



## GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID

V-01-BER-02-23

Review Date

2/9/2023

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

**BERGEN, V.**

**PLANNING BOARD**

**Richard Conte - Conte Auto**

**Special Use Permit**

**Special Use Permit to operate a motor vehicle repair shop.**

Location  
Zoning District

**8121 Buffalo Rd. (NYS Rt. 33), Bergen**

**General Commercial (C-1) District**

### PLANNING BOARD RECOMMENDS:

**APPROVAL WITH MODIFICATION(S)**

### EXPLANATION:

**The required modification is that the applicant obtains comments and/or any required driveway permit(s) from NYS DOT for the access points onto NYS Rts. 19 and 33 and for the proposed flower bed within the State right-of-way. With this required modification, the proposed motor vehicle repair shop should pose no significant county-wide or inter-community impact.**

Director

February 9, 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) , 9!+ \$%

**DEPARTMENT USE ONLY:**

GCDP Referral # V-01-BER-02-23



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

RECEIVED  
Genesee County  
Dept. of Planning  
1/31/2023

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) Planning Board  
Address PO Box 100 - 11 N. Lake Ave  
City, State, Zip Bergen, NY 14416  
Phone (585) 494 - 1513 Ext. \_\_\_\_\_

**2. APPLICANT INFORMATION**

Name Richard Conte - Conte Auto  
Address 8121 Buffalo Road  
City, State, Zip Bergen, NY 14416  
Phone (585) 280 - 0080 Ext. \_\_\_\_\_ Email \_\_\_\_\_

MUNICIPALITY:  City  Town  Village of Bergen

**3. TYPE OF REFERRAL:** (Check all applicable items)

- |  |  |                                      |
|--|--|--------------------------------------|
| <input type="checkbox"/> Area Variance                 | <input type="checkbox"/> Zoning Map Change         | 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 8121 Buffalo Road  
B. Nearest intersecting road Rt 19 & Rt 33  
C. Tax Map Parcel Number 4.-1-50  
D. Total area of the property .90 acres Area of property to be disturbed 1520 sq feet  
E. Present zoning district(s) General 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 3 - page 11, Article 5 - page 40 and Article 8 - page 62

C. Please describe the nature of this request Special Use Permit for Vehicle Service and Repair Shop. Previous Special Use permit expired (Article 10 - page 80), new business applying for a new Special Use Permit

**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 checked="" type="checkbox"/> Location map or tax maps | <input checked="" type="checkbox"/> Photos                 |
| <input type="checkbox"/> Subdivision plot plans       | <input type="checkbox"/> Elevation drawings                  | <input type="checkbox"/> Other: _____                      |
| <input 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 Rene' Vurraro Title Chairperson Phone (585) 494 - 1513 Ext. \_\_\_\_\_  
Address, City, State, Zip PO Box 100 - 11 N. Lake Ave Bergen, NY 14416 Email rvurraro@villageofbergen.com

# Village of Bergen

Application to the  
Planning Board  
Special Use Permit

Special Use Number: SP-1-2023

Date: 1-9-23

- Request to the Planning Board to overturn the Zoning Enforcement Officer's decision to Deny  Grant  an application for a Zoning Permit application Number \_\_\_\_\_ Dated \_\_\_\_\_
- APPLICATION FOR: Special Use Permit  Other  Please Specify \_\_\_\_\_
- Address of Project Site: 8121 Buffalo RD bergen NY. 14416  
Tax Map Number: 4.-1-50 Zoning District: G1C
- 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 we would like to open a general repair shop under the name of Conte's Auto. (vehicle service repair)



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

The Applicant shall submit with this request, appropriate supporting materials including, but not limited to, site plans, elevation, traffic circulation diagrams, neighborhood land use maps and any other materials 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 or performance of construction and/or use.

Rob Conte 1-9-23  
Applicant's Signature Date

[Signature] 1-9-23  
Owner's Signature (if other than applicant) Date

Office Use Only

Provisions of Zoning Law for Special Use:

Article \_\_\_\_\_ Section \_\_\_\_\_  
Subsection \_\_\_\_\_ Paragraph \_\_\_\_\_

State Reason: \_\_\_\_\_  
\_\_\_\_\_

Fee Collected Check# CC  
Special Use Fee \$ 200.00  
Public Hearing Fee \$ TBD  
Total Fee \$ 200.00  
pd

\_\_\_\_\_  
Signature - Zoning Enforcement Officer



# SITE PLAN REVIEW APPLICATION

## VILLAGE OF BERGEN

11 North Lake Avenue, PO Box 100, Bergen, NY 14416

Phone: (585) 494-1513 Fax: (585) 494-1730

### PLEASE COMPLETE ALL REQUIRED INFORMATION

*(incomplete applications cannot be processed)*

Preliminary  Final  Minor  Major

**\$200 – Minor Site Plan**  
**\$300 Major Site Plan**

#### CONSTRUCTION/EXPANSION/ALTERATION:

- Multi-family/Nonresidential Use, Over 250 sf  Minor
- Multi-family/Nonresidential Use, Over 1000 sf  Major
- Accessory Use or Structure, Single/Two family Over 250 sf  Minor
- Accessory Use or Structure, Multi-family/Nonresidential Use  Minor
- Accessory Dwelling Unit  Minor
- Landscaping/Exterior Lighting, Mechanical Equipment or Stormwater/Green Infrastructure for Multi-family/Nonresidential  Minor
- Off-Street Parking/Loading Area, 10 spaces or less  Minor
- Off-Street Parking/Loading Area, Over 10 spaces  Major
- Driveway, Joint, Shared or U-Shaped, Residential  Minor
- Driveway, Requiring New or Altered Curbcut  Major
- Solar Engery System (Accessory Use or Structure)  Minor
- Parks or Playgrounds (Public Use)  Minor
- Telecommunication Equipment  Major

#### OTHER ACTIONS:

- Change of Use  Minor
- Amendment to Approved Site Plan  Minor
- Planned Unit Development District  Major
- Demolition of Structure(s) in VCC District  Major
- Action involving Utility Infrastructure  Minor

#### LOCATION:

Street Address: 8121 Buffalo RD. Bergen NY 14416

Tax Map number: 4-1-50

Zoning district: TVR LDR GC NC VCC MU-LI GI

Total Site Area (sq feet or acres) 1500 Ft<sup>2</sup>

**APPLICANT:**

Name: Richard Conte

Phone: 585-280-6080

Mailing Address: 7 Central Ave  
Batavia NY 14020

Email: Reon717@gmail.com

Owner (if different) Dante Leasing LLC

Phone: 585-453-7862

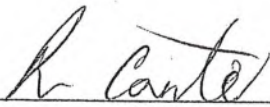
Mailing Address: 3875 W. main ST RD  
Batavia, NY 14020

Email: \_\_\_\_\_

**\*\*PLEASE READ IMPORTANT INFORMATION BELOW\*\***

- Minor and Major site plan applications shall be reviewed and decided upon by the Planning Board
- General Review & Application Procedures can be found in Article 10 in the Village Zoning Law
- All Site Plan Review information is included in Article 11 in the Village Zoning Law
- Application requirements can be found in section §11-6 of the Village Zoning Law
- Sketch plan should be included on plot diagram §11-4 of the Village Zoning Law
- A public hearing shall be required for all major site plan applications, section §10-7 in the Village Zoning Law
- All referrals shall be made in accordance with section §10-5 of the Village Zoning Law and the 2022 Agreement with Genesee County Exempting Certain Minor Land Use Actions from Genesee County Planning Board Review.

