



ZONING BOARD OF APPEALS APPLICATION FORM AND INSTRUCTIONS

Please Read Carefully

The Zoning Board of Appeals (ZBA) has the power to issue interpretations of the Zoning Ordinance and to grant area variances, use variances and use permits.

Application requirements:

1. Prior to seeking a variance from the ZBA, the Applicant/Property Owner must receive a denial from the Building Department for a building permit, a decision from the Code Enforcement Officer, or a referral from the Planning Board or Town Board.
2. Completed applications must be submitted *by the second Monday of the month prior* to the next scheduled meeting of the ZBA. The ZBA meets the third Thursday of each month.
3. All applications must be accompanied by the proper application fee. ZBA application fee is \$100.00. Checks made payable to Town of Aurora.
4. If the applicant/petitioner is not the property owner, an owner authorization form must be submitted.
5. Submit one (1) original and ten (10) copies of the following information:
 1. ZBA application with all questions answered.
 2. Petitioner's letter of intent.
 3. Sketch, drawing, plan or brochure showing all dimensions of the structure that requires a variance and any other information as may be necessary (ex: photos of the property).
 4. Survey prepared by a licensed surveyor, licensed architect or professional engineer showing the property involved and the location of all existing structures and proposed structures. All setback measurements must be shown on the survey.
 5. A site plan showing the proposed structure and all dimensioning including distance from property lines and roadways, driveways, wells, septic, drainage ditches and any other features relevant to the variance being requested.
 6. Copy of property deed.
 7. Short Environmental Assessment Form (SEQRA) – Part I completed by applicant.

Incomplete applications will not be accepted for review.

Attendance at the Hearing:

The property owner, applicant, owner/applicant's attorney, engineer and/or architect or a duly authorized person must attend the public hearing.



CASE NO. _____

DATE OF HEARING _____

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 X USE VARIANCE ___ INTERPRETATION

II. APPLICANT/PETITIONER

Applicant's Name NY Aurora I, LLC and NY Aurora II, LLC c/o Peter Dolgos
Address 140 East 45th Street, Suite 32B-1
City New York State NY ZIP 10017
Phone 646-998-6495 Fax _____ Email peter.dolgos@delawaresolar.com
Interest in the property (ex: owner/purchaser/developer) Developer

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

Property Owner(s) Name(s) Joseph and Paul Grover
Address 637 Davis Road
City East Aurora State NY ZIP 14052
Phone _____ Fax _____ Email _____

III. PROPERTY INFORMATION

Property Address 637 Davis Road, East Aurora, NY 14052
SBL# 174.00-3-4
Property size in acres ±81.50 Property Frontage in feet ±1,224 feet
Zoning District Agriculture (A) & Rural Residential (RR) Districts Surrounding Zoning Agriculture & Rural Residential
Current Use of Property Partially wooded with vacant agricultural land

IV. REQUEST DETAIL

(check all that apply)

___ Variance from Ordinance Section(s) # _____
___ Special Use Permit for: _____
X Use Variance for: Allowing Utility Scale Solar Energy Systems in RR and A Zoning Districts
___ 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)

Peter Dolgos

Signature of Applicant/Petitioner

PETER DOLGOS

Print name of Applicant/Petitioner

SVP- NY Aurora I, LLC
NY Aurora II, LLC

State of New York; County of ~~Erie~~ New York

On the 11 day of April in the year 2022 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.

Juliana C. Marques

Notary Public

(Notary stamp)

JULIANA C. MARQUES
Notary Public, State of New York
No. 01MA6338149
Qualified in New York County
Commission Expires March 7, 2024

Office Use Only: Date received: _____ Receipt #: _____

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)

See attached.

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 X 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: See attached.

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: See attached.

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

(Attach additional pages if needed)

Town of Aurora
300 Glead 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:

..... 637 Davis Road, Aurora, NY 14052 identified as Tax Map (SBL)#... 174.00-3-4

(address)

hereby authorizes .. NY Aurora I, LLC c/o Peter Dolgos to bring an application for () area variance (X) special use permit (X) 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.

_____ Owner (print)

_____ Date

_____ Owner (signature)

STATE OF NEW YORK)
 SS
COUNTY OF ERIE)

On this _____ day of _____, 20____, before me, the undersigned, a notary public in and for said state, personally appeared _____, 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.

_____ Notary Public