

JOHN C. GARCIA
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UNDERSHERIFF



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SHERIFF OF ERIE COUNTY

June 25, 2025

**Town of Marilla Zoning Board of Appeals
Town Hall
S1740 Two Rod Road
Marilla, NY 14102**

**Re: Application for Area Variance
11411 Stolle Road, Town of Marilla, NY
Applicant: The William and Diane Hein Foundation**

Dear Members of the Zoning Board of Appeals:

As a Sheriff of Erie County, we have seen the impact on victims in our community. We have worked with the organization seeking a variance from the Zoning Board of Appeals for the property located at 11411 Stolle Road for several years. Our detectives and deputies rely on them for services to ensure individuals are provided with the essential support services needed for rehabilitation and restoration. We partner with this organization on a District of Western New York Task Force and they have been a lead provider in our community.

Our agency seeks providers who are pro-active in getting the victims help with support services, intensive case management, housing, employment, mental health, substance use, healthcare, rehabilitation and restorative services. They are a credible, well-managed organization with dedicated, credentialed staff serving the community for 10 years.

In addition to that work, the organization has security and safety protocols that align with our agency and Task Force and they have not had any incidence of danger or harm over the past 10 years. The individuals they serve are in every community in Western New York. This is not just a city issue. This is happening in our surrounding communities. The organization has a proven track record of providing evidence-based, trauma-informed approaches with qualified staff. The staff demonstrate compassion, competence and a willingness to work in collaboration with all involved.

This housing initiative poses no threat to the neighbors or community. There is no danger and our agency along with other law enforcement partners ensure that proper safety measures are taken. The leader and organization are of upmost character.

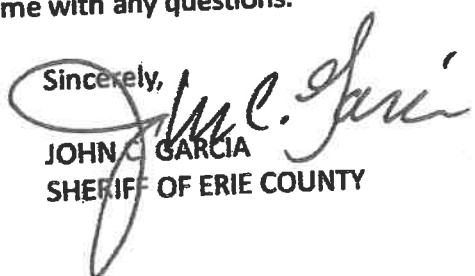
Application for Area Variance
11411 Stolle Road
The William and Diane Hein Foundation
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The organization is well run and the residence will also be well operated, safe, secure and the team are very knowledgeable on how to serve those who would be residing at the location. They have expertise and are well equipped to do this proposed project.

We strongly support this application by this organization for the variance being sought for use of this property. This is imperative for our community and for the women who have experienced assault and suffering.

Thank you and please do not hesitate to contact me with any questions.

Sincerely,


JOHN C. GARCIA

SHERIFF OF ERIE COUNTY

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SHERIFF OF ERIE COUNTY

March 6, 2026

Town of Marilla Planning Board
Marilla Town Hall
1740 Two Rod Road
Marilla, NY 14102

Re: Special Use Permit Application
11411 Stolle Road

Members of the Town of Marilla Planning Board:

It has come to my attention that a letter I wrote – dated June 25, 2025 – has become a primary tool used to lobby you regarding a Special Use permit application at 11411 Stolle Road. I want to be unequivocally clear. A decision regarding whether this is an appropriate location for the planned use of that address rests solely with you. As Sheriff, I respect that these decisions must be made at the town level.

To be sure, I do not believe that approval of this application would pose a specific threat to Marilla residents, as I stated in my June letter. Neither can I completely rule out the possibility that we may receive calls for service from that address. It would be unfair to make such a claim, and I want that to be fully understood by the Planning Board.

That said, I have full confidence in the applicant. They provide an important service for victims in our community and make safety a top priority. As it has been a priority throughout my term as Sheriff to stand up for victims, I will always support the work of providers who support them.

Very Truly Yours,

John C. Garcia
Sheriff of Erie County



TOWN OF MARILLA

S-1740 TWO ROD ROAD
MARILLA, NEW YORK 14102

(716) 652-5350
FAX: (716) 652-2541
TDD 1-800-662-1220

March 12, 2026

Subject: Clarification Regarding the William and Diane Hein Foundation Variance Application

Dear Members of the Marilla Town Board and Marilla Planning Board,

I am writing regarding the variance application submitted by the William and Diane Hein Foundation.

The Town of Marilla Zoning Board of Appeals based its findings and decision on September 10, 2025, on the understanding that the proposed facility would be used specifically for women who are victims of domestic abuse.

