# GENESEE COUNTY PLANNING BOARD
# ZONING REFERRALS NOTICE OF FINAL ACTION

| | |
|---|---|
| GCDP Referral ID | **V-01-OAK-8-17** |
| Review Date | **8/10/2017** |
| Municipality | **OAKFIELD, V.** |
| Board Name | **PLANNING BOARD** |
| Applicant's Name | **Denise Linsey** |
| Referral Type | **Special Use Permit** |
| Variance(s) | |
| Description: | **Special Use Permit for a home occupation retail gift shop.** |
| Location | **15 S. Main St. (NYS Rt. 63), Oakfield** |
| Zoning District | **Residential (R-2) District** |

PLANNING BOARD DECISION

**DISAPPROVAL**

EXPLANATION:

Given that the gift shop will not be operated by a resident of the property, it does not meet the definition of a home occupation which requires it to be "carried on by a member of the immediate family residing in the dwelling unit."

Felix A. Ortiz

Director

August 10, 2017

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, N.Y. 14020-9404

**DEPARTMENT USE ONLY:**
G.C.D.P. Referral # V-01-OAK-8-17
Date Received 7-13-17

# GENESEE COUNTY PLANNING BOARD REFERRAL

RECEIVED
JUL 13 2017
Genesee County Department of Planning

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) Village of Oakfield, Planning Board
Address 37 Main Street
Oakfield NY, 14125

## 2. APPLICANT INFORMATION

Name Denise Linsey
Address 15 S. Main St.
Phone 716-474-1643 Email

**MUNICIPALITY:** ☐ City ☐ Town ☒ Village of Oakfield

## 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. Address 15 S. Main Street, Oakfield, NY 14125
B. Nearest intersecting road Coe Avenue., North Pearl Street
C. Tax Map Parcel Number 5.-1-20
D. Total area of the property 1.22 acres Area of property to be disturbed
E. Present zoning district(s) R-2

## 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 Home Occupation - to sell Marykay and Longaberger

## 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
- ☐ Other:

***** If possible, please provide a reduced version or digital copy of any supporting documentation larger that 11 x 17 in. Digital copies may be sent via email to planning@co.genesee.ny.us *****

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

Name Andrew Maguire Title Clerk Treasurer Phone 585-948-5862
Address 37 Main St, Oakfield, NY 14125 Email andrew@villageofoakfield.org

# VILLAGE OF OAKFIELD

## APPLICATION FOR SPECIAL USE PERMIT/USE VARIANCE

**TO THE PLANNING BOARD OF THE VILLAGE OF OAKFIELD:**

Applicant hereby request a Special Use Permit/Use Variance for the following purpose:
Home Occupation

(If you need room, please finish description on back of sheet)

Location of Special Use: 15 S. Main St. Oakfield, NY

(Including Tax Map #) 5.-1-20

Section of Zoning Ordinance: R2

Name Address and Phone # of Applicant (s) Denise Linsey 716 474-1643

**Section 208-D requires that a site plan** be submitted showing "the location of all buildings, parking, access and circulation, open space, landscaping and other information necessary to determine that the proposed special use complies with the intent of this Local Law."

Applicant Signature Denise Linsey Date July 11, 2017

Applicant Signature _____ Date _____

Application Fee: $150.00

Received : 7-11-17

Signed _____
Village Clerk

**********

THE VILLAGE OF OAKFIELD PLANNING BOARD, AT A MEETING HELD ON THE _____ DAY OF _____ 20_____ HEREBY (APPROVES) (DENIES) THE ABOVE APPLICATION FOR A SPECIAL USE PERMIT /USE VARIANCE. THE FOLLOWING ARE CONDITIONS OF APPROVAL:

All Special Use Permits/Use Variance are reviewed annually by the Zoning Officer.

