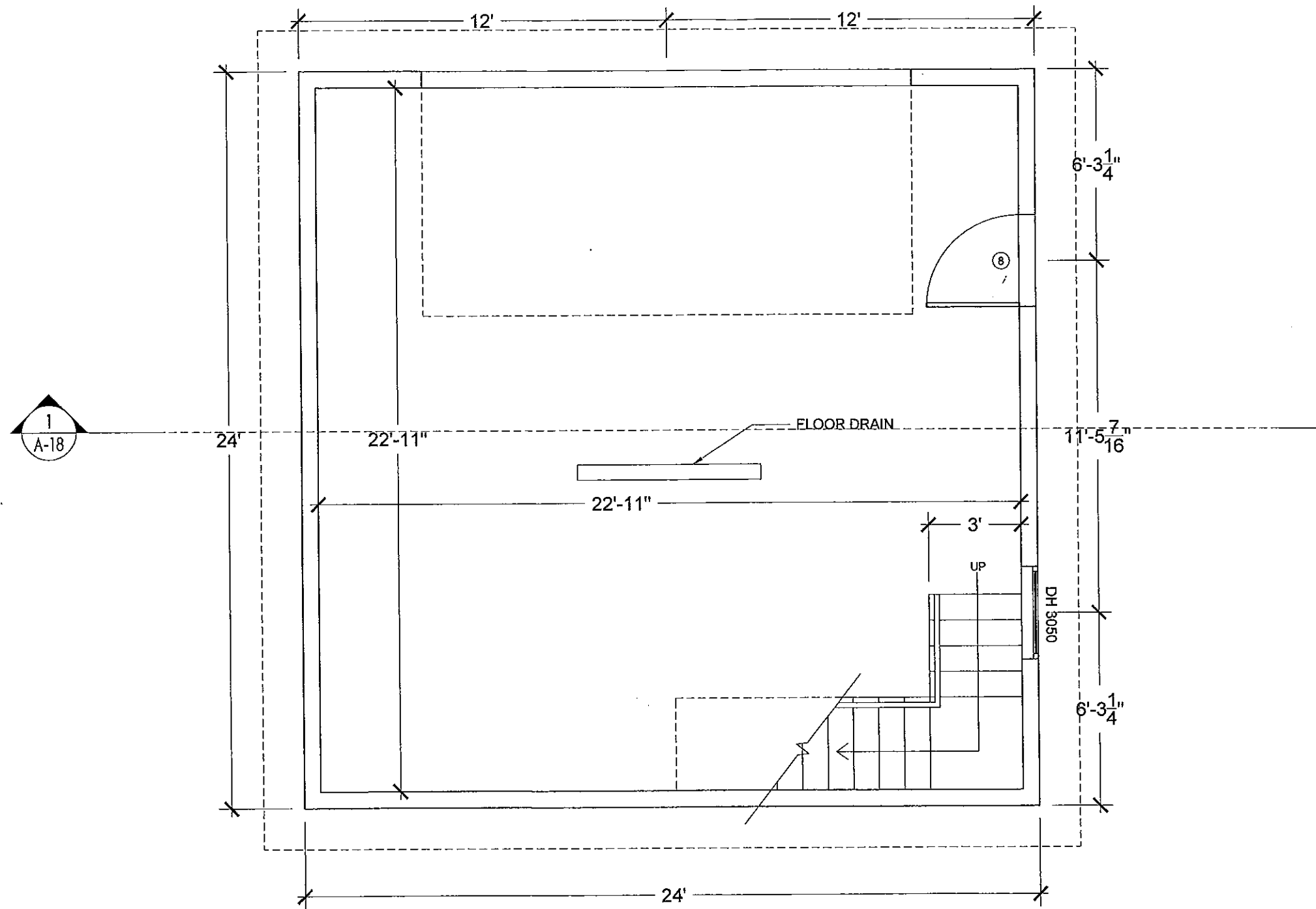
1 SITE PLAN  
A-03 1/16"=1'



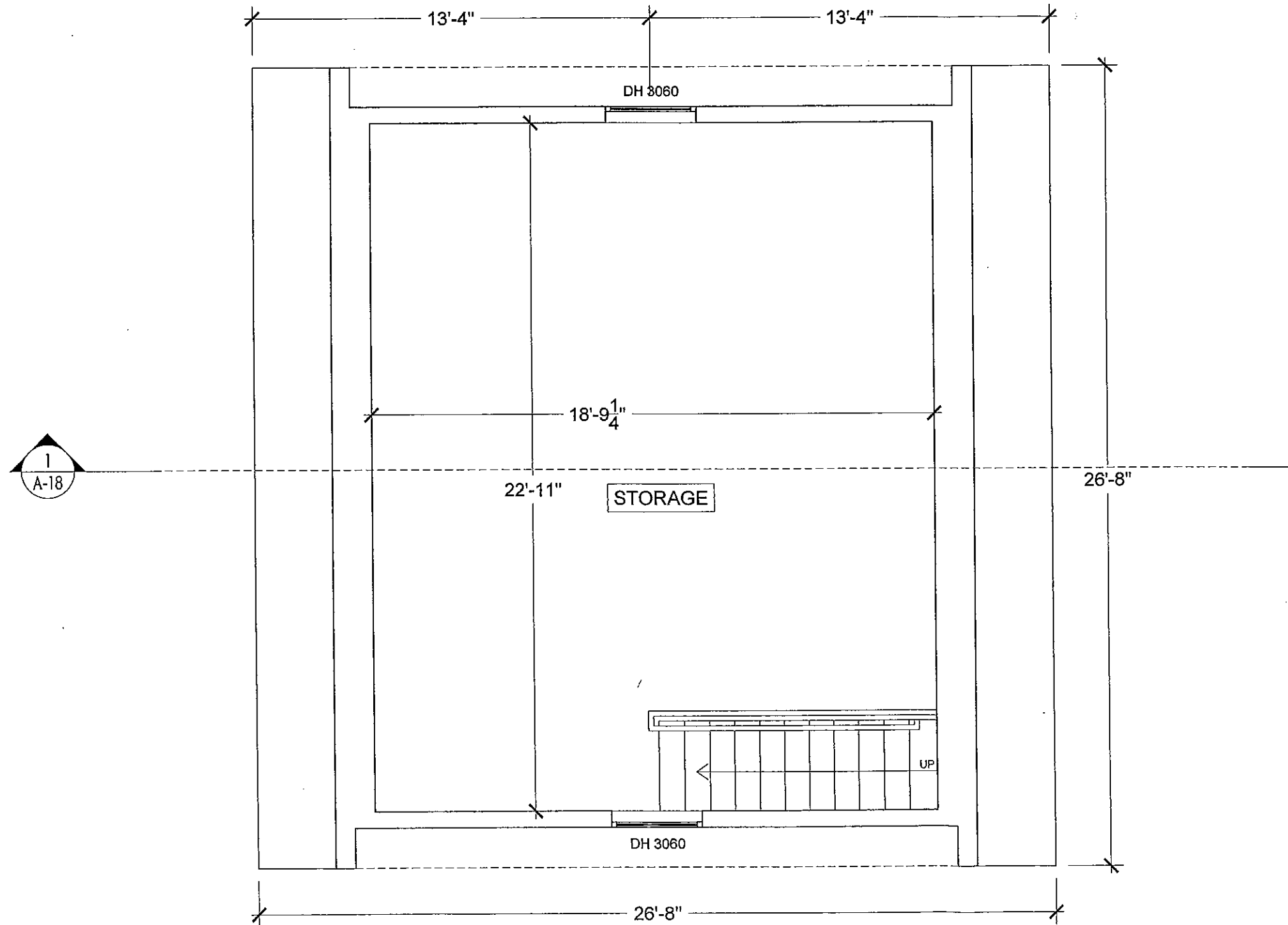
REVIEWED  
 MA  
 A  
 26  
 BA  
 (5)

No representation of other photos with Ma

TITLE:  
 DATE: 8/  
 SCALE: 1  
 DRAWN  
 SHEET N



1 GARAGE FIRST FLOOR PLAN  
A-16 1/4"=1' / 576sf



# DILAU R A C U S T O M R E S I D E N C E A - F R A M E H O M E

CAROLWOOD DRIVE  
BATAVIA, NY 14020

REVIEWED BY:



MATTHEW T. HUME  
**ARCHITECT**  
2629 PRATT ROAD  
BATAVIA, NY 14020  
(585) - 409 - 7682

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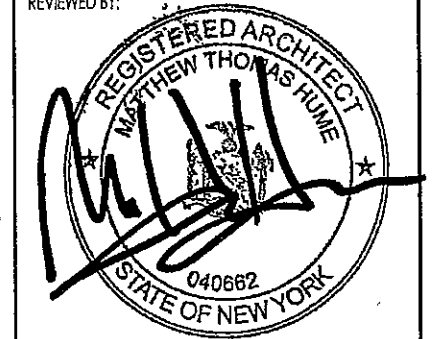
TITLE:

GARAGE SECOND FLOOR PLAN

DILURA  
C U S T O M  
RESIDENCE  
A - FRAME HOME

CAROLWOOD DRIVE  
BATAVIA, NY 14020

REVIEWED BY:



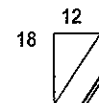
MATTHEW T. HUME  
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(585) - 409 - 7682

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TITLE:

GARAGE SECTION

WOOD ATTIC TRUSSES  
ENGINEERED BY OTHERS



16'-4 $\frac{3}{8}$ "

20'-6 $\frac{1}{2}$ "

24'-0"

3'-5 $\frac{1}{2}$ "

1  
A-17

+9'-7"

2  
A-19

9'-8"

1  
A-16

+0'-0"

1  
A-15

GROUND LINE

GROUND LINE

FOOTING AND DRAINAGE  
INSTALLED PER FOUNDATION  
WALL MANUFACTURER SPECIFICATIONS

D I L A U R A  
C U S T O M  
R E S I D E N C E  
A - F R A M E H O M E

CAROLWOOD DRIVE  
BATAVIA, NY 14020

REVIEWED BY:



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TITLE:

GARAGE DETAILS

METAL PANEL ROOF (COLOR TBD)  
SYNTHETIC ROOF MEMBRANE  
5/8" T+G ROOF SHEETING  
2x12 ROOF RAFTERS 16" O.C.  
CUT ROOF RAFTERS 1-1/4" TO ACCOMMODATE METAL PANEL THICKNESS  
ASPHALT SHINGLE ROOF  
ALUMINUM STRIP  
2x10 OPEN WEB FLOOR JOISTS 16" O.C.

ASPHALT SHINGLE ROOF  
ALUMINUM STRIP  
METAL PANEL ROOF (COLOR TBD)  
SYNTHETIC ROOF MEMBRANE  
5/8" T+G ROOF SHEETING  
2x12 ROOF RAFTERS 16" O.C.  
CUT ROOF RAFTERS 1-1/4" TO ACCOMMODATE METAL PANEL THICKNESS

2x10 OPEN WEB FLOOR JOISTS 16" O.C.  
DOUBLE 2x6 TOP PLATE TYP.  
2x6 EXTERIOR WALLS 16" O.C.

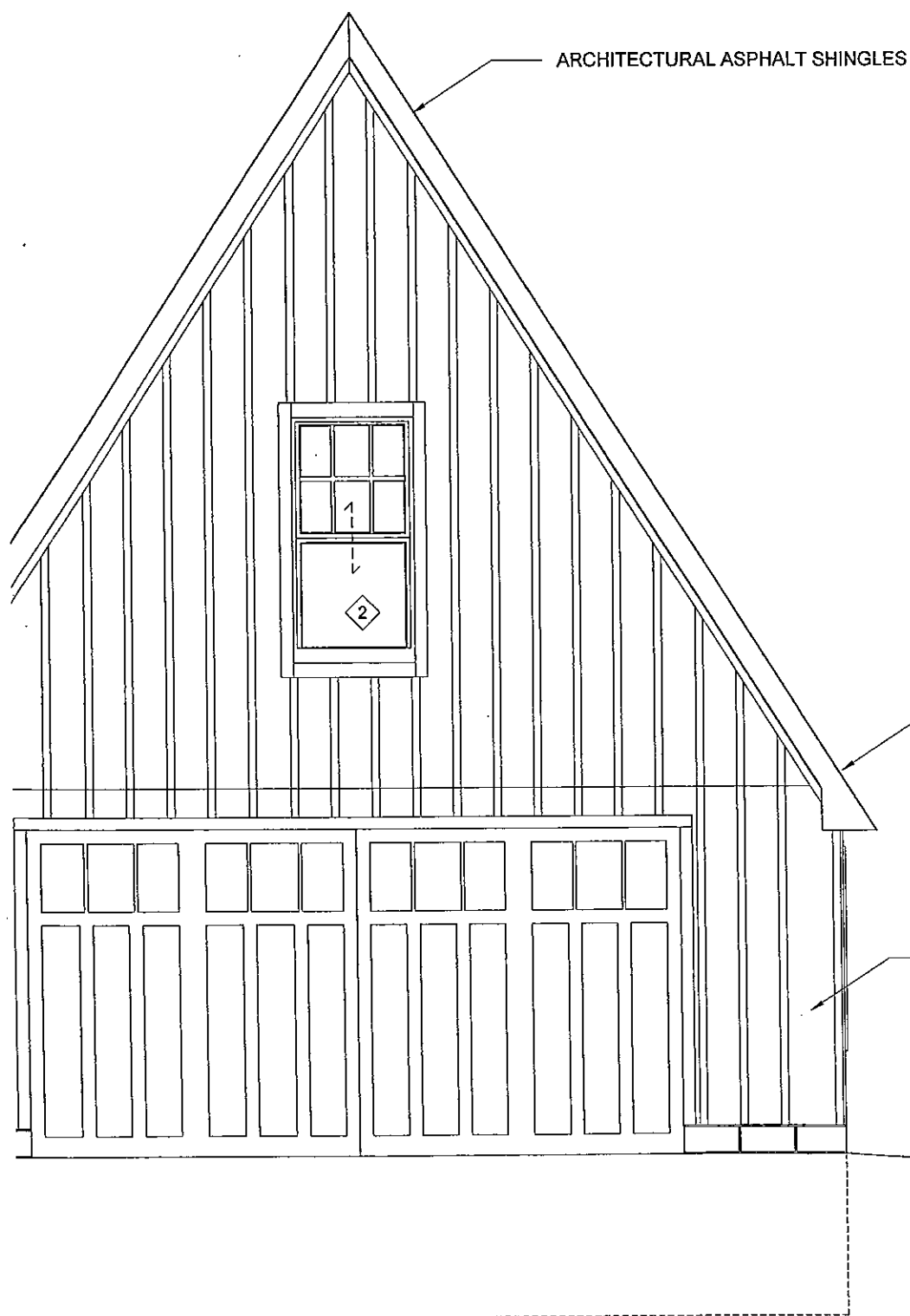
2x6 EXTERIOR WALLS 16" O.C.  
2x6 TREATED SILL PLATE

