



GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID **C-06-BAT-10-22**

Review Date **10/13/2022**

Municipality	BATAVIA, C.
Board Name	ZONING BOARD OF APPEALS
Applicant's Name	Bradley Trzecieski
Referral Type	
Variance(s)	Use Variance
Description:	Use Variance to use a portion of a first floor for residential use.
Location	327 Ellicott St. (NYS Rt. 63), Batavia
Zoning District	Central Commercial (C-3) District

PLANNING BOARD RECOMMENDS:

APPROVAL

EXPLANATION:

Given that the use is preexisting and that there is limited use for that portion of the property as a commercial use, the proposed variance should pose no significant county-wide or inter-community impact.

Director

October 13, 2022

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-06-BAT-10-22

*** GENESEE COUNTY *
PLANNING BOARD REFERRAL**

RECEIVED
Genesee County
Dept. of Planning
10/4/2022

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) Zoning Board of Appeals
Address One Batavia City Centre
City, State, Zip Batavia, NY 14020
Phone (585) 345 - 6345 Ext. _____

2. APPLICANT INFORMATION

Name Bradley Trzeciecki
Address 7 Farnsworth Ave.
City, State, Zip Oakfield, NY 14125
Phone (716) 481 - 1646 Ext. _____ Email bradleyt48@gmail.com

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 | <input type="checkbox"/> Subdivision Proposal |
| <input checked="" 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 327 Ellicott St.
B. Nearest intersecting road Hutchins St.
C. Tax Map Parcel Number 84.066-2-9
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 190-14 A.

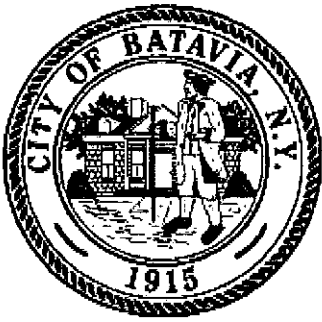
C. Please describe the nature of this request Approval to use a portion of a first floor for residential use in the C-3

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 type="checkbox"/> Elevation drawings | <input checked="" type="checkbox"/> Other: <u>Cover letter, floor plan</u> |
| <input checked="" 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
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: 10/2/22

Re: 327 Ellicott St.
Tax Parcel No. 84.066-2-9

Zoning Use District: C-3

The applicant, Bradley Trzeciecki (owner), has applied for a building permit to gut and renovate an existing building that includes a partial first floor residential use. Approximately 852 sq.ft. of a 1,500 sq.ft. dwelling unit is existing on the first floor rear half of this building. The residential use has been vacant for more than a year and has lost its nonconforming use status.

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 190-49 C, Any application that includes a non-permitted use shall be referred to the PDC for their recommendation prior to submittal to the ZBA.

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- Use

- 1) **BMC 190-14 A Residential dwelling units are not permitted principal uses within the C-3 Central Commercial district.**

Note: BMC 190-36 Whenever a non-conforming use has been discontinued for a period of one year, such structure shall not be reused without an appropriate variance.

The Zoning Board of Appeals will be the lead agency to conduct SEQR.



CITY OF BATAVIA
APPLICATION TO THE ZONING BOARD OF APPEALS

Application No.: _____
Hearing Date/Time: _____

APPLICANT: BRADLEY J TRZECIESKI bradleyj48@gmail.com
 Name E-Mail Address
7 FARNSWORTH AVE 716-481-1646
 Street Address Phone
OAKFIELD NY 14125
 City State Zip

STATUS: Owner Agent for Owner Contractor

OWNER: BRADLEY J TRZECIESKI bradleyj48@gmail.com
 Name E-Mail Address
7 FARNSWORTH AVE 716-481-1646
 Street Address Phone
OAKFIELD NY 14125
 City State Zip

LOCATION OF PROPERTY: 327 ELLICOTT ST. BATAVIA NY 14020

DETAILED DESCRIPTION OF REQUEST: TO KEEP THE FIRST FLOOR
REAR AREA RESIDENTIAL SPACE, WHICH IS
LOCATED BEHIND THE FIRST FLOOR STREET FRONT
COMMERCIAL SPACE.

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.

Bradley Trzeczieski 09-10-2022
 Applicant's Signature Date
Bradley Trzeczieski 09-10-2022
 Owner's Signature Date

To be Filled out by Zoning Officer

TAX PARCEL: 84.066-2-9 ZONING DISTRICT: C-3 FLOOD PLAIN: AH.

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 190-14 A Residential dwelling
units are not permitted principal uses within the C-3 use dist.

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"

THE RETURN ON INVEST WITH ONLY THE SECOND FLOOR BEING RESIDENTIAL WILL NOT YIELD A REASONABLE RETURN WITH THE SECOND FLOOR AND THE REAR OF FIRST FLOOR AS ONE RESIDENTIAL UNIT THE RETURN ON INVESTMENT WILL YIELD THE PROPER RETURN FOR A SUSTAINABLE INVESTMENT.

(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"

THE PROPERTIES ORIGINAL FOOTPRINT WAS IS MIXED USE ON THE FIRST FLOOR. THE FRONTAGE BEING COMMERCIAL AND REAR AND UPPER BEING RESIDENTIAL

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"

THE REQUESTED USE VARIANCE WILL NOT ALTER THE CHARACTER OF THE NEIGHBORHOOD. IT WILL ONLY ENHANCE, IMPROVE AND CREATE A MUCH BETTER CHARACTER PERCEPTION AND SUSTAINABLE OF THE NEIGHBORHOOD

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"

THE ALLEGED HARDSHIP HAS NOT BEEN SELF-CREATED. THE FOOTPRINT OF THE FIRST FLOOR WHEN PURCHASED WAS MIXED USE.