Domestic abuse is generally defined as a pattern of behavior in a relationship that is used to gain or maintain power and control over an intimate partner.

At no time during the application process did the applicants, or their representatives, indicate that the facility would also be available to women experiencing other types of circumstances or abuse. These could include, but are not limited to, victims of human trafficking, individuals struggling with drug abuse, or individuals transitioning from prison or jail.

Given this, I believe clarification is necessary regarding the intended scope and use of the proposed facility as originally presented to the Zoning Board of Appeals.

Thank you for your time and consideration.

Sincerely,

Leonard Janiga

Chairman

Zoning Board of Appeals

**JOHN C. GARCIA
SHERIFF**

**WILLIAM J. COOLEY
UNDERSHERIFF**



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SHERIFF OF ERIE COUNTY

24 hour coverage – 4 platoons 2 deputies each platoon

COSTS	2026	2027	2028
Full Time Wages with Fringe	\$1,245,275	\$1,282,634	\$1,321,113

24 hour coverage – 4 platoons 1 deputies each platoon

COSTS	2026	2027	2028
Full Time Wages with Fringe	\$622,638	\$641,317	\$660,556





TOWN OF MARILLA

S-1740 TWO ROD ROAD
MARILLA, NEW YORK 14102

(716) 652-5350
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TDD 1-800-662-1220

Town Board of Marilla

May 14, 2026

Reference: Special Use Application William and Diane Hein Foundation

WHEREAS, the applicant has not been forthcoming with correct and accurate information requested by the Planning Board, including:

- Refusing to confirm or deny the involvement of other organizations, including Path of WNY (People Against Trafficking Humans); and
- Refusal of representatives who would apparently be involved with the facility to provide their names and addresses during public meetings; and
- The applicant referencing other similar facilities but refusing to provide locations or contacts so that the Town may verify with local law enforcement whether problems exist at those facilities; and
- The applicant not openly admitting or denying that women experiencing various forms of abuse, including circumstances beyond domestic violence, could be housed at the proposed facility; and

WHEREAS, failing to accurately describe the purpose and use to which the property will be put including use not only by victims of domestic violence, but drug abusers, human trafficking victims and prison to community transitional residence; and

WHEREAS, the applicant appears to acknowledge that the majority of people generally define domestic abuse as a pattern of behavior used to gain or maintain power and control over an intimate partner, and that this definition typically does not include victims of human trafficking, individuals struggling with substance abuse, or individuals transitioning from incarceration; and

WHEREAS, letters from the Erie County Sheriff dated June 25, 2025, and March 6, 2026, do not specifically reference the organization involved with the proposed facility (see attachments); and

WHEREAS, the applicant has stated that this would be the first facility of this kind in which they would be involved; and

WHEREAS, the Erie County Sheriff's Department cannot guarantee 24-hour, 7-day-per-week coverage within the Town; and

WHEREAS, concerns over public safety due to limited law enforcement presence in the Town of Marilla as well as limited information regarding on-site security; and

WHEREAS, concerns about the effect upon the neighborhood which is comprised of single family dwellings with children; and

WHEREAS, the Erie County Sheriff's Department provided the Town with a proposal in December 2025 for 24/7 coverage that would exceed \$622,000 for the current year alone (see attachment); and

WHEREAS, the Town is already experiencing strain on its emergency services; and

WHEREAS, a letter from the Zoning Board of Appeals dated March 12, 2026, raises concerns regarding the applicant's integrity and the completeness and accuracy of information provided (see attachment); and

WHEREAS, questions remain regarding whether the William and Diane Hein Foundation would actually manage the day-to-day operations of the proposed facility; and

WHEREAS, there is uncertainty as to which organization would ultimately be responsible for managing the facility;

WHEREAS, the Special Use Permit was submitted in December of 2025; and

WHEREAS, Rooming Houses was not allowed in Agricultural Zoned Districts as of November of 2025; and

WHEREAS, The legal counsel's client was, from the very beginning of the process, Path of WNY; and

WHEREAS, The representatives of PATH of WNY deliberately attempted to conceal their identity and addresses for apparent personal safety concerns and/or to deceive the Town.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board **denies the Special Use Application** based on concerns regarding **public safety, particularly in a residential area with children, the applicant's lack of transparency, the timing of the filing of the special use permit and apparent deliberate attempt to conceal the true applicant.**