GRADE SLOPED AWAY FROM ALL FOUNDATIONS  
PEBBLE STONE  
GROUND FABRIC  
BORDER STONE

DELTA WATER PROOFING MEMBRANE  
CONTINUOUS BELOW GRADE TO TOP OF FOOTER  
8" CMU FOUNDATION WALLS

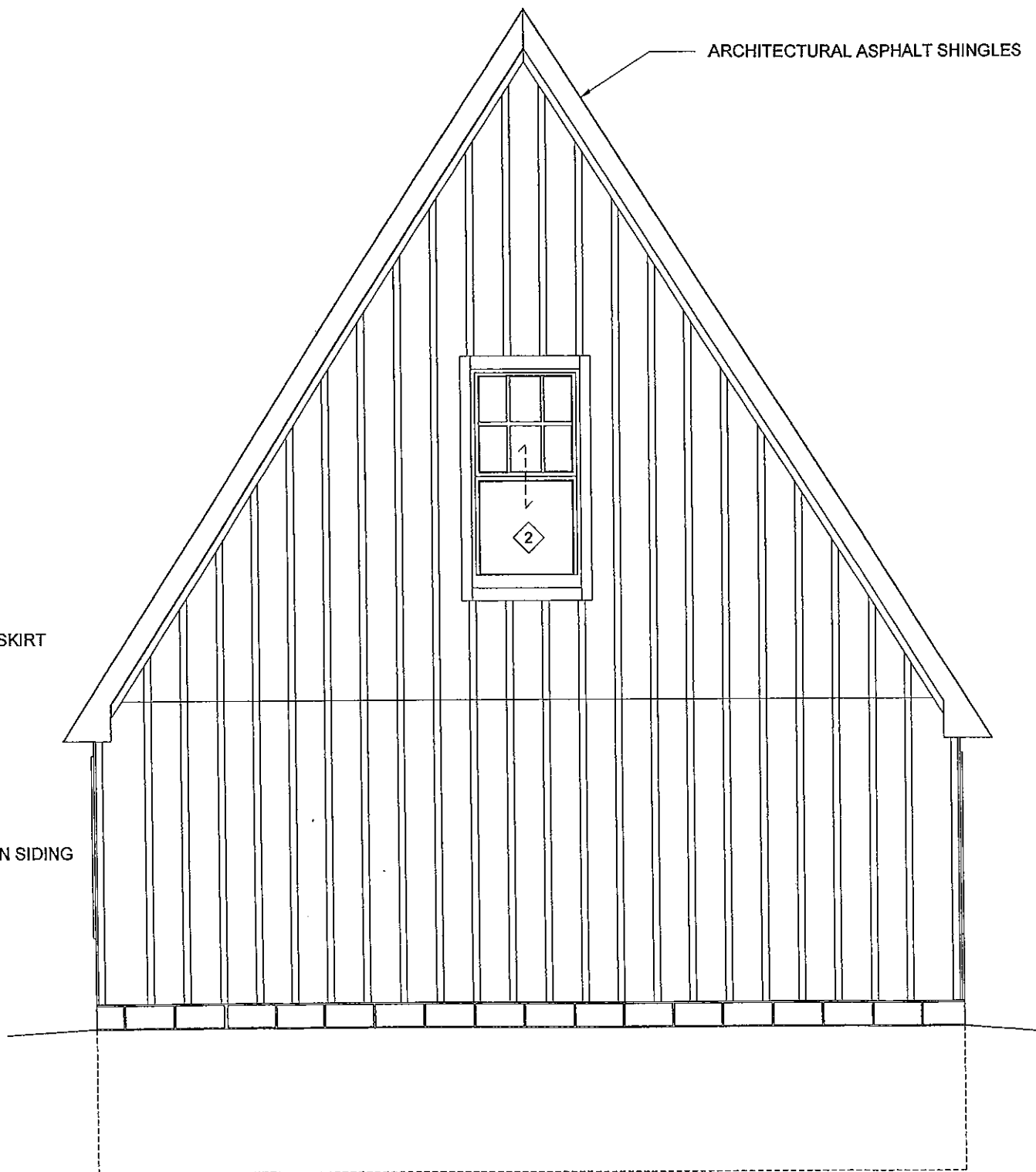
1  
A-19  
DETAIL - SECOND FLOOR CONNECTION  
1"=1'





METAL PANEL SKIRT

BOARD AND BATON SIDING



D I L A U R A  
C U S T O M  
R E S I D E N C E  
A - F R A M E H O M E

CAROLWOOD DRIVE  
BATAVIA, NY 14020

REVIEWED BY:

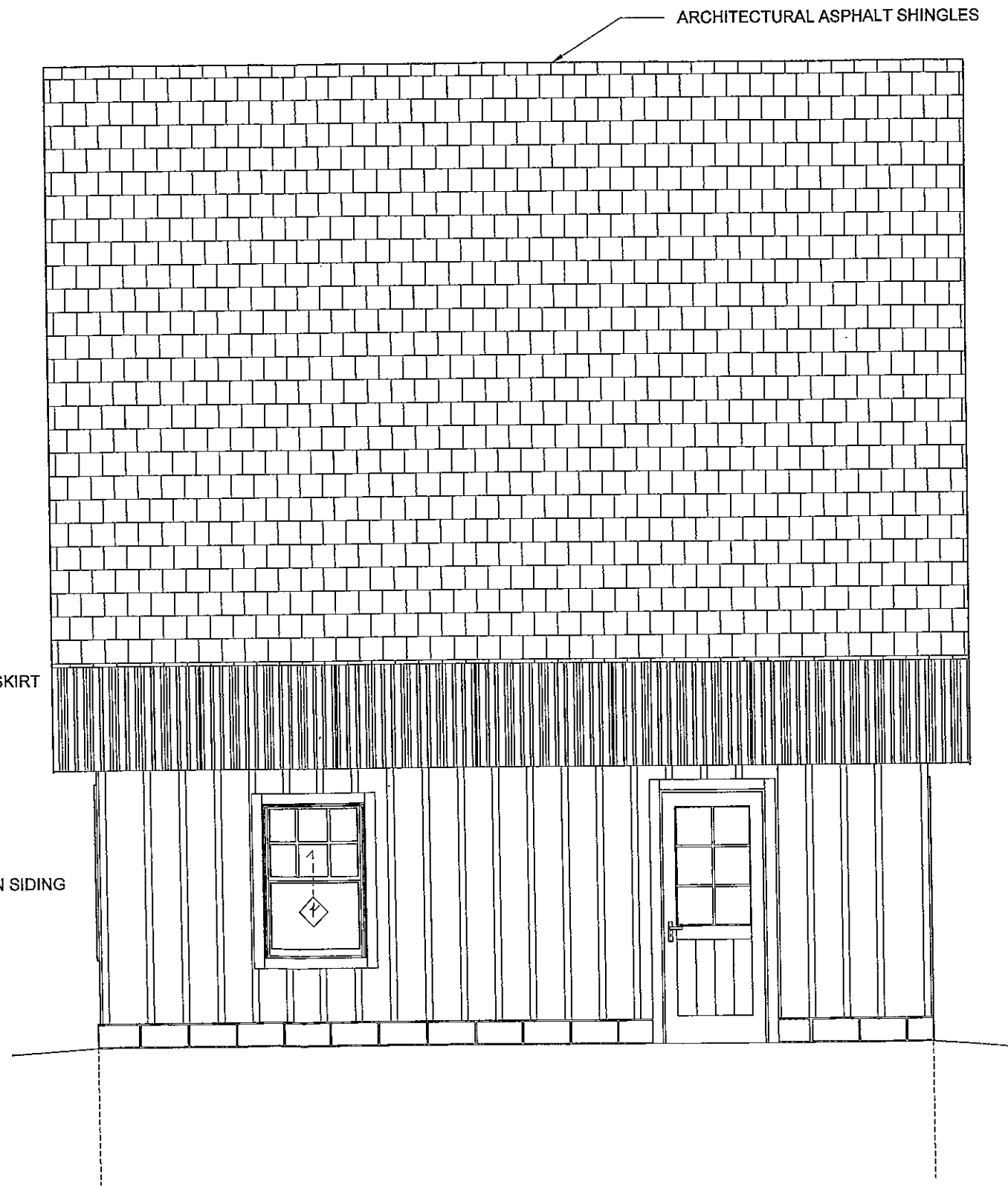
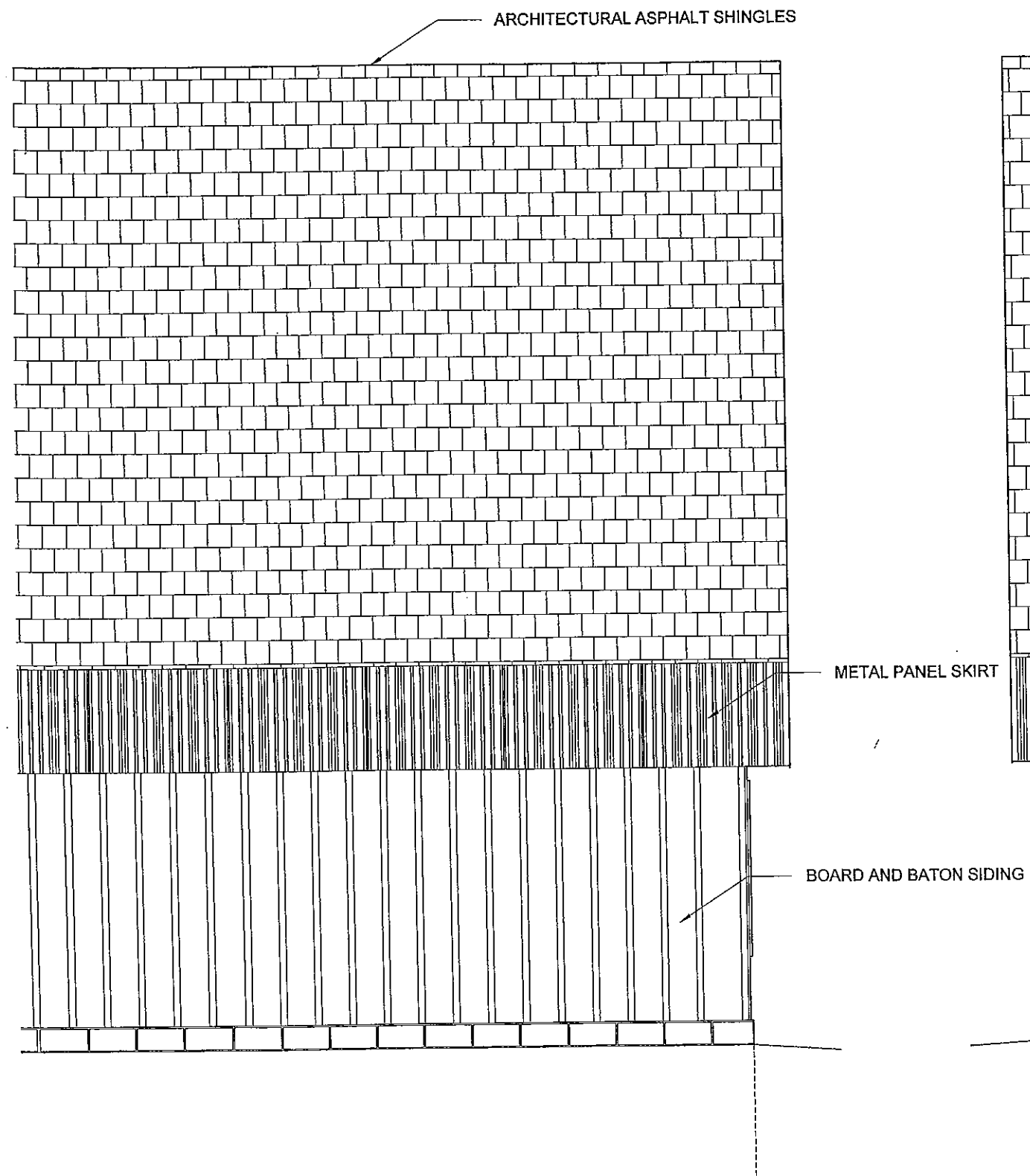


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(585) - 409-7682

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TITLE:

GARAGE ELEVATIONS 1



**D I L A U R A**  
**C U S T O M**  
**R E S I D E N C E**  
**A - F R A M E H O M E**

CAROLWOOD DRIVE  
 BATAVIA, NY 14020

REVIEWED BY:



MATTHEW T. HUME  
**ARCHITECT**  
 2629 PRATT ROAD  
 BATAVIA, NY 14020  
 (585) - 409-7682

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TITLE:

GARAGE ELEVATIONS 2





9.-1-203

9.-1-109.211

72.017-3-15

7-3-14

3-13

4-12

3-7

72.017-3-11

72.017-3-10

72.017-3-9

72.017-3-5

72.017-3-4

72.017-3-19

72.017-3-18

72.017-3-17

72.017-3-31

72.017-3-23

72.017-3-22

72.017-3-16

72.017-3-21

72.017-3-20

72.017-3-21

Harrold Square

72.017-3-16

85.005-1-70

85.005-1-69



## Meg Chilano

---

**From:** Douglas E. Randall  
**Sent:** Friday, February 5, 2021 3:36 PM  
**To:** Meg Chilano  
**Subject:** FW: [City of Batavia NY] More traffic at the YWCA (Sent by K. O'Donnell, Geigerkj1210@gmail.com)

Meg, please forward to the ZBA members.