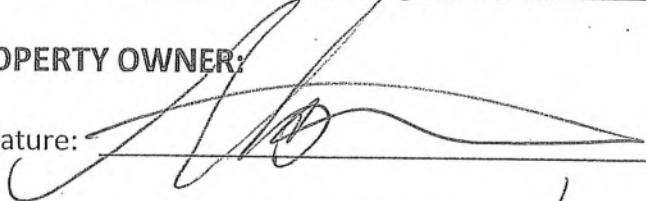
**APPLICANT:**

Signature: 

Date: 1-9-23

Printed Name: Richard Conte

**PROPERTY OWNER:**

Signature: 

Date: 1-9-23

Printed Name: Dante Leasing LLC / Mel McDonald

Planning Board Chairperson: 585-494-1513  
Village of Bergen website: [www.villageofbergen.com](http://www.villageofbergen.com)  
Zoning Law available on Village website

## SITE PLAN REVIEW APPLICATION

### Description or Narrative of all proposed uses or structures

**BUSINESS PLAN:** Conte's Auto is a complete auto and truck repair shop. We specialize in both gas and diesel vehicles. As a full service auto center we offer a wide range of service from vehicle maintenance, oil changes, breaks, tires, tune ups, engine compartment, drive train, suspension, exhaust, electrical wiring, welding and more. All Parts, oils, fluids, etc. will be purchased from a parts store/vender as needed to do the job. We also plan to offer recycled parts from the neighboring salvage yards as a cheaper alternative to a customer that may not be able to afford a new part. Detailing will be available with a scheduled appointment. Full interior and exterior details. Includes exterior waxing's and under coating. We want to make every customers experience at Conte's a great one, Earning the respect of every customer by doing what we do best and sticking to our motto- Done Once, Done Right!

**HOURS OF OPERATION:** Monday-Friday 8:00am-5:00pm, Saturday-8:00am-12.00pm, Sunday off

**NUMBER OF EMPLOYEES:** There will be one employee in the office greeting walk in customers as they enter. He/she will be scheduling new appointments, calling customers for pick up, ordering parts for delivery and giving the customer any other necessary information needed. Coffee and a snack vending machine will be available once established. We have a master gas and diesel technician as our second employee running the shop. He has been a master mechanic for 15-20 years with a wide range of expertise. His knowledge offers any service required from vehicle maintenance, breaks, tune ups, oil changes, engine rebuilds/replacement, transmission rebuild/replacement and much more! We plan to offer NYS inspections in the near future. Each employee will have their own liability insurance and receive a 1099 at the end of the year.

**RECYCLING AND WASTE PLAN AND STORAGE:** We are going through Casellas for a commercial dumpster set for a bi weekly pick up. A dumpster screen will be installed surrounding the dumpster. We drain all used oil into a lidded container and once full transport to the nearest oil recycling center such as Autozone or Advanced. We plan to store any new or used parts/tires in a 12x12 storage room off of the shop. Any other waste will be legally disposed of.

**Interior floor plan:** Spacious 12'x20' office that

was just freshly renovated with wall patching and paint throughout with brand new commercial style carpet tile flooring. The office can comfortably seat 6 persons. It serves as a comfortable waiting room for customers with baseboard heat, cool AC, 2 Roku flat screen Televisions, spectrum with free guest Wi-Fi and a Keurig coffee maker with a variety of k-cups, sugar and creamers. Off of the office is an 8'x6' employee break room which contains a mini fridge, microwave and air fryer for lunch/break time. Also contains a 4'x8' bathroom for employee and customer use. It contains a fully functional toilet, sink and vanity with mirror. The 30'x25' shop has 2 full bays that will comfortably fit 2 cars at a time. We have a 12'x12' storage room off of the shop for complete storage use of parts, oil, tires, etc. it contains shelving and overhead storage. The shop is currently under renovation with patching and painting throughout. We also plan to install a brand new lift in replace of the current lift.

**Equipment used/required:** A fully functional shop requires a wide variety of tools to get the job done at a reasonable time. We have a lift in one bay of the shop for easy access to the undercarriage of the vehicle. Tire machine and balancer for easy wheel and tire maintenance, 30 gal compressor with 3 hose reels, 13.3 inch full system obd2 scanner tablet with 35 maintenance resets professional vehicle diagnostic car code reader tool-PLATINUM S20, 180 amp mig welder, pneumatic tools such as impacts, drills, grinders etc. alignment machine, NYS inspection CVIS unit, oil pans and waste jugs, full metric and American socket sets, full metric and American wrench sets, hand tools, screwdrivers, chisels, files, tap and die sets, sledge hammers, pry bars, detailing tools, pressure washer, scrub brushes, buffers, shop vacuums and much more. All tools are stored away in a large tool box. The tire machine and balancer will be in the storage room next to the compressor. The welder is stored in the back right corner of the shop.

**Exterior renovation plan:** As a business owner of a construction company called enhanced renovations, we plan to renovate the exterior. Remove pieces off broken or falling debris, Patch all exterior walls as needed, fresh paint job, charcoal grey walls, white garage doors and trim with black doors and casings around doors and windows. We would like to replace the red stripe going across the top of the building with a checkered flag stripe. Yellow pin striping on top and bottom of the checkered pattern as shown in the photos provided. We would like to have an internally illuminated sign installed in the front of the building and a flat wall sign on top of east side of building along with new window stickers. We plan to remove weeds, fill cracks, reseal the parking lot and add line striping for parking. Repair any side walk damages. Check roof. Build an awning above the front office door. Land scape a 10'x6' section of flowers in the front grass area of parking lot and Possibly construct a 15'x10' enclosed lean to off of the rear of the building for additional storage.

**Deliveries:** Parts for the day will be ordered by the office manager a day in advanced with a scheduled morning drop off to the shop manager at the shop door which will be indicated shop in lettering on the door.

