

OK as to form only

TOWN OF AURORA
Zoning Board of Appeals Request

PAID
#75-00

Building Application # _____
Building Permit # _____

Zoning Appeal Case No. 1276
Date July 21, 2016

TO THE ZONING BOARD OF APPEALS, TOWN OF AURORA, NEW YORK

I, (we) Tom Molenda of 12265 S. Blossom Lea, Alden NY 14004
HEREBY APPEAL TO THE ZONING BOARD OF APPEALS FROM THE DECISION OF THE BUILDING
INSPECTOR on APPLICATION NO. _____ WHEREBY THE BUILDING INSPECTOR DID DENY

TO Tom & Julie Molenda
Name of Applicant

OF 2191 Grover, Aurora, NY
(Street & Number) (Municipality) (State)

- A PERMIT FOR USE
- A VARIANCE FROM ZONING ORDINANCE
- A TEMPORARY PERMIT OR EXTENSION THEREOF
- A CERTIFICATE OF EXISTING USE
- A PERMIT FOR OCCUPANCY

1. LOCATION OF THE PROPERTY 2191 Grover Road
SBL # 199.00-3-13 ZONING DISTRICT A

2. PROVISION(S) OF THE ZONING ORDINANCE APPEALED. (Indicate the Article, section, sub-section,
and paragraph of the Zoning Ordinance being appealed, by number. Do not quote the Ordinance)
Table of District Regulations - Side Yard Set Back

3. TYPE OF APPEAL. Appeal is made herewith for:
 An interpretation A variance - to the Zoning Ordinance
 An exception A temporary permit

4. A PREVIOUS APPEAL () has has not been made with respect to this decision of the Building Inspector
or with respect to this property

NAMES AND ADDRESSES OF OWNERS OF ABUTTING PROPERTIES ARE:
See attached list marked as an exhibit.

STATE OF NEW YORK
COUNTY OF ERIE
of _____

T. Molenda
Signature(s)
12265 South Blossom Lea Drive Alden, NY
Mailing Address 14004

Thomas A. Molenda, being duly sworn, deposed and says that he is the petitioner in this
action; that he has read the foregoing Request and knows the contents thereof; that the same is true to the
knowledge of deponent.

Pat 6/22/16
936584

Sworn to before me this 21st
day of June, 2016

Sheryl A. Miller
NOTARY PUBLIC

SHERYL A. MILLER
Reg. #01MI6128663
Notary Public, State of New York
Qualified In Erie County
Commission Expires June 13, 2017

SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, NY AND REPLY TO MUNICIPALITY

Note: Please complete in triplicate. Send original and one copy (with attachments) to Erie County Division of Planning, Room 1053, 95 Franklin Street, Buffalo, N.Y. 14202.
Retain last copy for your files.

DO NOT WRITE IN THIS SPACE

Case No.: _____

Received: _____

The proposed action described herein is referred in accordance with the provisions of the General Municipal Law, which provides that if no reply is received in 30 days after receipt of full information including a SEQR EAF if applicable, the municipal agency may take final action without considering such reply. If, however, reply is received at any time prior to municipal Action, such reply must be considered.

Description of Proposed Action

1. Name of Municipality: Town of Aurora

2. Hearing Schedule: **Date** 7/21/2016 **Time** 7:00pm **Location** 300 Glead Ave., E. Aurora

3. Action is before: Legislative Body Board of Appeals Planning Board

4. Action consists of: New Ordinance Rezone/Map Change Ordinance Amendment

Site Plan Variance Special Use Permit Other

5. Location of Property: Entire Municipality Specific as follows 2191 Grover Road, PO West Falls

Town of Aurora

6. Referral required as Site is within 500' of: State or County Property/Institution Municipal Boundary Farm Operation located in an Agricultural District

Expressway County Road State Highway Proposed State or County Road, Property, Building/Institution, Drainageway

Side yard set-back less than allowed by Town code; non-conforming lot - width less than allowed in current Town Code

7. Proposed change or use: (be specific) _____

8. Other remarks: (ID#, SBL#, etc.) SBL#199.00-3-13

9. Submitted by: Martha Librock, Town Clerk 7/1/16

300 Glead Avenue, E. Aurora, NY 14052

Reply to Municipality by Erie County Division of Planning

Receipt of the above-described proposed action is acknowledged on _____. The Division herewith submits its review and reply under the provisions of applicable state and local law, based on the information submitted with this referral.

1. The proposed action is not subject to review under the law.
2. Form ZR-3, Comment on Proposed Action is attached hereto.
3. The proposed action is subject to review; the Division makes the recommendation shown on Form ZR-4, Recommendation on Proposed Action, which is attached hereto.
4. No recommendation; proposed action has been reviewed and determined to be of local concern

By the Division of Planning: _____ Date: _____



Town of Aurora
 300 Glead Avenue
 East Aurora NY 14052



Zoning Board of Appeals Petitioner's Letter of Intent

Applicants Name Tom Molenda
 Address 12265 South Blossom Lea Dr, Alden NY 14004
 Telephone 7
 Address of appeal 2191 Grover Road, Aurora NY 14052
 Zoning District A
 Zoning Code Section Table of District Regulations
side yard set BACK

Type of Appeal:

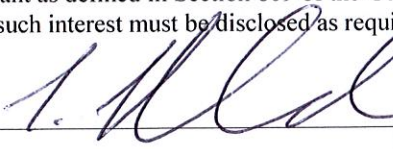
- A PERMIT FOR USE
- A VARIANCE FROM ZONING ORDINANCE
- A TEMPORARY PERMIT OR EXTENSION THEREOF
- A CERTIFICATE OF EXISTING USE
- A PERMIT FOR OCCUPANCY

GROUNDS FOR VARIANCE: (may continue on separate sheet)

See Attached

ACKNOWLEDGMENT:

Pursuant to Section 809 of the New York State General Municipal Law, the appellant shall state in his written appeal that to the best of his knowledge, no state officer or officer or employee of the Town of Aurora, has any interest in the appellant as defined in Section 809 of the General Municipal Law. If this statement cannot be made, the nature of any such interest must be disclosed as required by said State Law

Petitioners Signature  Date 6/20/16
 Owners Signature _____ Date _____

From: Bill Smith <bill.smith@huntrealestate.com>
To: mark metzger <metz1az@aol.com>
Subject: Fwd: FW: Molenda - Grover Land Purchase
Date: Tue, Jun 7, 2016 11:00 am

Hi Mark

Please have Susan sign and forward back. Thanks Bill

____ Forwarded message _____
From: <dbrown@realtyusa.com>
Date: Tue, Jun 7, 2016 at 8:13 AM
Subject: FW: Molenda - Grover Land Purchase
To: Bill Smith <bill.smith@huntrealestate.com>


Bill

Just got this from Tom the buyer, Paul is his attorney
 Think this is possible?
 Dawn

Subject: Molenda - Grover Land Purchase

Hello Paul,

I have been informed that the Town of Aurora requires a 20' buffer between each property line to the right and left of the home to be built. _____ I need to have the property owner supply a letter to me stating the following:

 _____, current owner of 2191 Grover Road, Aurora NY grant this letter of authorization to Tom and Julie Molenda to file a building variance application with the Town of Aurora Building Department for a home development on aforementioned site. This authorization will simply grant / allow Tom and Julie Molenda permission from me to submit the variance application to request a variance to the building permit code department of a 20' easement from either side of the property line borders. The lot currently measures 100' in width, there is an existing creek on the south side of the property line which the potential builders want to avoid disturbing. The Molenda's will submit the required documents required by the town to apply for a variance request of a 10' easement to both sides of the property line to accommodate the creek and the added planting of sustainable green space the Molenda's would like to add around the structure. This will also allow the Molenda's to move the structure further away from the side of the lot as to not interfere with the natural creek.

I will have to submit this letter with the variance paperwork asap in order to make the July Town Board meeting. The builder and I are prepared to present as needed. _____

Please advise when you secure the letter of authorization and thank you.

June 8, 2016

Tom and Julie Molenda
12265 South Blossom Lea Drive
Alden, NY 14004

1000 1000 1000
East Aurora, NY 14052
Attention Please: Zoning Board of Appeals

Dear Sir or Madam,

We are currently in a contract agreement with the current owner of the vacant land lot listed as SBL# 199.00-3-13, 2191 Grover Road, Aurora NY with contingencies in place regarding us being able to build on this site which measures 100' x 735'. Since moving to contract, we have secured the property survey which is enclosed with the remaining required paperwork. We have also submitted the required paperwork to the US Army Corps of Engineers Buffalo District – Biology Department – Regulatory Branch, 1776 Niagara Street, Buffalo NY 14207-3199, we have arranged for John Bierl from Custom Home Builders to perform the perk test on the property following the wet land and variance determinations.

We understand the building code to be a 20' easement from either border line of the property. We are requesting a variance of this rule to grant us a 10' easement off the North borderline of the property. The granting of this variance will allow us the opportunity to position our home further to the North line of the property, hence positioning our home further away from the existing creek and creek bed that exists directly parallel to the South borderline of the property. The creek bends toward the South property line in close proximity to the area of the lot which we are considering to build. Without this variance approval we will not be able to construct our home on this particular piece of property based on the size and orientation of the home in relationship to the property borders and the creek.

Additionally, the proposed setback of the house is well past that of either neighboring houses to the North or South property lines.

We look forward to our opportunity to answer any questions you may have regarding our request and our potential home building project.

Sincerely,


Tom Molenda

SUPERVISOR
JAMES BACH
(716) 652-7590
jbach@townofaurora.com



TOWN CLERK
MARTHA L. LIBROCK
(716) 652-3280
townclerk@townofaurora.com

TOWN OF AURORA
5 South Grove Street, East Aurora, NY 14052
www.townofaurora.com

Tom & Julie Molenda
12265 South Blossom Lea Dr.
Alden, N.Y. 14004

6/22/2016

Re: Side yard setback for SBL 199.00-3-13

Tom & Julie,

The Building Dept has discussed with you the required setbacks for SBL 199.00-3-13. Based on your desired house location you have been advised to apply to the Zoning Board of Appeals for an area variance because your proposal fails to meet the requirements as stipulated by the Town of Aurora Table of District Regulations.

