

**SEND OR DELIVER TO:**

GENESEE COUNTY DEPARTMENT OF PLANNING  
3837 West Main Street Road  
Batavia, NY 14020-9404  
Phone: (585) 547-2274

**Clear Form**

**DEPARTMENT USE ONLY:**

GCDP Referral # T-07-DAR-6-17



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

RECEIVED  
Genesee County  
Dept. of Planning  
5/24/2017

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) Darien Planning Board  
Address 10569 Alleghany Road  
City, State, Zip Darien, NY 14040  
Phone (585) 547-2274 Ext. 1026

**2. APPLICANT INFORMATION**

Name Charles Miller  
Address 11331 Shadigee Lane  
City, State, Zip Lyndonville, NY 14098  
Phone (585) 397-0938 Ext. \_\_\_\_\_ Email \_\_\_\_\_

MUNICIPALITY:  City  Town  Village of Darien

**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 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 checked="" type="checkbox"/> Site Plan Review | <input type="checkbox"/> Other: _____              |                                               |

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

A. Full Address 1632 Broadway, Darien, NY  
B. Nearest intersecting road Tinkham Road  
C. Tax Map Parcel Number 11.-2-52.2  
D. Total area of the property 4.91 Acres Area of property to be disturbed 100' x 70'  
E. Present zoning district(s) commercial

**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  
Article VII, Sec 704, Sub B, Para 1 & Sched A  
C. Please describe the nature of this request Sale of mobile sheds and out buildings.

**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 type="checkbox"/> Photos                            |
| <input type="checkbox"/> Subdivision plot plans       | <input type="checkbox"/> Elevation drawings                     | <input type="checkbox"/> Other: _____                      |
| <input checked="" type="checkbox"/> SEQR forms        | <input checked="" type="checkbox"/> Agricultural data statement |                                                            |

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

Name Jerry Yoder Title ZEO Phone (585) 547-2274 Ext. \_\_\_\_\_  
Address, City, State, Zip 10569 Alleghany Rd., Darien, NY 14040 Email zeo@townofdarienny.com

TOWN OF DARIEN  
GENESEE COUNTY, NEW YORK 14040

PLANNING BOARD  
SITE PLAN REVIEW  
SPECIAL USE PERMIT APPLICATION

Application #: PB-10-17  
(For office use only)

Today's Date: 4/28/2017

Provision of Zoning Law Involved:

Article: VII, Section: 704, Subsection: B, Paragraph: 1

Purpose of Request:

Also: Schedule A.

\*This request would be in harmony with the orderly development of the district in which it is located because: permitted accessory use.

\*This request would not be detrimental to the property or persons in the neighborhood because:

permitted use

\*This request would not increase the traffic flow in the area to the extent that traffic safety would be endangered because: low volume business, shed sales

To be used as a display site only to generate sales from home site

The applicant should submit one (1) copy of the application, nine (9) copies of the site plan and one (1) copy of the zoning application

CERTIFICATION:

I hereby certify that I have read the instructions and examined this application and supporting attachments and know the same to be true and correct. All provisions of laws and ordinances covering this type of work or use will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local ordinance regulating construction or performance of construction.

Date of Signature

4/28/2017  
Date of Signature

Signature of Applicant

[Signature]  
Signature of Owner (If different from Applicant)

Office Use Only:

Zoning Permit Application #: PB-10-17 Date Received: 4/28/17 Fee Paid: \$60.00

Date of First Hearing: 5/15/17 Location: Darien Town Hall

Date of Second Hearing: 6/8/17 Location: GC PB

Date of Subsequent Hearings: 6/19/17 Location: Darien Town Hall

Action:  APPROVED  REJECTED Date: \_\_\_\_\_

Planning Board Chairman Signature: \_\_\_\_\_

Zoning Officer Signature: \_\_\_\_\_ Date Permit Issued: \_\_\_\_\_

Additional Conditions Imposed: \_\_\_\_\_

**TOWN OF DARIEN APPLICATION FOR ZONING PERMIT**

Today's Date: 4/29/2017 Application Number: PB-10-17  
 Applicant's Name: Charles Miller  
 Address: 11331 Shadigee Lane Lyndonville NY 14098  
 Phone Number: 585-397-0938 Tax Map #: 11.-2-52.2  
 Address of Project: 1632, Broadway, Darien, Ny 14040

**INSTRUCTIONS:**

Please read the instructions carefully before completing the application form. Fill out the application form completely, using ball point pen or a typewriter. Submit your application form & required attachments (list of such on this form) to the Zoning Enforcement Officer (ZEO) prior to commencing this project or use.

