



CASE NO. 1320
DATE OF HEARING 5/17/18

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

Zoning Board of Appeals Application Form

I. TYPE OF REQUEST

AREA VARIANCE SPECIAL USE PERMIT USE VARIANCE INTERPRETATION

II. APPLICANT/PETITIONER

Applicant's Name WILLIAM C. DARLING
Address 75 DAVIS RD.
City EAST AURORA State NY ZIP 14052
Phone 714 Email GMAIL.COM
Interest in tl _____

III. PROPERTY OWNER INFORMATION (If different from applicant information.)

Property Owner(s) Name(s) SAME AS ABOVE
Address _____
City _____ State _____ ZIP _____
Phone _____ Fax _____ Email _____

III. PROPERTY INFORMATION

Property Address 75 DAVIS RD.
SBL# 174.01-2-5.2
Property size in acres 4.9 Property Frontage in feet 363'
Zoning District RR/A Surrounding Zoning RR/A
Current Use of Property Residential

IV. REQUEST DETAIL

(check all that apply)
 Variance from Ordinance Section(s) # 116-18A(1); 116-8.4E(1); 116-8.4B(2); 116-17D
 Special Use Permit for: _____
 Use Variance for: _____
 Interpretation of _____

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

Wm. C. J.
Signature of Applicant/Petitioner

William C. Darling
Print name of Applicant/Petitioner

State of New York; County of Erie

On the 9th day of April in the year 2018 before me, the above individual appeared, personally known to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.

Sheryla A. Miller
Notary Public

(Notary stamp)

SHERYLA. MILLER
Reg. #01MI6128663
Notary Public, State of New York
Qualified in Erie County
Commission Expires June 13, 2021

Office Use Only: Date received: 4/9/18 Receipt #: 229149

Application reviewed by: _____

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

PREVIOUS APPEAL(S):

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

Previous appeals: Acc begin Front yard
Date: 9/15/16 Type of Appeal: Area Case 1283 Granted Denied _____
Date: _____ Type of Appeal: _____ Granted _____ Denied _____

PETITIONER'S LETTER OF INTENT

Please describe in detail the proposed project, reason the variance and/or special use permit is being requested and any additional information that may be helpful to the Zoning Board of Appeals in deciding this appeal: (attach additional pages if needed)

I AM LOOKING TO BUILD A GARAGE 48' WIDE X 60' LONG. THE GARAGE WILL BE PLACED ON THE SIDE OF MY PROPERTY STARTING APPROX 15' IN FRONT OF MY HOUSE IF YOU DREW A PARALLEL LINE, THE GARAGE WILL BE HIGHER THEN NORMALLY ALLOWED DUE TO THE 48' WIDTH AND I'M TRYING TO MATCH THE HOUSE ROOF PITCH OF 5/12 SO IT AESTHETICALLY APPEARS EQUAL. SO I NEED A VARIANCE FOR THE HEIGHT OF GARAGE, PLACEMENT OF GARAGE AND I'D LIKE TO PUT A 10' HIGH BY 12' WIDE OVERHEAD DOOR. THAT WILL NEED A VARIANCE APPROVAL AS WELL. THANK YOU.

TO BE COMPLETED ONLY WHEN A USE VARIANCE IS BEING REQUESTED:

A Use Variance is requested because the applicable regulations and restrictions in the Zoning Code of the Town of Aurora have caused unnecessary hardship as demonstrated by the following:

- 1) I cannot realize a reasonable return on my property for each and every permitted use allowed in the current zoning classification as demonstrated by the accompanying financial evidence (provide financial evidence to support your argument).

Financial Evidence Provided Yes ___ No ___ (financial evidence is required per NYS Town Law)

- 2) Describe why your alleged hardship relating to the subject property is unique and does not apply to other properties in the zoning district or neighborhood: _____

- 3) Describe why you believe that the essential character of the neighborhood/community will not change if the Zoning Board of Appeals grants you a use variance: _____

- 4) Is your need for a use variance a result of you own actions (is your difficulty self-created)? Please explain: _____

(Attach additional pages if needed)

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

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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
Chris Musshafen
(716) 652-8866
chris@townofaurora.com

TOWN ATTORNEY
Ronald P. Bennett

TOWN JUSTICE
Douglas W. Marky
Jeffrey P. Markello

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

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

William Darling
75 Davis Rd.
East Aurora, NY 14052

4/16/2018

Re; Accessory building

Bill,

The Building Department has reviewed your application to erect an accessory structure on your property at 75 Davis Rd. We have denied your application because it fails to meet the requirements as stipulated by Aurora Town Code.

116-18A(1) Required: No accessory building in the front yard
Request: an accessory building in the front yard
Variance: an accessory building in the front yard.

116-18B Required: Accessory buildings not over one story.
Request: Two story accessory building
Variance: Two story accessory building

116-8.4E(1) Required: Minimum front yard is 75' from the Right of Way
Request: Accessory building 50' from the ROW
Variance: 25'

116-8.4B(2) Required: Mean Height for acc. buildings not to exceed 15'
Requested: Mean Height of 18'
Variance: 3'

116-17D Required: Garage Door Height not more than 9'
Request: 10' Garage Door Height
Variance: 1'

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 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.: ZR-18-259
Received: 4/20/18

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** 5/17/2018 **Time** 7:00pm **Location** 300 Glead Ave., E. Aurora, NY

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 75 Davis Road

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) Proposed garage in front yard of residence; higher than allowed by code; garage door larger than allowed by code; closer to right of way than allowed by code.

8. Other remarks: (ID#, SBL#, etc.) SBL#174.01-2-5.2

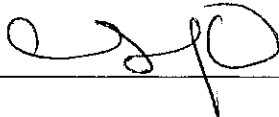
9. Submitted by: Martha Librock, Town Clerk 4/20/2018

300 Glead Ave., E. Aurora, NY 14052

Reply to Municipality by Erie County Division of Planning

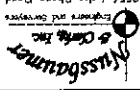
Receipt of the above-described proposed action is acknowledged on 4/26/18. The Division herewith submits its review and reply under the provisions of applicable state and local law, based on the information submitted with this referral.

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: 4/27/18

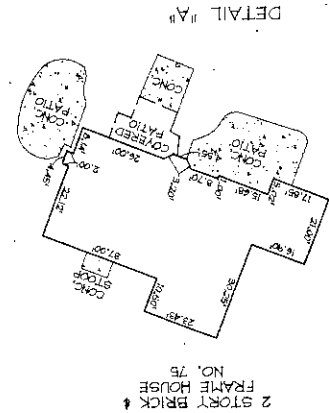
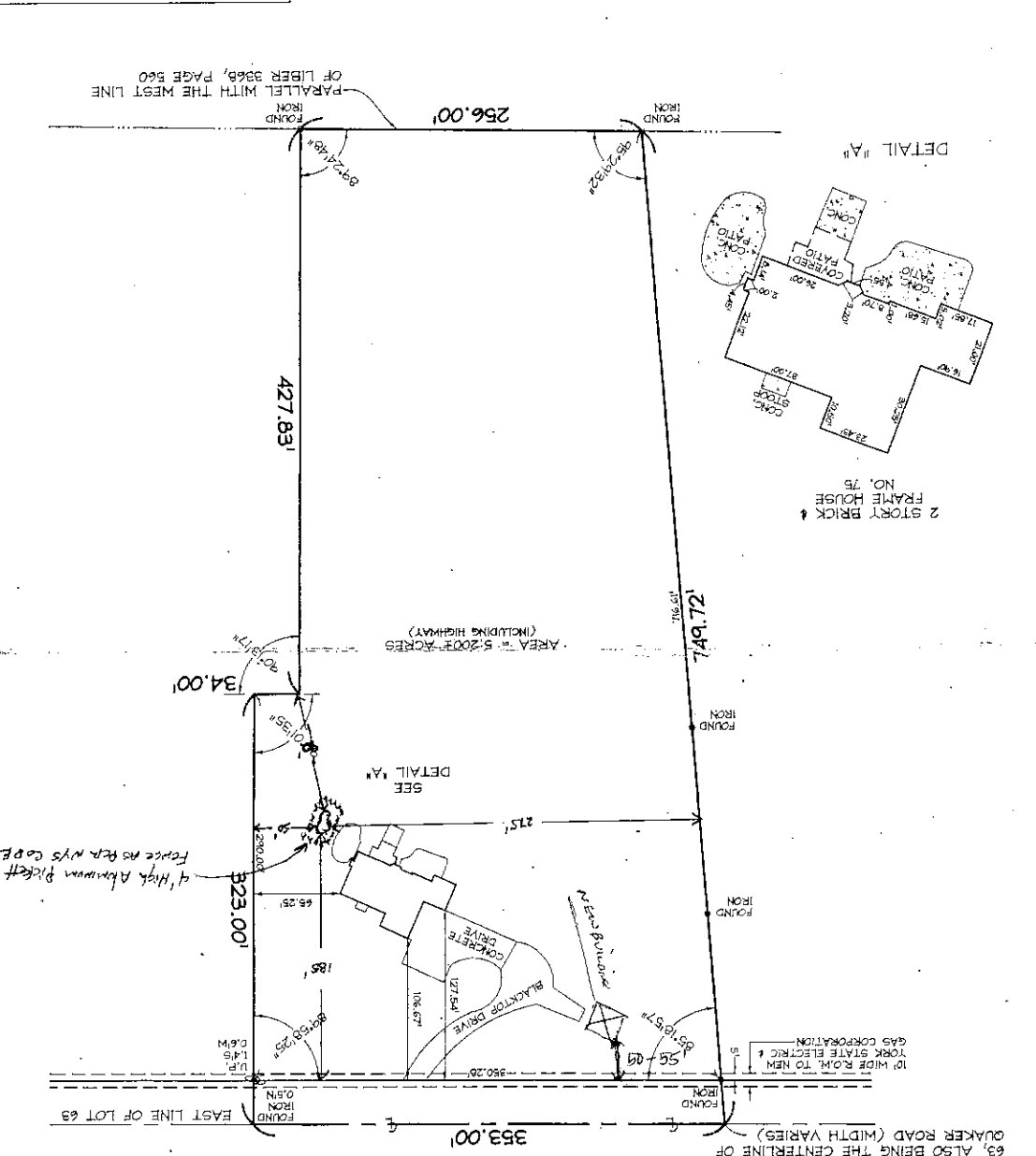
NO IRONS SET OR FOUND AT PROPERTY
 CORNERS UNLESS NOTED HEREON.

