



GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID **C-01-BAT-01-23**

Review Date **1/12/2023**

Municipality	BATAVIA, C.
Board Name	CITY PLANNING AND DEVELOPMENT COMM.
Applicant's Name	David Rowley
Referral Type	Special Use Permit
Variance(s)	
Description:	Special Use Permit to create four dwelling units in the upper floors of a mixed-use building.
Location	97 Main St. (NYS Rts. 5 & 33), Batavia
Zoning District	Central Commercial (C-3) District

PLANNING BOARD RECOMMENDS:

APPROVAL

EXPLANATION:

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

Director

January 12, 2023

Date

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

SEND OR DELIVER TO:

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



DEPARTMENT USE ONLY:
GCDP Referral # C-01-BAT-01-23

*** GENESEE COUNTY *
PLANNING BOARD REFERRAL**

RECEIVED
Genesee County
Dept. of Planning
12/30/2022

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

1. REFERRING BOARD(S) INFORMATION

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

2. APPLICANT INFORMATION

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

MUNICIPALITY: City Town Village of Batavia

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

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

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

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

5. REFERRAL CASE INFORMATION:

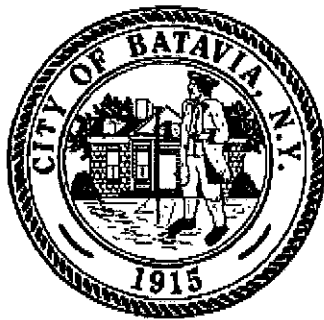
- A. Has this referral been previously reviewed by the Genesee County Planning Board?
 NO YES If yes, give date and action taken _____
- B. Special Use Permit and/or Variances refer to the following section(s) of the present zoning ordinance and/or law
BMC 190-37
- C. Please describe the nature of this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

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

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

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

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



City of Batavia
Department of Public Works
Bureau of Inspections

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

To: Genesee County Planning
Planning and Development Committee

From: Doug Randall, Code Enforcement Officer

Date: 12/22/22

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

Zoning Use District: C-3

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

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

Review and Approval Procedures:

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

City Planning and Development Committee-

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

PERMIT NO. _____



SPECIAL USE PERMIT

CITY OF BATAVIA, NEW YORK

LOCATION: 97 MAIN ST.
OWNER: PETER F. HUNT
Address: 97 MAIN ST., BATAVIA, N.Y. 14020

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

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

PROJECT DESCRIPTION:

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

EXISTING USE: Vacant Office

PROPOSED USE: Residential

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

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

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

LOT AREA: _____

CITY PLANNING & DEVELOPMENT REVIEW:

APPROVAL AS PRESENTED DISAPPROVAL APPROVAL WITH CONDITIONS

CHAIRMAN SIGNATURE: _____ DATE: _____

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

DATE: 12/09/2022

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

Project Location and Information

Permit #: Fee:

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

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

Phone: 716- 633-9400

Project Type/Describe Work

Estimated cost of work: Yet to be Determined Start date: Feb. 1, 2023

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

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

GENERAL

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

Phone: 585-343-0852

PLUMBING (City of Batavia Licensed Plumber Required)

Name/Address: Yet to be Determined

Phone:

HEATING

Name/Address: Yet to be Determined

Phone:

ELECTRICAL (Third Party Electrical Inspection Required)

Name/Address: Yet to be Determined

Phone:

FOR OFFICE USE ONLY

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

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

National Grid Sign Off (Pools): Lot Size:

Existing Use: NYS Building Code Occupancy Class:

Proposed Use: NYS Building Code Occupancy Class:

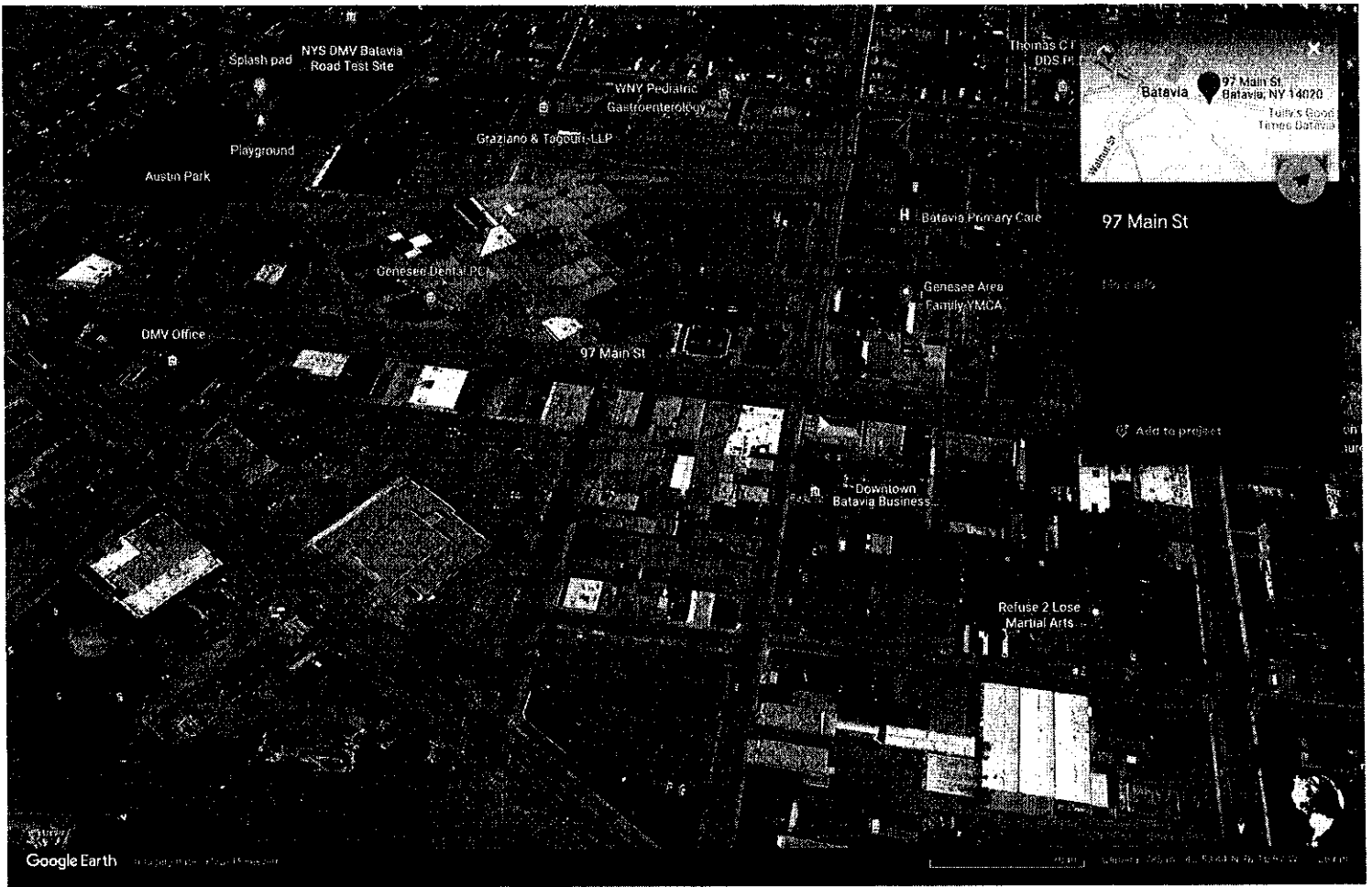
403 Main Street, Suite 200
Buffalo, NY 14203
716-395-0055



