



# GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID

**T-02-STAF-12-23**

Review Date

**12/14/2023**

Municipality  
Board Name  
Applicant's Name  
Referral Type  
Variance(s)  
Description:

**STAFFORD, T.**

**PLANNING BOARD**

**Daniel Hinrich**

**Special Use Permit**

**Special Use Permit for the outdoor storage and display motor vehicles for sale.**

Location  
Zoning District

**5762 Main Rd. (NYS Rt. 5), Stafford**

**Commercial (C) District**

### PLANNING BOARD RECOMMENDS:

**APPROVAL WITH MODIFICATION(S)**

### EXPLANATION:

**The required modification are follows: 1) The Town Planning Board set a maximum number of vehicles to be displayed; and 2) Any on-site lighting shall be installed so as to not shine directly onto neighboring properties. With these required modifications, the proposed motor vehicle sales display should pose no significant county-wide or inter-community impact.**

Director

December 14, 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



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

**DEPARTMENT USE ONLY:**  
GCDP Referral # T-02-STAF-12-23

RECEIVED  
Genesee County  
Dept. of Planning  
12/6/2023

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) Stafford Planning Board  
Address 8903 Route 237  
City, State, Zip Stafford, NY 14143  
Phone (585) 344 - 1554 Ext. \_\_\_\_\_

**2. APPLICANT INFORMATION**

Name Daniel Hinrich  
Address 663 Pavilion-Warsaw Road  
City, State, Zip Wyoming, NY 14591  
Phone (585) 813 - 8997 Ext. \_\_\_\_\_ Email draggindan@hotmail.com

MUNICIPALITY:  City  Town  Village of Stafford

**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 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 5762 East Main Street Road, Batavia, NY 14020
- B. Nearest intersecting road Sanders Road
- C. Tax Map Parcel Number 8.-2-10.2
- D. Total area of the property 4.36 acres Area of property to be disturbed 0.0 acres
- 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 182, Section 22, Subsection B, paragraph 1(e)
- C. Please describe the nature of this request Applicant requesting Special Use Permit to use a portion of existing overflow gravel parking area behind Dr. office for a used car sales lot to store vehicles. No active sales on site, no signage, all sales via internet, applicant needs site for vehicle display for his NYS Dealer's license.

**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 checked="" type="checkbox"/> Other: <u>Permission letter from Owner</u> |
| <input checked="" type="checkbox"/> SEQR forms        | <input checked="" type="checkbox"/> Agricultural data statement | <u>Description of proposed use</u>   |

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

Name William VanAlst Title Chairman, Planning Board Phone (585) 233 - 6006 Ext. \_\_\_\_\_  
Address, City, State, Zip 9107 Roanoke Road, Stafford, NY 14143 Email wvanalst@rochester.rr.com

Draggindan@hotmail.com

**TOWN OF STAFFORD**  
**APPLICATION for APPEALS**  
**and/or SPECIAL USE PERMIT**

200 ANNUAL  
Next Appeal Number: 15-23  
# 75  
Date: 11/3/2023

**OWNER**

**APPLICANT (if other than owner)**

Name: Lamparelli & Morse, LLC  
Address: 5762 East main St  
Batavia NY 14020  
Telephone #: Adam Morse 585-356-9516

Name: Daniel Hinch  
Address: 663 Pavilion Warsaw Rd  
Wyoming NY 14591  
Telephone #: 585-813-8997

- Request to the Board of Appeals to appeal the Zoning Enforcement Officer's decision to DENY  GRANT  an application for a Zoning Permit Application Number \_\_\_\_\_ Dated \_\_\_\_\_.
- APPLICATION FOR: Use Variance  Special Use Permit   
Area Variance  Interpretation
- Address of Project Site: \_\_\_\_\_  
Tax Map Number: 8-2-10.2 Zoning District: Stafford
- Has a previous appeal been filed pertaining to this parcel? No   
Yes  If yes, list Appeal No. \_\_\_\_\_ Date \_\_\_\_\_ Purpose of Request: \_\_\_\_\_
- Justification for Request: General Response Please See Attached  
Commercial Zone (A) (B) By Special Letter  
Use Permit (e) Motor Vehicle Sales

A more SPECIFIC RESPONSE should accompany this application on separate sheet(s) of paper. Address each of the statements listed on the back of the GOLD sheet which pertain to your specific appeal.

The Applicant shall submit with this appeal, appropriate supporting materials including, but not limited to, site plans, elevations, traffic circulation diagrams, neighborhood land use maps and any other material that will assist the Board in making a determination regarding this request.

**CERTIFICATION:** I hereby certify that I have read 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 an appeal does not presume to give authority to violate or cancel the provisions of any other state or local ordinance or law regulating construction or performance of construction and/or use.