8666 Lake Shore Road
 Buffalo, New York 14219-1494
 (716) 827-8000



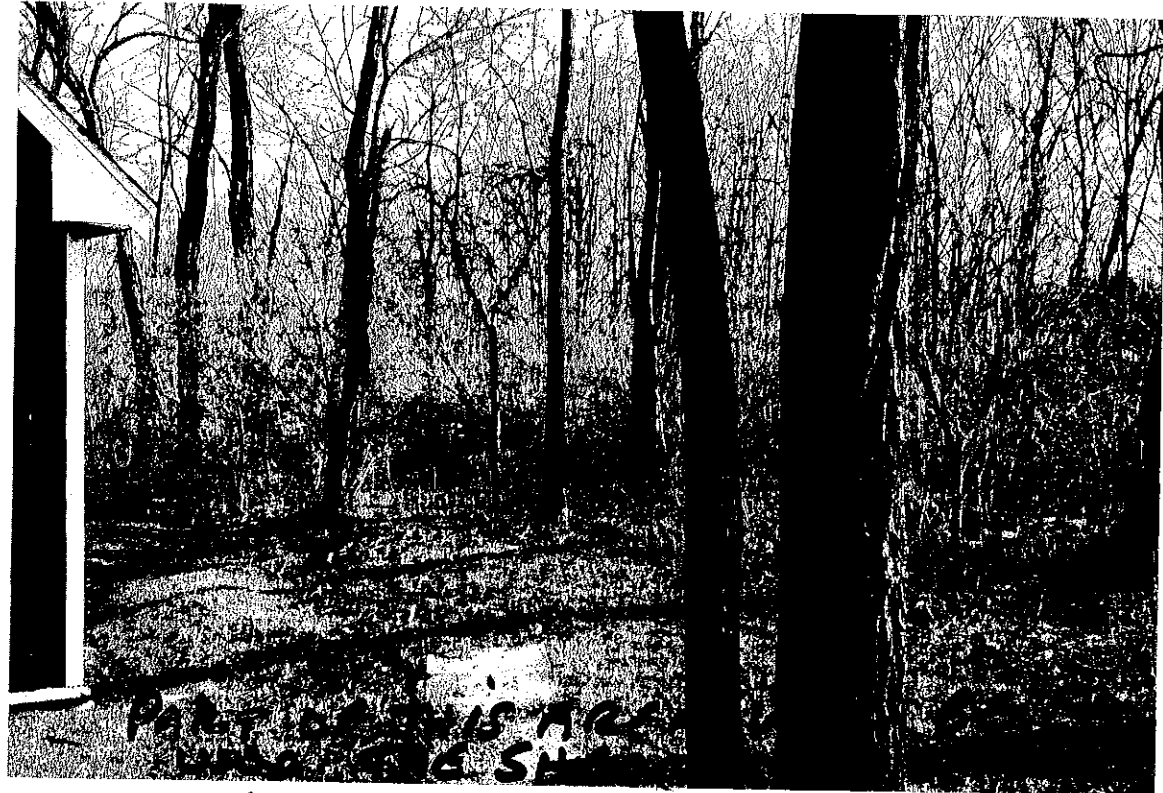
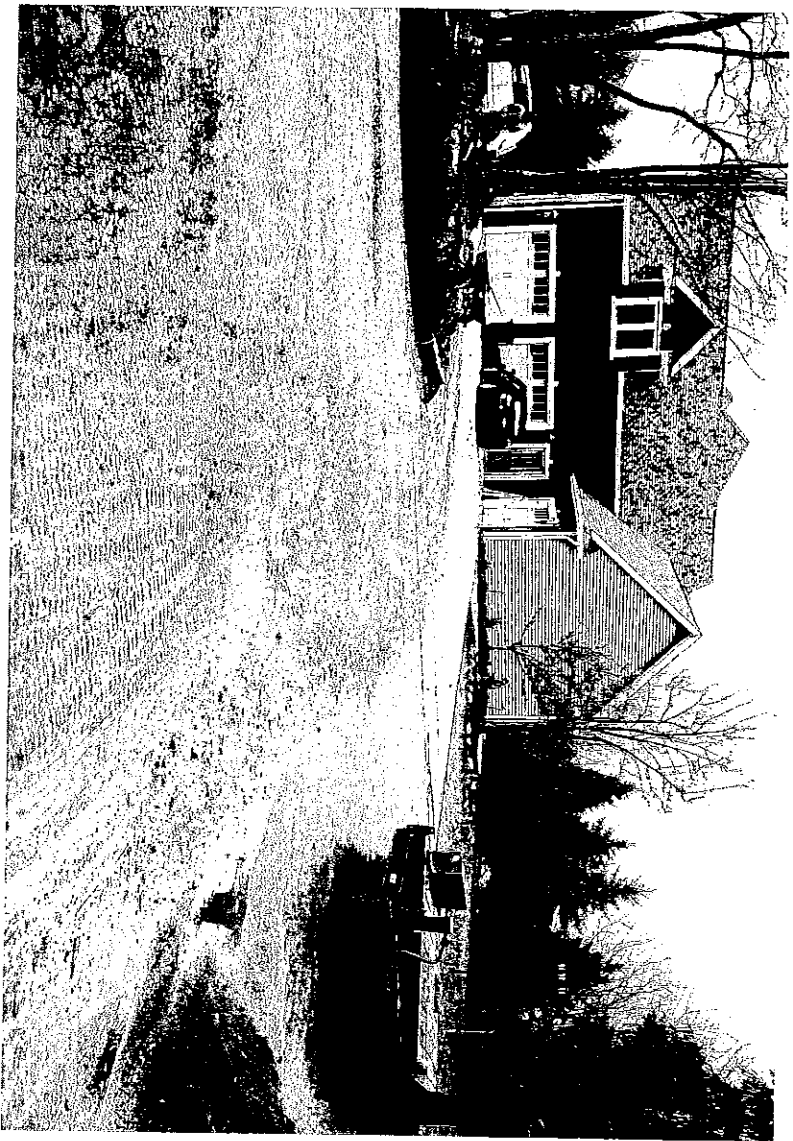
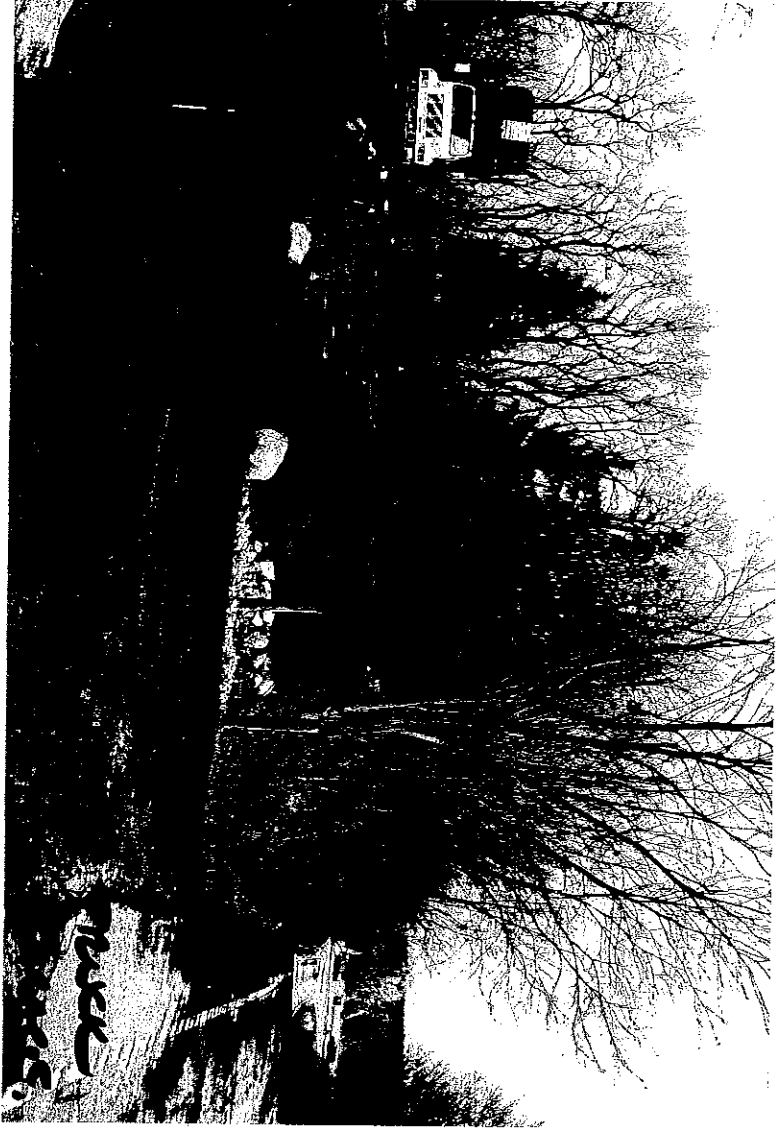
PART OF LOT 63	SECTION 9	TOWNSHIP 9	COUNTY OF ERIE	STATE OF NEW YORK	SCALE: 1"=80'
RANGER, 6 OF THE HOLLAND LAND COMPANY'S SURVEY					
This survey was prepared without the benefit of an existing design, specification, plan or report is a violation of section 7209, provision 2 of the New York State Education Law.					
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.					
That may be revealed by an examination of such.					
UNRECORDED					
KIND	DATE	REQUESTED BY	JOB NO.		
REVISY	2/2/16	TRASK LAW OFFICE	0712-0017A		
REVISED	2/2/16	TRASK LAW OFFICE	0712-0017A		