# DANTE LEASING LLC

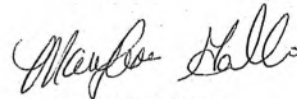
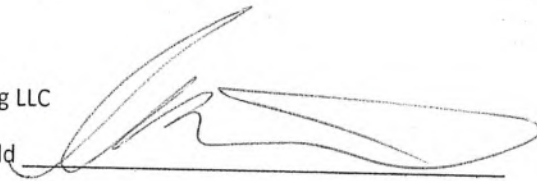
3875 WEST MAIN ST RD

BATAVIA, NY 14020

I, Mel McDonald, an operating officer of Dante Leasing LLC which owns 8121 Buffalo RD Bergen, NY 14416, permit Richard Conte to operate Conte's Auto out of the stated location. This includes new signs, branding and the site plan presented by Richard conte.

Dante Leasing LLC

Mel McDonald



MARYANN GALLO

01GA6277382

Notary Public, State of New York

Qualified in Genesee County

My commission expires March 4, 2015

Richard Conte



MARYANN GALLO

01GA6277382

Notary Public, State of New York

Qualified in Genesee County

My commission expires March 4, 2015



# BUSINESS CERTIFICATE

I HEREBY CERTIFY that I am conducting or transacting business under the name or designation of:

Business Name Conte's Auto  
Business Address 8121 Buffalo RD Bergen NY 14416 Genesee  
(Street Address) (City) (State) (Zip Code) (County)  
Business Phone Number 585-280-0080

My Name is Richard Conte  
I reside at 7 central Ave Batavia NY 14020 Genesee  
(Street Address) (City) (State) (Zip Code) (County)

I FURTHER CERTIFY that I am the successor in interest to: N/A  
the person or persons heretofore using such name or names to carry on or conduct transact business:

IN WITNESS WHEREOF, I have signed this certificate on 1-3-23

\*\*\*If under 21 state age

R Conte  
Signature

STATE OF NEW YORK  
COUNTY OF: Genesee

On 1/3/2023 before me, the undersigned personally appeared Richard Conte

Personally know to me or proved to me on the basis of satisfactory evidence to be the individual(s) who name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or person upon behalf of which the individual(s) acted, executed the instrument.

SARA J FORTE  
Notary Public, State of New York  
No. 05FO6395287  
Qualified in Genesee County  
Commission Expires July 29, 2023

Sara Forte  
Notary Public

STATE OF NEW YORK  
GENESEE COUNTY

I, Michael T. Cianfrini, Clerk of the County of Genesee of the County Court of said County and of the Supreme Court, both being courts of Record having a common seal, DO HEREBY CERTIFY that I have compared this copy with the original

DESCRIPTION: DBA  
DATE: 01/03/2023  
INSTRUMENT#: DBA2023-1

filed, recorded, or entered in this office and that the same is a correct transcript thereof and of the whole of said original.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County and Courts on

Date: 01/03/2023

*Michael T. Cianfrini*

Michael T. Cianfrini  
Genesee County Clerk

By: *fb*

GENESEE COUNTY CLERK  
MICHAEL T. CIANFRINI

Receipt

---

Receipt Date: 01/03/2023 11:06:18 AM  
RECEIPT # 28

Recording Clerk: NYGEFEE  
Cash Drawer: CASH1  
Rec'd Frm: RICHARD CONTE/AMB  
Rec'd In Person

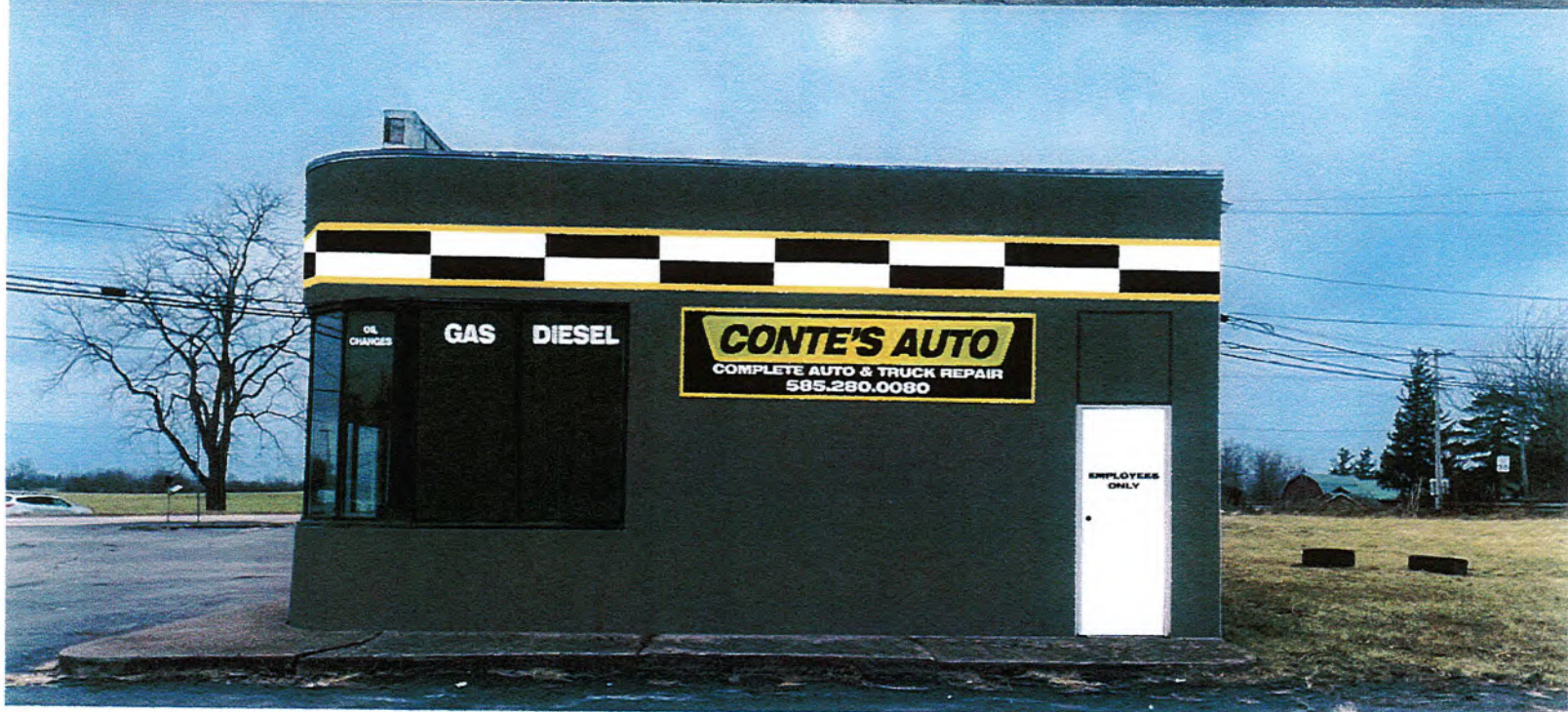
Instr#: DBA2023-1  
DOC: DBA  
OR Party: CONTE RICHARD LEWIS  
EE Party: CONTE'S AUTO

