

Darien Town Board Meeting

September 2, 2026

Agenda

Open Meeting @ 7:30 p.m. & Pledge of Allegiance to the Flag

Approval of minutes

Resolution to complete SEQR parts II and III and accept

Resolution to approve zoning change 0 County Line Rd. (attached)

Notifications:

- Sewer Updates
- 2027 Budget in progress
- 2027 Tentative Budget will be ready the week of September 29, 2025, for Distribution to Board members
- Budget workshop tentatively scheduled for October 21th 22nd 27th 28th as needed at 7:30 pm

Department Reports

Highway

ZEO

Planning Board

Town Attorney

Assessor

Building Inspector

ZBA

Town Engineer

Town Clerk

Tax Collector

Historian

Treatment Plant

Council Reports

Abstract – Motions to approve payment of Bills

Comments from the Public

Motion to Adjourn

TOWN OF DARIEN
RESOLUTION TO APPROVE RE-ZONING OF PROPERTY
IN THE TOWN OF DARIEN

Adopted: September 2nd, 2026

WHEREAS, the Town Board of the Town of Darien met at a regular board meeting at the Town Hall located at 10569 Alleghany Road, Darien Center, New York, 14040, on the ____ day of _____, 2026, commencing at __:__ P.M. and the following members were:

Present:	Supervisor	_____
	Council Member	_____
	Council Member	_____
	Council Member	_____
	Council Member	_____
Absent:	_____	_____

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, Section 104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, the Town of Darien received an Application for re-zoning from John M. Zoladz on or about June 1st, 2026, to re-zone a parcel within the Town of Darien, which includes approximately 2.7 acres of land, pursuant to New York State Town Law, Article 16, Section 262 entitled "Districts"; and

WHEREAS, said parcel is located at 0 County Line Road, Town of Darien, SBL#: .9-1-34.21, and is described herein as follows:

"ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Darien, County of Genesee, State of New York, being part of Lot 35 Township 11 Range 4 of the Holland Land Company's Survey, and being more particularly described as follows:

BEGINNING at a point in the west line of Lot 35, being the centerline of County Line Road, and being the west line of the County of Genesee, at a distance of 218.00 feet north of the northwest corner of lands of Walter R. Gaczewski and Joan R. Gaczewski as described in a deed recorded in the Genesee County Clerk's office in Liber 384 of Deeds at Page 215, as measured along the said west line of Lot 35;

thence northerly along the west line of Lot 35, a distance of 300.00 feet to a point;

thence easterly at right angles to the said west line of Lot 35, a distance of 396.00 feet to a point in the east line of lands described in Liber 310 of Deeds at Page 562;

thence southerly along the east line of said lands described in Liber 310 of Deeds at Page 562, a distance of 300.00 feet to a point;

thence westerly a distance of 396.00 feet to the point or place of beginning, containing 2.7 acres more or less."; and

WHEREAS, the applicant proposes a change in the zoning of said parcel from Low Density Residential (LD-R) to Commercial (C) for the purpose of outdoor commercial storage; and

WHEREAS, the nature of the Commercial proposal of the applicant is not within the scope of uses allowed for a Special Use Permit in a Low Density Residential District under the Town of Darien Zoning Code Section 1001, et seq., and therefore a re-zoning of the parcel is deemed appropriate for this circumstance; and

WHEREAS, applications received by the Town of Darien proposing a change in zoning from Low Density Residential (LD-R) to Commercial (C) require Site Plan Review, per the Town of Darien Zoning Schedule A, attached hereto as *Schedule A*; and

WHEREAS, the applicant originally proposed a minimum set back of 25 feet from the neighboring shared property line of a parcel located to the south (SBL#: 9.-1-33.1) zoned Low Density Residential District and said parcel neighbors a parcel located to the North (SBL#: 9.-1-34.1) which is currently zoned Commercial (C) District; and

WHEREAS, the Town of Darien received an amended Application for re-zoning from Mr. Zoladz on or about July ___, 2026, which updated the minimum set back to 30 feet from the neighboring shared property lines, making the property in compliance with the Town of Darien Zoning Code and no longer requiring review and an area variance by the Town of Darien Zoning Board of Appeals; and

WHEREAS, the Town of Darien Planning Board, at a meeting on the 15th day of June, 2026, reviewed the application to re-zone the above-mentioned parcel made by Mr. Zoladz, and has determined that such application meets the requirements of Section 704 “C – Commercial District” of the Town Code and as such has determined to approve the application and make recommendation to the Town Board; and

WHEREAS, the application was submitted by the Town Clerk to the Genesee County Planning Board and reviewed by the Genesee County Planning Board at their meeting on June 11th, 2026 with comments being received by the Town on June 11th, 2026; and

WHEREAS, the Town of Darien Town Board set a Public Hearing at their July 1st, 2026 Town Board meeting for the 5th day of August, 2026, commencing at 7:50 p.m. in the Town Offices of the Town of Darien, to hear all interested parties and citizens for or against the proposed re-zone, in accordance with New York State Town Law, Article 16, Section 264 entitled “Adoption of Zoning Regulations”; and

WHEREAS, the Town Clerk of the Town of Darien published notice of such Public Hearing on _____, 2026 in the Newspaper and on _____, 2026 at the Town Clerk’s Office, properly posting and publishing as required by New York State Town Law, Article 16, Section 264 entitled “Adoption of Zoning Regulations”; and