Dated:_____ Signed: _____
Chairperson, Planning Board

APPLICATION FOR ZONING ☐ AND/OR BUILDING ☒ PERMIT

APPLICATION NUMBER: 10-17

APPLICATION DATE: 4/20/2017

# VILLAGE OF OAKFIELD, New York 14125

| OWNER | | APPLICANT (IF OTHER THAN OWNER) | |
|---|---|---|---|
| Name: | Denise Linsey | Name: | |
| Address: | 1663 Judge Rd Basom, NY 14013 | Address: | |
| Phone #: | 716 474-1643 | Phone #: | |

PROJECT SITE LOCATION: 15 S. Main St., Oakfield TAX MAP # (TMP) 5.-1-20
Check with the local Assessor

**INSTRUCTIONS:** *Using a ball point pen please fill out this application as completely as possible. Submit additional Attachment(s) [listed on the back of this sheet] and the completed application to the Village Clerk. This application is NON-TRANSFERRABLE and is NOT a permit to commence work.*

1 Application for Use: RESIDENTIAL ☒; COMMERCIAL ☐ ; INDUSTRIAL ☐ ; RECREATIONAL ☐ ; SITE PLAN ☐

2 Permit for: NEW CONSTRUCTION ☐ ; ADDITION ☐ ; ALTERATION ☐ ; REPAIR ☐ ; CHANGE IN USE ☒

3 Is this parcel; A corner lot? YES ☐ ; NO ☒ ; In a Sewer District? YES ☒ ; NO ☐ ; In a Water District? YES ☒ ; NO ☐

4 List the DIMENSIONS of the parcel: odd lot x ______ and/or TOTAL PARCEL AREA (Acres) 1.098 acres

5 What are the parcel setbacks [Ft.] from the project. FRONT ______; REAR ______ & SIDE yards (a) ______ (b) ______

6 Total % of coverage of ALL buildings on the parcel (including the proposed project): ______ TOTAL %

7 Does this project require County Health Department approval? NO ☒ ; YES ☐, If yes, submit attachment F.

8 Is this parcel property subdivided? NO ☒ ; YES ☐, If yes, provide documentation.

9 Do you give the Village VALID CONSENT to do the required inspections? YES ☒ NO ☐, If no, what procedures?

10 Name of Architect/Engineer N/A Telephone # ______
Address ______

11 Name of Contractor(s) Murray Construction Telephone # 585 815-3403 Justin
Address ______

12 Estimates cost of the project? 50,000??? [Substantiation may be required]

13 Total Dwelling units: ______

14

| PROPOSED PROJECT | HEIGHT | LENGTH | WIDTH | SQ. FT. |
|---|---|---|---|---|
| HOUSE | | | | |
| GARAGE | | | | |
| ACCESSORY BUILDING | | | | |
| SWIMMING POOL | | | | |
| DECK | | | | |
| COMMERCIAL/INDUSTRIAL | | | | |
| OTHER | | | | |
| | | | TOTAL SQ. FT. | |

PAID JUN 29 2017 CK# 154 VILLAGE OF OAKFIELD

15 Describe the proposed project and use: Change the Church into a gift shop. I sell Mary Kay + Longaberger and just want to have the Church as a place for my customers to shop.
[Use additional sheet(s) for more information]

**SIGNATURE BLOCK*****************************************************

*I hereby certify that I have read the instructions 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 a permit does not presume to give authority to violate or cancel provisions of any other state or local law or ordinance regulating construction or performance of construction.*

Denise Linsey
Signature - OWNER

April 20, 2017
Date

______
Signature - APPLICANT (If different than owner)

______
Date

**OFFICE USE ONLY**

Action taken by Z.E.O./C.E.O.: Approved ☐ ; Denied ☒ ; Reason for denial; Schedule A ☐ ______

Article ______ Section ______ Subsection ______ Paragraph ______ *Briefly Describe* Special use permit. Zoning District ______

Z.E.O. Signature: [signature]
C.E.O. Signature: ______
Date of Action: ______

| | YES | NO |
|---|---|---|
| Wetlands | | |
| Flood Plain | | |

**FEES:**
Cash ______
Check # ______
Receipt # ______

Special Use ______
Variance ______
Public Hearing ______
TOTAL ______

Zoning 150.00
Building ______
TOTAL $150.00

# VILLAGE OF OAKFIELD ATTACHMENTS LIST

Please check the required attachments:

The Zoning Enforcement Officer [Z.E.O.] will inform you of which attachments will be required for your particular project and/or use.

