

(Submit in Triplicate)

Fee: \$35.00

PETITION

TO AMEND THE ZONING MAP OF THE TOWN OF AURORA, NEW YORK, OR FOR USE PERMIT BY THE TOWN BOARD

TO: THE TOWN BOARD OF THE TOWN OF AURORA, NEW YORK

Pursuant to Article IX of the Zoning Ordinance of the Town of Aurora, the undersigned owner(s) and petitioner(s) hereby request that the Zoning Map of the Town of Aurora, be amended as follows:

1. THE RURAL OUTREACH CENTER, INC.
Name ~~(Dist)~~ (Middle-Initial) ~~(Last)~~

2. Location of property to be rezoned: 730 CLEAN ROAD
TOWN OF AURORA

3. Area, in square feet, of the property to be rezoned: 326,700 sq. ft.; (7.5 ACRES)
Dimension of the property to be rezoned: APPROX. 446' x 856'

4. If the petitioner is not the owner of the property:
PATHWAYS CHRISTIAN FELLOWSHIP
Owner's Name and Address
300 GLEED AVE., EAST AURORA, NY 14252
Owner's Name and Address

What is the interest of the petitioner in the proposed rezoning?

PLEASE SEE ATTACHED STATEMENT.

5. Petitioner understands and agrees to furnish any of the following if requested by the Town Board or its agencies: An accurate survey map prepared by a licensed surveyor showing all dimensions, including interior angles or bearing of lines, and the location, proposed use and height of all buildings; location of all parking and truck loading areas, with access and egress drives thereto; location of outdoor storage, if any; location of all existing or proposed site improvements, including drains, culverts, retaining walls and fences; description of method of sewage disposal and location of such facilities; location and size of all signs; location and proposed development of buffer areas; location and design of lighting facilities; and the amount of building area proposed for retail sales, if any.

6. Attach the legal description of the property to be rezoned. PLEASE SEE ATTACHED DEED.

7. Present zoning classification of the property: RR 1A

8. Proposed zoning classification of the property: BZ

9. Present use of the property: _____

10. Proposed use of the property: PLEASE SEE ATTACHED STATEMENT.

11. Description of uses on all adjacent properties and a general description of the type of neighborhood in which the subject property is located:

RESIDENCES; RETAIL GARDEN STORE;
CONSTRUCTION CORPORATION STORAGE BUILDING

12. Names and Addresses of Owners of Abutting Properties:

- 1. PLEASE SEE ATTACHED LIST.
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____
- 7. _____

13. Additional information which the petitioner believes will assist the Town Board in its consideration of this request for rezoning:

PLEASE SEE ATTACHED STATEMENT.

14. Petitioner(s) acknowledge that payment of the application fee is for administrative and advertising expense to the Town as a result of this application and in no way relates to either approval or disapproval of the application and is not refundable.

Date: October 2, 2020

Vicki Feine
 (Signature of Petitioner) **VICKI FEINE**
CHAIR OF THE BOARD,
RURAL OUTREACH CENTER, INC.
 (Signature of Owner)

STATE OF NEW YORK)
 COUNTY OF ERIE) SS:
 TOWN OF AURORA)

On this 2ND day of OCTOBER, 2020, personally appeared before me

VICKI FEINE, CHAIR, 28 CANTERBURY LANE, E. AURORA, NY 14252
 (Name) (Address)

the petitioner, to me known to be the same person described in and who signed and executed the foregoing petition and who duly acknowledged to me the execution of the same for the purpose therein mentioned.

K. Michael Sawicki
 (Notary Public)

K. MICHAEL SAWICKI
 Notary Public, State of New York
 Qualified in Erie County
 My Commission Expires ~~Jan 31, 2024~~
4/13/23

Question #4

Petitioner currently leases the Property from the Owner. Owner and Petitioner are parties to a contract pursuant to which Owner will transfer title to Petitioner.



