



GENESEE COUNTY PLANNING BOARD REFERRALS

GCDP Referral ID	T-01-DAR-06-26
Review Date	6/11/2026
Municipality	DARIEN, T.
Board Name	TOWN BOARD
Applicant's Name	John Zoladz
Referral Type	Zoning Map Change
Variance(s)	
Description	Zoning Map Change to rezone a 2.6 acre property to Commercial from Low Density Residential.
Location	County Line Rd., Darien
Zoning District	Low Density Residential (LDR) District

Planning Board Recommends:

APPROVAL

Explanation:

The Town's Future Land Use Map from its 2005 Comprehensive Plan designates the area as "Rural - Agrarian" but does not define what that means. Otherwise, the plan is silent on future development of the area and therefore the proposed zoning map change is not inconsistent with the Town's adopted Comprehensive Plan. The rezoning is an expansion of the existing adjacent Commercial District.

Director

Thursday, June 11, 2026

Date

SEND OR DELIVER TO:

GENESEE COUNTY DEPARTMENT OF PLANNING
3837 West Main Street Road
Batavia, NY 14020-9404
Phone: (585) 815-7901

Clear Form

DEPARTMENT USE ONLY:

GCDP Referral # T-01-DAR-06-26



*** GENESEE COUNTY *
PLANNING BOARD REFERRAL**

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 Rd

City, State, Zip Darien, NY 14040

Phone (585) 547 - 2274 Ext. 1026

2. APPLICANT INFORMATION

Name John Zoladz

Address 521 Broadway Rd

City, State, Zip Darien Center, NY 14040

Phone () - Ext. Email

MUNICIPALITY: City Town Village of Darien

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 v/l County Line Road (just south of Broadway)

B. Nearest intersecting road Broadway

C. Tax Map Parcel Number SBL 9.-1-34.21

D. Total area of the property 2.6 Acres Area of property to be disturbed 0

E. Present zoning district(s) 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 Applicant also owns 1 acre parcel contiguous to the north of this parcel that is currently in the Commercial District. Property along the east border of this parcel is also currently in the Commercial District. Owner would like to be able to utilize this parcel for a construction yard like the other parcel.

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: request letter, criteria to support rezoning, designation of representative

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 Rd, Darien Ctr, NY 14040 Email townclerk@townofdarienny.com

John M. Zoladz
521 Broadway
Darien Center, New York 14040

Town of Darien
Attn: Ms. Alice Calmes, Town Clerk
10569 Alleghany Road
Darien Center, NY 14040

RE: Request for Re-Zoning
0-County Line Rd., Darien
SBL#: 9.-1-34.21

Dear Supervisor Ferry and Board,

I am writing you to request consideration to re-zone my property located at 0-County Line Road (SBL#: .9-1-34.21), in the Town of Darien. The parcel is located on the east-side of County Line Road and is currently zoned Low Density / Residential (LD-R). The property to the north, which is also owned by me, is zoned Commercial (C), and the property to the south is zoned Low Density / Residential (LD-R). I am requesting that this board re-zone the property in question from its current zone use of LD-R to C.

The purposes of this request is to allow me usage of both parcels for a construction yard as outline in the Town of Darien Zoning Laws: Section 704-C, Subsection A. The current intended use is contractor's yard and would not include the building of any permanent structure at this time. Should that ever change in the future, we would be notifying the Town by filing a building permit application. This would not be our primary yard, so work will be minimal and limited throughout the year to regular daytime hours.

Thank you for your consideration in the matter, and we will be available for any questions and future public hearings about this request.

Respectfully,

A handwritten signature in black ink, appearing to read "John M. Zoladz". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

John M. Zoladz

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

TODAY'S DATE: _____ APPLICATION NUMBER: _____

OWNER'S NAME: JOHN M. ZOLADZ TAX MAP #: SBL#: 9-1-34.21

OWNER'S PHONE: [REDACTED] OWNER'S 2ND PHONE: [REDACTED]

OWNER'S ADDRESS: 521 BROADWAY, DARIEN CENTER, NEW YORK 14040

ADDRESS OF RE-ZONE PARCEL: 0-COUNTY LINE RD., DARIEN CENTER, NY 14040

NEAREST CROSS STREET: BROADWAY (NYS-ROUTE: 20)

