



GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID **T-04-DAR-6-22**
Review Date **6/9/2022**

Municipality	DARIEN, T.
Board Name	TOWN BOARD
Applicant's Name	Jacob Dollard
Referral Type	Zoning Map Change
Variance(s)	
Description:	Zoning Map Change to rezone a parcel from Low Density Residential (LDR) and Mixed-Use Commercial Center (MU-CC) to Commercial (C) District.
Location	Alleghany Rd. (NYS Rt. 77), Darien
Zoning District	Mixed-Use Commercial Center/Low Density Residential Districts

PLANNING BOARD RECOMMENDS:

APPROVAL

EXPLANATION:

The proposed rezoning is consistent with the Town's Comprehensive Plan adopted in 2005 and therefore should pose no significant county-wide or inter-community impact. The Official Future Land Use Map (Appendix A-1) in the Town's Comprehensive Plan shows the area to be rezoned as "Future Recreation and Commercial Support Area." The plan further elaborates, "The area north of Sumner to Reynolds/McVean Road intersection [on NYS Rt. 77] should allow recreational/tourism businesses and residential." (p.32)

Director

June 9, 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) , ☎!+ \$%

Clear Form

DEPARTMENT USE ONLY:

GCDP Referral # T-04-DAR-6-22



*** GENESEE COUNTY *
PLANNING BOARD REFERRAL**

**RECEIVED
Genesee County
Dept. of Planning
5/17/2022**

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

2. APPLICANT INFORMATION

Name Jacob Dollard
Address 810 Mammoth Rd
City, State, Zip Alden, NY 14004
Phone (716) 609 - 2975 Ext. _____ Email jakedollard2@yahoo.com

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 type="checkbox"/> Site Plan Review | <input checked="" type="checkbox"/> Other: <u>Rezone Parcel</u> | |

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

- A. Full Address v/l Alleghany Road
- B. Nearest intersecting road to North - Reynolds Road; to South - Sumner Road
- C. Tax Map Parcel Number 6.-1-10.11
- D. Total area of the property 4 Area of property to be disturbed 0
- E. Present zoning district(s) Front is Mixed Use Commercial Center & Back is Low Density Residential

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

- C. Please describe the nature of this request Rezone parcel so the entire parcel is Commercial

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 checked="" 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>Criteria to Support Rezoning</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 Alice Calmes Title Town Clerk Phone (585) 547 - 2274 Ext. 1026
Address, City, State, Zip 10569 Alleghany Road, Darien, NY 14040 Email townclerk@townofdarienny.com

TOWN OF DARIEN APPLICATION FOR RE-ZONING (revised 4/02/2022)



ORIGINAL

Today's Date: 4/29/22 Application Number: TB-01-22

Owner's Name: Jacob Dollard Tax Map #: 6-1-10.11

Owner's Phone: 716-609-2975 Owner's 2nd Phone: _____

Owner Address: 810 Mammot Rd. Alden NY 14004

Address of re-zone parcel: Allegheny Rd Tax map # 6-1-10.11

Nearest Cross Street: Sumner Rd South, Reynolds Rd. North.

Owner's Email: jakedollard2@yahoo.com; americanconcretecutters@yahoo.com

INSTRUCTIONS:

Fill out the application completely. Submit the application & required attachments to the Zoning Enforcement Officer (ZEO).

1. Zoning District property located in: Residential Low or Medium Density), Industrial, Commercial MU-CC #1 or MU-CC #2 or MU -NC), Recreational
2. Proposed Zoning District: COMMERCIAL
3. Is this parcel: Corner Lot Water District Sewer District Gen Co Smart Growth Plan
4. Dimensions of this lot: 568' length X 400' width and/or area 4 ACRES
5. What is the front set back (in feet) from the project to the street right-of-way (Check Survey for ROW); _____ ft and what is the set back (in feet) from project property line Side A _____ Side B _____ Back _____ (Also depict on plot diagram).
6. Total percentage (%) of coverage of all buildings on lot (including proposed): 3 %
7. Total Dwelling Units: _____

8.

PROPOSED PROJECT	HEIGHT	LENGTH	WIDTH	SQUARE FEET
House				
Garage/Pole Barn				
Accessory Structure				
Commercial	<u>20'</u>	<u>80'</u>	<u>56</u>	<u>4480</u>
Industrial				
Signs				

Describe proposed project and/or use:

Attachments required & verified by ZEO:

Maps/Supporting documentation/Application/Site Plan Layout
Agricultural Data Statement



ORIGINAL

Referral To: Darien Town Board Town Planning County Planning

Requires: Amendment of the zoning ordinance Environmental Determination

5/2/2022
Date of Signature

[Signature]
Signature of ZEO

5/2/2022
Date Fee Received

\$ 60⁰⁰ PH
Fee

[Signature]
Indicate Fees Paid/Town Clerk Use Only

Date of Signature

Signature of Town Supervisor

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.

Designation of Representative to act in my stead form required? _____ (attach form if required)

Kathleen Dallard
APPLICANT SIGNATURE

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

Office Use Only:

Application #: TB-01-22
(For office use only)

Town of Darien Criteria to Support Rezoning

In making its determination, the Town Board shall take into consideration the benefit to the applicant if the request is granted, as weighed against the detriment to the health, safety, moral, aesthetics and welfare of the neighborhood or community. The Town Board shall consider the following:

Explain **how** the proposal conforms to EACH of the following requirements:

1. Undesirable Change in neighborhood Character. The approval of the zoning change will not produce an undesirable change in the neighborhood or a detriment to nearby properties. The existing parcel is vacant scrub land. The land is across the street from a commercially developed 1200 acre parcel containing and amusement park and 21,000 seat concert venue inclusive of associated accessory structures and uses. The parcel is identified in the Town comprehensive plan and zoning law for development.

