



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

Special Use Permit Application Form

I. PROJECT INFORMATION (Applicant/Petitioner):

Business/Project Name: Webers Landscaping, Inc
 Business/Project Address: 1241 Davis Rd West Falls, NY 14120
 Applicant Name: Dean Weber
 Mailing Address: 7150 Gortman Rd
 City Orchard Park State NY ZIP 14127
 Phone 716 662-1513 Fax - Email Webersgardencenter @ G mail. Co
 Interest in the property (ex: owner/purchaser/developer) Owner

II. PROPERTY OWNER INFORMATION (If different than Applicant AND the Owner does not sign below, please submit and original, notarized "Owner Authorization" form - attached):

Property Owner(s) Name(s) _____
 If a corporate, please name a responsible party/designated officer: _____
 Address _____
 City _____ State _____ ZIP _____
 Phone _____ Fax _____ Email _____

III. SPECIAL USE AND PROPERTY INFORMATION:

*

Property Address 1241 Davis Rd West Falls NY 14120
 SBL# 186.00-5-22

Describe Special Use requested (use additional pages if needed):
Building Pole Barn 24'x40'

Property size in acres 2.5 Property Frontage in feet 237
 Zoning District B-1 Surrounding Zoning IA, RR, B#
 Current Use of Property Gardencenter
 Size of existing building(s): 2448^{15'} 320 sq sf Size of proposed building(s) 960 sf
 Present/Prior tenant/use: gardencenter
 Parking spaces: Existing: _____ Proposed additional spaces: _____ Total #: _____

Proposed water service: _____ public _____ private (well) _____ n/a Is this existing Y/N

Proposed sanitary sewer: _____ public _____ private (septic) _____ n/a Is this existing Y/N

Hours of operation (if applicable):

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	By Appt.
Hours	8-6	8-6	8-6	8-6	8-6	8-6	NA	

Peak hours: Mon-Sat 10-3

Number of employees (if applicable): Full-time 5 Part-time _____ Seasonal _____

Upon approval of this application, the applicant intends to apply for: (Check all that apply)

- a. Building Permit
- b. Sign Permit

IV. SIGNATURE (This application must be signed by the applicant/petitioner. If the applicant is not the owner of the property, a separate owner authorization form must be submitted – see pg. 4)



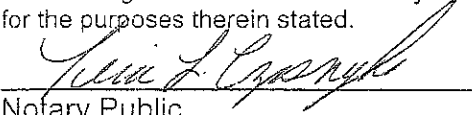
Signature of Applicant/Petitioner

Dean Weber

Print name of Applicant/Petitioner

State of New York; County of Erie

On the 5th day of Sept. in the year 2017 before me, the above individual appeared, personally known to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.



Notary Public

TERRI L CZOSNYKA
Notary Public, State of New York
01CZ6200287
Qualified in Erie County
My commission expires Feb. 02, 2021