County Clerk's Recording Page

Return to:
BOX 88

Party 1:
WESTERN NEW YORK DISTRICT INC OF
THE WESLEYAN CHURCH

Party 2:
PATHWAYS CHRISTIAN FELLOWSHIP
CHURCH

Book Type: D Book: 11204 Page: 8727
Page Count: 3
Doc Type: DEED
Rec Date: 06/21/2011
Rec Tim: 02:57:50 PM
Control #: 2011130009
UserID: Eileen
Receipt#: 11090607
Document Sequence Number
TT2010017482

Consideration Amount: 73000.00

Recording Fees:

Fee 1	\$35.00
Fee 2	\$1.00
COE STATE \$14.25 GEN	\$14.25
COE STATE \$4.75 RM	\$4.75
RP5217 COUNTY \$9 RET	\$9.00
RP5217 ST-NON RES \$241	\$241.00
TP584	\$10.00

BASIC	0.
SONYMA	0
ADDL	0
NFTA MT	\$0.00
TRANSFER	\$292.00
NFTA TT	\$365.00

Total: \$972.00

STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE

WARNING - THIS SHEET CONSTITUTES THE CLERK'S ENDORSEMENT REQUIRED BY SECTION 319&316-a (5) OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK. DO NOT DETACH. THIS IS NOT A BILL.

Interim John J. Crangle, Jr.
COUNTY CLERK

20488

Warranty Deed with Lien Covenant

This Indenture,

Made the 28th day of April, Two Thousand Eleven

Between WESTERN NEW YORK DISTRICT, INC., OF THE WESLEYAN CHURCH, f/k/a Lockport Conference of the Wesleyan Methodist Church of America, 4669 Pinecrest Terrace, Eden, New York 14057, Grantor, and

PATHWAYS CHRISTIAN FELLOWSHIP CHURCH, P.O. Box 447, East Aurora, New York 14052, Grantee, 71 Main St, Hamburg NY 14075

Witnesseth, that the said Grantor, in consideration of One and More Dollars (\$1.00 & more) lawful money of the United States, paid by the Grantee, does hereby grant and release to the Grantee, its heirs and assigns forever.

All that Tract or Parcel of Land, situate in the Town of Aurora, County of Erie and State of New York, being part of Lots Nos. 13 and 14, Township 9, Range 6 of the Holland Land Company's Survey, described as follows:

BEGINNING at a point in the centerline of Olean Road at the southwest corner of lands conveyed to Daniel C. Clark and wife by deed recorded in the Erie County Clerk's Office in Liber 8349 of Deeds at page 149; thence easterly along the south line of said lands, 266.8 feet; thence northerly along an easterly line of said lands, 241.8 feet; thence easterly along a southerly line of said lands, 453.5 feet to the west line of lands of the Pennsylvania Railroad Company; thence southeasterly at an interior angle of 104° 18' 00" along the west line of said Railroad, a distance of 313.70 feet; thence southwesterly at an interior angle of 98° 24' 00" a distance of 853.11 feet to the center line of Olean Road; thence northwesterly along the centerline of Olean Road, 446 feet to the point or place of beginning.

This Deed is given pursuant to an Order granted by the New York State Supreme Court in the County of Erie.

TOGETHER with the appurtenances and all the estate rights of the Grantor in and to the said premises.

TO HAVE AND TO HOLD, the above granted premises unto the said Grantee.

AUR
130009 DVO-2

AND the said Grantor does covenant with said Grantee as follows:

FIRST -- That the Grantee shall quietly enjoy the said premises.

SECOND -- That the Grantor will forever WARRANT the title to said premises.

THIRD -- Subject to the trust fund provisions of section thirteen of the lien law.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal the day and year first above written.

IN PRESENCE OF

THE WESTERN NEW YORK DISTRICT, INC.
OF THE WESLEYAN CHURCH

Dr. Joseph W. Jennings (L.S.)
By: Dr. Joseph W. Jennings, District Superintendent

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the 28th day of April, 2011, before me, the undersigned, a notary public in and for said state, personally appeared DR. JOSEPH W. JENNINGS, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Stephanie M. Doe
Notary Public

STEPHANIE M. DOE
Notary Public, State of New York
No. 01DO6211887
Qualified in Niagara County
Commission Expires September 21, 2013