District Regulations-
Required: Side yard of any main building at least 20'.
Requested side yard: 10.0'
Variance required: 10'

If you wish to pursue this matter further you must apply to the Town of Aurora Zoning Board of Appeals for an area variance. You must include your application, application fee, a letter to the ZBA members explaining your difficulty, and any information to support your need for a variance from the Town Code. If you have any questions contact us at 652-7591.

William R. Kramer

Code Enforcement Officer



TOWN OF AURORA
5 South Grove Street, East Aurora, New York 14052

February 12, 2002

SUPERVISOR
THOMAS E. COTTON
652-7590

TOWN COUNCIL
DAVID W. THOMASON
NORMAN K. SUTTELL
JEFFREY T. HARRIS
DWIGHT D. KRIEGER

TOWN CLERK
MARTHA L. LIBROCK
652-3280

SUPT. OF HIGHWAYS
DENNIS NOURSE
652-4050

RECEIVER OF TAXES
BARBARA HALT
652-7596

SUPT. OF BUILDING
PATRICK J. BLIZNIAK
652-7591

ASSESSOR
PATRICIA J. CALIGIURI
652-0011

DIRECTOR OF PARKS
AND RECREATION
PEGGY M. COOKE
652-8866

TOWN ATTORNEY
EDWARD J. SNYDER

TOWN JUSTICE
DOUGLAS MARKY
GEORGE HEZEL

TOWN HISTORIAN
DONALD DAYER
652-7944

FAX: 652-3507

Barbara Ehinger
Aubrey Leonard Realty
72 Hamburg St
East Aurora NY 14052

Dear Mrs. Ehinger:

Regarding the property on Grover Road in the Town of Aurora owned by Susan Metzger, SBL #199.00-3-13, research of our records show that this parcel existed as it is now before the Zoning Codes of the Town of Aurora were enacted and it is a grandfathered, buildable lot.

Respectfully,

A handwritten signature in black ink, appearing to read "Patrick Blizniak".

Patrick Blizniak
Superintendent of Buildings

PJB/lts



Thomson & Sawyer

NO IRONS SET OR FOUND AT PROPERTY CORNERS UNLESS NOTED HEREON.

This survey was prepared without the benefit of an iron set or other physical evidence of corners that may be revealed by an examination of such.

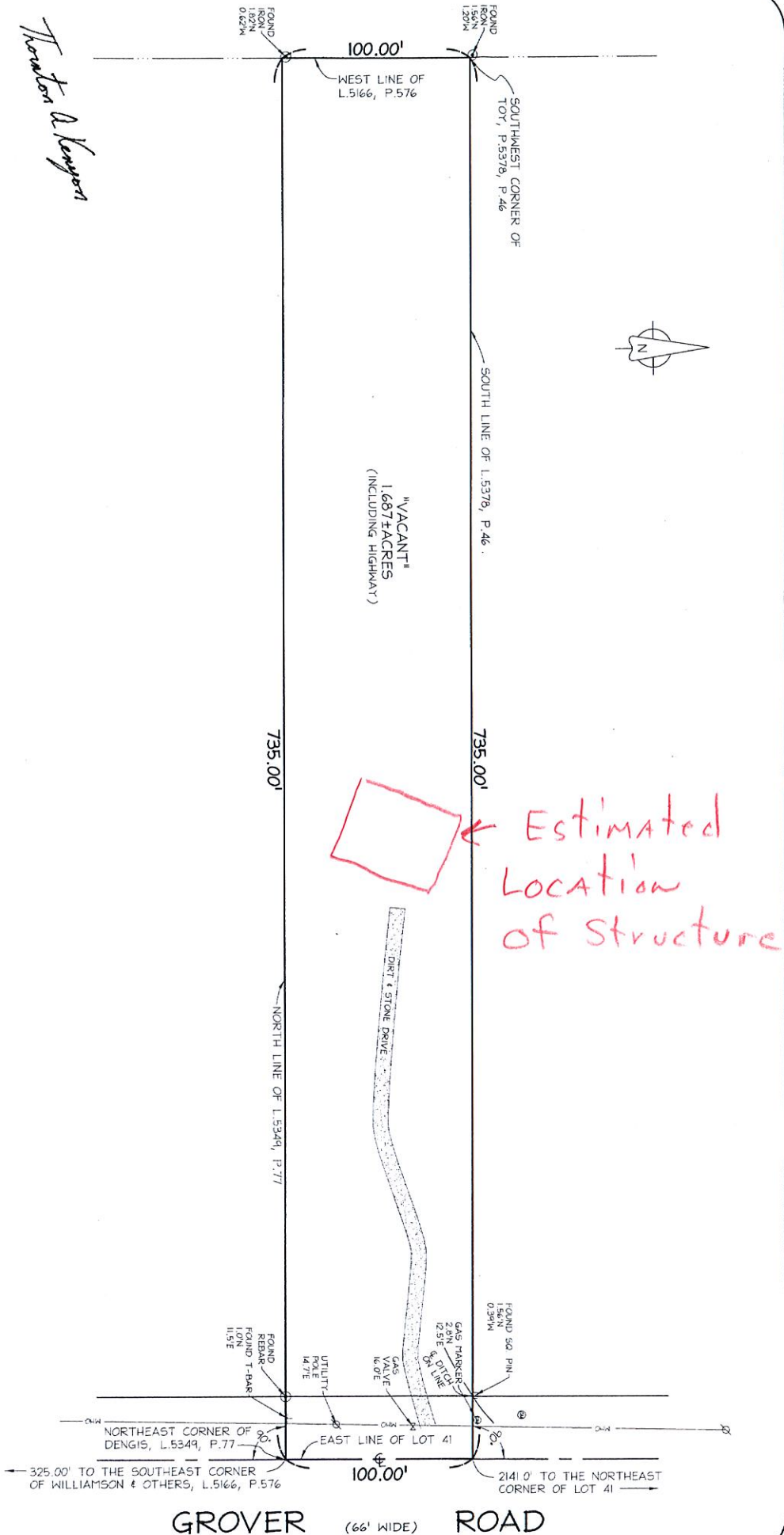
Unauthorized alterations or additions to any survey, drawing, design, specification, plan or report is a violation of section 7209, provision 2 of the New York State Education Law.

COPYRIGHT © 2016, MISSBAUMER & CURTIS, INC.

PART OF LOT 41	SECTION 16	TOWNSHIP 9	RANGE 16	HOLLAND LAND COMPANY'S SURVEY
LOCATION: TOWN OF AURORA	COUNTY OF ERIE	STATE OF NEW YORK	SCALE: 1" = 50'	
KIND SURVEY	DATE	REQUESTED BY	JOB NO.	
	5/19/16	BENNETT, DIFILIPPO & KURTZHALTS LLP	16-3-0164	

Missbauer & Curtis, Inc.
 Engineers and Surveyors
 100 Hamburg Street, P.O. Box 516
 East Aurora, New York 14053-0516
 (716) 655-1098

Successors to the records of Great Land Surveyors
 Successors to the records of James L. Shuster, Land Surveyor



Estimated Location of Structure

GROVER (66' WIDE) ROAD

Petitioner: Tom Molenda, 12265 S. Blossom Lea, Alden, NY 14004
aaf Susan Metzger, 5647 W Irma Dr, Glendale, AZ 85308
V/L Grover Rd

SBL#: 199.00-3-13

=====

Abutting Properties:

Mailing Address (if different)

SBL: 199.00-3-2.1
Reading Family Irrevocable Trust
Linda & David Reading Trustee
1662 Reading Rd
West Falls, NY 14170