2. Rational for the rezoning request. Why was the site chosen?

The parcel was available for purchase, fronts a state highway, and provides access to customer base throughout the Western and Central New York region. The owner's are lifelong residents and live within the community.

3. Why the land cannot be used with the existing zoning?

The Comprehensive Plan identifies the area for commercial development but limits by definition uses. The proposed use is allowed in a C zone , but not MU-CC zone even though similar uses and land use intensity is allowed. The comprehensive plan recognized: impact of development is more important than land use, and building/site design in more important than density.

4, Adverse Effect or Impact. The request will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or community.

No, any use of the rezoned site is reviewed and approved by the Darien Planning Board which considers the compatibility of land use, its effect on the environment, and surrounding community.

Kathleen Ballard
Applicant's Signature

4/29/22
Date

TOWN OF DARIEN ZONING LAW

C. Uses Permitted with a Special Use Permit

1. Public and commercial recreation facilities including, but not limited to, amusement parks, camping facilities, theaters, swimming facilities, retail stores, sports fields, ponds and restaurants, which are directly accessible from public roads.
2. Large Scale Solar Energy System
3. Rental Hall (See Sec. 607)
4. Battery Energy Storage System (See Sec. 811)

D. Existing Residential Uses

Residential uses legally existing on the date of adoption of this Zoning Law, may be altered, repaired, rehabilitated, or remodeled provided such changes follow the appropriate area criteria found in the MDR District.

SECTION 704 C-COMMERCIAL DISTRICT

The C District is designed to provide areas within the Town for concentrations of commercial uses. These districts are located along major highways to provide for maximum development potential.

A. Permitted Primary Uses

1. Hotel, motel
2. Restaurant
3. Retail use and/or service
4. Personal service
5. Business and professional office
6. Bank and/or financial institution
7. Wholesale, warehouse and distribution center (enclosed-carried on entirely within a building with no outside storage)
8. Funeral home

TOWN OF DARIEN ZONING LAW

9. Contractor's yard

10. Farm equipment sales and service
11. Recreational vehicles sales and service
12. Self-service storage facility

B. Permitted Accessory Uses

1. Accessory buildings and uses
2. Home occupation (See Sec. 808)
3. Roadside stand (See Sec. 809)

C. Uses permitted with a Special Use Permit

1. Indoor recreation
2. Club
3. Drive-in service
4. Gasoline station-market (See Sec. 804)
5. Gasoline station (See Sec. 804)
6. Motor vehicle sales and/or repair shop (See Sec. 804)
7. Truck stop terminal
8. Public utility
9. Public garage
10. Animal hospital
11. Commercial excavation (See Sec. 805)
12. Child day care facility
13. Adult care
14. Adult business
15. Motor vehicle dismantling (See Sec. 813)
16. Outdoor recreation
17. Enclosed warehouse (carried on entirely within a building, no outside storage)
18. Multi-family dwellings

TOWN OF DARIEN ZONING LAW

19. Accessory residential uses (when accessory to a commercial use located on the same lot)
20. Small wind energy system (SWES) (See Sec. 817)
21. Light industrial use
22. Rental Hall (See Sec. 607)
23. Large Scale Solar Energy System
24. Battery Energy Storage System (See Sec. 811)

D. Existing Residential Uses

Residential uses legally existing on the date of adoption of this Zoning Law, may be altered, repaired, rehabilitated, or remodeled provided such changes follow the appropriate area criteria found in the MDR District.

SECTION 705 MU-CC-COMMERCIAL CENTER MIXED USE ZONE DISTRICT

The MU-CC District is designed to accommodate development of commercial centers. Commercial centers are activity centers that may vary in size and service area. They can service several neighborhoods within a surrounding residential area with a mix of retail, office, civic and shall have attached residential uses.

A. Commercial Mixed-Use Zone Defined

1. Maximum depth of three hundred (300) feet, measured from the edge of the road right-of-way. The Commercial Center Mixed Use Zone shall not exceed the depth of an existing lot of less than three hundred (300) feet (i.e., a lot of which dimensions are three hundred (300) feet frontage equal side yard lot lines of two hundred seventy-five (275) feet and a rear lot line of three hundred (300) feet. In this case, the Commercial Center Mixed Use Zone shall not exceed two hundred seventy-five (275) feet.

TOWN OF DARIEN ZONING LAW

2. MU-CC #1 – The Low-Density Residential area from north bounds of Darien Tax Map # 2-1-42, southerly along the east side of Route 77 (Allegany Road) to the south bounds of Darien Tax Map # 11-1-5.12. (Excluding Flagley Cemetery and State Park Property). The Low Density Residential area from north bounds of Darien Tax Map # 2-1-54.22, southerly along the west side of Route 77 (Allegany Road) to the south bounds of Darien Tax Map # 10-1-16.2.
3. MU-CC #2 – The Low-Density Residential area from the east bounds of Darien Tax Map # 9-1-16.114, westerly along Broadway Road to the west property line of Darien Tax Map # 9-1-16.114. The depth of the area shall be measured from Broadway Road, northward three hundred (300) feet.

B. Special Use Permit Requirement

All permitted uses identified in paragraph C below shall require a Special Use Permit Approval in accordance with this Zoning Law, Section 908 B.2. And Section 908 D. Special Use Permit.