OWNER'S EMAIL: [REDACTED] (Michael A. Retzlaff, Property Manager / Developer)

INSTRUCTIONS:

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

1. **Zoning District property in:** Residential / Low Density (R/LD)
2. **Proposed Zoning District:** Commercial (C)
3. **Is the property located:** Corner Lot: N/A; Water District: N/A; Sewer District : N/A; or Genesee County Smart Growth Plan: N/A.
4. **Dimensions of this lot:** Length (Depth) : Approx. 372/ft Width (Frontage): Approx. 300/ft **Total Parcel Area:** Approx. 2.60/acres.
5. **What is the front set back (in feet) from the project to the street right-of-way (Check Survey for Row):** 25/feet-minimum; and what is the set back (in feet) from neighboring property line (South): 25/feet-minimum; (North): N/A (property owned by J.M. Zoladz and is zoned Commercial).
6. **Total percentage (%) of coverage of all buildings on the lot (including proposed):** Zero (0%), no building is being proposed at this time.
7. **Total Dwelling Units:** Zero (0-dwellings)
8. **Description of Proposed Project and/or Use:** We are requesting the parcel currently located at 0 County Line, Darien Center, NY 14040 (SBL#: 9-1-34.21) be rezoned from current Residential / low Density (R/LD) to Commercial (C), for the proposed purpose of Outdoor Commercial Storage. There is no current plan to build any permanent structure on the property. We own the neighboring parcel located to the north (SBL#: 9.-1-34.1) which is currently zoned Commercial (C); the parcel located to the south (SBL#: 9.-1-33.1) is zoned Residential / Low Density (R/LD) which we are proposing a minimum set-back of 25/feet from the neighboring shared property-line.

Attachments:

- Attachment #1: Re-Zoning GIS-Map
- Designation of Representative Form

Referral To: _____ Darien Town Board _____ Town Planning _____ County Planning

Requires: _____ Amendment of the Zoning Ordinance _____ Environmental Determination

Date of Signature

Signature of ZEO

Date Fee Received

Fee

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 constitution, performance, or use.

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



Applicant Signature

Property Owner Signature (if other than applicant)

Office Use Only:

Application #: _____
(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. No, we are requesting a re-zoning from Residential / Low Density (R/LD) to Commercial (C) for the usage as Outdoor Commercial Storage. Neighboring Parcel to the north is owned by us, and is currently zoned Commercial (C).

2. Rational for the rezoning request. Why was the site chosen?
We currently own the parcel and the neighboring parcel to the north. We are asking to Re-Zone so the the parcel can be utilized in a similar usage (Outdoor Commercial Storage)

3. Why the land cannot be used with the existing zoning?
The current zoning of Residential / Low Density (R/LD) does not allow for desired usage, but a re-zoning to Commercial (C) would allow for Outdoor Commercial Storage.

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, the rezoning to Commercial (C) and the proposed usage as Outdoor Commercial Storage would not have any adverse effects or impact on environment. We have also completed and submitted a NYS-DEC SEQR (Part-1)


Applicant's Signature

May 28, 2026
Date

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
John M. Zoladz (Owner)			
Name of Action or Project: Outdoor Commercial Storage			
Project Location (describe, and attach a location map): 0 County Line Rd., Darien Center, NY 14040 (SBL#: 9 1 34.21)			
Brief Description of Proposed Action: We are requesting that the current parcel located at 0 County Line Rd., Darien, NY 14040 (SBL#: 9 1 34.21) be rezoned from current Residential / Low Density (R/LD) to Commercial (C), for the purpose of Outdoor Commercial Storage. There are no current plans to build any permanent structure on the parcel.			
Name of Applicant or Sponsor: John M. Zoladz (Owner)		Telephone: [REDACTED]	E-Mail: [REDACTED]
Address: 521 Broadway			
City/PO: Darien Center		State: New York	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 checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Town of Darien, New York		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		2.60	acres
b. Total acreage to be physically disturbed?		0.0	acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2.70	acres
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<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 type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
NO N/A If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: We are requesting a re zoning from the current zoning of Residential / Low Density (R/LD) to Commercial (C) for the purpose of Outdoor Commercial Storage. _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ N/A No potable water needed (No permanent structure to be built at this time) _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ N/A No wastewater utilities are needed (No permanent structure to be built at this time) _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
N/A No b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input 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	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ Wetlands are approximately 1,000/ft from the proposed property, and will not be affected _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