Recording Fees	
DBA Filing	\$25.00
Certified Copy	\$5.00
Form	\$1.00

DOCUMENT TOTAL: ---->	\$26.00
MISC TOTAL: ---->	\$5.00

Receipt Summary

Document Count: 1	
TOTAL RECEIPT: ---->	\$31.00
TOTAL RECEIVED: ---->	\$100.00
CASH BACK: ---->	\$69.00
<hr/>	
PAYMENTS	
Cash ->	\$100.00





Map data ©2023, Map data ©2023 20 ft

Measure distance

Total area: 45,536.95 ft<sup>2</sup> (4,230.52 m<sup>2</sup>)

Total distance: 845.47 ft (257.70 m)

Property Footage



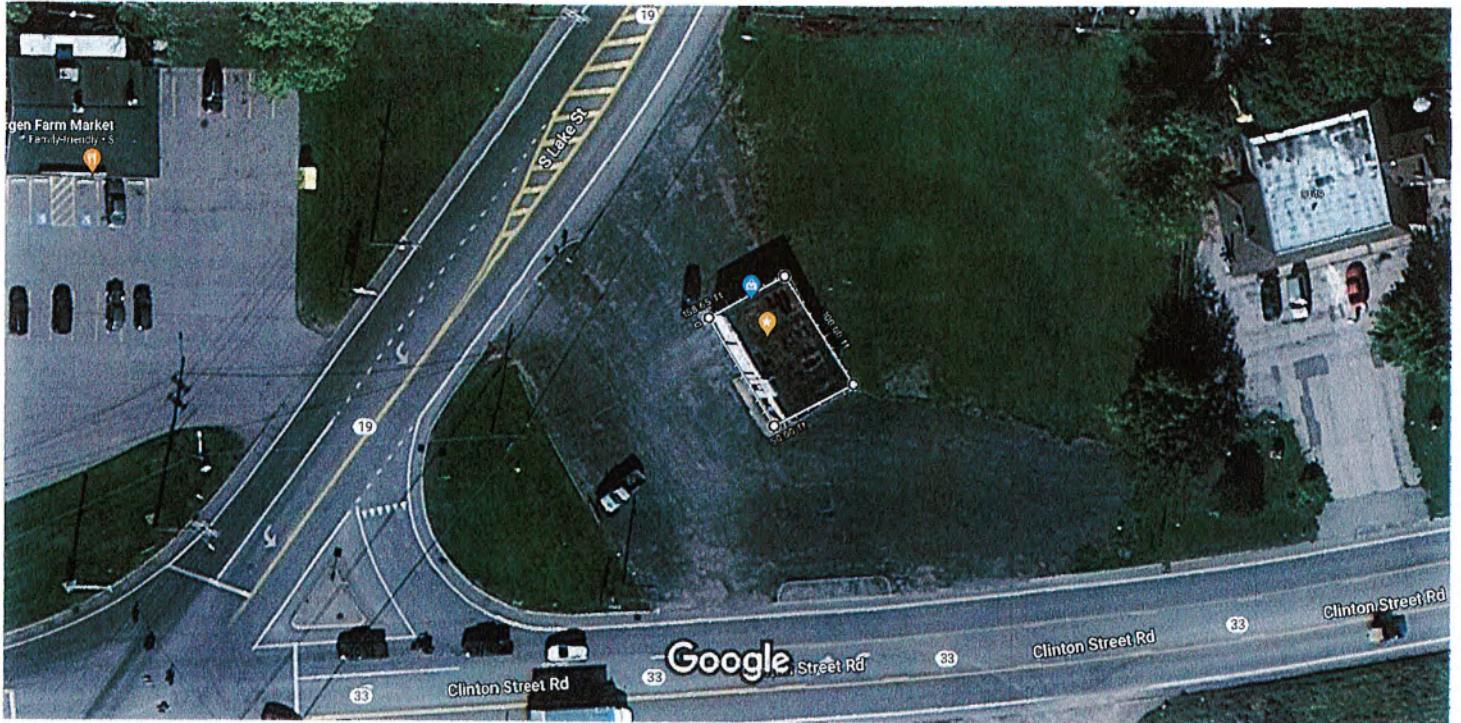
Imagery ©2023 Maxar Technologies, New York GIS, Map data ©2023 50 ft

Measure distance

Total area: 18,437.22 ft<sup>2</sup> (1,712.87 m<sup>2</sup>)

Total distance: 753.60 ft (229.70 m)