FOR COUNTY USE ONLY

C1. SWIS Code 142489
C2. Date Deed Recorded 6/21/11
C3. Book 11204 C4. Page 8727



REAL PROPERTY TRANSFER REPORT
STATE OF NEW YORK
STATE BOARD OF REAL PROPERTY SERVICES
RP - 5217
RP-5217 Rev 3/97

PROPERTY INFORMATION

1. Property Location V/L Olean Road
CITY OR TOWN Aurora VILLAGE 14052
2. Buyer Name Pathways Christian Fellowship Church
3. Tax Billing Address
4. Indicate the number of Assessment Roll parcels transferred on the deed 1 # of Parcels OR Part of a Parcel
5. Deed Property Size X FRONT FEET OR 1.3.0 DEPTH OR ACRES
6. Seller Name WNY District, Inc. of The Wesleyan Church

7. Check the box below which most accurately describes the use of the property at the time of sale:
A One Family Residential
B 2 or 3 Family Residential
C Residential Vacant Land
D Non-Residential Vacant Land
E Agricultural
F Commercial
G Apartment
H Entertainment / Amusement
I Community Service
J Industrial
K Public Service
L Forest
8. Ownership Type is Condominium
9. New Construction on Vacant Land
10A. Property Located within an Agricultural District
10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District

SALE INFORMATION

11. Sale Contract Date 01/14/11
12. Date of Sale / Transfer 06/21/11
13. Full Sale Price 7,300,000.00
14. Indicate the value of personal property included in the sale 0,000
15. Check one or more of these conditions as applicable to transfer:
A Sale Between Relatives or Former Relatives
B Sale Between Related Companies or Partners in Business
C One of the Buyers is also a Seller
D Buyer or Seller is Government Agency or Lending Institution
E Deed Type not Warranty or Bargain and Sale (Specify Below)
F Sale of Fractional or Less than Fee Interest (Specify Below)
G Significant Change in Property Between Taxable Status and Sale Dates
H Sale of Business is Included in Sale Price
I Other Unusual Factors Affecting Sale Price (Specify Below)
J None

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

16. Year of Assessment Roll from which information taken 11
17. Total Assessed Value (of all parcels in transfer) 17,500
18. Property Class 3.1.1
19. School District Name East Aurora Union
20. Tax Map Identifier(s) / Roll Identifier(s) 176.00 - 4 - 17.2

CERTIFICATION

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.

BUYER
[Signature] 6/21/11
BUYER SIGNATURE DATE
PO Box 447
STREET NUMBER STREET NAME (AFTER SALE)
E. Aurora NY 14052
CITY OR TOWN STATE ZIP CODE
SELLER
[Signature] 04/28/11
SELLER SIGNATURE DATE

BUYER'S ATTORNEY
magavern Jeffrey C.
LAST NAME FIRST NAME
716 649-1571
AREA CODE TELEPHONE NUMBER

NEW YORK STATE
COPY

Questions #9 and #10

Petitioner currently uses the property to carry out its charitable purposes. Petitioner generally seeks to identify and provide living assistance to the rural impoverished in Erie County and surrounding counties by means of food and clothing distribution, household goods redistribution and minor housing repairs, while also providing personal support, therapy and social services, education and other services to help such individuals overcome poverty and become self-sufficient. As an ancillary service, Petitioner also contracts with the County to provide "Code Blue" shelter to those in its service area.

At present, Petitioner operates out of an on site repurposed FEMA trailer. Title to the property will be transferred to Petitioner pursuant to contract in the next several months. Following transfer of title, and depending upon the success of a currently ongoing capital campaign, Petitioner intends to construct an approximately 9,000 square foot, single story building on the site to be used in place of the trailer. The intended building will include offices, a chapel, and a multipurpose room. The trailer will be removed from the property.

The current owner will lease back a portion of the building to be used primarily for worship and religious education on Sundays.

It is also the intention of Petitioner to construct in the future a second

building on the property. Current plans, which are uncertain at present, would be for a 4,500 square foot, single story building, which would be used chiefly for the storage of furniture, appliances and the like for distribution as needed. This function is currently accomplished through the use of storage sheds located on the property. The construction of the second building is dependent upon completion of the first building and financial considerations. At present, no date to begin the second project has been established.

