

**TOWN OF DARIEN
GENESEE COUNTY, NEW YORK 14040
Planning Board
Meeting Minutes
February 17, 2020**

MEMBERS PRESENT: Tom Dougherty, Larry Stabell, Jay Blatchley, Brandon Calmes, Pam Trowbridge,
Donald Koepf

MEMBERS ABSENT: Shawn Shanahan

OTHERS PRESENT: Jerry Yoder ZEO, Members of the Public

The meeting was called to order at 7:30 p.m. Everyone in attendance recited the pledge to the flag. The minutes from the January 20, 2020 meeting were read. Donald Koepf made a motion to approve the minutes as read; Larry Stabell second; all ayes; the minutes were approved.

Thomas Dougherty: Thomas Dougherty submitted an application at 1262 Herkimer Road, Tax Map # 10.-1-71.111 for a special use permit to put in a pond. The pond will be less than an acre. Mr. Dougherty recused himself from the application. The public hearing opened at 7:35 p.m. Nothing was discussed by the public. The SEQR was read. Jay Blatchley made a motion to approve the negative SEQR; Brandon Calmes second; the negative SEQR was approved. Jay Blatchley made a motion to close the public hearing; Pam Trowbridge second; the public hearing closed at 7:42 p.m. Jay Blatchley made a motion to approve the application; Brandon Calmes second; the application was approved.

John Zoladz: John Zoladz submitted an application at 521 Broadway Road, Tax Map # 5.-1-29.2 for a special use permit to put in a pond. The pond will be 400 feet in diameter. Mr. Dougherty recused himself from the application. The public hearing opened at 7:40 p.m. Nothing was discussed by the public. The SEQR was read. Brandon Calmes made a motion to approve the negative SEQR; Jay Blatchley second; the negative SEQR was approved. This application has been previously reviewed by the Genesee County Planning Board and the previous recommendations are in force per the Planning Director. Jay Blatchley made a motion to approve using the recommendations from the prior application; Brandon Calmes second; the County recommendations from the prior application were approved. Jay Blatchley made a motion to close the public hearing; Pam Trowbridge second; the public hearing closed at 7:58 p.m. Brandon Calmes made a motion to approve the application; Jay Blatchley second; the application was approved.

Kevin Borth: Kevin Borth submitted an application at 1389 Broadway, Tax Map # 11.-1-10 for a special use permit to convert a vacant house into a multi-family home. The building has been vacant for several years. It will be developed in character with the neighborhood. The public hearing opened at 7:45 p.m. Tom asked if there were any concerns about the special use permit. One neighbor was concerned about parking. Concerns over the vacant structure and timeline for property renovations and apartment sizes were addressed. The owner will commence remediation and renovations by summer and expects the project to go into the fall. The Zoning Officer stated the permit for conversion to a multifamily will requires structural evaluations and stamped plans. All renovations will comply with building codes and Zoning codes. The SEQR was read. Larry Stabell made a motion to approve the negative SEQR; Jay Blatchley second; all ayes; the negative SEQR was approved. Brandon Calmes made a motion to close the public hearing; Larry Stabell second; all ayes,

the public hearing closed at 8:15 p.m. Jay Blatchley made a motion to approve the application; Donald Koepf second; all ayes, the application was approved.

Six Flags Darien Lake: Six Flags Darien Lake submitted an application at 9993 Alleghany Road, Tax Map # 7.-1-1.1 for a site plan review for a 150 X 40 cold storage building. The building will improve the aesthetics of the area by screening a deteriorated barn from public view. The public hearing opened at 8:00 p.m. Tom asked if there were any concerns about the site plan review. A neighbor brought up issues not related to this specific application and addressed by the Zoning Officer. The SEQR was read. Jay Blatchley made a motion to approve the negative SEQR; Brandon Calmes second; all ayes, the negative SEQR was approved. Brandon Calmes made a motion to close the public hearing; Jay Blatchley second; all ayes, the public hearing closed at 8:22 p.m. Larry Stabell made a motion to approve the application; Donald Koepf second; all ayes, the application was approved.

Don Diemoz: Don Diemoz submitted an application at 1415 Broadway Road, Tax Map # 11.-1-14.221 for a site plan review to reopen an existing restaurant. The building is being updated for aesthetics and accessibility is being improved. The use and services will be the same as they were by the previous owner. Jay Blatchley made a motion to forward the application to County Planning; Pam Trowbridge second; all ayes. The public hearing will be held at the next Planning Board meeting on Monday, March 16 at 7:45 p.m.

Draves Arboretum: Thomas Draves submitted an application at 1815 Sharrick Road, Tax Map # 11.-2-10.12 for a special use permit for an arboretum. The Special Use Permit is required at the request of the Zoning Officer. The arboretum has existed since the 1990's, however, The Town did not have Zoning Laws to allow its existence. The Town has updated the Zoning Law with the addition of a definition of: "Landscaping and Horticultural Service"; and the addition of a SUP for: "Landscaping and Horticultural Services and Related Activities". These additions to Town Law resolve the inconsistencies and allows oversight by the Town and protection to the landowner for permitted uses. It is an educational facility dedicated to use and study trees and shrubs. It's by appointment only for tours up to 50 people. It fits with the agriculture and low density character promoted within the comprehensive plan. Larry Stabell made a motion to forward the application to County Planning; Jay Blatchley second; all ayes. The public hearing will be held at the next Planning Board meeting on Monday, March 16 at 8:00 p.m.

Draves Tree Service: Thomas Draves submitted an application at 1821 Sharrick Road, Tax Map # 11.-2.12 for a special use permit for Draves Tree Service. The Special Use Permit is required at the request of the Zoning Officer. The tree service has existed since 1994, however, The Town did not have Zoning Laws to allow its existence. The Town has updated the Zoning Law with the addition of a definition of: "Landscaping and Horticultural Service"; and the addition of a SUP for: "Landscaping and Horticultural Services and Related Activities". These additions to Town Law resolve the inconsistencies and allows oversight by the Town and protection to the landowner for permitted uses. Larry Stabell made a motion to forward the application to County Planning; Jay Blatchley second; all ayes. The public hearing will be held at the next Planning Board meeting on Monday, March 16 at 8:05 p.m.

John Pfalzer: John Pfalzer submitted an application at 10078 Harper Road, Tax Map # 7.-1-24.211 for a special use permit for Ax Men Tree Service, LLC. The Special Use Permit is required at the request of the Zoning Officer. The tree service has existed since 1995, however, The Town did not have Zoning Laws to allow its existence. The Town has updated the Zoning Law with the addition of a definition of: "Landscaping and Horticultural Service"; and the addition of a SUP for: "Landscaping and Horticultural Services and Related Activities". These additions to Town Law resolve the inconsistencies and allows oversight by the Town and protection to the landowner for permitted uses. Jay Blatchley made a motion to forward the application to County Planning; Larry Stabell second; all ayes. The public hearing will be held at the next Planning Board meeting on Monday, March 16 at 8:15 p.m.

Jay Blatchley made a motion to adjourn the meeting; Pam Trowbridge second. All ayes; the meeting adjourned at 8:43 p.m.

Respectfully submitted,
Gwen Yoder, PB/ZBA Clerk