SBL: 199.00-3-12
Benjamin & Jennifer Barber
2181 Grover Rd
West Falls, NY 14170

SBL: 200.00-4-34.111
Georgina Gittere
2196 Grover Rd
West Falls, NY 14170

SBL: 200.00-4-34.112
Sean & Kimberly Pierce
2216 Grover Rd
West Falls, NY 14170

SBL: 199.00-3-14
Brian Conwell
2217 Grover Rd
West Falls, NY 14170

SBL: 200.00-4-34.3
Earl & Barbara Jann
2220 Grover Rd
West Falls, NY 14170

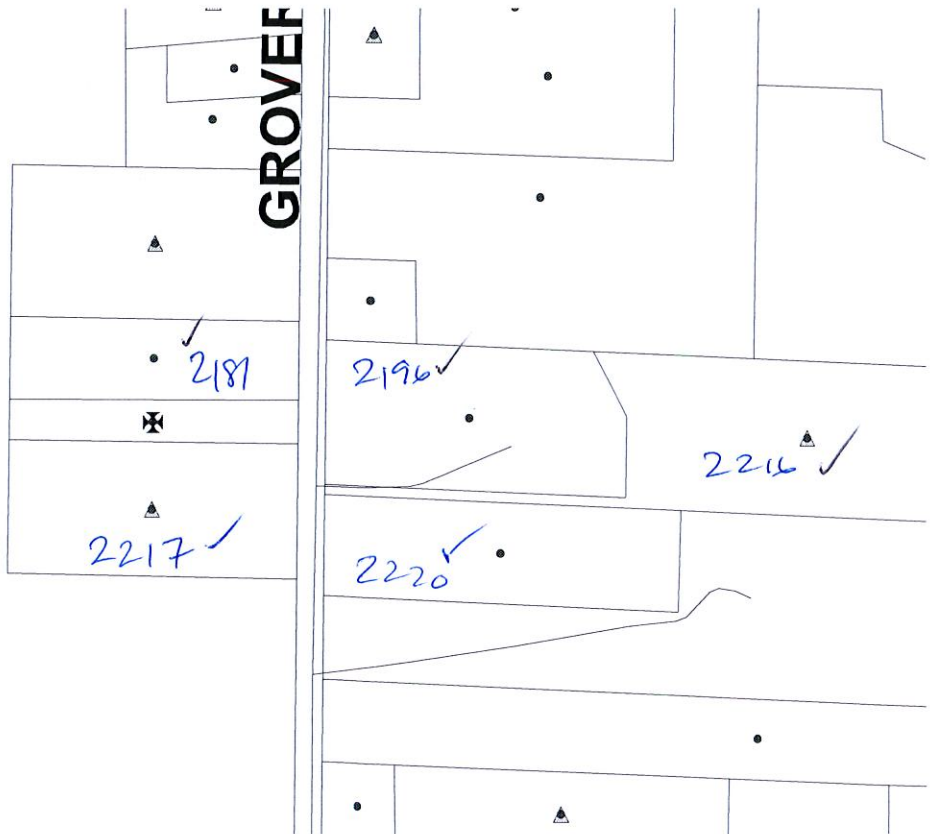
Tom Molenda aaf Susan Metzger

Sbr: 199.00-3-13

v/c Grover Rd



Reading Fam. ✓
1602 Reading Rd





Data Source

Source Type

Image Scale

Image Year

Areas of Interest

FWS Refuges

Historic Wetland Data

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

<u>Wetland Code</u>	<u>Generalized Wetland Habitat Type</u>	<u>Basic Hydrology</u>	<u>Flooding Duration</u>	<u>Man-Impact</u>
PEM1/SS1E	Freshwater Emergent/Shrub Wetland	Groundwater & Surface Flooding	Saturated & Seasonal/Drainage	
PEM1/SS1J	Freshwater Emergent/Shrub Wetland	Surface Flooding	Intermittent	
PEM1Ah	Freshwater Emergent Wetland	Surface Flooding	Temporary	
PEM1B	Freshwater Emergent Wetland	Groundwater	Saturated/Slope	
PEM1Cx	Freshwater Emergent Wetland	Surface Flooding	Seasonal	Excavated
PEM1E	Freshwater Emergent Wetland	Groundwater & Surface Flooding	Saturated & Seasonal/Drainage	
PEM1Eh	Freshwater Emergent Wetland	Groundwater & Surface Flooding	Saturated & Seasonal/Drainage	Impounded
PEM1J	Freshwater Emergent Wetland	Surface Flooding	Intermittent	
PEM1Jh	Freshwater Emergent Wetland	Surface Flooding	Intermittent	
PFO1/4B	Freshwater Forested Wetland	Groundwater	Saturated/Slope	Impounded
PFO1/EM1B	Freshwater Forested/Shrub Wetland	Groundwater	Saturated/Slope	
PFO1/SS1E	Freshwater Forested/Shrub Wetland	Groundwater	Saturated & Seasonal/Drainage	
PFO1/SS2C	Freshwater Forested/Shrub Wetland	Groundwater & Surface Flooding	Saturated & Seasonal/Drainage	
PFO1B	Freshwater Forested/Shrub Wetland	Surface Flooding	Seasonal	
PFO1E	Freshwater Forested/Shrub Wetland	Groundwater	Saturated/Slope	
PFO1J	Freshwater Forested/Shrub Wetland	Groundwater & Surface Flooding	Saturated & Seasonal/Drainage	
PSS1/2C	Freshwater Forested/Shrub Wetland	Surface Flooding	Intermittent	
		Surface Flooding	Seasonal	

OK as to form only

TOWN OF AURORA
Zoning Board of Appeals Request

PAID
\$7500

Building Application # _____
Building Permit # _____

Zoning Appeal Case No. 1277
Date 7/21/16

TO THE ZONING BOARD OF APPEALS, TOWN OF AURORA, NEW YORK

I, (we) Daniel Beitz of Beitz Masonry & Construction
HEREBY APPEAL TO THE ZONING BOARD OF APPEALS FROM THE DECISION OF THE BUILDING
INSPECTOR on APPLICATION NO. _____ WHEREBY THE BUILDING INSPECTOR DID DENY

TO Daniel Beitz as agent for JOHN RAYFORD
Name of Applicant

OF 1919 Reading Rd Westfalls NY
(Street & Number) (Municipality) (State)

- A PERMIT FOR USE
- A VARIANCE FROM ZONING ORDINANCE
- A TEMPORARY PERMIT OR EXTENSION THEREOF
- A CERTIFICATE OF EXISTING USE
- A PERMIT FOR OCCUPANCY

1. LOCATION OF THE PROPERTY 1150 Underhill Rd E. Aurora
SBL # 188.00-1-b.2 ZONING DISTRICT A

2. PROVISION(S) OF THE ZONING ORDINANCE APPEALED. (Indicate the Article, section, sub-section,
and paragraph of the Zoning Ordinance being appealed, by number. Do not quote the Ordinance)
116-28A

3. TYPE OF APPEAL. Appeal is made herewith for:
 An interpretation A variance - to the Zoning Ordinance
 An exception A temporary permit

4. A PREVIOUS APPEAL has has not been made with respect to this decision of the Building Inspector
or with respect to this property

NAMES AND ADDRESSES OF OWNERS OF ABUTTING PROPERTIES ARE:
See attached list marked as an exhibit.

STATE OF NEW YORK
COUNTY OF ERIE
Town of Aurora

Daniel Beitz
Signature(s)
1919 Reading Road Westfalls NY 14170
Mailing Address

DANIEL BEITZ, being duly sworn, deposed and says that he is the petitioner in this
action; that he has read the foregoing Request and knows the contents thereof; that the same is true to the
knowledge of deponent.

Sworn to before me this 27th
day of June, 2016
Martha L. Librock
NOTARY PUBLIC

MARTHA L. LIBROCK
Notary Public, State of New York
No. 01L15028312
Qualified in Erie County
My Commission Expires May 31, 2018

RD 6/27/16
Rept # 045582

**SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, NY
AND REPLY TO MUNICIPALITY**

Note: Please complete in triplicate. Send original and one copy (with attachments) to
Erie County Division of Planning, Room 1053, 95 Franklin Street, Buffalo, N.Y. 14202.
Retain last copy for your files.

DO NOT WRITE IN THIS SPACE

Case No.: _____

Received: _____

The proposed action described herein is referred in accordance with the provisions of the General Municipal Law, which provides that if no reply is received in 30 days after receipt of full information including a SEQR EAF if applicable, the municipal agency may take final action without considering such reply. If, however, reply is received at any time prior to municipal Action, such reply must be considered.

Description of Proposed Action

1. Name of Municipality: Town of Aurora

2. Hearing Schedule: **Date** 7/21/2016 **Time** 7:00pm **Location** 300 Glead Ave., E. Aurora

3. Action is before: Legislative Body Board of Appeals Planning Board

4. Action consists of: New Ordinance Rezone/Map Change Ordinance Amendment

Site Plan Variance Special Use Permit Other

5. Location of Property: Entire Municipality Specific as follows 1150 Underhill Road, E. Aurora

Town of Aurora

6. Referral required as Site is within 500' of: State or County Property/Institution Municipal Boundary Farm Operation located in an Agricultural District

Expressway County Road State Highway Proposed State or County Road, Property, Building/Institution, Drainageway

Fence height in front yard (at right-of-way) higher than allowed by Town code

7. Proposed change or use: (be specific) code

8. Other remarks: (ID#, SBL#, etc.) SBL#188.00-1-6.2

9. Submitted by: Martha Librock, Town Clerk 7/1/16

300 Glead Avenue, E. Aurora, NY 14052

Reply to Municipality by Erie County Division of Planning

Receipt of the above-described proposed action is acknowledged on _____. The Division herewith submits its review and reply under the provisions of applicable state and local law, based on the information submitted with this referral.

1. The proposed action is not subject to review under the law.
2. Form ZR-3, Comment on Proposed Action is attached hereto.
3. The proposed action is subject to review; the Division makes the recommendation shown on Form ZR-4, Recommendation on Proposed Action, which is attached hereto.
4. No recommendation; proposed action has been reviewed and determined to be of local concern

By the Division of Planning: _____ Date: _____



Town of Aurora
300 Glead Avenue
East Aurora NY 14052



Zoning Board of Appeals Petitioner's Letter of Intent

Applicants Name Daniel Beitz
 Address 1919 Reading Rd West Falls NY 14170
 Telephone _____
 Address of appeal 1150 Underhill Rd
 Zoning District A
 Zoning Code Section 116-28A

Type of Appeal:

- A PERMIT FOR USE
- A VARIANCE FROM ZONING ORDINANCE
- A TEMPORARY PERMIT OR EXTENSION THEREOF
- A CERTIFICATE OF EXISTING USE
- A PERMIT FOR OCCUPANCY

GROUND FOR VARIANCE: (may continue on separate sheet)

For security reasons we are requesting this
we have had multiple people drive up our
driveway uninvited. I also had someone
try to run me over and filed a police
report in 2014 for this.

ACKNOWLEDGMENT:

Pursuant to Section 809 of the New York State General Municipal Law, the appellant shall state in his written appeal that to the best of his knowledge, no state officer or officer or employee of the Town of Aurora, has any interest in the appellant as defined in Section 809 of the General Municipal Law. If this statement cannot be made, the nature of any such interest must be disclosed as required by said State Law

Petitioners Signature Daniel Beitz Date 6/23/16
 Owners Signature M. Moran Date June 23 2016

1150 Underhill
East Aurora NY 14052

To whom it may concern.

This letter is to inform you that Daniel Beitz has the authority to handle requests for variance modifications for proposed stone columns and driveway gate at 1150 Underhill in East Aurora New York. Should you have any question do not hesitate to call me on my cell phone [REDACTED] Thank you for your help.

Regards,



John Radford M.D.

Owner

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



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

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

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
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(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

John Radford M.D.
1150 Underhill Rd.
East Aurora, NY 14052

6/28/2016

Re: Fence Ht.

Doctor Radford,

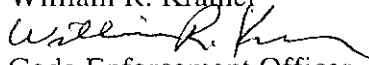
The Building Dept. has reviewed your plans to erect a new gate and fence at 1150 Underhill Rd. . We have denied your request because you fail to meet Town Code Section 116-28 A.

Required: A wall or fence not over 3.5 ft. in any front yard or side-street side yard.

Requested: 9.5 ft.