Total Lot Footage

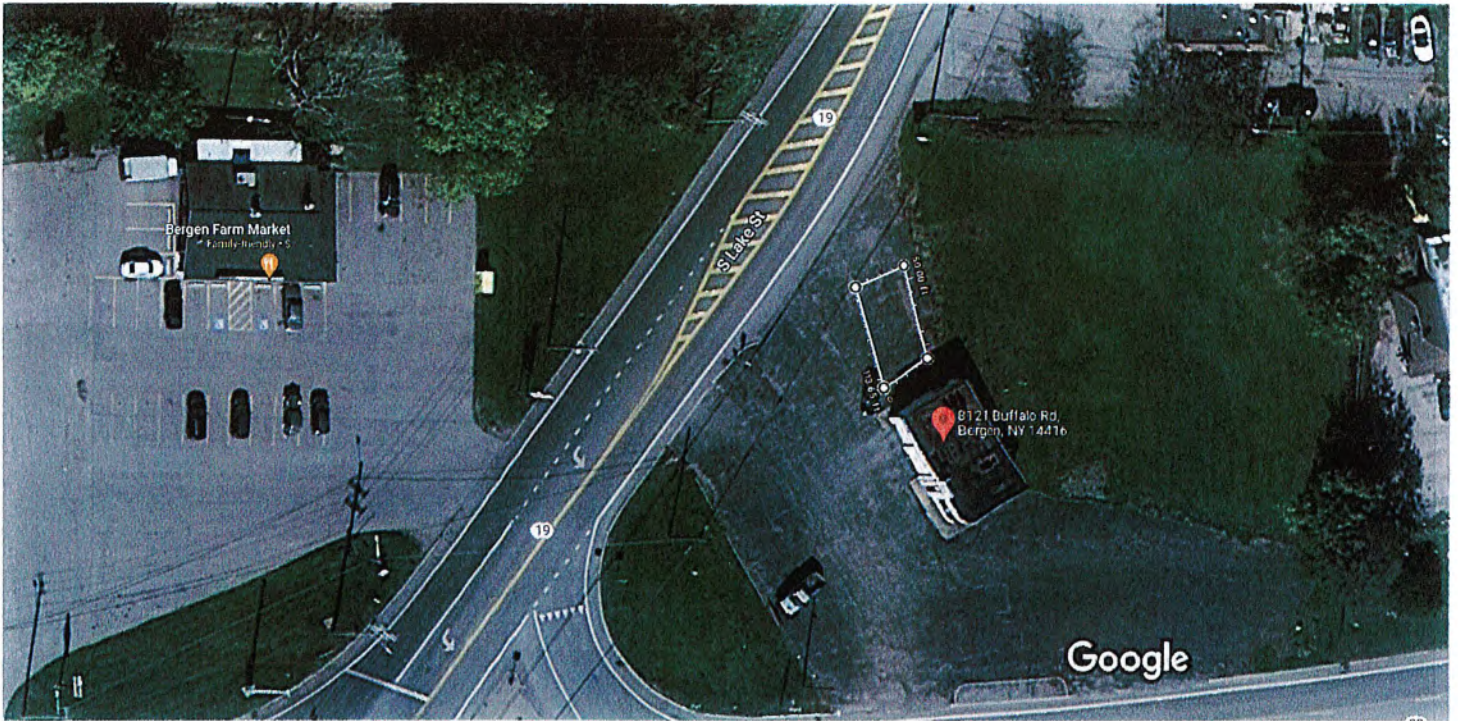


Map data ©2023, Map data ©2023 20 ft

Measure distance  
Total area: 1,516.77 ft<sup>2</sup> (140.91 m<sup>2</sup>)  
Total distance: 158.65 ft (48.36 m)

Building footage

# Google Maps 8121 Buffalo Rd



Imagery ©2023 Maxar Technologies, New York GIS, Map data ©2023 20 ft



Cars being worked  
on  
(5 spaces)

measure distance  
total area: 717 Ft<sup>2</sup>  
total distance: 113 ft

## 8121 Buffalo Rd

Building



Directions



Saved



Nearby



Send to phone



Share

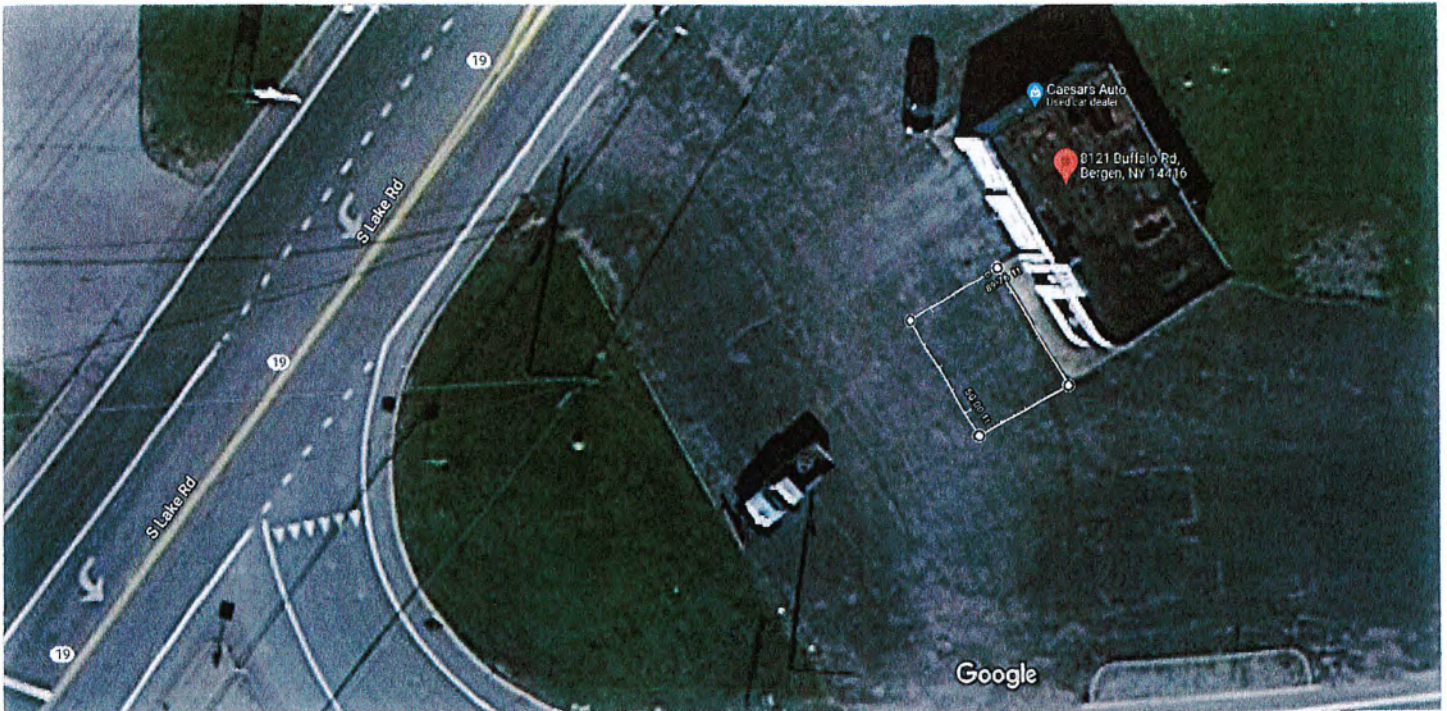


Saved in Starred places



[View list](#)





Map data ©2023, Map data ©2023 20 ft



- Handy cap spot included  
 walk in customer parking  
 (3 vehicle spaces)


### 8121 Buffalo Rd

Building

-  Directions
-  Saved
-  Nearby
-  Send to phone
-  Share

★ Saved in Starred places ▼

[View list](#)