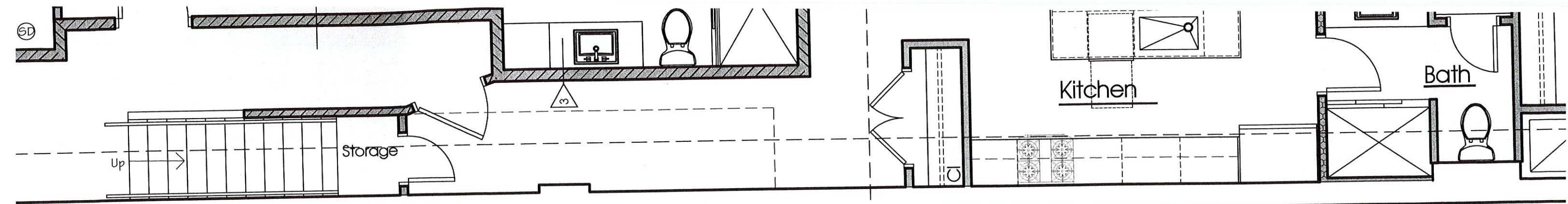
PROPERTY
SOLUTIONS

Additional information required for Special Use Permit for 97 Main Street

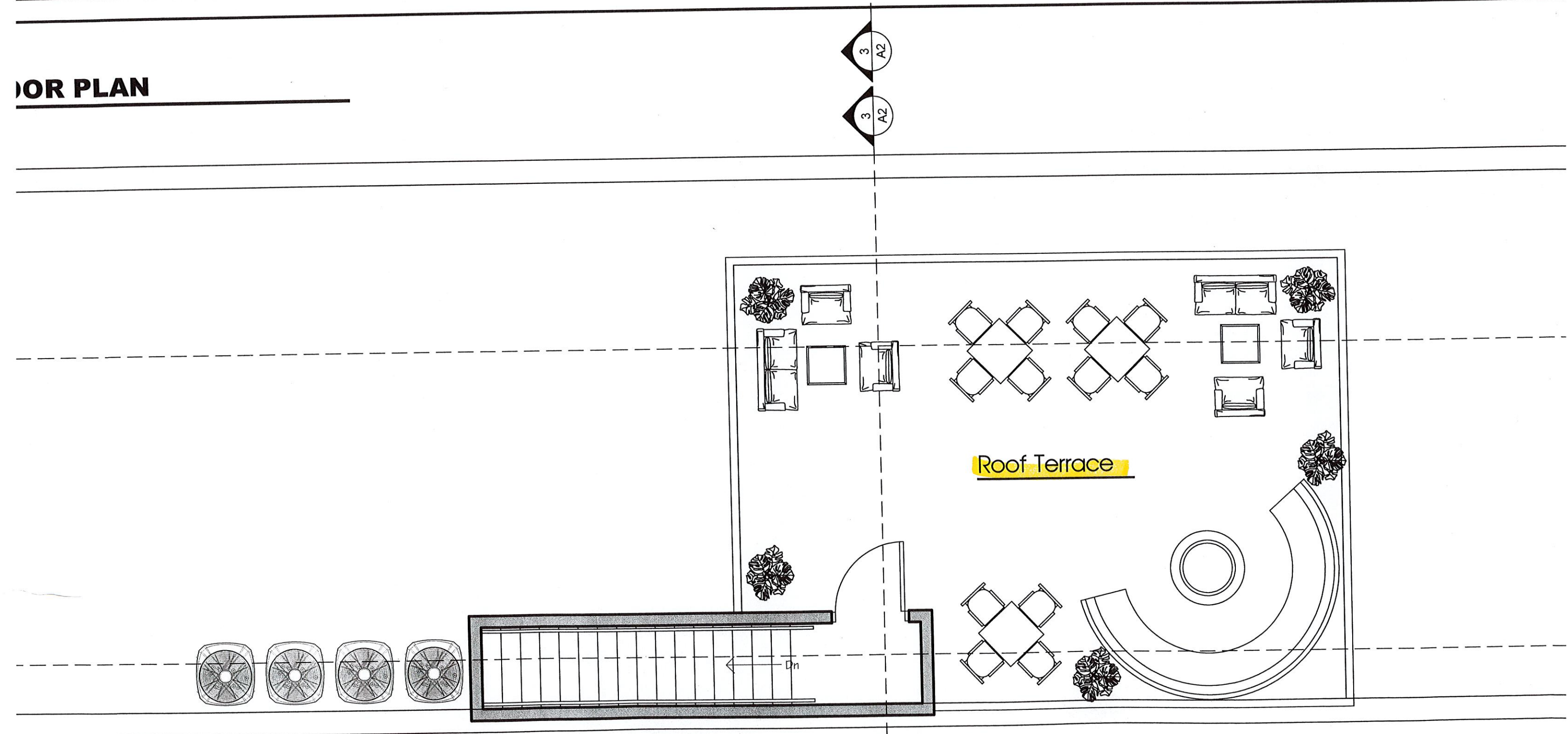
- **Waste Receptacle/Dumpster Location** – One waste tote and one recycling tote will be allocated for each of the four apartments. These will be in the alley behind the building on Jackson Street
- **Off Street Parking** – Parking for the apartments would be in the surface lot adjacent to the intersection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