Bradley Jyzanski
Applicant's Signature

Date

09-10-2022

Bradley Jyzanski
Provider of Financial Evidence

Date

09-10-2022

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: 327 ELWICOTT ST. BATAVIA NY 14020

A. PROPERTY DATA

1. Date property was purchased by current owner 06-19-2018
2. Was a Certificate of Occupancy issued? N/A ALREADY
Date of Issuance? 06-19-2018
If so, for what use(s)?
If not, why?

3. Cost of Purchase 50,000
4. a) Amount of Mortgage 50,000 Interest Rate 6%
Mortgage Holder TOMPKENS Duration 15 YRS
Address BATAVIA NY 14020

b) Amount of Mortgage
Mortgage Holder
Address Interest Rate
Duration

c) Amount of Mortgage
Mortgage Holder
Address Interest Rate
Duration

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

6. Present value of property 58,000
Source(s) CITY OF BATAVIA ASSESSMENT + TOMPKENS

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

USE	INCOME
1. <u>COMMERCIAL FRONT</u>	<u>12000</u>
2. <u>RESIDENTIAL</u>	1000 <u>19200</u>
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____
TOTAL RENTAL INCOME	30000 <u>31200</u>
LESS VACANCY FACTOR	208 <u>2496</u>
(Attach explanation if greater than 8%)	
TOTAL GROSS INCOME	<u>28704</u>

C. ANNUAL EXPENSES

1. <u>Annual Fixed Charges</u>	
Real Estate Taxes (City & County)	144 <u>2342</u> CITY + SCHOOL
Insurance.....	<u>1500</u>
Average Annual Interest (over next 5 years)	<u>657</u>
2. <u>Operating Expenses</u>	
Electric.....	<u>1200</u>
Fuel.....	<u>1200</u>
Water.....	<u>1200</u>
Advertising.....	<u>500</u>
Miscellaneous (attach explanation)	_____
3. <u>Maintenance Expenses (attach list)</u>	
Repairs.....	<u>1000</u>
General Building Maintenance.....	<u>1000</u>
Yard and Ground Care.....	<u>400</u>
Miscellaneous.....	<u>400</u>
TOTAL ANNUAL EXPENSES	<u>17259</u>
Profit or Loss	<u>11445</u>

D. TOTAL INVESTMENT

- 1. Down payment..... _____
- 2. Capital Improvements (attach list) _____
- 3. Principal Paid to date (original mortgage less
current principal balance)..... _____

TOTAL INVESTMENT _____
(Sum of D1, D2, & D3)

E. RATE OF RETURN = Profit or Loss

TOTAL INVESTMENT _____

Bradley J. Jurecki
Signature of Preparer

09-10-2022
Date

OWNER
Profession of Preparer

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.

Part 1 - Project and Sponsor Information			
Name of Action or Project: BRADLEY J. TRZECIJSKI			
Project Location (describe, and attach a location map): REMODEL AND REVITALIZE A MAIN STREET PROPERTY 327 ELLICOTT ST. BATAVIA NY 14020			
Brief Description of Proposed Action: TO KEEP ORIGINAL FIRST FLOOR FOOT PRINT WITH REAR AREA OF A MAIN ST PROPERTY RESIDENTIAL LEAVING SPACE WHICH IS LOCATED BEHIND THE FIRST FLOOR COMM STREET FRONT COMMERCIAL SPACE.			
Name of Applicant or Sponsor: BRADLEY J. TRZECIJSKI		Telephone: 716-491-1646	
Address: 7 FARNSWORTH AVE		E-Mail: bradleyt48@gmail.com	
City/PO: OAKFIELD	State: NY	Zip Code: 14025	
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	YES
		<input type="checkbox"/>	<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	YES
		<input type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		.192 acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input 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 type="checkbox"/>	<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: _____	<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 services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near the 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 checked="" type="checkbox"/>	<input 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: _____ _____	<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 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

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 type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe:		

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

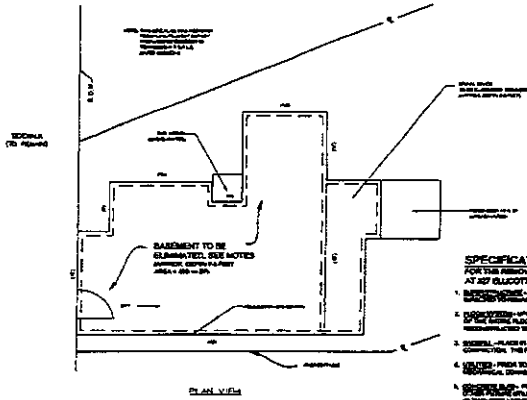
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

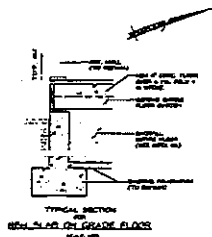
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>BRADLEY J. TRZECIESKI</u> Date: <u>09-10-2022</u>		
Signature: <u>Bradley J. Trzeciecki</u> Title: <u>OWNER</u>		

An Engineering Job 1125-20 (Permit) 11/15 At Marathon Engineering, Inc. 10/21/2020, Per Date: 10/21/2020, By: MARATHON ENGRG INC. 10/21/2020, By: MARATHON ENGRG INC. 10/21/2020

