



TOWN OF AURORA
Southside Municipal Center
300 Gleed Avenue, East Aurora, NY 14052
www.townofaurora.com

To: Aurora Planning Board
From: Martha Librock, Town Clerk
Date: September 25, 2018
Re: Open Development Area/Open Development Area Variance Referral

At their September 24, 2018 meeting, the Town Board voted unanimously to refer an ODA/ODA variance (side yard setback) request for 633 Knox Road (SBL#164.00-2-6.22) to the Planning Board for review and recommendation(s).

SUPERVISOR
James J. Bach
(716) 652-7590
jbach@townofaurora.com



TOWN CLERK
Martha L. Libroek
(716) 652-3280
townclerk@townofaurora.com

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TOWN COUNCIL MEMBERS

Susan A. Friess
sfriess@townofaurora.com

Jeffrey T. Harris
jharris@townofaurora.com

Jolene M. Jeffe
jjeffe@townofaurora.com

Charles D. Snyder
csnyder@townofaurora.com

SUPT. OF HIGHWAYS
David M. Gunner
(716) 652-4050
highway@townofaurora.com

SUPT. OF BUILDING
Patrick J. Blizniak
(716) 652-7591
building@townofaurora.com

ASSESSOR
Richard L. Dean
assessor@townofaurora.com
(716) 652-0011

DIR. OF RECREATION
Christopher Musshafen
(716) 652-8866
chris@townofaurora.com

TOWN ATTORNEY
Ronald P. Bennett

TOWN JUSTICE
Jeffrey P. Markello
Anthony DiFilippo IV

HISTORIAN
Robert L. Goller
(716) 652-7944
historian@townofaurora.com

FAX: (716) 652-3507
NYS Relay Number:
1(800) 662-1220

Supervisor & Board Members,

9/20/2018

RE: Knox Rd. ODA

The original concept for this three lot ODA was approved Feb. 8, 2016 with the stipulation that any future development would be subject to the standards and requirements of Chapter 79 which has since become a part of Chapter 99.

In the case of Mr. Kruglov the west property line which is common to the cul de sac would be considered a side yard for the driveway ingress/egress side which requires a 75' setback as per Chapter 99-31A(2). Due to site constraints Mr. Kuglov is proposing a 52' setback requiring 23' variance. If you have any questions regarding this request contact me at 652-7591.

Bill Kramer



ORIGINAL ODA
APPROVAL TO SPLIT
PARCEL INTO 3 LOTS

TOWN OF AURORA

FEB 2016

RESOLUTION APPROVING OPEN DEVELOPMENT AREA PLAN TO SPLIT SBL# 164.00-2-6.2 KNOX ROAD TOWN OF AURORA, NEW YORK

WHEREAS, Chapter 79 of the Code of The Town of Aurora establishes standards for landowners who wish to develop or subdivide land that lacks required public road frontage for standard lot development (known as "open development area"); and

WHEREAS, Jode Edmunds ("the Applicant") has filed an Open Development Area application to subdivide SBL# 164.00-2-6.2, consisting of 41 acres \pm , located on the west side of Knox Road, into three parcels, the lot sizes measuring 10 acres \pm ; 13 acres \pm ; and 17 acres \pm , all of which are lacking required public road frontage; and

WHEREAS, the three (3) lots will be accessed by a private driveway within a 1,125 feet long by 50 feet wide right-of-way extending from Knox Road, and

WHEREAS, the private driveway will consist of a hard surface of twenty feet in width along its entire length, and

WHEREAS, the Applicant proposes to sell the three (3) parcels fronting on the private drive, and

WHEREAS, the Town of Aurora Planning Board has reviewed the proposed Open Development Area plan and has filed a recommendation of support of the application for a narrower ingress/egress width, and

WHEREAS, the Town of Aurora Zoning Board of Appeals has granted a seventeen feet variance to allow the width of the ingress/egress at the right-of-way of Knox Road to be thirty-three feet instead of the fifty feet required for an Open Development Area, and