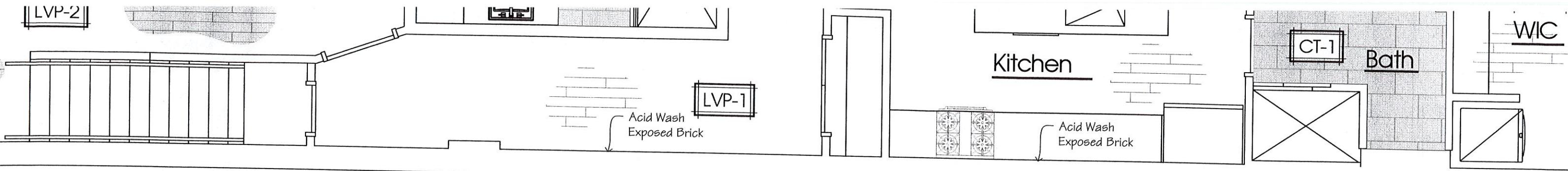
OFF-STREET PARKING



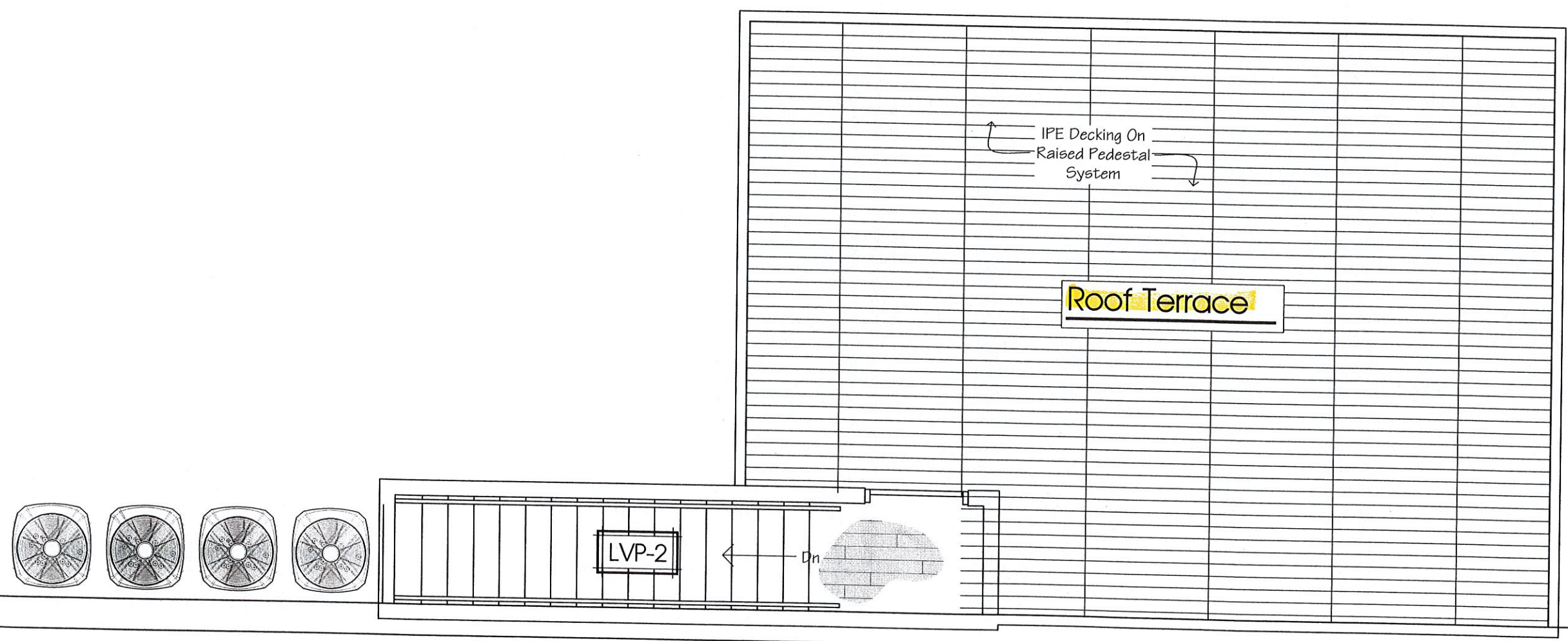
FLOOR PLAN



ROOF TERRACE PLAN



AN

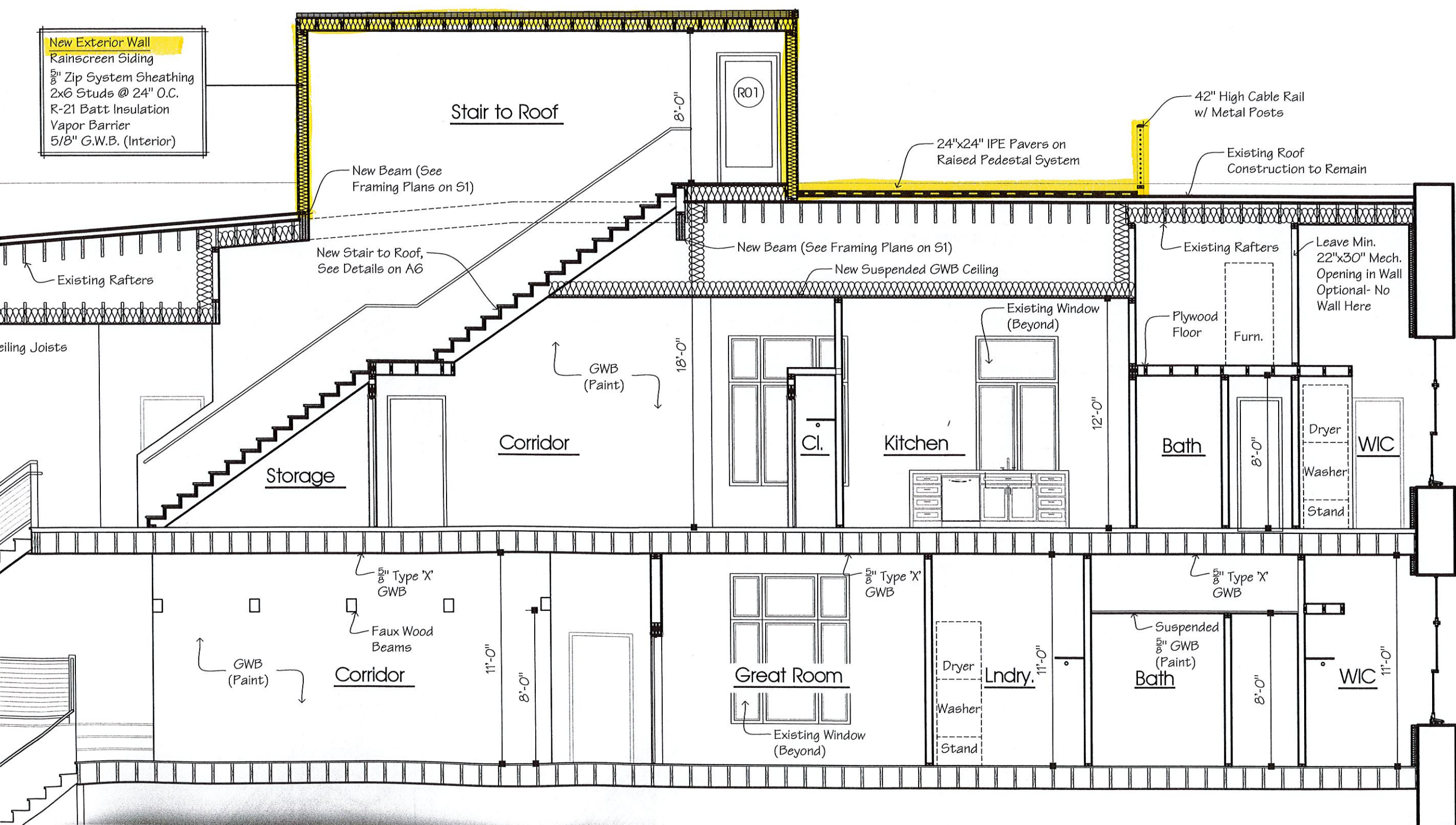


E PLAN

1 BUILDING SECTION

3/16=1'-0"

