



GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID

T-02-STAF-12-24

Review Date

12/12/2024

Municipality

STAFFORD, T.

Board Name

PLANNING BOARD

Applicant's Name

Steven Foster

Referral Type

Special Use Permit

Variance(s)

Description:

Special Use Permit to install and operate a gift shop in a new approx. 250 sq. ft. (25 x 10 ft.) building accessory to the existing restaurant use (Red Osier).

Location

6492 Main Rd. (NYS Rt. 5), Stafford

Zoning District

Agricultural-Residential (A-R) District

PLANNING BOARD RECOMMENDS:

APPROVAL

EXPLANATION:

The proposed gift shop should pose no significant county-wide or inter-community impact. It is recommended that the site plan be updated to note any no parking or wayfinding signage that will be installed for customers.

Director

December 12, 2024

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

DEPARTMENT USE ONLY:

GCDP Referral # T-02-STAF-12-24



*** GENESEE COUNTY ***
PLANNING BOARD REFERRAL

RECEIVED

By Genesee County Department of Planning at 8:45 am, Nov 27, 2024

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 Red Osier Landmark Restaurant (Steven Foster)

Address 6492 Main Road

City, State, Zip Stafford, NY 14143

Phone (585) 356 - 7742 Ext. _____ Email _____

MUNICIPALITY: ☐ City ☒ Town ☐ Village of Stafford

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

- ☐ Area Variance
☐ Use Variance
☒ Special Use Permit
☐ Site Plan Review

- ☐ Zoning Map Change
☐ Zoning Text Amendments
☐ Comprehensive Plan/Update
☐ Other: _____

- Subdivision Proposal
☐ Preliminary
☐ Final

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

A. Full Address 6492 Main Road, Stafford, NY 14143

B. Nearest intersecting road Roanoke Road

C. Tax Map Parcel Number 10.-2-74.2

D. Total area of the property 8.0 acres Area of property to be disturbed .0625 acres

E. Present zoning district(s) A-R

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

Section 182 - 14C Non-conforming uses

C. Please describe the nature of this request Request is to install and operate a small gift shop in a prefabricated building located adjacent to the main restaurant. Items for sale will be restaurant promotional items in addition to those from local vendors. Shop will be open only during restaurant operating hours.

6. ENCLOSURES – Please enclose copy(s) of all appropriate items in regard to this referral

- ☒ Local application
☒ Site plan
☐ Subdivision plot plans
☒ SEQR forms

- ☐ Zoning text/map amendments
☐ Location map or tax maps
☐ Elevation drawings
☒ Agricultural data statement

- ☐ New or updated comprehensive plan
☒ Photos
☒ Other: Aerial photo of shop location
Letter expaining operation of gift shop

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

Name William R. 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

APPLICATION FOR APPEALS
and/or SPECIAL USE PERMIT

A 61-24

Date: 11/5/2004

OWNER

The Red Osier Landmark Restaurant

Name: Steven Foster

Address: 6492 Main Road

Telephone #: 585-356-7742

APPLICANT (If other than owner)

Name: Steven Foster

Address:

Telephone #:

1. 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 _____.

2. APPLICATION FOR: Use Variance ☐ Special Use Permit ☒
Area Variance ☐ Interpretation ☐

3. Address of Project Site: 6492 Main Road, Stafford NY 14143
Tax Map Number: 10-2-742 Zoning District: A-R

4. Has a previous appeal been filed pertaining to this parcel? No ☒
Yes ☐ If yes, list Appeal No. _____ Date _____ Purpose of Request: _____

5. Justification for Request: General Response Small gift shop on side of the restaurant.

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.

Steve Foster - owner

Applicant's Signature

Owner's Signature (if other than applicant)

PROVISIONS OF ZONING LAW APPEALED:

1. ☒ Article VI Section 182
Subsection 50 Paragraph A
state reason; Gift Shop Building
Accessory to current use