Variance required: 6ft

If you wish to pursue this matter further you must apply to the Town of Aurora Zoning Board of Appeals for an Area Variance. You must include your application, application fee, and any information you need to support your need for a variance from the Town Code. If you have any questions contact us at 652-7591.

William R. Kramer

Code Enforcement Officer

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: <div style="text-align: center; font-size: 1.2em;">Stone Wall Entrance Gate</div>			
Project Location (describe, and attach a location map): <div style="text-align: center; font-size: 1.2em;">1150 Underhill Rd East Aurora</div>			
Brief Description of Proposed Action: <div style="text-align: center; font-size: 1.2em;">Pour footers for stone piers + wall to accept security gate</div>			
Name of Applicant or Sponsor: <div style="font-size: 1.2em;">Daniel Beitz / Beitz Masonry</div>		Telephone: 7 E-Mail: be <div style="font-size: 1.2em;">@gmail.com</div>	
Address: <div style="font-size: 1.2em;">1919 Reading Rd</div>			
City/PO: <div style="font-size: 1.2em;">West Falls</div>		State: <div style="font-size: 1.2em;">NY</div>	Zip Code: <div style="font-size: 1.2em;">14170</div>
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:			NO <input checked="" type="checkbox"/> YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<u>10.46 ac</u> acres	
b. Total acreage to be physically disturbed?		<u>2 ac</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>17.75 ac</u> acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input 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?	<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? 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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>not needed</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>not needed</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? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input 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? 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 type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input 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 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>_____</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>_____</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>_____</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>Daniel J Beitz</u> Date: <u>6/27/16</u></p> <p>Signature: <u><i>Daniel J Beitz</i></u></p>		

AND BRACING OF STRUCTURE

WINGS AND COMPLYING WITH

FOOTINGS

MENT ADEQUATE IN SIZE,
SECTION IN A TIMELY MANNER

FRAMING AND COMPLYING WITH ASTM
E-TRANSIT-MIX CONCRETE COMPLYING
201966

DAREN AND SIMILAR SOILS: 75 PERCENT
MINOR COMPONENTS: 25 PERCENT

PROPERTIES AND QUALITIES

SLOPE: 0 TO 3 PERCENT
DEPTH TO RESTRICTIVE FEATURE: MORE THAN 80 INCHES
DRAINAGE CLASS: SOMEWHAT POORLY DRAINED
CAPACITY OF THE MOST LIMITING LAYER TO TRANSMIT WATER (Ksat):
MODERATELY LOW TO MODERATELY HIGH (0.06 TO 0.20 IN/HR)
DEPTH TO WATER TABLE: ABOUT 6 TO 12 INCHES
FREQUENCY OF FLOODING: NONE
FREQUENCY OF PONDING: NONE
AVAILABLE WATER STORAGE: MODERATE (ABOUT 1.6 INCHES)

INTERPRETIVE GROUPS

LAND CAPABILITY (IRRIGATED): NONE SPECIFIED
LAND CAPABILITY (NONIRRIGATED): 3n
HYDROLOGIC SOIL GROUP: C/D

BASED UPON THE SOIL SURVEY INFORMATION, THE LOAD B
VALUES IN NEW YORK STATE CODE TABLE (B04.2), ALLOW
FOUNDATION BEARING PRESSURE, SHALL BE ASSUMED AT 1
P.S.F. WITH A LATERAL BEARING OF 100 P.S.F. BELOW NAT
GRADE. THE OWNER/CONTRACTOR SHALL CONTACT THE AG
AT TIME OF EXCAVATION SO AN ON-SITE VISIT CAN BE CC
TO DETERMINE THAT THE ACTUAL SOIL CONDITIONS ARE A
ANTICIPATED AND FOLLOW UP WITH A DOCUMENTING FIELD
TO THE OWNER AND BUILDING DEPARTMENT.

5, 3500 PSI CONCRETE WITH 5% - 7% AIR ENTRAINMENT FOR FOOTINGS PER NYS CODE
TABLE R-402.2

MASONRY

- 1. CONCRETE BLOCK WALLS AND PEDESTALS MAY BE CONSTRUCTED AS FOLLOWS:
 - CONCRETE BLOCK STEM WALLS AND PIERS SHALL BE TYPE N 16" X 8" X 8" SMOOTH FACE BLOCK
 - CONCRETE BLOCK VENEER TO BE 4 X 8 X 8 ROCK FACE BLOCK TO MATCH MAIN HOUSE
 - BRICK VENEER TO MATCH MAIN HOUSE
 - CEMENT MORTAR SHALL BE TYPE N OR S
 - PROVIDE #5 DOWEL IN GROUT FILLED CELLS AT 48" O.C. VERTICALLY AND TRUSS TYPE REINFORCEMENT AT 16" O.C. HORIZONTALLY, FILL BALANCE OF CELLS SOLID

PROJECT CONTACT LIST

LENNY LACONGO 845-6338
EDISON CONTRACTING
lledison@gmail.com

DAN BEITZ 430-8928 / 652-7644
BEITZ MASONRY AND CONSTRUCTION
580 PORTERVILLE ROAD, EAST AURORA,
NY 14052

TOM 570-0964
AMHERST ALARM
tom@amherstalarm.com

DOUG 864-5600
SCRANTONS THRUWAY BUILDERS
dougscranton@unitedmaterialsllc.com

RE-ROUTE EXISTING
POWER AND SECURITY
TO GATE - CONFIRM
LOCATIONS

EXISTING GARPORT WITH
STAINED AND STAMPED
CONCRETE

180.0'

657.00'

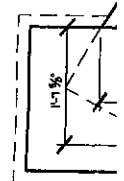
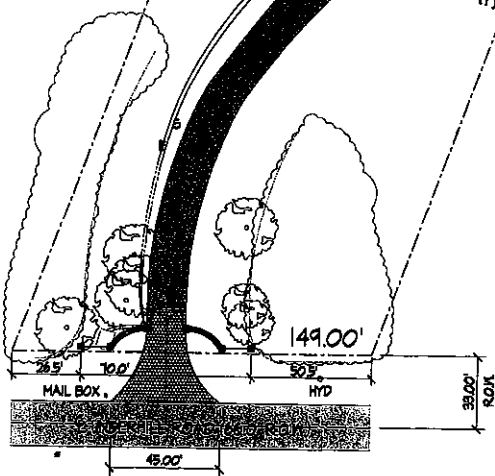
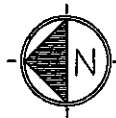
366.00'

PIER/WALL
INTERSECT

SCALE: 3/4" = 1'-0"

PARTIAL
SITE PLAN

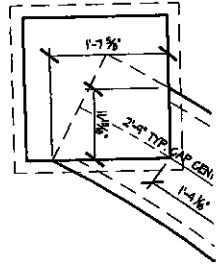
SCALE: 1" = 40'-0"



AN

PIER/WALL CAP INTERSECTION

SCALE 3/4" = 1'-0"



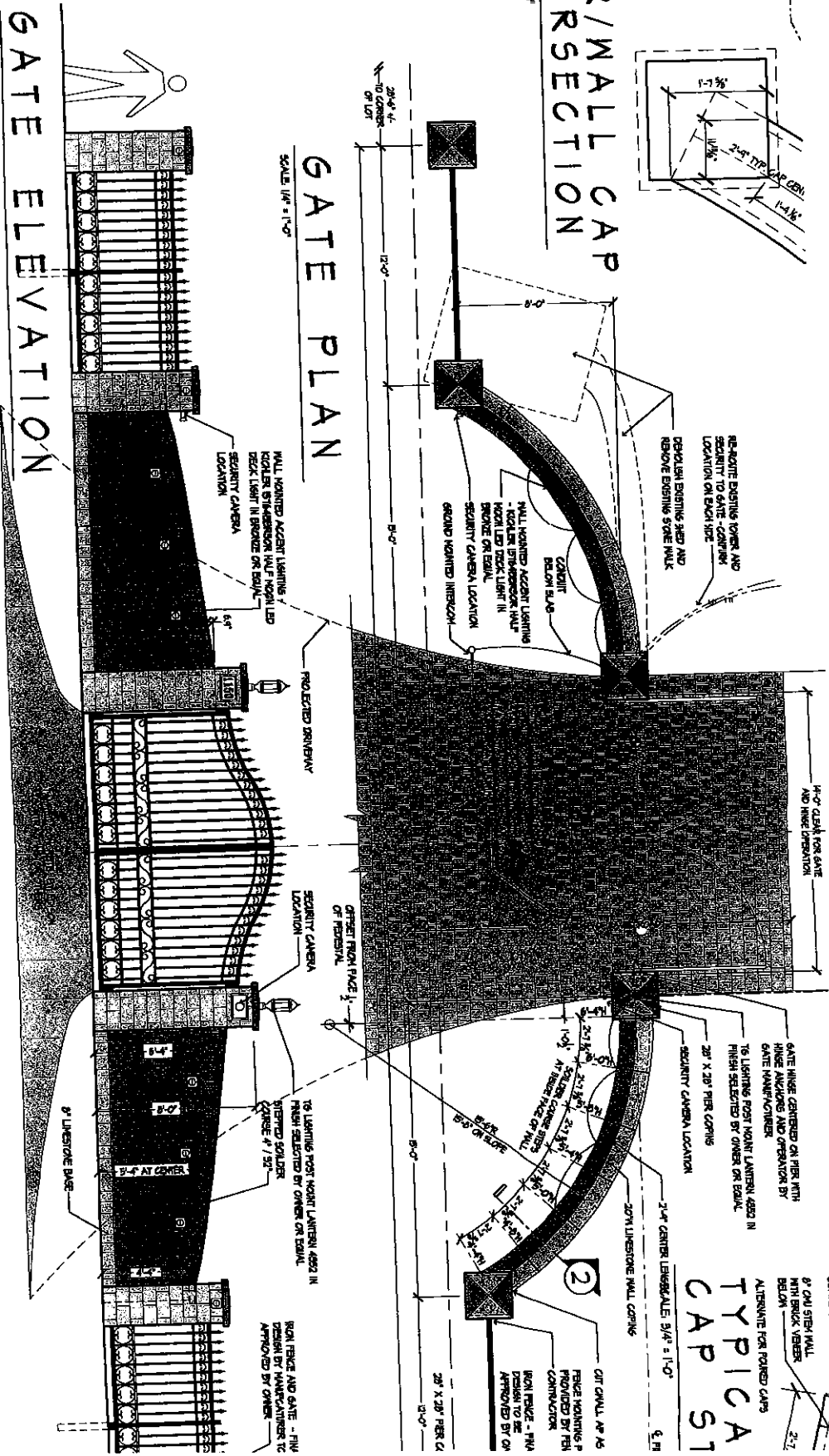
RE-ROUTE EXISTING TOWER AND SECURITY TO GATE - CONTAIN LOCATION ON EACH SIDE
 REMOVE EXISTING SIGN AND REMOVE EXISTING SIDE WALK