Handwritten signature

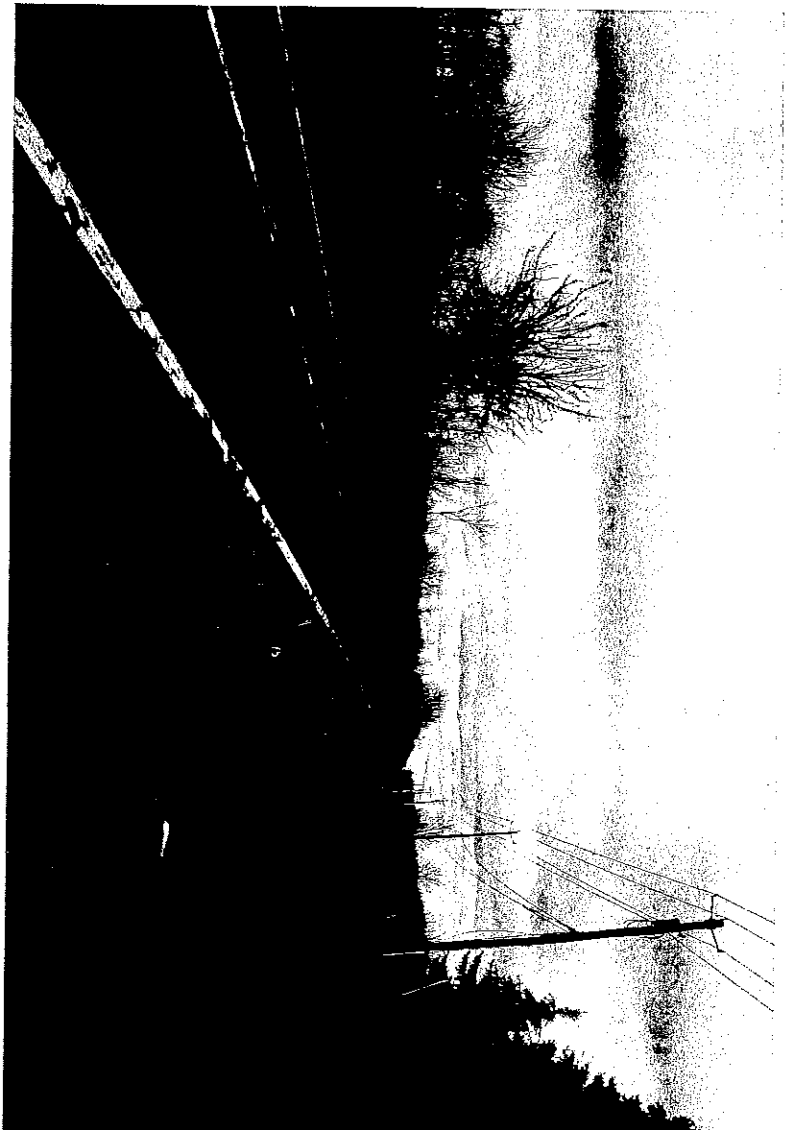
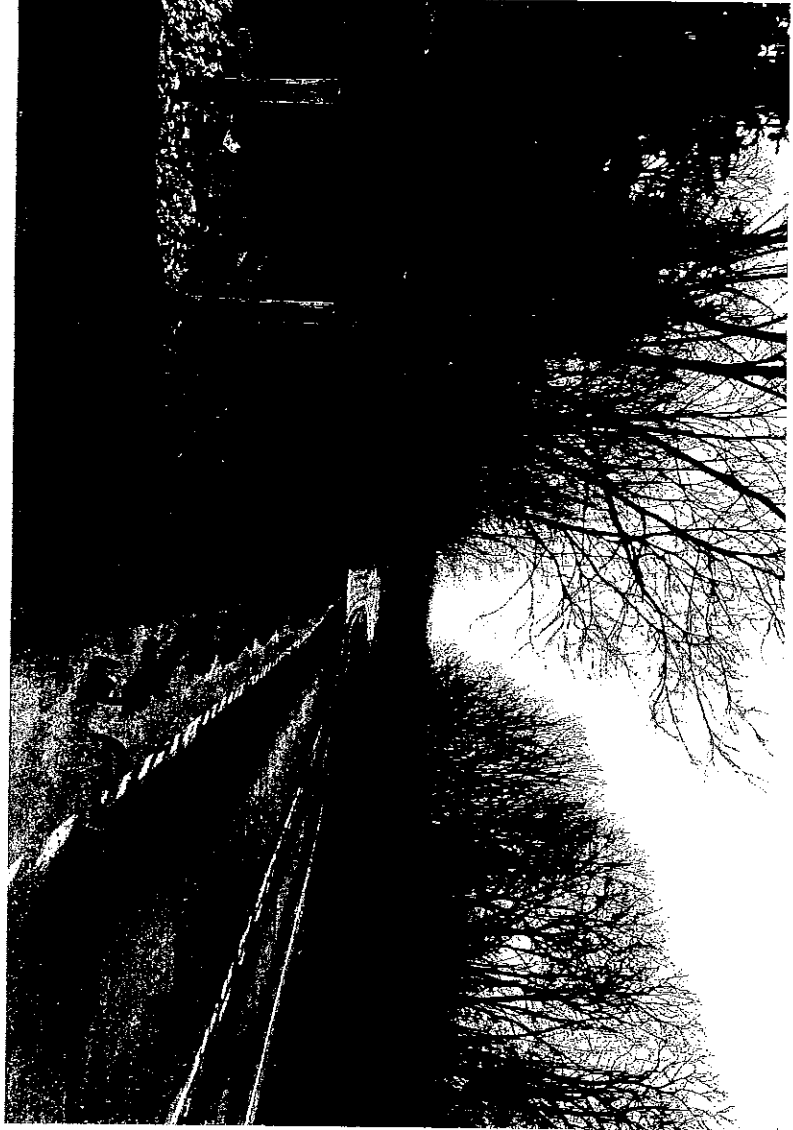