SECURITY STRIP - PER 11



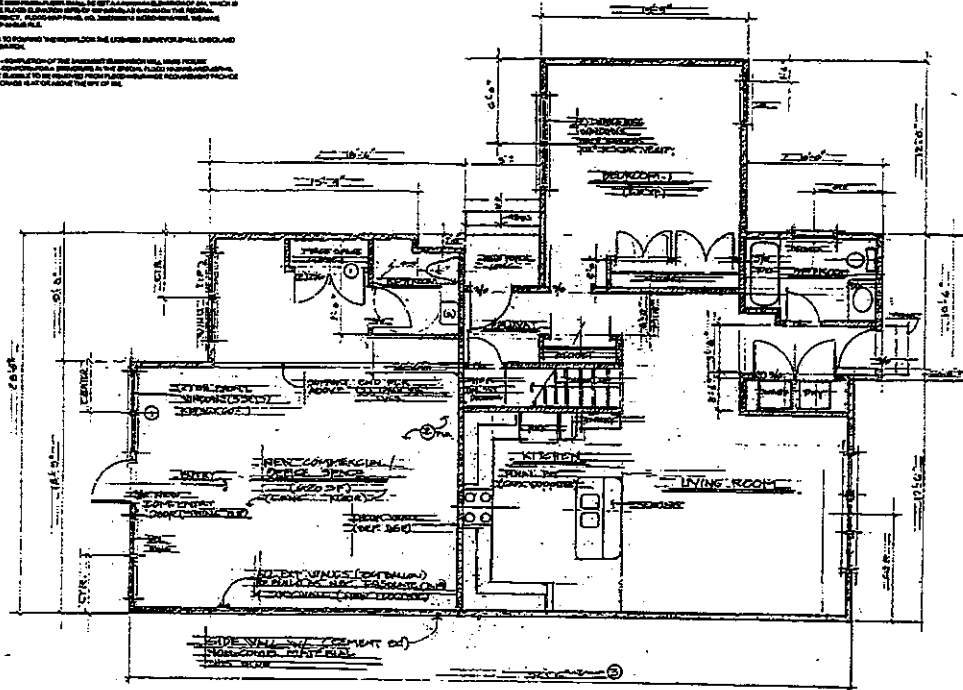
BASEMENT ELIMINATION PLAN
SCALE: 1" = 10'



- SPECIFICATIONS / NOTES**
FOR THE REMOVAL / RECONSTRUCTION OF THE BASEMENT AT 327 ELLICOTT STREET.
1. **REMOVAL** - REMOVE THE ENTIRE BASEMENT EXCEPT THE EXISTING STRUCTURE WHICH IS TO REMAIN IN PLACE.
 2. **RECONSTRUCTION** - WHEN CONSTRUCTION OF NEW STRUCTURE OR CONNECTIONS SHALL BE MADE IN PLACE OF THE EXISTING, ALL EXISTING STRUCTURE SHALL BE DEMOLISHED AND RECONSTRUCTED TO MEET ALL APPLICABLE CODES, ALL MATERIALS SHALL BE APPROVED BY THE ENGINEER.
 3. **WALLS** - ALL NEW EXTERIOR WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH ALL APPLICABLE CODES, ALL MATERIALS SHALL BE APPROVED BY THE ENGINEER.
 4. **WATER** - PRIOR TO WORK IN THE BASEMENT AND EXTERIOR, ALL EXISTING WATER MAINS, SEWER LINES, AND OTHER UTILITIES SHALL BE IDENTIFIED AND PROTECTED. ALL EXISTING UTILITIES SHALL BE RELOCATED AS NECESSARY TO ACCOMMODATE THE NEW CONSTRUCTION.
 5. **FOUNDATION** - ALL EXISTING FOUNDATION SHALL BE DEMOLISHED AND RECONSTRUCTED TO MEET ALL APPLICABLE CODES, ALL MATERIALS SHALL BE APPROVED BY THE ENGINEER.
 6. **FOUNDATION** - PRIOR TO WORK IN THE BASEMENT, ALL EXISTING FOUNDATION SHALL BE IDENTIFIED AND PROTECTED. ALL EXISTING FOUNDATION SHALL BE RELOCATED AS NECESSARY TO ACCOMMODATE THE NEW CONSTRUCTION.
 7. **FOUNDATION** - ALL EXISTING FOUNDATION SHALL BE DEMOLISHED AND RECONSTRUCTED TO MEET ALL APPLICABLE CODES, ALL MATERIALS SHALL BE APPROVED BY THE ENGINEER.

WORK DESCRIPTION / SCOPE

1. **MECHANICAL SPACE** - CONSTRUCT MECHANICAL "CLOSET" OF SUFFICIENT SPACE FOR NEW SYSTEMS. PROVIDE ALL NEW SEPARATE SERVICES (WATER, PLUMBING, ELECTRICAL, HVAC) FOR EACH USE.
2. **FLOOR SYSTEM** - REFER TO PLANS / DETAILS ON THESE DRAWINGS FOR THE BASEMENT ELIMINATION. RUN ALL APPROPRIATE UTILITY CONNECTIONS UNDER THE NEW CONCRETE FLOOR.
3. **DIMENSIONING** - THE DIMENSIONS SHOWN WERE PROVIDED BY OWNER AND ARE APPROXIMATE. ALL SHALL BE FIELD VERIFIED (VF). USE PLAN AS A GUIDE TO DETERMINE NEW WALL LOCATIONS.
4. **WINDOWS** - PROVIDE ALL NEW WINDOWS FINAL SELECTION BY OWNER. PROVIDE NEW HEADINGS ON ALL WINDOWS.
5. **WALLS** - THIS BUILDING IS "BALLOON FRAMED" REPAIR AS NECESSARY TO MAKE PLUMB AND SOUND. INSULATE ALL EXTERIOR WALLS TO R-19 MINIMUM, DRYWALL AND FINISH.