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



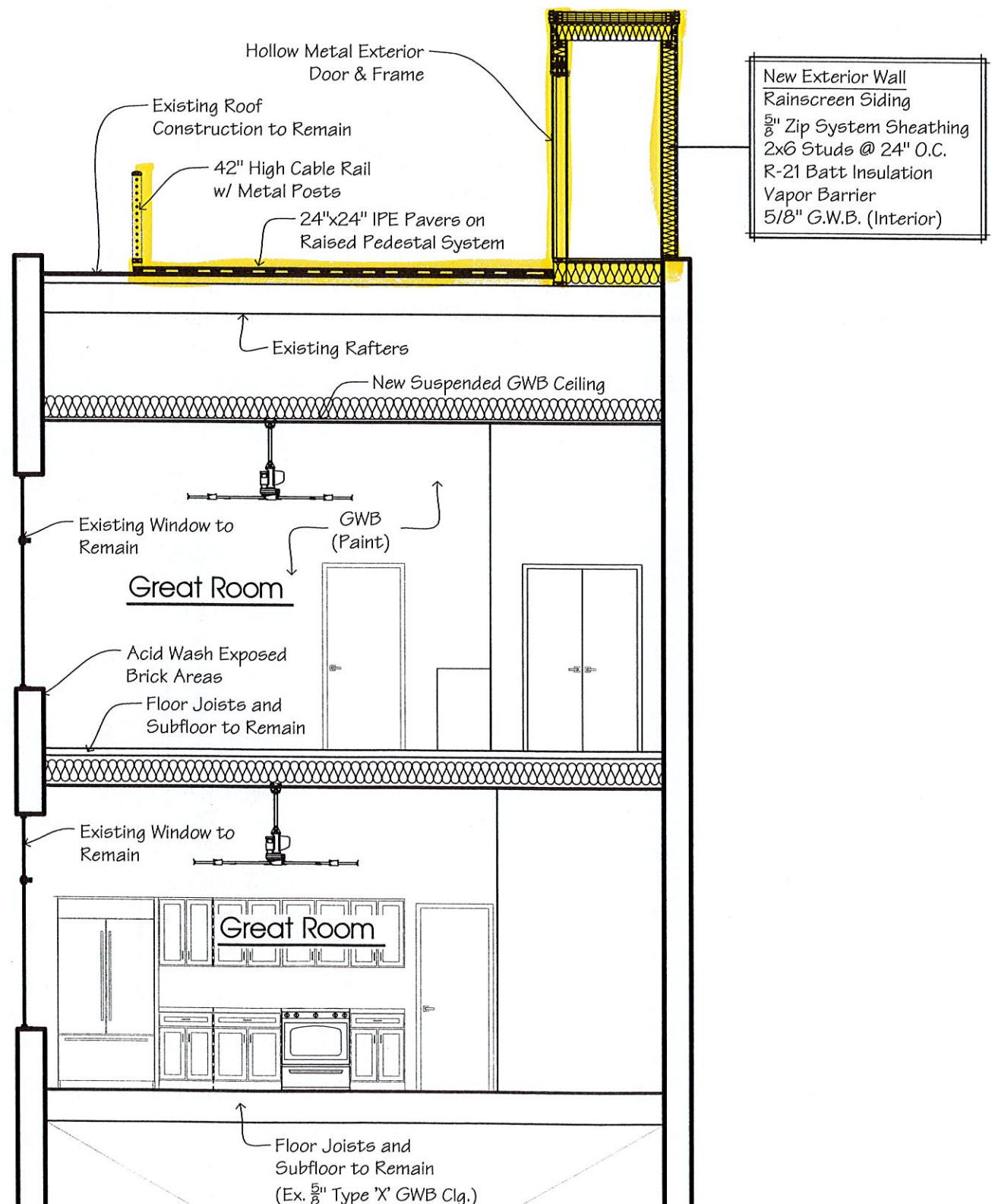
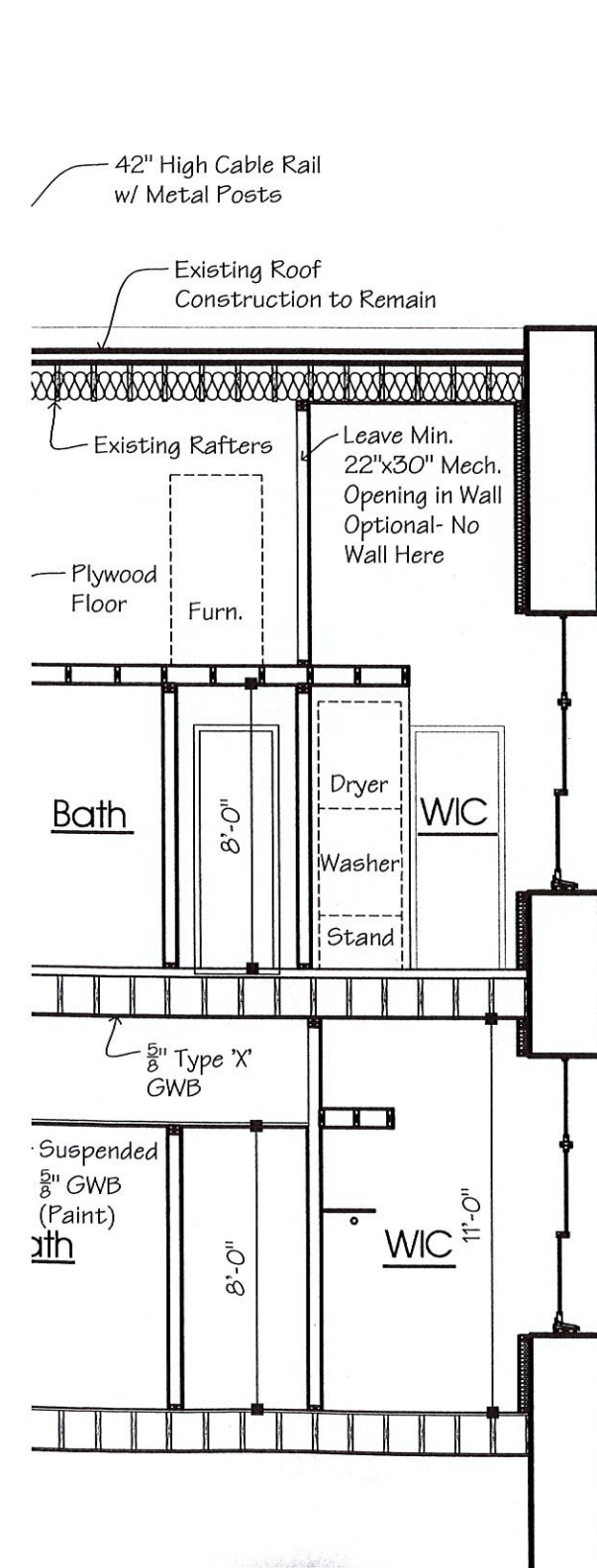
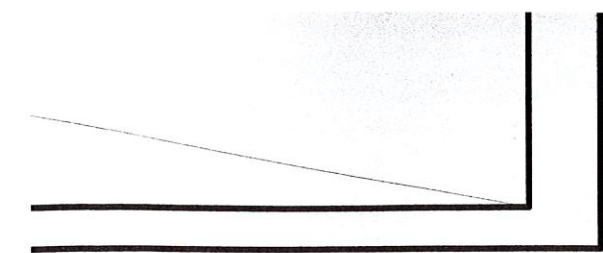
22-3