GATE PLAN

SCALE 1/4" = 1'-0"

GATE ELEVATION

SCALE 1/4" = 1'-0"



CONCRETE
 BELOW SLAB
 WALL MOUNTED ACCENT LIGHTING - ROUNDLED STRIP LIGHT IN BRONZE OR BRASS
 SECURITY CAMERA LOCATION
 GROUND MOUNTED INTERCOM

WALL MOUNTED ACCENT LIGHTING - ROUNDLED STRIP LIGHT IN BRONZE OR BRASS
 SECURITY CAMERA LOCATION

PROTECTED DRIVEWAY

SECURITY CAMERA LOCATION

TO LIGHTING POST MOUNT LANTERN ASSE IN FINISH SELECTED BY OWNER OR DESK.
 CORNER # 1/2"

IRON FENCE AND GATE - FINISH DESIGN BY OWNER/ARCHITECT TO APPROVED BY OWNER

14'-0" CLEAR FOR GATE AND REE POSITION

GATE HINGE CENTERED ON PIER WITH HINGE ANCHORED AND OPERATION BY GATE WALK TOWER
 16 LIGHTING POST MOUNT LANTERN ASSE IN FINISH SELECTED BY OWNER OR DESK
 SECURITY CAMERA LOCATION
 28" X 28" PIER CORNS

20" Limestone WALL CORNS

9" GRI STEEL WALL WITH BRICK VENEER BELOW
 ALTERNATE FOR POURED CAPS
TYPICAL CAP ST

CIT OWALL AS AS
 FENCE MOUNTING PROVIDED BY PER CONTRACTOR
 IRON FENCE - FINISH DESIGN TO BE ON APPROVED BY OWNER

Petitioner: Daniel Beitz, 1919 Reading Rd, West Falls, NY 14170
aaf John C Radford
1150 Underhill Rd, EA

SBL#: 199.00-3-13

=====

Abutting Properties: Mailing Address (if different)

SBL: 188.00-1-6.4
Edward O'Brien III
1934 Blakeley Rd
East Aurora, NY 14052

SBL: 187.00-3-46.12
Gerald & Melinda Irons
1135 Underhill Rd
East Aurora, NY 14052

SBL: 188.00-1-6.1
Michael & Evelyn Kazinski
1144 Underhill Rd
East Aurora, NY 14052

SBL: 187.00-3-8.2
Thomas & Dawn Haney
1159 Underhill Rd
East Aurora, NY 14052

SBL: 187.00-3-8.13
Jon & Eileen Werbitsky
1219 Underhill Rd
East Aurora, NY 14052

SBL: 188.00-1-6.31
SBL: 188.00-1-6.32
SBL: 188.00-1-6.33
SBL: 188.00-1-6.34
John Radford & Emilee Morlock
V/L Underhill Rd

Daniel Beitz auf
John C Radford
1150 Underhill Rd
GA
SBL: 188.00-1-6.2



OK as to form only

TOWN OF AURORA
Zoning Board of Appeals Request

PAID
7500

Building Application # _____
Building Permit # _____

Zoning Appeal Case No. 1278
Date 7/21/16

TO THE ZONING BOARD OF APPEALS, TOWN OF AURORA, NEW YORK

I, (we) Michael Schmauss of 1611 Emery Road
HEREBY APPEAL TO THE ZONING BOARD OF APPEALS FROM THE DECISION OF THE BUILDING INSPECTOR on APPLICATION NO. _____ WHEREBY THE BUILDING INSPECTOR DID DENY

TO Michael Schmauss
Name of Applicant

OF 1611 Emery Road, East Aurora, NY
(Street & Number) (Municipality) (State)

- A PERMIT FOR USE
- A VARIANCE FROM ZONING ORDINANCE
- A TEMPORARY PERMIT OR EXTENSION THEREOF
- A CERTIFICATE OF EXISTING USE
- A PERMIT FOR OCCUPANCY

=====

1. LOCATION OF THE PROPERTY 1611 Emery Road
SBL # 200-00-2-5.2 ZONING DISTRICT A

2. PROVISION(S) OF THE ZONING ORDINANCE APPEALED. (Indicate the Article, section, sub-section, and paragraph of the Zoning Ordinance being appealed, by number. Do not quote the Ordinance)

Table of District Regulations - Accessory Building

3. TYPE OF APPEAL. Appeal is made herewith for:
 An interpretation A variance - to the Zoning Ordinance
 An exception A temporary permit

4. A PREVIOUS APPEAL has has not been made with respect to this decision of the Building Inspector or with respect to this property

NAMES AND ADDRESSES OF OWNERS OF ABUTTING PROPERTIES ARE:
See attached list marked as an exhibit.

STATE OF NEW YORK
COUNTY OF ERIE
_____ of _____

Michael E. Schmauss
Signature(s)
1611 Emery Road East Aurora NY 14052
Mailing Address

Michael Schmauss, being duly sworn, deposed and says that he is the petitioner in this action; that he has read the foregoing Request and knows the contents thereof; that the same is true to the knowledge of deponent.

Batt 6/29/16
936591

Sworn to before me this 29th
day of June, 2016

Sheryla A. Miller
NOTARY PUBLIC

SHERYLA MILLER
Reg. #01M16128663
Notary Public, State of New York
Qualified in Erie County
Commission Expires June 13, 2017

**SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, NY
AND REPLY TO MUNICIPALITY**

Note: Please complete in triplicate. Send original and one copy (with attachments) to Erie County Division of Planning, Room 1053, 95 Franklin Street, Buffalo, N.Y. 14202. Retain last copy for your files.

DO NOT WRITE IN THIS SPACE

Case No.: _____
Received: _____

The proposed action described herein is referred in accordance with the provisions of the General Municipal Law, which provides that if no reply is received in 30 days after receipt of full information including a SEQR EAF if applicable, the municipal agency may take final action without considering such reply. If, however, reply is received at any time prior to municipal Action, such reply must be considered.

Description of Proposed Action

1. Name of Municipality: Town of Aurora

2. Hearing Schedule: **Date** 7/21/2016 **Time** 7:00pm **Location** 300 Glead Ave., E. Aurora

3. Action is before: Legislative Body Board of Appeals Planning Board

4. Action consists of: New Ordinance Rezone/Map Change Ordinance Amendment

Site Plan Variance Special Use Permit Other

5. Location of Property: Entire Municipality Specific as follows 1611 Emery Road, E. Aurora,

Town of Aurora

6. Referral required as Site is within 500' of: State or County Property/Institution Municipal Boundary Farm Operation located in an Agricultural District

Expressway County Road State Highway Proposed State or County Road, Property, Building/Institution, Drainageway

7. Proposed change or use: (be specific) Height of accessory building higher than allowed by Town code

8. Other remarks: (ID#, SBL#, etc.) SBL#200.00-2-5.2

9. Submitted by: Martha Librock, Town Clerk 7/1/16

300 Glead Avenue, E. Aurora, NY 14052

Reply to Municipality by Erie County Division of Planning

Receipt of the above-described proposed action is acknowledged on _____. The Division herewith submits its review and reply under the provisions of applicable state and local law, based on the information submitted with this referral.

1. The proposed action is not subject to review under the law.
2. Form ZR-3, Comment on Proposed Action is attached hereto.
3. The proposed action is subject to review; the Division makes the recommendation shown on Form ZR-4, Recommendation on Proposed Action, which is attached hereto.
4. No recommendation; proposed action has been reviewed and determined to be of local concern

By the Division of Planning: _____ Date: _____



Town of Aurora
 300 Glead Avenue
 East Aurora NY 14052



Zoning Board of Appeals Petitioner's Letter of Intent

Applicants Name Michael Schmauss
 Address 1611 Emery Road
 Telephone 716 652 5794 cell:

Address of appeal 1611 Emery Road
 Zoning District A
 Zoning Code Section Table of District Regulations - Acc. Bldg

Type of Appeal:

- A PERMIT FOR USE
- A VARIANCE FROM ZONING ORDINANCE
- A TEMPORARY PERMIT OR EXTENSION THEREOF
- A CERTIFICATE OF EXISTING USE
- A PERMIT FOR OCCUPANCY

GROUND FOR VARIANCE: (may continue on separate sheet)
See attached

ACKNOWLEDGMENT:

Pursuant to Section 809 of the New York State General Municipal Law, the appellant shall state in his written appeal that to the best of his knowledge, no state officer or officer or employee of the Town of Aurora, has any interest in the appellant as defined in Section 809 of the General Municipal Law. If this statement cannot be made, the nature of any such interest must be disclosed as required by said State Law

Petitioners Signature _____ Date _____
 Owners Signature Michael E. Schmauss Date 6-27-2016

When designing the storage building we focused on a few things including...

- 1) Cut the fewest trees possible
- 2) Remove/disturb the least amount of Earth possible.
- 3) Maximize usable storage / square footage.
- 4) Attempt to match the current structure design as closely as possible.

The overall height will be a few inches lower than the height of the adjacent garage and approximately 8 feet lower than the highest peak of the house.

As a result of the design the mid gable height will be a few feet higher than code allows.

The building will be surrounded by thousands of trees and will not be visible to the nearest house which is several hundred feet away.

