

PETITION TO AMEND SECTION 182-33(B) OF
THE TOWN OF STAFFORD ZONING CODE

HELD AT: Stafford Town Hall
8903 NY-237,
Stafford, New York 14143

DATE: August 10th, 2026

TIME: 7:00 p.m. to 7:21 p.m.

REPORTED BY: Carly J. Garretson
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APPEARANCES OF COUNCIL**TOWN BOARD**

Robert Clement, Supervisor;

James Duyssen, Councilman;

Terry Young, Councilman;

Ronald Panek, Councilman;

Robert Pacer, Councilman;

Barbara Radley, Town Clerk.

1 **SUPERVISOR CLEMENT:** Notice of a public hearing,
2 Town of Stafford, regarding a petition to amend Section
3 182-33(B) of the Town of Stafford Zoning Code.

4 Notice is hereby given that a public hearing will
5 be held by the Town Board of the Town of Stafford on the
6 10th day of August, 2026, commencing at 7:00 p.m. at the
7 Town Hall of the Town of Stafford located at 8903 Route 237,
8 Stafford, New York, to give citizens the opportunity to
9 provide input regarding the petition received from Carolina
10 Eastern Crocker LLC dated March 12, 2026 and entitled
11 "Petition to Amend Town of Stafford Zoning Code".

12 The petition requires that the Town Code be amended
13 to add clarificatory language to Section 182-33(B) to
14 expressly exempt Agriculturally Based Businesses from the
15 requirements of Section 182-33(b) .

16 This public hearing is being held to hear all
17 interested parties and citizens for or against said
18 amendment. A copy of the petition is also available for
19 review in the Town Clerk's Office during regular business
20 hours.

21 **COUNCILMAN YOUNG:** Anybody that would like to
22 speak, come to the podium, state your name and have at it.

23 **GRETCHEN BRANTON:** Gretchen Branton. I live on
24 Mullen Road in Stafford. My concern is the fire code. We
25 had a fire in Morganville a little while back, as you

1 probably all know. And three firemen showed up, and they
2 stood there and did nothing until other companies came.

3 They couldn't open up the water faucet, for one
4 thing. They have a faucet over there. And then my husband
5 was talking to the guy that -- they had a leak there, so he
6 came to look at it, and the actual hydrant was broken. So I
7 don't know who's in charge of finding out who's, you know,
8 testing the fire hydrants.

9 But my concern is if they can't even put out a
10 house fire, what's going to happen if there's a fire at
11 Carolina Crocker with all that chemicals? So that's my main
12 concern.

13 **SUPERVISOR CLEMENT:** Thank you, Gretchen.

14 **CATHY WORTHINGTON:** Cathy Worthington. I live over
15 on the Byron Road not near Crockers. My concern is I have
16 driven that road several times, and when the trucks are
17 coming in and out and they're filling things up, it is
18 pretty dusty.

19 And I guess if you just look at the history of
20 Carolina Crocker, they had complaints against them. And
21 their way, in my opinion, that they fix those complaints
22 were to buyout two residents. So why would you buyout two
23 residents if you're not doing something wrong or it's
24 hazardous to them?

25 I think it's a whole health concern not only with

1 the fire situation but with the health concerns that that
2 can cause. That's it.

3 **COUNCILMAN YOUNG:** Anybody else?

4 **JAMES PONTILLO:** Good afternoon. James Pontillo.
5 If there could be some clarification in regards to the -- it
6 was understood that there was some violation, code
7 violations. I remember sitting in here when one of the code
8 enforcers got upset, he left. We were trying to figure out
9 what was going, and I just don't think there was any clarity
10 of those issues, and what they were and if they were
11 addressed.

12 And that's all I'm going to look for, is just some
13 clarity that, yes, there were some violations, those
14 violations were taken care of, this is how they went about
15 doing it. Or did they just -- they haven't been taken care
16 of.

17 So that's the only thing I would just ask, just to
18 have some clarity, because we never -- nobody ever got back
19 to the community to let us know what happened. I know we
20 changed several inspectors during that time too, so maybe
21 there was some, you know, issue that maybe kind of fell
22 through the cracks. Maybe you address that and make sure
23 that that was taken care of before moving forward. Thank
24 you.

25 **COUNCILMAN YOUNG:** Thank you, Jim.

1 **CATHY WORTHINGTON:** Could someone reread what that
2 code actually was? Because they just wanted to add
3 something to it, right? They didn't want to change the
4 code. They just wanted something added, the way I
5 understood it.