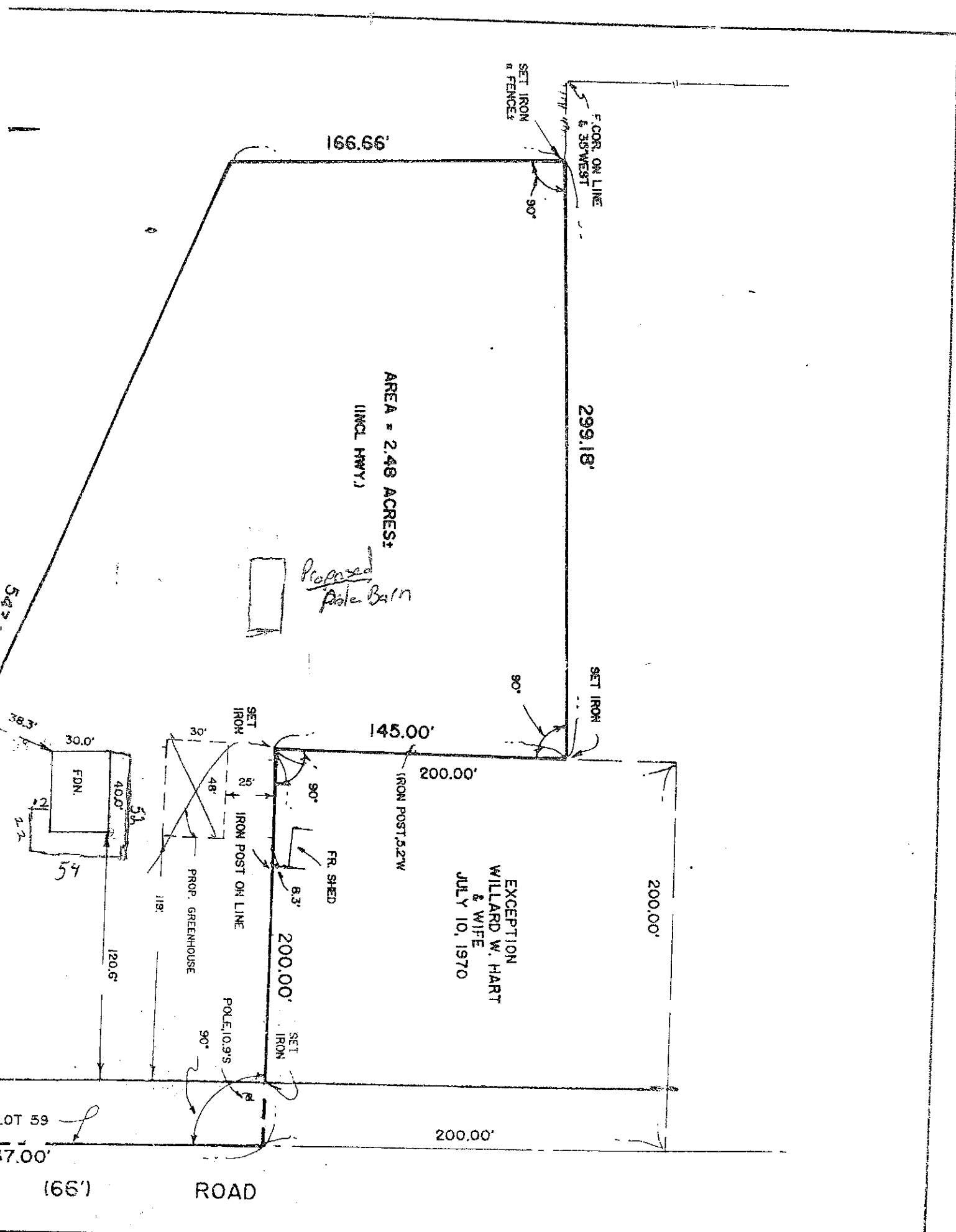
(Notary stamp)

Office Use Only:

Date received: 9/5/17

Receipt #: 228934

Application reviewed by: (Signature)



SET IRON
FENCE
COR. ON LINE
E. 35' WEST
90°

166.66'

299.18'

AREA = 2.48 ACRES
(INCL HWY)

Proposed Pole Barn

SET IRON

90°

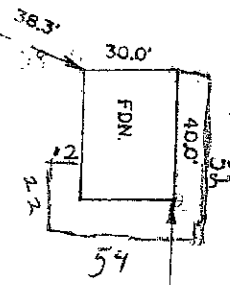
145.00'

200.00'

IRON POST 5.2' W

200.00'

EXCEPTION
WILLARD W. HART
& WIFE
JULY 10, 1970



SET IRON

FR. SHED

IRON POST ON LINE

PROP. GREENHOUSE

POLE 10.9'S

200.00'

SET IRON

90°

LOT 59

200.00'

237.00'

166'

ROAD



TOWN OF AURORA

300 Glead Avenue, East Aurora, NY 14052

www.townofaurora.com

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

I, Martha L. Librock, Town Clerk of the Town of Aurora, Erie County, New York, do hereby certify that at a regular meeting of the Town Board of aforesaid town, on the 25th day of September, 2017, at Town Hall Auditorium, 300 Glead Avenue, East Aurora, New York, the following resolutions were adopted, every member present voting therefore, to wit:

Councilman Snyder moved to adopt the following resolution; seconded by Councilman Harris:

Whereas, Dean Weber has presented plans to build a 24' by 40' accessory building (pole barn) at 1241 Davis Road, PO West Falls, NY, SBL# 186.00-5-22; and

Whereas, the property described is zoned B1 and is adjacent to property zoned residential; and

Whereas, Town Code Chapter 95 Section 95-2 Paragraph C states that a site plan review will be required for any nonresidential commercial improvement constructed on property which immediately adjoins or is directly across the street from or is within 500 feet of property which is zoned residential.

