



CASE NO. 1414

DATE OF HEARING 9/15/2022

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

*chickens*

AREA VARIANCE  SPECIAL USE PERMIT  USE VARIANCE  INTERPRETATION

#### II. APPLICANT/PETITIONER

Applicant's Name Laura Hayes  
Address 175 Glenridge Rd  
City East Aurora State NY ZIP 14052  
Phone \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_  
Interest \_\_\_\_\_ (owner/purchaser/developer) owner

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

Property Owner(s) Name(s) LAURA HAYES  
Address 175 Glenridge Rd  
City East Aurora State NY ZIP 14052  
Phone (716) 572-5887 Fax \_\_\_\_\_ Email \_\_\_\_\_

#### III. PROPERTY INFORMATION

Property Address 175 Glenridge Rd  
SBL# 176.06-2-29  
Property size in acres 0.56 Property Frontage in feet 99'  
Zoning District R-1 Surrounding Zoning R-1  
Current Use of Property Residential

#### IV. REQUEST DETAIL

(check all that apply)

Variance from Ordinance Section(s) # \_\_\_\_\_  
 Special Use Permit for: chickens  
 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 )

*Laura Hayes*  
Signature of Applicant/Petitioner

Laura Hayes  
Print name of Applicant/Petitioner

State of New York; County of Erie

On the 11<sup>th</sup> day of August 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.

*Sheryla A. Miller*  
Notary Public

**SHERYLA A. MILLER**  
Reg. #01MI6128663  
Notary Public, State of New York  
Qualified In Erie County  
(Notary stamp) Commission Expires June 13, 2025

-----  
Office Use Only: Date received: 8/12/2022 CK1808 Receipt #: 385929

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)

Requesting a special use permit for chickens my daughter hatched and brought home from East Aurora middle school. Coop was purchased and currently houses two egg laying hens. All roosters have been rehomed. Requesting special use permit for up to 6 egg laying hens with zero roosters. No intention of housing roosters.

Chickens are beneficial as natural control to many insect pests, such as mosquitos, fleas and deer ticks. Assisting in control of ticks is a health concern for my family, as Lyme disease has occurred in our home.

**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](mailto:jbach@townofaurora.com)



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

## TOWN OF AURORA

Aurora Municipal Center  
575 Oakwood Avenue, East Aurora, NY 14052  
[www.townofaurora.com](http://www.townofaurora.com)

### TOWN COUNCIL MEMBERS

Charles D. Snyder  
[csnyder@townofaurora.com](mailto:csnyder@townofaurora.com)

Luke Wochensky  
[lwochensky@townofaurora.com](mailto:lwochensky@townofaurora.com)

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[assessor@townofaurora.com](mailto:assessor@townofaurora.com)  
(716) 652-0011

DIR. OF RECREATION  
Christopher Musshafen  
(716) 652-8866  
[chris@townofaurora.com](mailto:chris@townofaurora.com)

TOWN ATTORNEY  
Brigid M. Maloney

TOWN JUSTICE  
Jeffrey P. Markello  
Anthony DiFilippo IV

HISTORIAN  
Robert L. Goller  
(716) 652-7944  
[historian@townofaurora.com](mailto:historian@townofaurora.com)

FAX: (716) 652-3507

August 11, 2022

Laura Hayes  
175 Glenridge Rd  
East Aurora, NY 14052

Dear Laura:

The Building Department has reviewed request to keep chickens on your property at 175 Glenridge Rd. The request has been denied because it fails to meet the code requirements for chickens in the Town.

#### Section 116-19A

Required: No bees, cattle, horses, goats, sheep, swine, mink, fox or other commercial fur-bearing animals, chickens, ducks, geese or other fowl shall be kept, harbored or maintained in any R-1, R-2, or R-3 District. The Zoning Board of Appeals may grant temporary or permanent permission to keep chickens on such conditions it may require.

Requested: 6 chickens, no roosters

Variance: 6 chickens, no roosters

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 next available hearing. If you have any questions, please contact our office at 652-7591.

Sincerely,



Elizabeth Cassidy  
Code Enforcement Officer

**SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, N.Y.  
AND REPLY TO MUNICIPALITY**

Submit this form with full statement of proposed action (as described in GML 239-m(c)) at www.Erie.gov/IRonline, OR mail a hard copy (retain a copy for your files) to: Erie County Division of Planning, 95 Franklin Street, Room 1053, Buffalo, N.Y., 14202

DO NOT WRITE IN THIS SPACE

Case No.: \_\_\_\_\_

Postmark/Delivery Date: \_\_\_\_\_

The proposed action described herein is referred in accordance with the provisions of NYS General Municipal Law §239 1 - nn  
A Municipal Referral Map is available to help determine whether an applicable action is subject to referral.

**Description of Proposed Action**

**1. Name of Municipality:** Town of Aurora

§239-m(4)(b) provides that the county shall have 30 days after receipt of a full statement of the proposed action to reply.

If the county fails to reply within such period, the referring body may take final action.