2nd & 3rd Floor Apartments

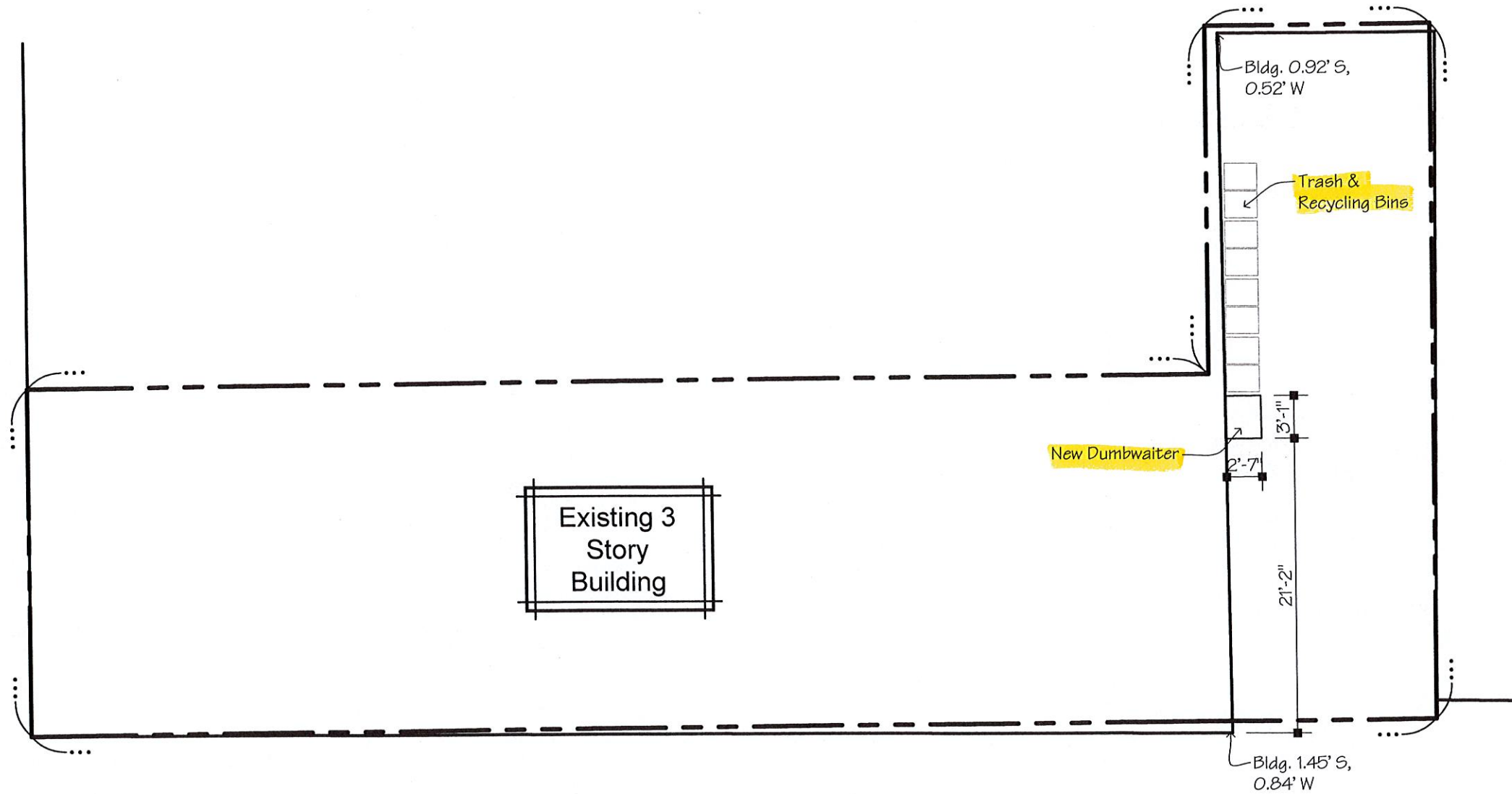
PHONIX

No.	Description

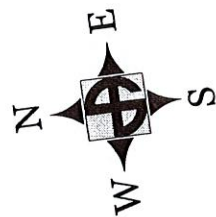
DATE: 12-27-22
 DRAWN BY: D. Wzientek CHE M
 SCALE: 1/4" = 1'-0"



