

PAID
#750

OK as to form only

TOWN OF AURORA
Zoning Board of Appeals Request

Building Application # _____
Building Permit # _____

Zoning Appeal Case No. 1294
Date 5.18.17

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

I, (we) Charles Kettner of 711 Luther Rd
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 Charles Kettner
Name of Applicant

OF 711 Luther, Town of 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 1242 Davis Rd
SBL # 186.00-4-40.2 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 Do not quote the Ordinance)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: Mean Ht; Front yard Setback

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 _____

[Signature]
Signature(s)

Mailing Address

Charles D. Kettner, 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 3/20/17
* 228666

Sworn to before me this 16th
day of March, 2017

[Signature]
NOTARY PUBLIC

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

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

Charles Kettner
711 Luther Rd
East Aurora, NY 14052

3/17/2017

Re: Accessory building at 1242 Davis Rd
mean height/front yard set back


Charles,

The Building Dept. has reviewed your application for an accessory building at 1242 Davis 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: Mean Height not to exceed 15'
Requested: 21' mean height
Variance required: 6'

Required: Front yard setback of 75'
Requested: Front yard setback of 35'
Variance required: 40'

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

Elizabeth Cassidy

From: Lee Occhino <lee@occhinopaving.com>
Sent: Friday, March 17, 2017 9:17 AM
To: Elizabeth Cassidy
Subject: A variance for Davis wrote

I authorize Charlie Kettner to apply for a variance on Property I own on Davis road

--

Lee Occhino
Occhino Corp.
2650 Seneca st.
West Seneca N.Y. 14224
(716)827-7000 Office
(716)863-9800 Mobile

SOUTHTOWN DEVELOPMENT



Town of Aurora
300 Glead Avenue
East Aurora NY 14052



Zoning Board of Appeals Petitioner's Letter of Intent

Applicants Name Charles Kettner
 Address 711 Luther Rd, E. Aurora, NY 14052
 Telephone 716-523-4313
 Address of appeal 1242 Davis Rd
 Zoning District A
 Zoning Code Section _____

Type of Appeal:

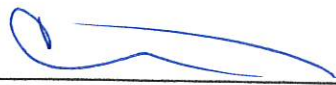
- A PERMIT FOR USE A CERTIFICATE OF EXISTING USE
 A VARIANCE FROM ZONING ORDINANCE A PERMIT FOR OCCUPANCY
 A TEMPORARY PERMIT OR EXTENSION THEREOF

GROUND FOR VARIANCE: (may continue on separate sheet)

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 3-16-17
 Owners Signature _____ Date _____

3-16-2017

I have a purchase contract on this property subject to being able to attain the variances described below.

I am planning to build a steel storage building on this property.
58'x70'x 16' side wall. With a 20'x 30' insulated lean to on the side.

Need a **variance for height**. Current code states 15'.
The side walls on my drawings are 16'
Including the mean height on a 4x8 roof gives me a mean height of 21'.

Variance for set back. This property has issues with wet area/ditch in the back.
I can make it work if I set the building closer to the roadway.
Current code calls for 75' from right of way.
I would need a variance for 35'.

Attached photographs give an example of where the building would sit on the property, with a visual of the ditch/water issues.

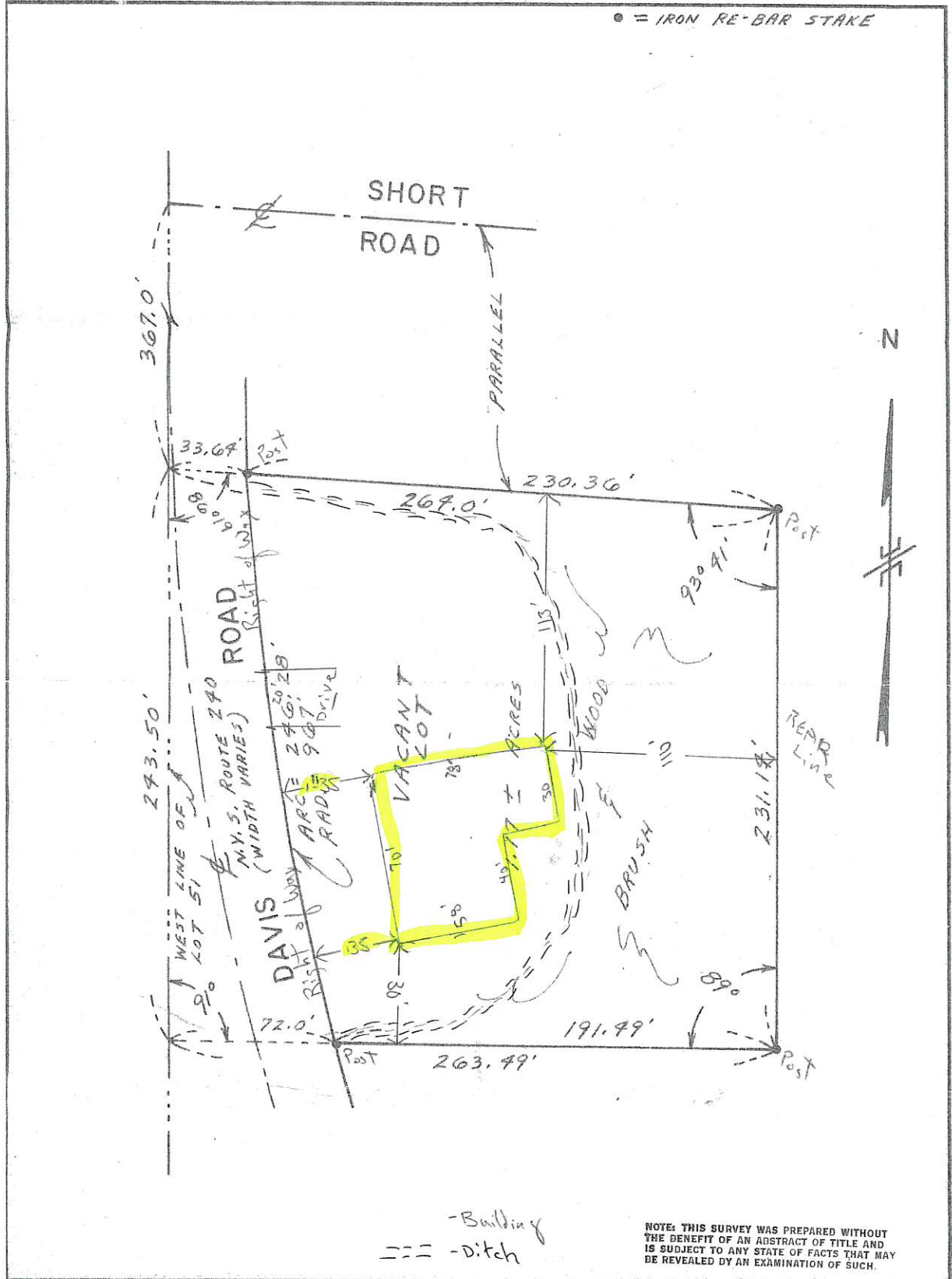
I have also included a contractors drawing of the basic building structure.

FEET-INCHES
 0.00 - 1"
 0.17 - 2"
 0.25 - 3"
 0.33 - 4"
 0.42 - 5"
 0.50 - 6"
 0.58 - 7"
 0.67 - 8"
 0.75 - 9"
 0.83 - 10"
 0.92 - 11"
 1.00 - 12"

(L. 10727,
 P. 309)

UNAUTHORIZED ALTERATION OR
 ADDITION TO THIS SURVEY MAP IS
 A VIOLATION OF SECTION 7209
 PROVISION 2 OF THE NEW YORK
 STATE EDUCATION LAW.

● = IRON RE-BAR STAKE



- Building
 --- - Ditch

NOTE: 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.

THIS MAP VOID UNLESS
 EMBOSSED WITH NEW
 YORK STATE LICENSED
 LAND SURVEYOR'S SEAL
 NO. 049738

SURVEY OF
 PART OF LOT 51, TOWNSHIP 9, RANGE 6
 TOWN OF AURORA, COUNTY OF ERIE, STATE OF NEW YORK

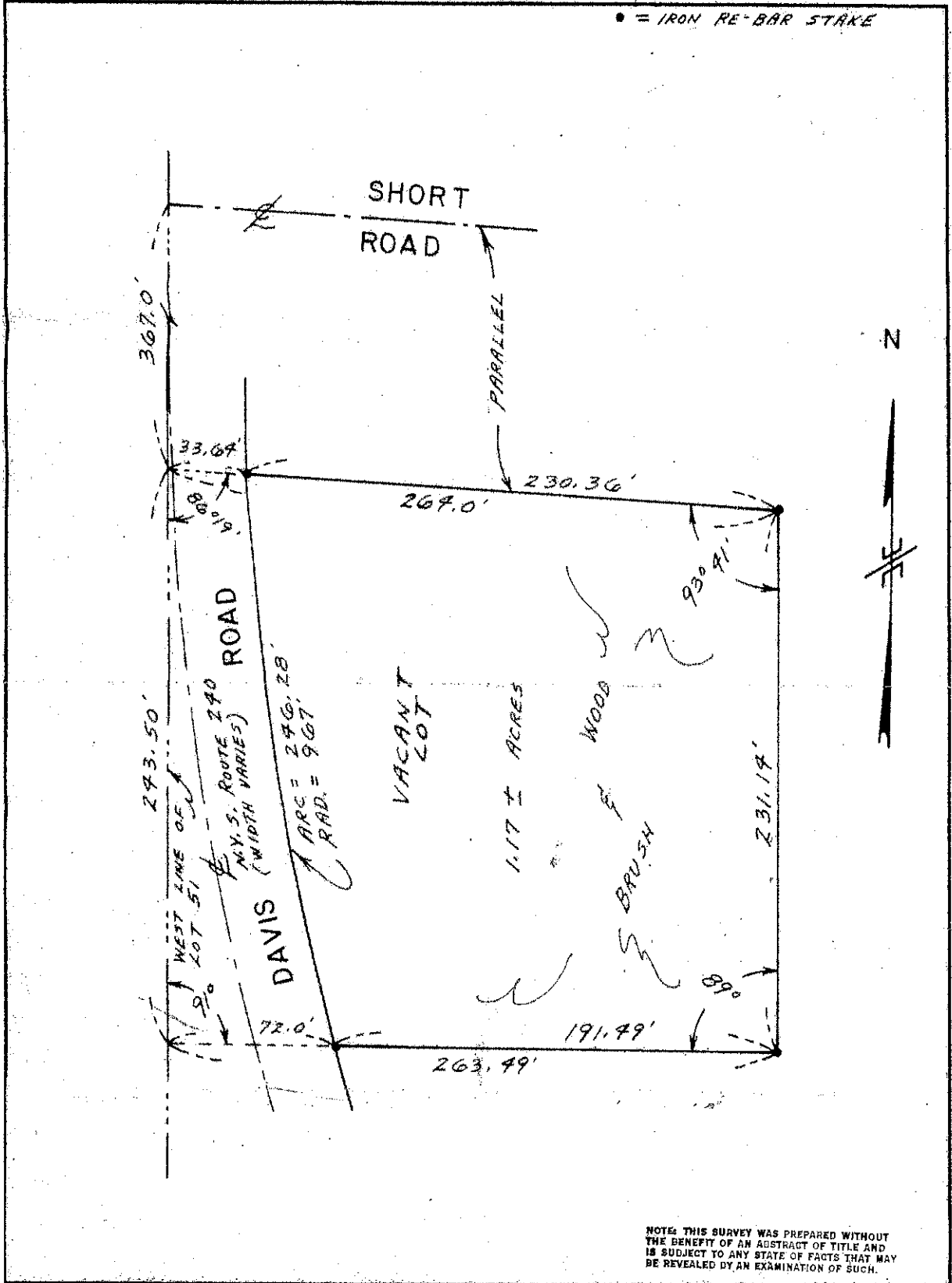
SCALE 1" =	50	FT.	DATE SURVEY	NO.
F.B.	4404			
DATE	MAY 12, 2004			
NO.	68189			

GRAF LAND SURVEYORS
 ALBERT E. GRAF, P.L.S.
 JAMES A. GRAF, P.L.S.
 TONAWANDA 716-692-0800 NEW YORK
 Successor to W. L. SPARKS

FEET-INCHES
 0.00 - 1"
 0.17 - 2"
 0.33 - 3"
 0.50 - 4"
 0.67 - 5"
 0.83 - 6"
 1.00 - 7"
 1.17 - 8"
 1.33 - 10"
 1.50 - 12"

(L. 10727,
 P. 302)

UNAUTHORIZED ALTERATION OR
 ADDITION TO THIS SURVEY MAP IS
 A VIOLATION OF SECTION 7209
 PROVISION 2 OF THE NEW YORK
 STATE EDUCATION LAW.