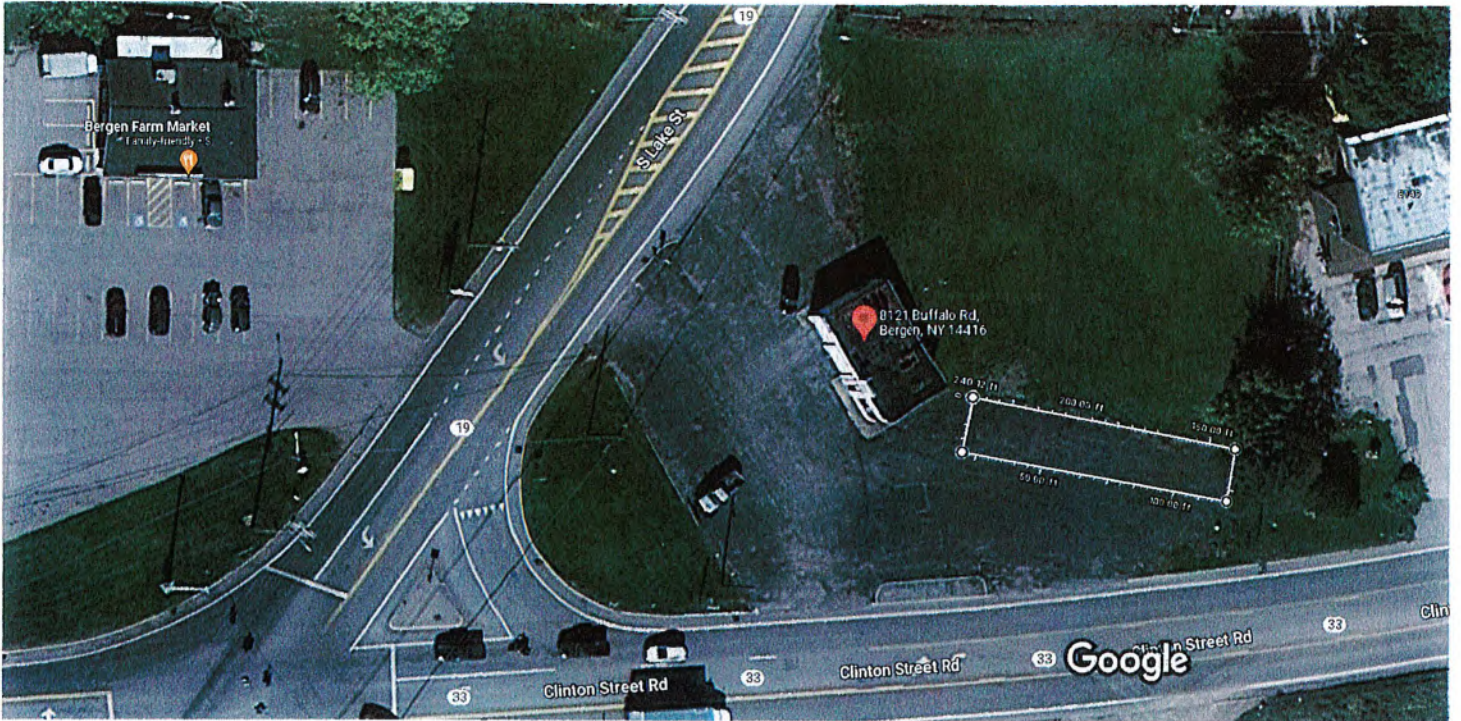
 8121 Buffalo Rd, Bergen, NY 14416

Photos

At this place

measure distance  
 total area: 494.00 Ft<sup>2</sup>  
 total Distance: 89.76 Ft<sup>2</sup>

# Google Maps 8121 Buffalo Rd



Map data ©2023, Map data ©2023 20 ft








completed customer cars  
and employee parking.

measure distance  
Total area: 1995 Ft<sup>2</sup>  
total distance: 240 Ft

## 8121 Buffalo Rd

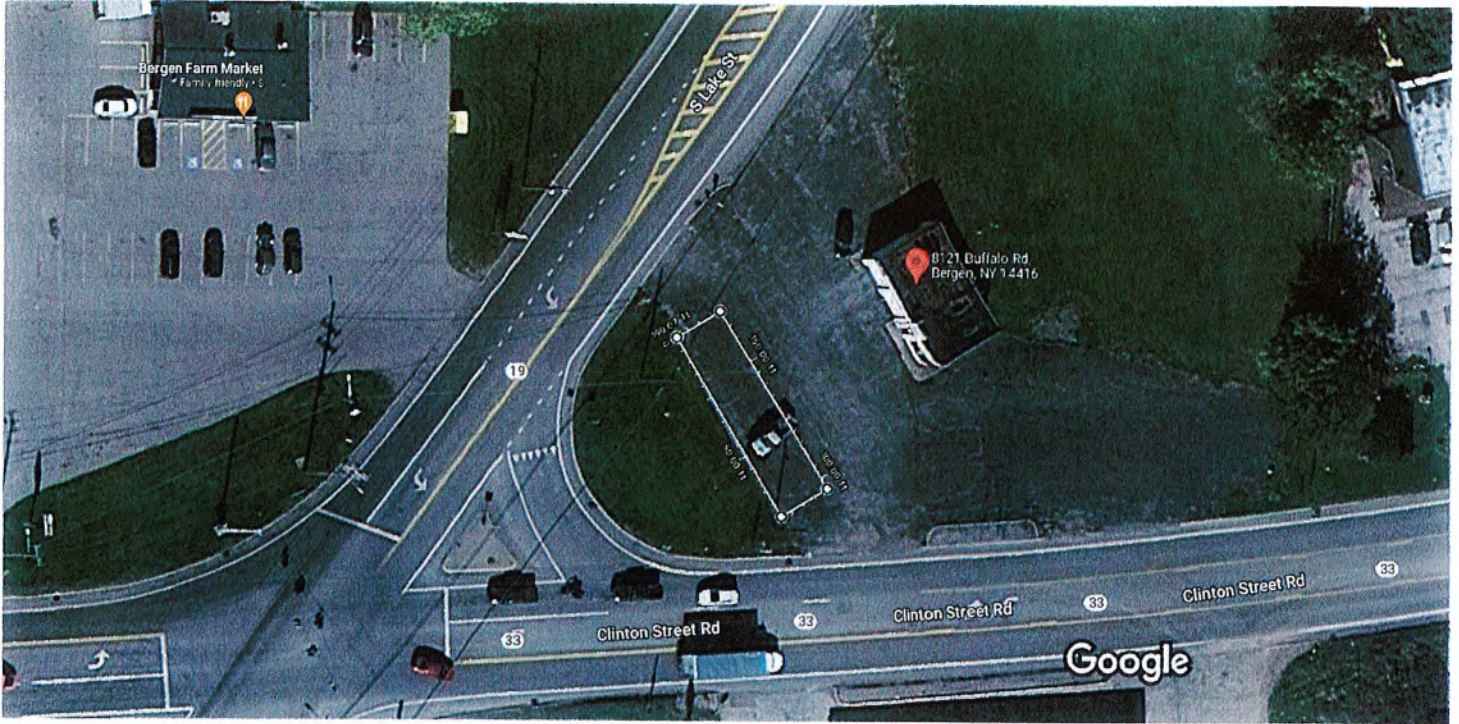
Building

-   
Directions
-   
Saved
-   
Nearby
-   
Send to phone
-   
Share

★ Saved in Starred places ▼

[View list](#)