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

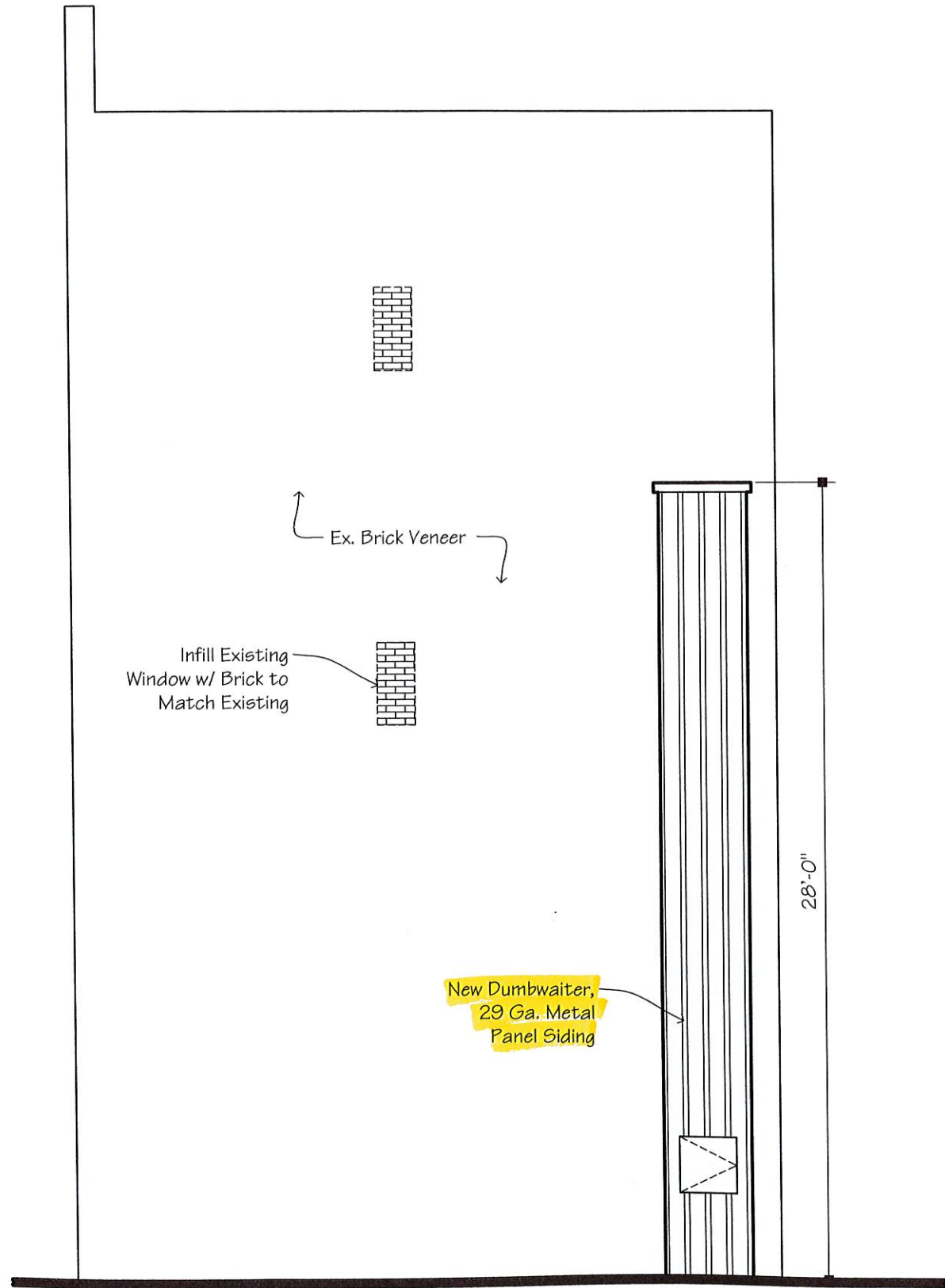


JACKSON<sup>(WIDTH
VARIES)</sup> STREET

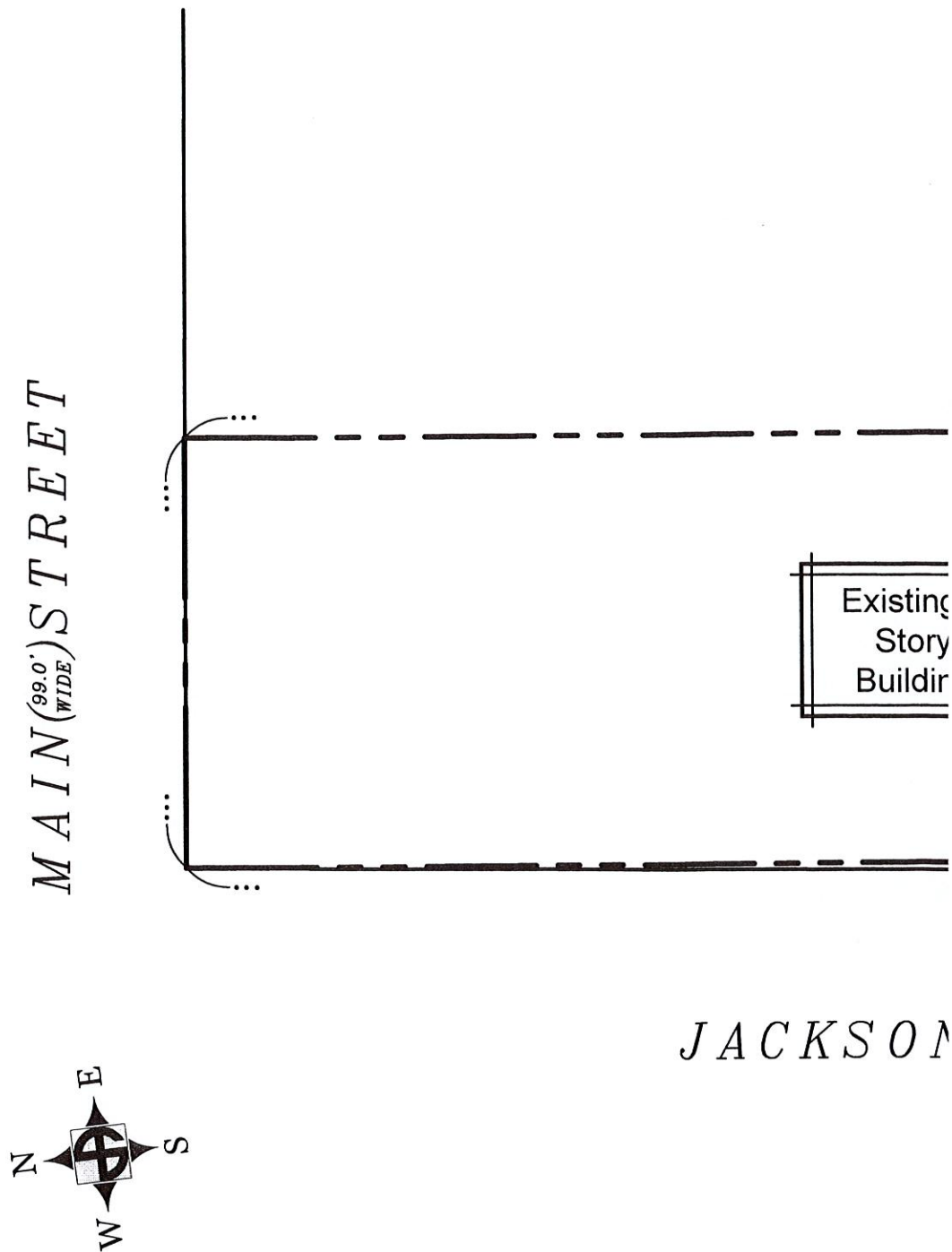


4 | SITE PLAN

1=10'-0"