However, any county reply received after 30 days but 2 or more days prior to final action by the referring body shall be subject to §239-m(5)

The referring body shall file a report of its final action with the county within 30 days per §239-m(6).

**2. Hearing Schedule:**      **Date** 09/15/2022      **Time** 7:00 pm      **Location** 575 Oakwood Ave., EA

**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       Address: 175 Glenridge Road

**5a. S.B.L. of Property:**      176.06-2-29      East Aurora, NY

**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:**      Chickens only allowed with special use permit.  
(specify the action, such as the scope of variances or site plans)

**8. Other remarks:** \_\_\_\_\_

**9. Submitted by:** Martha L. Librock      Email: townclerk@townofaurora.com

**10. Return Address:** 575 Oakwood Avenue, East Aurora NY 14052

Reply to Municipality by Erie County Division of Planning

Receipt of the above-described proposed action is acknowledged on \_\_\_\_\_. 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.  Comment on proposed action is attached hereto.
3.  The proposed action is subject to review; Recommendation on Proposed Action is attached hereto.
4.  No Recommendation; proposed action has been reviewed and determined to be of local concern.

By the Division of Planning: \_\_\_\_\_ Date: \_\_\_\_\_

## 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.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: <span style="font-size: 1.2em; color: blue;">Chicken Request for 175 Glenridge Rd</span>			
Project Location (describe, and attach a location map): <span style="font-size: 1.2em; color: blue;"><del>175 Glenridge Rd</del> Property @ 175 Glenridge Rd.</span>			
Brief Description of Proposed Action: <span style="font-size: 1.2em; color: blue;">permission for keeping chickens and chicken coop on my residential property.</span>			
Name of Applicant or Sponsor: <span style="font-size: 1.2em; color: blue;">Laura Hayes</span>		Telephone: <span style="font-size: 1.2em; color: blue;">(711)</span>	
		E-Mail: <span style="font-size: 1.2em; color: blue;">[redacted]@ail.com</span>	
Address: <span style="font-size: 1.2em; color: blue;">175 Glenridge Road</span>			
City/PO: <span style="font-size: 1.2em; color: blue;">East Aurora</span>		State: <span style="font-size: 1.2em; color: blue;">NY</span>	Zip Code: <span style="font-size: 1.2em; color: blue;">14052</span>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
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.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		<span style="font-size: 1.2em; color: blue;">.56</span> acres	
b. Total acreage to be physically disturbed?		<span style="font-size: 1.2em; color: blue;">—</span> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<span style="font-size: 1.2em; color: blue;">.56</span> 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 type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>  <input type="checkbox"/>	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	<input 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? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input 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: _____ _____	<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: _____ _____	<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: _____ _____	<input checked="" type="checkbox"/>	<input 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?  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 checked="" type="checkbox"/>	<input type="checkbox"/>  <input 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 checked="" type="checkbox"/>	<input type="checkbox"/> <input 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 type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <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?  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:  _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<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: Laura Hayes Date: 8/11/2022

Signature: Laura Hayes Title: owner





**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, it is not intended that all easements or utilities affecting premises be shown.

(M3) Unauthorized Alteration or Addition to this Survey Map is a Violation of Section 2209 Provision 2 of the New York State Education Law.

(M4) This Survey was prepared without the benefit of an up-to-date abstract of title and is subject to any state of facts that may be revealed by an examination of such.

(M5) THIS MAP IS NOT VALID WITH AFFIDAVIT OF NO CHANGE

**Legend of Symbols & Abbreviations**

● IP / Redwood	North	Encroachment
○ Power Pole	South	R/W
☆ Light Pole	West	Right-of-way
□ Unfinished Box	East	Conduits
■ Dam Valve	Diagonal	Indicates Multiple Owner
⊙ Storm Inlet	in. or 1/2 in.	N/F
⊙ Water Valve	in. or 1/2 in.	New or Formerly
⊙ Sanitary Manhole	in. or 1/2 in.	One Onch = 68.0 FL
⊙ Valve	in. or 1/2 in.	One Meter = 3.2808333 FL
⊙ Sign	in. or 1/2 in.	One Acre = 43,560.0 Sq.Ft.

Property Boundary  
 Line of Road  
 Island Land Co. Lot, Lot Line  
 Road Centerline  
 Edge of Pavement, Concrete, Driveway

**Survey**

Being Part of  
 Lot 15 Township 9 Range 6  
 Holland Land Company Survey  
 Hickory Crest Subdivision Cover No. 1236  
 Town of Aurora  
 Erie County, New York

*David Scott Freeman*  
 I hereby certify

This plat was prepared in accordance with the current Code of Practice for Land Surveyors.

This certification does not extend to subsequent owners, mortgages, or leases unless this survey has been recorded in the public records of the county in which the land is located. The certification is not valid if the fee for said certification is not paid.