LIST OF ABUTTING LANDWONERS
730 OLEAN ROAD REZONING

Ronald D Dedrick
Kristel J Dedrick
750 Olean Rd
East Aurora, NY 14052

Frank Sirianni
692 Olean Rd
East Aurora, NY 14052

Michael T Masterson
725 Olean Rd
East Aurora, NY 14052

Michael T Masterson
765 Olean Rd
East Aurora, NY 14052

Engasser Construction Corp.
691 Olean Rd
East Aurora, NY 14052

Question #13

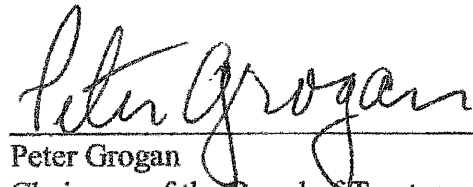
The property is directly across Olean Road from a parcel that is zoned I-Industrial. The rear of the property abuts a railroad line. The property size is sufficiently large so that Petitioner's proposed building will not be situated near the dwellings to the north and south of the property. Further, current plans call for the proposed building to be set back more than 200 feet from Olean Road. The building will be appropriately landscaped and ample parking behind the building will be provided.

TO: THE TOWN BOARD OF THE TOWN OF AURORA, NEW YORK

Re: 730 Olean Road, Town of Aurora (the "Property")

By this letter, Pathways Christian Fellowship, the current owner of the Property, hereby authorizes The Rural Outreach Center, Inc to file a petition with the Town Board to amend the Zoning Map of the Town of Aurora with respect to the Property.

September 30, 2020



Peter Grogan
Chairman of the Board of Trustees
Pathways Christian Fellowship

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.

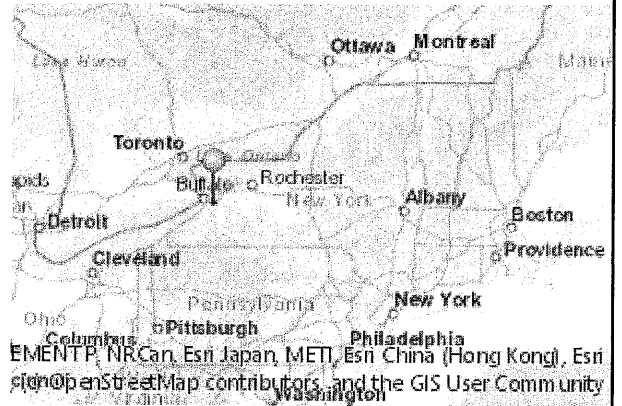
Part 1 – Project and Sponsor Information			
Name of Action or Project: Rural Outreach Center - New Headquarters Building Rezoning of existing property from RR/A (Rural Residential/Agricultural) to B-2 (Business) / site plan review of new 9,000 square foot building.			
Project Location (describe, 730 Olean Road East Aurora, NY 14052			
Brief Description of Proposed Action: Rezoning of existing property from RR/A (Rural Residential/Agricultural) to B-2 (Business) to allow The Rural Outreach Center to construct an approximately 9,000 square foot, single story building on the site to be used in place of an existing trailer. The intended building will include offices, a chapel, and a multipurpose room. The trailer will be removed from the property.			
Name of Applicant or Sponsor: Frank Cerny, Executive Director, The Rural Outreach Center		Telephone: 716-240-2220 E-Mail: frankcerny@theroc.co	
Address: 730 Olean Road			
City/PO: East Aurora		State: NY	Zip Code: 14052
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 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 Aurora: Planning Board (Site Plan Approval), Town Board (Special Use Permit), Building Department (Building Permit)		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 7.5 acres b. Total acreage to be physically disturbed? _____ 3.5 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 7.5 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" 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,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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	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	
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 type="checkbox"/>	<input checked="" 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:			
The new construction utilizes continuous and cavity insulation. Energy efficient windows and doors will be specified. High efficiency furnace models will be installed.	<input type="checkbox"/>	<input checked="" 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: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____			
New septic tank and leach field will be provided.	<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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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 type="checkbox"/>	<input checked="" 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	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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:		
<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 checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, briefly describe:		
Discharge to existing culvert leading to Cazenovia Creek.		
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:		
(On-site storm water detention will be provided)	<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?	NO	YES
If Yes, describe:	<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?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Donald E. Aubrecht (FFAE Architects on behalf of The ROC)</u> Date: <u>10/01/2020</u> Signature: <u></u> Title: <u>Architect</u>		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No