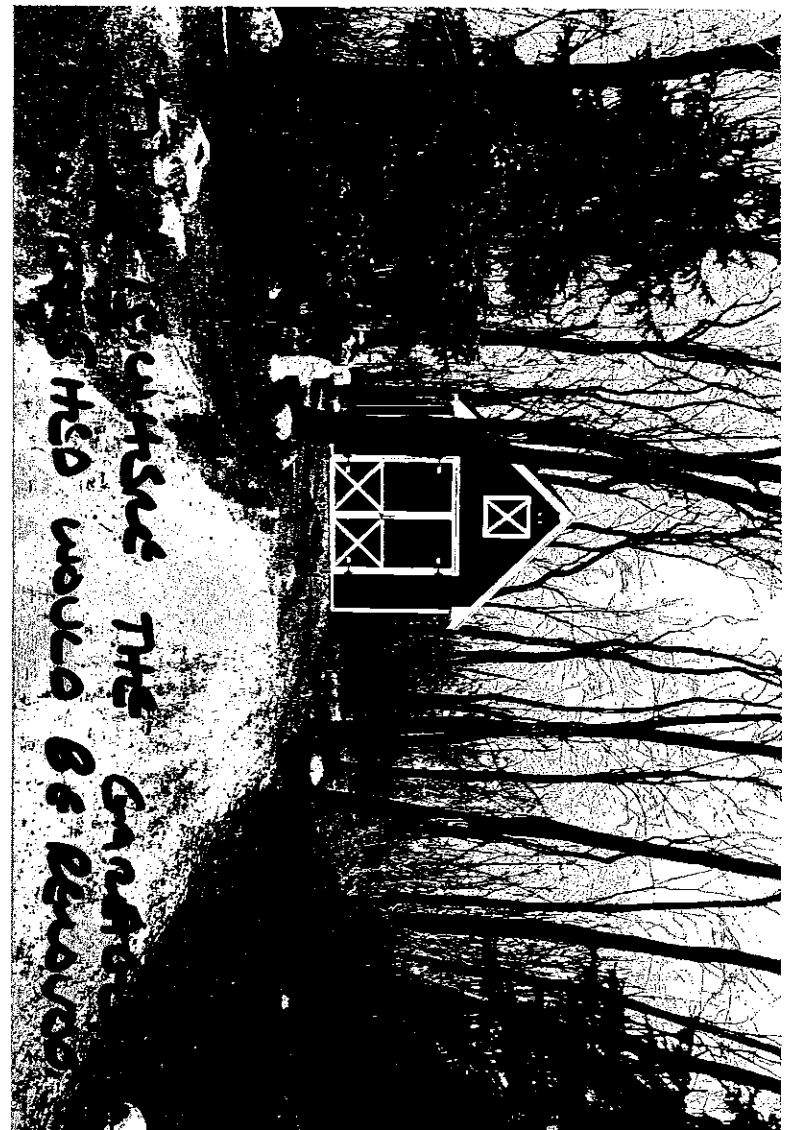
353.00' EAST LINE OF LOT 63
 256.00' PARALLEL WITH THE WEST LINE OF LIBER 326B, PAGE 560
 427.83'
 749.72'
 34.00'
 23.00'
 215'
 185'
 106.67'
 107.54'
 85.16571'
 55.00'
 99.26'
 0.59'
 1.45'
 0.59'
 1.45'
 0.59'



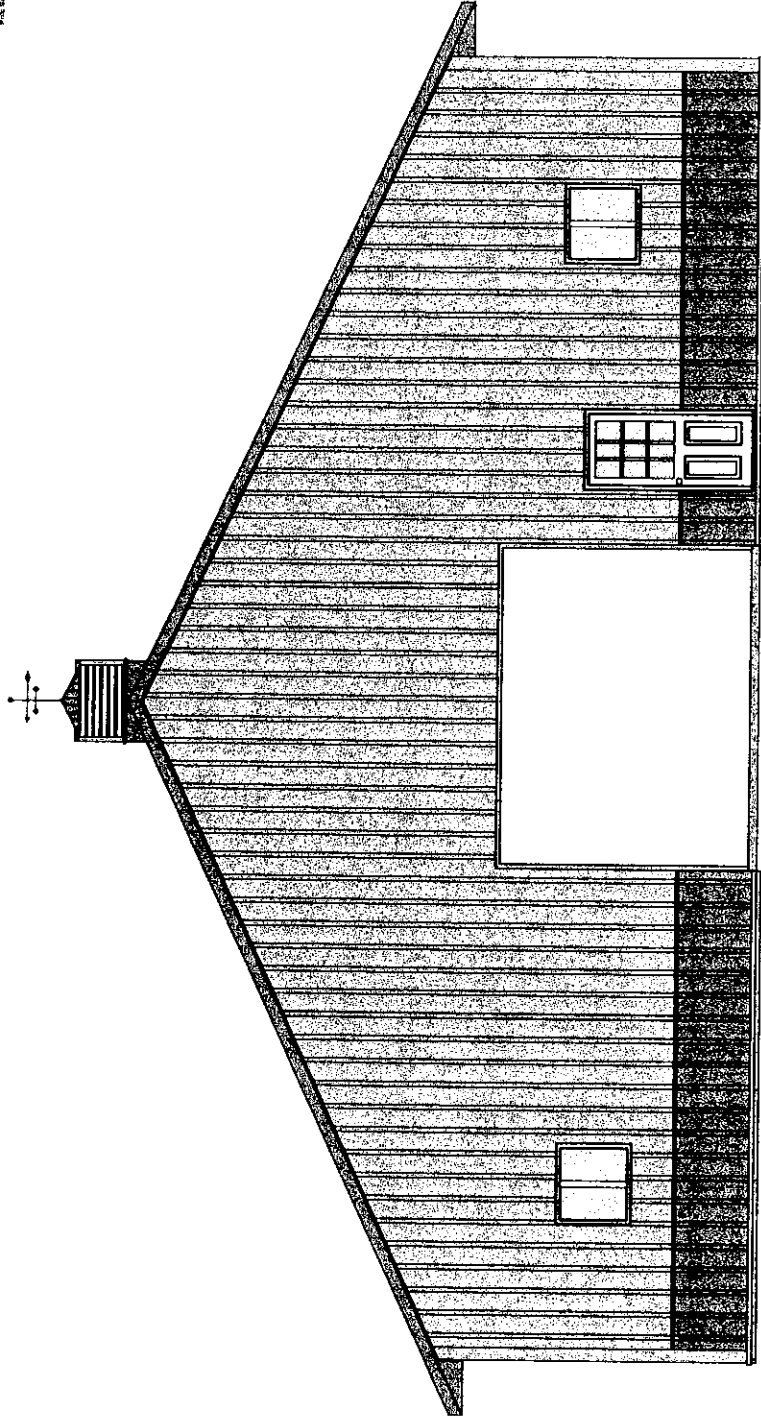


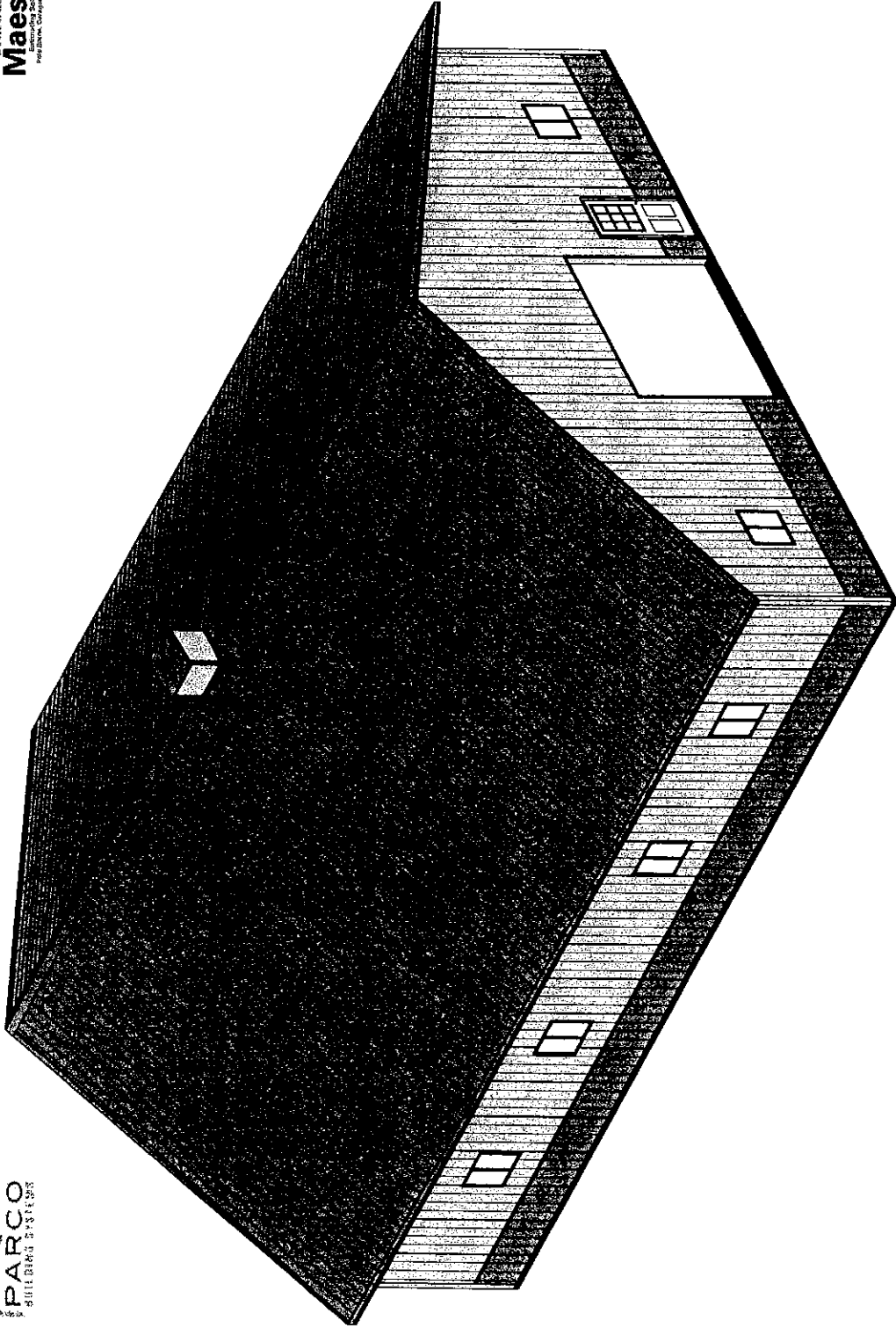
Part of this area will be used. The shed will be removed.





