

GENESEE COUNTY PLANNING BOARD REFERRALS

I DOLLAND DAND OFFICE	NOTICE OF FINAL ACTION
1802	GCDP Referral ID T-02-BER-5-22
AND A CHARLES	Review Date 5/12/2022
Municipality	BERGEN, T.
Board Name	PLANNING BOARD
Applicant's Name	The Darby Trust
Referral Type Variance(s)	Subdivision: Final
Description:	Final Subdivision to divide two building lots from one parcel.
Location	Reed Rd., Bergen
Zoning District	Residential-Agricultural (RA-40) District
PLANNING BOARD F	RECOMMENDS:
APPROVAL	
EXPLANATION:	
should note that future publ proposed in the future. Wat County per the County Sma Bergen and Monroe County	should pose no significant county-wide or inter-community impact. The applicant lic water access is not guaranteed for any non-agricultural development that may be see the formula of the see are subject to review and authorization by Genesee are forward from the water agreements between Genesee County, the Town of water Authority (MCWA). In addition, enrollment in the Agricultural District Program less due to Town enacted lateral restrictions.

May 12, 2022

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 # T-02-BER-5-22



* GENESEE COUNTY * PLANNING BOARD REFERRAL

RECEIVED
Genesee County
Dept. of Planning
5/5/2022

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	2. APPLICANT INFORMATION
Board(s) Town OF Bergen Planning	Name The Darby Trust
Address 10 Hunter St	Address 1 Donlin Dr
City, State, Zip Bergen, NY 14416	City, State, Zip Rochester, NY 14624
Phone (585) 494 - 1121 Ext. Pho	ne () - Ext. Email
MUNICIPALITY: City Town Vill	age of Bergen
3. TYPE OF REFERRAL: (Check all applicable items)	
Area Variance Zoning Map (Use Variance Zoning Text Special Use Permit Comprehensi Site Plan Review Other:	
4. LOCATION OF THE REAL PROPERTY PERTAINING	TO THIS REFERRAL:
A. Full Address Reed Rd	
B. Nearest intersecting road 3500 ft east of W Swed	en Rd
C. Tax Map Parcel Number 81-1.1 & 81-1.2	
D. Total area of the property	Area of property to be disturbed
E. Present zoning district(s) RA-40	
5. <u>REFERRAL CASE INFORMATION:</u> A. Has this referral been previously reviewed by the Ge	nesee County Planning Board?
■ NO YES If yes, give date and action taker	
B. Special Use Permit and/or Variances refer to the following	owing section(s) of the present zoning ordinance and/or law
C. Please describe the nature of this request	
Subdivide two 3 acre lots for the purpose of resid	lential development from parent parcel Parent parcel to remain
agricultural use	
6. ENCLOSURES - Please enclose copy(s) of all appropriate	items in regard to this referral
Local application Zoning text/t Site plan Location map Subdivision plot plans Elevation dra SEQR forms Agricultural d	wings Other:
7. CONTACT INFORMATION of the person representing the	ne community in filling out this form (required information)
Name Gary Fink Title Chairpe	erson Phone (585) 355 -0135 Ext.
Address, City, State, Zip	Email