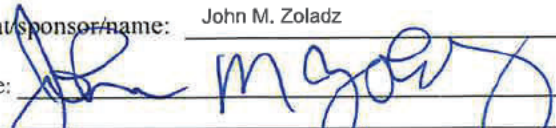
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" 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	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe:		

N/A No permanent structure to be built at this time		

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
N/A No		

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
N/A No		

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
N/A No		

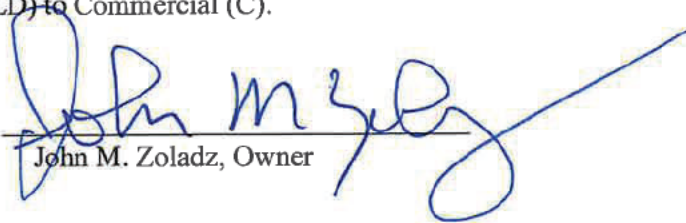
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: John M. Zoladz	Date: May 28, 2026	
Signature: 	Title: Owner	

PRINT FORM

DESIGNATION OF REPRESENTATIVE

I, John M. Zoladz, as owner of 0 County Line Road, Darien, New York 14040 (SBL#: 9-1-34.21) hereby designate Michael A. Retzlaff, Property Development & Management Specialist, to act as my representative in any and all proceedings before the Town of Darien: Board, and Zoning Board, for the sole purposes of Re-Zoning of my property located at 0 County Line Rd., Darien Center, New York 14040 (SBL#: 9-1-34.21) from Residential / Low Density (R/LD) to Commercial (C).

Date: 5/29/20

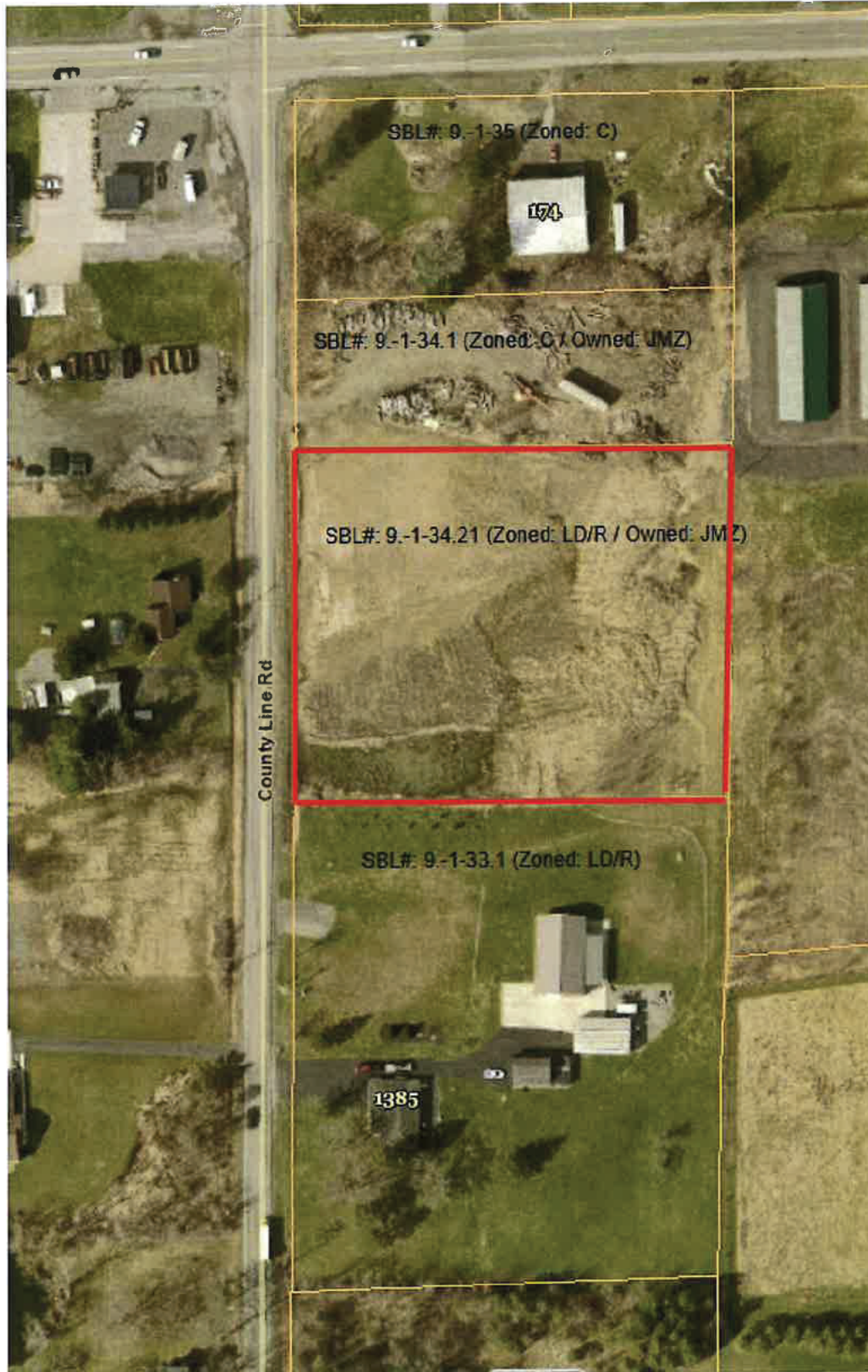
Signature of Owner: 
John M. Zoladz, Owner