Whereas, Mr. Weber has requested that the Town Board rescind the requirement for site plan review for the following reasons: 1) The new building is not the primary structure for the property or the business at that location; and 2) the proposed building is 960 square feet, well below the 2,500 square feet that would trigger site plan review if the parcel were not adjacent to a residential zone; and

Whereas, Superintendent of Building Patrick Blizniak, in a memo the Town Board stated that the nature of Mr. Weber's project as well as the size should be considered insignificant in regards to Site Plan Review; and

Whereas, the proposed building does not require a Stormwater Pollution Prevention Plan (SWPPP); and

Whereas, in accordance with Chapter 95 Section 95-5, the Town Board may waive the applicability of all or any portion of the site plan review process to a particular applicant or project.

Now, Therefore Be It

Resolved, that the Town Board of the Town of Aurora hereby waives the site plan review requirement for the construction of a 24' by 40' pole barn at 1241 Davis Road, PO West Falls, New York (SBL#186.00-5-22), including the Stormwater Pollution Prevention Plan requirement; and be it

Resolved, that this waiver is only for the pole barn cited in the Special Use Permit application by Mr. Weber received by the Town on September 5, 2017.

Upon a vote being taken: ayes - five noes - none Motion carried.

* * * * *

I do further certify that I have compared the foregoing with the original minutes of the regular meeting of the Town Board of said Town held on the 25th day of September, 2017, and the foregoing is a true and correct transcript of said original minutes and the whole thereof, and that the resolutions duly adopted by the said Town Board are on file in my office.

I do further certify that the following members of the Town Board were present at such meeting, namely:

- Jeffrey T. Harris, Councilman
Susan A. Friess, Councilwoman
Jolene M. Jeffe, Councilwoman
Charles D. Snyder, Councilman
James J. Bach, Supervisor

Being the persons constituting said Town Board of the Town of Aurora, Erie County, New York.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said Town of Aurora, Erie County, New York, this 27th day of September, 2017.

Handwritten signature of Martha L. Librock
Martha L. Librock
Town Clerk

SEAL



(716) 652-2420

1241 Davis Road, West Falls, NY 14170

Aurora Town Board

300 Gleed Ave.

East Aurora, New York 14052

September 11, 2017

Re: application for a building permit for pole barn

I am asking the town board to rescind the requirement for a special use permit site plan. I feel that this small building being added to our property shouldn't be looked at as it is. We are not making changes to the operation of our business, nor is it the primary structure for the property, it is nothing more than a simple small outbuilding. Additionally, I feel we are making positive betterments to insure we maintain good relations with both our neighbors and passers-by alike. We have also worked hard at making sure we are requesting no variances as to keep within the towns thoughts of how progress is to work. I feel the new code changes do not properly represent me as a small business owner in our town.

Please know that your decision will affect the future of this project, I would not be willing to outlay additional funds on a future "if".

Please reconsider your position on this matter.

Thank you

Dean Weber

Weber's Landscaping Inc.

Memo

To: Town Board
From: Patrick Blizniak
CC:
Date: 9/12/17
Re: Weber's Landscaping Special Use Permit

Town Board,

An application for a pole barn was submitted by Dean Weber on a commercial property he owns and operates at 1241 Davis. The newly adopted code triggers not only a site plan review but also a special use permit. I believe that the nature of the project as well as the size should be considered insignificant in regards to this Site Plan review. This process I believe will result in undue hardship financially as well as time obstacle, for his needed project. Your thoughts, questions and comments are always welcome.

Thank You.



Patrick Blizniak

Superintendent of Building