# Google Maps 8121 Buffalo Rd



Map data ©2023, Map data ©2023 20 ft








Additional customer  
parking  
(10 spaces)

measure distance  
total area 1,450. ft<sup>2</sup>  
total distance 190.00 ft<sup>2</sup>

## 8121 Buffalo Rd

Building

-   
Directions
-   
Saved
-   
Nearby
-   
Send to phone
-   
Share

★ Saved in Starred places ▼

[View list](#)



Awning

Awning for Above front door



ARS Auto  
1-1040

Re Do  
parking lot



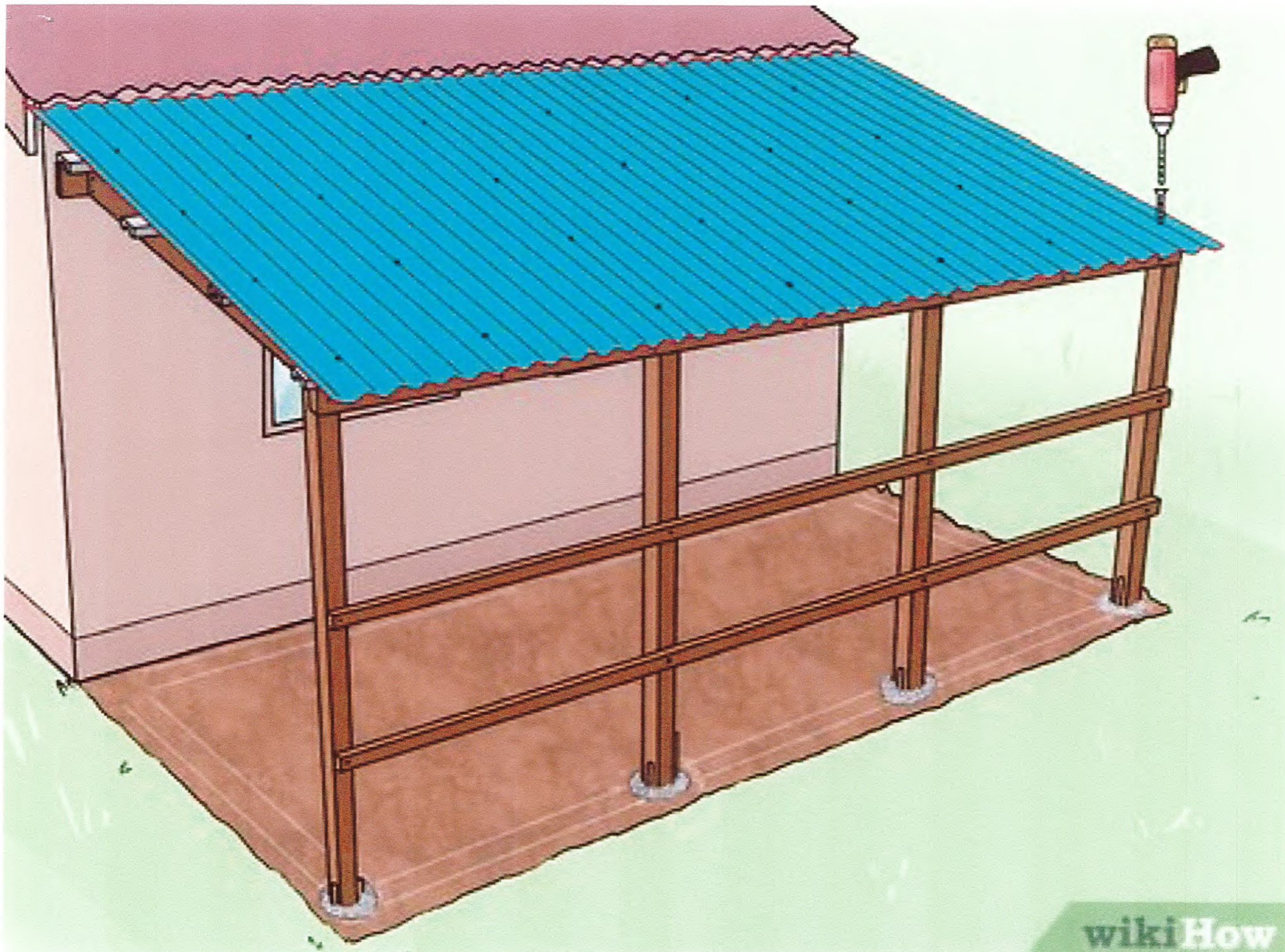
LEAN TO

15'