**PLEASE NOTE:** This application will not be considered complete until all appropriate attachments have been supplied and accepted. The applicant is responsible to provide all applicable attachments to the Z.E.O. Your project cannot be started until a Zoning Permit has been issued and if required the Code Enforcement Official [C.E.O.] has issued the Building Permit. The applicant is also responsible to make all necessary calls for inspections and pay any required fees as set forth in the appropriate Schedule of Fees.

If you have any questions, please call the Z.E.O.

- ☐ A. Submit a site plan. This should consist of an accurate map (tape location, survey map, etc.) showing all structures and/or buildings on the parcel. Show ALL dimensions of proposed projects and dimensions to property lines and street right-of-way(s) (R.O.W.)

- ☐ B. Identify adjoining parcels and owners within 300' (feet).

- ☐ C. Submit supporting data (written form).
  - -List construction sequence.
  - -Time schedule for completion of each phase of the project.
  - -Description of proposed uses, hours of operation, expected number of employees, and anticipated volume of traffic that this project will generate.

- ☐ D. Graphic material showing traffic circulation, parking spaces and pedestrian walks. Also, topography and landscaping plans, open space and buffer zones.

- ☐ E. Preliminary engineering plans showing street improvements, storm drainage, water supply and sanitary sewer facilities.

- ☐ F. Provide a copy of a current Genesee County Health Department approval for an individual sewage disposal system and the plans. (required for new dwelling construction, bedroom additions, etc.)

- ☐ G. Drawing of the sign, clearly showing the dimensions, characters and shape and, if illuminated, show source of the power and location of illumination.

- ☐ H. Provide 1 set of prints (signed & stamped by a licensed architect or engineer.)

- ☐ I. Describe the nature of the existing use.

- ☐ J. Provide a copy of an energy audit.

- ☐ K. Freshwater wetlands determination/permit from the N.Y.S. D.E.C. (as required by Article 24 of the Environmental Conservation Law).

- ☐ L. Certification indicating specific elevation in relation to the Federal Flood Hazard Area.

- ☐ M. (MINING ONLY) Describe extent of proposed mining operation. Removal of 1,000 + tons annually requires a N.Y.S. D.E.C. permit.

- ☐ N. Other (please specify) _____

# Affidavit of Exemption to Show Specific Proof of Workers' Compensation Insurance Coverage for a 1, 2, 3 or 4 Family, Owner-occupied Residence

***This form cannot be used to waive the workers' compensation rights or obligations of any party.***

**Under penalty of perjury,** I certify that I am the owner of the 1, 2, 3 or 4 family, **owner-occupied** residence (including condominiums) listed on the building permit that I am applying for, and I am not required to show specific proof of workers' compensation insurance coverage for such residence because (please check the appropriate box):

☐ I am performing all the work for which the building permit was issued.

☐ I am not hiring, paying or compensating in any way, the individual(s) that is(are) performing all the work for which the building permit was issued or helping me perform such work.

☒ I have a homeowner's insurance policy that is currently in effect and covers the property listed on the attached building permit AND am hiring or paying individuals a total of less than 40 hours per week (aggregate hours for all paid individuals on the jobsite) for which the building permit was issued.