Thanks

**From:** Contact form at City of Batavia NY <cmsmailer@civicplus.com>  
**Sent:** Friday, February 5, 2021 3:04 PM  
**To:** Douglas E. Randall <DRandall@batavianewyork.com>  
**Subject:** [City of Batavia NY] More traffic at the YWCA (Sent by K. O'Donnell, Geigerkj1210@gmail.com)

Hello drandall,

K. O'Donnell ([Geigerkj1210@gmail.com](mailto:Geigerkj1210@gmail.com)) has sent you a message via your contact form (<https://www.batavianewyork.com/users/drandall/contact>) at City of Batavia NY.

If you don't want to receive such e-mails, you can change your settings at <https://www.batavianewyork.com/user/70/edit>.

Message:

Disappointed to see a restaurant added to the Y daily traffic and construction noise. What would stop the Red Osier from moving in serving sit-down and 40foot Christmas Decorations in our back yards? Larger restaurants will move in next, once this variance is approved for sure.

We were told at our last meeting that Sunday would not see patient traffic. PERIOD. An estimate of 40 cars per day M-F and Saturday I believe was an earlier closing. Then Sundays were opened for the restaurant customers and many lock their cars with a blasting horn. Sundays are not quiet. Cars driving in and out. Luckily the church service that ran Sundays for many years is no longer there as the Minister, using a mic and bellowing Hallelujah over and over, with the windows and doors wide open..accompanied by a drum went on for hours. Would there now be a return of that?

Huge lights still point straight out from the building blinding you in your own backyards and my living room that faces Vine Street. No amount of room darkener shades keep the blinding light out. We have to carry flashlights to see the dog when out by the fence as the light is so over powering.

Several city wide celebrations have been held in the parking lot. I'm sure none of you would want to see Portopotties up against your back yard fence and left there days after the celebrations ended. Tents were put up against our fences for several days. Hoping the Portopotties were not overturned by kids was all we could do. I watched 4-5 young boys grab onto a nice chain-link fence of a homeowner and swing on it until it was broken to the ground. No one came to the homeowners' defense.

More traffic in the parking lot and a functioning kitchen has always invited parties on the weekends and after dark. Wedding receptions, huge graduation parties and birthday parties have robbed us of a quiet backyard to sit and enjoy. People swarm in and out of the Y during these events, I have to wonder who pays for the AC as the doors are propped open for all to enter.

It would be less traffic if restaurant customers parked in front of the building on weekends.

We attended the last meeting and listened to many speakers and it is disheartening to see more plans and changes now that the original variance was passed. I am sure this will not be the last push into our back yards. If we had known more variances were on the horizon we would have voiced our opinions louder. But we were assured that this was it and that there would in fact be better usage of the building. Perhaps she said, at night, health awareness, breastfeeding meetings for young mothers. But only occasionally. That didn't even begin and more is being pushed.

I wonder if anyone lives in this area around the Y or do they live out of town and do not see any of this. The disturbance we have been forced to witness would take pages to write out.

I'll end here. Just very disappointed to be asked to just accept even more vehicle usage of the Y building and parking lot that is surrounded by taxpayer's back yards.

## Meg Chilano

---

**From:** Douglas E. Randall  
**Sent:** Wednesday, January 27, 2021 8:17 AM  
**To:** Meg Chilano  
**Subject:** FW: ZONING APPEALS

Meg, please forward to the board members.

**From:** barb <jbfirefly@twc.com>  
**Sent:** Tuesday, January 26, 2021 5:19 PM  
**To:** Douglas E. Randall <DRandall@batavianewyork.com>  
**Subject:** ZONING APPEALS

Sent from Mail for Windows 10

Mr. Randall  
Code Enforcement Officer

Dear Mr. Randall,

My name is Barbara Rumsey and I live at 175 Vine St, Batavia. My back yard is directly in front of the former delivery pick-up spot of the Commit to Well/Eat Well Grill. When I saw the advertisement in the Daily News, I honestly was quite surprised. It was my understanding that when we agreed to the pediatric office purchasing the former YWCA building, Dr. Fraser-Branche agreed that the only other renters that would be allowed in the building would be clients that were directly related to the medical field? Not only is this not related but now it has become a pick- up service and that means more traffic!

We understood that construction and remodeling would be noisy and sometimes dirty waking us up at 7 AM but we muddled through that. We were not happy with the huge chicken barbeque that was allowed in the parking lot last summer. Would you like all that smoke coming in you bedroom windows? Why was it even allowed to be there? We thought we were rid of this all this only to have an even larger carnival staged later in the summer that shook the house with the music. Yes, it was organized, the live animals were cute, the organization does wonderful things for the community but really it doesn't belong in such a small contained area and especially without consulting neighbors this is a parking lot not a park !! I'm sure

they picked up all the trash at the YWCA but we picked up trash in our back yard the next day.

We have lived here for over 30 years and had to endure many changes in the YWCA. I was on the YWCA Board of Directors for several years hoping to put a positive spin on the Y and My Sisters Closet. We have lived through wild parties, unchaperoned events, loud church services, so much more. We were hoping this would be quieter times. I feel like we were lied to. It states in the letter for an approval of a food preparation area in an existing kitchen. I don't see where it states outside grilling (smoke)? It says nothing of a pick- up station. That is where the problem lies. Thus the traffic.

Please remember this IS foremost a RESIDENTIAL area. There are neighbors that work shift work on both sides of the YWCA. There is an Elementary School right around the corner. If we allowed a business to be approved, my question is *what is next?* If another house sells we could have a McDonald's on the corner!

You have stated that there are residents that do approve that this Grill should be allowed in the building. Are these homeowners that are directly connected to the YWCA on either side or friends of the Grill owner ? I think this is a wonderful business that belongs in a commercial setting not a residential setting. Let's not set a precedent!

This is not directly related to this zoning but if I were at this meeting I would bring it up: at the former meeting I requested a privacy fence be installed on my property facing the YWCA. I was told it wouldn't be necessary. Now I see that it indeed is necessary for our privacy. I am asking for a 8 foot privacy fence to be installed on my property. When other businesses come into a residential area they do this as a courtesy measure.

Thank you for taking the time to listen to me.

Sincerely,

Barbara Rumsey

Please confirm that this has been received.



## Meg Chilano

---

**From:** Douglas E. Randall  
**Sent:** Friday, January 22, 2021 4:02 PM  
**To:** Meg Chilano  
**Subject:** FW: [City of Batavia NY] Restaurant at YWCA on North ST (Sent by Francis M Spiotta, FMSpiotta@GMail.com)

Please include with ZBA member packets.

**From:** Contact form at City of Batavia NY <cmsmailer@civicplus.com>  
**Sent:** Friday, January 22, 2021 3:42 PM  
**To:** Douglas E. Randall <DRandall@batavianewyork.com>  
**Subject:** [City of Batavia NY] Restaurant at YWCA on North ST (Sent by Francis M Spiotta, FMSpiotta@GMail.com)

Hello drandall,

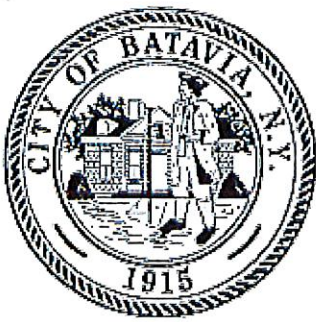
Francis M Spiotta ([FMSpiotta@GMail.com](mailto:FMSpiotta@GMail.com)) has sent you a message via your contact form (<https://www.batavianewyork.com/users/drandall/contact>) at City of Batavia NY.

If you don't want to receive such e-mails, you can change your settings at <https://www.batavianewyork.com/user/70/edit>.

Message:

My family have been here on Vine for over a hundred and ten years. I do not want of any kind of restaurant in my neighborhood. We do not need any additional traffic with school children walking down North every day. My neighbors went to a meeting when this building was recently sold and where told this would be a doctors office and nothing like a restaurant would every be. When many years ago the city fathers let the Y build on North they could never have anticipated any thing like this, I am certain the neighbors back then would not have been in favor of the Y build. This should not be allowed, a restaurant does not belong in a residential neighborhood near a school, it belongs in a business district.

Thank You,  
Francis M Spiotta  
162 Vine ST  
Batavia NY



*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: 1/5/21

Re: **301 North St.**  
Tax Parcel No. 84.008-1-7.1

Zoning Use District: R-1A

The applicant, Emily Fraser-Branche (owner), has filed an application to approve a non-permitted use, food service business (Commit to Well / Eat Well Grill meal preparation service) in an existing kitchen/food prep. area of this existing multi use building.

**Review and Approval Procedures:**

**City Planning and Development Committee-** Pursuant to section 190-49 C of the zoning ordinance, applications for variances that include non-permitted uses shall be referred to the PDC for recommendation to the ZBA.

**Zoning Board of Appeals-** Pursuant to BMC Sec. 190-49 F (3)(a) of the zoning ordinance, the ZBA shall review and act on required variances and has the power to grant use variances.

**Use variance-**

- 1) BMC 190-11 A Food service businesses are not listed as permitted principal uses in the R-1A residential use district.

The ZBA will be the lead agency to conduct SEQR.



CITY OF BATAVIA  
APPLICATION TO THE ZONING BOARD OF APPEALS

Application No.: 21-02  
Hearing Date/Time: \_\_\_\_\_

APPLICANT: Emily Fraser-Branche

ef tenney@gmail.com

Name 301 North Street E-Mail Address (585) 483-3081 (585) 483-3084  
Street Address Batavia Phone NY Fax 14020  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

STATUS: ☒ Owner ☐ Agent for Owner ☐ Contractor

OWNER:

Name \_\_\_\_\_ E-Mail Address \_\_\_\_\_  
Street Address \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

LOCATION OF PROPERTY: 301 North Street

DETAILED DESCRIPTION OF REQUEST:

use variance to permit "commit to well" meal  
preparation service to operate out of  
commercial kitchen.

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

1/5/21  
Date

Owner's Signature

Date



To be Filled out by Zoning Officer

TAX PARCEL: 84.008-1-7.1 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 190-11A Food service businesses are  
not permitted uses within the R-1A residential use district.



From: Jill Kratz [kratz.sjsbatavia@gmail.com](mailto:kratz.sjsbatavia@gmail.com)  
Subject: Variance Information  
Date: Dec 31, 2020 at 07:49:53  
To: [ziggysails@gmail.com](mailto:ziggysails@gmail.com)

Hi Greg!

Here is the information you requested to the best of my ability on short notice. If I have forgotten something please let me know. Thank you for your help.

Commit to Well is a healthy meal prep service. Founded with the desire from the community to have nutritious, prepared meals with easy access and at an affordable price. The company was created based on these requests and has been thriving with the help of this kitchen space. There is nothing else like this in our community.

Commit to Well has been committed to the overall health and wellness of our community and has reached out to even donate food to local organizations such as Habitat for Humanity, YWCA, UMMC, and many medical offices and local families in need. We are an asset to the community that has welcomed us and thanked us continuously for our existence.

Meal preparation is done in the kitchen. Food is prepped, cooked, cooled, and packaged. Meals are stored in the coolers that also store our fresh ingredients. Production is done from Friday through Saturday with meal pick up on



Sunday. Pick up is done from 10-11am. Customers enter the side entrance to the kitchen where their order is bagged and ready for hand off. Once handed to them they immediately exit. Customers who are unable to make pick up Sunday may do so on Monday from 11am-6pm using the same procedure.

Customers Sunday: Approx. 35

Monday: Approx. 10

Produce delivery Wednesdays Approx 9-10am

Packaging delivery Thursdays (every other) Approx 9-10am

All other supplies picked up locally by owners.

Total Employees: 4 with only 2-3 working at a time.

## Use Variance Application

### Statement of Unnecessary Hardship

In order for the Zoning Board of Appeals to grant a use variance, an applicant must show documentation in the record that the restrictions of the Zoning Ordinance has caused unnecessary hardship. In order to prove such unnecessary hardship the applicant shall demonstrate to the Zoning Board of Appeals that for each and every permitted use under the Zoning Ordinance for the particular district where the property is located, that all four (4) requirements as per §81-b of the General City Law have been proven. Additional documentation may be included. If any one of these requirements have not been proven, the Zoning Board of Appeals must deny the variance, as per §81-b of the General City Law.

Explain how the request conforms to EACH of the following requirements (additional pages may be attached):

1. **Reasonable Return.** The subject property is not capable of yielding a reasonable rate of return if used for its present use or developed, redeveloped or used for any other use permitted in the district in which such property is located. There is no means other than the granting of the variance by which the property can yield a reasonable return. Such inability to yield a reasonable return must be shown by specific fact (dollars and cents) from an expert or authority in economic deprivation, not the unsupported opinion of the owner or those appearing for the owner.

*"The applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence"*

SEE ATTACHED RESPONSE

(Please provide / attach competent financial evidence)

2. **Unique Hardship.** The inability to yield a reasonable return results from a unique circumstance peculiar to the subject property which does not apply to or affect other properties in the immediate vicinity that are subject to the same regulations. The personal situation of the owner shall not be considered unique.

*"The alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood"*

SEE ATTACHED

3. Essential Character of the Neighborhood. The granting of the variance will not be materially detrimental to the public health, safety, and welfare or injurious to the enjoyment, use or development of neighboring properties or the community. Applicant must demonstrate that the proposed use will not change the essential character of the neighborhood with regard to such physical and environmental elements such as parking, traffic, signage, landscape, architectural and structural features, location and dimensions of buildings, any by-products of proposed use such as noise or smoke, and any other impacts upon adjacent or neighboring lands.

*"The requested use variance, if granted, will not alter the essential character of the neighborhood"*

SEE ATTACHED

4. Not Self-Created. The inability to yield a reasonable return is not the result of any action by the owner or predecessors in title. The applicant must show that when the property was purchased the zoning restrictions from which a use variance is now sought were not in existence or that some other change or factor has occurred that has resulted in an inability to yield a reasonable return. Otherwise, the hardship is self-created.