NOTE: 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.

THIS MAP VOID UNLESS
 EMBOSSED WITH NEW
 YORK STATE LICENSED
 LAND SURVEYOR'S SEAL
 NO. 048738

SURVEY OF

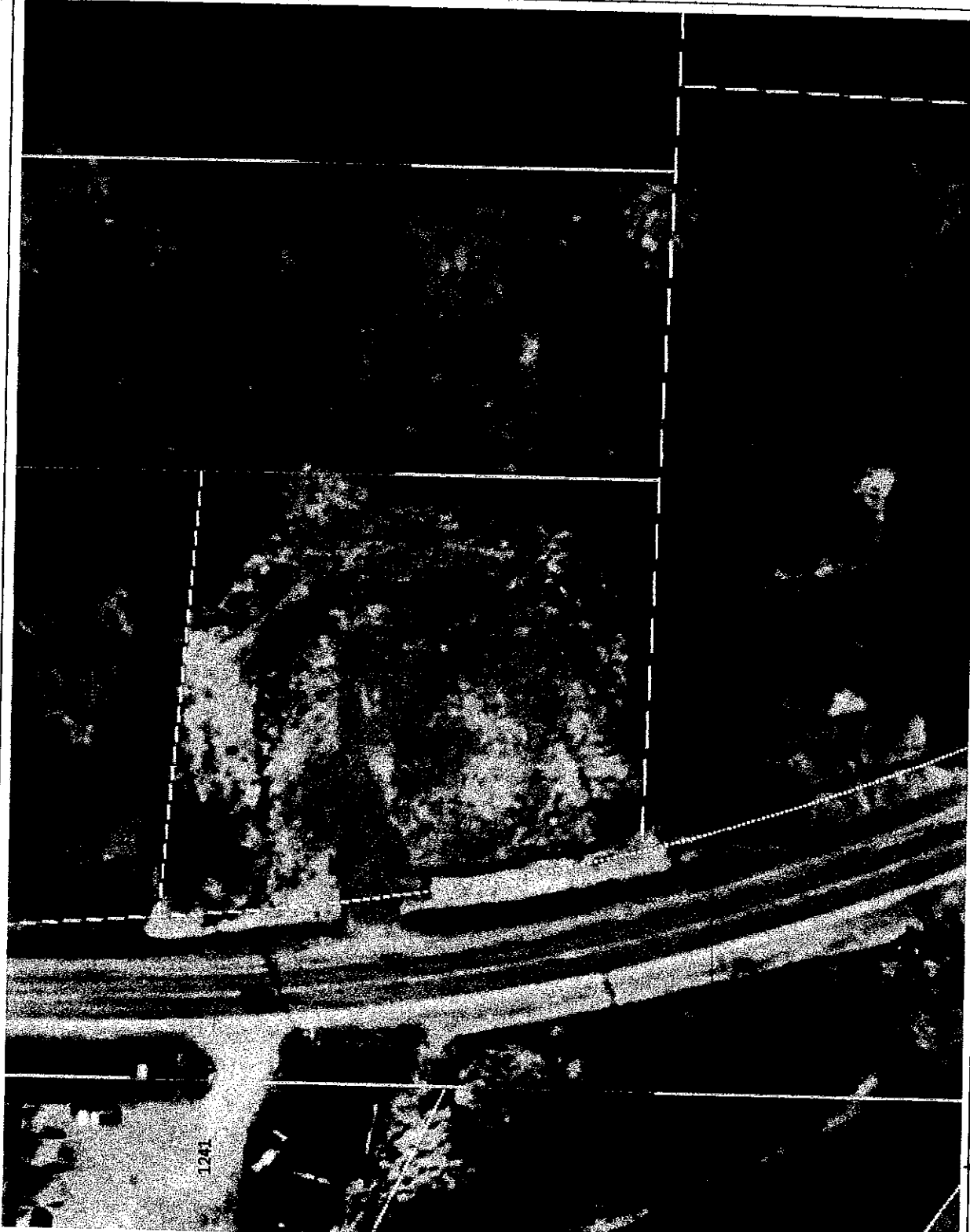
PART OF LOT 51, TOWNSHIP 9, RANGE 6
 TOWN OF AURORA, COUNTY OF ERIE, STATE OF NEW YORK

SCALE 1" = 50 FT.	DATE SURVEY NO.
F.B. 4404	
DATE MAY 12, 2004	
No. 68189	




GRAF LAND SURVEYORS
 ALBERT E. GRAF, P.L.S.
 JAMES A. GRAF, P.L.S.
 TONAWANDA 716-692-0800 NEW YORK
 Successor to W. L. SPARKS



Erie County On-Line Mapping Application



Legend

-  Parcels
-  Municipal Boundaries
-  2014_bdy

0 94.04 188.1 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
THIS MAP IS NOT TO BE USED FOR NAVIGATION

ERIE COUNTY
DEPARTMENT OF ENVIRONMENT & PLANNING
OFFICE OF GIS

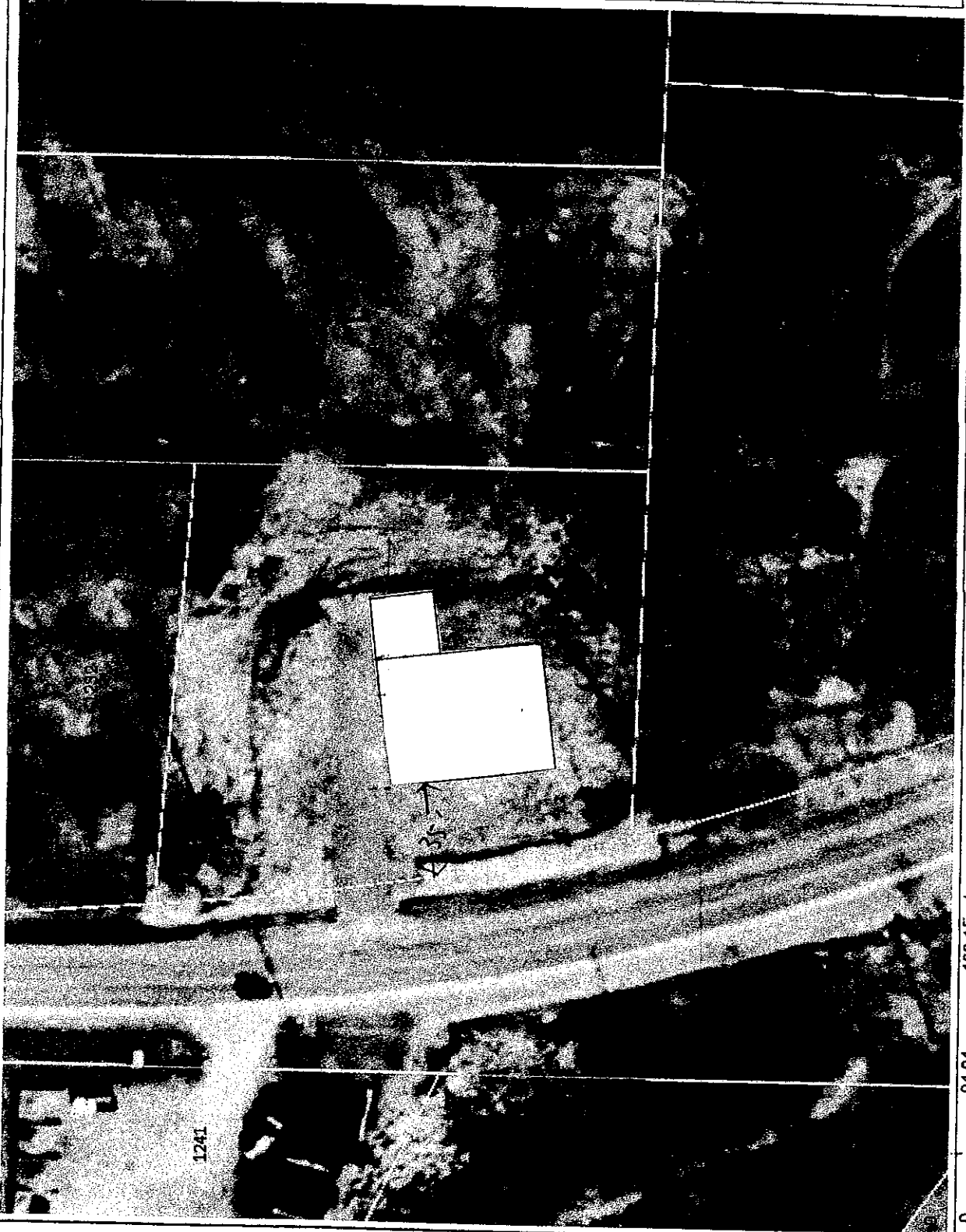
This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

1: 1,128





Erie County On-Line Mapping Application



Legend

- Parcels
- Municipal Boundaries
- 2014_bdy

proposed

0 94.04 188.1 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
THIS MAP IS NOT TO BE USED FOR NAVIGATION

**ERIE COUNTY
DEPARTMENT OF ENVIRONMENT & PLANNING
OFFICE OF GIS**

This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

1: 1,128





Erie County On-Line Mapping Application



Legend

- Parcels
- Municipal Boundaries
- 2014_bdy

Required setback

0 94.04 188.1 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
THIS MAP IS NOT TO BE USED FOR NAVIGATION

ERIE COUNTY
DEPARTMENT OF ENVIRONMENT & PLANNING
OFFICE OF GIS

This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

1: 1,128





6125 Route 362, Bliss, NY 14024

Office: (585)322-9983

Cell: (585)314-4766

Email: Info@getterrdone.com

www.getterrdone.com

- **Project Description: Charlie Kettner 58x60x16**
- **1' overhangs around perimeter**
- **Eave Lite panels running the length of building on both sidewalls**
- **2-3ft commercial steel man doors**
- **3-12x14 overhead door openings**
- **4/12 roof pitch**
- **Treated Laminated columns**
- **Flush perlin design roof system using MSR lumber**
- **Building wrapped in house wrap in preparation for future insulation**
- **3480 sqft 6" concrete cut and sealed**

*Do you a note Doors?
Have Larry Door*

This pricing does not include the following

- Anything not listed above
- SITE WORK, ELECTRIC, INTERIOR FINISH ETC.
- Excavation

Property Owner is responsible for ALL pre-preparation, excavation, grading and filling of jobsite.

- If fill is required, it must be free of large rocks, concrete and other debris.
- If Getterr Done is unable to proceed with normal digging procedures or if special digging procedures are required due to buried objects (concrete, rock, tree roots, water, solid rock, junk fill, old foundations and/or any other conditions of soil) additional charges will be incurred.
- The building pad MUST be level with a minimum work area of no less than 12' of perimeter around building with no more than 1% grade.
- Getterr Done is not responsible for damage to building, concrete cracking / heaving or loss caused by improper drainage or other soil conditions including frost, water table conditions and the inability of the site to bear the weight of the building
- Underground utility lines must be located and clearly marked before excavation begins. Getterr Done is not responsible for damage to wires, pipes, etc. unless they are located and marked with stakes before construction begins
- Electric must be supplied within 100' of the job site unless stated before hand at additional cost

Total Erected Price: \$82,021.80

Payment Terms: 10% down, 2/3rd of balance upon delivery or before, Remaining 1/3rd and any additional charges due upon completion

**** If Payment in Full is not received within 5 days of completion All Discounts will be Forfeited! ****

Signature: _____

Date: _____

Getterr Done Construction Inc. has the right to photograph the work area before, during, and after the proposed work. All photographic documentation becomes the property of Getterr Done Construction Inc. which may be used for marketing and/or website distribution.