I believe the structure will fit in well with its surroundings.

Thank you for your consideration.

Mike Schmauss

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



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

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

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

Michael Schmauss
1611 Emery Rd.
East Aurora, NY 14052

6/29/2016

Re: Accessory building second story/ mean height

Michael,


The Building Dept. has reviewed your application for an accessory building at 1611 Emery Rd. We have denied your application because the proposed building does not meet the zoning regulations for accessory buildings as specified in the Town of Aurora Table of District Regulations. We therefore request that you apply to the Town Zoning Board of Appeals for an area variance if you wish to continue with this project.

Required: One Story, not to exceed 15' mean height

Requested: Two Story, with 18' 8" mean height

Variance required: Two Story Accessory Building & 3' 8" height variance.

If you wish to pursue this matter further you must apply to the Town of Aurora Zoning Board of Appeals for an Area Variance. You must include your application, application fee, and any information you need to support your need for a variance from the Town Code. If you have any questions contact us at 652-7591.

William R. Kramer

Code Enforcement Officer

BUILDING DEPARTMENT
Town of Aurora/Village of East Aurora
300 Glead Avenue, East Aurora, NY
Phone (716) 652-7591
Fax (716) 652-3507

Permit # _____
 Reissue from _____

Circle one <u>Town</u> or Village	Date _____
Permit Fee \$ _____	Public Hearing and/or Mailing
ZBA (\$75/\$100) Y or N	\$50.00/\$100.00

APPLICATION FOR BUILDING PERMIT

New Building	Addition	Demolition	Solid Fuel Appliance
Alteration-Renovation	<input checked="" type="checkbox"/> Accessory Building	Accessory Structure	Special Use
Temporary Accessory Building	Tower	Generator	

Location 1611 Emery Road SBL# 200-00-2-5-2
 Property Owner Name Michael & Kimberly Schindvoss

- Give a brief description of request/intention for building permit: Storage building
- Existing use and occupancy Residential Commercial _____ (Check which applicable)
 Intended use and occupancy Residential Commercial _____ (Check which applicable)
Is there more than one dwelling on the parcel? No
- Size of completed building 32 ft wide 52 ft long 2.6 ft high 2 stories Total sq ft 2,000
- Estimated Cost (determined by Building Department) _____
- Zone or use district in which premises are situated A
- Does proposed construction violate any zoning law, ordinance or regulation? _____
- Name of Architect _____
 Address of Architect _____ Phone Number _____
- Name of Contractor Frame of Mind Timberworks
 Address of Contractor Chautauque Lake NY Phone Number 216 338 9663
- Contractors GL/WC/Disability Insurance Certificates on file _____
 Number of Policy _____ Date of Expiration _____
- Electrical work done, to be inspected by, and a Certificate of Approval obtained from an inspection agency approved by the Town of Aurora. Yes _____ NA
- DPW Action Required WATER TAP _____ SEWER TAP _____ CURB CUT _____ BACKFLOW PREVENTER _____
 GREASE TRAP _____

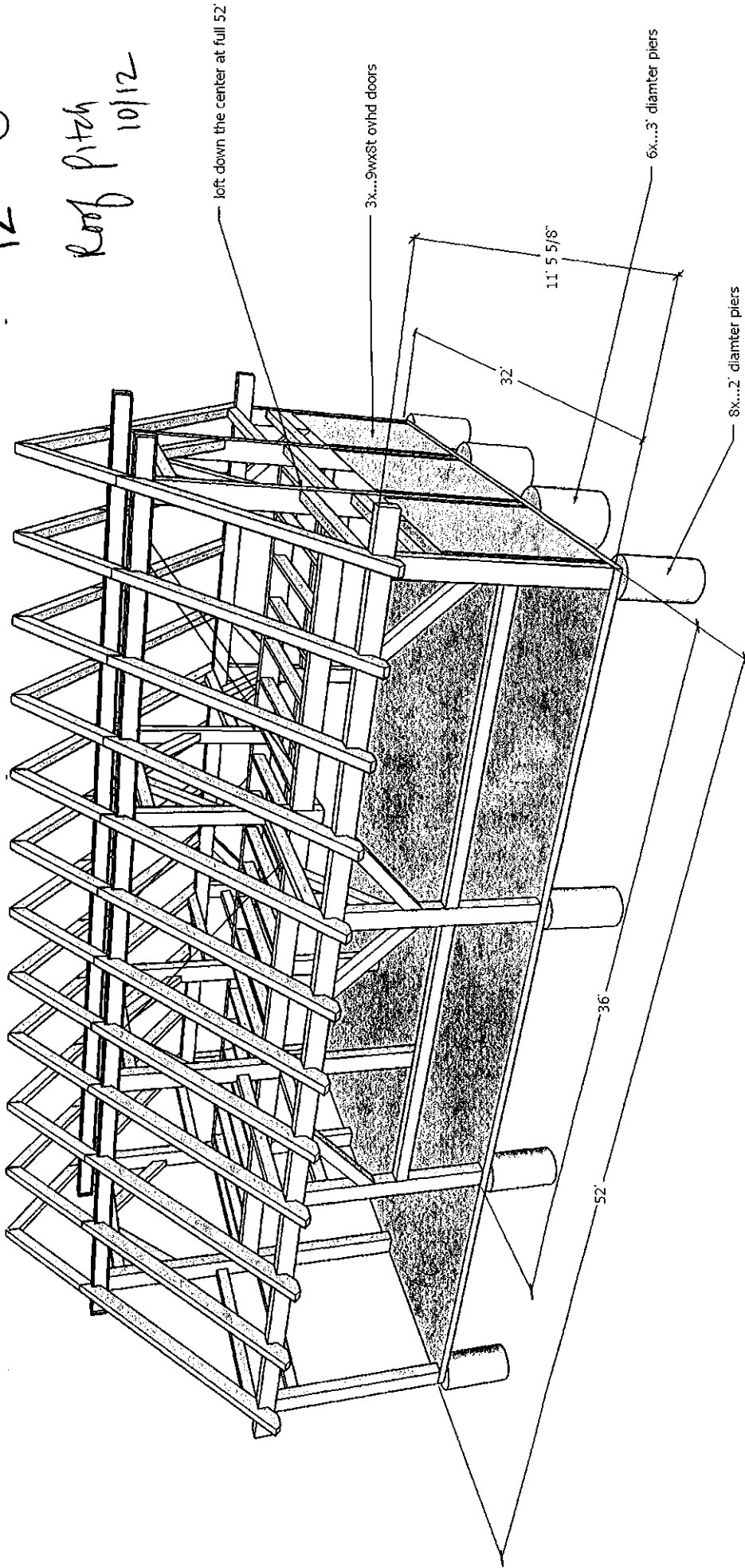
Bldg Dept Use Only	ZBA
Examined _____ 20 _____	Reason _____
Approved _____ 20 _____	Approved/Denied _____
Disapproved _____ 20 _____	Case # _____
..... Signature of Code Enforcement Officer/Building Inspector	
Receipt is hereby acknowledged of the sum of \$..... equal to the permit fee established by the Town Board of the Town of Aurora NY	
..... Town Clerk/ Deputy Clerk	