*"The alleged hardship has not been self-created"*

SEE ATTACHED



Applicant's Signature

12/31/20

Date

Provider of Financial Evidence

Date



## **301 North Street (YWCA Building) Kitchen Use Variance Application**

### **Three Little Birds Pediatrics:**

#### **Introduction:**

As Batavia natives Emily & I have a deep love for our community, which is why we chose to plant roots & raise our 6 children here. In fact I have fond memories of growing up in this neighborhood specifically. As a young boy I grew up in the house where Licata's live at 213 North Street. When I purchased my first home, it too was in this neighborhood, at 5 Seneca Avenue.

Emily is a local young lady who after graduating from Batavia High School, attended medical school at UB. She then returned to Batavia looking to make a positive difference in the small community she has much love for. Medical care has shifted, in recent years, to big hospital systems. She, instead held firm to her belief in small town, individualized patient care, with the desire of creating a health & wellness center around her pediatric practice. Her goal to create a pediatric practice small enough for her to continue being involved with the care of all her patients is of essential importance to her. In fact, once she felt obligated to separate from the current trend toward big medicine, she began creating this model of health care & wellness for not only her "little people" patients, but their families, and the local community as well. She, with much risk, opened her solo pediatric practice "Three Little Birds Pediatrics". Her reputation, and attention to maintaining a practice focused on individualized patient care has allowed her dream to begin to flourish. When the opportunity to purchase the YWCA building at 301 North Street presented itself we had many conversations with the Y Director Millie Tomidy-Pepper and her staff. We quickly realized what a wonderful opportunity we all had to collaborate on multiple programs and initiatives to revitalize existing outreach as well as to provide a unique healthcare, education, and support system which would allow for a more complete approach by caring for the whole person.

Our goal and vision is to create a community centered Health and Wellness campus whose partners and programs benefit not only our pediatric patients, but their families, YWCA clients, Pathstone housing assistance programs and clients, as well as to hopefully provide healthy lifestyle meal options and educational/programs. This includes partnering with the YWCA to help support their domestic violence & racial equality programs, as well as to help train and create opportunities for women in our community to excel in life, as female business owners, and in their families. Other programs in development, which will be open to the public, include educational clinics for child and infant CPR classes, breast-feeding clinics, approaches in positive parenting, healthy meal planning & lifestyle choices, yoga classes, personal safety as well as car seat installment clinics, a farmers market, etc... . Our goal is to help revitalize the the vision of the YWCA, and expand this vision with additional programs by providing an integrated support network of Health & Wellness focused entities. In



doing so we wish to be a positive influence in the health & wellness of our small town neighborhood & community as a whole.

We therefore feel that the healthy meal planning, education, and preparation of healthy meal options offered by Commit to Well/Eat Well Grill are of significant benefit and are a vital asset in our unique approach to/the overall health & well being of our patients and community.

This proposed variance is to request that leasing of the pre-existing commercial kitchen for the purpose of healthy meal preparation be allowed, as we feel this service is an integral part of the health & wellness programs we wish to offer as we strive to care for those in our neighborhood & small community.

### **Reasonable return:**

The pre-existing commercial kitchen within 301 North St. is zoned for use by the YWCA to be used for their sole purpose and fundraising activities. The kitchen has not been used in this way for many years. Since the sale of the building, the YWCA has become one of the wonderful tenants who lease space within the building. They do not, however lease the kitchen space, therefore do not have access to it. Without this variance being granted the entire kitchen area will no longer be usable due to its current approved zoning restrictions. The financing for purchase of the building included lease income from existing tenants including Commit to well, who at the time of purchase had already been leasing the kitchen from the YWCA for 3 years. The current lease agreement is for \$350/mo. (\$4200/yr). Eliminating this source of income would create a large area of "dead space" within the building that can no longer provide any type of return, let alone a reasonable return. Furthermore, this would require complete removal of the commercial kitchen and extensive renovations at significant cost in order to create a useable space and reasonable return once again. At present the kitchen is fully functional and has received appropriate approval for operation by the required Farm & Agriculture Inspection agency.

### **Unique hardship:**

The inability to yield a reasonable return on this space results from a unique circumstance peculiar to this specific property which does not apply to or affect other properties in the immediate vicinity that are subject to the same regulations. This unique situation arose as the residential neighborhood surrounding the YWCA building (built in 1967), slowly developed.



### **Essential character of the neighborhood:**

Granting of this variance will not be materially detrimental to the public health, safety, and welfare or injurious to the enjoyment, use or development of neighboring properties or the community. In fact, several efforts are under way to improve the above stated items in an effort to create a safer property & neighborhood.

1. See attached statement from Jill Kratz (Owner of Commit to Well), which includes a detailed description of their healthy meal prep service. In this description she also outlines the minimal traffic this creates (approx. 35 vehicles on Sundays and approx. 10 vehicles on Mondays - for a brief period on each of those days for meal pick-up). No other offices in the building are open on Sundays, therefore no other traffic in & out of the building. The low number of vehicles on Mondays allow for those who can not pick up their meals on Sundays.

In contrast, if for example the kitchen space were renovated for a medical laboratory/ blood draw facility or another medical office the increased traffic and flow would be much greater than that of the healthy food prep services, and additionally would be during busy business hours.

2. Restored lighting of existing NiMo operated street lights (1 in front of property on North St., and 1 over crosswalk at entrance leading back to parking lot.

3. Restoring lighting around property for safety and to minimize vandalism and loitering. Adjustments to lighting also being made to minimize excess light on neighboring properties.

4. A painted crosswalk will be created across the entrance drive where the city sidewalk crosses the entrance driveway.

5. Yield signs and sign post visibility markers placed at entrance drive crosswalk.

### **Not self-created:**

The ability to yield a reasonable return is not the result of any action by the owner or predecessors in title. As outlined above, the function of the kitchen by the YWCA as originally zoned is no longer applicable. The kitchen area has not been used for those means in many years as it is no longer needed for it's original purpose. Since purchase of the building the YWCA has become a tenant with no need for, or access to the commercial kitchen. At the time of purchase Jill had been leasing the kitchen from the YWCA for 3 years, and her lease agreement was included in the financial projections used to secure financing in order to purchase the building. All health inspections remain up to date and in compliance with regulations. Unfortunately neither the YWCA nor Jill were aware that a variance was required. All effort continues to be made for

complete transparency regarding health inspections, operation, and now of course to ensure that this variance application be submitted for your review.

Thank you for your time and consideration,

Emily Fraser Branche MD & Gregory Branche





## USE VARIANCE

### Statement of Income and Expense

*All Entries Must be Completed and Documented for at Least Two (2) Calendar Years  
or From the Date of Purchase Whichever is Less*

PROPERTY ADDRESS: 301 North Street

#### A. PROPERTY DATA

1. Date property was purchased by current owner September 2020
2. Was a Certificate of Occupancy issued? N/A. EXISTING BUILDING  
Date of Issuance? —  
If so, for what use(s)? —  
If not, why? —
3. Cost of Purchase \$350,000 building \$1,234,430 total draw
4. a) Amount of Mortgage — Interest Rate 4.25% mortgage  
Mortgage Holder Bank of Cashle Duration 20 years. 100%  
Address —
- b) Amount of Mortgage — Interest Rate —  
Mortgage Holder — Duration —  
Address —
- c) Amount of Mortgage — Interest Rate —  
Mortgage Holder — Duration —  
Address —
5. Is the property for sale? NO  
If so, for how long —  
asking price —  
for what use(s) —  
Have any offers been received —  
If so, for what amount(s) —  
  
Summarize any attempts to sell the property N/A
6. Present value of property \$530,612  
Source(s) OARS

# B. GROSS ANNUAL INCOME [BASED ON PERMITTED USE(S)]

USE	INCOME
1. <u>YWCA</u>	<u>\$1,000/month for 1st 12 months</u>
2. <u>Commit to Well</u>	
3. <u>Patinstone</u>	<u>\$750/month</u>
4. <u>Fraser Branch Medical, PLLC</u>	<u>TBD upon completion of construction</u>
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. <u>Commit to Well / Eat Well Grill</u>	<u>(-\$350) mo. \$4200/yr</u>
TOTAL RENTAL INCOME	<u>\$25,200</u>
LESS VACANCY FACTOR	<u>20%</u>
(Attach explanation if greater than 8%)	
TOTAL GROSS INCOME	<u>\$23,184</u>

## C. ANNUAL EXPENSES

1. <u>Annual Fixed Charges</u>	
Real Estate Taxes (City & County)	<u>\$15,000 / year</u> *due for 2020-2021
Insurance.....	<u>previously exempt</u>
Average Annual Interest (over next 5 years)	_____
2. <u>Operating Expenses</u>	
Electric.....	} <u>Projected \$13,200</u>
Fuel.....	
Water.....	
Advertising.....	
Miscellaneous (attach explanation)	_____
3. <u>Maintenance Expenses (attach list)</u>	
Repairs.....	} <u>\$20,000 projected</u>
General Building Maintenance.....	
Yard and Ground Care.....	
Miscellaneous.....	
	<u>maintenance/supplies, snow removal</u>
TOTAL ANNUAL EXPENSES	<u>\$48,200</u>
Profit or Loss	<u>-25,016</u>



Property: 301 North Street, Batavia, NY 14020

2020

Tenant	Suite	Total Sq. Available	Retail Leasable	Leased Sq Ft	Per Sq	Base Mo. Rent	Monthly INS/MGM	Monthly Int'lly Tax	Monthly Total	Lease Origination	Lease Expiration	Lease Options	Landlord Expense	Tenant Expense	Late Fee	Comments
YWCA of Genesee County, Inc. Commit to Well Pathstone Corp.	1	3,030	3,030	3,030	3.96	1,000.00	-	-	1,000.00	9/3/2020	9/1/2023	Y	ps. utilities.	-	N/A	increase to \$2k per month
	2	685	685	685	6.13	350.00	-	-	350.00	11/1/2020	10/31/2021	N/A	ps. utilities.	-	75	
	3	940	940	940	9.83	770.00	-	-	770.00	11/1/2020	10/31/2021	N/A	ps. utilities.	-	75	
		13,404		4,655		2,120.00										
Adm'l CAM Income						\$0.00										
Total Income						25,440.00				Total SF	4,655					
Operating Expenses:										PSF Avg	5.47					
Taxes							Annual			Occupied	34.73%					
Insurance							To Date	JUL		Vacancy	65.27%					
Utilities							To Date	JUL		PSF CAM	#DIV/0!					
R&M							Annual									
Snow/Lawn																
Total Operating Expense:																
Annual Net Operating Income:						25,440.00				PSF R/E/Taxes	#DIV/0!					

D. TOTAL INVESTMENT

1. Down payment..... \$141,560 deposit / equity at closing.
2. Capital Improvements (attach list) \$7208.71
3. Principal Paid to date (original mortgage less  
current principal balance)..... (only 3 months since closing).

TOTAL INVESTMENT 148,768.71  
(Sum of D1, D2, & D3)

E. RATE OF RETURN = Profit or Loss

TOTAL INVESTMENT \$123,752.71

Emily Ann Bell  
Signature of Preparer

1/2/24  
Date

mo  
Profession of Preparer



1. EXTERIOR FRONT OF BLDG. - WOOD REPAIRS + PAINT

\$750

2. CONF. ROOM + WOMEN'S BATHROOM (RESTORE, BUILD CLOSET,  
BUILD CABINET & COUNTERTOP, PAINT).

\$1100

CONF.

\$1400

BATH.

FLOORING (WILSON)

\$1980

CONF.

\$560

BATH.

BATHROOM CABINET DOORS (HOME DEPOT)

\$151

PAINT + SUPPLIES (SHERWIN WILLIAMS)

\$680.<sup>71</sup>

MISC. SUPPLIES

\$115

BRINDON

\$125

BRINDON

\$347

CHAZ

\$7208.71

TOTAL

## CITY OF BATAVIA

## BUILDING PERMIT APPLICATION

DATE: 12/30/20APPLICANT NAME & PHONE: EMILY FRASER - BRANCHEProject Location and Information

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

Address of Project: 301 NORTH ST. BATAVIA NY 14020Owner & Address: FRASER - BRANCHE PROPERTY LLCPhone: (585) 356-4728 GREG BRANCHE(585) 356-813-5781 EMILY FRASER - BRANCHEProject Type/Describe WorkEstimated cost of work: ØStart date: N/ADescribe project: N/A Create non-permitted Food Service business in existing building located in a residential use district.Contractor Information – Insurance certificates (liability & workers comp) required to be on fileGENERALName/Address: N/A

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: \_\_\_\_\_



617.20  
Appendix B  
Short Environmental Assessment Form

**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>			
Name of Action or Project: <i>Commit to well / eat well Grill meal preparation service</i>			
Project Location (describe, and attach a location map): <i>301 North Street Batavia</i>			
Brief Description of Proposed Action: <i>"made to order / ready to go" meal preparation service - "take out" service only</i>			
Name of Applicant or Sponsor: <i>Frustr-Brunche Property, LLC</i>		Telephone: <i>813 5781</i>	
		E-Mail: <i>efkcnney@gmail.com</i>	
Address: <i>301 North St.</i>			
City/PO: <i>Batavia</i>		State: <i>NY</i>	Zip Code: <i>14020</i>
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 checked="" type="checkbox"/> YES
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/> YES
3.a. Total acreage of the site of the proposed action?		<i>N/A</i> acres	
b. Total acreage to be physically disturbed?		<i>N/A</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>N/A</i> acres <i>commercial kitchen in existing building</i>	
4. Check all land uses that occur on, adjoining and 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 checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>existing</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 type="checkbox"/> Urban <input checked="" 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SEE  
ATTACHED  
VARIANCE  
APPLICATION



18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	X	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	X	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	X	
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Emily Fraser-Branche</u>		Date: <u>12/30/20</u>
Signature: <u>[Signature]</u>		

**Part 2 - Impact Assessment.** The Lead Agency is responsible for the completion of Part 2. 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?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
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?		
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?		
7. Will the proposed action impact existing:		
a. public / private water supplies?		
b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

**Part 3 - Determination of significance.** The Lead Agency is responsible for the completion of Part 3. 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.