Petitioner: Charles Kettner aaf Souhtown Development (2650 Seneca St, West Seneca, NY 14224)
711 Luther Rd
East Aurora, NY 14052

Property: 1242 Davis Rd

SBL#: 186.00-4-40.2

=====

Abutting Properties:
SBL: 186.00-4-40.13
Fred & Ruthann Shaw
V/L Short Rd

Mailing Address (if different)

11 Short Rd
West Falls, NY 14170

SBL: 186.00-5-21
Mr. & Mrs. Hart
1231 Davis Rd
West Falls, NY 14170

SBL: 186.00-5-22
Dean & Nancy Weber
1241 Davis Rd

7150 Gartman Rd *M127*
Orchard Park, NY ~~14170~~

SBL: 186.00-5-23
Robert & June Dombrowski
V/L Davis Rd

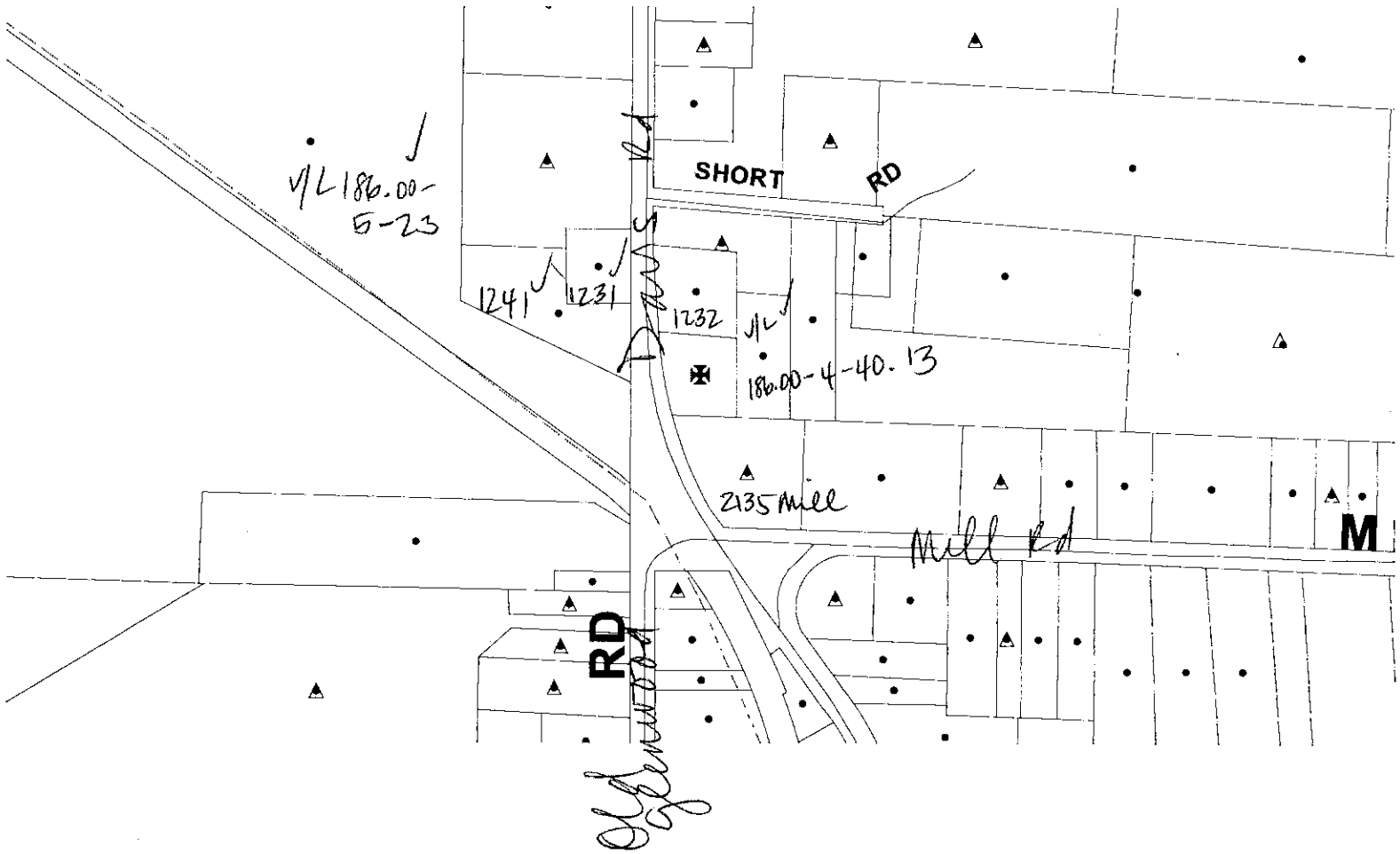
6115 Powers Rd *M127*
Orchard Park, NY ~~14170~~

SBL: 186.00-4-39.2
Andrew Amato
2135 Mill Rd
West Falls, NY 14170

1242 Dams Rd
SBL: 186.00-4-40.2

(South town Development)
owner

Charles Kottner Applicant
711 Luther Rd
GA 14052



OK as to form only

TOWN OF AURORA
Zoning Board of Appeals Request

PAID stamp with handwritten '7500' and a circled '2'

Building Application # _____
Building Permit # _____

Zoning Appeal Case No. 1295
Date 5-18-17

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

I, (we) JAY A. KINGSTON of 1925 BOIES RD WEST FALLS NY 14170
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 JAY A. KINGSTON
Name of Applicant

OF 1925 BOIES RD, EAST AURORA, NY
(Street & Number) (Municipality) (State)

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

1. LOCATION OF THE PROPERTY 1925 BOIES ROAD
SBL # 200.00-4-24.2 ZONING DISTRICT RR

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)
116-8(HF) and 116-18B

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

4. A PREVIOUS APPEAL () has (x) 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 _____

Signature(s) [Handwritten Signature]
Mailing Address 1925 BOIES RD, WEST FALLS, NY 14170

Jay Kingston, 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.

Handwritten note: 4/28/17 \$100.00 228715

Sworn to before me this 28th
day of April, 2017

[Handwritten Signature]
NOTARY PUBLIC

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

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

TOWN CLERK
Martha L. Libroek
(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

*This institution is an equal opportunity
provider and employer.*

Jay Kingston
1925 Boies Rd.
West Falls, NY 14170

4/28/2017

Re: Accessory building second floor and side yard setback

Jay,

The Building Dept. has reviewed your application for an accessory building at 1925 Boies 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 Code for an RR District. 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.

116-8.4F- Required: Side yard setback equal to the mean height of the accessory building (15')

Requested: 10 feet
Variance required: 5'

116-18 B-Required: Accessory buildings not over 1 story
Requested: Two story accessory building
Variance required: A two story accessory building

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 Gleed Avenue, East Aurora, NY

Permit # _____
 Reissue from _____

Phone (716) 652-7591
 Fax (716) 652-3507

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

APPLICATION FOR BUILDING PERMIT

New Building	Addition	Demolition	Solid Fuel Appliance
Alteration-Renovation	Accessory Building	Accessory Structure	Special Use
Temporary Accessory Building	Tower	Generator	

Location 1925 BOIES RD SBL# _____
 Property Owner Name JAY A. KINGSTON

- Give a brief description of request/intention for building permit: BUILD A 26X40 GARAGE/BARN WITH A 12X40 CARPORT
- 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? 1
- Size of completed building 26 ft wide 40 ft long 21 ft high 1 stories Total sq ft 1280
- Estimated Cost (determined by Building Department) * _____
- Zone or use district in which premises are situated _____
- Does proposed construction violate any zoning law, ordinance or regulation? No
- Name of Architect SELF
 Address of Architect _____ Phone Number _____
- Name of Contractor SELF
 Address of Contractor _____ Phone Number _____
- Name of Contractors Compensation Insurance Carrier _____
 Number of Policy _____ Date of Expiration _____
- Will electrical work be inspected by, and a Certificate of Approval obtained from an inspection agency approved by the Town of Aurora. Yes No _____
- 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 of 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.



Town of Aurora
 300 Glead Avenue
 East Aurora NY 14052



Zoning Board of Appeals Petitioner's Letter of Intent

Applicants Name JAY A. KINGSTON
 Address 1925 BOIES RD, WEST FALLS, NY 14170
 Telephone 585-353-3529
 Address of appeal 1925 BOIES ROAD
 Zoning District AGRICULTURAL RR
 Zoning Code Section 116-8.4F

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)

DURING 2016 I BUILT MY HOME AND PLANNED EVERYTHING ON PAPER AS FAR AS THE LOCATION OF THE SEPTIC/HOUSE AND THE GARAGE I WANT TO PUT UP. I DID MY HOMEWORK AS FAR AS THE ZONING LAW AND SIDE LOT LINE CLEARANCE. I MOVED FORWARD, BUILT MY HOME, INSTALLED MY SEPTIC. I APPLIED FOR A BUILDING PERMIT IN EARLY APRIL AND TO MY SURPRISE THE ZONING LAW HAD CHANGED FROM 10' TO 15' OF SIDE LOT LINE CLEARANCE. I WOULD APPRECIATE IT IF I COULD STILL BUILD MY GARAGE 10' AWAY FROM MY LOT LINE.

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 Jay A. Kingston Date 4/28/17



Town of Aurora
300 Glead Avenue
East Aurora NY 14052



Zoning Board of Appeals Petitioner's Letter of Intent

Applicants Name JAY A. KINGSTON
 Address 1925 BOIES RD, WEST FALLS, NY 14170
 Telephone 585-353-3529

Address of appeal 1925 BOIES ROAD
 Zoning District AGRICULTURAL RR
 Zoning Code Section 116-18B

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)

I WOULD LIKE TO INSTALL ATTIC TRUSSES TO SIMPLY ADD STORAGE SPACE FOR MISCELLANEOUS TOOLS, CHRISTMAS DECORATIONS ETC... I DO NOT LIKE COUNTER'E TO BE ABLE TO HAVE THE EXTRA STORAGE ABOVE THE GARAGE WOULD SAVE MONEY. THE DEMENSIONS OF THE EXTRA COLD STORAGE WOULD BE 12'W X 36'L X 7'H. THE EXTRA COST OF THE TRUSSES IS ONLY \$1500. I COULD NOT BUILD ANOTHER BUILDING 12'W X 36'L X 7'H FOR \$1500, IT WOULD COST 10 TIMES THAT COST AND I DO NOT WANT BUILDINGS ALL OVER. I HOPE YOU UNDERSTAND MY INTENTIONS. THANK YOU.

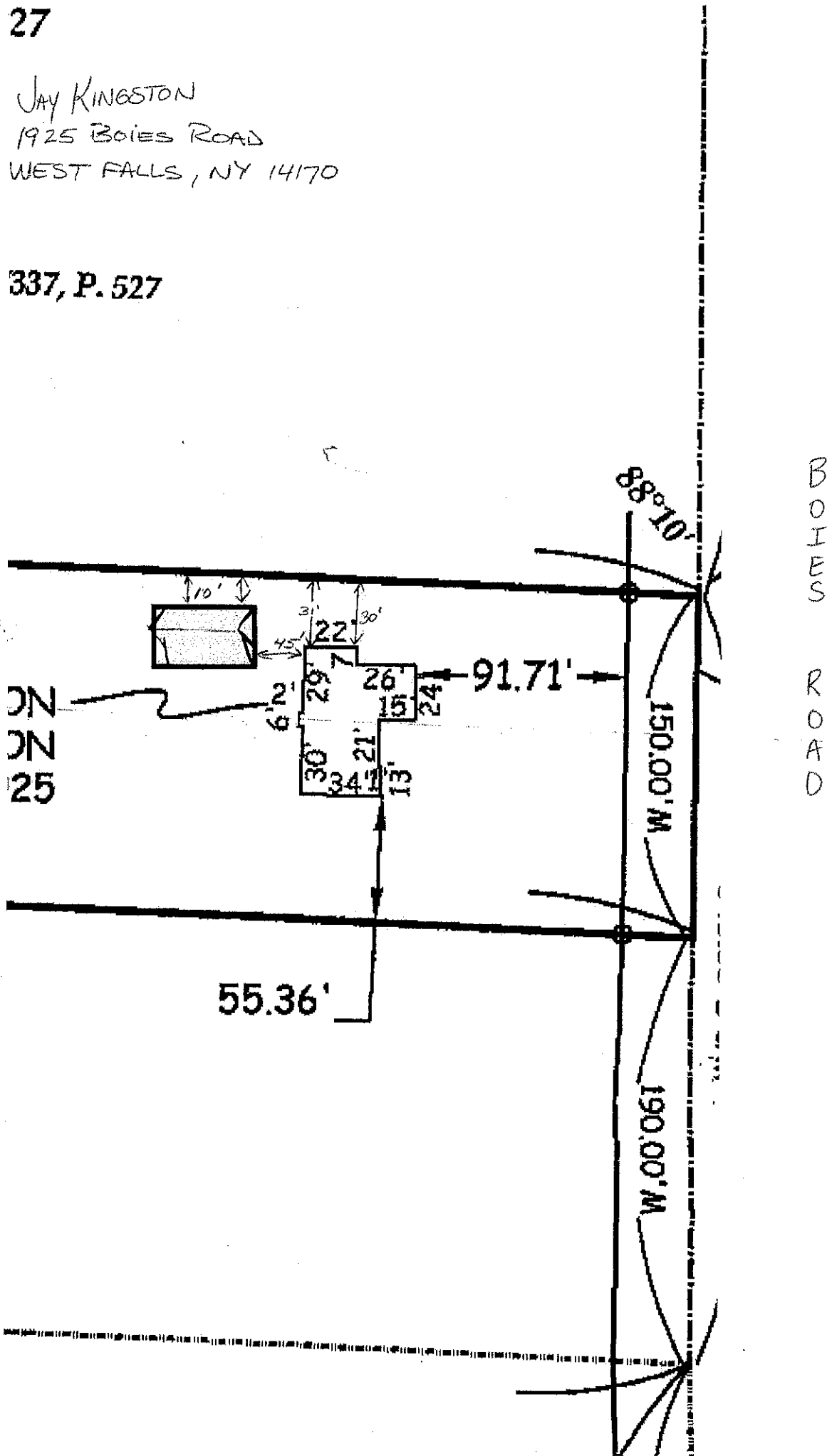
ACKNOWLEDGMENT:

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 Jay A. Kingston Date 4/28/17

JAY KINGSTON
1925 BOIES ROAD
WEST FALLS, NY 14170

337, P. 527



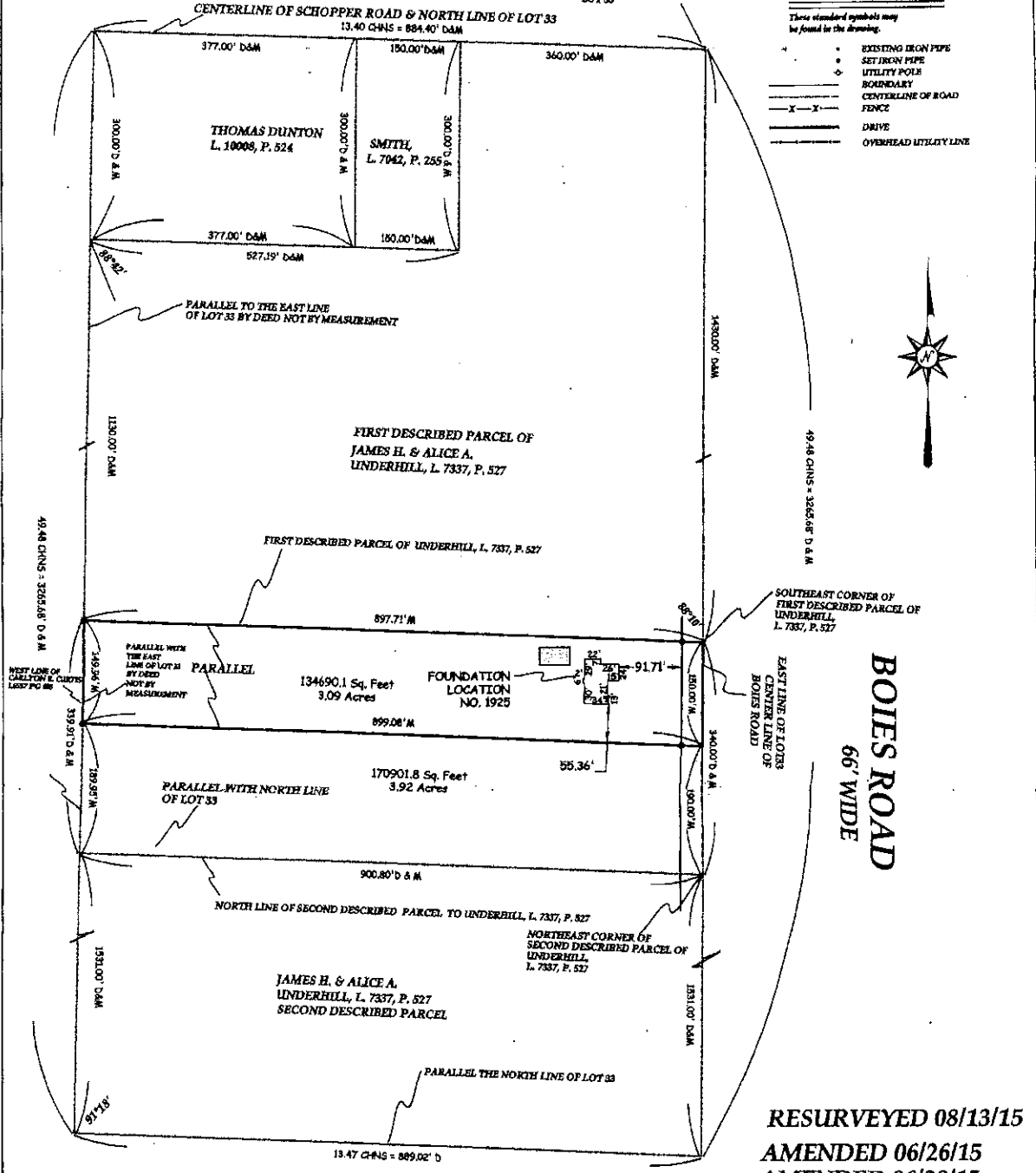
SCHOPPER (66.0' WIDE) ROAD

NORTHEAST CORNER OF LOT 33

LEGEND

These standard symbols may be found in the drawing.

- EXISTING IRON PIPE
- SET IRON PIPE
- UTILITY POLE
- BOUNDARY
- X — CENTERLINE OF ROAD
- DRIVE
- OVERHEAD UTILITY LINE



BOIES ROAD
66' WIDE

RESURVEYED 08/13/15
AMENDED 06/26/15
AMENDED 06/29/15
AMENDED 06/29/15

FOUNDATION LOCATION
06/27/16 PROJECT NO. 20160741

MANGUSO LAND SURVEYING P.C.
FREDERICK M. MANGUSO

PROF. LAND SURVEYOR
572 TUSCARORA RD.
ANGOLA, NY 14906
PHONE & FAX 716 549 4717
LIC NO. M3775-1
EMAIL OFFICE@MANGUSO.LANDSURVEYING.COM

SUBJECT TO THE RECORDS OF
WELLS & COUNLAND L.L.C.
NORMAN S. FORDHAM L.L.C.
WELLS & COUNLAND L.L.C.

SURVEY NOTES

1. UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7205, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.
2. REPRODUCTION OR COPYING OF THIS DOCUMENT MAY BE A VIOLATION OF COPYRIGHT LAW UNLESS PERMISSION OF THE AUTHOR AND/OR COPYRIGHT HOLDER IS OBTAINED.
3. ONLY BOUNDARY SURVEY MAPS WITH THE SURVEYOR'S EMBOSSED SEAL ARE GENUINE TRUE AND CORRECT COPIES OF THE SURVEYOR'S ORIGINAL WORK AND OPINION.
4. A COPY OF THIS DOCUMENT WITHOUT A PROPER APPLICATION OF THE SURVEYOR'S EMBOSSED SEAL SHOULD BE ASSUMED TO BE AN UNAUTHORIZED COPY.
5. ONLY TITLE SURVEYS BEARING THE MAKERS EMBOSSED SEAL SHOULD BE RELIED UPON SINCE OTHER THAN EMBOSSED SEAL COPIES MAY CONTAIN UNAUTHORIZED AND UNDETECTABLE MODIFICATIONS, DELETIONS, ADDITIONS AND CHANGES.
6. THE LOCATION OF THE UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS ARE NOT ALWAYS KNOWN AND OFTEN MUST BE ESTIMATED. IF ANY UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS EXIST OR ARE SHOWN, THE IMPROVEMENTS OR ENCROACHMENTS ARE NOT COVERED BY THIS CERTIFICATE.
7. SURVEY PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY FACTS THAT MAY ARISE THEREFROM.
8. STAKES SET AS PER CONTRACT.
9. THIS SURVEY NOT VALID WITH AFFIDAVIT OF NO CHANGE.
10. THIS SURVEY DOES NOT EXTEND TO SUBSEQUENT OWNERS, MORTGAGES OR TITLE INSURERS UNLESS THIS SURVEY HAS BEEN RESURVEYED BY THIS SURVEYOR.

1925 BOIES RD

FOUNDATION LOCATION 06/27/16

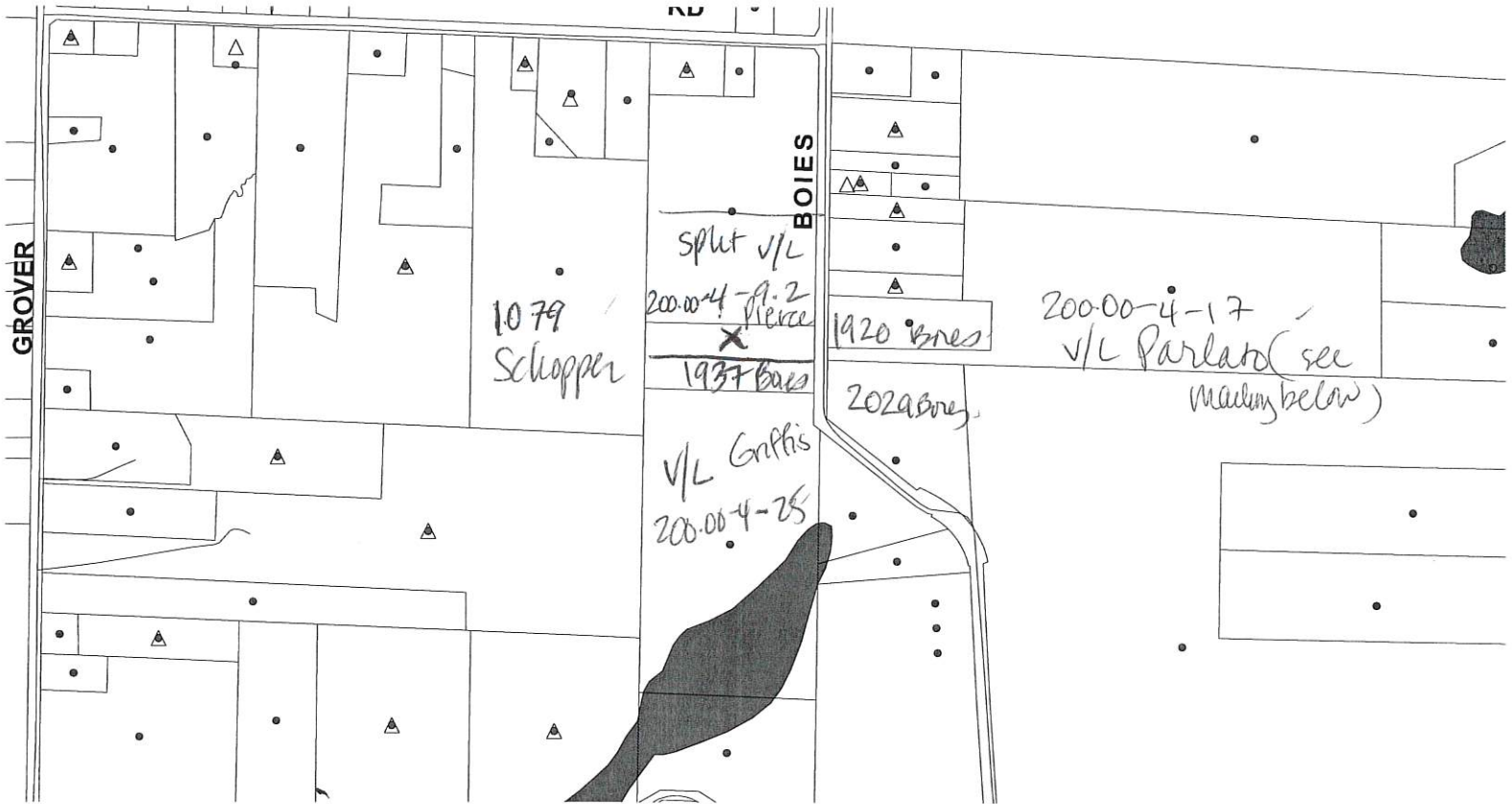
DRAWN FMM	DATE 09/10/14	PART OF LOT 33 TO RG 6 TOWN OF AURORA COUNTY OF ERIE STATE OF NEW YORK
APPROVED FMM	DATE 09/10/14	
SCALE 1" = 150'	SHEET	PROJECT NO. 20160741 20140597 20150893



87163130

87163130

^{to Lisa}
 Jay Kingston
 1925 Boies WF 14170
 SBL: 200-00-4-24.2



^{Jennifer} SBL: 200-00-4-9.2
 James Pierce v/l Boies WF mailing 1079 Schopper ~~EA~~
 Donald Bank 1937 Boies WF 14170
 James Pierce 1079 Schopper ~~EA~~ 14170
 Jesse & Angela v/l 200-00-4-25 Griffiths Boies Rd. Mailing 505 Ridge Ave EA 14052
 Mary Jane Ricotta ^{Nicholas} 1920 Boies Rd WF
 Joseph V Parlato Jr. 2029 Boies Rd WF Mailing 232 Unwood Ave Buffalo 14209

CASE NO. 1261-A
5.18.17

April 28, 2017

2000 Blakeley Rd
East Aurora, NY 14052

To the Town Zoning Board of Appeals,

We are amending our request to Case #1261 regarding the location of an accessory building (shed). After considering talking points from the ZBA meeting and assessing our current needs, we are resubmitting a proposed shed location and design. Our original site problem requiring an area variance remains the same, since we are on a corner lot the proposed shed location is considered in the front yard. We are unable to locate the shed in our side yard due to distance from the garage and driveway. The shed will store snow blowing equipment that will be best utilized in close proximity to the driveway.