C. Uses Permitted with a Special Use Permit

1. Hotel, motel
2. Restaurant
3. Retail use and/or service
4. Indoor recreation
5. Club
6. Drive-in service
7. Gasoline station-market (See Sec.4)
8. Gasoline station (See Sec. 804)
9. Motor Vehicle sales and/or repair shop (See Sec. 804)
10. Public utility
11. Animal Hospital

TOWN OF DARIEN ZONING LAW

12. Child day care facility
13. Adult care
14. Outdoor recreation
15. Accessory residential uses
(when accessory to a commercial use located on the same lot)
16. Personal service
17. Business and professional office
18. Bank and/or financial institution
19. Distribution center
(enclosed-carried on entirely within a building with no outside storage)
20. Funeral Home
21. Agricultural equipment sales and service
22. Recreational vehicles sales and service
23. Self-service storage facility
24. Rental Hall (See Sec. 607)

D. Permitted Accessory Uses

1. Accessory buildings and uses
2. Roadside stand (See Sec. 809)

E. Existing Residential Uses

Residential uses legally existing on the date of adoption of this Zoning Law, may be altered, repaired, rehabilitated, or remodeled provided such changes follow the appropriate area criteria found in the LDR District.

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Contractor's Yard – Businesses engaged in construction of buildings and structures, remodeling and repairs to existing buildings and structures, electrical services, plumbing services, excavation and grading services, roofing and siding services, masonry services, paving services, well drilling, sewage disposal system installation and services, and other similar services.

Coverage – That percentage of the plot or lot area covered by the total building area.

Curb Level – The officially established grade of the curb in front of the midpoint of the lot.

Decision – The final determination of a local reviewing body or officer regarding an application for a permit or approval.

Dedicated-Use Building - A building that is built for the primary intention of housing battery energy storage system equipment, is classified as Group F-1 occupancy as defined in the International Building Code, and complies with the following:

- 1) The building's only use is battery energy storage, energy generation, and other electrical grid-related operations.
- 2) No other occupancy types are permitted in the building.
- 3) Occupants in the rooms and areas containing battery energy storage systems are limited to personnel that operate, maintain, service, test, and repair the battery energy storage system and other energy systems.
- 4) Administrative and support personnel are permitted in areas within the buildings that do not contain battery energy storage system, provided the following:

Short Environmental Assessment Form
Part 1 - Project Information



ORIGINAL

Instructions for Completing

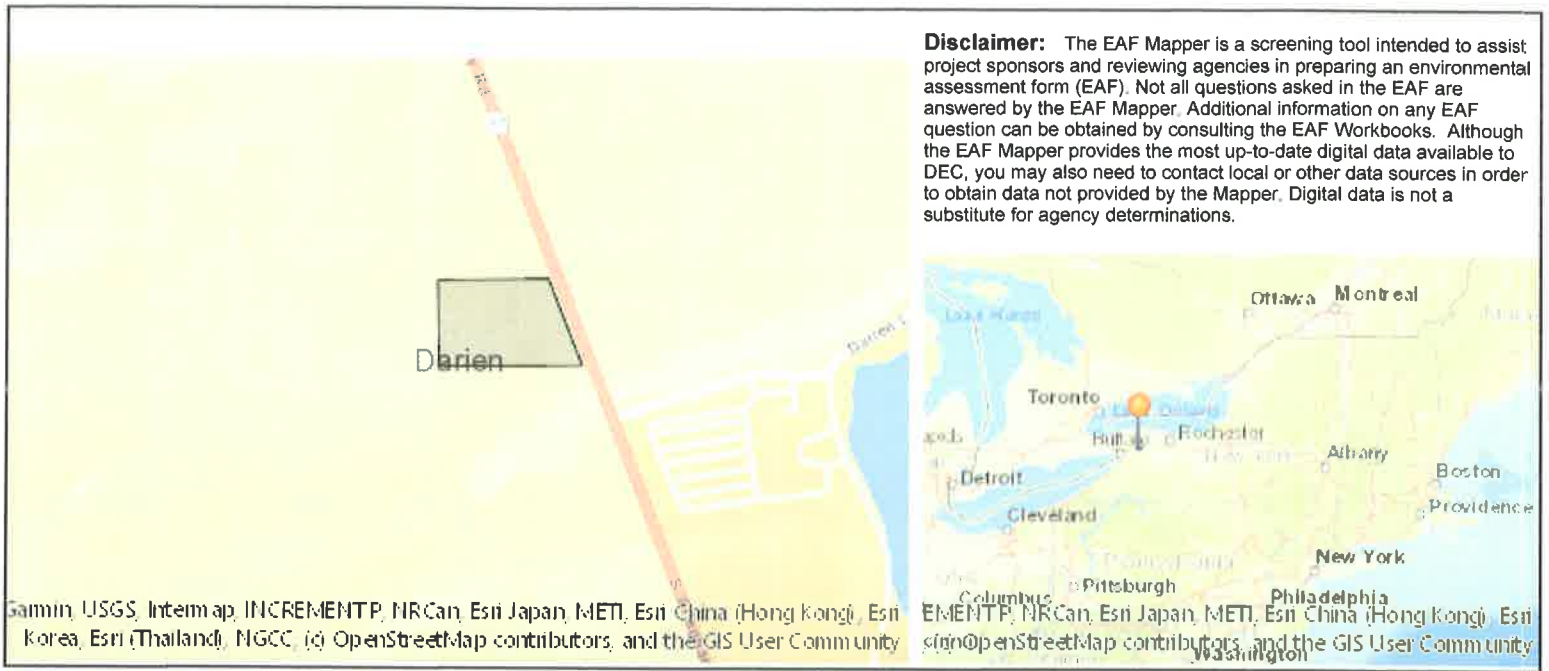
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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 1B-01-22			
Name of Action or Project: American Curb and Concrete Cutters			
Project Location (describe, and attach a location map): Tax Map #6.-1-10.11			
Brief Description of Proposed Action: Request to re-zone from Mixed-Use - Commercial Center/Low Density Residential to Commercial Zone to allow the establishment of a small contractors yard which is not permitted under MU-CC Zone, but is allowed in the Commercial Zone. The re-zone of the new tax parcel allows for common sense placement of a building due to the topography of the front of the lot because of State Highway drainage and grading.			
Name of Applicant or Sponsor: Kathy Dollard		Telephone: 716-913-9991	
		E-Mail:	
Address: 810 Mammoth Road			
City/PO: Darien Center		State: NY	Zip Code: 14040
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 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: Approval to Re-zone the tax parcel by the Darien Town Board.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		4 acres	
b. Total acreage to be physically disturbed?		<1 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		47 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input checked="" 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			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<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	
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	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<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	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ Approved septic system	NO	YES	
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? 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?	NO	YES	
	<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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/> Early mid-successional		
<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? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>
_____ _____		
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)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<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? If Yes, describe:	NO	YES
	<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? If Yes, describe:	NO	YES
	<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>Kathleen Dollard</u>		Date: <u>4/29/22</u>
Signature: <u>Kathleen Dollard</u>		Title: <u>Applicant</u>