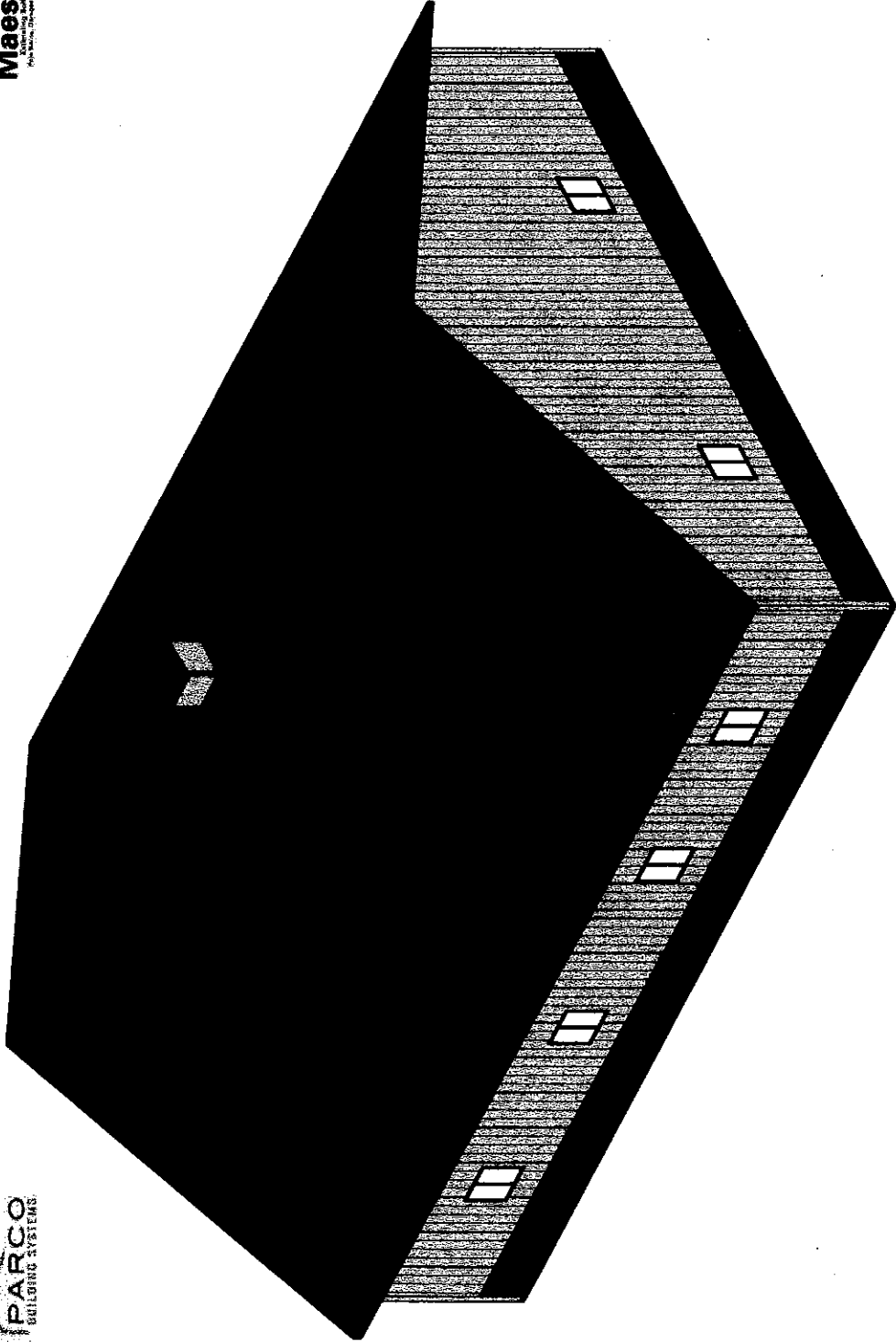
EAST SIDE-GABLE SIDE 1 ELEVATION





Construction
Maestro
A Division of The McGraw-Hill Companies

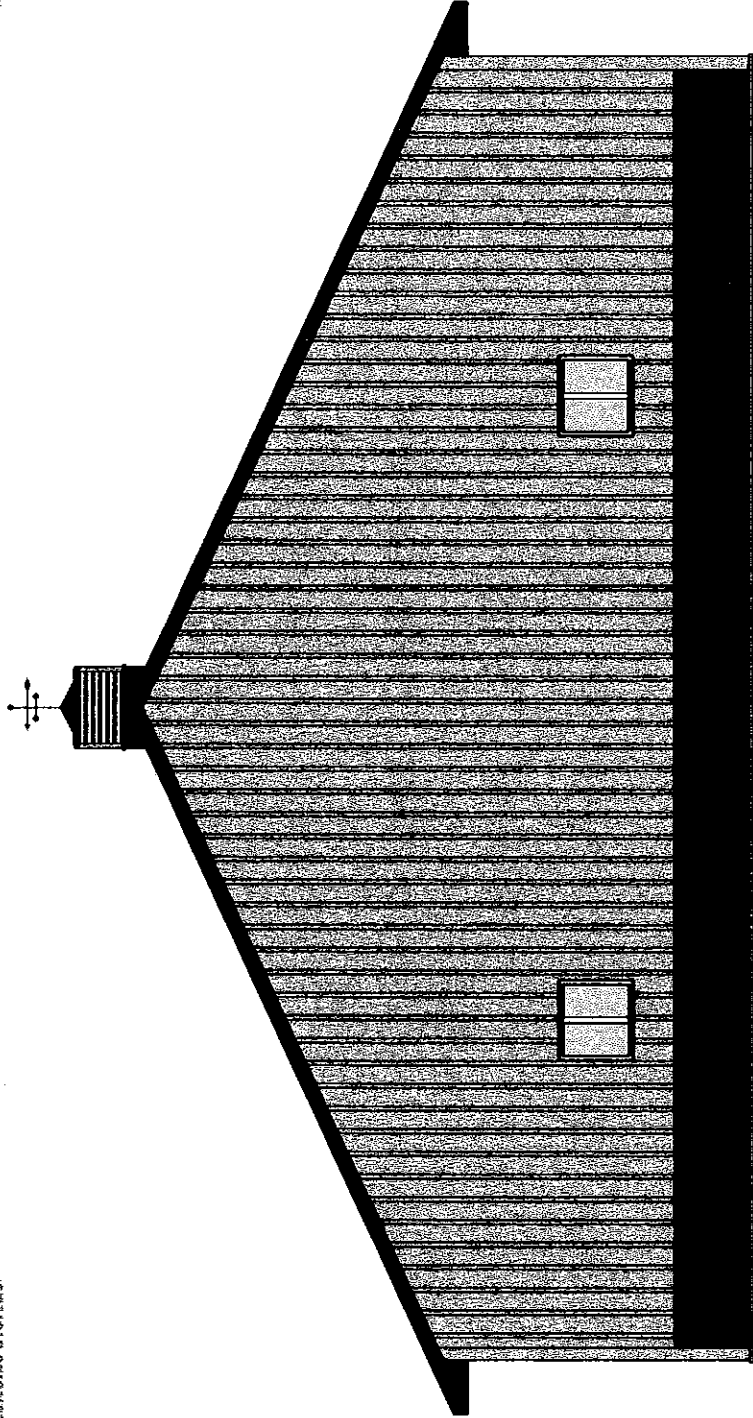
PARCO
BUILDING SYSTEMS



"Bill Darling
Estimate Number: 3887
3/31/2018"

CONSTRUCTION
Maestro
CRAFTING THE FUTURE
AND SERVING TODAY'S

WEST SIDE-GABLE SIDE 2 ELEVATION



PARCO
BUILDING SYSTEMS

Bill Darling
Estimate Number: 3687
3/31/2018

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: <i>CONSTRUCTING DETACHED GARAGE</i>			
Project Location (describe, and attach a location map): <i>75 DAVIS RO.</i>			
Brief Description of Proposed Action: <i>TO BUILD 48' x 60' DETACHED GARAGE ON MY FRONT / SIDEYARD.</i>			
Name of Applicant or Sponsor: <i>William C. Darling</i>		Telephone: E-Mail: <i>B</i> <i>@il.com</i>	
Address: <i>75 DAVIS RO.</i>			
City/PO: <i>EAST AURORA</i>		State: <i>N.Y.</i>	Zip Code: <i>14052</i>
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"/>
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:			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<i>5</i> acres	
b. Total acreage to be physically disturbed?		<i>LESS THAN (1)</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>5</i> 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?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>IT'S A GARAGE AND DOES NOT REQUIRE OR NEED WATER,</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>THREAT NO WATER, TOILET OR DRAINS,</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<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 checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		