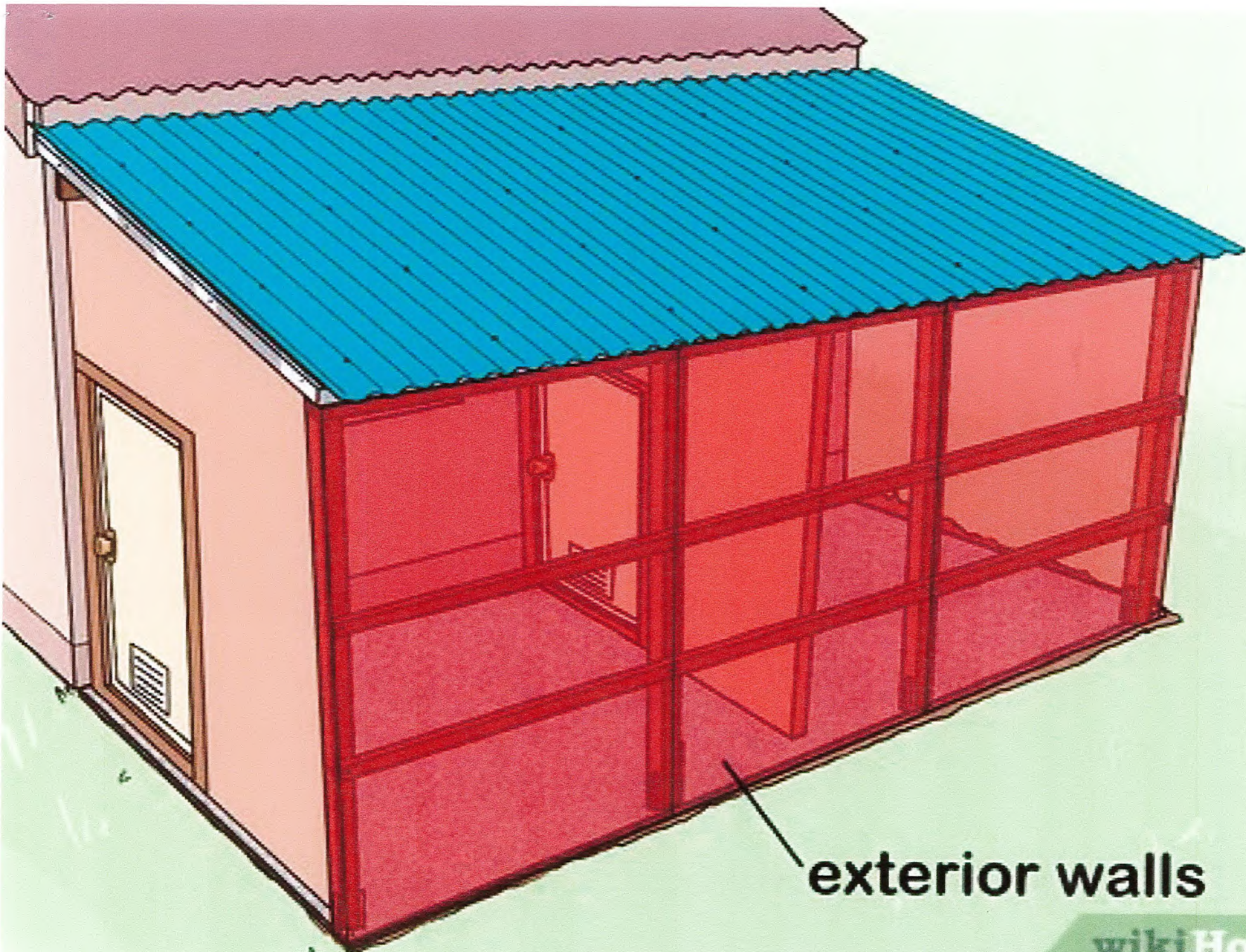


10 FT







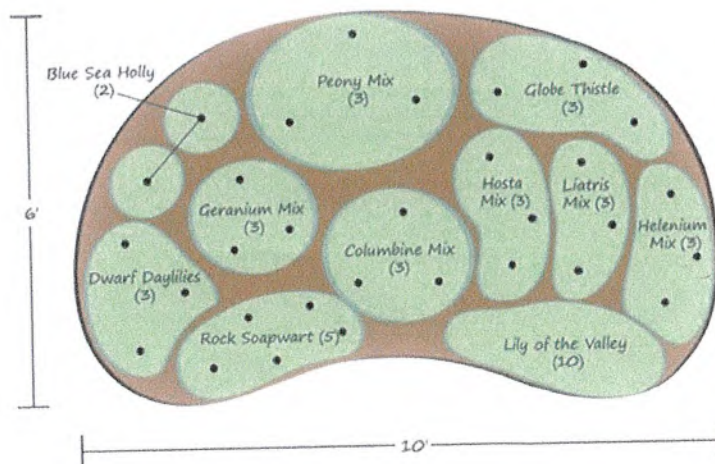


**exterior walls**



Dumpster Screen

# Flowers



Bergen, New York

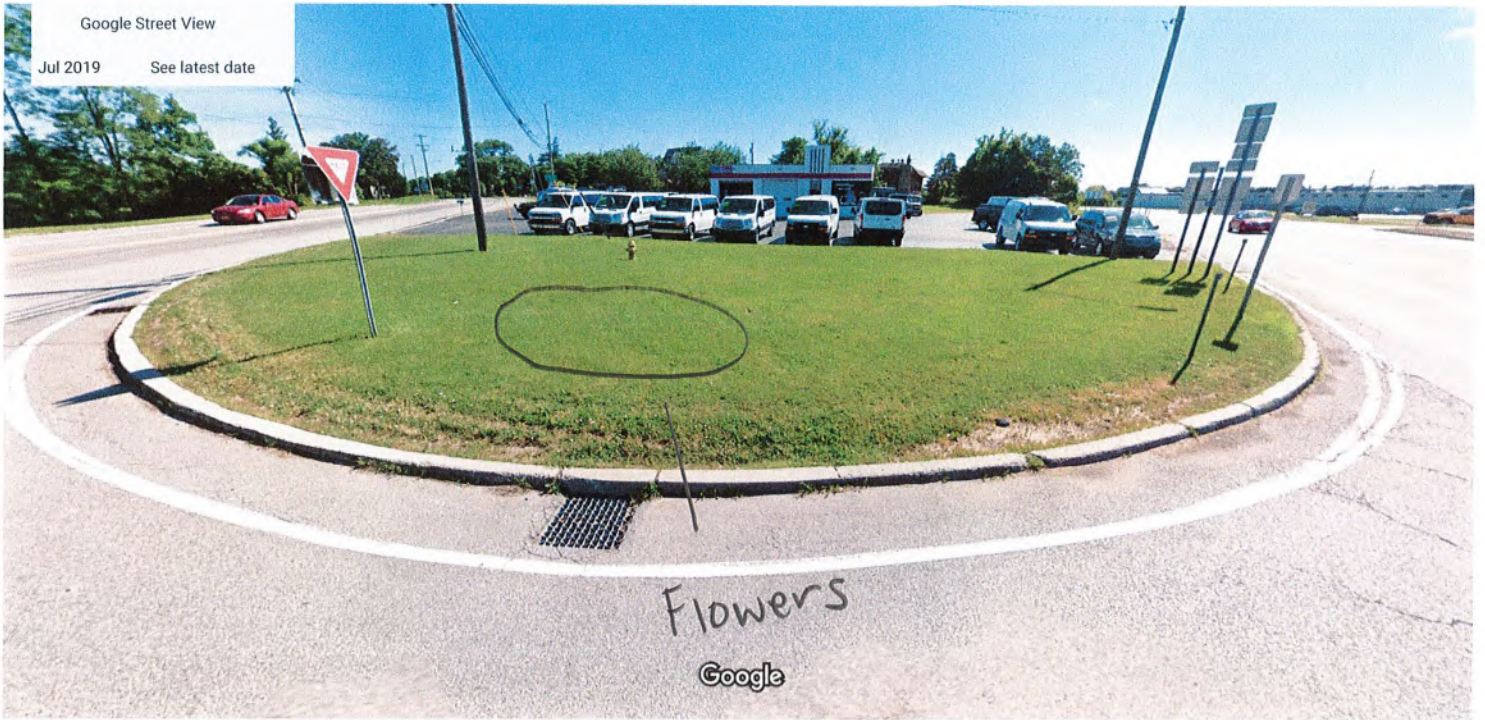
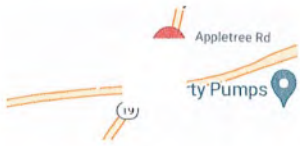


Image capture: Jul 2019 © 2023 Google





Flowers

V-01-BER-02-23



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04/06/2021