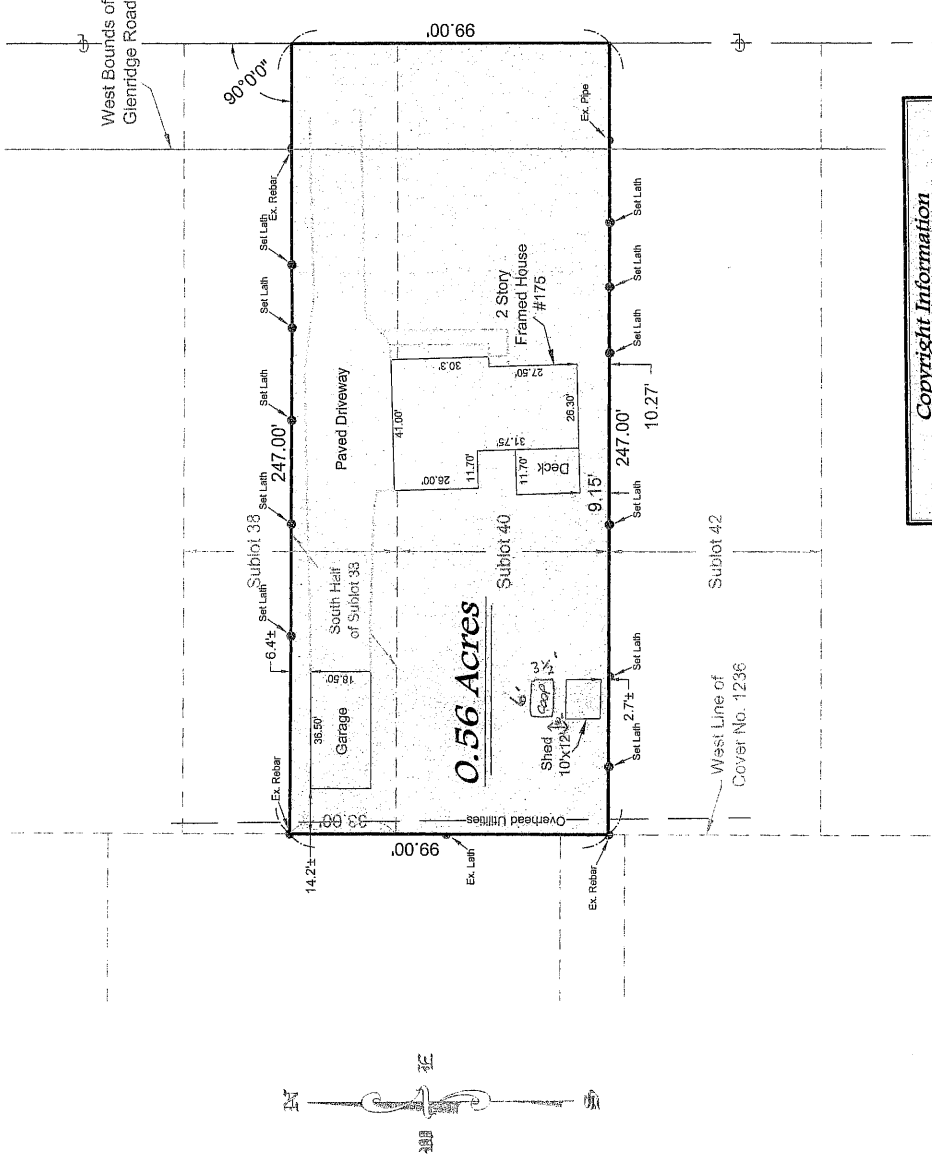
Freeman and Freeman Land Surveyors  
 10432 Crump Road - Glenwood, N.Y. 14068  
 Phone: (716) 582-7740, Email: David@FreemanSurveyors.com



**Survey Prepared By:**  
 Licensed Surveyor: David Scott Freeman  
 License No.: 050480  
 In the State of: New York  
 Date of Survey: August 30, 2018  
 Date of Revision: January 6, 2019  
 Date of Last Revision: May 5, 2020  
 Drawing Scale: 1" = 40'  
 Freeman and Freeman Job No. 8707

Freeman and Freeman Copyright 2020

**Glenridge Road** (66' ROW)



**Copyright Information**

1 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.

**Statement of Encroachments**

A No encroachments were noted or surveyed to in the original field survey.

**Survey Statement**

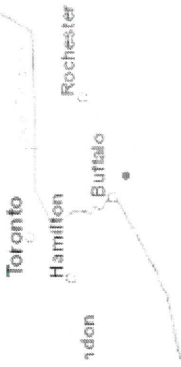
- (SS1) A survey not shown to have been based on the Original Survey, is inconclusive in determining boundaries. The Surveyor's duty is to relocate the best evidence obtainable the courses and lines at the same place where the HOLLAND LAND COMPANY originally Surveyed.
- (SS2) Farmers fences are NOT based on title, old occupied farmers fence lines subsequently surveyed and recorded into perpetuity don't always satisfy title requirements.
- (SS3) Using physical evidence and applying original Holland Land Company field notes and maps is the only way a Licensed Land Surveyor can Relocate the Holland Land Companies title surveys.



Freeman and Freeman Copyright 2020



# Erie County On-Line Mapping Application



**Legend**  
Parcels

0 0.02 0.0 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.

1: 1,128