TOWN OF BERGEN APPLICATION FOR SUBDIVISION

\Box	MINOR	1
1-	4 LOTS	

MAJOR 5+LOIS

BULKLAND TRANSFER

40 + ACRES

DATE: __02/14/2022

OWNER (OF LAND TO BE SU	IBDIVIDED) APPI	LICANT (IF OTHER THAN OWNER)
Name: The Darby Trust	Name	*
Address: 1 Donlin Drive		:
Rochester NY 14624		
Phone #:	Phone #	*
INSTRUCTIONS: Please fill of which can in	ut this application as completely clude but is not limited to Maps	as possible. Submit additional documents s - Sketch. Tape and or Survey Maps.
Abstracts, De 1. Location of proposed Subdivision -	reds Covenents etc.	31-1.2
Road Reed Near	est street intersection 3,500' ea	ast of W. Sweden Road
2. Number of existing lot(s). 1	Number of proposed	1 lot(s). 2
SUBMIT A MAPISKETCH OF THE EXISTING L	OT(S) AND OF THE PROPOSED NEW LOT	(S) LINE(S).
3. Current Zoning District RA-40		if yes list
Will there be a Zoning District C	Change? NO X YES	the requested Zone change.
4. Check the intended use of the subd		
# of PARCELS	X AGRICULTURAL	PARCELS # of PARCELS 1 COMMERCIAL
x residential 2	RECREATION	INDÚSTRIAL
	KEUKEALION	INDUGINER
5. Is a Special Use permit . Van	riance , or Other pr	ocedure necessary ? BRIEFLY STATE REASON
6. Are there any Deed restrictions and	Alor coverants that apply or are	contemplated for this subdivision?
F YES, AT	TACH A COPY OF THE PROPOSED D	EED RESTRICTION OR COVENANT.
RO A BRIEFLY LI	ST THE NATURE OF THE RESTRICTION	ON HERE.
7. Is there an Engineer designing this	project? NO YES X	585-427-0320 x16
Name: Jeremy Kimble	Phone #	
Address: 133 South Fitzhugh S	treet Name Firm	Vanguard Engineering PC
Rochester NY 14608	Address	3
	kkkkkkkkkkkkkkkkkkk kkk	*******************************
	Cont. tol	
Trunkay D. Viscarde (trustee) Sign	
Trunkay D. Vialande (Signature JOHNER 2/22/22	trustee) Sign	nature APPLICANI (II dillerent than owner)
Signature OWNER 2/22/22 Dale Dale	Sigi	naluse APPLICANS (IS disserns than owner) Date kkkkkkkkkkkkkkkkkkkkkkkkkkkkkkkkkkk
Signature OWNER 2/32/32 Dale ************************************	Sigi	naluie APPLICANI (II dillereni than owner) Dale kkkkkkkkkkkkkkkkkkkkkkkkkkkkkkkkkkkk
Signature OWNER 2/22/22 Dale ***********************************	Sign ************* *********** ********	Date ***********************************
Signature OWNER 2/22/22 Dale ********************************** REVIEW BY: (if Applicable) DATE State Health Department	***************** ************* FEES COLLECTED: AMOUNT DAT Proliminary Final Final Bulkland Transfer Recreational Fee	Date ************************************
Signature OWNER 2/22/22 Dade ************************************	FEES COLLECTED: AMOUNT DAT Proliminary Final Bulkland Transfer Recreational Fee Per lot	Date APPLICAN! (II dillerent than owner) Date Akkkkkkkkkkkkkkkkkkkkkkkkkkkkkkkkkkk
Signature OWNER 2/22/22 Dale ********************************** REVIEW BY: (if Applicable) DATE State Health Department	***************** ************* FEES COLLECTED: AMOUNT DAT Proliminary Final Final Bulkland Transfer Recreational Fee	Date ***********************************

TOWN OF BERGEN

	Application	幹	
£	Dat	te	

Agric	ultural Date	g Stai	rement	, pare
STRUCTI	ONS: This form must b	e completed	for any ap triance or occur on pr it. of Ag. & N	plication for a special use perm a subdivision approval, requiri operty within 500 feet of a fa Aarkets certified Agricultural Distri r If different than Applicant
	The Darby Trust		Name _	
401110	1 Donlin Drive		Address_	
Address_	Rochester NY 14624		Address	
. Descriptio developm	Subdivision ap n of proposed project: nent from parent parcel. Pa	proval <u> </u>	3-acre lots fo	proval ; Use variance ; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ;
Is this par	f project: Address <u>Ree</u> Tax Map Num cel within an Agricultura	nber (IMP) District % No	31-1.1 & 81 O YES	1-1.2 Check with your local Assessor if you do not know
1 - 41.2) YEST	parcel, (Att	tach additional sheets if necessary Judy Aradine
Name	Ruth Kruppner		Name	Creamery Road
Address	Reed Road	-	Address	TM# 81-2.111
	TM# 81-3.113	OXIYES	is this par	cel actively farmed ? NO XYES
3.1 Name	Jeffrey Aradine	No.	4. Name	Laurie Carson-Nelson
• • •	Creamery Road		Address	Reed Road
Adaress	TM# 81-2.121			TM# 91-32.11
Is this par	cel actively farmed ? N	OXYES	Is this par	cel actively farmed ? NOXYES
Me			/32 Signat	ture of Owner (if other than Applicant)
REVIEWE BY		gnature of Municipa	ıl Official	. Date
NOTE T REFERRA	O County review is	required A	conv of the	Agricultural Data Statement must he County Planning Department.