WHEREAS, the Town of Darien Town Board held such Public Hearing on the 5th day of August, 2026, commencing at 7:50 p.m. in the Town Offices of the Town of Darien, to hear all interested parties and citizens for or against the proposed re-zone; and

WHEREAS, the Town Board has considered the proposed project, reviewed the Short Environmental Assessment Form, including the criteria set forth in 6 NYCRR § 617.7(c), thoroughly analyzed the relevant areas of potential environmental concern, considered the

potential environmental impacts and their magnitude in connection with the proposed project, and completed Parts II and III of the Short Environmental Assessment Form pursuant to the State Environmental Quality Review Act (SEQR), a copy of which is annexed hereto as *Schedule B*; and

WHEREAS, in accordance with the same, the Town Board of the Town of Darien finds no adverse long-term or short-term environmental impacts with regard to the proposed project, and authorizes the Town Supervisor for the Town of Darien may issue a Negative Declaration on behalf of the Town Board, in accordance with SEQR; and

NOW ON MOTION OF _____ which has been duly seconded by _____, be it

RESOLVED, that the Town Board of the Town of Darien hereby authorizes Stephen Ferry, Jr, Town Supervisor, to execute Parts II and III of the SEQR Short Environmental Assessment Form (annexed hereto as *Schedule B*); and be it further

RESOLVED, that the Town Board of the Town of Darien finds that the proposed action does not present any significant short-term or long-term environmental impacts, and henceforth the Town of Darien hereby issues a negative declaration pursuant to the SEQR Short Form Environmental Assessment process; and be it further

RESOLVED, that the application meets requirements of New York State Town Law, Article 16 entitled “Zoning and Planning” and the Town of Darien Zoning Code, Article V entitled “Establishment of Districts” and Article VII entitled “Requirement by Districts”; and

RESOLVED, that the Town Board of the Town of Darien finds it in the best interest of the Town of Darien to approve the re-zoning from Low Density Residential (LD-R) to Commercial (C) for the purpose of outdoor commercial storage, for property located at 0 County Line Road, Town of Darien, SBL#: .9-1-34.21, and described as follows:

“ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Darien, County of Genesee, State of New York, being part of Lot 35 Township 11 Range 4 of the Holland Land Company’s Survey, and being more particularly described as follows:

BEGINNING at a point in the west line of Lot 35, being the centerline of County Line Road, and being the west line of the County of Genesee, at a distance of 218.00 feet north of the northwest corner of lands of Walter R. Gaczewski and Joan R. Gaczewski as described in a deed recorded in the Genesee County Clerk’s office in Liber 384 of Deeds at Page 215, as measured along the said west line of Lot 35;

thence northerly along the west line of Lot 35, a distance of 300.00 feet to a point;

thence easterly at right angles to the said west line of Lot 35, a distance of 396.00 feet to a point in the east line of lands described in Liber 310 of Deeds at Page 562;

thence southerly along the east line of said lands described in Liber 310 of Deeds at Page 562, a distance of 300.00 feet to a point;

thence westerly a distance of 396.00 feet to the point or place of beginning, containing 2.7 acres more or less.”; and

RESOLVED, that the Town Clerk be and she hereby is directed to enter the approval of said change in zoning in the minutes of this meeting, file the same in the Town Clerk’s office for reference, and make the appropriate changes to the Town Zoning Map to reflect the above noted parcel as Commercial (C).

Ayes: _____

Nays: _____

Abstain: _____

Quorum Present: ☐ Yes ☐ No

Dated: _____, 2026

Alice Calmes, Town Clerk
Town of Darien

[SEAL]

SCHEDULE A

TOWN OF DARIEN								Zoning Schedule A	
DISTRICT	TYPE OF USE	MIN. LOT SIZE (SQ. FT.)	MIN. WIDTH (FEET)	MINIMUM YARDS ②			MAX. HEIGHT (FEET)	MAX. % LOT COVERAGE	SITE PLAN
				FRONT (FEET)	REAR (FEET)	SIDE ③ (FEET)			
MDR	SINGLE-FAMILY	20,000	100	40	20	10	35	30	NO
	TWO-FAMILY	30,000	150	40	20	10	35	30	NO
	MULTI-FAMILY ④	+ 4,000	200	50	30	20	35	35	YES
LDR	NON-RESIDENTIAL	40,000	200	50	30	20	35	35	YES
	SINGLE-FAMILY	80,000	300	50	50	50	35	5	NO
	TWO-FAMILY	80,000	300	50	50	50	35	5	NO
REC	MULTI-FAMILY ④	+ 4,000	300	50	50	50	35	10	YES
	NON-RESIDENTIAL	80,000	250	50	50	50	35	15	YES
	RECREATION	500,000	500	200	200	200	35 ④	25	YES
C	COMMERCIAL	40,000	200	50	30	30	35	35	YES
I	INDUSTRIAL	40,000	200	50	30	30	35	40	YES
PUD	PLANNED UNIT DEVELOPMENT Refer to Section 706								
NOTES: ① Two Family minimum lot size plus 4,000 sq. ft. per family for each additional family over two (2). ② Accessory buildings and structures refer to Section 605. ③ The side yard at a corner lot adjacent to a street shall be considered as a front yard. ④ Building height limit is for those structures, which are habitable or will be used for public assembly.									

SCHEDULE B