



CASE NO. 1386

DATE OF HEARING 6/17/2021

Town of Aurora Zoning Board of Appeals
575 Oakwood 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 Jacob Hinman
Address 1590 Hubbard Rd
City East Aurora State NY ZIP 14052
Phone 716 698-0844 Fax _____ Email JHinmanDC@gmail
Interest in the property (ex: owner/purchaser/developer) _____

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

Property Owner(s) Name(s) Krystal Reed
Address 1590 Hubbard Rd
City E. Aurora State NY ZIP 14052
Phone 585 429-0012 Fax _____ Email KreedPiles@hotmail.com

III. PROPERTY INFORMATION

Property Address 1590 Hubbard Rd.
SBL# 175.04-1-17
Property size in acres 1/2 Property Frontage in feet 100
Zoning District R1 Surrounding Zoning R1
Current Use of Property Back Yard

IV. REQUEST DETAIL

(check all that apply)
 Variance from Ordinance Section(s) # 116-19A
 Special Use Permit for: Chickens, free organic eggs, and lessons for our 3 yr old son.
 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)

[Signature]
Signature of Applicant/Petitioner

Scott M. Winter
Print name of Applicant/Petitioner

State of New York; County of Erie

On the 10th day of May in the year 2021 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.

[Signature]
Notary Public

(Notary stamp) Sheila A. Teller, #01ED6045785
Notary Public, State of NY
Qualified in Erie County
My Commission Expires 7/31/2022

Office Use Only: Date received: 5/12/21 Receipt #: 804846 ~~CA 804846~~

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)

Our proposed project is to teach our son the importance of responsibility, sustainability, hard work, and reward of agricultural systems/sustainability

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)

Town of Aurora
300 Gleed Avenue
East Aurora, NY 14052
www.townofaurora.com

**Zoning Board of Appeals
Application
Owner Authorization**

The undersigned, who is the owner of the premises know as:

1590 Hubbard Road, East Aurora, identified as Tax Map (SBL)#.....
(address)

hereby authorizes Jacob Hinman to bring an application for () area variance

special use permit () use variance () interpretation before the Town of Aurora Zoning Board of Appeals for review and potential approval. The undersigned further permits the Town or its authorized representative(s) access to the property to review existing site conditions during the review process.

Krystal Reed
Owner (print)

5/14/2021
Date

Krystal Reed
Owner (signature)

STATE OF NEW YORK)

)
SS

COUNTY OF ERIE)

On this 14th day of May, 2021, before me, the undersigned, a notary public in and for said state, personally appeared Krystal Reed, personally known to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Sheila A. Teller
Notary Public

Sheila A. Teller, #01ED6045785
Notary Public, State of NY
Qualified in Erie County
My Commission Expires 7/31/2022

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



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

TOWN OF AURORA

Aurora Municipal Center
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www.townofaurora.com

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Anthony DiFilippo IV

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historian@townofaurora.com

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

*This institution is
an equal opportunity
provider and
employer*

May 10, 2021

Jacob Hinman
1590 Hubbard Rd
East Aurora, NY 14052

RE: 1590 Hubbard Rd special use permit for Jacob Hinman

The Building Department has reviewed the submittal for keeping chickens on the property located at 1590 Hubbard Rd. The request has been denied because it fails to meet the requirements of the Town of Aurora Code for the Residential (R-1) zoning district in which it is located.

Section 116-19 (A)

Required: No chickens shall be kept, harbored or maintained in any R-1 district.

Requested: Nine (9) Chickens in a R-1 district

Variance: Nine (9) Chickens in an R-1 district

This letter serves as notice that we have received the application and fee for the Zoning Board of Appeals. You will receive notification from the Town Clerk with the date and time of the hearing next month. If you have any questions, please contact our office at 652-7591.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Glover", written over a horizontal line.

Kevin Glover
Asst. Code Enforcement Officer

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information				
Name of Action or Project: <i>Backyard Chickens</i>				
Project Location (describe, and attach a location map): <i>Back of Yard @ 1590 Hubbard Road.</i>				
Brief Description of Proposed Action: <i>To teach our son the importance of responsibility, hard work and rewards of agricultural sustainability.</i>				
Name of Applicant or Sponsor: <i>Jacob Hinman</i>		Telephone: <i>716 698 0844</i>		
		E-Mail: <i>JHinmanDC@gmail.com</i>		
Address: <i>1590 Hubbard Road.</i>				
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? 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 type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		<i>10x20 ft</i> acres		
b. Total acreage to be physically disturbed?		<i>10x20 ft</i> acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>16x20 ft</i> acres		
4. Check all land uses that occur on, are adjoining or 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				

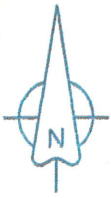
5. Is the proposed action,		NO	YES	N/A
a.	A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		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?		NO	YES	
If Yes, identify: _____		<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 services 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 the 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?		NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?		NO	YES	
If No, describe method for providing potable water: <u>Use Buckets to fill our</u> <u>water barrels</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?		NO	YES	
If No, describe method for providing wastewater treatment: <u>Churn waste will be</u> <u>added to our compost pile to fertilize our garden</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?		NO	YES	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<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?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____				

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 checked="" type="checkbox"/> Forest	<input checked="" type="checkbox"/> Agricultural/grasslands
<input type="checkbox"/> Wetland	<input type="checkbox"/> Urban	<input type="checkbox"/> Suburban
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?		
	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?		
	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?		
	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"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?		
If Yes, explain the purpose and size of the impoundment:		
	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 CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Jacob Hinman Date: 5/6/21

Signature: [Handwritten Signature] Title: Home owner - 1141824
Muskegon

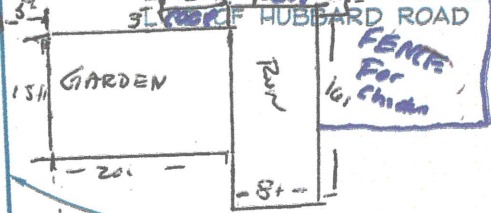


FOUND IRON PIN
0.55'N
0.50'W

FOUND IRON
0.70'N
0.47'W

100.00'

PARALLEL WITH THE SOUTH
LINE OF ~~TOP~~ 21' 3/4" CENTER
LINE OF HUBBARD ROAD



0.524± ACRE
(INCLUDING HIGHWAY)

228.39'

228.39'

10" CONC.
BLOCK WALL

20.79'

31.81'

CONC

1 STORY
FRAME
HOUSE
No. 1590

COVERED
CONC.

CONC. WALK

CONC. STOOP

SEWER
CLEAN OUT
1.1'E

WATER
WELL
CASING

BLACKTOP DRIVE

FOUND IRON
1.01'N
0.87'W

U.P.
2.2'N

22'52"

SOUTH LINE OF LOT 22

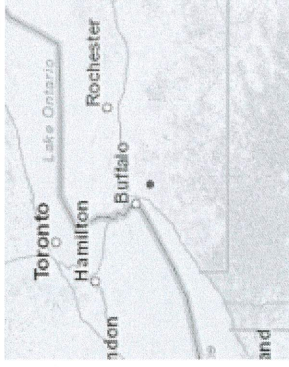
100.00'

1083.00' TO THE
SOUTHWEST CORNER
OF LOT 22

HUBBARD (49.5' WIDE) ROAD



Erie County On-Line Mapping Application



Legend

- Parcels
- Streets and Highways**
- Interstate
- Primary State Road
- Secondary State Road
- County Road
- Local Road

0 0.04 0.1 Miles

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.

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