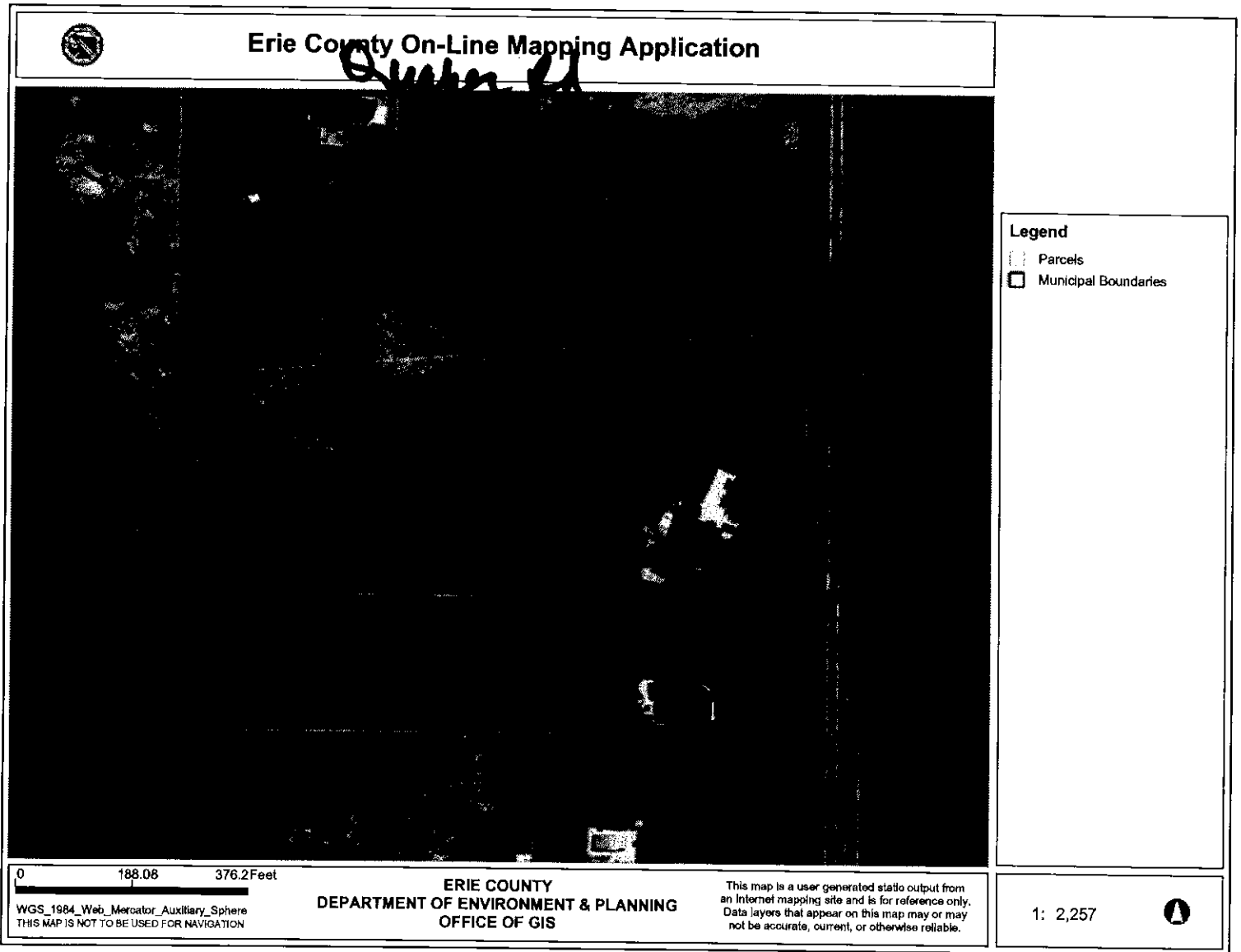
<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<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>

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: WILLIAM C. DARLING Date: 4/3/18

Signature: WmC.D.

William Darling
75 Dans Rd
EA NY 14052
SBL: 174.01-2-5.2



Barbara Chur 166 Dans Rd SBL: 174.00-2-1.11
→ mailing: 1181 Quaker Rd EA 14052

Timothy Hutchings 85 Dans Rd EA SBL: 174.01-2-5.3

Robert J. Ellis Revocable Trust, 1361 Quaker Rd SBL: 174.01-2-4.1
→ mailing: PO Box 911 Orchard Park NY 14127-0911

Richard & Donna Smith 1421 Quaker Rd, Orchard Park NY 14127



CASE NO. 1321
DATE OF HEARING 5/17/18

Town of Aurora Zoning Board of Appeals
300 Glead Avenue, East Aurora, New York 14052

Zoning Board of Appeals Application Form

I. TYPE OF REQUEST

AREA VARIANCE SPECIAL USE PERMIT USE VARIANCE INTERPRETATION

II. APPLICANT/PETITIONER

Applicant's Name Thomas C. Pease
Address 569 Mill Rd.
City East Aurora State NY ZIP 14052
Phone 716 Email _____ com
Interest in the property (ex. owner/purchaser/developer) owner

III. PROPERTY OWNER INFORMATION (if different from applicant information.)

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

III. PROPERTY INFORMATION

Property Address 569 Mill Rd. East Aurora, NY 14052
SBL# 175.00-1-40.12
Property size in acres 1.0 Property Frontage in feet 125
Zoning District R-1 Surrounding Zoning R-1/Agriculture
Current Use of Property Residential

IV. REQUEST DETAIL

(check all that apply)

Variance from Ordinance Section(s) # 116-8.1E(1), 116-8.1F(1)
 Special Use Permit for: _____
 Use Variance for: Garage
 Interpretation of _____

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

Thomas C. Pease
Signature of Applicant/Petitioner

THOMAS C. PEASE
Print name of Applicant/Petitioner

State of New York; County of Erie

On the 2nd day of April in the year 2018 before me, the above individual appeared, personally known to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.

Sheryla A. Miller
Notary Public

(Notary stamp) **SHERYLA MILLER**
Reg. #01MI6128663
Notary Public, State of New York
Qualified in Erie County
Commission Expires June 13, 2021

Office Use Only: Date received: 4/2/18 Receipt #: 229139

Application reviewed by: _____

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

PREVIOUS APPEAL(S):

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

Previous appeals:

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

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

PETITIONER'S LETTER OF INTENT

Please describe in detail the proposed project, reason the variance and/or special use permit is being requested and any additional information that may be helpful to the Zoning Board of Appeals in deciding this appeal: (attach additional pages if needed)

Just completed new custom home @ 569 Mill Rd. Unfortunately, the two car garage that was design does not accomodate our needs. We are requesting a variance in order to erect a new garage along side of the existing structure (garage) that will better accomodate our needs. This will be a structure that will combine the two units to make our lives easier. The garage is a necessity to better serve us and will be character with the existing garage and will blend into the surroundings. Thank you for your consideration

TO BE COMPLETED ONLY WHEN A USE VARIANCE IS BEING REQUESTED:

A Use Variance is requested because the applicable regulations and restrictions in the Zoning Code of the Town of Aurora have caused unnecessary hardship as demonstrated by the following:

1) I cannot realize a reasonable return on my property for each and every permitted use allowed in the current zoning classification as demonstrated by the accompanying financial evidence (provide financial evidence to support your argument).
Financial Evidence Provided Yes No (financial evidence is required per NYS Town Law)

2) Describe why your alleged hardship relating to the subject property is unique and does not apply to other properties in the zoning district or neighborhood:

3) Describe why you believe that the essential character of the neighborhood/community will not change if the Zoning Board of Appeals grants you a use variance:

4) Is your need for a use variance a result of you own actions (is your difficulty self-created)? Please explain:

(Attach additional pages if needed)

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
Chris Musshafen
(716) 652-8866
chris@townofaurora.com

TOWN ATTORNEY
Ronald P. Bennett

TOWN JUSTICE
Douglas W. Marky
Jeffrey P. Markello

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

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

Thomas Pease
569 Mill Rd.
East Aurora, NY 14052

4/16/2018

Re; Accessory building

Tom,

The Building Department has reviewed your application to erect an attached garage on your property at 569 Mill Rd. We have denied your application because it fails to meet the requirements as stipulated by Aurora Town Code

116-8.1E(1) Required: Minimum front yard is 75' from the Right of Way
Request: Accessory building 58' from the ROW
Variance: 17'

116-8.1F(1) Required: Each side yard a minimum of 20'
Request: side yard of 13.35'
Variance: 6.65'

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 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.: ZR-18-258
Received: 4/20/18

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** 5/17/2018 **Time** 7:00pm **Location** 300 Glead Ave., E. Aurora, NY

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 569 Mill Road

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) Proposed garage closer to right of way and closer to side lot line than allowed by code.