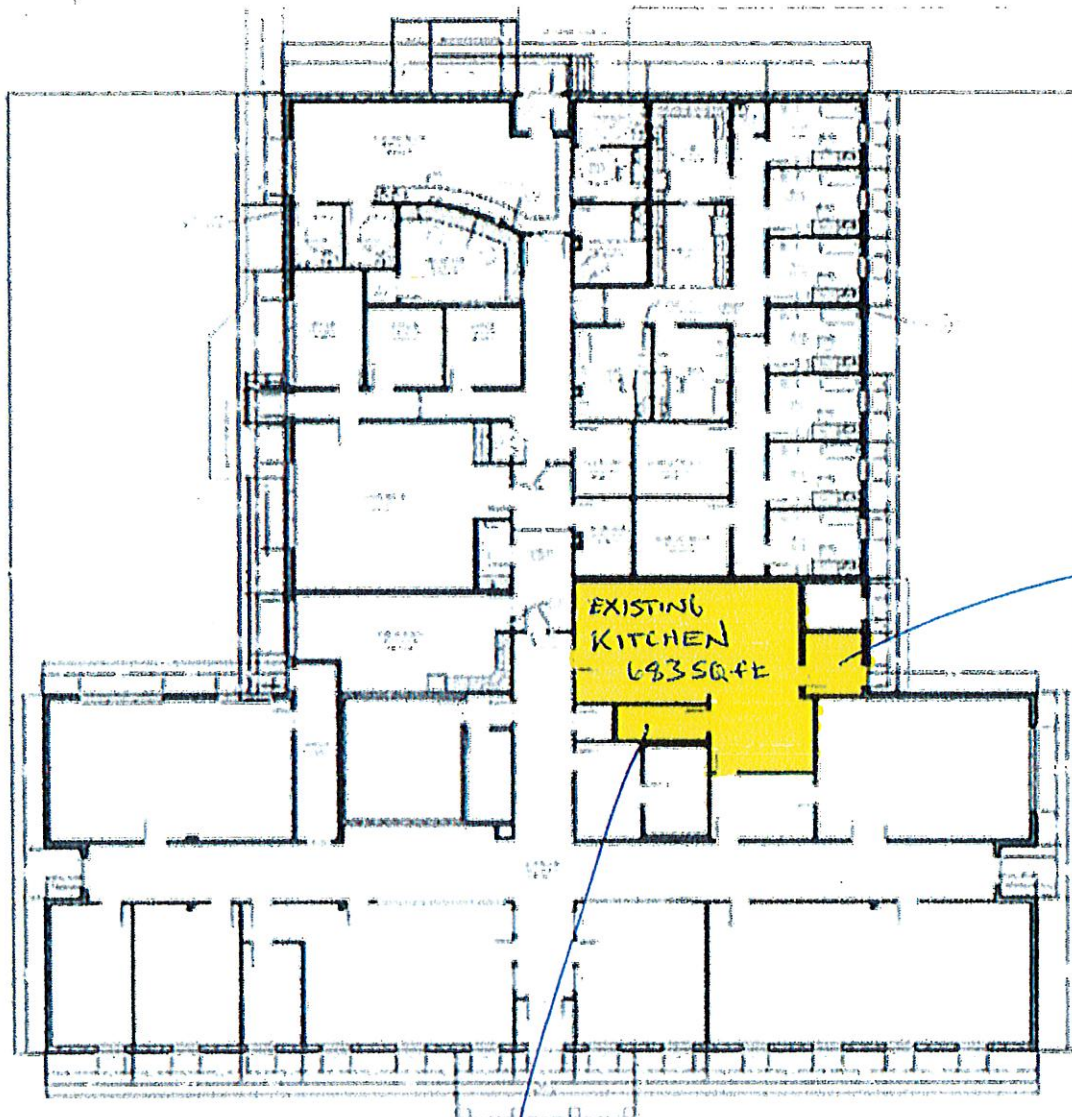
- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☐ Check this box if you have 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)









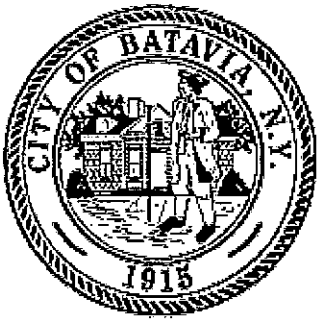
PROPOSED 1st Floor

KITCHEN STORAGE  
64 SQ. FT.

TOTAL KITCHEN AREA  
SQ. FOOTAGE :

820





*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: 1/28/21

Re: 438 East Main St. (Daily News)  
Tax Parcel No. 84.016-1-9

Zoning Use District: C-1

The applicant, Mike Hodgins (sign contractor), has applied for approval to place a 4' x 4' non-illuminated pole sign in the north yard of this commercial parcel.

**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:**

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

**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. Pole signs are not permitted in the C-1 use district.
- 2) BMC 190-43 T. The minimum vertical clearance under poles signs is 10', 2' is proposed.

**SEND OR DELIVER TO:**

GENESEE COUNTY DEPARTMENT OF PLANNING

3837 West Main Street Road

Batavia, NY 14020-9404

Phone: (585) 815-7901

**DEPARTMENT USE ONLY:**

GCDP Referral # \_\_\_\_\_



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

Required According to:

**GENERAL MUNICIPAL LAW ARTICLE 12B, SECTION 239 L, M, N**

(Please answer ALL questions as fully as possible)

**1. REFERRING BOARD(S) INFORMATION**Board(s) Zoning Board of AppealsAddress One Batavia City CentreCity, State, Zip Batavia, NY 14020Phone (585) 345 - 6345 Ext. \_\_\_\_\_**2. APPLICANT INFORMATION**Name Mike Hodgins Signs By John's StudioAddress 56 Harvester Ave.City, State, Zip Batavia, NY 14020Phone (585) 345 - 1030 Ext. \_\_\_\_\_ Email mhdgins@johnsstudio.comMUNICIPALITY: ☒ City ☐ Town ☐ Village of Batavia**3. TYPE OF REFERRAL: (Check all applicable items)**

- ☒ Area Variance  
☐ Use Variance  
☐ Special Use Permit  
☐ Site Plan Review

- ☐ Zoning Map Change  
☐ Zoning Text Amendments  
☐ Comprehensive Plan/Update  
☐ Other: \_\_\_\_\_

- Subdivision Proposal  
☐ Preliminary  
☐ Final

**4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:**A. Full Address 438 East Main St.B. Nearest intersecting road HarvesterC. Tax Map Parcel Number 84.016-1-9

D. Total area of the property \_\_\_\_\_ Area of property to be disturbed \_\_\_\_\_

E. Present zoning district(s) C-1**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 190-43 L and 190-43 T.C. Please describe the nature of this request Approval to place a pole sign on this parcel located in C-1 use district.**6. ENCLOSURES -- Please enclose copy(s) of all appropriate items in regard to this referral**

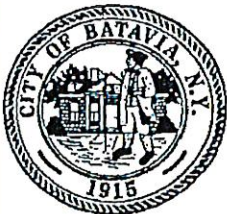
- ☒ Local application  
☒ Site plan  
☐ Subdivision plot plans  
☐ SEQR forms

- ☐ Zoning text/map amendments  
☐ Location map or tax maps  
☒ Elevation drawings  
☐ Agricultural data statement

- ☐ New or updated comprehensive plan  
☒ Photos  
☒ Other: Cover letter

**7. CONTACT INFORMATION** of the person representing the community in filling out this form (required information)Name Douglas Randall Title Code Enf. Officer Phone (585) 345 - 6327 Ext. \_\_\_\_\_Address, City, State, Zip One Batavia City Centre, Batavia, NY 14020 Email drandall@batavianewyork.com





CITY OF BATAVIA  
APPLICATION TO THE ZONING BOARD OF APPEALS

Application No.: 21-03

Hearing Date/Time: \_\_\_\_\_

APPLICANT: Signs by John's Studio mhojzins@johnsstudio.  
Name E-Mail Address  
56 Harvester Ave. 345-1030 343-4469 com  
Street Address Phone Fax  
Batavia NY 14020  
City State Zip

STATUS: ☐ Owner ☒ Agent for Owner ☐ Contractor

OWNER: Daily News jzambito@bataviadailynews.  
Name E-Mail Address  
498 East Mains St. 343-8000 com  
Street Address Phone Fax  
Batavia NY 14020  
City State Zip

LOCATION OF PROPERTY: 498 East Main Street Batavia

DETAILED DESCRIPTION OF REQUEST: Placement of (1) one 4x4 ft.  
post & panel sign in front of the building,  
outside of the 40x40 ft corner area.

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.

Mindy Bodzins  
Applicant's Signature

1/26/21  
Date

Jmf, Zambito  
Owner's Signature

1/26/21  
Date

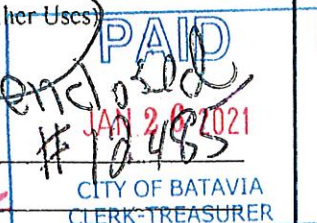
To be Filled out by Zoning Officer

TAX PARCEL: 84.016-1-9 ZONING DISTRICT: C-1 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 190-43 L. Pole signs not  
Permitted in C-1, BMC 190-43 T. The minimum vertical clearance  
for pole signs is 10'.



CITY OF BATAVIA  
CLERK-TREASURER

## Criteria to Support Area Variance

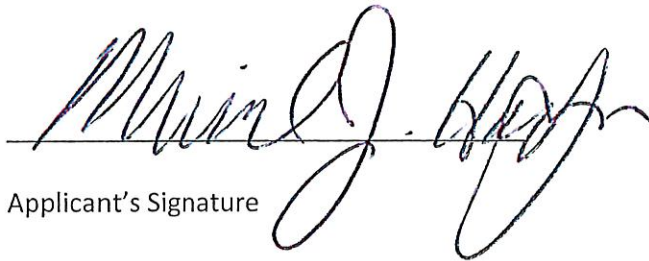
December 28, 2020

City of Batavia

ZBA application – Batavia Daily News

1. **Undesirable Change in Neighborhood Character** - The building is in an existing C1 zone so is compatible with other nearby commercial establishments and the proposed sign will create no undesirable change.
2. **Alternative Cure Sought** - This is the only possible location for the proposed sign given the required 40 x 40 clear area for the corner lot. Wall signs on this property are not allowed by the building owner.
3. **Substantiality** - The request is not substantial as there is no existing signs on the property and the Daily News will be the sole tenant at this location.
4. **Adverse Effect or Impact** - There is no adverse effect to the neighborhood given that the proposed sign is similar to other commercial establishments in the area.
5. **Not Self-Created** - This was not the result of any self created action as there has never been any signage located on this property in the past.

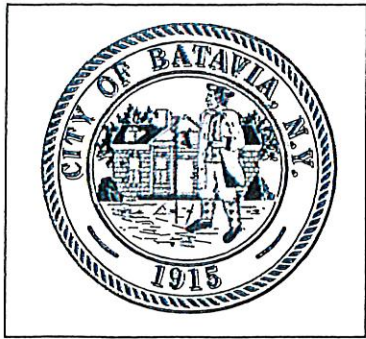
Applicant's Signature



Date







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

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

**APPLICANT/OWNER:**

*mbodjins@johnsstudio.com*  
Name Signs by John's Studio johnsstudio E-mail Address  
Street Address 56 Harvester Ave. 345-1030 343-4469 con Phone Fax  
Batavia NY 14020 City, State, Zip Code

**ADDRESS OF SIGN:**

498 East Main Street Batavia

**AREA OF SIGN:**

Length 4 Width 4 Area 16

**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 checked="" type="checkbox"/> Freestanding	Set Back _____	Height _____	
<input type="checkbox"/> Wall	Wall Length _____	Wall Height _____	Area _____
<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

N/A No Lighting

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

None permanent

One temporary in lawn  
3x3 ft.