I also agree to either:

- acquire appropriate workers' compensation coverage and provide appropriate proof of that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit if I need to hire or pay individuals a total of 40 hours or more per week (aggregate hours for all paid individuals on the jobsite) for work indicated on the building permit, or if appropriate, file a WC/DB-100 exemption form; OR
- have the general contractor, performing the work on the 1, 2, 3 or 4 family, **owner-occupied** residence (including condominiums) listed on the building permit that I am applying for, provide appropriate proof of workers' compensation coverage or proof of exemption from that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit if the project takes a total of 40 hours or more per week (aggregate hours for all paid individuals on the jobsite) for work indicated on the building permit.

Denise Linsey
(Signature of Homeowner)

8/11/16
(Date Signed)

Denise Linsey
(Homeowner's Name Printed)

Home Telephone Number _____

Property Address that requires the building permit:

15 S. Main St.
Oakfield, NY 14125

***Sworn to before me this _____ day of***

_____, _____.

***(County Clerk or Notary Public)***

**Once notarized, this Form BP-1 serves as an exemption for both workers' compensation and disability benefits insurance coverage.**

LAWS OF NEW YORK, 1998
CHAPTER 439

The **general municipal law is amended by adding a new section 125** to read as follows:

125. ISSUANCE OF BUILDING PERMITS. NO CITY, TOWN OR VILLAGE SHALL ISSUE A BUILDING PERMIT WITHOUT OBTAINING FROM THE PERMIT APPLICANT EITHER:

1. PROOF DULY SUBSCRIBED THAT WORKERS' COMPENSATION INSURANCE AND DISABILITY BENEFITS COVERAGE ISSUED BY AN INSURANCE CARRIER IN A FORM SATISFACTORY TO THE CHAIR OF THE WORKERS' COMPENSATION BOARD AS PROVIDED FOR IN SECTION FIFTY-SEVEN OF THE WORKERS' COMPENSATION LAW IS EFFECTIVE; OR

2. AN AFFIDAVIT THAT SUCH PERMIT APPLICANT HAS NOT ENGAGED AN EMPLOYER OR ANY EMPLOYEES AS THOSE TERMS ARE DEFINED IN SECTION TWO OF THE WORKERS' COMPENSATION LAW TO PERFORM WORK RELATING TO SUCH BUILDING PERMIT.

## Implementing Section 125 of the General Municipal Law

### 1. General Contractors – Business Owners and Certain Homeowners

For **businesses and certain homeowners listed as the general contractors on building permits,** proof that they are in compliance with Section 57 of the Workers' Compensation Law (WCL) is **ONE** of the following forms that indicate that they are:

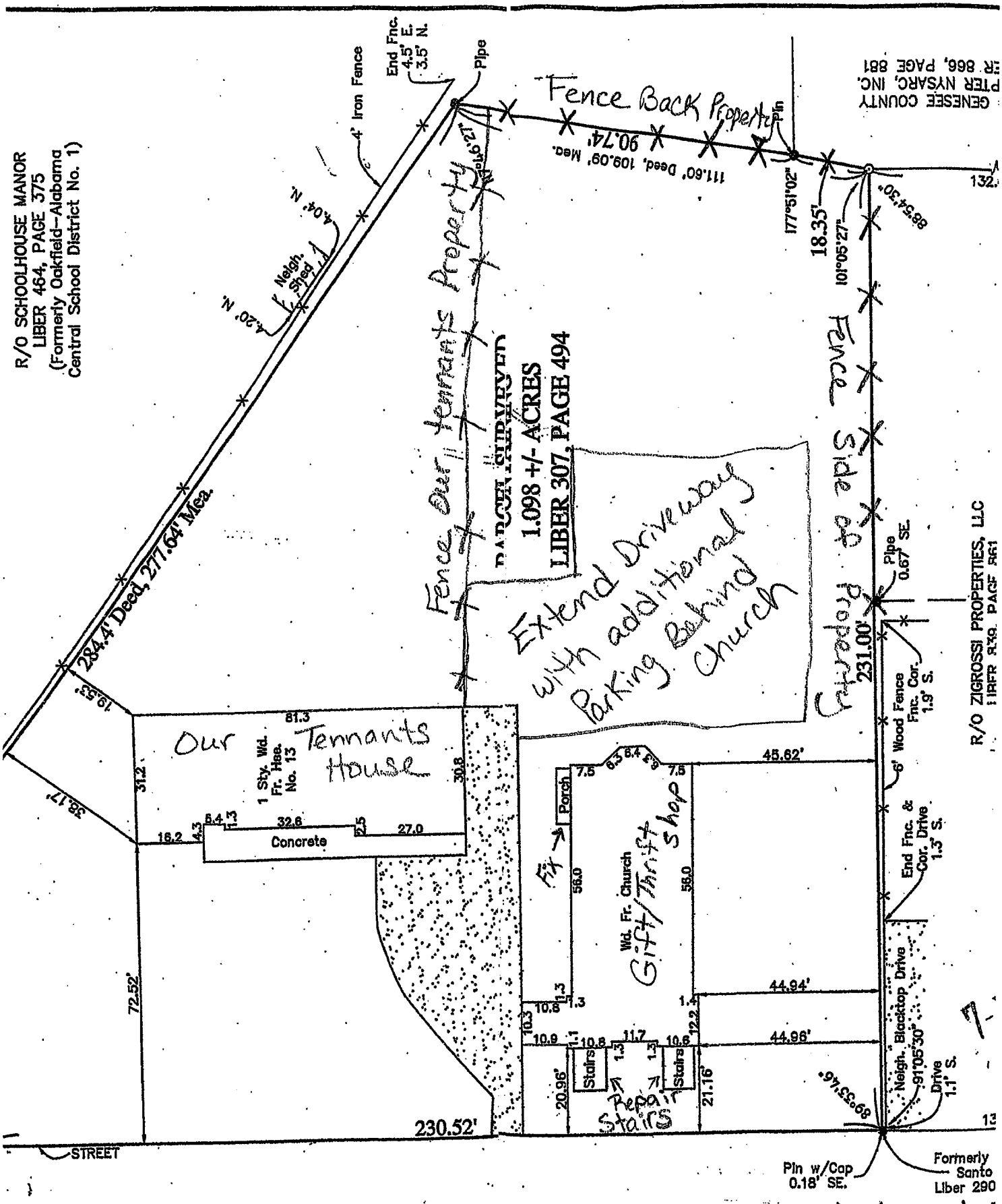
- insured (C-105.2 or U-26.3),
- a Board-approved self-insured employer (SI-12), or
- are exempt (WC/DB-100),

under the mandatory coverage provisions of the WCL. Any residence that is not a **1, 2, 3 or 4 Family, Owner-occupied Residence** is considered a business (income or potential income property) and must prove compliance by filing one of the above forms.

### 2. Owner-occupied Residences

For homeowners of a **1, 2, 3 or 4 Family, Owner-occupied Residence,** proof of their exemption from the mandatory coverage provisions of the Workers' Compensation Law when applying for a building permit is to file Form BP-1.

- Form BP-1 shall be filed if the homeowner of a **1, 2, 3 or 4 Family, Owner-occupied Residence** is listed as the general contractor on the building permit, and the homeowner:
  - ◊ is performing all the work for which the building permit was issued him/herself,
  - ◊ is not hiring, paying or compensating in any way, the individual(s) that is(are) performing all the work for which the building permit was issued or helping the homeowner perform such work, or
  - ◊ has a homeowner's insurance policy that is currently in effect and covers the property for which the building permit was issued AND the homeowner is hiring or paying individuals a total of less than 40 hours per week (aggregate hours for all paid individuals on the jobsite) for the work for which the building permit was issued.
- If the homeowner of a **1, 2, 3 or 4 Family, Owner-occupied Residence** is hiring or paying individuals a total of **40 hours or MORE** in any week (aggregate hours for all paid individuals on the jobsite) for the work for which the building permit was issued, then the homeowner may not file the "Affidavit of Exemption" Form BP-1, but shall either:
  - ◊ acquire appropriate workers' compensation coverage and provide appropriate proof of that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit (Form C-105.2 or Form U-26.3), OR
  - ◊ have the general contractor, performing the work on the 1, 2, 3 or 4 family, **owner-occupied** residence (including condominiums) listed on the building permit, provide appropriate proof of workers' compensation coverage, or proof of exemption from that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit.