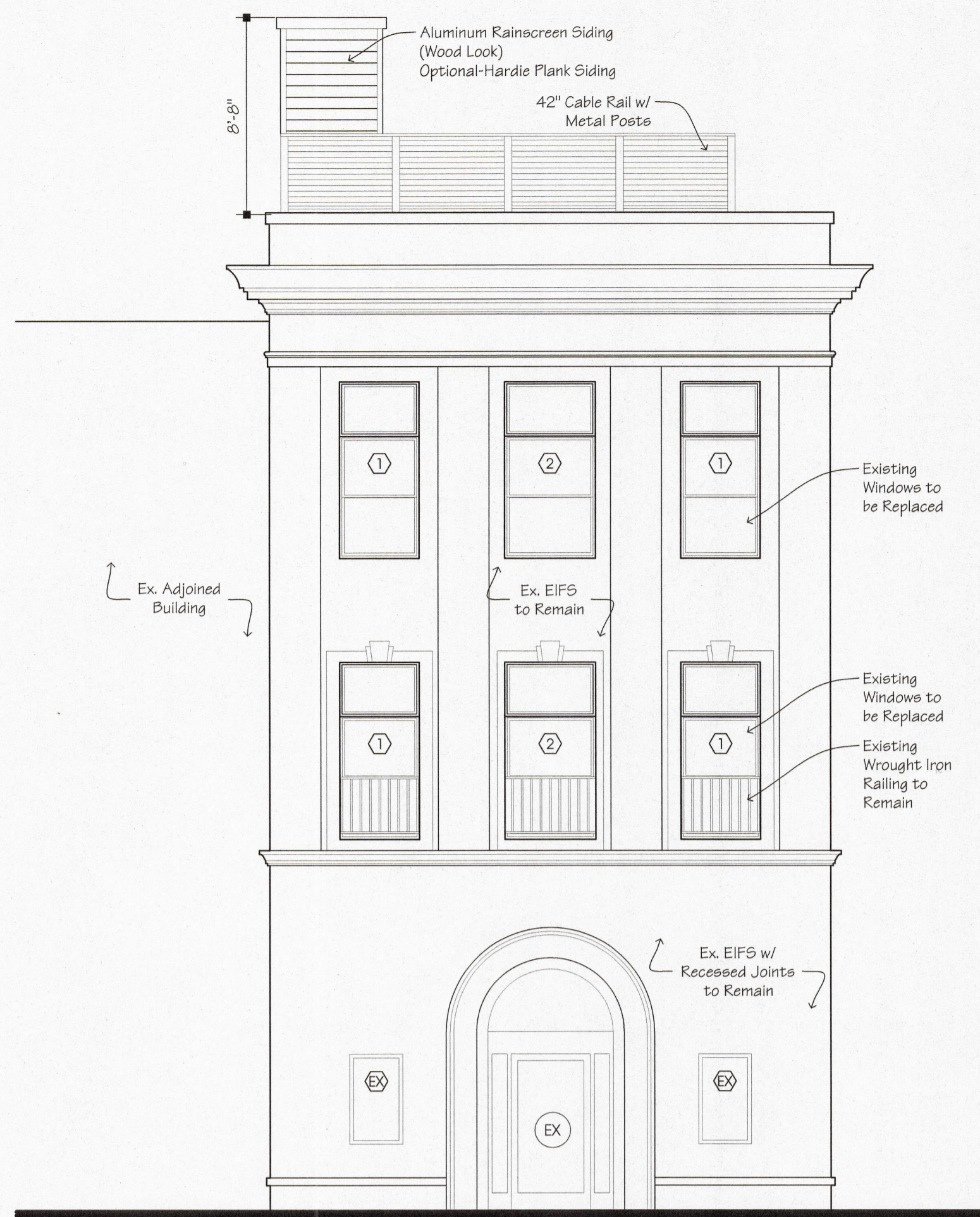
3 | REAR ELEVATION
3/16=1'-0"



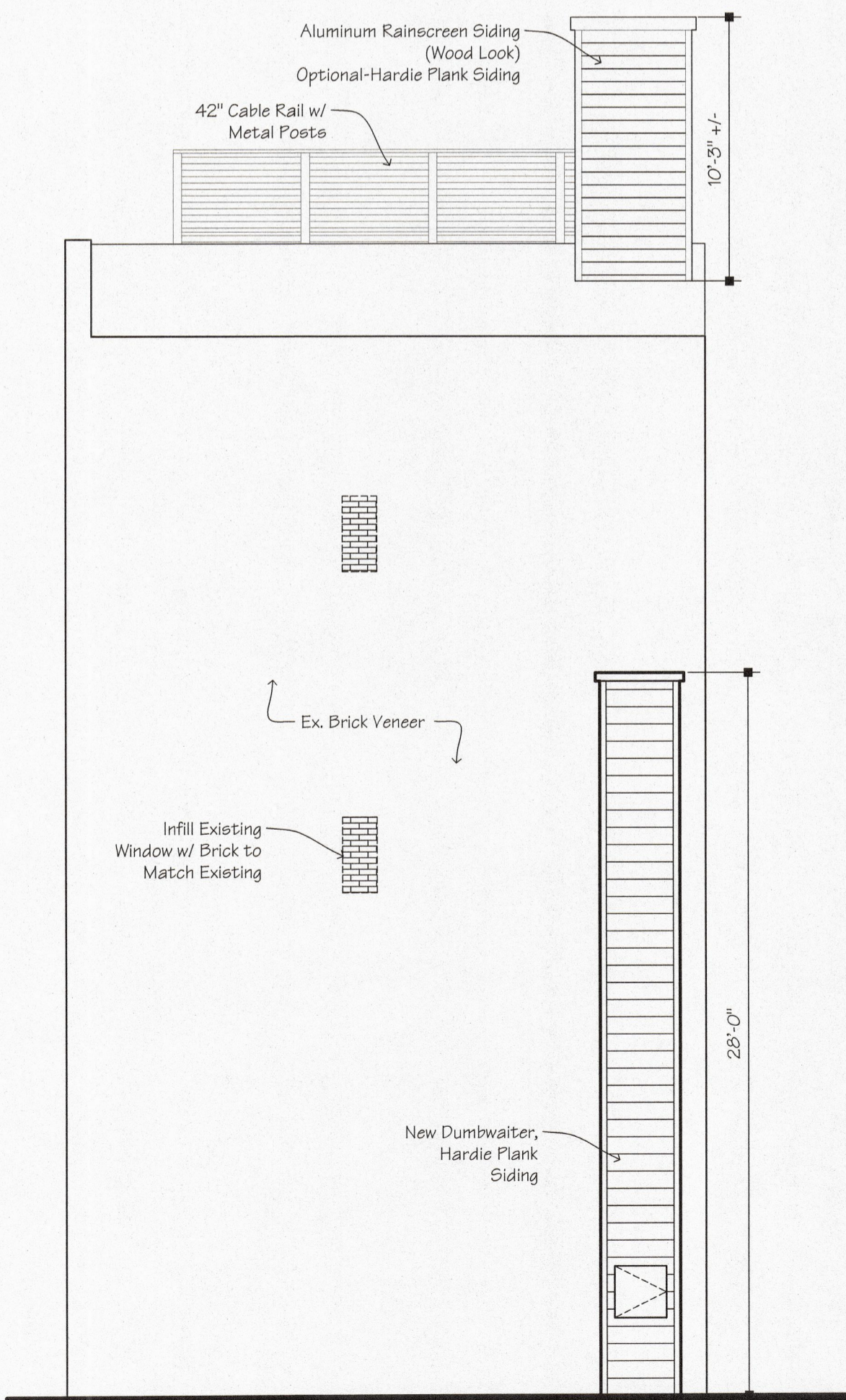
4 | SITE PLAN
1=10'-0"