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No

TB-01-22

N/F
DAVID F. MISCHLER & ANN C. MISCHLER
L.710 D.012
S.011 D.153.2

- REFERENCES
- DEED TO JACOB C DOLLARD DE2019-1205
 - CORNER STONE ABSTRACT, LLC ABSTRACT No. 3550 DATED NOVEMBER 9, 2018
 - MAP BY McINTOSH & McINTOSH, P.C. DATED JANUARY 3, 2007 REVISED JANUARY 25, 2007 JOB No. B-2803ALTA
 - MAP BY WELCH & O'DONOGHUE DATED: DECEMBER 20, 2018 JOB No. 018-45685
 - DEEDS AND MAPS SHOWN HEREON

- △ = NAIL SET N TREE ROOT
- = IRON PIN SET
- = IRON PIN/PIPE FOUND
- ⊙ = CONCRETE MONUMENT FOUND
- D&M = DEED & MEASURED
- M&M = MAP & MEASURED
- DM&M = DEED, MAP & MEASURED

6.-1-10.11

6.-1-10.13

6.-1-10.12

LOT 3
36.717 ACRES
PART OF S.B. # 1-10.1

LOT 2
6.708 ACRES
PART OF S.B. # 1-10.1

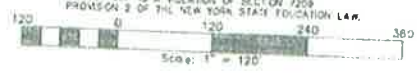
N/F
CNL INCOME DARIEN LAKE, LLC
L.857 D.287
S.B. # 1-10.2

FORMERLY
MARIA BUTKO
L.313 D.179

N/F
CNL INCOME DARIEN LAKE, LLC
L.857 D.287
S.B. # 1-10.1

MAP OF THE DOLLARD LAND SEPARATION
 PREPARED FOR
JACOB C. DOLLARD
 BEING PART OF LOT 8, TOWNSHIP 11, RANGE 4 OF THE HOLLAND PURCHASE
 SITUATE IN THE
TOWN OF DARIEN
GENESEE COUNTY, NEW YORK
 JANUARY 18, 2022

NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 4208 PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.



APPROVED: *[Signature]*
 PLANNING BOARD CHAIRPERSON: *[Signature]* DATE: 1/31/22
 GENESEE COUNTY REAL PROPERTY TAX SERVICES DATE:

This portion referenced action is not subject to Genesee County Health Department review under New York State Public Health Law Article 1716-b.

Signature: *[Signature]*
 Date: 2-1-2022



I HEREBY CERTIFY THAT THIS MAP WAS MADE JANUARY 18, 2022 FROM NOTES OF A SURVEY COMPLETED DECEMBER 15, 2021.

[Signature]
 KEVIN M. O'DONOGHUE, L.S. No. 49514

FILED IN GENESEE COUNTY CLERK'S OFFICE AS:

MAP TITLE: _____

MAP No. _____ SLIDE No. _____

CABINET No. _____ DATE: _____

COUNTY CLERK

WELCH & O'DONOGHUE
 LAND SURVEYORS, P.C.
 P.O. BOX 297
 2077 LAKEVILLE ROAD
 AVON, NEW YORK 14414

PH: (585) 226-2890
 wosurvey@aol.com

JOB No. G21-49245

TB-01-22

DAVID F. MSCHLER & ANN C. MSCHLER
L 710 D 12

- REFERENCES
- 1. FILED TO L 857 D 267
 - 2. RECORD OF THE ASS. MAP
 - 3. 425' X 200' X 425' X 200'
 - 4. 10' 11" NOVEMBER 9, 2018
 - 5. MAP BY MONTGOMERY & MONTGOMERY, P.C.
 - 6. DATED JAN. 18, 2022
 - 7. REVISED JAN. 18, 2022
 - 8. JOB No. 22-0314-01
 - 9. MAP BY KEVIN M. O'DONOHUE
 - 10. DATED 10/16/2022
 - 11. JOB No. 22-0314-02
 - 12. RECORDED MAIL ROOM