As a secondary feature, we are hoping the shed will also serve as a rain shelter when our elementary school-aged children wait for the bus since the proposed shed location is toward the end of the driveway.

We believe that the proposed shed location should not negatively impact the neighborhood. There are currently front yard sheds on a couple of visible neighbors' properties. There are also existing trees/plants that will shield the view of the shed from the street.

Thank you for your consideration.

Sincerely,

Elaine Chow 

Elaine Chow and Mike Tunkey

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

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

TOWN OF AURORA
Southside Municipal Center
300 Gleed 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 Tunkey & Elaine Chow
2000 Blakeley Rd
East Aurora, NY 14052

5/8/2017

Re: Accessory building in front yard & set back

Michael & Elaine,

The Building Dept. has reviewed your application for an accessory building at 2000 Blakeley Rd.. We have denied your application because the proposed building does not meet the zoning regulations for accessory buildings as specified in the RR District of the Town Code. 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.

116-8.4E1

Required: Minimum front yard setback: 75'

Requested: 45'

Variance required: 30'

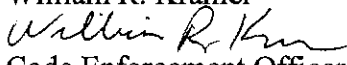
116-18A1

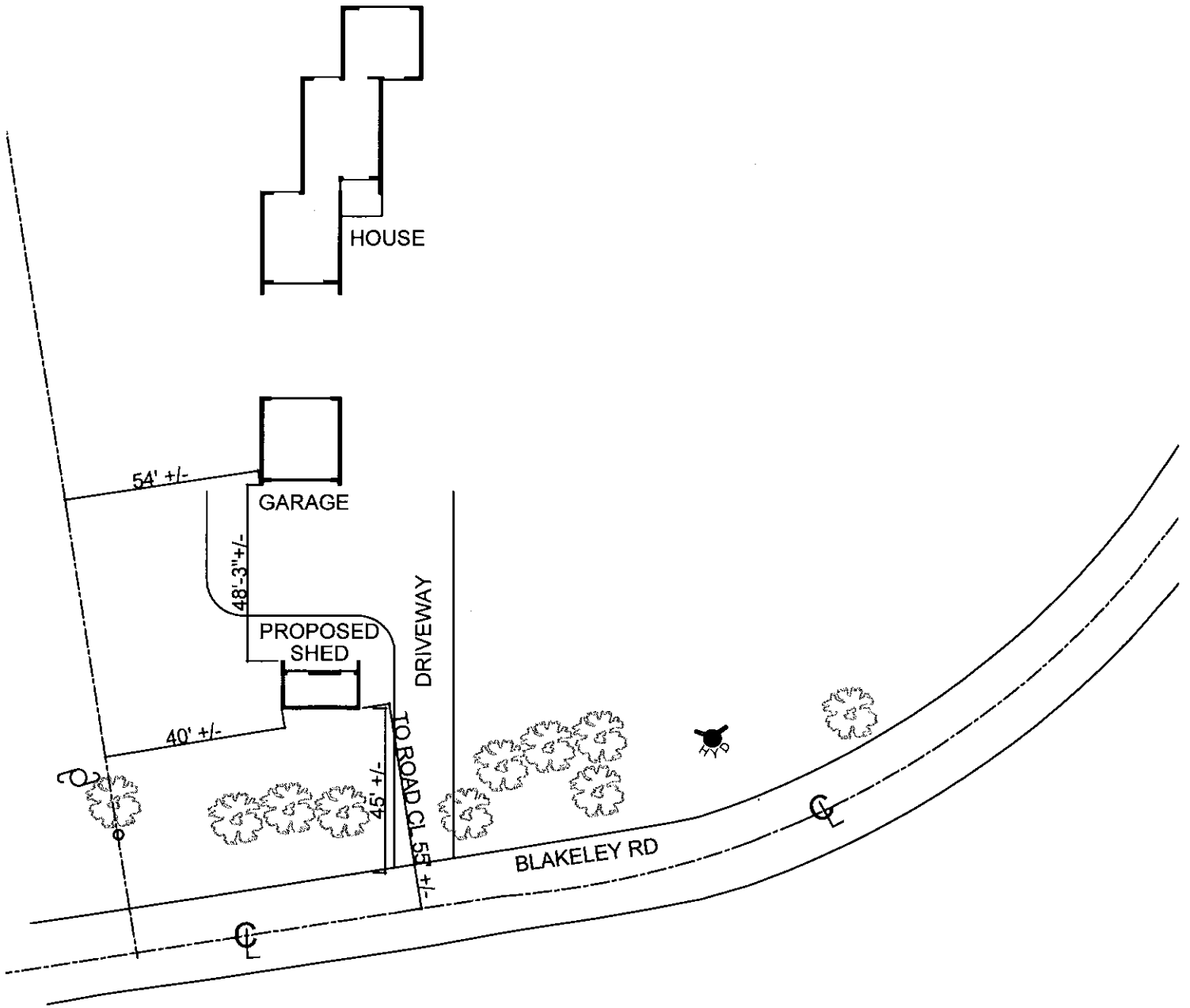
Required: No accessory building in the front yard

Requested: An accessory building in the front yard

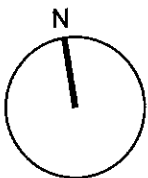
Variance required: An accessory building in the front yard

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

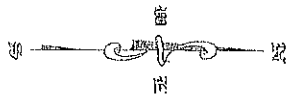


SITE PLAN



REQUEST FOR
FRONT YARD
ACCESSORY
BUILDING DUE TO
CORNER LOT
FRONTAGE AND
NEED FOR
PROXIMITY TO
DRIVEWAY ACCESS

2000 BLAKELEY RD
PROPOSED SHED
AREA VARIANCE
REQUEST



Survey Statement

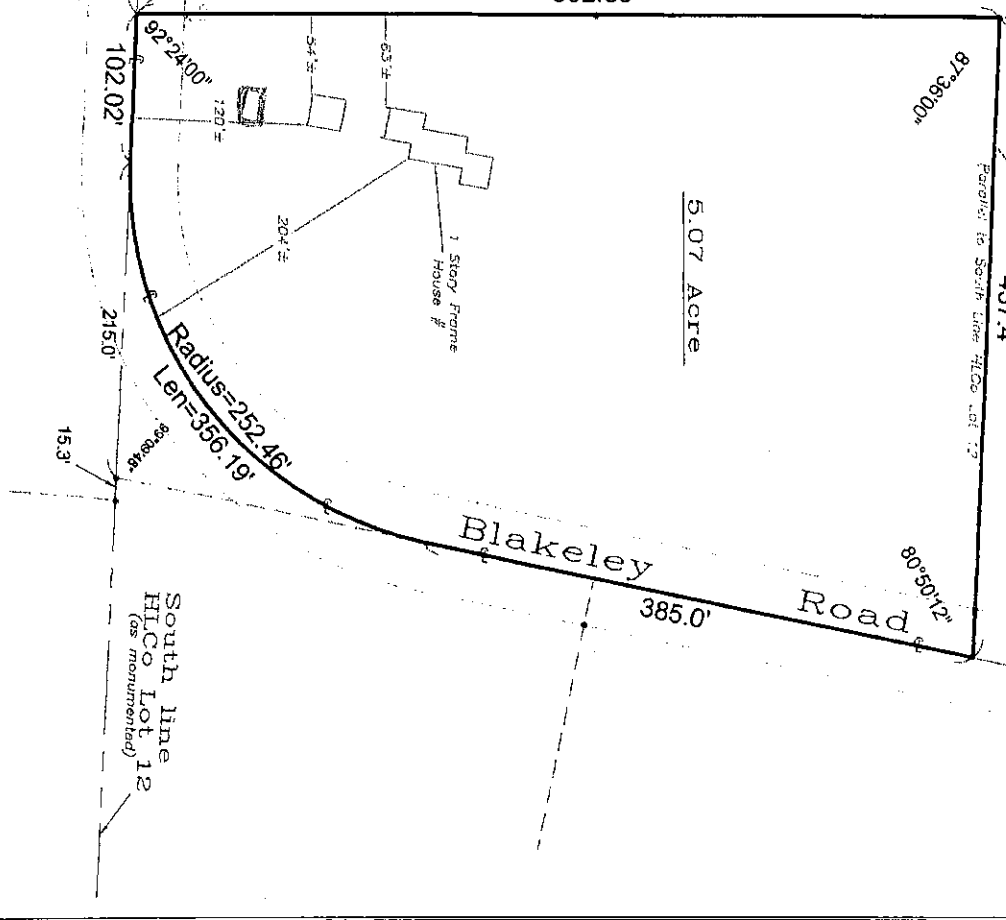
- (S1) A survey not shown to have been based on the Original Survey, is inconclusive in determining boundaries. The Surveyor's duty is to relocate the best evidence obtainable the courses and lines at the same place where the HOLLAND LAND COMPANY originally Surveyed.
- (S2) Farmers fences are NOT based on title, old occupied farmers fence lines subsequently surveyed and recorded into perpetuity don't always satisfy title requirements.
- (S3) Using Aerial Photographs to locate physical evidence and using original Holland Land Company field notes and maps is the only way a Licensed Land Surveyor can Relocate the Holland Land Companies old surveys.

Southwest cor.
HICO Lot 12

Southwest corner
D. Collins, 80/44.6°

1897.5' rec&meas

592.86'



South line
P. Shetty, 81°21'15.51(1422)

437.4'

5.07 Acre

Blakeley Road

South line
HICO Lot 12
(as monumented)

Copyright Information

(C) This Survey is published in many different colors. Any Black and White reproduction is not a valid map from Freeman and Freeman Land Surveyors.

Reference Data

(R1) Maps and notes from the Holland Land Company Survey.



Miscellaneous Notes

- (M1) Some features shown on this plat may be shown out of scale for clarity.
- (M2) Certain easements and/or utility lines, may or may not be shown hereon, however this shall not imply that all easements or utilities affecting this are shown.
- (M3) Unpublished Addition to this Survey Map is a Violation of Section 7209 provision 2 of the New York State Education Law.
- (M4) This Survey was prepared without the benefit of an up-to-date aerial title and is subject to any state of facts that may be revealed by an exam of such.
- (M5) THIS MAP IS NOT VALID WITH AFFIDAVIT OF NO CHAIN

Legend of Symbols & Abbreviation

●	W / Redund	N	North	Enc	Encroachment
○	Power Pole	E	East	R/W	Right-of-way
△	Light Pole	W	West	Ind	Industria Mtn
□	Telephone Box	Dr	Drainage	Now	Now or Farm
◇	Gas Valve	In	In or Sec	One	One Acre = 43,560
■	Storm Inlet	Rec	Record	One	One Acre = 43,560
○	Water Valve	Pages	Pages	One	One Acre = 43,560
○	Water Meter	Ex	Existing		
○	Sign				

Survey

Being Part of
HICO Lot 12 Twp 9 Rge 6
Holland Land Company Survey
Town of Aurora
Erie County, New York