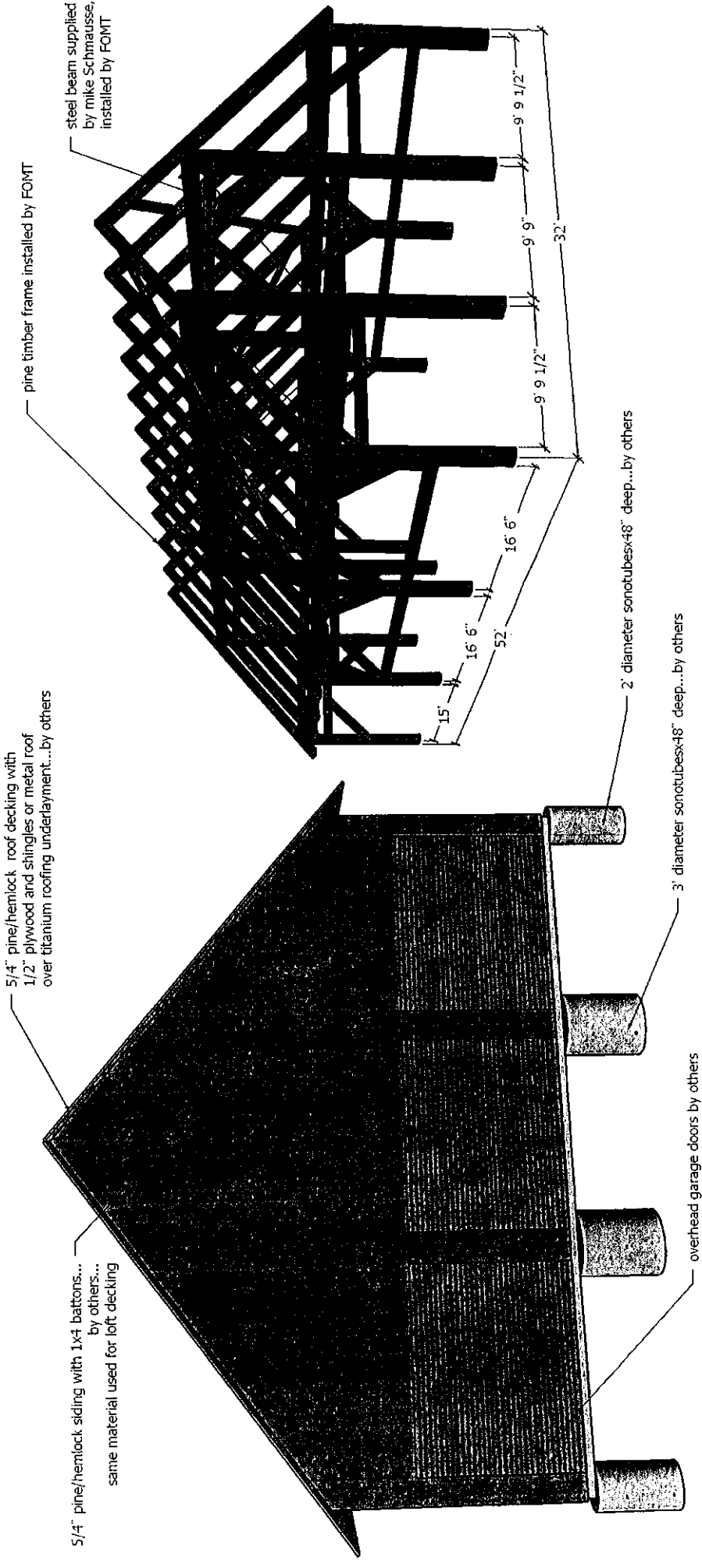
PLEASE READ BEFORE SIGNING APPLICATION

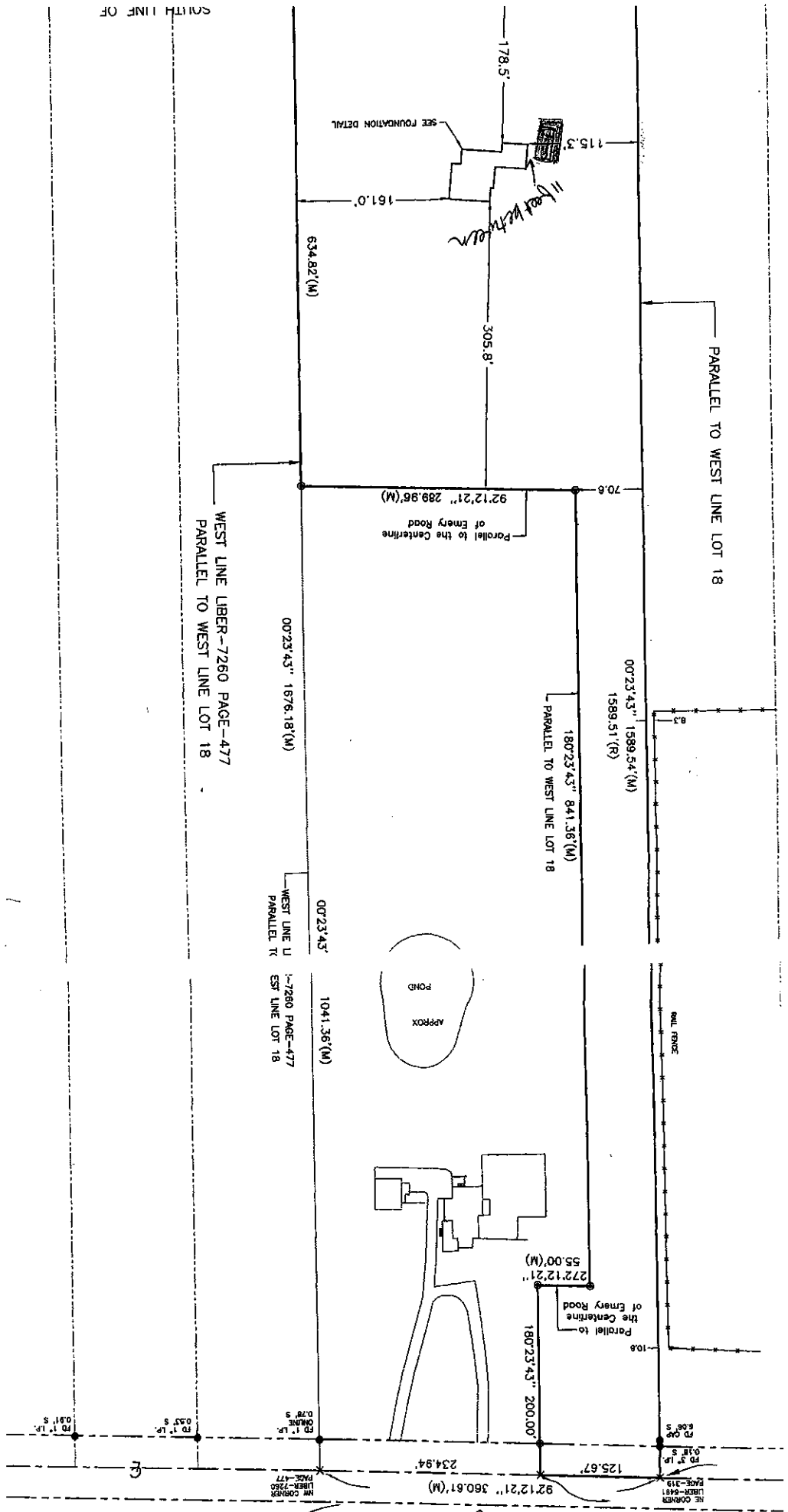
- This application must be completely filled in by typewriter or in ink and submitted to the Building Department.
- Survey showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application. Indicate distance to nearest building on adjoining lot.
- This application must be accompanied by 2 complete set of plans (3 sets for commercial applications) showing proposed construction and 1 complete set of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical, electrical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of Building Permit.
- Upon approval of this application, the Building Department will issue a Building Permit to the applicant. Such permit shall be kept on the premises available for inspection throughout the progress of the work.

Wall Height
12'

Roof Pitch
10/12







Emery Road

SOUTH LINE OF

Petitioner: Michael Schmauss
1611 Emery Rd
East Aurora, NY 14052
SBL#: 200.00-2-5.2

=====

Abutting Properties: Mailing Address (if different)

SBL: 200.00-2-4
Todd & Diane Lehmann
1601 Emery Rd

1581 Emery Rd
East Aurora, NY 14052

SBL: 187.00-3-10.12
B. Lynne Hoskins
V/L Emery Rd

174 Main St, Unit 170
East Aurora, NY 14052

SBL: 200.00-2-5.1
Daniel & Kathleen Schrecongost
1625 Emery Rd
East Aurora, NY 14052

SBL: 200.00-2-6
Thomas Creighton
V/L Emery

1651 Emery Rd
East Aurora, NY 14052

SBL: 200.00-2-7
Thomas Creighton
1651 Emery Rd
East Aurora, NY 14052

SBL: 200.00-2-8
Mark & Arlene Mann
1667 Emery Rd
East Aurora, NY 14052

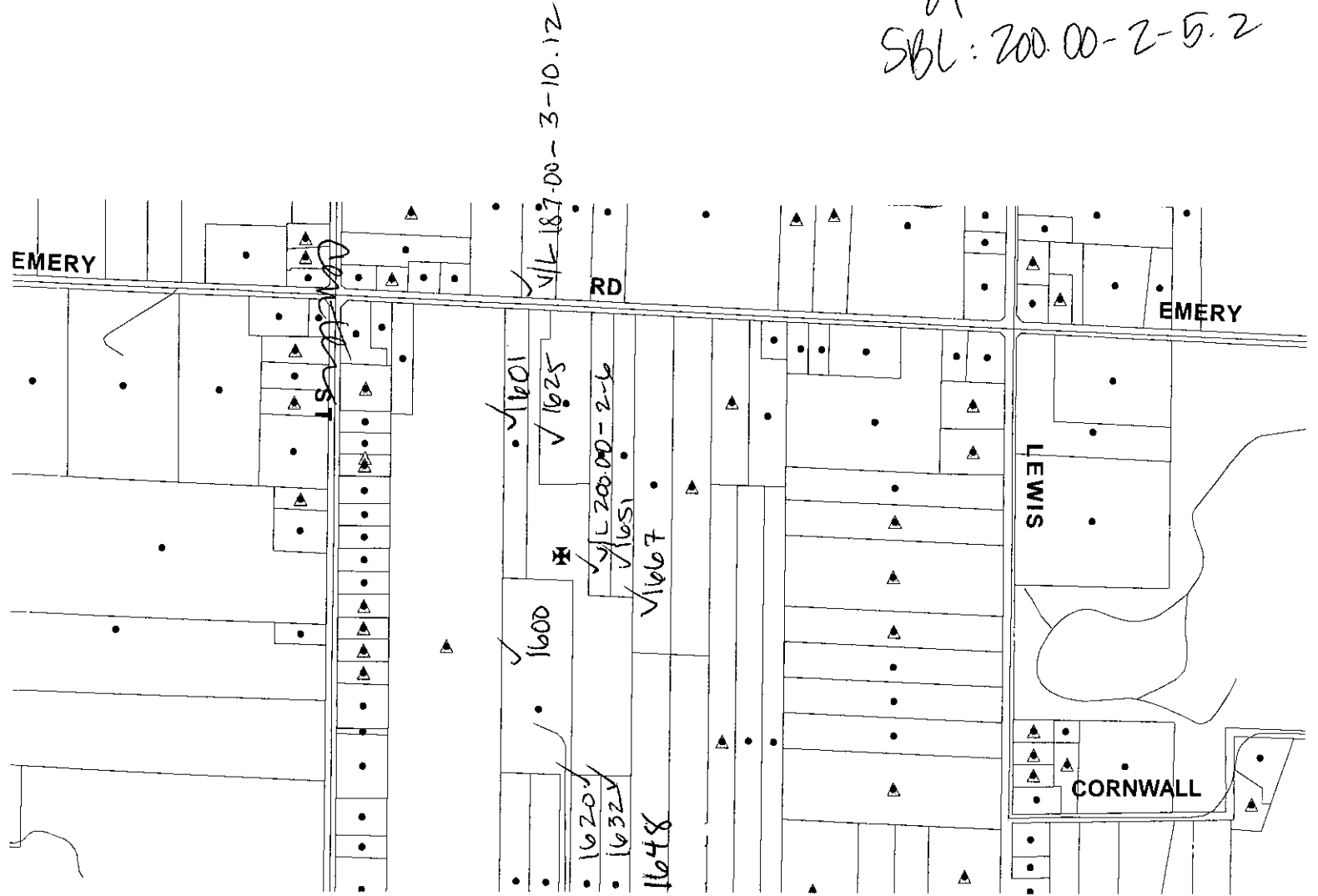
SBL: 200.00-2-25
Albert Miller Jr
1600 Bailey Rd
East Aurora, NY 14052