FIRST FLOOR PLAN
SCALE: 1/2" = 1'-0"

MARATHON ENGINEERING
 35 CASCADE DRIVE
 ROCKVILLE, NY 14546
 585-438-7790
 488 FROTHINGHAM RD. 377 LE
 STARCH, NY 14880
 607-241-3917
 www.marathoneng.com

BUILDING RENOVATION PLAN
for
BRADLEY TRZECIESKI
 327 ELLICOTT STREET
 GENESSEE COUNTY
 STATE OF NEW YORK
 CITY OF BATAVIA

JOB NO:	1125-20
SCALE:	AS NOTED
DRAWN:	RFB
DESIGNED:	RFB
DATE:	10/20/2020

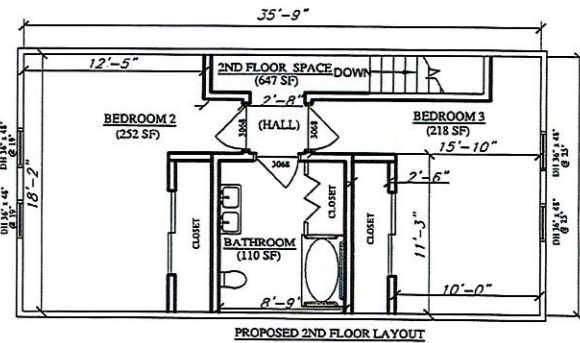
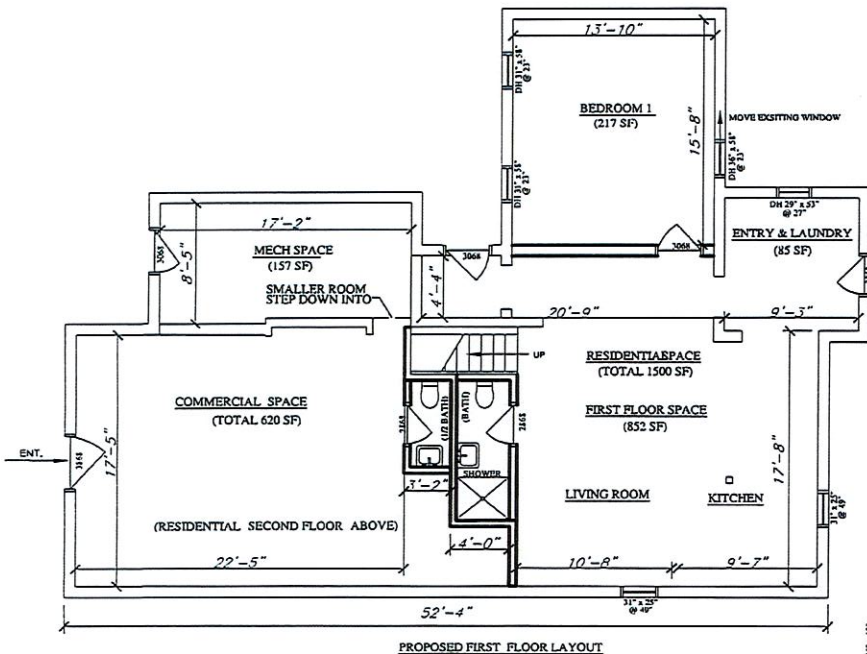
DATE BY PROJECT

ROBERT F. BRUNLEY

DRAWING TITLE
 FIRST FLOOR PLAN &
 BASEMENT ELIMINATION
 PLAN

01 of 02
 SHEET No. **A-1**
 JOB No. 1125-20
 DRAWING No.

File: Z:\Engineering\1125-20\1125-20_Siteplan.dwg, Plot Date: 8/1/2020, By: RRW/02/20



LEGEND:

- EXISTING EXTERIOR WALL
- EXISTING INTERIOR WALL
- PROPOSED NEW INTERIOR WALL
- PROPOSED NEW DEMISING WALL (CHR FIRE RATED)
- WINDOW LOCATION (SIZE)
- DOOR LOCATION (SIZE)

NOTES:

1. GENERAL CONSTRUCTION - CONTRACTOR IS RESPONSIBLE TO MEET CONSTRUCTION STANDARDS CODES OF LOCAL, COUNTY, AND STATE BUILDING CODES.
2. STRUCTURAL SUPPORT - CONTRACTOR TO INSPECT AND REPAIR/REPLACE ANY STRUCTURAL MEMBER NOT UP TO CODE.
3. UTILITIES - PRIOR TO CONSTRUCTION, MAKE PROVISIONS FOR ALL LOCATIONS OF MECHANICAL CONNECTION INSTALL EXTENSIONS IN ACCORDANCE WITH ANY SPECIFICATIONS. ALL NEW AND EXISTING MECHANICAL INSTALLATIONS TO COMPLY WITH LOCAL, COUNTY AND STATE CODES.



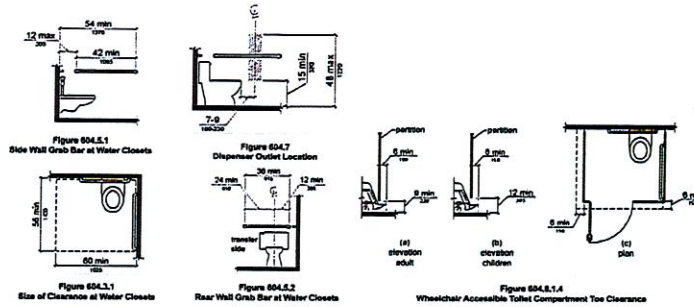
JOB NO: 1125-20
 SCALE: 1/8" = 1'-0"
 DRAWN: RPR
 DESIGNED: RPB
 DATE: 09/03/2020

TITLE:

LAYOUT PLAN
 FOR
FUTURE APARTMENT BLDG. RENOVATION
 327 ELLICOTT STREET

CITY OF BATAVIA GENESSEE COUNTY NEW YORK

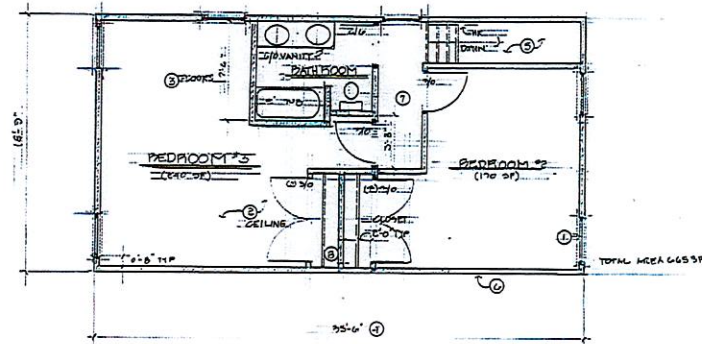
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MINIMUM ADA REQUIREMENTS
SCALE: N.T.S.

WORK DESCRIPTION / SCOPE: SECOND FLOOR

- ① **EGRESS WINDOWS** - THE FOUR FRONT AND BACK DOUBLE HUNG (DH) WINDOWS SHALL MEET THE EGRESS REQUIREMENTS AS DEFINED UN R310.2.1. * NET CLEAR OPENING NOT LESS THAN 5.7' 0".
- ② **CEILING SYSTEM** - REPAIR / REPLACE ALL DAMAGED AND OUT OF PLUMB CEILING JOISTS AND RAFTERS. INSULATE TO A MINIMUM OF R49 (BLOWN-IN INSULATION) AND VENTILATE ATTIC SPACE (ROOF VENTS) AS REQUIRED.
- ③ **FLOORS** - REPAIR / REPLACE ALL DAMAGED FLOOR JOISTS AND PLUMB ALL FLOORS.
- ④ **BUILDING DIMENSIONS** - THE BUILDING DIMENSIONS WERE SUPPLIED BY OWNER AND SHALL BE (WF). NEW WALLS SHALL BE FIELD LOCATED AS SHOWN AND DEPICTED ON THESE DRAWINGS.
- ⑤ **STAIRWAY** - FRAME OPENING AND CONSTRUCT NEW STAIRWAY IN ACCORDANCE WITH SECTION 1011 OF THE CODE, WITH 36" MINIMUM, HEADROOM 80" MINIMUM. HANDRAILS SECTION R311.7.8.
- ⑥ **EXTERIOR WALL** - THE EXTERIOR WALL SHALL BE FIRE-RESISTANCE CONSTRUCTION IN ACCORDANCE WITH THE TABLE R302.1(1).
- ⑦ **SMOKE ALARM** - PROVIDE EACH BEDROOM AND HALLWAYS IN ACCORDANCE WITH 907.2.10.2.
- ⑧ **ATTIC ACCESS** - PROVIDE OPENING IN CLOSET TO ACCESS ATTIC SECTION 1208.2



SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

MARATHON ENGINEERING
REGISTERED LOCATION
30 CASCADE DRIVE
ROCHESTER, NY 14614
585-458-7720
LICENSE LOCATION
448 HANSHAW RD, STE 12
ITHACA, NY 14850
607-241-2417
www.marathoneng.com

BUILDING RENOVATION PLAN
for
BRADLEY TRZCIESKI

327 ELLICOTT STREET
GENESEE COUNTY
STATE OF NEW YORK
CITY OF BATAVIA

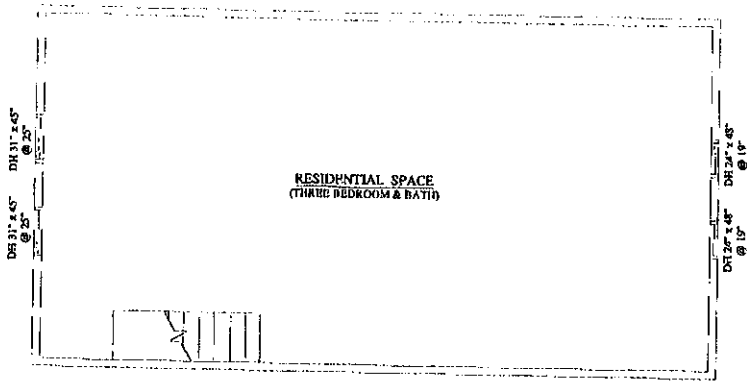
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DRAWN: RPB
DESIGNED: RPB
DATE: 10/20/2020