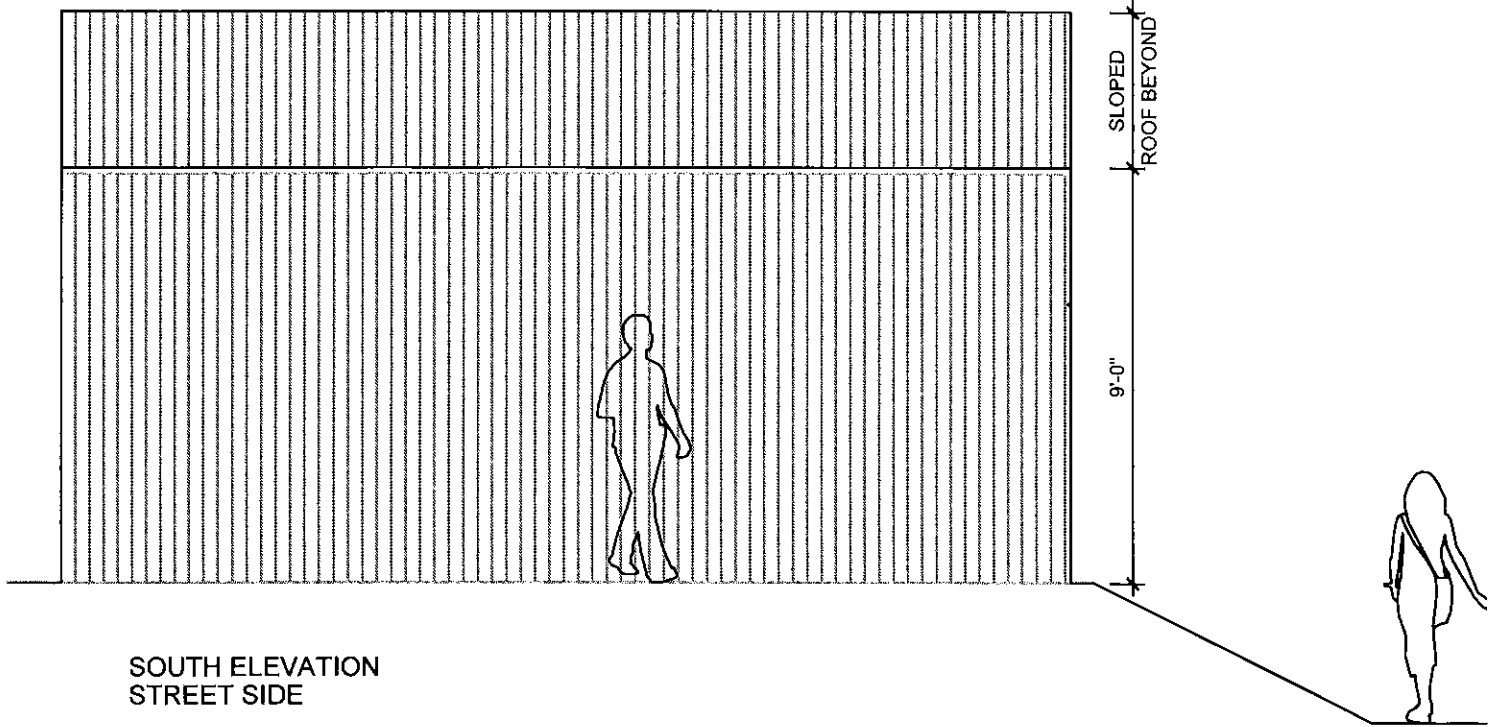
This plat was prepared in accordance with the current Code of Practice for Land Surveyors adopted by the New York State Association of Professional Land Surveyors and as amended by the Niagara Frontier Land Surveyors Association.

This certification does not extend to subsequent owners, occupants, or tenants unless this survey has been re-surveyed for the purpose by the Surveyor. This certification is void unless signed by the Surveyor therebelow. This certification is not valid if the name of said certification is not shown.

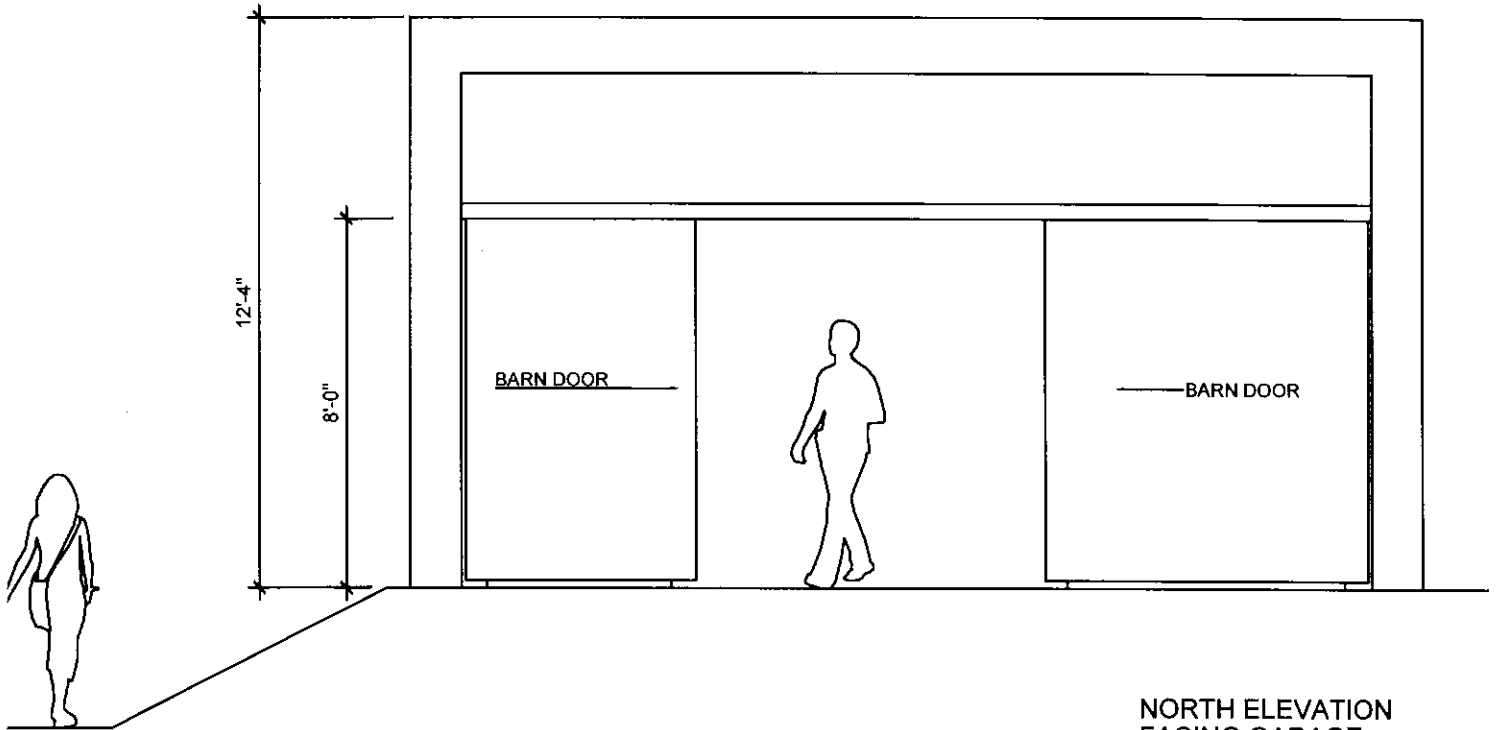
Survey Prepared By:
Licensed Surveyor: David Scott Freeman
Licensed Land Surveyor No.: 050480
In the State of New York
Date of Survey: November 4, 2011
Date of Building Location: October 2, 2014
Date of Last Revision:
Drawing Scale: 1" = 100'

Freeman & Freeman Job No. 7789
Sheet 1 of 1

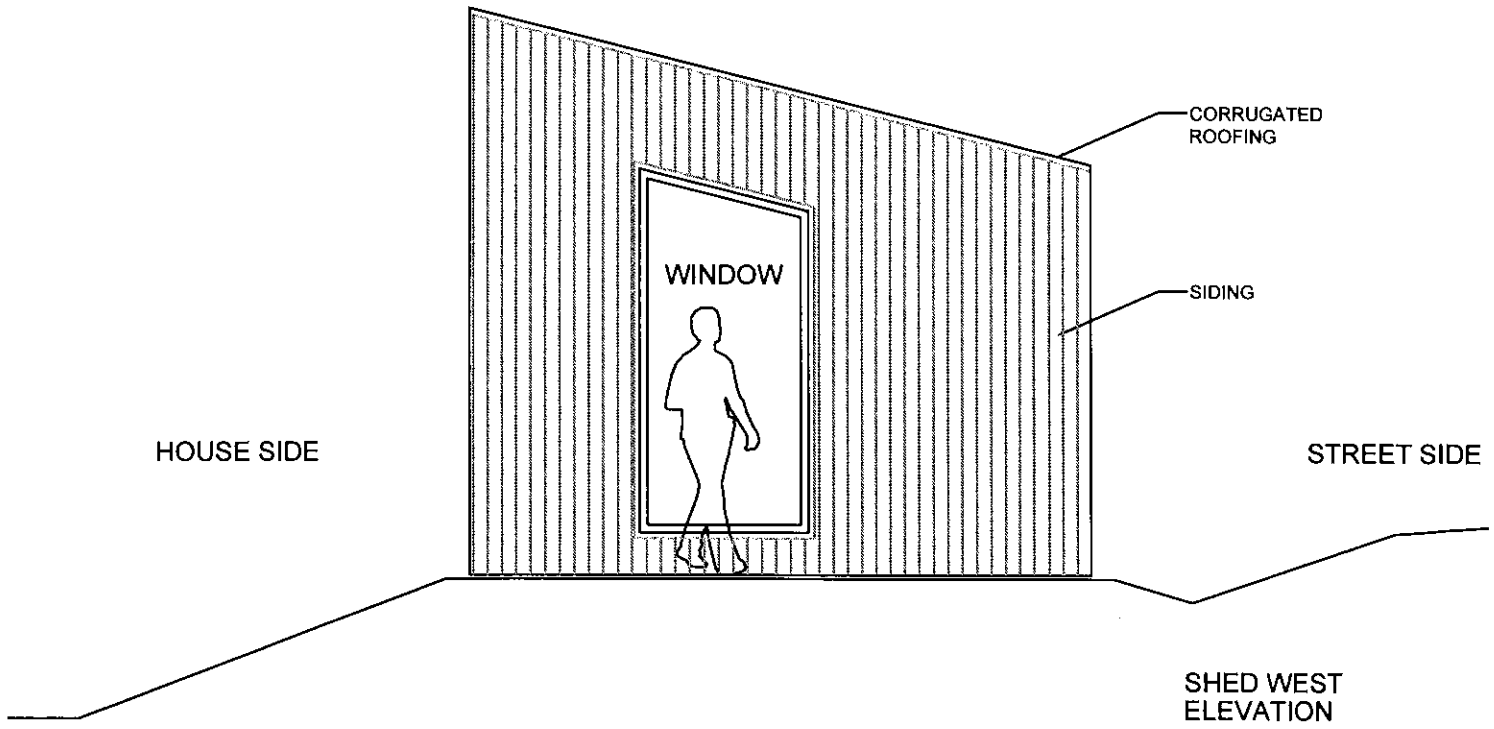
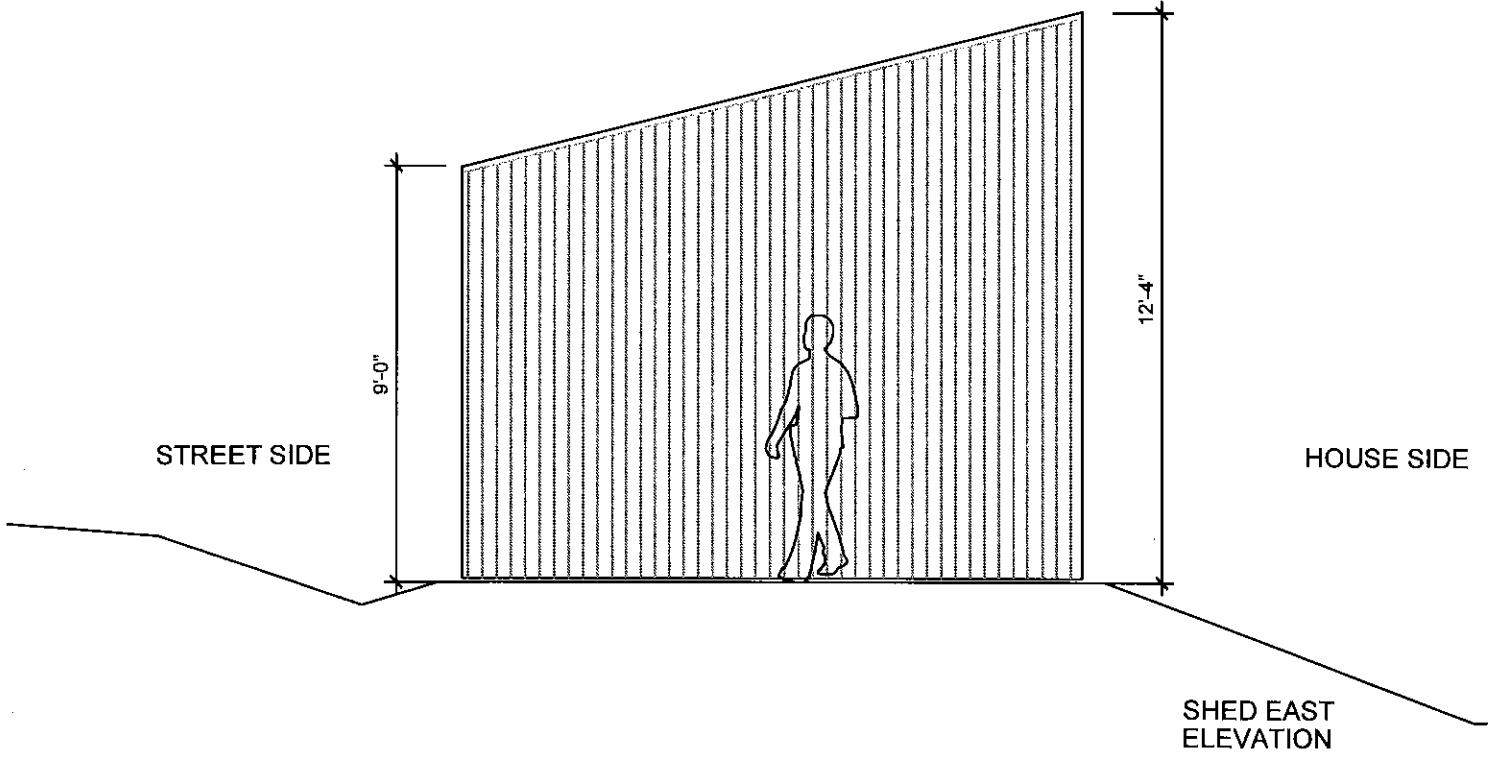