Applicant's Signature

Mel J. Gagne

Date

11/19/21

Issuing Officer

Date

Planning Board Chairperson

Date

**FEES:**

\_\_\_\_\_ \$25 Sign Permit

\_\_\_\_\_ \$50 Special Sign Permit

\_\_\_\_\_ \$10 Portable Sign



48 W

48"H

# THE DN

24"H

**THEDAILYNEWSONLINE.COM**

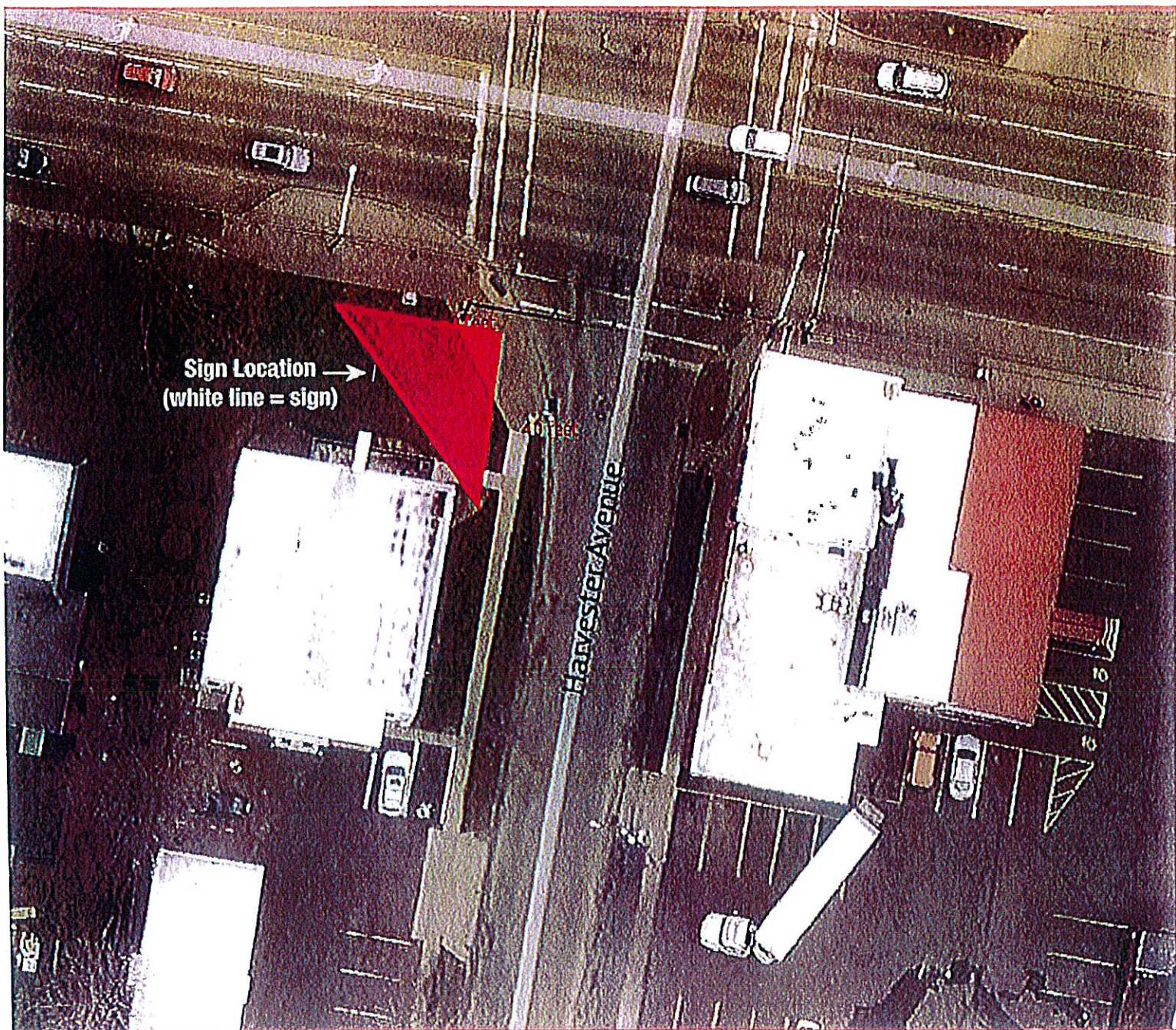
36"H

3"W x 108"H x 7"D Post  
will go 36" in ground

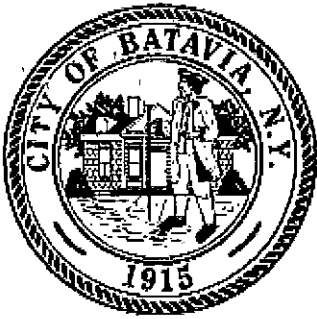


Sign Location →  
(white line = sign)

Harvester Avenue







*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: 2/1/21

Re: 127 North St. (UMMC Radiology/ICU Addition)  
Tax Parcel No. 84.007-2-2

Zoning Use District: P-2

The applicant, Dave Hetrick (owner rep.), has filed a site plan and zoning variance application to construct a two story addition covering approx. 5,113 sq. ft. of parcel area. A portion of the proposed addition is located within the front yard setback.

**Review and Approval Procedures:**

**City Planning and Development Committee-** Pursuant to section 190-25 G (1)(a) of the zoning ordinance, the Planning and Development Committee shall review and determine that the site plan, structures and uses compare favorably with the community prior to permit issuance.

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

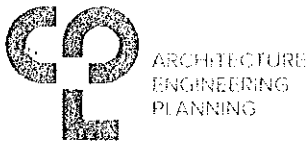
Required variances- Area

**1) BMC 190-25 D (2)**

	<u>Required</u>	<u>Proposed</u>	<u>Difference</u>
Front yards	25'	9.25'	15.75'

The PDC will be the lead agency to conduct SEQR.





## MEMORANDUM

TO: Douglas Randall, Code Enforcement Officer, City of Batavia  
FROM: Richard Waite ASLA  
DATE: January 27, 2021  
RE: UMMC Radiology/ICU Addition

---

Mr. Randall, as you requested, following is a brief project description and design statement regarding proposed storm drainage, parking, and landscaping associated with the proposed Radiology/ICU addition at UMMC in Batavia, New York.

### Project Description

United Memorial Medical Center proposes to add on to its hospital at 127 North Main Street in Batavia, New York in order to expand its Radiology and ICU facilities. The project will add 5,113 sf to the existing hospital footprint and will include a new building entrance off of Summit Street Extension, three new parking spaces, and a small amount of landscaping. Approximately three quarters of the proposed addition perimeter will abut the existing hospital structure.

### Storm Drainage

Existing drainage patterns in the vicinity of the proposed addition will remain largely unchanged. Most of the storm water runoff in the vicinity of the proposed addition will be collected by an existing catch basin on the east side of Summit Street in front of the Cancer Center. Roof runoff generated by the proposed addition will be collected by a new drywell located in the lawn on the west side of the proposed addition.

### Parking

Three new parking spaces are proposed. These will be an extension of the 90 degree parking area which exists in front of the Cancer Center. The proposed addition will not include any new beds, so no expansion of parking is required by the City Code.

### Landscaping

Landscaping is proposed along the entire frontage of the proposed addition. The proposed plants include both deciduous and coniferous woody shrubs which were selected for their ornamental qualities and low maintenance requirements.



**CITY OF BATAVIA**  
**APPLICATION TO THE ZONING BOARD OF APPEALS**

Application No.: \_\_\_\_\_

Hearing Date/Time: \_\_\_\_\_

**APPLICANT:** Dave Hertrik dhetrick@ummc.org  
Name 127 North Street E-Mail Address 585-727-8185  
Street Address Batavia NY Phone 14020 Fax  
City State Zip

**STATUS:** ☒ Owner ☐ Agent for Owner ☐ Contractor

**OWNER:** Dave Hertrik dhetrick@ummc.org  
Name 127 North Street E-Mail Address 585-727-8185  
Street Address Batavia NY Phone 14020 Fax  
City State Zip

**LOCATION OF PROPERTY:** UMMC- 127 North Street

**DETAILED DESCRIPTION OF REQUEST:** Approval for the front yard setback  
to be less than the 25-feet required by the zoning  
code. The proposed building addition will match the existing  
front face of the building.

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**  
[Signature]  
**Owner's Signature**

**Date**  
1/28/2021  
**Date**

*To be Filled out by Zoning Officer*

**TAX PARCEL:** 84.007-2-2 **ZONING DISTRICT:** P-2 **FLOOD PLAIN:** NA

**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:** Setion 190-25 D. (2) 9b) - Front Setback



## 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 improvements will match the existing building.

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- the existing building does not meet the the current zoning code.

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

It meets the existing condition.

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.

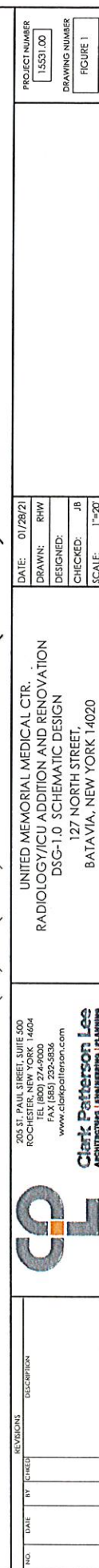
The setback matches the existing environment of the area.

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.

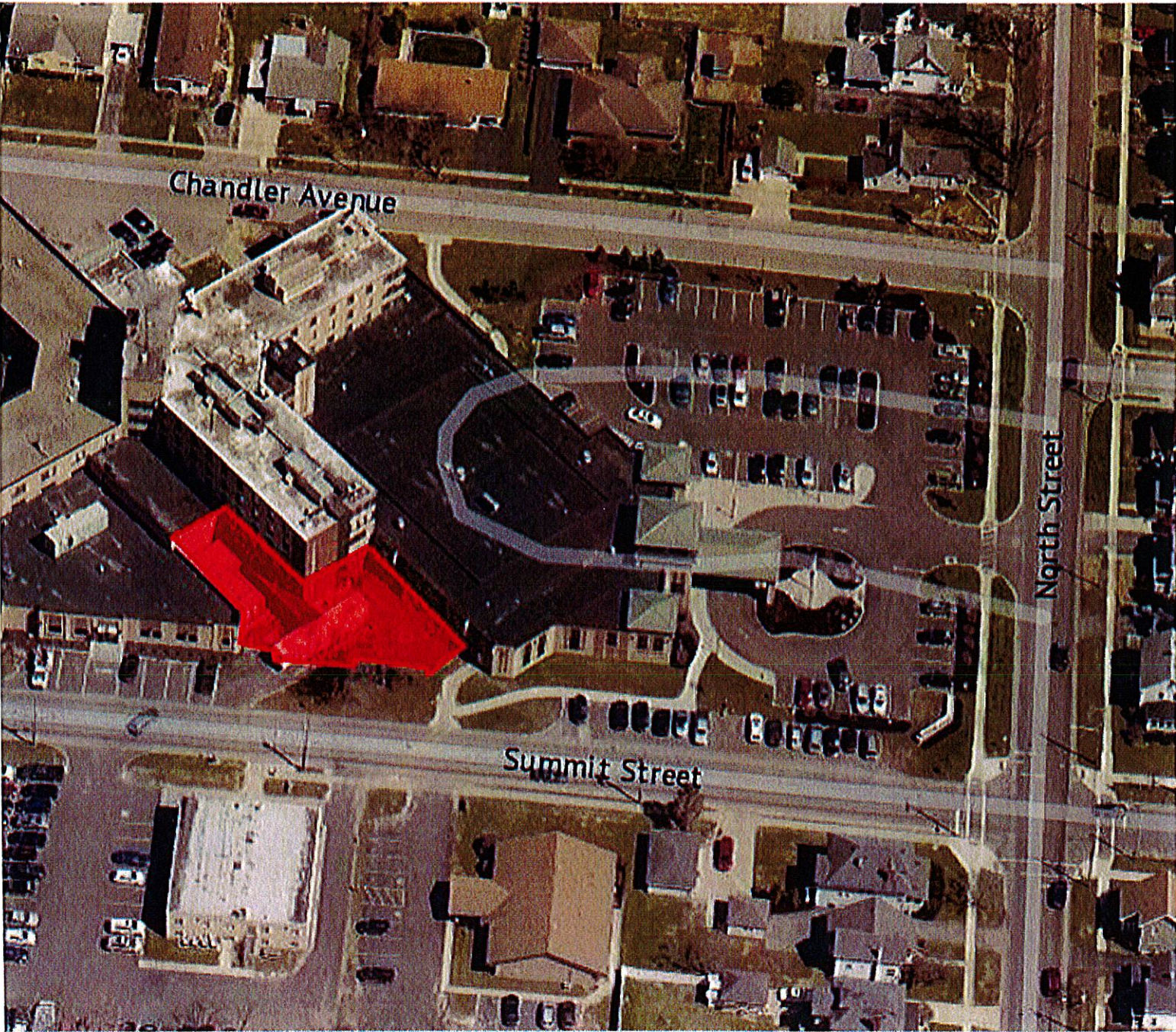
The setback is an existing condition.

  
Applicant's Signature

1/28/2021  
Date









# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

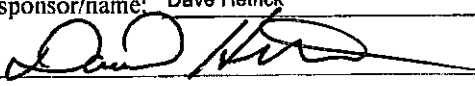
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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>			
Name of Action or Project: UMMC New Radiology and ICU Shell Project			
Project Location (describe, and attach a location map): 127 North Street , Batavia NY			
Brief Description of Proposed Action: Radiology Building Addition on the west side of the existing hospital.			
Name of Applicant or Sponsor: United Memorial Medical Center		Telephone: 585-727-8185 E-Mail: dhetrick@ummc.org	
Address: 127 North Street			
City/PO: Batavia		State: NY	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 checked="" type="checkbox"/>	YES <input 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:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		10 acres	
b. Total acreage to be physically disturbed?		14 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		10 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 type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Hospital <input type="checkbox"/> Parkland			



5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO  <input type="checkbox"/>  <input type="checkbox"/>	YES  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	N/A  <input type="checkbox"/>  <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO  <input type="checkbox"/>	YES  <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO  <input checked="" type="checkbox"/>  <input type="checkbox"/>  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>  <input checked="" type="checkbox"/>  <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO  <input type="checkbox"/>	YES  <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO  <input type="checkbox"/>	YES  <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO  <input type="checkbox"/>	YES  <input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? + b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO  <input type="checkbox"/>  <input type="checkbox"/>	YES  <input type="checkbox"/>  <input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>  <input type="checkbox"/>	

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 type="checkbox"/> Urban <input checked="" 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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO <input type="checkbox"/>	YES <input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, briefly describe: Mitigated on site with a dry well		
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)? If Yes, explain the purpose and size of the impoundment:	NO <input checked="" type="checkbox"/>	YES <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? If Yes, describe:	NO <input checked="" type="checkbox"/>	YES <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? If Yes, describe:	NO <input checked="" type="checkbox"/>	YES <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>Dave Hetrick</u> Date: <u>01/27/21</u> Signature: <u></u> Title: <u>Dir. Facilities Management</u>		









Clark Patterson Lee  
ARCHITECTURAL INTERIOR PLANNING  
24 WASHINGTON STREET, SUITE 200  
BATAVIA, NEW YORK 14023  
TEL (800) 274-9000  
FAX (716) 852-2120  
WWW.CLARKPATTERSON.COM