R/O SCHOOLHOUSE MANOR
LIBER 464, PAGE 375
(Formerly Oakfield–Alabama
Central School District No. 1)
4' Iron Fence
End Fnc.
4.5' E.
3.5' N.
Pipe
Fence Back Property Pin
90.74'
111.60' Deed, 109.09' Mea.
GENESEE COUNTY
PETER NYSARC, INC.
LIBER 866, PAGE 881
177°51'02"
18.35'
101°05'27"
88°54'30"
132.
Fence Our Tenants Property
Fence Side of Property
PARCEL SURVEYED
1.098 +/- ACRES
LIBER 307, PAGE 494
Extend Driveway with additional Parking Behind Church
231.00'
Pipe
0.67' SE.
R/O ZIGROSSI PROPERTIES, LLC
LIBER 830, PAGE 861
6' Wood Fence
Fnc. Cor.
1.9' S.
284.4' Deed, 277.64' Mea.
4.04' N.
4.20' N.
Neigh. Shed
19.53'
38.17'
Our Tennants House
81.3
1 Sty. Wd. Fr. Hse. No. 13
30.8
31.2
72.52'
Concrete
16.2
4.3
5.4
1.3
32.6
2.5
27.0
Porch
7.5
6.3
6.4
2.5
45.62'
Wd. Fr. Church
Gift/Thrift Shop
56.0
58.0
Fx
End Fnc. & Cor. Drive
1.3' S.
44.94'
44.96'
10.3
10.8
1.3
10.9
1.1
10.8
11.7
10.6
12.2
Stairs
Stairs
Repair Stairs
20.96'
21.16'
Neigh. Blacktop Drive
91°05'30"
89°53'16"
Drive
1.1' S.
230.52'
STREET
Pin w/Cap
0.18' SE.
Formerly
Santo
Liber 290
MAIN STREET — — LEWISTN ROAD (ROUTE 63) (66.0'

I, Denise Linsey, would like to relocate my existing business, Simple Pleasures Home Decor + Gifts, from its current location (6520 Knowlsville Rd, Oakfield, NY) to my other property located at 15 S. Main St., Oakfield. The current gift shop is located in an old church and I want to move it to the other church I own at 15 S. Main St. The church at 15 S. Main St. was previously a church on the 2nd floor and they ran a thrift shop on the bottom floor. I am applying for a use variance so that I can have my gift shop on the 2nd floor and I would have a thrift shop on the bottom floor as they had previously. I would have the thrift shop open 1 day per week, and my gift shop open 3 days per week from 10am to 6pm. It would be operated solely by me. I don't anticipate the volume of traffic to change.

I would like to open the thrift shop as soon as possible, but my gift shop wouldn't be open till Spring 2018. The only construction that I plan on doing is replacing the stained glass windows with energy efficient windows, repair the front steps, replace the doors, fence in the property, and extend the driveway to the back of the church for some additional parking.