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



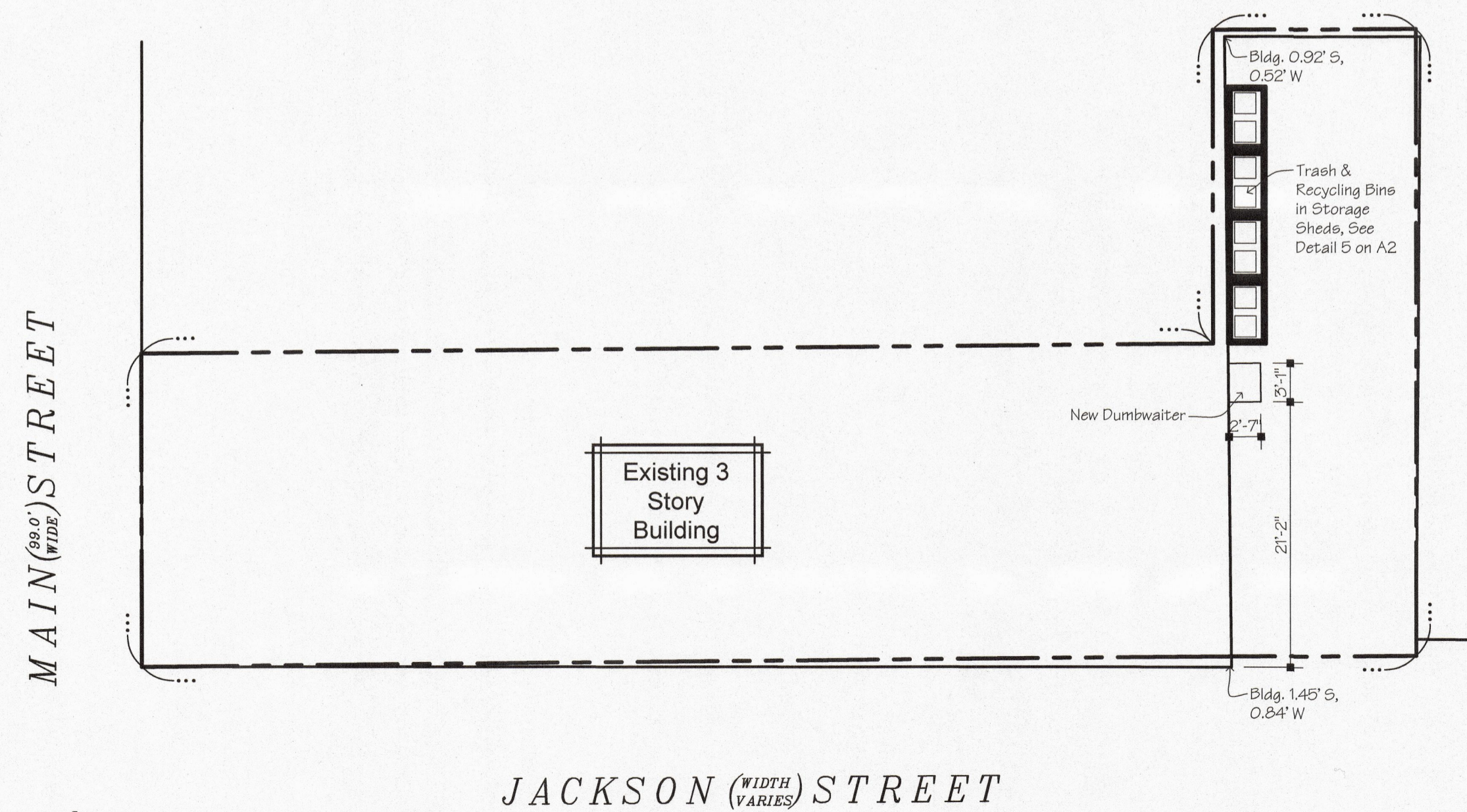
1 FRONT ELEVATION
3/16=1'-0"



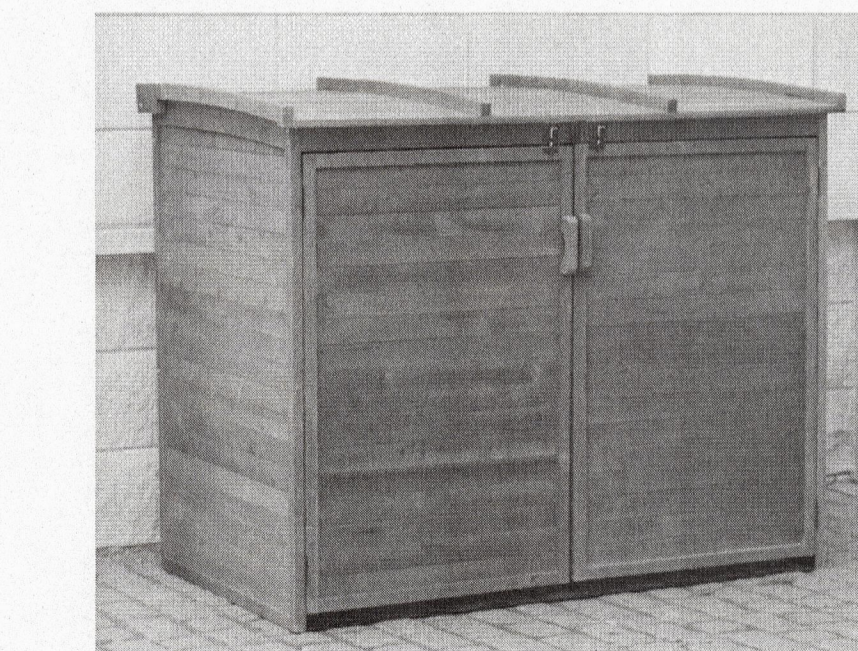
3 REAR ELEVATION
3/16=1'-0"



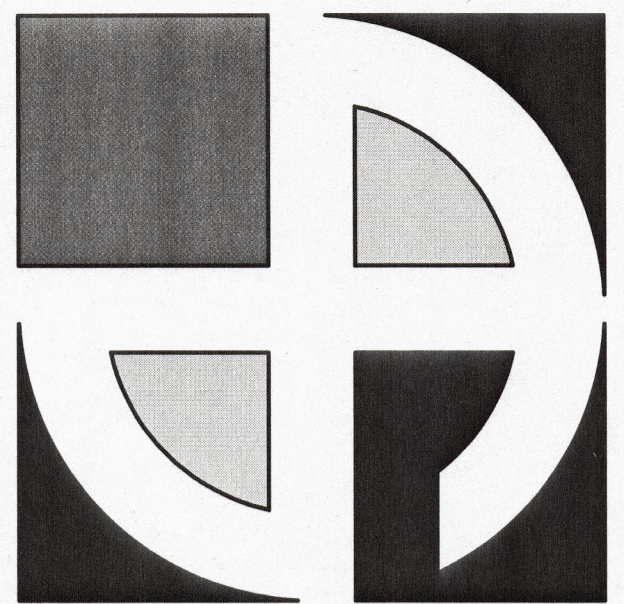
2 RIGHT ELEVATION
3/16=1'-0"



4 SITE PLAN
1=10'-0"



5 TOTE ENCLOSURE
NTS



DEAN
ARCHITECTS
www.deanarchitects.com



JAN 09 2023



3284 WALDEN AVENUE
DEPEW, NEW YORK 14043
PHONE: (716) 651-0381
FAX: (716) 651-0382

22-380

2nd & 3rd Floor Apartments
HUNT
Since 1911
97 MAIN ST.
BATAVIA, NY

No.	Description	Date	By

DATE:
1-9-23
DRAWN BY:
D. Wzientek
CHECKED BY:
M. Dean
SCALE:
1/4" = 1'-0"

ELEVATIONS

A2

C-01-BAT-01-23



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