1. 14' 0" X 14' 0" X 14' 0" X 14' 0"

2. 14' 0" X 14' 0" X 14' 0" X 14' 0"

3. 14' 0" X 14' 0" X 14' 0" X 14' 0"

4. 14' 0" X 14' 0" X 14' 0" X 14' 0"

5. 14' 0" X 14' 0" X 14' 0" X 14' 0"

6. 14' 0" X 14' 0" X 14' 0" X 14' 0"

7. 14' 0" X 14' 0" X 14' 0" X 14' 0"

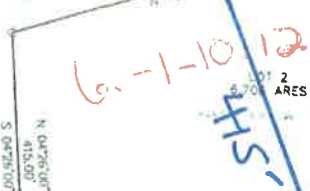
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9. 14' 0" X 14' 0" X 14' 0" X 14' 0"

10. 14' 0" X 14' 0" X 14' 0" X 14' 0"



6.-1-10.13



N/F
CNL INCOME DARIEN LAKE, LLC
L 857 D 267

N/F
CNL INCOME DARIEN LAKE, LLC
L 857 D 267

MAP OF THE DOLLARD LAND SEPARATION
JACOB C. DOLLARD
 BEING PART OF LOT 6 TOWNSHIP 11, RANGE 1 OF THE DOLLARD PURCHASE
 ESTATE IN THE
TOWN OF DARIEN
GENESEE COUNTY, NEW YORK
 JANUARY 18, 2022

APPROVED

PLANNING BOARD CHAIRPERSON

Mark R. Hines 1/31/22

SEAL OF THE TOWN OF DARIEN



HEREBY CERTIFY
 THAT THIS MAP WAS MADE JAN. 18, 2022 FROM
 NOTICE OF A SURVEY COMPLETED DECEMBER 15, 2021

K. M. O'Donohue

KEVIN M. O'DONOHUE, L.S. 49514

FILED IN GENESEE COUNTY CLERK'S OFFICE AS:

MAP TITLE _____

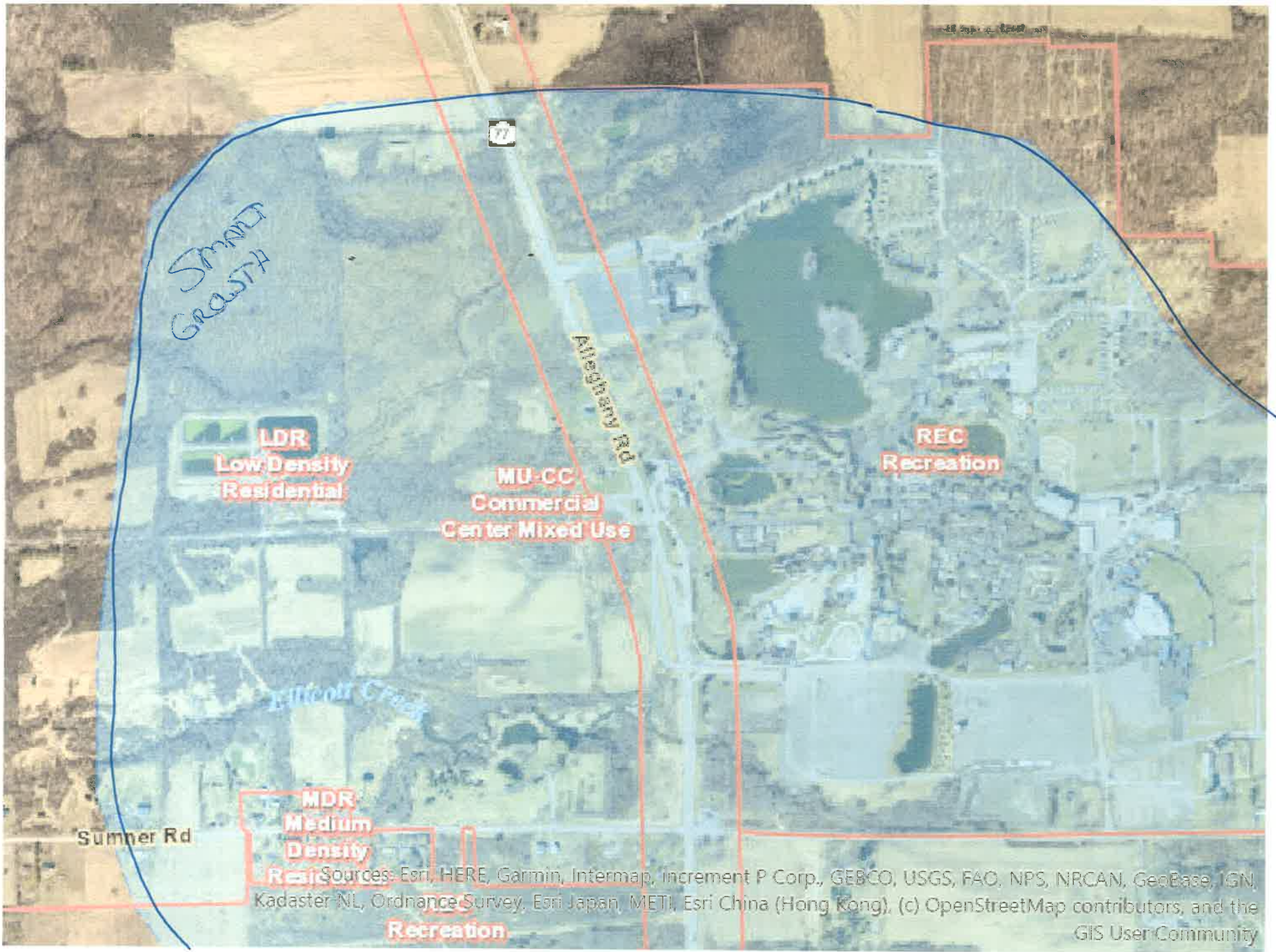
MAP No. _____ SLIDE No. _____

CABINET No. _____ DATE _____

COUNTY CLERK _____

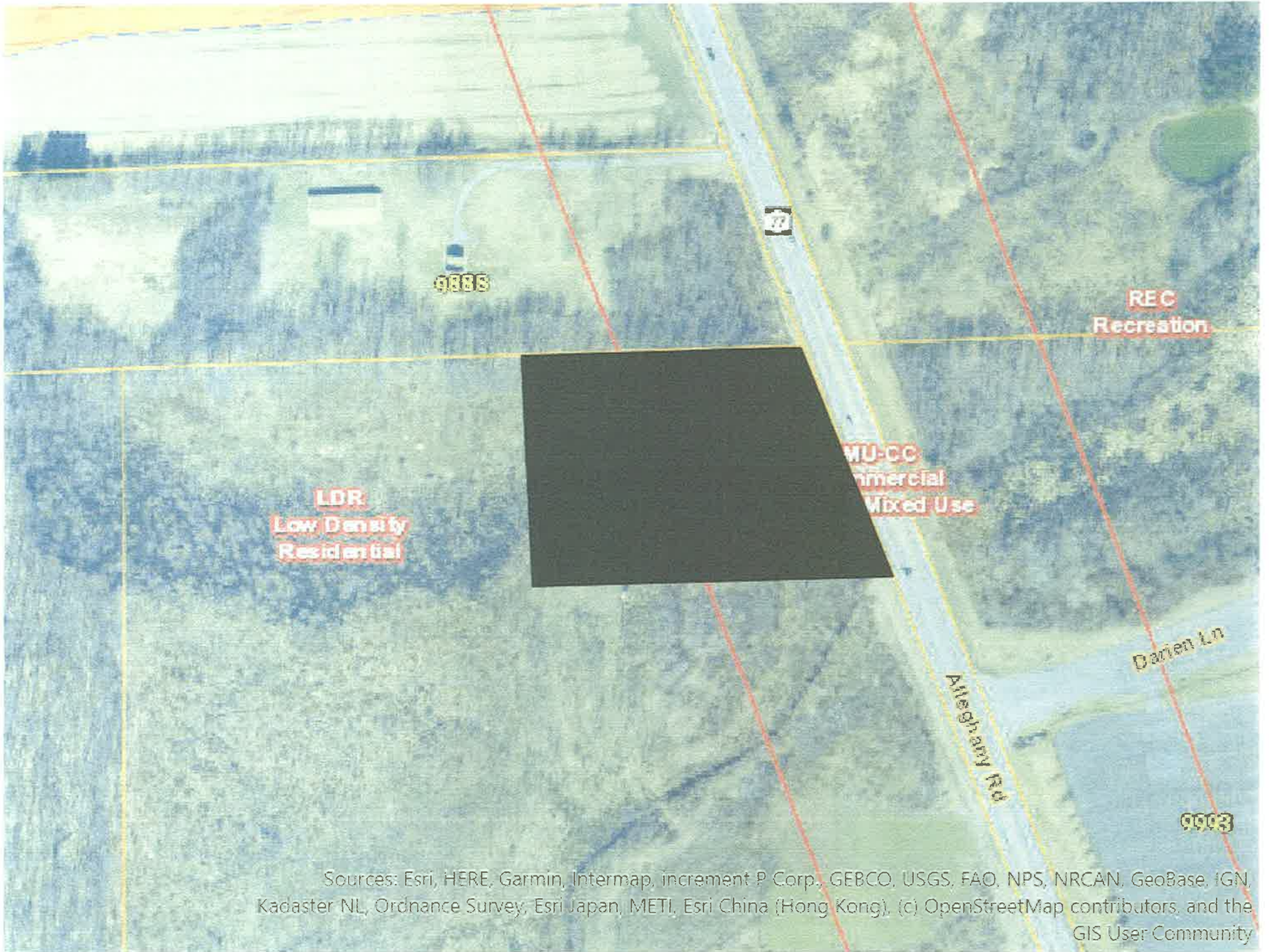
WELCH & O'DONOHUE
 LAND SURVEYORS, P.C.
 2077 LAKEVILLE ROAD
 AVON, NEW YORK 14414