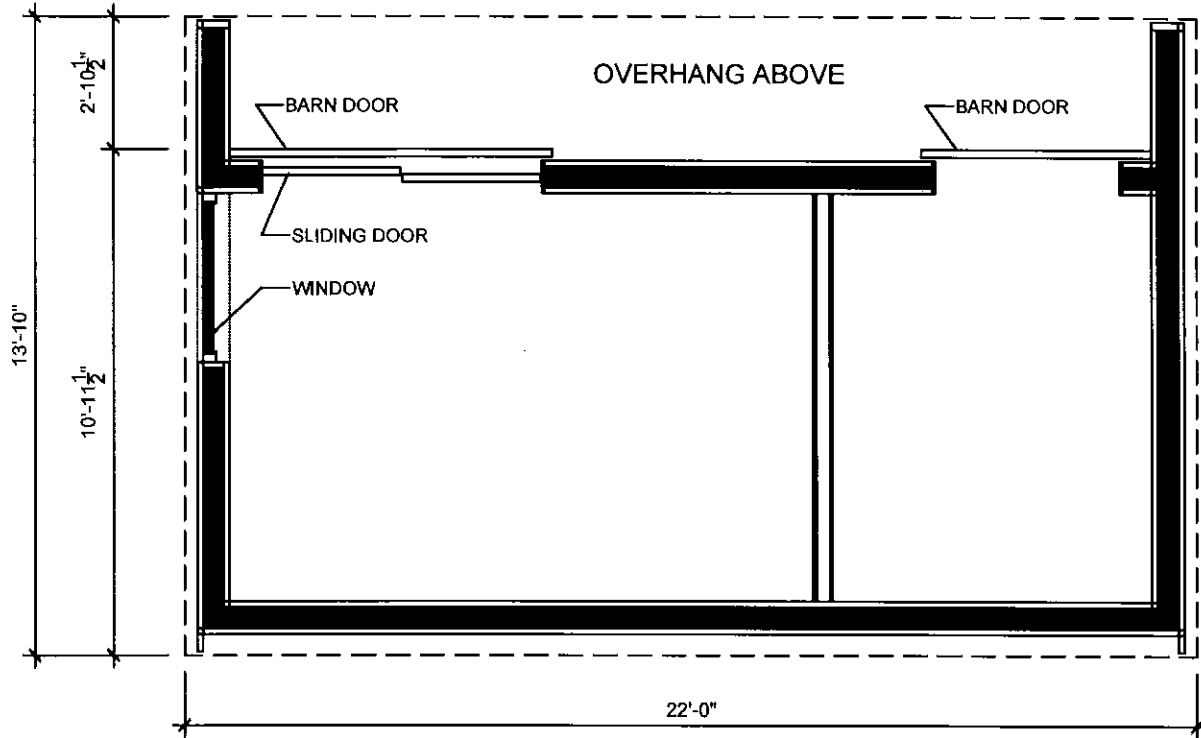


SOUTH ELEVATION
STREET SIDE



NORTH ELEVATION
FACING GARAGE
HOUSE SIDE





SHED PLAN

Andrew & Helen Dusel
2021 Blakeley St
and v/L 188-00-4-3.2
and v/L 188-00-4-5.1 Blakeley

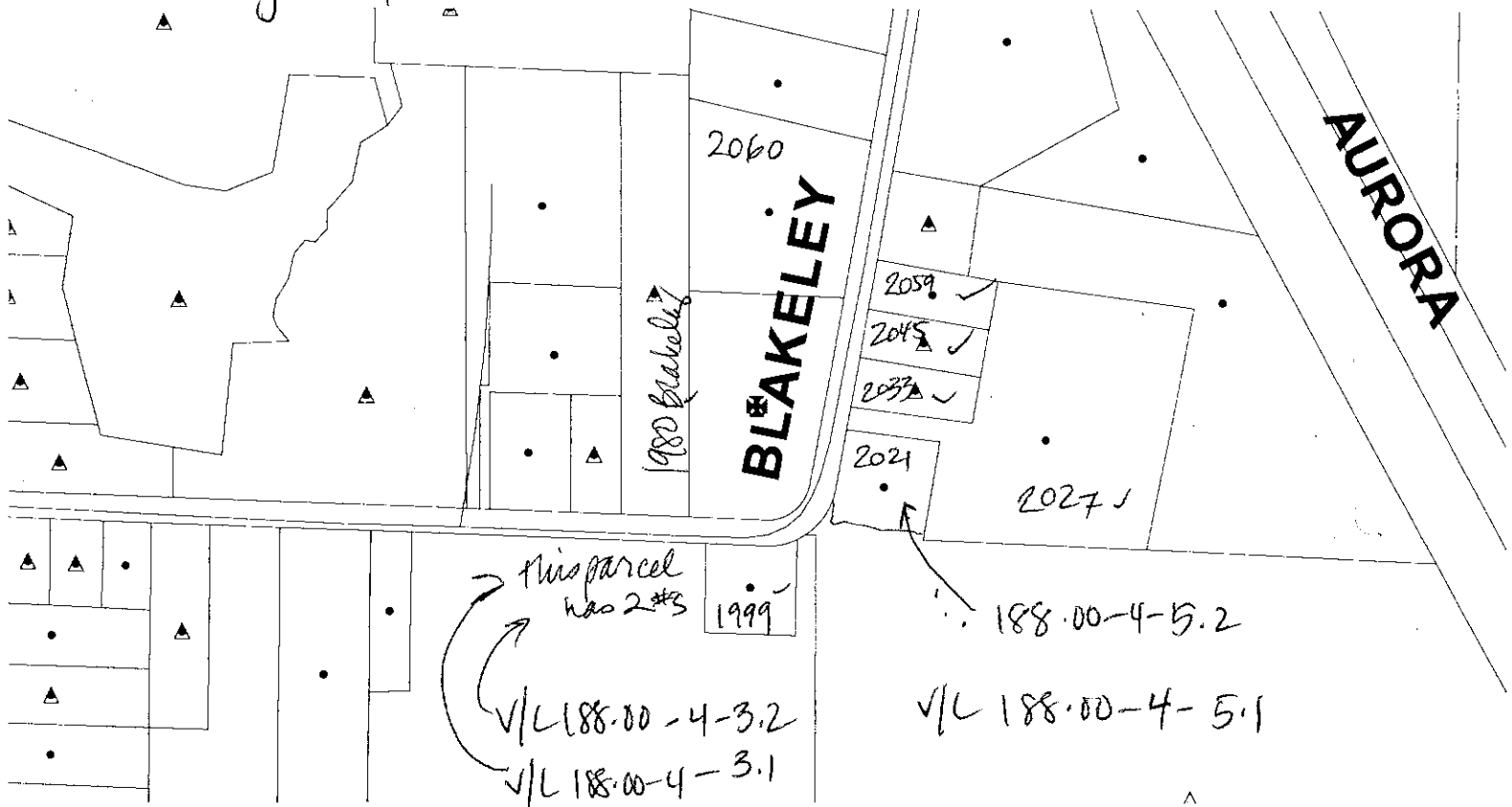
Charles Weiss v/L 188-00-4-3.1
Blakeley

Marilyn 180 Northledge Dr
Snyder NY 14226

Glaine Chow & Michael
Tunkey

SP: 188-00-1-5.1

2000 Blakeley Rd St



- ✓ Charles & Doris Johnson 1/8 1980 Blakeley Rd St 14052
- ✓ Kipp & Heather Milliron 1999 Blakeley St
- ✓ Joyce Roof Waterhouse 1/8 2027 Blakeley St
- ✓ Nicholas & Patricia Meyer 2033 Blakeley St
- ✓ Russell De Marco Jr & Kristen Crawley 2045 Blakeley St
- ✓ Douglas & Ellen Hays 2059 Blakeley St
- ✓ Joanne Powell 2060 Blakeley St

MINUTES OF AN HEARING AS HELD BY THE
ZONING BOARD OF APPEALS OF THE
TOWN OF AURORA

April 21, 2016

CASE #1261-Elaine Chow & Michael Tunkey
2000 Blakeley Road, East Aurora, New York

The hearing was called to order by Acting Chairman Donald Aubrecht with the following Board members present:

Albert Salter
Wayne Nowocin
Davis Heussler
Rod Simeone (alternate)

Others Present: William Kramer, Code Enforcement Officer

The notice of public hearing was read by the Deputy Town Clerk. The notice was duly published in the East Aurora Advertiser as evidenced by the Affidavit of Publication, marked as exhibit 1. The Affidavit of Posting was marked as exhibit 2. The ZBA Request has been marked as exhibit 3. The Building Department Letter of Denial was marked as exhibit 4. An ECDP Form was marked as exhibit 5. The Petitioner's Letter of Intent was marked as exhibit 6. The Copy of the Survey Statement was marked as exhibit 7. The Site Plan was marked as exhibit 8. Elevation Sketches were marked as exhibit 9. 4/17/2014 Decision was marked as exhibit 10. The List of Abutting Property Owners was marked as exhibit 11. Photographs were marked as exhibits 12 A-E.

The Chairman opened the hearing with the Pledge of Allegiance to the Flag and stated the purpose and procedure of the hearing. Following the hearing a meeting would be held to render a decision for an application for a front yard variance to permit construction of an accessory building in the front yard of the residence at 2000 Blakeley Road, East Aurora, NY.

ZBA #1261
4/21/16

Chow Elaine Chow, 2000 Blakeley Road. Here are some photos. My husband, Michael Tunkey and I are both registered architects. We are hoping to build a shed in which to place solar panels on top of the roof. Our house is up for an energy star rating and we are trying to get to net zero. That would tell us how many solar panels we will need in the area. The aerial views that I handed out show a purple section which is not possible for us to put the solar panels because of shading reasons. There is a large row of pines on the west side of the property. There are trees along the south side of the property near the road. Those are the two areas we get a lot of shade. The other reason for placing our solar panels in the yellow zone is that we also have a septic in place and a geothermal intake and those all have underground conduits that we don't want to cross. With the solar panels we will have more conduits to our main electrical which is in the basement which is in the center of the circle that has maximum distance. The maximum distance is relative to what the solar company has advised me should be within 100' of the main house.

Heussler So this is a variance for an accessory building?

Chow It is a large shed. It will be more of a single sloped roof and we are going to do metal panels that are similar to the photos. It will be metal panels which is similar to a lot of the shed and barns in the area.

Heussler Will the panels themselves be solar?

Chow Yes, solar panels.

Nowocin Is it the same configuration as in the drawings?

Chow The same but the proportions are similar but it is rotated in the other direction. We are still getting quotes and it will be a mix of concrete on the exterior and I would like to use the same metal panels as the barn across the street. The majority of the roof plain will be covered with the solar panels. The north elevation I would like to have some polycarbonate panels as well.

Nowocin So which direction will the panels be facing, towards the road?

Chow They will face south.

Aubrecht Is the south facing off of an angle from the solar panels? What about the angle from horizontal?