WHEREAS, the Town Board has reviewed the SEQRA Full Environmental Assessment Form, submitted as part of the application, determining that the proposed use will not have a significant impact on the environment, and

WHEREAS, the Applicant has made every reasonable attempt and all necessary effort to comply with specifications of Chapter 79 of the Code of the Town of Aurora; and

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Aurora approves the Open Area Development application submitted by Jode Edmunds to split SBL# 164.00-2-6.2, located at on the west side of Knox Road, into three parcels, all of which are lacking required public road frontage; and BE IT FURTHER

RESOLVED, that the private driveway shall be subject to a Maintenance Agreement approved by all property owners using the private drive and that said maintenance agreement shall be filed with the Erie

County Clerk and a copy given to the Aurora Town Clerk, prior to construction on any of the parcels created under this Open Development Area; and BE IT FURTHER

RESOLVED, that the existing driveway that begins on Knox Road and connects with another driveway located on property situated to the north of the proposed development be terminated and completely removed to prevent drive through traffic from adjoining property; and BE IT FURTHER

RESOLVED, that approval by the Town Board of the Town of Aurora is expressly for SBL#164.00-2-6.2 and any future development on the parcels will be subject to the standards and requirements of Chapter 79 of the Code of the Town of Aurora without modification, variance or waiver; and BE IT FURTHER

RESOLVED, that said Open Development Area Plan for the split of SBL# 164.00-2-6.2 Knox Road into three (3) parcels, measuring 10 acres ±; 13 acres ±; and 17 acres ±, is approved.

WS-1



TOWN OF AURORA
OPEN DEVELOPMENT AREA APPLICATION

To Be Completed By Applicant

PETITIONER: Name: Alexander Kruglov

Address: 16 Templeton Trail

Orchard Park, NY, 14127

City State Zip

.com

PROJECT ADDRESS:

Name: _____

Address: _____ Ph. No. _____

PROJECT ADDRESS: 633 Knox Road 164.00-2-6.22
No. Street SBL No.

PROJECT DESCRIPTION: Single family home

Signature of Applicant: [Handwritten Signature]

State of New York) SS:
County of Erie)

On the 10 day of September, in the year 2018, before me, the undersigned, a notary public in and for said state, personally appeared Alexander Kruglov, personally known to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and they by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

[Handwritten Signature]
Notary Public

Kathy M. Gray
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01GR6342220
Qualified in Erie County
Commission Expires 05/23/2020

OFFICE USE ONLY:
File #: _____ Number of Lots _____ Total Acreage _____ Zoning _____
Open Development Area Review Application Fee \$ _____
Materials Received by _____
Town Clerk & Fee Paid _____
Accepted by _____ Date _____

TOWN OF AURORA 5 SOUTH GROVE STREET, EAST AURORA, NY 14052
(716) 652-3280 FAX (716) 652-3507 www.townofaurora.com



OPEN DEVELOPMENT AREA VARIANCE
APPLICATION FORM

Town of Aurora
300 Gleed Avenue
East Aurora, New York 14052

I. TYPE OF REQUEST

[X] AREA VARIANCE [] RESIDENTIAL SPRINKLER SYSTEM VARIANCE

II. APPLICANT/PETITIONER

Applicant's Name Alexander Y. Kruglov
Address 16 Templeton Trail
City Orchard Park State NY ZIP 14127
PI Fax [] E-mail []@mail.com
In [] ner/purchaser/developer)

ii INFORMATION (If different from applicant information, name)

Property Owner(s) Name(s) []
Address []
City [] State [] ZIP []
Phone [] Fax [] Email []

III. PROPERTY INFORMATION

Property Address 633 Knox Road, East Aurora, NY 14052
SBL# 164.00-2-6.21
Property size in acres 13.4 Property Frontage in feet 511.93'
Zoning District RR Surrounding Zoning RR
Current Use of Property Vacant