8. Other remarks: (ID#, SBL#, etc.) SBL#175.00-1-40.12

9. Submitted by: Martha Librock, Town Clerk 4/20/2018

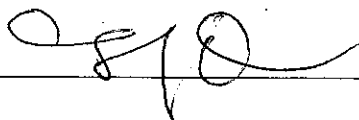
300 Glead Ave., E. Aurora, NY 14052

Reply to Municipality by Erie County Division of Planning

Receipt of the above-described proposed action is acknowledged on 4/20/18. 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

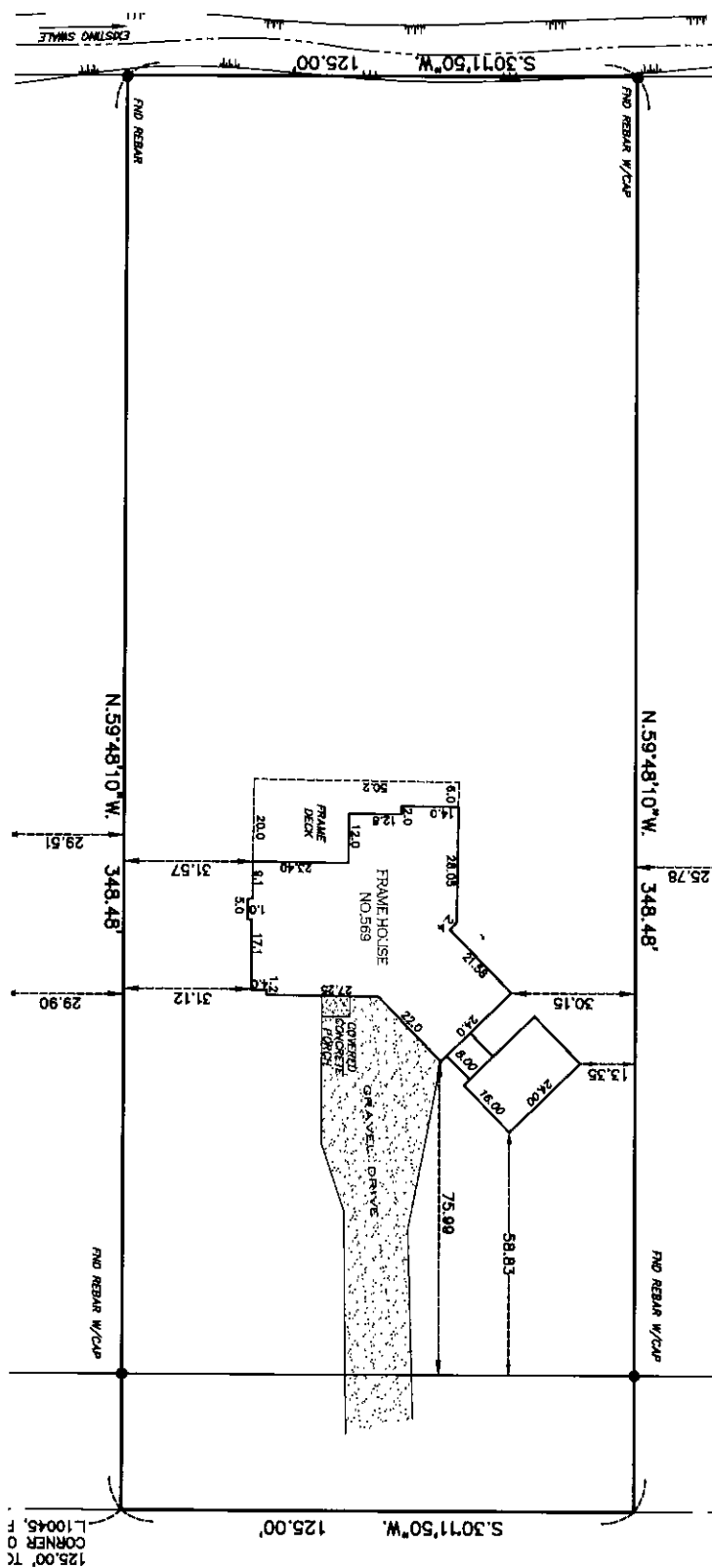
By the Division of Planning: _____

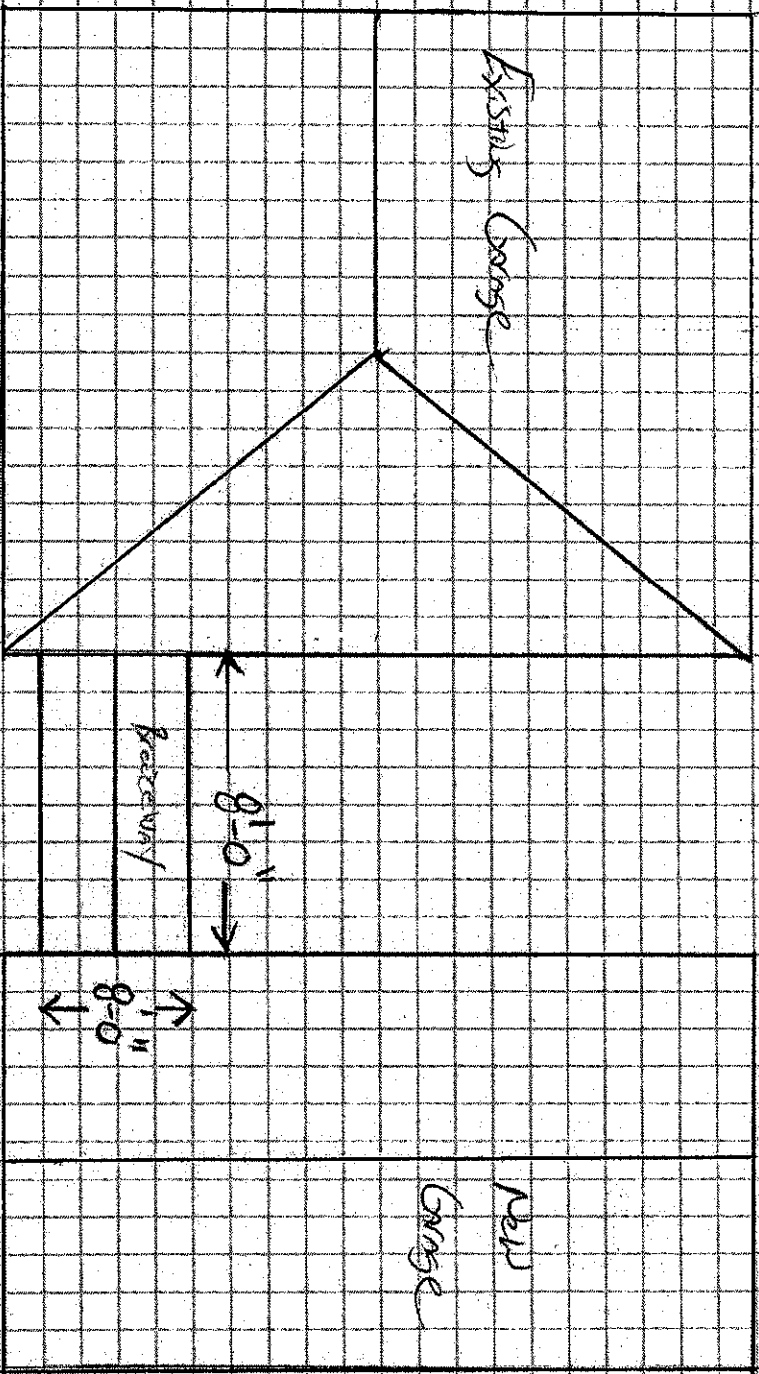


Date: _____

4/27/18

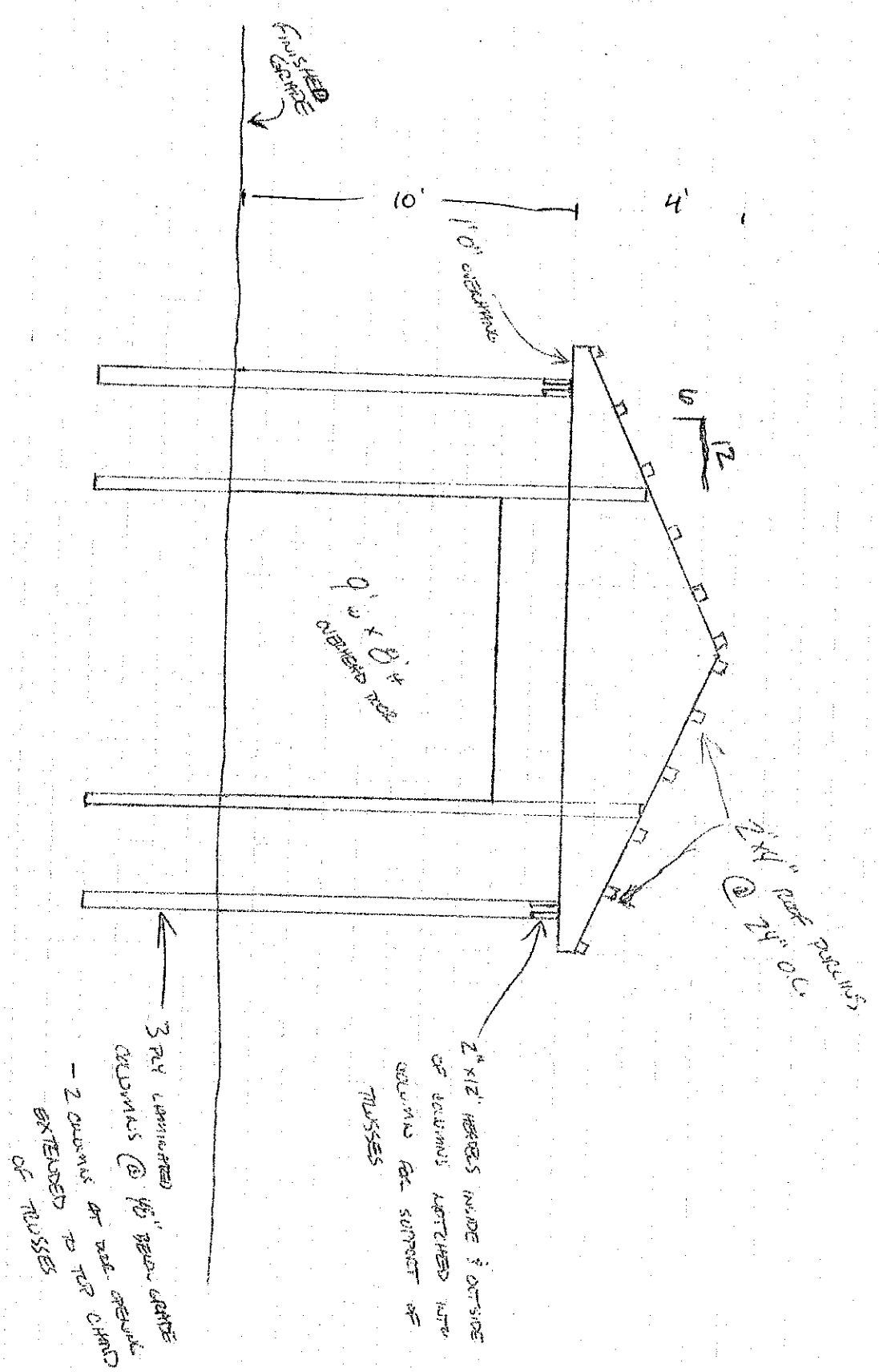
MILL ROAD (66' WDE)





SC9 PH11
 April

①



See P. 11

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.

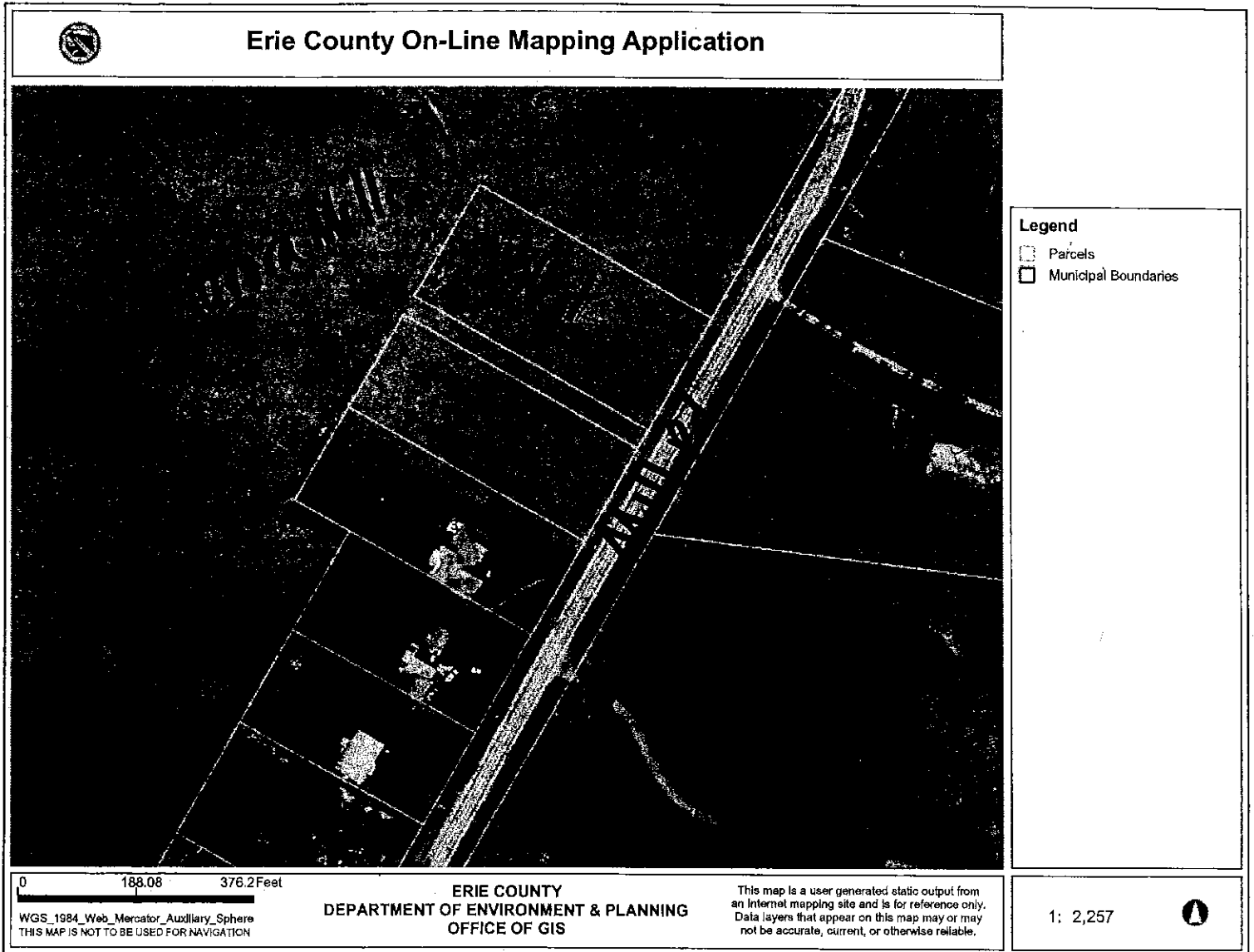
Part 1 - Project and Sponsor Information			
Name of Action or Project: <i>Garage Addition</i>			
Project Location (describe, and attach a location map): <i>569 Mill Rd. East Aurora, NY 14052</i>			
Brief Description of Proposed Action: <i>Erect new garage to better accommodate our needs on a new build.</i>			
Name of Applicant or Sponsor: <i>THOMAS C. PEASE</i>		Telephone: _____	
Address: <i>569 MILL RD</i>		E-Mail: _____	
City/PO: <i>EAST AURORA</i>		State: <i>NY</i>	Zip Code: <i>14052</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? <i>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.</i>			NO <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? <i>If Yes, list agency(s) name and permit or approval:</i>			YES <input checked="" type="checkbox"/>
<i>Building permit Town of Aurora</i>			
3.a. Total acreage of the site of the proposed action?		<i>1</i> acres	