6 **SUPERVISOR CLEMENT:** The final paragraph of the
7 petition requests that the Town Code be amended to add
8 clarificatory language to Section 182-33(B) to expressly
9 exempt Agriculturally Based Businesses from the requirements
10 of Section 182-33(B).

11 **GRETCHEN BRANTON:** So what are the requirements?

12 **CATHY WORTHINGTON:** Was that the 100 foot variance?
13 Was that the clarification?

14 **COUNCILMAN PANEK:** Well, you've got the code right
15 in front of you.

16 **GENE SINCLAIR:** I think 182-33 refers to stabling
17 of farm animals. I have to get the book and look. That's
18 what they're trying to get.

19 **GRETCHEN BRANTON:** But they don't have farm animals
20 there. I don't understand.

21 **COUNCILMAN YOUNG:** Might include some other things
22 too. Bill has it.

23 **WILLIAM VANALST:** Section 182-33. The section that
24 they're asking to be amended, do you want me to read the
25 whole thing? It's only six lines or something. It says,

1 there shall be -- Section 182-33, stabling of farm animals.
2 There shall be no stabling of farm animals or bulk storage
3 of manure, fertilizer or similar odor or dust producing
4 substance outside of a New York State Certified Ag District
5 within a residential zone or a hamlet district.

6 Such stabling or storage shall be permitted in any
7 zoning district within a New York State Certified Ag
8 District and/or within the A-R, C, IP or I districts,
9 provided the following restrictions are observed.

10 No such stabling or storage shall take place within
11 500 feet of an R or H district. No such stabling or storage
12 shall take place within 100 feet of a lot containing a
13 residential use. And the last one is the disposal of
14 bedding, manure or other animal waste shall be in
15 conformance with guidelines established by the Natural
16 Resources Conservation Service and/or Genesee County Soil
17 and Water Conservation District. The Zoning Enforcement
18 Officer may require an individual who stables farm animals
19 to provide the Town with an animal waste disposal plan
20 approved by one of the aforementioned agencies.

21 That's what it says.

22 **RICK BRANTON:** What years from that -- is that
23 from? Relatively recent? I want to know if I violated
24 that.

25 **WILLIAM VANALST:** Well, the date on the bottom of

1 the page is October 1st, 2010.

2 **GRETCHEN BRANTON:** So they want to get rid of the
3 100 foot buffer, is that basically what they want? They
4 want cart blanche just to keep building and building and
5 building, and not worry about who they're --

6 **RICK BRANTON:** Well, they own the two properties
7 that abut to it now.

8 **CATHY WORTHINGTON:** Bill, I'm sorry, what was the
9 500 foot? What was that, the 500 foot?

10 **WILLIAM VANALST:** No such stabling or storage shall
11 take place within 500 feet of an R, which is a residential
12 district, or an H district, which is a hamlet district.
13 Which they're considerably more than that away from either
14 one.

15 **GRETCHEN BRANTON:** So can I ask each of you how you
16 feel about this? Seriously.

17 **WILLIAM VANALST:** Well, as the Planning Board, we
18 issued a letter to the Town Board, which is on file.

19 **COUNCILMAN PANEK:** Cover the gist of it for the
20 public.

21 **WILLIAM VANALST:** Well, basically the Planning
22 Board felt that there should not be an amendment that
23 unequivocally states that an agricultural based business is
24 exempt from those regulations.

25 **GRETCHEN BRANTON:** Thank you.

1 **COUNCILMAN PANEK:** That I agree with. You have the
2 most volume of products being moved, because you're still --
3 to do what they want to have them exempt, that means farmers
4 have to follow tighter rules than they do. Yet they handle
5 far more. So I agree with -- I agree with the Planning
6 Board's position.

7 **JAMES PONTILLO:** Thank you, Mr. Panek, for being
8 open.

9 **GRETCHEN BRANTON:** Yes, thank you. And what's not
10 to say that they're going to sell these properties. You
11 don't know what they're going to do with those properties.
12 They might turn around and sell it to somebody.

13 **COUNCILMAN PANEK:** That's not something we can
14 control.

15 **GENE SINCLAIR:** It's not up to you guys.

16 **COUNCILMAN PANEK:** Bill, currently, if you want to
17 build and it's especially pertinent with the building where
18 they built a replacement on the same spot, right? They had
19 a building that they started fertilizer in, a barn, and then
20 they put something new right in its spot, right?

21 **WILLIAM VANALST:** Yes.