ZBA #1261
4/21/16

Chow The pitch isn't as critical. They recommend an 8-12 pitch but we are exploring between a 4&5- 12 pitch because we didn't want the extra height because to 8 to 12 would be quite tall on this site. We are trying to keep it as low as possible as not to obstruct the neighbors view. The neighbors are on a hill across the street so I have views from 2 neighbors that would be impacted. The one with the snow is the neighbor across the street. So that is their view from the entry porch so if I keep everything as low as possible and closer to the south end of the site I feel it won't impede their view less because their view is off into the distance of the hills and beyond. If we keep our structure as close as south and as low as possible then I feel it won't interfere with their lively hood view.

Simeone As I recall you were planning on putting some plantings on the north side of the structure, is that correct?

Chow That is in the works, yes. Well on the north because the south side we don't want anything to shadow the panels but we are hoping to burn the earth.

Simeone So are they going to be bushes or trees?

Chow Not trees.

Kramer Is there an overall dimension of the building is that 16' by 60'?

Chow I was advised to pick something that was very large and then try to shrink it down, Right now I am working with a 44' length. The height is 8' on the road and the slope will be somewhere 12'-16' to the highest point. It depends on how the budget goes the foundation we are trying to recess that back into the earth as much as possible so ideally I will only see about 9' or so exposed on the north elevation which is the taller elevation.

Aubrecht Is there anyone else that would like to speak on this matter?

ZBA #1261
4/21/16

Hayes Doug Hayes - 2059 Blakeley. I am downhill just a little ways. On the curve, it is a very dangerous hill and on that curve you need to look uphill to see cars coming downhill. I need to look before coming up my driveway to see if there is a car coming because there is a blind spot. I need to know that if a car is coming to wait for it. Also when you are going that way you want to see a car coming in the other direction because they always cut the inside of that curve. With the building you are taking some of that view that you have with that direction. Most of the neighbors feel that there is plenty of room/acreage for solar panels. The west is not completed with shade you are trying to get sun from the south and that is southeast. They have a lot of acreage here and a driveway here that they can access solar panels in the back which would put that in the backyard. There must be a way to run the electrical lines around the geothermal and back to the house without impacting the field. The driveway is passed the septic system that they used for construction. The neighbor from across the street couldn't make it tonight and he knew about the shed but he didn't know about the solar panels on the shed which he would be looking directly at the solar panels. He only knew about the shed. Most of the neighbors that I have talked to thought that a building like this there is plenty of room in the back of the property to keep it away from the road.

Chow That is why we also set it back from this point here on the curve. I agree. I watch down to your driveway also.

Hayes It is a safety thing and cars go fast down that road.

Dusel Andy Dusel - 2021 Blakeley Road. I live across the street. I would like to voice my acceptance of the project as that the project should help their net zero project. My only concern echo's what Doug mentioned is the view around the corner. I have been in front of the Town Board before asking for whatever the Town has the ability to do to reduce the speed limit in the area. The County was not so thrilled about that. I have little kids and so do others; it's a very dangerous turn. The view is my concern and I know that Mike, Elaine's husband has been very open to my concerns as far as trying to move the structure as close to their house as possible. I think the further up the hill it is the more out of the way of the view it is. My driveway and the neighbors just to the northwest of me, it is going to be difficult pulling out of the driveway if there is a structure. My concern is the ability to see cars up the hill so I'm sure most of you are familiar with this bend in the round but there is a pretty substantial elevation change from up the hill to where our houses are. The road is frequented by cyclist and runners. Drivers cut that turn regularly and having a view up that hill is my only concern with the height of the structure. I think if the height is such that you can see things from where we are and from where our neighbors are I have no opposition to the project as long as there is ability to view up the hill from where we are.

ZBA #1261
4/21/16

Salter You are near the barn?

Dusel Yes that is our house right there.

Salter I would think that when you come out you can see up the hill.

Dusel We can see up the hill. My problem is more the trees.

Salter I talked to them and asked them if they would trim the shrubs and the trees that are along the edge of the road. I think it more the people down the hill so when they are looking up and people are coming down. I counted 6 people that bounced off the guardrail this winter and I went through 3 mailboxes this winter. I kid you not and one man ended up 10' from my living room this winter. That is my only concern, the ability to view. I don't think my view is going to be obstructed by the shed. It is more the tree line and the high hay. There are a couple of dead trees that could stand coming down. Cars coming up the hill and if they don't have a little visualization they are taking that turn too wide.

Salter If they don't know that it is a 90 degree turn then it is a big surprise.

Dusel My biggest issue is that there reluctances by the County to put more signage and reduce speed in the area and I know there is nothing you can do about it. The suggested speed is 20mph around the 90 degree turn but nobody sees that sign.

Aubrecht Is the 45mph all the way down?

Dusel Yes all the way past the Old Orchard. My recommendation was from Underhill to Olean to reduce it 35mph because there is a restaurant and a steep hill.

Salter People come out of that restaurant and it is blind there.

Dusel I filed a freedom of information request to find out how accidents have been there and the next move is to have a petition signed to see if the County will do something about signage.

Aubrecht Is there anyone else that would like to speak on this matter? (No response).

Heussler From the comments that we have been hearing if we do this negatively would you consider relocating it somewhere else on the property?

ZBA #1261
4/21/16

- Chow As I mentioned earlier the reason we came up with that location we thought there was enough of view corridor, we were trying to keep it lower in height. I am trying to get to my energy goal. Right know my husband is pretty sure that the structure of the existing building in addition to the snow support solar panels so either way we would have to put something up out there. Once you increase distances you lose optimization, once you have to cross other things that are already on the ground you add tremendous costs so I guess we would have to look at it again.
- Salter Wasn't there also a question that you had to have the solar panels within a certain distance from the main circuit breaker is?
- Chow Yes that is the circle on the drawing.
- Nowocin So would the building be entirely within that red circle?
- Chow No it would not so we are trying to get one portion of it within that red circle.
- Aubrecht Is there anything else? (No response).

MINUTES OF AN MEETING AS HELD BY THE
ZONING BOARD OF APPEALS OF THE
TOWN OF AURORA

April 21, 2016

CASE #1261-Elaine Chow & Michael Tunkey
2000 Blakeley Road, East Aurora, New York

- Aubrecht My concern is that we granted a variance for this property 2 years ago for the garage in the front yard and the house could have been positioned in another location. They could have acknowledged that they were going to put a shed up. The shed in my mind is an excuse for hanging up the solar panels. I think the solar panels are a good thing to go net zero and that is just fine. It doesn't necessarily require a shed. The reason we have the code is so that the shed, the accessory building is in the backyard. They are behind the main building. They elected to put the residence where it was and we did grant the accessory for the garage. There is plenty of land there and I understand the shadowing to the west but that truly is not the key if you are going to face the panels to the south by the time you get to the time of the year you get a minimum per panel. Just because there is a septic field there, just because you are Visio thermal, you don't have to build a shed for these. You can look at a lot of things in Europe/Massachusetts and they are simply hung on frames in fields. It does not have to be a shed. I don't think it needs to be in the front yard independent of the sight line but that is my view.
- Simeone Could it be located east far enough of the line but still within 100' of the structure?
- Aubrecht If you need to go further up the wire size of the cables. It is like an extension cord. The further you go means you up the gigs. I don't know where the inverter is but it is DC.
- Salter Do you know where they are going to put the inverter?
- Chow They are going to put it inside the shed.
- Salter Then you are going to run 110 volts back out to run lights. They want the shed for storage from what they told me.
- Aubrecht That is fine. Thinking about these 2 years ago would have been appropriate.

ZBA #1261
4/21/16

- Salter Isn't also in the side yard even though it is to the east? Could you bring the shed closer to the garage area? You would still have the southern exposure because you are getting the most light off the sun and then it would reduce the effect of the sight line if someone was trying to look up the hill when they are coming around the curve.
- Aubrecht If it were me I would be further north of everything.
- Heussler That is still a problem for the neighbors' right across the street.
- Aubrecht That is why in my mind it would be up and behind what is defined the backyard.
- Nowocin Then where would the line be?
- Aubrecht (pointing out on an aerial photo) what is lost there is western exposure.
- Chow There is no significant shading that occurs earlier in the day especially in the winter time by moving it away from trees to optimize our gain. In reference to Kip's concerns about looking at the panels I am looking at the black ones that blend in with the roof and don't screen, they are an LG panel that is basically a higher end panel. If he prefers the solar company recommended a light color roof, I don't mind changing it to a black roof to match the panels so they should almost disappear.
- Aubrecht I am not certain that technology should be driving the code here.
- Nowocin That is why it is better to have a little more knowledge about the options available. I do know that increasing the amount is really not a factor. If it is going to cost more to conform then no unless the cost is prohibited.
- Heussler For a little bit of energy expense it is not bad.
- Nowocin I don't know how technical those studies are do you really need. I know in the winter you do have less hours of sun.
- Aubrecht My understanding is that if I were doing half the solar there you should be pointing slightly east of south. It is not a direct south.
- Salter Would it be possible that moving that shed as we indicated that we sit on this another month and they can find out from the manufacturer how they could answer some of our concerns and still be able to get a good return on the solar panels that they want to use.

ZBA #1261
4/21/16

- Heussler If we voted tonight and it gets turned down then they have to wait another year.
- Salter No I am talking about tabling it and present the concerns to the manufacturer and find out how we juggle this a little bit to mitigate the concerns.
- Nowocin They might not even need a variance.
- Aubrecht That would be my point and perhaps it is worthwhile to consider tabling it. You have heard the discussion; you would not need a variance if you were not in the front yard. Understand some of those concerns out there and you heard some of those comments.
- Nowocin I think you made a valid point by a little bit of forethought of the buildings out more there would have been a little bit more room to have it not in the front.
- Aubrecht It is your choice we can elect to table it or if you would like us to vote it is your option.
- Chow I really don't know the distinction?
- Aubrecht If we are going to table it means we are not vote on it this evening. You can ponder what our thoughts are and it would be on the agenda next month for consideration. You can go think about whether you want to re-propose.
- Salter Talk to the manufacturer about whether he can still return the power is the location was changed slightly.
- Nowocin We would probably need some documentation.
- Aubrecht You are going to have to be more accurate in showing the dimension on the site plan, where you intend to do it particularly if it is a shed.
- Kramer Maybe they should actually stake out the shed and look at how it affects the sight lines.
- Aubrecht If we go to a vote and there is a no vote that's means you cannot come back to this Board. If you get a yes vote then you are ok.
- Chow I can't wait a year so...
- Nowocin I think you get a sense of how we feel.

ZBA #1261
4/21/16

- Chow If I came back with a similar location.....
- Aubrecht Then if you ask for a vote the vote would be the vote.
- Chow Then I guess it needs to be tabled.
- Salter It gives you a chance to take a second look at it. You have seen what our concerns are in the present location and if you can juggle this a little bit with the help out you supplier it might make it more pal able for us.
- Chow If I take a vote tonight and for some reason it is a no vote can I propose a different location?
- Aubrecht No, not until next year.
- Chow Then I would like to table it.
- Salter I make the motion that we table this case #1261 until our May meeting.
- Chow The solar panels not a shed it would still be the same height.
- Salter It is not the solar panels themselves that is the problem. It is the location of the shed.
- Chow So solar panels of itself are an accessory?
- Simeone If it is located there and Mr. Milliron's house is quite a bit higher and he is looking down and the sun is coming down there will he get a reflection?
- Aubrecht You would have to run the angles.
- Simeone That is what I mean the unintended course of action. He may be looking at a laser.

ZBA #1261
4/21/16

CASE #1261-Elaine Chow & Michael Tunkey
2000 Blakeley Road, East Aurora, New York

Aubrecht We have a motion up here so all in favor of the motion signify by saying I.

Upon a vote:

Salter	Aye			
Nowocin	Aye			
Aubrecht	Aye			
Heussler	Aye			
Simeone	Aye	Ayes-Five	Nos-None	Motion carried.

Aubrecht We have tabled it so you have some homework and we will put it on the agenda for next month. In advance you should submit some material. I suggest the site plan and any other documentation in advance.

Case No. 1261

Michael Tunkey & Elaine Chow
2000 Blakeley Road
East Aurora, NY 14052

Joanne Powell
2060 Blakeley Road
East Aurora, NY 14052

Ellen & Douglas Hayes
2059 Blakeley Road
East Aurora, NY 14052

Nicholas & Patricia Meyer
2033 Blakeley Road
East Aurora, NY 14052

Joyce Waterhouse
2027 Blakeley Road
East Aurora, NY 14052

Heather & Kipp Milliron
1999 Blakeley Road
East Aurora, NY 14052

Charles & Doris Johnson
1980 Blakeley Road
East Aurora, NY 14052

Andrew & Helen Dusel
2021 Blakeley Road
East Aurora, NY 14052

Charles Weeks
180 Northledge Drive
Snyder, NY 14226