b. Total acreage to be physically disturbed?		<i>41</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>1</i> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input 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?	<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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input 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: <u>NA</u>	<input checked="" type="checkbox"/>	<input 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>NA</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>NA</u>	<input checked="" type="checkbox"/>	<input 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?	<input checked="" type="checkbox"/>	<input 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: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input 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: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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)? If Yes, explain purpose and size: _____ _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>THOMAS C. PRASE</u>	Date: <u>4/2/18</u>	
Signature: <u>Thomas C. Prase</u>		

PRINT FORM

Thomas Please
 569 Mill Rd
 East Aurora NY 14052
 SBL: 175.00 - 1-40.12



Joseph & Julie Ledwin 567 Mill Rd EA 14052 SBL: 175.00-1-40-2
 John & Catherine Cimperman 540 Mill Rd, EA SBL: 175.00-2-10.3
 Richard E. Gorman Estate 578 Mill Rd EA SBL: 175.00-2-3.1
 ↳ c/o Melissa Baumgart 615 Center St EA 14052
 Robert & Rosemary King, 573 Mill Rd EA 14052 SBL: 175.00-1-41
 Aurora Mills LLC, v/L Mill SBL: 175.00-1-40.11
 ↳ via a/c line: 7.730 Transit Rd, West Seneca 14224