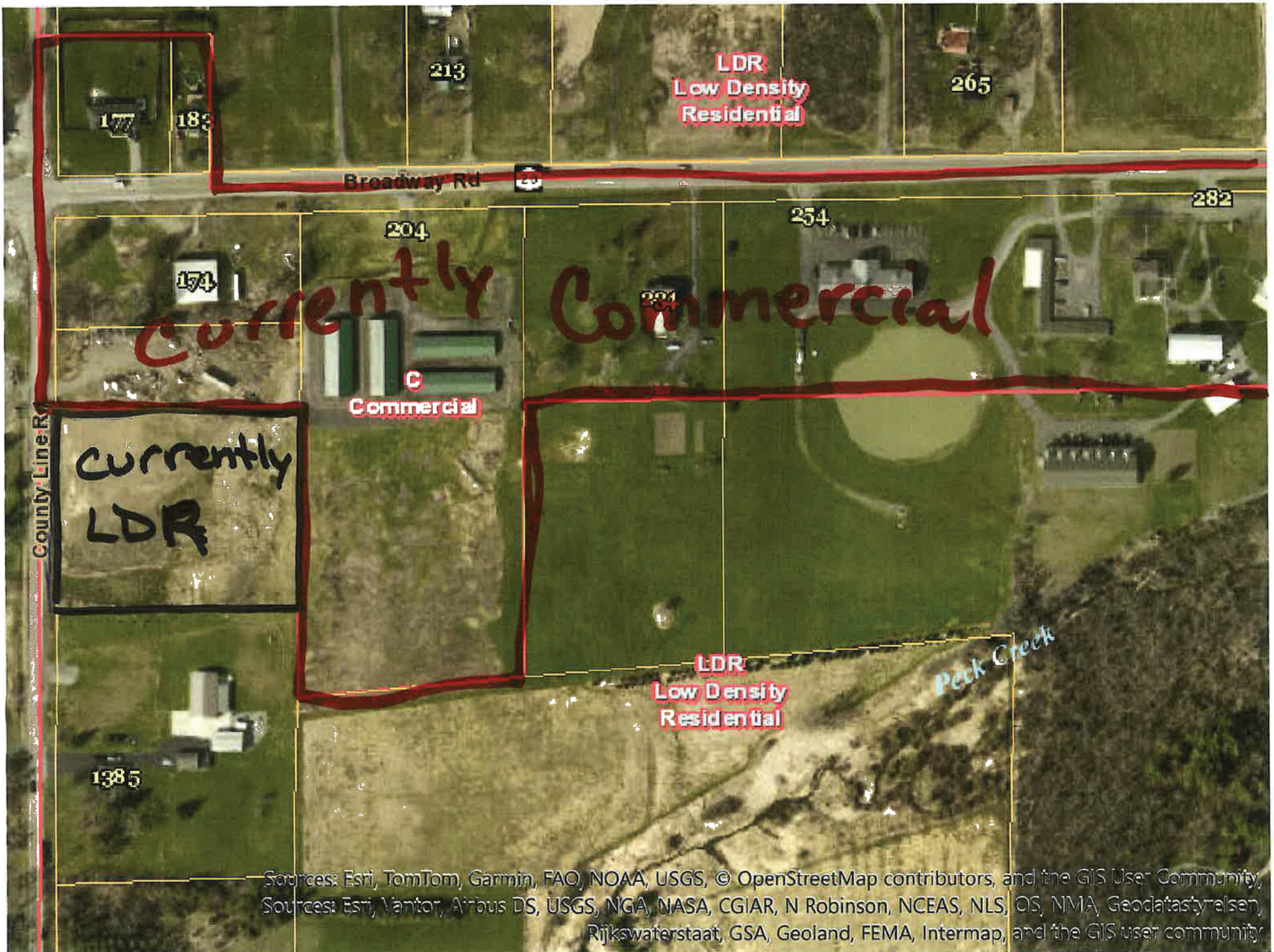
Sworn to before me this 29th day of May 2026.