Copy Distribution: WHITE- Z.E.O. CANARY-Planning Board

AGENCY

PINK-Board of Appeals

GOLD-Applicant

🔤 kiPatterson '93 🗠

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:	100	
Name of Action or Project:	And the second s	12/36/00/00 - 14/30/00/00
SUBDIVISION	The state of the s	
SUBDIVI SION Project Location (describe, and attach a location map):		- '- '-
REED ROAD	Stranger Control	
Brief Description of Proposed Action: SUBDIVISION OF 2 LOTS FOR BUILD	MINE LATE FAR	n
	TAING XOIS INC.	
PARCEL TM# 8,-1-1.181-1.2		,
en in it is the part of the contract of the co		. 100 E
Name of Applicant or Sponsor:	Telephone:	7
	Telephone: 585-427	7-0320 XI
Address:	handle had a state	
City/DO:	State: Z	ip Code:
1 SONLIN SRIVE City/PO: ROCHESTER		14624
1. Does the proposed action only involve the legislative adoption of a plan, l	ocal law, ordinance,	NO YES
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.	
2. Does the proposed action require a permit, approval or funding from any		NO YES
If Yes, list agency(s) name and permit or approval: APPROVAL OF TOWN OF BERGEN PLAN	WING DOWN	
3.a. Total acreage of the site of the proposed action?	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	-
or controlled by the applicant of project sponsor:	acres	
4. Check all land uses that occur on, adjoining and near the proposed action		
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Comm	· · · · · · · · · · · · · · · · · · ·)
	(specify):	
☐ Parkland		

	NO	YES,	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	$\stackrel{\sim}{\vdash}$	W	
a. A permitted use under the zonnig regulations:	井	-	H
b. Consistent with the adopted comprehensive plan?		NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural	or of	NO	
landscape?			17
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Are	a?	NO	YES
If Yes, identify:	(1	1
- the state of the	7	NO	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		M	
b. Are public transportation service(s) available at or near the site of the proposed action?	A 1 P		
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed acti	on?	V	7
9. Does the proposed action meet or exceed the state energy code requirements?	从有	NO	YES
If the proposed action will exceed requirements, describe design features and technologies:	-		
10. Will the proposed action connect to an existing public/private water supply?	1,11,12	NO	YES
	- 1	\Box	
If No, describe method for providing potable water:		<u></u>	
11. Will the proposed action connect to existing wastewater utilities?		NO	YES
If No, describe method for providing wastewater treatment:	_ `		
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic		NO	YES
Places?		7	
b. Is the proposed action located in an archeological sensitive area?	1946	Ħ	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain	5 80	NO	YES
wetlands or other waterbodies regulated by a federal, state or local agency?			A
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:			
		7	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all	I	pply:	
Shoreline Forest PAgricultural/grasslands Early mid-succession	nal	PP-J	
☐ Wetland ☐ Urban ☐ Suburban	T	NO	VEC
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
V		NO	YES
16. Is the project site located in the 100 year flood plain?	ar. 408	M	T ES
17. Will the proposed action create storm water discharge, either from point or non-point sources?	2 (200)	NO	YES
If Yes, a. Will storm water discharges flow to adjacent properties? NO YES		V	
a. Will storm water discharges now to adjust it proposes.	-70		
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains If Yes, briefly describe:	3)?		
If Yes, briefly describe:	o v C		
C.39	-		
		A SECTION	2000年

18 Does the proposed exting include construction or other patinistics that you'lt in the impoundment of	NO	YES
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)?	NO	1123
If Yes, explain purpose and size:	ر ا	
ii i es, expiani purpose and size.	V	7
	ш	275
2540		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed	NO	YES
solid waste management facility?		
If Yes, describe:		1 3
The world to the state of the way and the state of the state of the state of the state of the	12	
The state of the s	S. Lot	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or	NO	YES
completed) for hazardous waste?	1 2 15	/
If Yes, describe:		9
a month of the company and the company of the control of the contr	1800 F	-
		11
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE I	BEST O	F MY
KNOWLEDGE		
Applicant/cooper name: GAAV A FILLY Date: 5/5/22		
Applicant sponsor hanc.		
Applicant/sponsor name: GARY C, FINK Date: 5/5/22 Signature: Lary C fink, PLANNING BARD CHAIR		

Agency Use Only [If applicable]		
Project:		
Date:	Or American Contract	

Short Environmental Assessment Form Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

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?	d	
2.	Will the proposed action result in a change in the use or intensity of use of land?	v	
3.	Will the proposed action impair the character or quality of the existing community?	v	
4.	Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	Image: section of the latest depth of the latest dep	
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?	回	
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)?	, I	
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?		