IV. REQUEST DETAIL

- Has an Open Development Area permit previously been issued for this property? [] Y [X] N
If yes, when? []

V. SIGNATURES (This application must be signed by the applicant/petitioner. If the applicant is not the owner of the property, a separate owner authorization form must be submitted – see pg. 5)

Alexander Kruglov

Signature of Applicant/Petitioner
ALEXANDER KRUGLOV

Print name of Applicant/Petitioner

State of New York; County of Erie

On the 17th day of Sept in the year 2018 before me, the above individual appeared, personally known 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/she/they executed the same for the purposes therein stated.

Jodi L Chak

Notary Public

(Notary stamp)

JODI L CHAK
Lic. #01C14971442
Notary Public - State of New York
Qualified in Erie County
COMM. EXP. 9-4-22

Office Use Only: Date received: _____ Receipt #: _____

Application reviewed by: _____

ECDP ZR-1 form sent to EC: _____ Hearing publication date: _____

PREVIOUS APPEAL(S):

A previous appeal to the Town Board and/or Zoning Board of Appeals () has () has not been made with respect to this property.

Previous appeals:

Date: _____ Type of Appeal: _____ Granted _____ Denied _____

Date: _____ Type of Appeal: _____ Granted _____ Denied _____

Erie County Department of Health
Division of Environmental Health Services
503 Kensington Ave
Buffalo, New York 14214
phone: (716) 961-6800; fax: (716) 961-6880

August 16, 2018

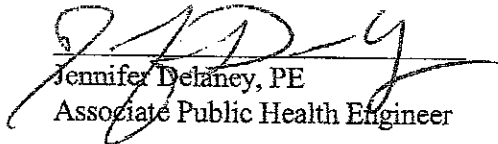
Alexander Kruglov
16 Templeton Trail
Orchard Park, NY 14127

RE: Knox (Kruglov)
Town of Aurora
HS# LMOO-B2SMSD

PERMIT FOR CONSTRUCTION/ALTERATION OF AN ON-SITE WASTEWATER TREATMENT
SYSTEM TO SERVE A THREE (3) BEDROOM RESIDENCE WITH A MAXIMUM DAILY FLOW
RATE OF 330 GALLONS PER DAY

The system is approved for construction with the understanding that whenever required by the Erie County Department of Health, additional or more adequate capacity for collection, disposal or treatment of sewage shall be installed and put into operation.

THIS CERTIFICATE EXPIRES ON AUGUST 9, 2021


Jennifer Delaney, PE
Associate Public Health Engineer

Cc: File
Richard Felber
Town of Aurora

Short Environmental Assessment Form

Part I - Project Information

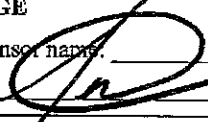
Instructions for Completing

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: Single-family home on Knox Rd			
Project Location (describe, and attach a location map): 633 Knox Rd			
Brief Description of Proposed Action: single family home, for the Kruglov Family (the current property owner)			
Name of Applicant or Sponsor: Churchill Architectural for Alex Kruglov Owner		Telephone: 716 4067506	
		E-Mail: jim@churchillar.com	
Address: 4181 Tonawanda Creek Rd N Suite B			
City/PO: Pendleton		State: NY	Zip Code: 14120
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 governmental Agency? If Yes, list agency(s) name and permit or approval: Building Permit Town of Aurora			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		15.4± acres	
b. Total acreage to be physically disturbed?		0.11± acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		13.4± acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input 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, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<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? If Yes, identify: _____	NO	YES	
	<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 service(s) available at or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>Well</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>Septic</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<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? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<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 checked="" 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 plain?	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? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

<p>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)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>James Churchill, RA on behalf</u> Date: <u>09/09/2018</u></p> <p>Signature: <u></u> of the property owner</p>		