Notary Public

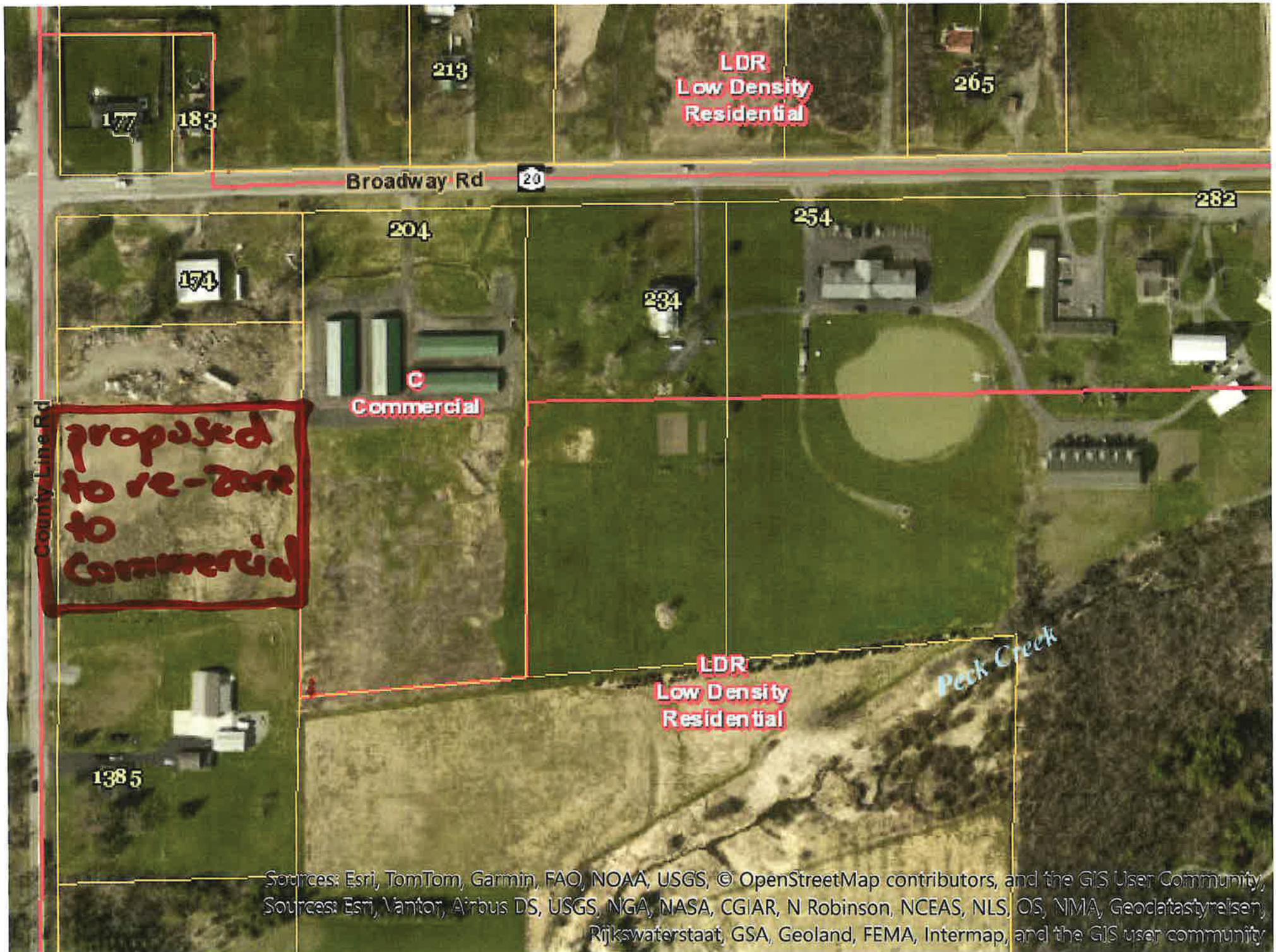
RAE'CHELL S. WEST
Notary Public, State of New York
Reg. No. 01WE0047606
Qualified in Erie County
Commission Expires 03/11/2030