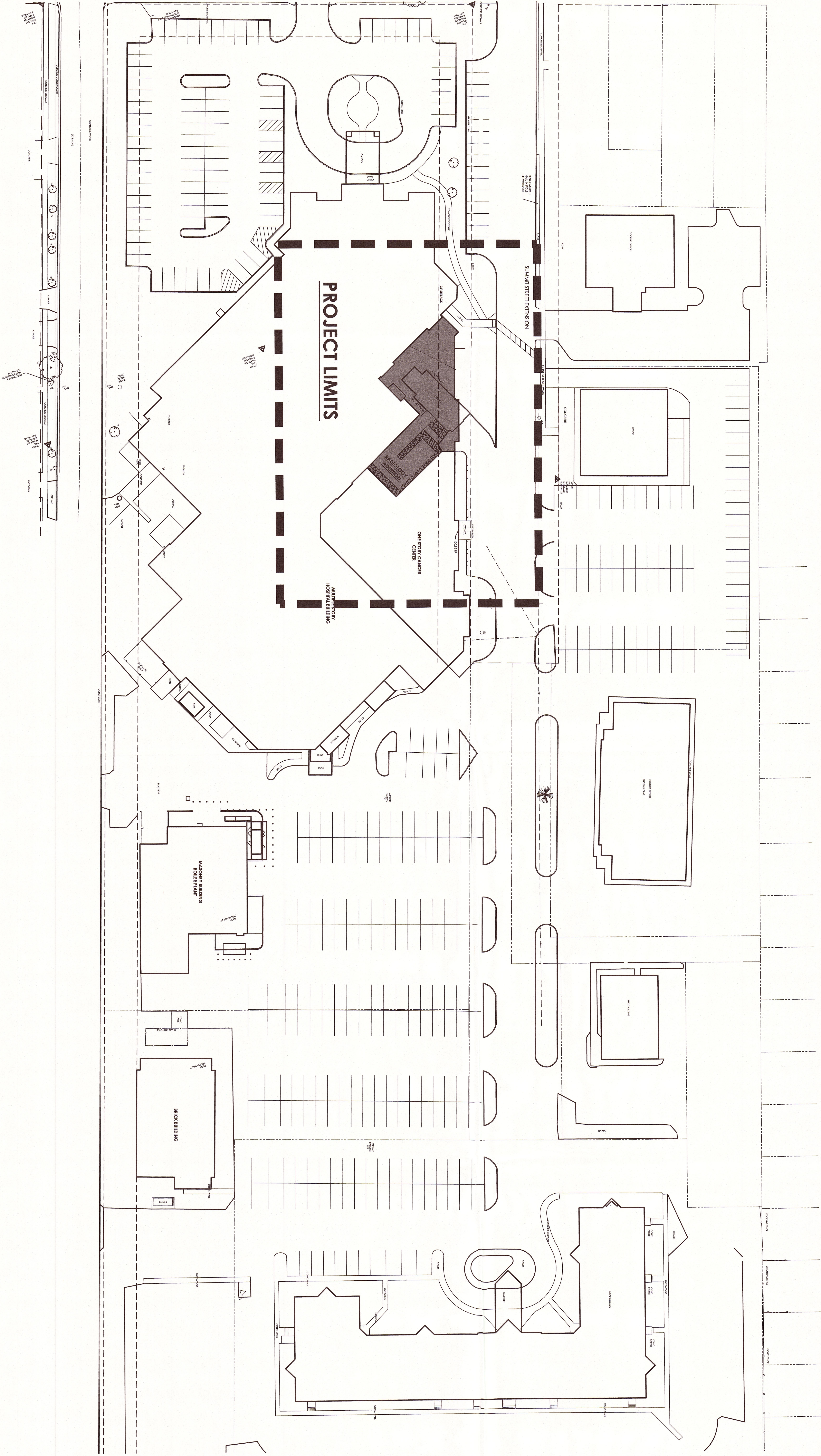
Revision Schedule					DESCRIPTION
NO.	DATE	BY	CHKD		



UNITED MEMORIAL MEDICAL CTR.  
RADIOLOGY/ICU ADDITION AND RENOVATION  
DSG-1.0 SCHEMATIC DESIGN  
127 NORTH STREET,  
BATAVIA, NEW YORK 14020