**\*THIS APPLICATION IS NONTRANSFERABLE AND IS VALID FOR ONE YEAR PERIOD ONLY**

1. Zoning District property located in: RESIDENTIAL (  Low or  Medium Density)  
 Industrial  Commercial  Recreational
2. Permit Application for:  New Construction  Addition  Alteration  Relocation  
 Accessory Structure  Home Occupation  **SPECIAL USE PERMIT**  
 **VARIANCE**  **SITE PLAN REVIEW**  **TEMPORARY USE**
3. Is this parcel:  Corner Lot  Water District  Sewer District
4. Dimensions of this lot: 400' length X 570' width and/or area 4.91 ACRES
5. What is the front set back (in feet) from the project to the street right-of-way (Check Survey for ROW):  
50' ft and what is the set back (in feet) from project property line Side A 40' Side B 318'  
 Back 270' (Also depict on plot diagram).
6. Total percentage (%) of coverage of all buildings on lot (including proposed): \_\_\_\_\_ %
7. Total Dwelling Units: 1
8. Project Cost: \_\_\_\_\_ Actual \_\_\_\_\_ Estimated \_\_\_\_\_

PROPOSED PROJECT	HEIGHT	LENGTH	WIDTH	SQUARE FEET
House				
Garage/Pole Barn				
Accessory Structure				
Commercial				
Industrial				
Signs				

# Bathrooms: \_\_\_\_\_  
 # Bedrooms: \_\_\_\_\_  
 Rec Room: \_\_\_\_\_  
 Family Room: \_\_\_\_\_  
 Fireplace: \_\_\_\_\_

Describe proposed project and/or use: Sale Mobile Sheds, out buildings, frontier cabins, Azebas in an area 100x70 or less.

**CERTIFICATION:** I hereby certify that I have read the instructions, examined this application and supporting attachments and know them to be true & correct. All provisions of Laws and Ordinances covering this type of work or use will be complied with, whether specified herein or not. The granting of a permit does not give authority to violate or cancel the provisions of any other State or Local Law/Ordinance regulating construction, performance or use.

Charles A. Miller  
 APPLICANT SIGNATURE (must sign in presence of ZEO)

[Signature]  
 PROPERTY OWNER SIGNATURE (if other than applicant)

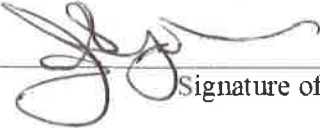
Attachments required & verified by ZEO: SITE PLAN REVIEW

Action taken by ZEO: APPROVED:  DENIED:  Reason: Permitted

Accessory Use

Referral To:  Town Planning  Town Appeals  County Planning  Building Inspector

4/28/2017  
Date of Signature

  
Signature of ZEO

Date of Signature # of Inspects Signature of Building Inspector

Date Fee Received Fee Indicate Fees Paid/Town Clerk Use Only

Date of Signature Renewal Approval / ZEO Signature

This application will not be considered complete until all appropriate attachments have been supplied and accepted; photo-copies are acceptable. The applicant is responsible to present all applicable attachments to the ZEO. The project in question can not be started until an approved Zoning Permit has been issued, the Building Inspector contacted and if required, the Town Clerk has issued the Building Permit. The applicant is responsible to make all calls to the Building Inspector for review of plans and inspection assignments and to pay any necessary fees as set forth in the appropriate schedule of fees to the Town Clerk.

If a Site Plan is necessary, a total of nine (9) copies are needed.

- Please be advised that you may contact the following if you have any questions or concerns with regard to procedures:
- \*ZEO – Filling out or filing Zoning Permits, Zoning Regulations, appointments for Zoning Permit approval, Variance & Special Use Procedures.
- \*Building Inspector – Construction, Plan review, Code requirements and inspections
- \*Town Clerk – Forms, Fees (payable to Town Clerk), Building Permit, General Information & who to contact.