Attachment #1
Re-Zoning Application
John M. Zoladz (SBL#: 9.-1-34.21)
May 2026





Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community,
Sources: Esri, Vantor, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen,
Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community



LDR
Low Density
Residential

Broadway Rd 20

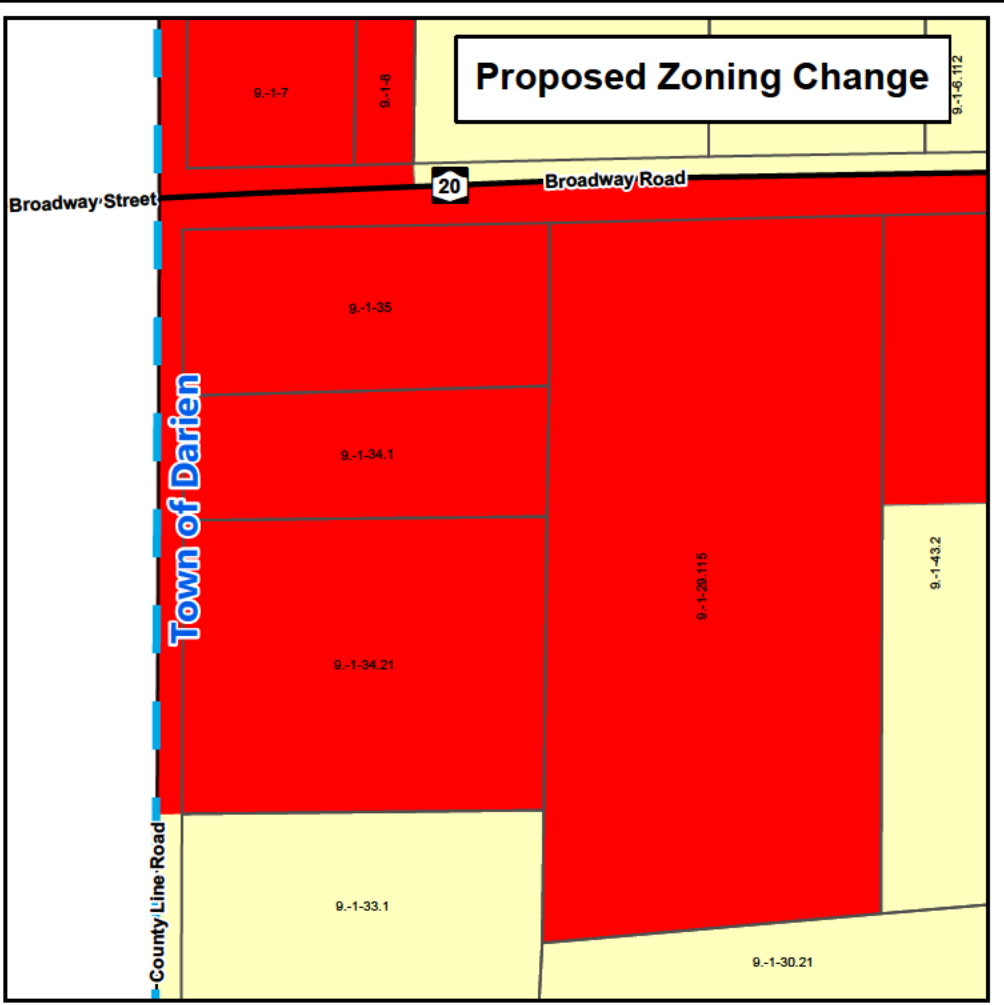
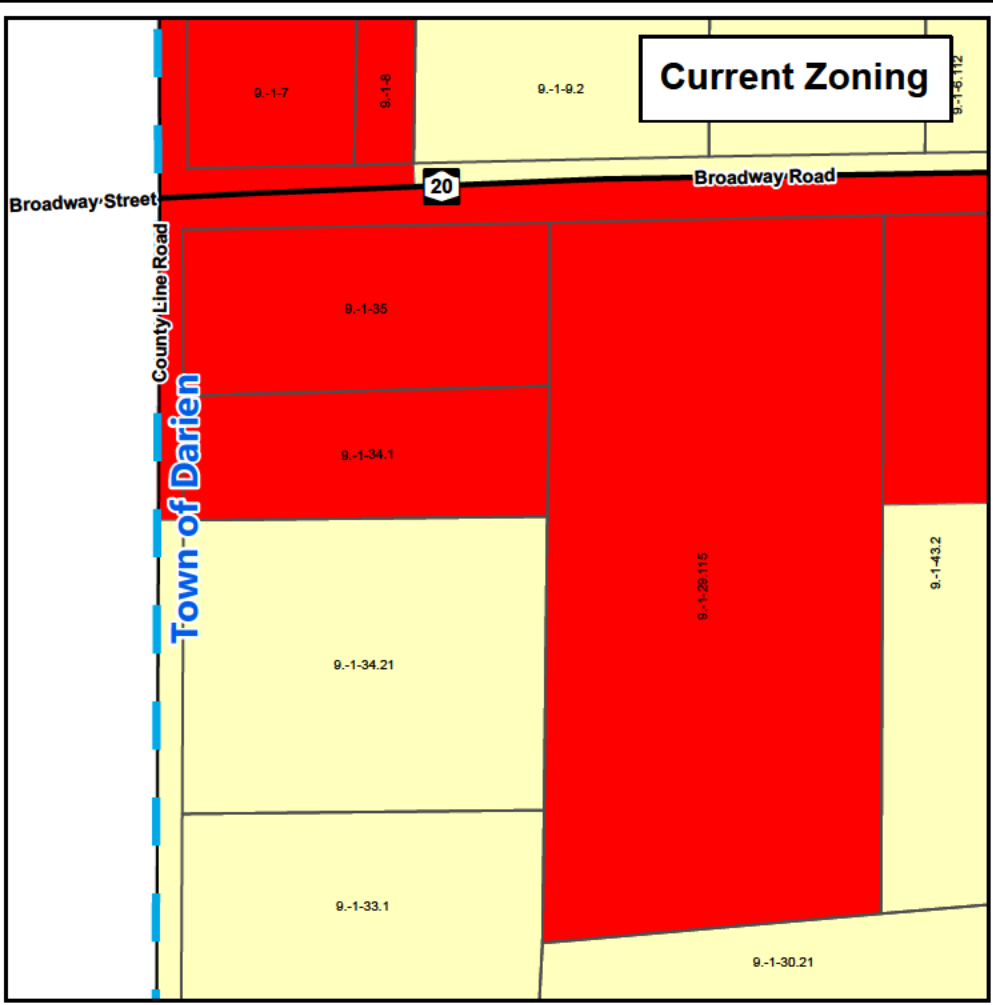
C
Commercial