PH: (608) 228-2380



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

1B-01-22

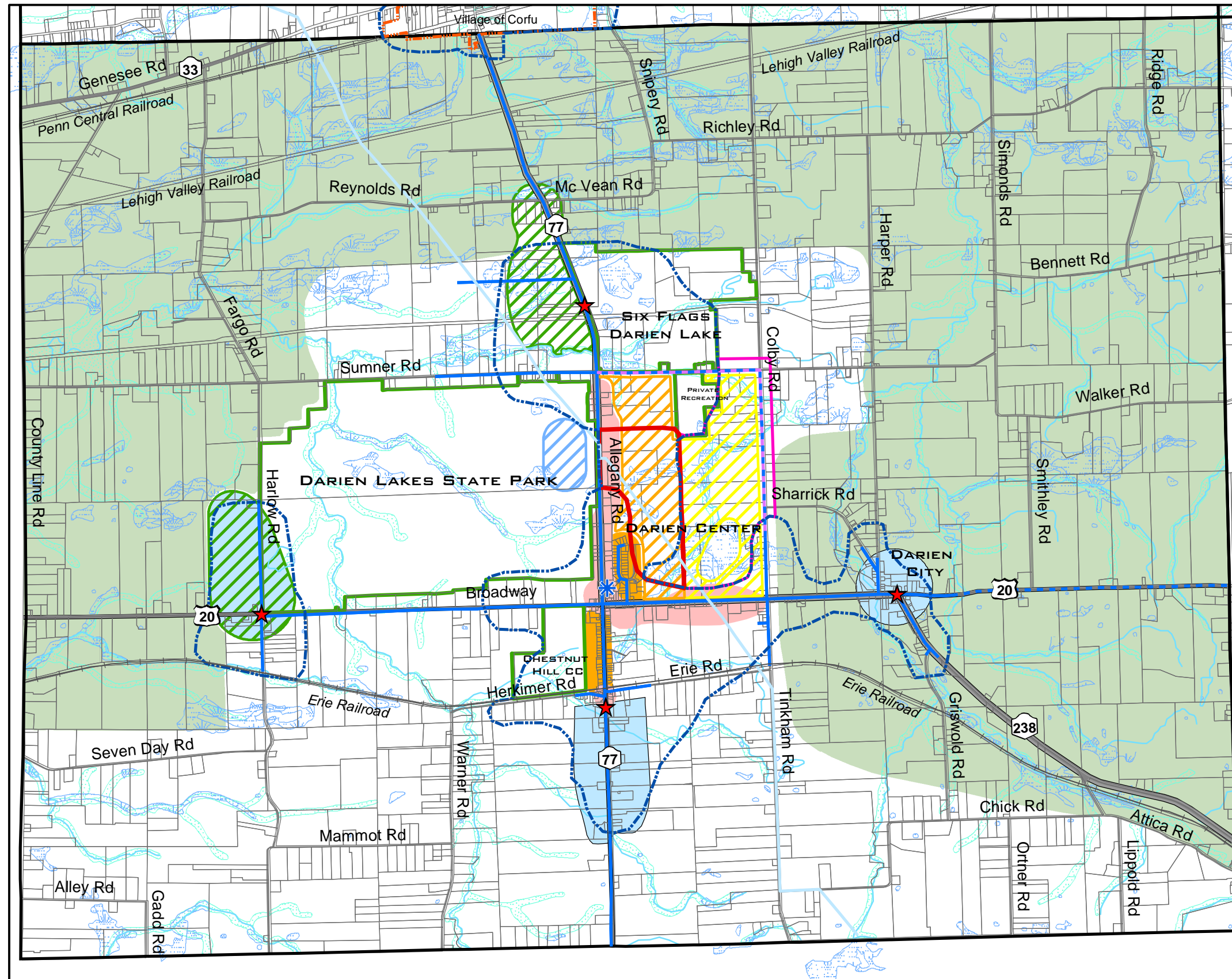


Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

TOWN OF DARIEN

COMPREHENSIVE PLAN - 2005

OFFICIAL FUTURE LAND USE MAP



KEY TO FEATURES

- ★ POSSIBLE GATEWAY LOCATIONS
- ★ TOWN HALL
- ▭ SMART GROWTH DEVELOPMENT AREAS
- ▭ IMMEDIATE DEV. AREA EXPANSION
- ▭ FUTURE DEV. AREA EXPANSION

WATER LINES

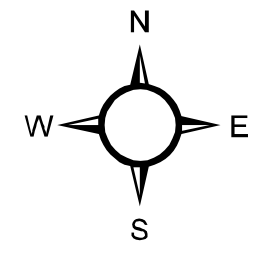
- EXISTING (AKRON TRANSMISSION LINE)
- EXISTING (MCWA)
- - - FUTURE (SMART GROWTH PLAN)
- PROPOSED WATER EXTENSIONS (NEAR TERM)

- ▭ STATE/FEDERAL WETLANDS
- ▭ FLOOD HAZARD ZONES
- ▭ SHORT-TERM FUTURE RES. GROWTH AREA
- ▭ LONG-TERM FUTURE RES. GROWTH AREA
- ▭ SECONDARY GROWTH AREAS
- ▭ LOW DENSITY RESIDENTIAL