Agen	cy Use Only [If applicable]
Project:	
Date:	

Short Environmental Assessment Form Part 3 Determination of Significance

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.							
1	. /						
Name of Lead Agency	5/6/22						
Name of Lead Agency	Date						
GARY C. FINK	CHAIRMAN						
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer						
Harry (L)							
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)						
angulate of responsible Officer in Lead Agoney	S.B. and S. C. Albarda, (in annual of the state of the st						

PRINT FORM

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)?	NO	YES
If Yes, explain purpose and size:		
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:		
S. Salahan		
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
completed) for hazardous waste? If Yes, describe:		
the state of the second		
		277 10
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE KNOWLEDGE	BEST O	F MY
Applicant/sponsor name: GARY C, FINK Date: 5/5/22		
Applicant/sponsor name: GARY C, FINK Date: 5/5/22 Signature: Jany Junk, PLANNING BARD CHAIR		

VANGUARD

Engineering PC

TRANSMITTAL LETTER

□as requested

Го:	10 Hunter Bergen N		-	Date: From: Project Number: Regarding:	February 22, 2022 Jeremy Kimble 202124 Darby Subdivision Phase 2			
We s	end you th	e following iter	ns:					
(Copies	Date	Description					
4	5	02/08/2022	Subdivision Plan					
1	l	02/15/2022	Subdivision Application with EAF					
]	I	02/15/2022	Signed & Notarized Affidavit					
1	l		\$160 Subdivision Application Fee Check					
]	İ		\$100 Public Hearing Fee Cho	eck				
Wei	ranemit the	e items:						

☐ for your use

⊠ for review and comment

Remarks:

☑ for approval

February 15, 2022

Town of Bergen Planning Board PO Box 249 10 Hunter Street Bergen New York 14416

Re: Darby Subdivision Phase 2; Reed Road, Tax Map No. 8.-1-1.1

Town of Bergen Planning Board:

- 1. We, The Darby Trust, having mailing address of 1 Donlin Drive, Rochester, New York 14624, owners of the above reference property, respectfully request subdivision approval as outlined in the attached drawings prepared by Vanguard Engineering PC.
- 2. Please see attached portion of the title abstract of the aforementioned property, providing a history of conveyances since 1933.
- 3. The property has been subdivided once before, with resulting parcel having Tax Map No. 8.-1-1.2 (#2117 Reed Road). We propose to subdivide the property into three new lots, with the intent to sell two lots for future residential development. The remaining lands will continue to be used for agricultural purposes.
- 4. The above information is accurate and we understand the issuance of a building permit is reliant on the accuracy of this affidavit.

Sincerely,

Marykay D. Viscardi (trustas)
The Darby Trust

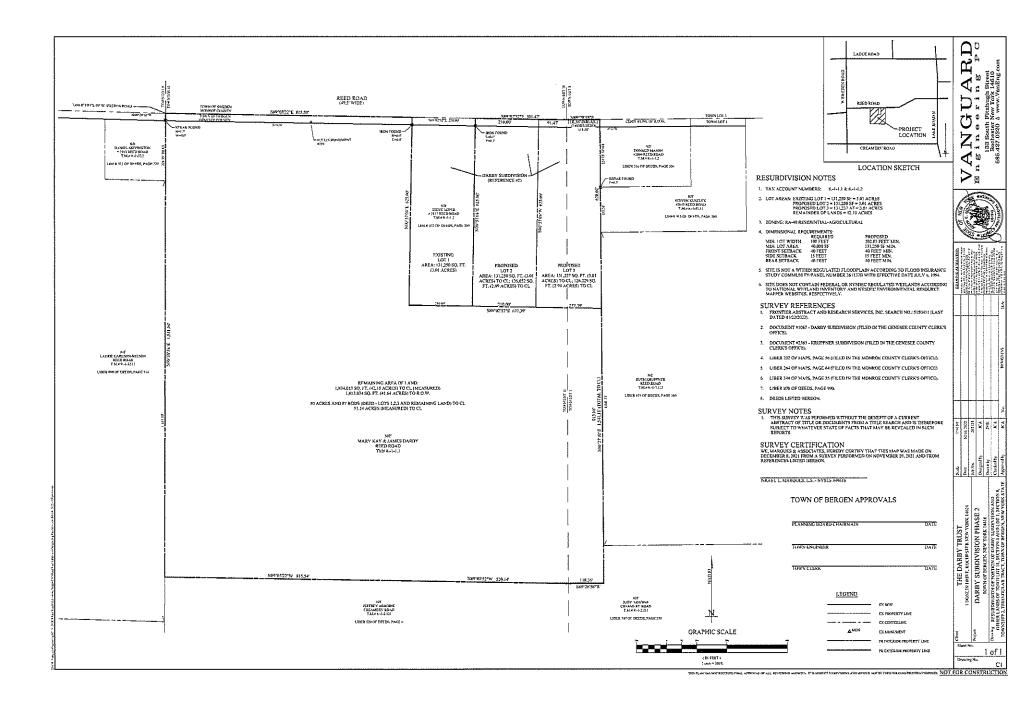
Sworn to me this

day o

. 2022.

Notary Public

FERDI TUGAL
Notary Public - State of New York
No. 01TU6338572
Qualified in Monroe County
My Commission Exp. 03/14/2024



T-02-BER-5-22



T-02-BER-5-22