DATE	DRAWN	CHECKED
1/27/21	RHW	JB
SCALE	1"=30'	
SHEET TITLE	OVERALL CAMPUS	PLAN

PROJECT NUMBER  
15391.00  
UMMC  
C-100  
DRAWING NUMBER

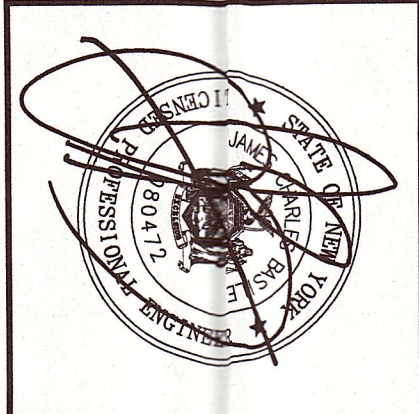








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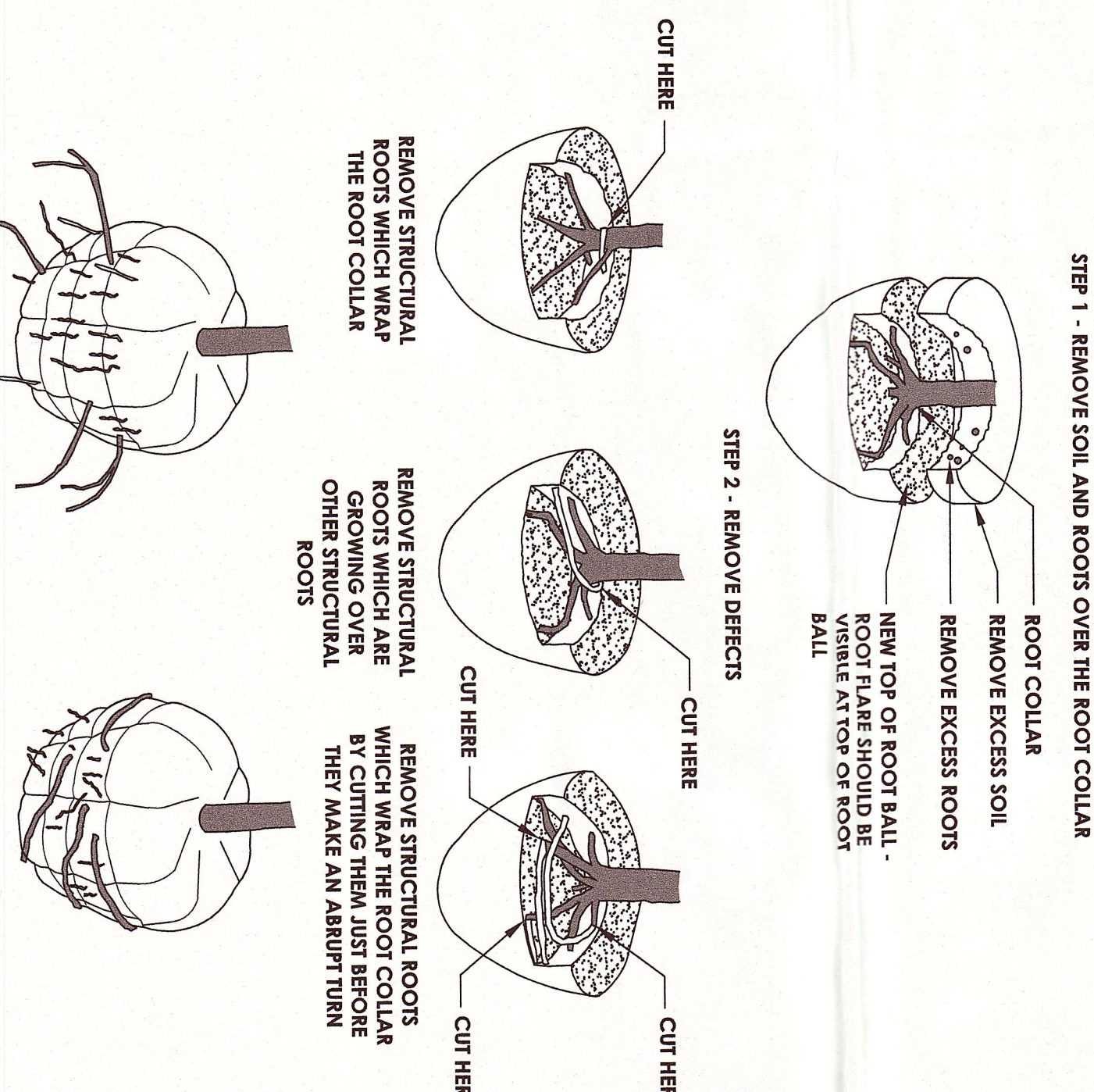
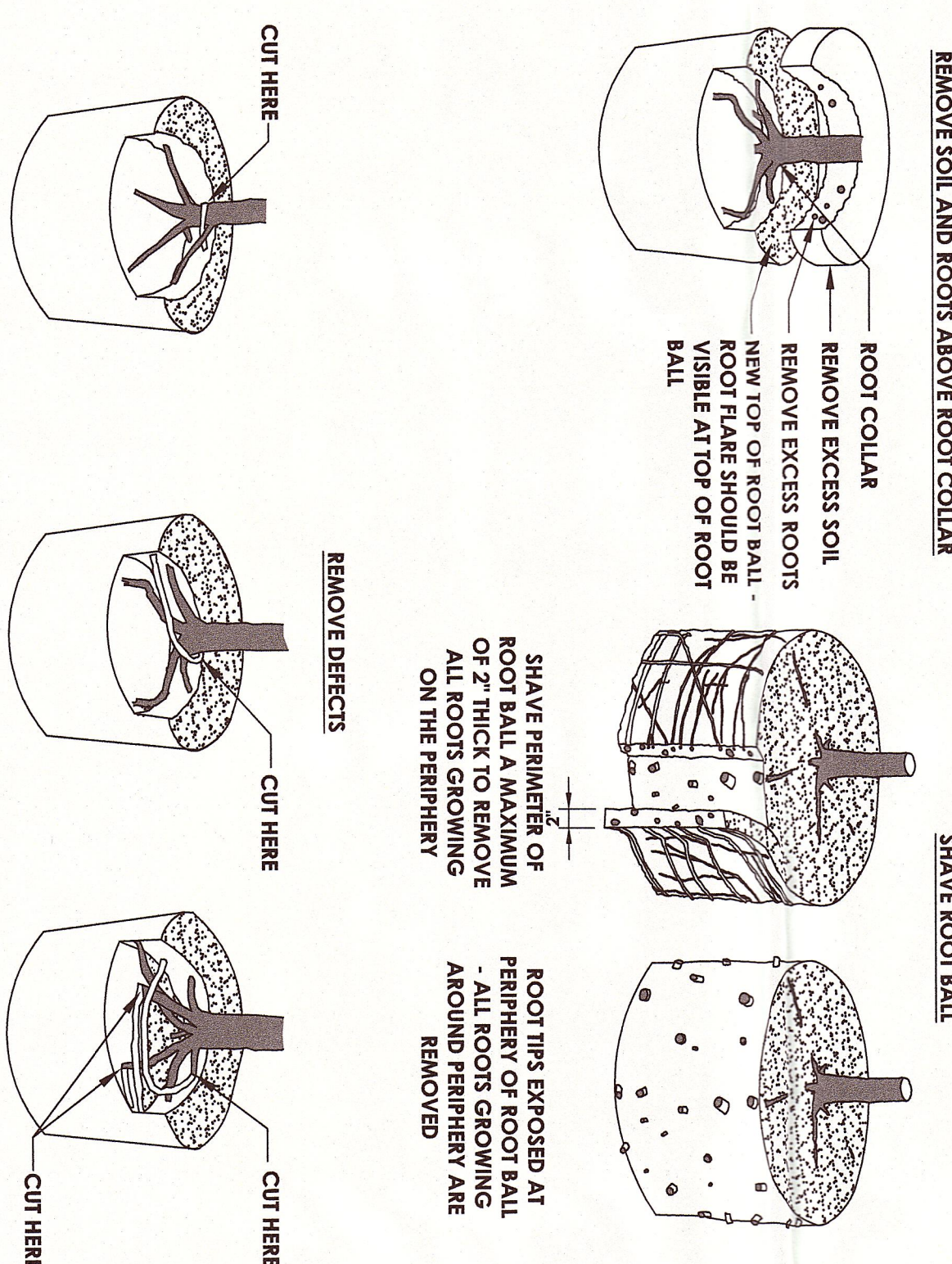
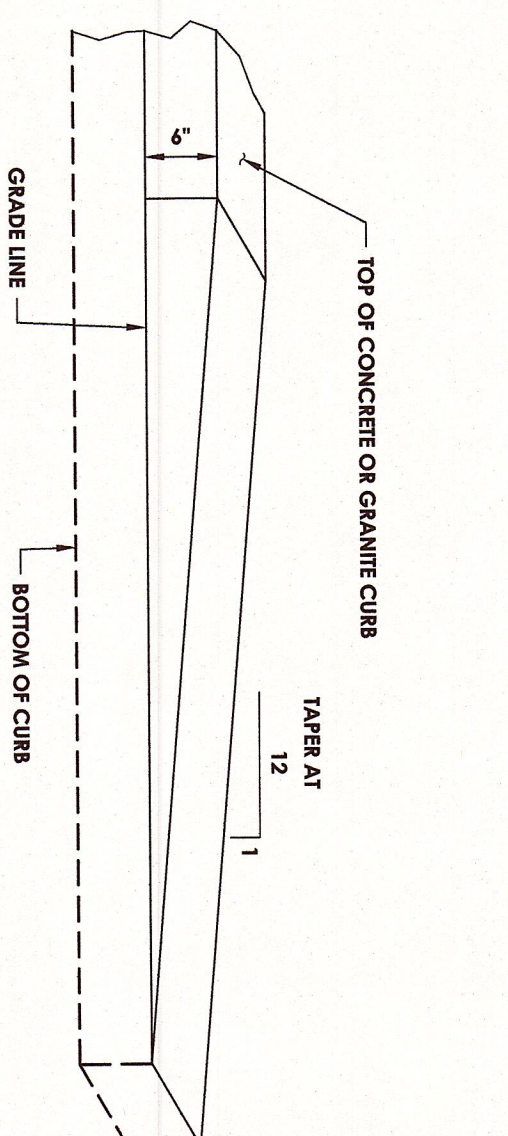
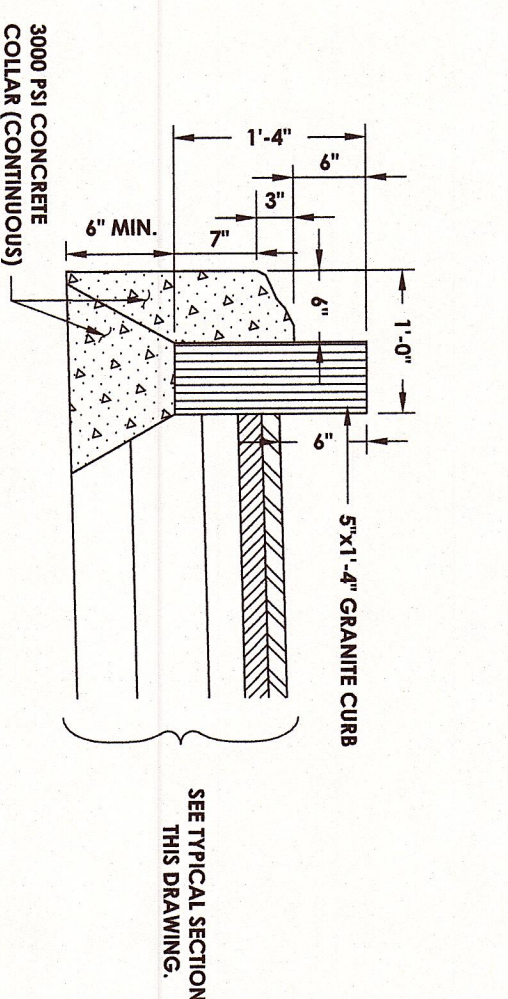
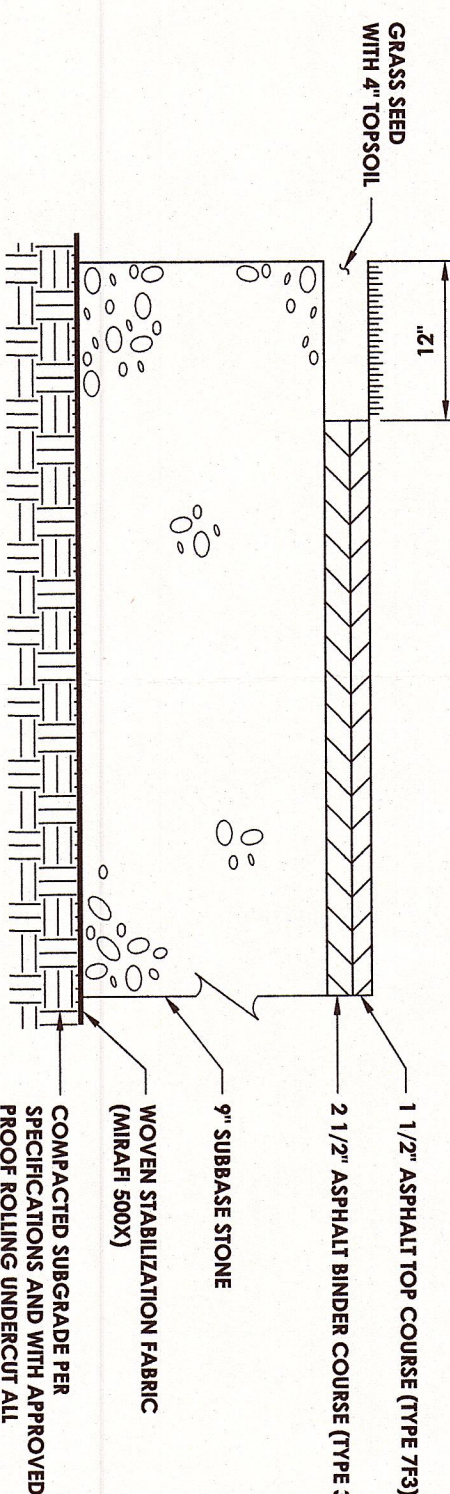
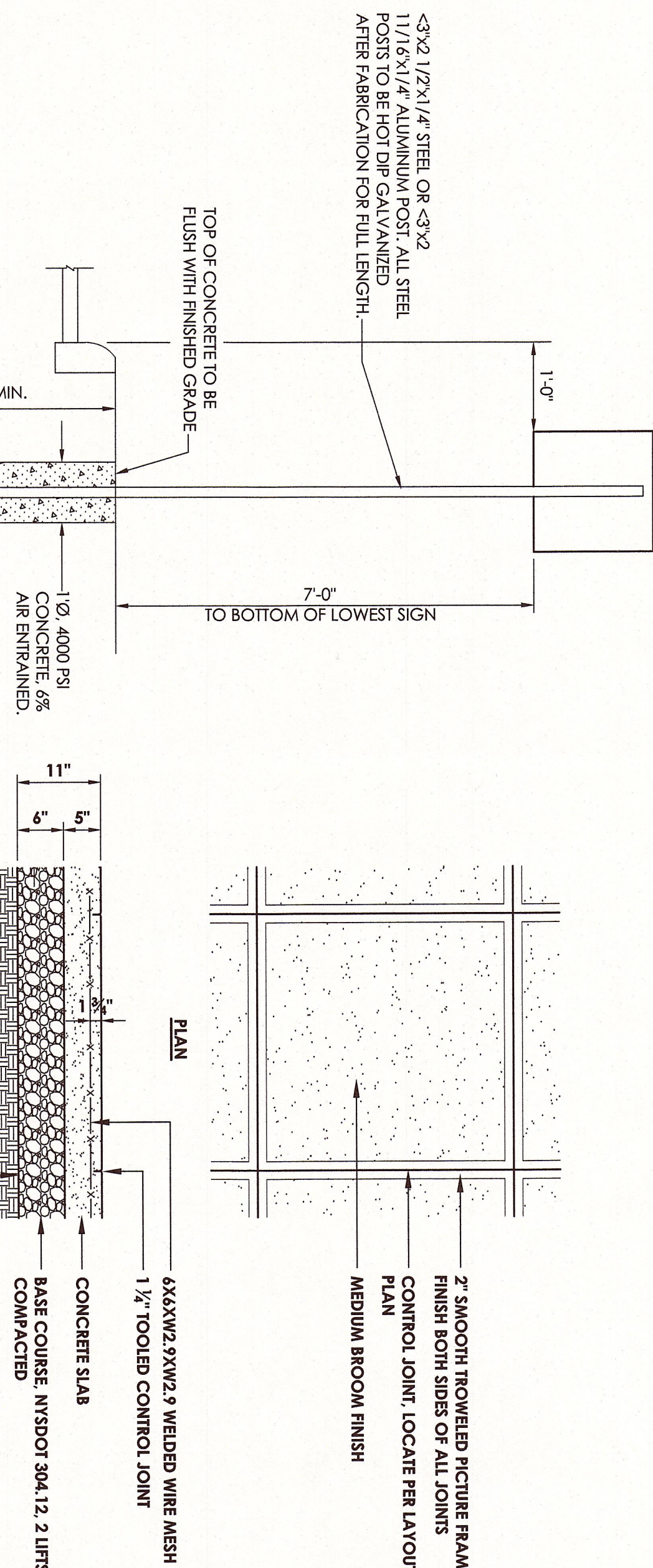
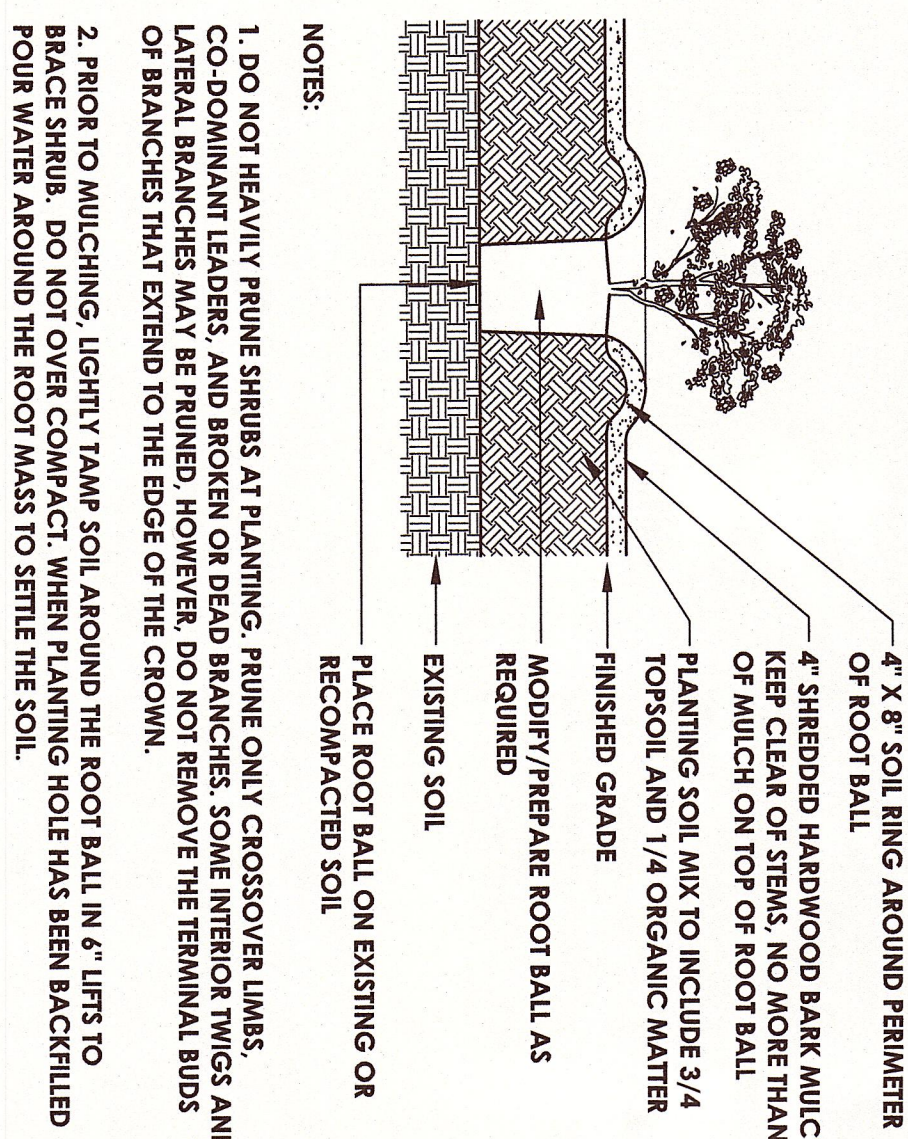
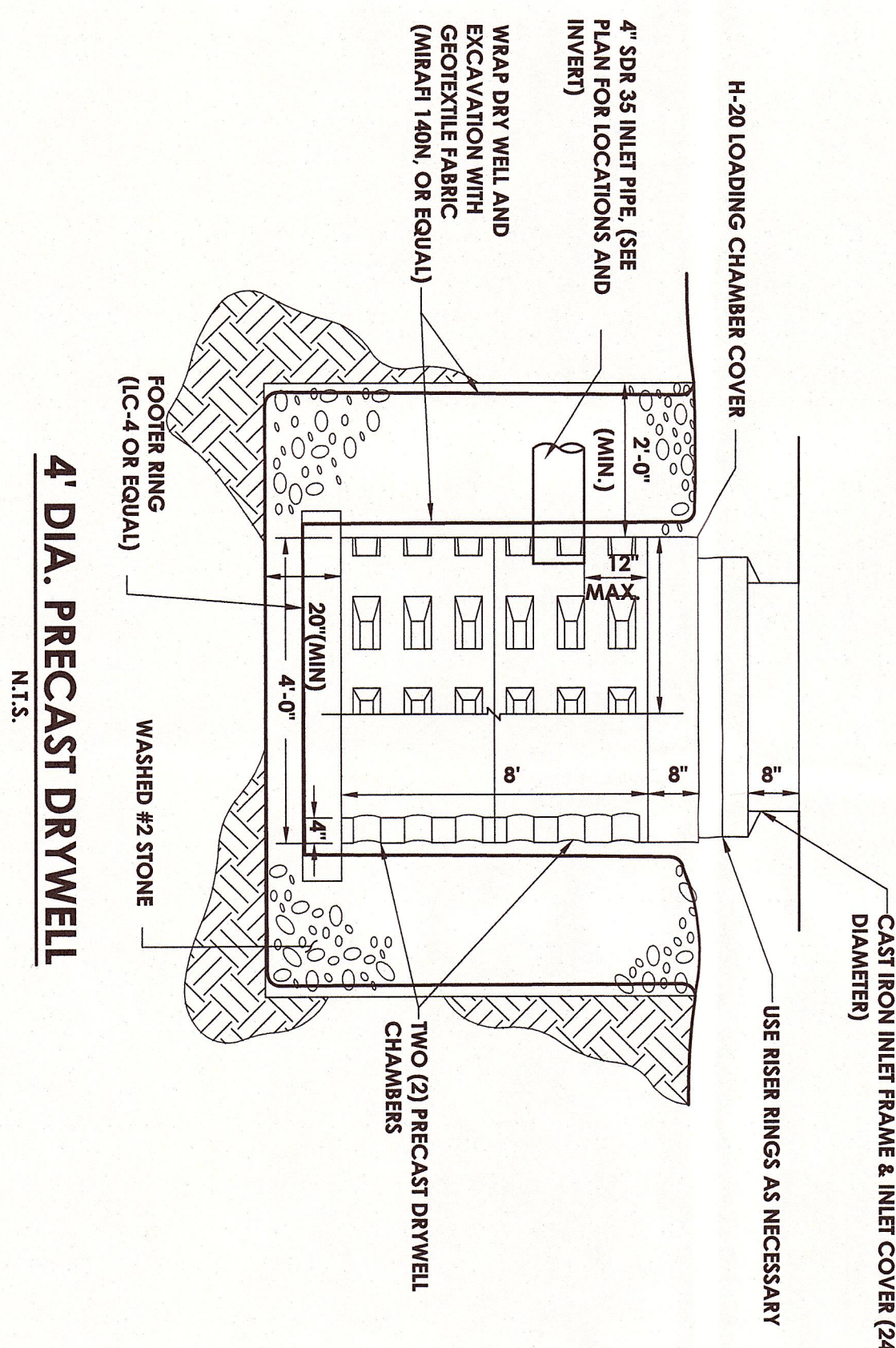
UNITED MEMORIAL MEDICAL CTR.  
RADIOLOGY/ICU ADDITION AND RENOVATION  
DSG-1.0 SCHEMATIC DESIGN  
127 NORTH STREET,  
BATAVIA, NEW YORK 14020

DATE	DRAWN	CHECKED
1/27/21	RHW	JB
SCALE AS NOTED		
SHEET TITLE		
SITE DETAILS		

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