**ATTACHMENTS:**

The following attachments are mandated for all projects or uses in question.  
\*Layout sketch (Plot Diagram) shall consist of an accurate map (survey or plot diagram on graph paper) showing all structures and/or buildings on the parcel. All dimensions of project, property lines and right-of-ways shall also be indicated. Identify adjoining parcels and indicate the owners of such.

Please contact the ZEO regarding which of the following attachments will be required for the project or use in question:

1. Graphic material showing traffic circulation, parking spaces, pedestrian walks, topography and landscape plans, open space & buffer zone.
  2. Preliminary engineering plans showing street improvements, storm drainage, water supply and sanitary sewer facilities.
  3. Copy of current Genesee County Health Department approval for an individual sewer disposal system and plans for such.
  4. A drawing of any signs which the applicant wishes to post. This drawing shall include dimensions, characters, shape, and illumination (if any, show source of power & location of illumination).
  5. Elevation drawings with applicable height dimensions.
  6. Description of the nature of existing use.
  7. Freshwater wetland determination and/or permit, from NYS Dept of Environmental Conservation.
  8. Certification indicating specific elevations in relation to the Federal Flood Hazard Area.
  9. Letter of review from the Department of Soil and Water Conservation when applying for a pond.
- Other:



# ◆ TOWN OF DARIEN ◆

## Agricultural Data Statement

Application # PB-10-17

Date 4/28/17

**INSTRUCTIONS:** This form must be completed for any application for a special use permit, site plan approval, use variance or a subdivision approval, requiring municipal review, that would occur on property within 500 feet of a farm operation located in a NYS Dept. of Ag. & Markets certified Agricultural District.

Applicant

Name Charles Miller

Address 11331 Shadrige Lane  
Lyndonville NY 14098

Owner if different than Applicant

Name Palitha Athoudage

Address 1632, Broadway, Darien,  
Ny, 14040

1. Type of application: Special use permit ; Site plan approval ; Use variance ; Subdivision approval

2. Description of proposed project: mobile sheds, out buildings, Frontier Cabins, Gazebos, 10-20 Items

3. Location of project: Address 1632, Broadway, Darien, Ny, 14040  
Tax Map Number (TMP) 11.-2 -52.2

4. Is this property within an Agricultural District? NO  YES  } Check with your local Assessor if you do not know

5. If yes, Agricultural District Number \_\_\_\_\_

6. Is this property actively farmed? NO  YES

7. List all farm operations within 500 feet of your property, (Attach additional sheets if necessary)

1.

Name April Gow

Address v/l Tinkham

Is this property actively farmed? NO  YES

2.

Name Ste-Don

Address v/l Broadway

Is this property actively farmed? NO  YES

3.

Name Klassner & Teachen

Address v/l Broadway

Is this property actively farmed? NO  YES

4.

Name Keith Foss

Address v/l Broadway

Is this property actively farmed? NO  YES

Signature of Applicant

[Signature]  
Signature of Owner (if other than Applicant)