2. ☐ Schedule A - state reason; See Above

FEE COLLECTED: Date 1-6-2024

TOTAL FEE \$ 75.00 Check # _____

ACTION TAKEN: Date _____

☐ Approved ☐ Rejected

By: _____ Chairman

☐ Board of Appeals ☐ Town Board

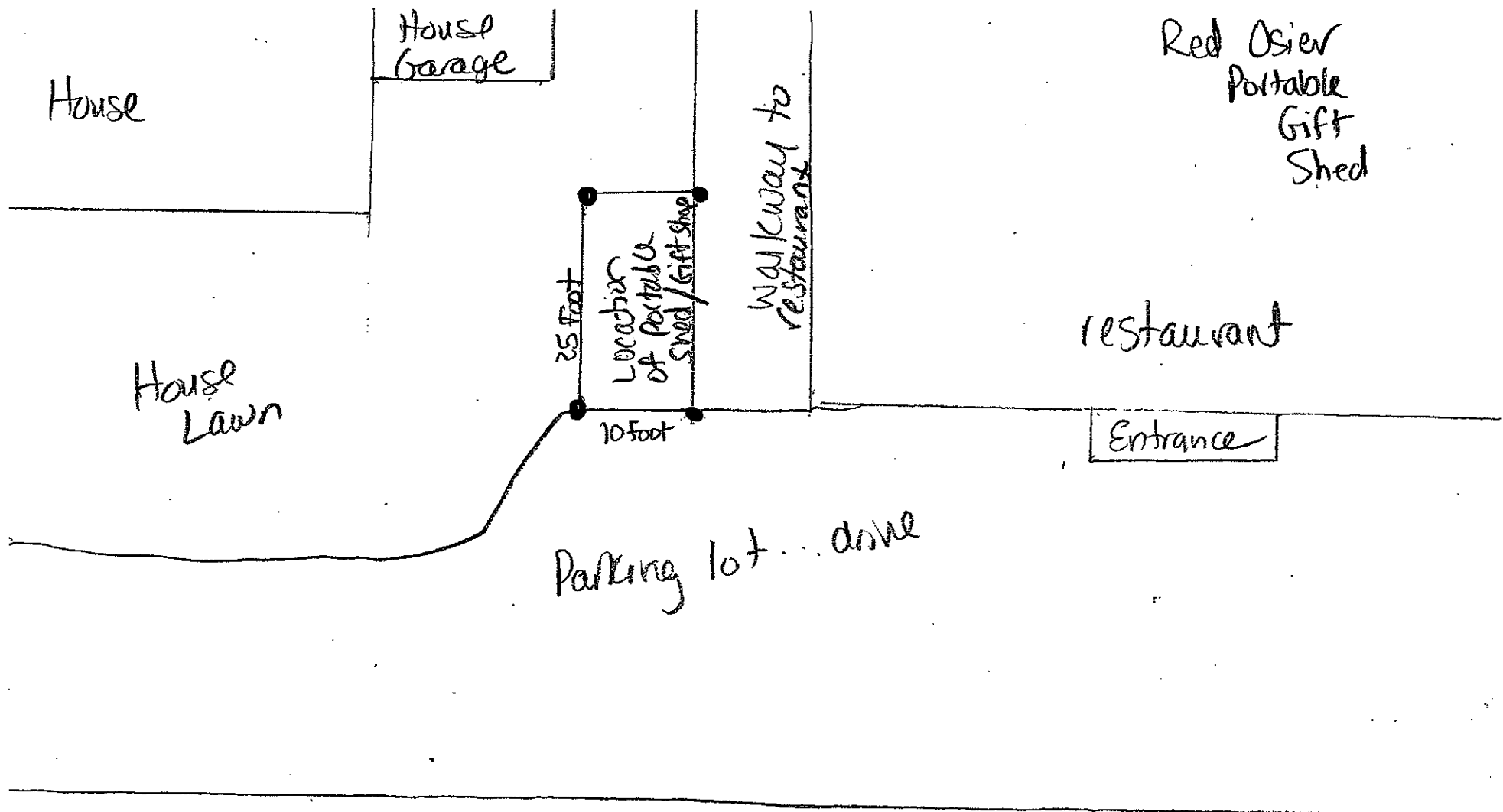
☐ Planning Board

COPY DISTRIBUTION: White - Z.E.O.

Yellow - CLERK

Pink - Z.B.A./PL. BD./TN. BD.

Gold - APPLICANT



Route 5



Shed
location



Will be parallel
to restaurant

The Original
Red Osier
Landmark Restaurant

Route 5 • Stafford, NY 14143

Toll Free 1-888-343-6972 • FAX 585-343-0431 • www.redosier.com

November 20, 2024

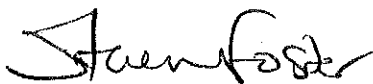
Re: Red Osier Landmark Restaurant Gift Shop

The Red Osier Landmark Restaurant Gift shop will simply be an extension to our offerings and guest experience at the restaurant. Both are owned and operated by Steven Foster and Timothy Adams.

The Red Osier Landmark restaurant gift shop will feature local artisans and vendors. It will also feature Red Osier Landmark Restaurant promotional items such as shirts, sweatshirts, cups, cozies, and other related brand items. We decided to bring our idea of the gift shop to the restaurant for many reasons. One of our favorite restaurants where we vacation often in Florida, a local staple beef-house, (D'Angelos) has a gift shop that allows you to shop while you are waiting for reservations. If you are not bar customers, this is a perfect way to pass time while waiting for a reservation. This will allow our guests, many who are not locals, the opportunity to purchase locally made items while they either wait for a table or after their dinner experience.

We do plan on contacting the state to install no parking signs in the front of the restaurant on each end of the concrete barriers on Route 5 in front of the restaurant. There is concern people will park on Route 5 instead of using our parking lot. Restaurant diners continually park there and we want to alleviate any possible accident not only for our restaurant diners but for gift shop patrons as well.