SBL: 200.00-2-24
Dwight & Rosemary Krieger
1620 Bailey Rd
East Aurora, NY 14052

SBL: 200.00-2-23
Shane Krieger
1632 Bailey Rd
East Aurora, NY 14052

SBL: 200.00-2-22
James Peacock
1648 Bailey Rd
East Aurora, NY 14052

Michael Schmauss
1611 Emery Rd
GA
SBL: 200.00-2-5.2

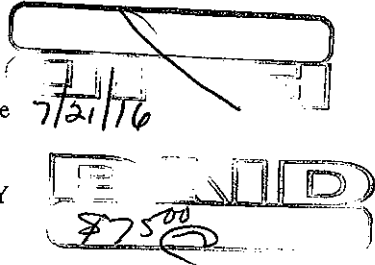


— Bailey Rd —

Zoning Appeal Case # 1279
Approved/Denied Date

Hearing Date 7/21/16

ZONING BOARD OF APPEALS
TOWN OF AURORA, ERIE COUNTY, NY
SPECIAL USE PERMIT APPLICATION



TO THE ZONING BOARD OF APPEALS:

The undersigned hereby applies to the Zoning Board of Appeals for a special use permit pursuant to Article VI, Section 116-61C, of the Zoning Ordinance of the Town of Aurora affecting the following described premises in manner and on grounds here-in-after set forth:

Owner: Kate Schaefer
Address: 377 West Falls Road, West Falls, NY 14170
Agent: Craig Hochstetler
Address: 377 West Falls Road, West Falls, NY 14170
Contractor: n/a

GENERAL INFORMATION

- 1. Location of property: 377 West Falls SBI# 142 489-199-000-0002-024-210 199.00-2-24.2 Zone A
- 2. State present use: Residence
- 3. State the nature of the permission requested: kennel variation 4 Dogs
- 4. ATTACH recent copy of SURVEY of property.
- 5. ATTACH DETAILED PLANS showing site, elevations and plans of structures and accessory use areas and landscaped development of the entire parcel devoted to the Special Permit use.

APPLICANT'S ALLEGATIONS

The applicant alleges that the proposed Special Permit use:

- 1. would be in harmony with the orderly development of the district in which it is located because: this is a 6+ acre agricultural space.
- 2. and that it would not be detrimental to the property or persons in the neighborhood because: it is not intended for commercial dog breeding.
- 3. and that it would not increase the traffic flow in the area to the extent that traffic safety would be endangered because; not intended for commercial use.
- 4. and furthermore that it would conform to the standards as prescribed by the Town Board so as to promote the general health and welfare of the community and preserve the property values thereof.

OTHER INFORMATION REQUIRED

- 1. The undersigned further states that no rezoning or other matter relating to said property or the proposed use has been recently or is now the subject of proceedings before the Zoning Board of Appeals, Town Board or Planning Board of the Town of Aurora, except as follows:
- 2. If application signed by agent a statement by the owner of the site stating that he approves of and is a party to the proposed special use application must be provided.

The undersigned solemnly swears that all statements made herein are true and that all drawings submitted correctly show the situation involved in this appeal. Herewith, the sum of \$75.00, which incorporates the cost of Zoning Board Fee. Further, it is understood that additional information may be required by the Zoning Board of Appeals of the Town of Aurora, NY.

Signature: [Handwritten Signature]

Address: 377 West Falls Rd
West Falls

State of New York SS.:
County of Erie
Town of Aurora

Subscribed and sworn to before me
this 09 day of June, 2016.
Angela D. Zubricky
Notary Public

ANGELA D. ZUBRICKY
Notary Public, State of New York
No. 01ZU6332649
Qualified in Erie County
Commission Expires 11/02/2019

Recpt #936595
6/30/16
2

28 June 2016
Kate Schaefer and Craig Hinchcliffe
377 West Falls Road
West Falls, New York 14170
(716) 438-1111

Town of Aurora
Zoning Board of Appeals

To Whom It May Concern:

We purchased the property at 377 West Falls Road in order to blend two families. The property is agricultural in nature but we intend to use it residentially. We were unaware of any restrictions in regard to the number of dogs allowed on the property.

We had an incident last week that brought the ordinance to light. One of our children let one of the dogs, Lola, off leash to test the newly installed invisible fence. Unfortunately, Lola ran through the new perimeter and up to someone walking his dogs. The other three small dogs followed from afar. The man felt threatened and called the authorities. He felt the need to kick Lola several times. None of the dogs involved appear to have any injuries. A family friend, Alexander Kellerman, is available as a witness. The dogs were immediately restrained and returned to the tie-out and house.

Sheryl Harris, the Dog Control Officer was off and David Gunner, the Superintendent of Highways, made the initial call. He informed of us the possible criminal complaint and updated us on the kennel ordinance. In subsequent calls Sheryl informed of us that the dog walker dropped his complaint. Moreover, she helped clarify the procedures and ordinances.

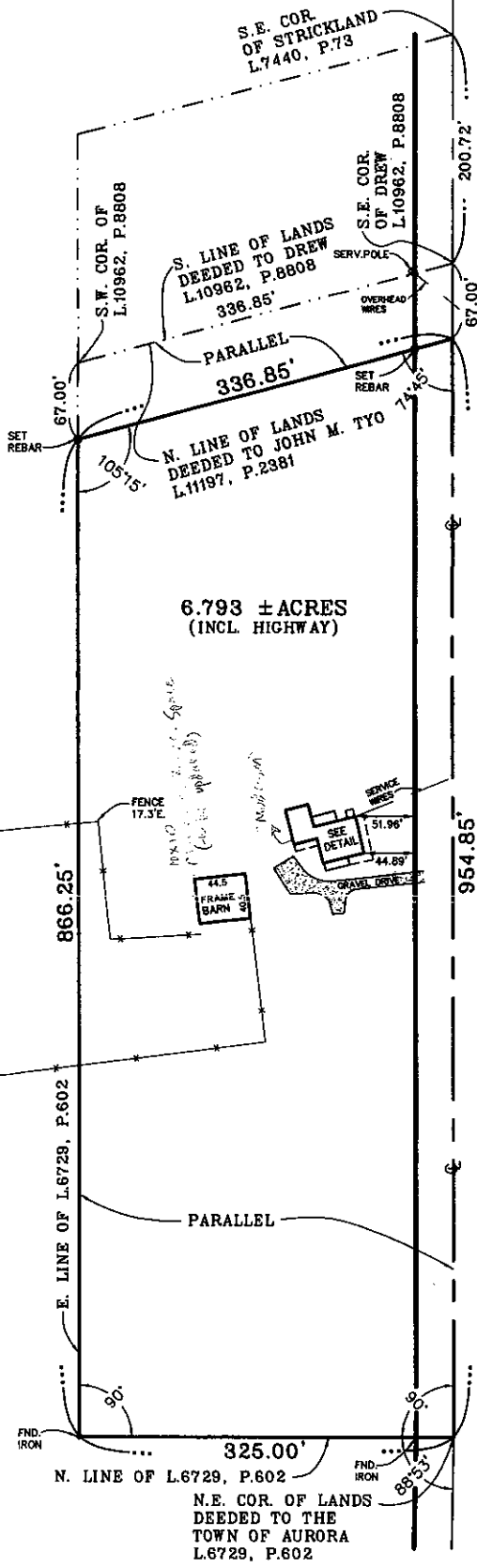
All of the dogs' registrations were updated where applicable. Several attempts have been made to re-home Lola. Being an older dog many friends and family have declined in favor of raising their own puppies. We are applying for the kennel variance in order to keep the blended family dogs together if Lola is not re-homed. The property includes a barn and 8x8 kennel that can be updated. The dogs are kept out of hearing of neighbors and we have not had any complaints other than passerbys before the invisible fence was completed.

We do NOT intend to breed dogs, the variance is merely to keep a blended family intact. Therefore, the kennel is not a nuisance to neighbors and will not affect traffic in the area. It will not be a health or safety issue.

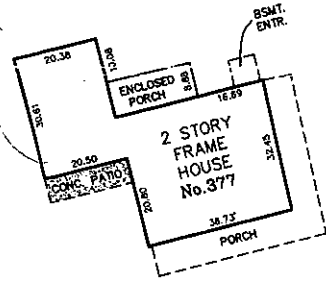
Thank You,



Kate Schaefer and Craig Hinchcliffe



WEST FALLS ROAD (66' WIDE)



DETAIL
1" = 30'

This survey was prepared without the benefit of an abstract of title and is subject to any state of facts that may be revealed by an examination of such. Unauthorised alterations or additions to any survey, drawing, design, specification, plan or report is a violation of section 7204, provision 2 of the New York State Education Law.

PART OF LOT(S) : 50	SECTION : 4	TOWNSHIP : 9	RANGE : 6	HOLLAND LAND COMPANY'S SURVEY	
LOCATION : TOWN OF AURORA		COUNTY OF ERIE		STATE OF NEW YORK	SCALE: 1" = 100'
 100 Hamburg Street - P.O. Box 516 East Aurora, New York 14052-0516 (716) 655-1050	KIND	DATE	REQUESTED BY	JOB NO.	
	SURVEY	11/12/14	JOHN TYO	14.B-0405	

Thornton A. Kenyon

NO IRONS SET OR FOUND AT PROPERTY CORNERS UNLESS NOTED HEREON.

Petitioner: Katherine Schaefer
377 West Falls Rd
West Falls, NY 14170

SBL#: 199.00-2-24.21

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Abutting Properties: Mailing Address (if different)

SBL: 199.00-2-24.22
Jeron Drew & Jennifer Lewis-Drew
329 West Falls Rd
West Falls, NY 14170

SBL: 199.00-2-32
Town of Aurora
401 West Falls Rd

300gleek Ave, EA

SBL: 199.00-2-44
Scott Bieler
360 West Falls Rd
West Falls, NY 14170

199.00-2-24.111
John & Yanina Hart
V/L West Falls Rd

1584 Reading Rd
West Falls, NY 14170

Kate Schaefer

377 West Falls Rd

WF 14170

SBL: 199.00-2-24.21