REVIEWED BY

[Signature]  
Signature of Municipal Official

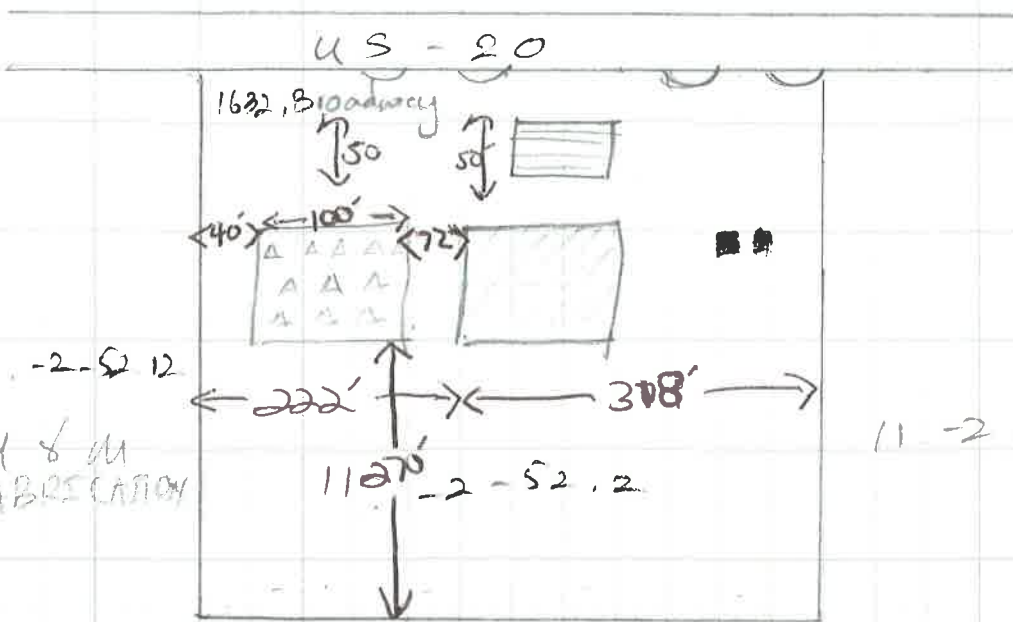
4/28/17  
Date

NOTE TO REFERRAL AGENCY

County review is required. A copy of the Agricultural Data Statement must be submitted along with the referral to the County Planning Department

11.-2-65/61

N



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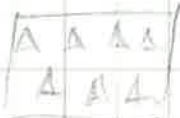
11.-2-52.12

M & M FABRICATION

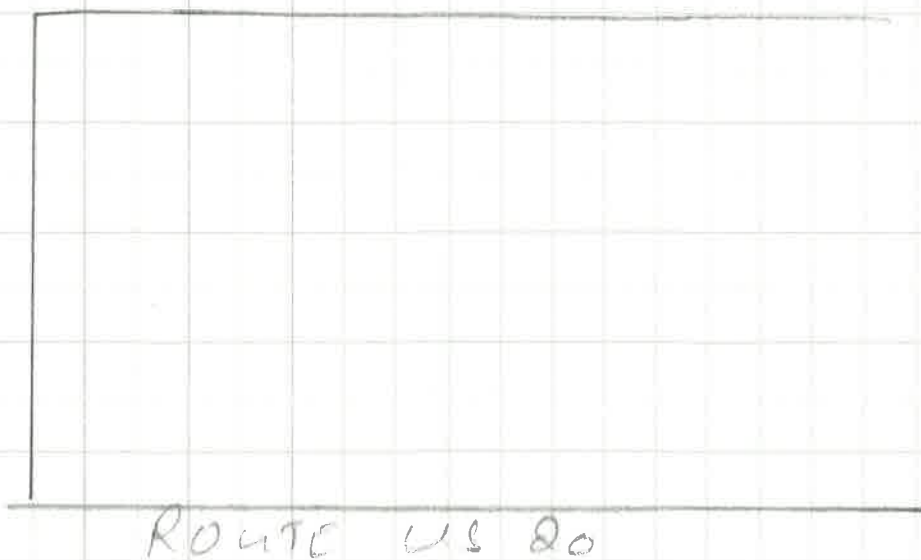
11-2-52.2

11-2-44

S

-  ENTRANCE
-  GAS PUMP & CONOPY
-  PUMPS
-  BUILDING
-  PROPOSED PROJECT AREA  
100x70

FRONT DIMENTION!



# 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: <i>Lake Ontario Shed Sales</i>			
Project Location (describe, and attach a location map): <i>1632, Broadway, Darien, Ny, 14040</i>			
Brief Description of Proposed Action: <i>Selling mobile sheds, outbuildings, Frontier Cabins in a area 100 x 70</i>			
Name of Applicant or Sponsor: <i>Charles Miller</i>		Telephone:	
		E-Mail:	
Address: <i>11331 Shadigee Lane,</i>			
City/PO: <i>Lyndonville, Ny, 14098</i>		State:	Zip Code:
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 governmental 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?		<i>100 x 70</i> <del>acres</del> <i>sq ft</i>	
b. Total acreage to be physically disturbed?		<i>0</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>0</i> acres	
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 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, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" 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?	NO	YES	
	<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: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?  b. Are public transportation service(s) available at or near the site of the proposed action?  c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<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	YES	
	<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: _____	NO	YES	
	<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: _____	NO	YES	
	<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?  b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" 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?  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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" 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 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 plain?	NO	YES	
	<input checked="" 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 checked="" type="checkbox"/> NO <input type="checkbox"/> YES  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	



22 B

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 <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 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 AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor name: <u>Lake Ontario Shed Sales</u> (Charlie Miller) Date: <u>4/28/17</u> Signature: <u>Charles Miller</u>		