Steven Foster





❖ ❖ **TOWN OF STAFFORD** **Agricultural Data Statement**

Application # 61-24

Date 11-6-24

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

Name Red Osier Restaurant

Address 6442 Main Rd.
Stafford, N.Y. 14143

Owner if different than Applicant

Name _____

Address _____

1. Type of application: Special use permit ☒ ; Site plan approval ☐ ; Use variance ☐ ; Subdivision approval ☐

2. Description of proposed project: Gift Shop At Front of Restaurant

3. Location of project: Address 6442 Main Rd Stafford, N.Y. 14143
Tax Map Number (TMP) 10-2-742

4. Is this parcel within an Agricultural District ? NO ☒ YES ☐

5. If yes, Agricultural District Number N/A

6. Is this parcel actively farmed ? NO ☒ YES ☐

7. List all farm operations within 500 feet of your parcel, (Attach additional sheets if necessary).

1. 10-2-482

Name Burton Farms

Address 8618 Buckley Rd
LeRoy, N.Y. 14482

Is this parcel actively farmed ? NO ☐ YES ☒

2. 10-2-40

Name Question Call

Address P.O. Box 755
Stafford, N.Y. 14143

Is this parcel actively farmed ? NO ☐ YES ☒

3.

Name _____

Address _____

Is this parcel actively farmed ? NO ☐ YES ☐

4.

Name _____

Address _____

Is this parcel actively farmed ? NO ☐ YES ☐

X Sunny Madan
Signature of Applicant

Signature of Owner (if other than Applicant)

REVIEWED
BY

[Signature]
Signature of Municipal Official

11-14-2024
Date

NOTE TO
REFERRAL
AGENCY

When County review is required, a copy of the Agricultural Data Statement should be submitted along with the referral to the County Planning Department.

617.20
Appendix B
Short Environmental Assessment Form

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: <div style="font-size: 1.2em; font-family: cursive;">Red osier Gift Shop</div>																		
Project Location (describe, and attach a location map):																		
Brief Description of Proposed Action: <div style="font-size: 1.2em; font-family: cursive;">Gift Shop In Shed.</div>																		
Name of Applicant or Sponsor: <div style="font-size: 1.2em; font-family: cursive;">Tim Adams Steve Foster - Red osier</div>		Telephone: <div style="font-size: 1.2em; font-family: cursive;">585-356-7742</div>																
Address: <div style="font-size: 1.2em; font-family: cursive;">6492 main Rd.</div>		E-Mail:																
City/PO: <div style="font-size: 1.2em; font-family: cursive;">Stafford</div>	State: <div style="font-size: 1.2em; font-family: cursive;">NY</div>	Zip Code: <div style="font-size: 1.2em; font-family: cursive;">14143</div>																
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.			<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; padding: 2px;">NO</td><td style="width: 50%; padding: 2px;">YES</td></tr><tr><td style="text-align: center;"><input checked="" type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr></table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>											
NO	YES																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>																	
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; padding: 2px;">NO</td><td style="width: 50%; padding: 2px;">YES</td></tr><tr><td style="text-align: center;"><input checked="" type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr></table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>											
NO	YES																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>																	
3.a. Total acreage of the site of the proposed action? <div style="font-size: 1.2em; font-family: cursive;">8+-</div> acres																		
b. Total acreage to be physically disturbed? <div style="font-size: 1.2em; font-family: cursive;">1/16</div> 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, adjoining and near the proposed action. <table style="width: 100%;"><tr><td><input type="checkbox"/> Urban</td><td><input checked="" type="checkbox"/> Rural (non-agriculture)</td><td><input type="checkbox"/> Industrial</td><td><input type="checkbox"/> Commercial</td><td><input type="checkbox"/> Residential (suburban)</td></tr><tr><td><input type="checkbox"/> Forest</td><td><input checked="" type="checkbox"/> Agriculture</td><td><input type="checkbox"/> Aquatic</td><td colspan="2"><input type="checkbox"/> Other (specify): _____</td></tr><tr><td><input type="checkbox"/> Parkland</td><td colspan="4"></td></tr></table>				<input type="checkbox"/> Urban	<input checked="" type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input type="checkbox"/> Commercial	<input type="checkbox"/> Residential (suburban)	<input type="checkbox"/> Forest	<input checked="" type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other (specify): _____		<input type="checkbox"/> Parkland				
<input type="checkbox"/> Urban	<input checked="" type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input type="checkbox"/> Commercial	<input type="checkbox"/> Residential (suburban)														
<input type="checkbox"/> Forest	<input checked="" type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other (specify): _____															
<input type="checkbox"/> Parkland																		

5. Is the proposed action, a. A permitted use under the zoning regulations? <i>with Special use permit</i>	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <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 <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) 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 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? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <i>No water shed</i>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <i>No wastewater shed</i>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<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?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
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: _____	<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 type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input 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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	

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)? If Yes, explain purpose and size: _____	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 AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Dung mcdon</u>		Date: <u>11/14/24</u>
Signature: <u>Timothy M. Adams</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. 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?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. 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.

<input type="checkbox"/>	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.
<input type="checkbox"/>	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.
<div> <div>Name of Lead Agency</div> <div>Date</div> </div>	
<div> <div>Print or Type Name of Responsible Officer in Lead Agency</div> <div>Title of Responsible Officer</div> </div>	
<div> <div>Signature of Responsible Officer in Lead Agency</div> <div>Signature of Preparer (if different from Responsible Officer)</div> </div>	

PRINT

T-02-STAF-12-24



04/02/2023