22 **COUNCILMAN PANEK:** All right. So now because it's
23 a new building it's not grandfathered in, am I right? New
24 construction, you can't --

25 **GENE SINCLAIR:** It's commercial, so it would have

1 to go to the Planning Board before a permit could be issued
2 for site plan review, at which time your Planning Board
3 could put restrictions or whatever conditions of where it
4 can be, how it can be built.

5 **COUNCILMAN PANEK:** But the planning -- that's not
6 one of the variances that comes up before the Town Board.
7 That's, you know, a distance variance usually something
8 that's planning board.

9 **WILLIAM VANALST:** Board of Appeals, not Planning
10 Board.

11 **RICK BRANTON:** Just to clarify there's at least one
12 and a half buildings between where the old red barn used to
13 be and the swimming pool on Tony's land there, so they have
14 migrated east a lot. Used to have a whole barn yard in
15 there, plus little small field between the barn and the
16 property.

17 **CATHY WORTHINGTON:** How's that property zoned?

18 **WILLIAM VANALST:** They have a special use permit to
19 operate agriculturally, which has been there since -- I
20 don't know.

21 **RICK BRANTON:** 1960s or early 70s. My stepfather
22 and mother did it. Started out with, like, one truck and
23 two sprayers. It sure as hell is bigger than that now.

24 **COUNCILMAN PANEK:** Agricultural in general has
25 consolidated a lot. You don't have the -- yeah. You may

1 have a family farm, but it is at a corporate level. So
2 everything is big.

3 **GENE SINCLAIR:** Most of them are LLC, family owned.

4 **CHARLIE GIACCHINO:** Charlie Giacchino. Do we know
5 the size of the water main on 237?

6 **SUPERVISOR CLEMENT:** 12 inch.

7 **CHARLIE GIACCHINO:** It's 12 inch? I know there was
8 a fire up the road at the barn, and I don't know if they had
9 enough water to contain that one.

10 But if there's a chemical fire, it requires a lot
11 of water. And so I'm just wondering if there's -- you know,
12 the size of the water supply is enough for that complex.

13 **SUPERVISOR CLEMENT:** It wasn't enough, no. I was
14 surprised at that. 12 inch water main there.

15 **COUNCILMAN PANEK:** But the hydrant isn't 12 inch.
16 They didn't run out of water. They couldn't get to it.

17 **SUPERVISOR CLEMENT:** Well, they had to haul water
18 from the fire department.

19 **A MEMBER OF THE AUDIENCE:** Retention pond. That
20 would be the only other option.

21 **CHARLIE GIACCHINO:** Isn't it typical in a chemical
22 fire you have to constantly spray?

23 **GENE SINCLAIR:** Depends on the chemical. Do you
24 suppress it with water or do you let it dissipate?

25 **CATHY WORTHINGTON:** Does the Town have a copy of

1 the chemicals and stuff they store there?

2 **COUNCILMAN PANEK:** The fire department does.

3 **CHARLIE GIACCHINO:** Is it up to date?

4 **COUNCILMAN YOUNG:** I would hope so, Charlie.

5 **GENE SINCLAIR:** Are you talking about Crocker? DEC
6 and EPA, they have the update usually every 12 months. I
7 used to have to do it for Curtice-Burns in Oakfield, so I'm
8 familiar.

9 **COUNCILMAN PANEK:** It's not perfect recollection
10 when they changed administrators. They had mentioned that
11 they had a visit there.

12 Bill, right now the way our laws and the ability to
13 ask for variances is set up, is there any -- they can get
14 the same results simply by following what we now have on the
15 books. I mean, if they want to -- rather than getting
16 exempt, if they want to be closer they can get a variance.

17 **WILLIAM VANALST:** Yeah.

18 **COUNCILMAN PANEK:** All right.

19 **SUPERVISOR CLEMENT:** If there isn't anything more
20 to be said at the public hearing, I will close the public
21 hearing at 7:20.

22

23 (Proceedings concluded at 7:21 p.m.)

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STATE OF NEW YORK)

SS:

COUNTY OF ERIE)

I, CARLY J. GARRETSON, a Notary Public in and for the State of New York, County of Erie, DO HEREBY CERTIFY that the Proceedings were taken down by me in a verbatim manner by means of Machine Shorthand, on August 10, 2026. That the proceedings were then reduced in writing under my direction. That the proceedings were taken to be used in the above-entitled action. That the said deponent, before examination, was duly sworn by me to testify to the truth, the whole truth and nothing but the truth, relative to said action.

I further CERTIFY that the above-described transcript constitutes a true and accurate and complete transcript of the testimony.

Carly J. Garretson,
Notary Public