KEY TRANSPORTATION CORRIDOR

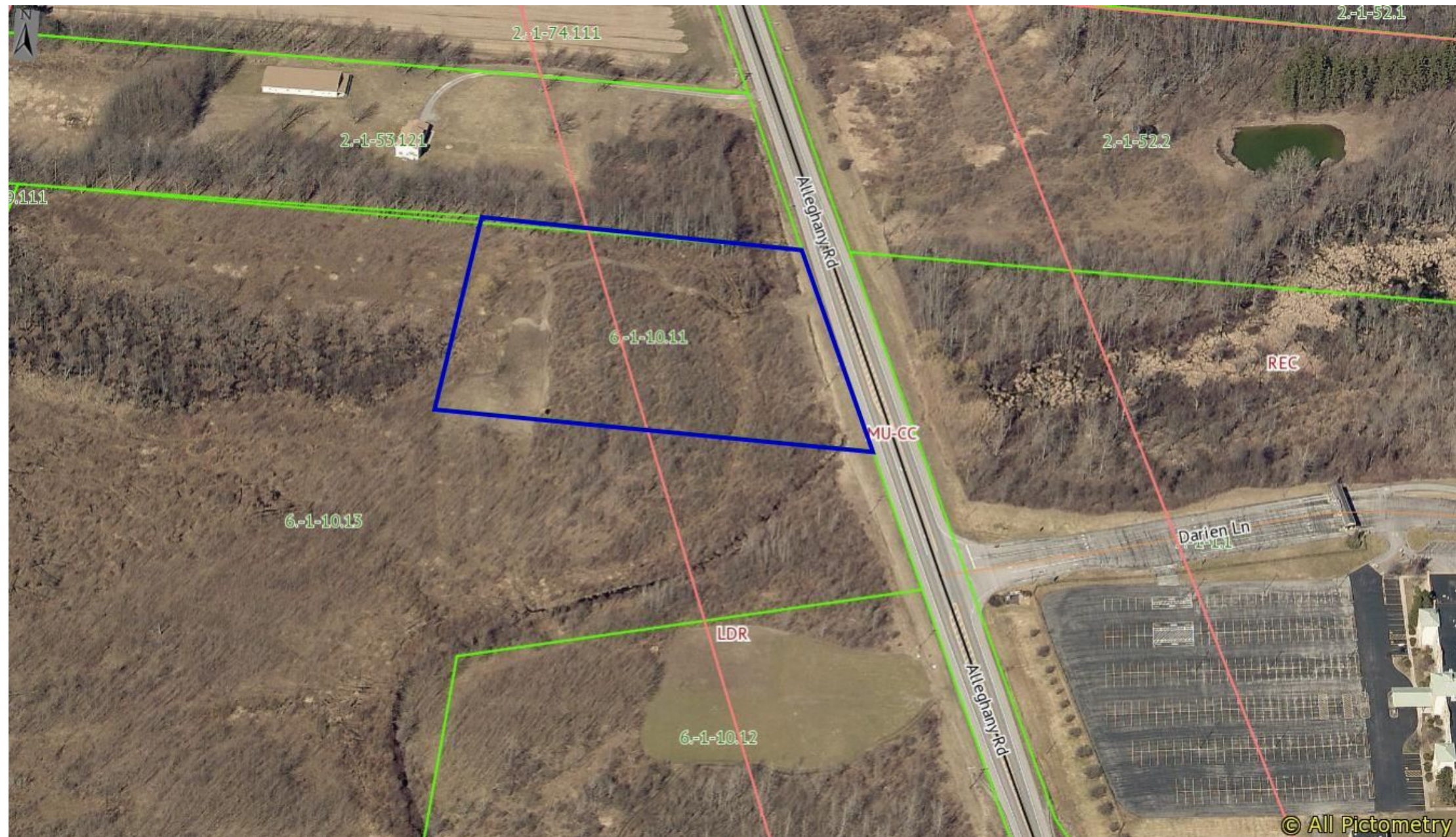
- PRIMARY
- SECONDARY
- ACTIVE RAILROADS
- PONDS AND STREAMS
- ▭ COMMERCIAL/MIXED USE AREAS
- ▭ RESIDENTIAL AREAS
- ▭ FUTURE REC. AND COMM. SUPPORT AREAS
- ▭ EXISTING RECREATION AREAS
- ▭ PROPOSED TOWN PARK AND REC. FACILITIES
- ▭ RURAL - AGRARIAN AREAS

Map Created for the Town of Darien
by the Genesee County Dept. of Planing
January 2005



- The area north of Sumner, although not part of the hamlet, provides a tremendous impact to Darien Center (includes Six Flags Darien Lake).
 - Future expansion of Six Flags Darien Lake across Route 77 is foreseeable
 - The area north of Sumner to Reynolds/McVean Road intersection should allow recreational/tourism businesses and residential
- Along the entire Route 77 corridor from the Six Flags Darien Lake area (Reynolds/McVean Road) to Erie Road could have a zoning overlay district. This zoning overlay could be broken up into three (3) areas (Six Flags area, Sumner to Route 20 intersection, and south of Route 20) which address the district design and architectural/aesthetic requirements for these areas.
 - Six Flags (generally north of Sumner Road) area should reflect the recreational/tourism component of the area. Work with Six Flags to establish image
 - Commercial development along Route 77 between Sumner and Route 20 should reflect the existing character of the community (no corporate stylized buildings, no pylon signs), and should include access management requirements
 - Route 20 to Herkimer Road/Erie Street should generally remain residential in nature with commercial support at these major intersections.
- The Hamlet of Darien City should continue to be a mixed-use area. Commercial uses can be automobile dependent since it is not part of the "downtown" hamlet.
 - Water is available but not sewer, therefore the size of structures will be limited
 - A gateway feature could be established
- The area west of Warner Road on Route 20 should remain rural residential. The area around the Route 20/Harlow Road intersection could be utilized for some limited commercial, recreational or tourism, and also allow residential development. Since no sewer is available, the uses will be small and less dense. So as not to compete with the other commercial areas, only tourism (seasonal) and recreational business uses should be allowed.
- Control urban development in the general vicinity of Darien Lakes State Park and other recreational areas except where such uses are programmed into the plan
- The area between Sumner, Colby, Route 20 and the commercial area along Route 77, could be an area for future residential growth.
 - As farming operations continue to disappear in this area, the Town should investigate the possibilities of extending infrastructure in this area.

T-04-DAR-6-22



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