REVISIONS	
DATE	REVISION

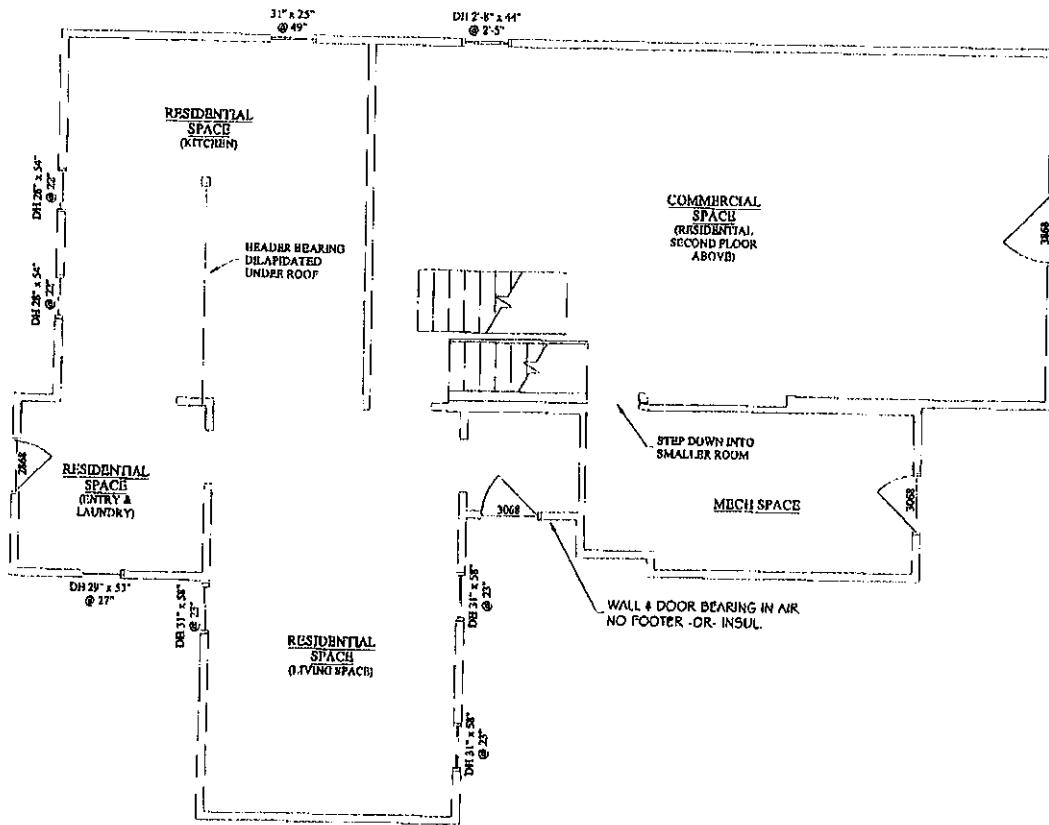
ROBERT P. BRINGLEY
Professional Engineer
No. 1125-20-001
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DRAWING TITLE:
MINIMUM ADA
REQUIREMENTS, &
SECOND FLOOR PLAN

03 of 02
SHEET No: A-2
1125-20
JOB No: DRAWING No:

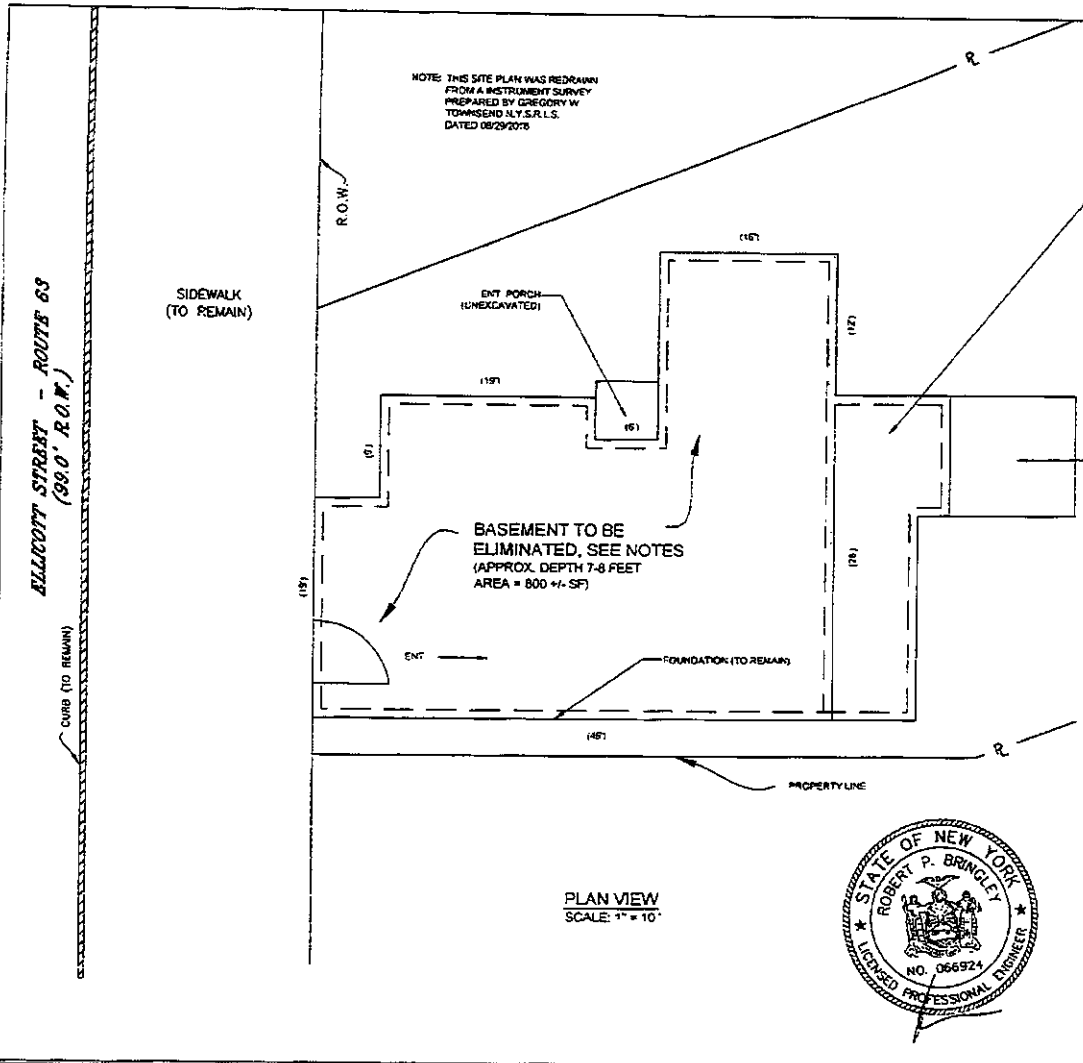


EXISTING SECOND FLOOR
SCALE: NOT TO SCALE

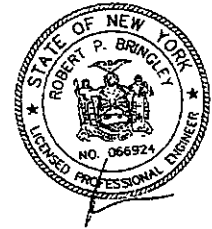


EXISTING FIRST FLOOR
SCALE: NOT TO SCALE

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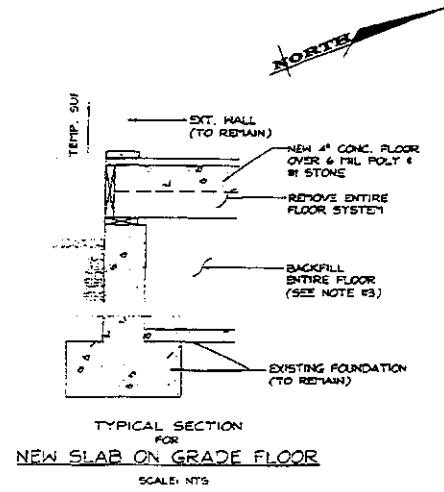
PLAN VIEW
SCALE: 1" = 10'



DRAWL SPACE TO BE ELIMINATED. SEE NOTES (APPROX. DEPTH 2-3 FEET)

WOOD DECK 12' X 10' (UNEXCAVATED)

BASEMENT TO BE ELIMINATED. SEE NOTES (APPROX. DEPTH 7-8 FEET AREA = 800 +/- SF)



TYPICAL SECTION FOR NEW SLAB ON GRADE FLOOR
SCALE: N.T.S.

SPECIFICATIONS / NOTES FOR THE REMOVAL RECONSTRUCTION OF THE BASEMENT AT 327 ELLICOTT STREET.

- SUPERSTRUCTURE** - PROVIDE TEMPORARY SHORING / SUPPORT OF THE ENTIRE SUPERSTRUCTURE WHICH IS DIRECTED TO REMAIN BY OWNER.
- FLOOR SYSTEM** - UPON COMPLETION OF SHORING STRUCTURE THE CONTRACTOR SHALL REMOVE & DISPOSE OF THE ENTIRE FLOOR SYSTEM (JOIST, STAIRS, SUB-FLOOR, BEAMS, ETC.). THE PERIMETER BOX SHALL BE RECONSTRUCTED TO SUPPORT WALLS ABOVE. ALL MATERIALS SHALL BE PRESSURE TREATED. SEE DETAIL.
- BACKFILL** - PLACE #1 RUN-OF-CRUSHER STONE IN VOID OF BASEMENT IN 24" LIFTS MAXIMUM. VIBRATORY COMPACTION. THE FLOOR (CONCRETE) AND WALLS OF FOUNDATION CAN REMAIN IN PLACE.
- UTILITIES** - PRIOR TO FILLING IN THE BASEMENT (AS DEFINED ABOVE) MAKE PROVISIONS FOR ALL MECHANICAL CONNECTIONS. INSTALL EXTENSIONS IN ACCORDANCE WITH ANY SPECIFICATIONS.
- CONCRETE SLAB** - FORM & POUR NEW CONCRETE FLOOR. MAKE PROVISIONS FOR NEW PLUMBING AND OTHER FUTURE UTILITIES. THE NEW FINISH FLOOR SHALL BE SET AT A MINIMUM ELEVATION OF 694, WHICH IS (2) TWO FEET ABOVE THE BASE FLOOD ELEVATION (BFE) OF 892 (NGVD) AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD MAP PANEL NO. 36027900018 DATED 09/16/1982. WE HAVE RETAINED A COPY OF THIS MAP IN OUR FILE.
- FLOOR CERTIFICATION** - PRIOR TO POURING THE NEW FLOOR THE LICENSED SURVEYOR SHALL CHECK AND CONFIRM THE NEW FLOOR ELEVATION.
- SUBSTANTIAL IMPROVEMENTS** - COMPLETION OF THE BASEMENT ELIMINATION WILL MAKE FUTURE SUBSTANTIAL IMPROVEMENTS CONFORM FOR A STRUCTURE IN THE SPECIAL FLOOD HAZARD AREA (SFHA). THIS NEW STRUCTURE MAY BE ELIGIBLE TO BE REMOVED FROM FLOOD INSURANCE REQUIREMENT PROVIDED THAT THE LOWEST ADJACENT GRADE IS AT OR ABOVE THE BFE OF 892.