LDR
Low Density
Residential

Peck Creek

proposed
to re-zone
to
Commercial

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Sources: Esri, Vantor, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyreisen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community



Zoning District Change from LDR to C
Parcel: 9.-1-34.21

TOWN OF DARIEN

PROPOSED ZONING CHANGE MAP

Date: June 4, 2026

- C - Commercial
- I - Industrial
- LDR - Low Density Residential
- MDR - Medium Density Residential
- MUCC - Commercial Center Mixed Use
- REC - Recreation
- 2025 Tax Parcel
- Interstate Highway
- State Routes
- County Highway
- Town Road
- Village Street
- Smart Growth Area
- Municipal Boundary



Note: Digital tax parcel boundaries are maintained by Genesee County Office of Real Property Tax Services. Those displayed represent boundaries on file as of 7/1/2025. These boundaries are subject to change.

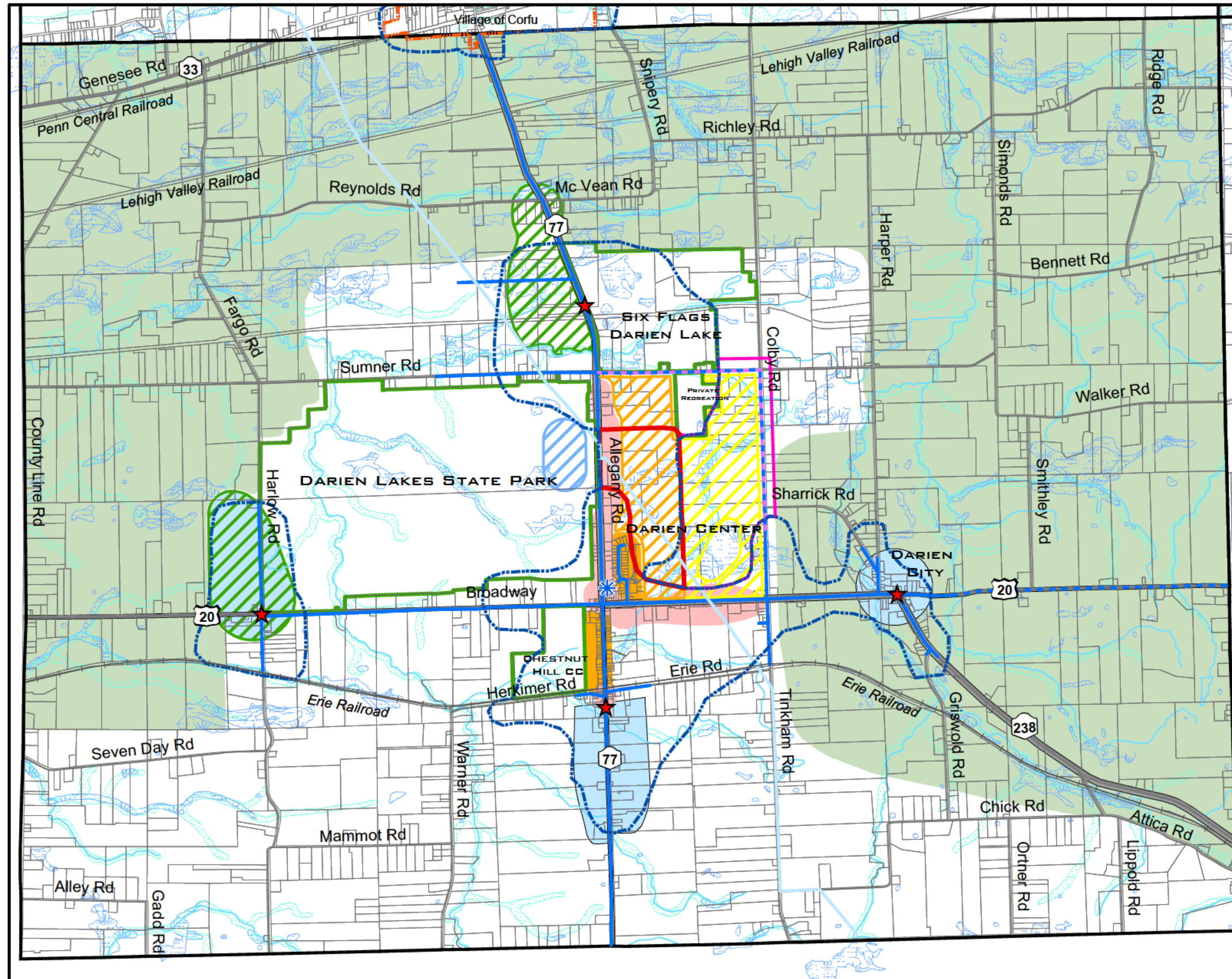


Prepared by Genesee County Planning Department
3837 W. Main Street Rd., Batavia, NY 14020

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

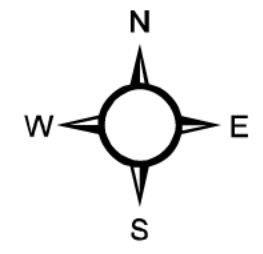
- EXISTING (AKRON TRANSMISSION LINE)
- EXISTING (MCWA)
- - - FUTURE (SMART GROWTH PLAN)
- - - PROPOSED WATER EXTENSIONS (NEAR TERM)

- 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 REG. FACILITIES
- RURAL - AGRARIAN AREAS

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



T-01-DAR-06-26



04/04/2025

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