[Signature]  
Applicant's Signature

Owner's Signature (if other than applicant)

OFFICE USE ONLY

**PROVISIONS of ZONING LAW APPEALED:**

- Article 182 Section 22  
Subsection B Paragraph 1(e)  
state reason; Special Use Permit reqd.
- Schedule A - state reason; \_\_\_\_\_

**FEE COLLECTED:** Date \_\_\_\_\_

TOTAL FEE \$ 75.00 Check # \_\_\_\_\_

**ACTION TAKEN:** Date \_\_\_\_\_

Approved  Rejected

By: \_\_\_\_\_ Chairman  
Signature  
 Board of Appeals  Town Board  
 Planning Board

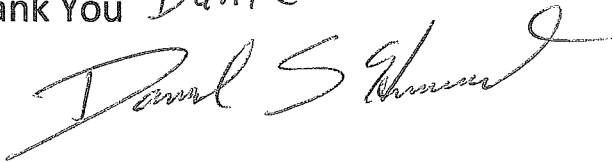
Hello to all,

My name is Daniel Hinrich and I am submitting an application for a special use permit for the back parking lot at address 5762 east main st, Batavia NY 14020.

My plan is to use a small area of the overflow parking lot behind the offices to display vehicles from my used car dealership, it's NOT the location for the business, just a few parking spots to display cars ready for sale. I will NOT be using any signs or large display things as advertisement because I do my advertising online, I will put a piece of paper in the windows of the cars with a phone number and information but that will be the extent of the display.

I do the used car sales on the side and for the most part will probably not even have any cars there at all but I have to have a display lot zoned for it for my license. Again this is not a place to have my business, just park some in the old overflow parking lot.

Thank You Daniel Hinrich

A handwritten signature in cursive script, appearing to read "Daniel S. Hinrich". The signature is written in black ink and is positioned below the typed name "Daniel Hinrich".

Lamparelli & Morse, LLC

8786 Keeney Rd, Le Roy, NY 14482 - 585-356-9704

November 26, 2023

Stafford Town Board,

Please note that Daniel Hinrich has my permission to communicate to the Town of Stafford in matters relating to the use of 5762 Main Road, Stafford, NY 14143. If you have any questions I can be reached at my cell phone 585-356-9704.

Sincerely,

A handwritten signature in black ink, appearing to read "Brittany Morse", with a long horizontal flourish extending to the right.

Brittany Lee Morse

**Agricultural Data Statement**

Date 11/3/23

**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	Owner if Different from Applicant
Name: <u>Daniel Hinrich</u> Address: <u>663 Pavilion Warsaw Rd</u> <u>Wyoming NY 14591</u>	Name: <u>Lamparelli &amp; Morse</u> Address: <u>5762 East Main St</u> <u>Batavia NY 14020</u>

- Type of Application:  Special Use Permit;  Site Plan Approval;  Use Variance;  
(circle one or more)  Subdivision Approval
- Description of proposed project: use old over-flow parking lot to  
park a few cars for display
- Location of project: Address: 5762 East Main St Batavia NY 14020  
Tax Map Number (TMP) 8-2-10.2
- Is this parcel within an Agricultural District?  NO  YES (Check with your local assessor if you do not know)
- If YES, Agricultural District Number \_\_\_\_\_
- Is this parcel actively farmed?  NO  YES
- List all farm operations within 500 feet of your parcel. Attach additional sheets if necessary.

Name: <u>HANSON AGGREGATES</u> Address: <u>MAIN RD STAFFORD NY</u> Is this parcel actively farmed? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES	Name: <u>ROBERT BACHERSKI</u> Address: <u>5696 MAIN RD STAFFORD NY</u> Is this parcel actively farmed? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES
Name: <u>ELIZABETH HEYWOOD</u> Address: <u>MAIN RD STAFFORD NY</u> Is this parcel actively farmed? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES	Name: _____ Address: _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES

[Signature]  
Signature of Applicant

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

Reviewed by: [Signature] 12/6/23  
Signature of Municipal Official Date

NOTE TO REFERRAL AGENCY: County Planning Board review is required. A copy of the Agricultural Data Statement must be submitted along with the referral to the County Planning Department.

# 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.

<b>Part 1 – Project and Sponsor Information</b>			
Daniel Hinrich			
Name of Action or Project: parking cars			
Project Location (describe, and attach a location map): 5762 East main st Batavia NY 14020			
Brief Description of Proposed Action: I would like to use the old overflow parking lot to park a few cars as my display lot for a dealers license.			
Name of Applicant or Sponsor: Daniel Hinrich		Telephone: 585 813 8997	
Address: 663 parker Warsaw Rd		E-Mail: Draggrindan@hotmail.com	
City/PO: Wyoming NY		State: NY	Zip Code: 14591
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 government 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? _____ 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:			
5. <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,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<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 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?	NO		YES
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO		YES
b. Are public transportation services available at or near the site of the proposed action?	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO		YES
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO		YES
If No, describe method for providing potable water: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO		YES
If No, describe method for providing wastewater treatment: _____ _____	<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?	NO		YES
	<input checked="" 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 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?	NO		YES
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	<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 checked="" type="checkbox"/> Agricultural/grasslands
<input type="checkbox"/> Wetland	<input type="checkbox"/> Urban	<input checked="" 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 checked="" type="checkbox"/> <input 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>Daniel Hirsch</u>		Date: <u>12-3-23</u>
Signature: <u>[Signature]</u>		Title: _____

5762

Park a few cars  
Here →



Back Parking Lot

Wm. P. ...  
Engineering

Main St  
RT 5 →

Main St

# T-02-STAF-12-23



04/02/2023