JOB NO: 1125-20
 SCALE: 1" = 10'
 DRAWN: RPR
 DESIGNED: RPB
 DATE: 06/10/2020

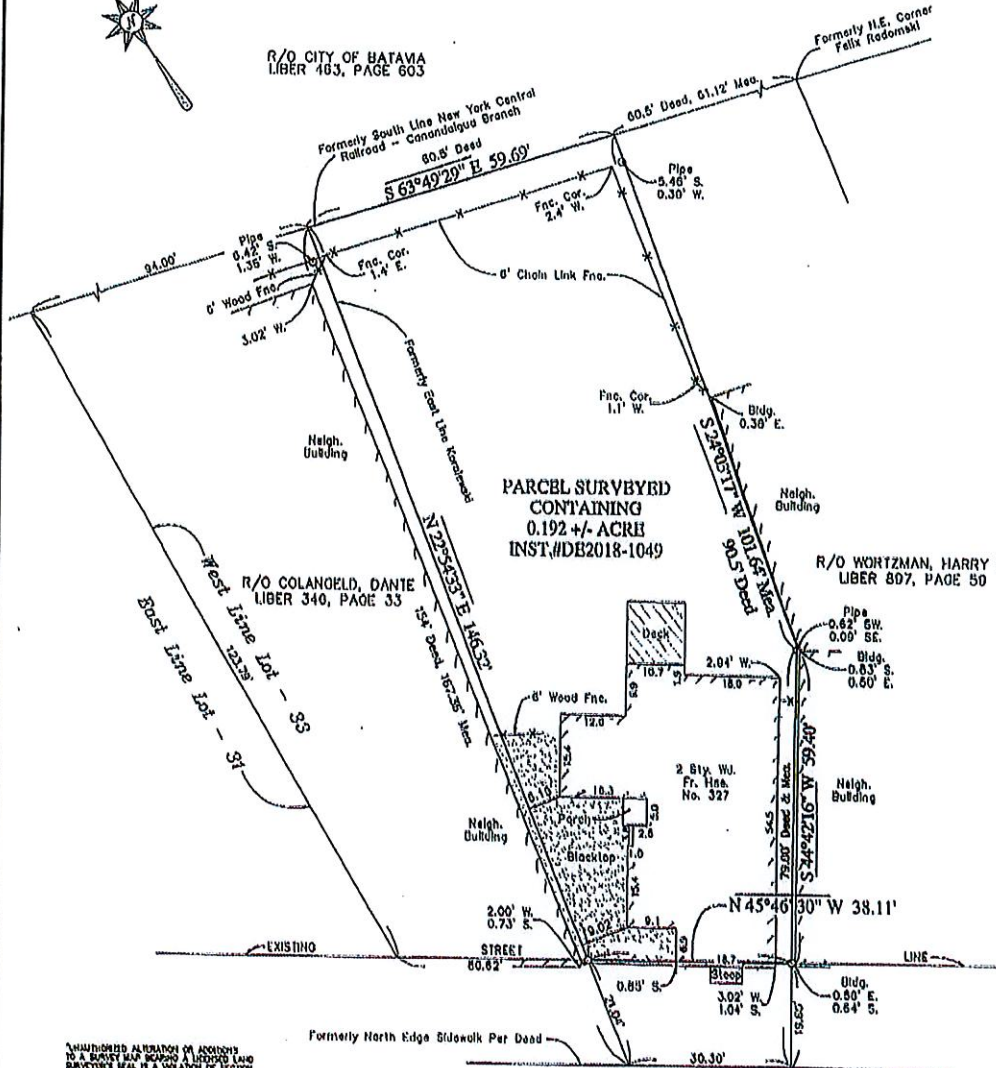
BASEMENT ELIMINATION PLAN
 FOR
FUTURE APARTMENT BLDG. RENOVATION
 327 ELLICOTT STREET

CITY OF BATAVIA GENESEE COUNTY NEW YORK

GREGORY W. TOWNSEND
 Licensed Land Surveyor
 115 Washington Avenue
 Batavia, New York 14020
 Phone (585) 344-1331
 Fax (585) 210-4313



R/O CITY OF BATAVIA
 LIBER 163, PAGE 603



PARCEL SURVEYED
 CONTAINING
 0.192 +/- ACRES
 INST.#DB2018-1049

"UNAUTHORIZED ALTERATION OR ADDITIONS TO A SURVEY MAP VIOLATE A FEDERAL LAW AND MAY BE SUBJECT TO A FINE OF UP TO \$10,000 PER VIOLATION AND/OR IMPRISONMENT FOR UP TO 5 YEARS."

"ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MADE WITH AN ORIGINAL OF THE LAND SURVEYING SUPPORT DATA SHALL BE CONSIDERED TO BE VALID REPLICAS."

"CERTIFICATION REGARDING SURVEY POWER: THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EDITION CODE OF PRACTICE FOR LAND SURVEYING ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS. THE CERTIFICATION SHALL NOT BE VALID FOR ANY PURPOSE FOR WHICH THE SURVEY IS PREPARED OR INTENDED TO BE USED FOR ANY OTHER PURPOSE, AND THE SURVEYOR ASSUMES NO LIABILITY FOR ANY SUCH USE OF THIS SURVEY. THIS SURVEY IS NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PREPARED AND THE ASSUMES NO LIABILITY FOR ANY SUCH USE OF THIS SURVEY. THIS SURVEY IS NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PREPARED AND THE ASSUMES NO LIABILITY FOR ANY SUCH USE OF THIS SURVEY."

ELLICOTT STREET - ROUTE 63
 (99.0' R.O.W.)

I, GREGORY W. TOWNSEND, CERTIFY TO:
 THE BANK OF CASTILE, ITS SUCCESSORS AND/OR ASSIGNS
 MAINELL, LLC
 FOOTE & MEYER, PLLC

BOUNDARY SURVEY SHOWING THE PARCEL TO BE CONVEYED BEING PART OF ORIGINAL VILLAGE LOT NO. 33, SITUATE IN THE CITY OF BATAVIA, COUNTY OF GENESEE AND STATE OF NEW YORK.

LEGEND
 ○ EXISTING IRON STAKE
 ○ SET IRON PIN

REFERENCES
 SURVEY MAP NO. 89-334 BY DAVID S. LAMENDOLA, I.S., DATED NOVEMBER 20, 1989
 SURVEY MAP NO. 04-80A BY GREGORY W. TOWNSEND, I.S., DATED AUGUST 2, 2012
 SURVEY MAP NO. 02-30 BY DAVID S. LAMENDOLA, I.S., LAST DATED MARCH 15, 2002

AUGUST 27, 2018 SCALE 1" = 20'
 JOB NO. 18-305

DATE N.Y.S.R.L.S. NO. 60249
Gregory W. Townsend

C-06-BAT-10-22