*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:
Simple Pleasures Gift Shop

Project Location (describe, and attach a location map):
15 S. Main St., Oakfield, NY 14125

Brief Description of Proposed Action:
Open gift/thrift shop in Church on my property.

| Name of Applicant or Sponsor: | Telephone: 716 474-1643 |
|---|---|
| Denise Linsey | E-Mail: simplepleasuresgiftshop@gmail.com |
| Address: 11663 Judge Rd | |
| City/PO: Basom, NY 14013 | State: NY / Zip Code: 14013 |

| | NO | YES |
|---|---|---|
| 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. | ☒ | ☐ |
| 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: | ☒ | ☐ |

| | |
|---|---|
| 3.a. Total acreage of the site of the proposed action? | 1.098 acres |
| b. Total acreage to be physically disturbed? | _____ acres |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? | 1.098 acres |

4. Check all land uses that occur on, adjoining and near the proposed action.
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☒ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

| | NO | YES | N/A |
|---|---|---|---|
| 5. Is the proposed action,<br>a. A permitted use under the zoning regulations? | ☐ | ☒ | ☐ |
| b. Consistent with the adopted comprehensive plan? | ☐ | ☐ | ☐ |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? | ☐ | ☒ | |
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____ | ☒ | ☐ | |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels? | ☒ | ☐ | |
| b. Are public transportation service(s) available at or near the site of the proposed action? | ☒ | ☐ | |
| c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action? | ☒ | ☐ | |
| 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: _____ | ☐ | ☒ | |
| 10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ | ☐ | ☒ | |
| 11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ | ☐ | ☒ | |
| 12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? | ☒ | ☐ | |
| b. Is the proposed action located in an archeological sensitive area? | ☒ | ☐ | |
| 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? | ☒ | ☐ | |
| 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: _____ | ☒ | ☐ | |

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☐ Urban ☒ Suburban

| | NO | YES |
|---|---|---|
| 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? | ☒ | ☐ |
| 16. Is the project site located in the 100 year flood plain? | ☒ | ☐ |
| 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? ☐NO ☐YES | | |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐NO ☐YES | | |

| | NO | YES |
|---|---|---|
| 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)?<br>If Yes, explain purpose and size: _____ | ☒ | ☐ |
| 19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?<br>If Yes, describe: _____ | ☒ | ☐ |
| 20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?<br>If Yes, describe: _____ | ☒ | ☐ |

**I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

Applicant/sponsor name: Denise Linsey Date: _____

Signature: Denise Linsey

**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? | ☒ | ☐ |
| 2. Will the proposed action result in a change in the use or intensity of use of land? | ☒ | ☐ |
| 3. Will the proposed action impair the character or quality of the existing community? | ☒ | ☐ |
| 4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? | ☒ | ☐ |
| 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? | ☒ | ☐ |
| 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? | ☒ | ☐ |
| 7. Will the proposed action impact existing:<br>a. public / private water supplies? | ☒ | ☐ |
| b. public / private wastewater treatment utilities? | ☒ | ☐ |
| 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? | ☒ | ☐ |
| 9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)? | ☒ | ☐ |

**JASON ARMBREWSTER**
Mayor

**DAVID BOYLE**
Deputy Mayor

Trustees
**SCOTT L. BORING**
**JOHN IGOE**
**JOHN MULLEN**

**ANDREW MAGUIRE**
Clerk/Treasurer

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June 27, 2017

Gorden Properties LLC
C/O Denise Linsey
1663 Judge Road
Basom, New York 14013

Regarding: Zoning Application for 15 South Main Street

Dear Mrs. Linsey:

This property is located on a Residential – R2 zoning district. A gift shop is not an allowable use for this zoning area. However, according to the Zoning Board of Appeals, this area would have to be re-zoned as a Commercial District for you to open a gift shop. You would be required to make this request in person to the Oakfield Village Board. If the Board feels it is in the best interest of the Village to do this, they can work with the Genesee County Planning Board to get this done. If extending this zoning is approved and after it is completed, you would then be allowed to pursue any further requirements as recommended by the County Planning Board to open a gift shop

The next Oakfield Village Board meeting is scheduled for July 10, 2017 at 5:00 PM. You can call the Village Office and request to be put on the meeting agenda. If you have further questions, please feel free to contact the Village Office.

Rick Pastecki
Zoning Enforcement Officer

C.c. Jason Armbrewster – Mayor
Bruce Gerould – Code Enforcement Officer