

TDA BD: 10/15/24  
PWA BD: 11/6/24



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

### Special Use Permit Application Form

#### I. PROJECT INFORMATION (Applicant/Petitioner):

Business/Project Name: JAMES + DONNA ATKINSON  
Business/Project Address: 275 BOWEN RD., E. AURORA, NY 14052  
Applicant Name: JAMES ATKINSON  
Mailing Address: 275 BOWEN RD. E. AU  
City E. AURORA State NY ZIP 14052  
Phone 716-863-4375 Fax \_\_\_\_\_ Email DONNAATKINSON275@GMAIL.COM  
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) JAMES AND DONNA ATKINSON  
If a corporate, please name a responsible party/designated officer: \_\_\_\_\_  
Address 275 BOWEN RD  
City E. AURORA State NY ZIP 14052  
Phone 716-863-4375 Fax \_\_\_\_\_ Email DONNAATKINSON275@GMAIL.COM

#### III. SPECIAL USE AND PROPERTY INFORMATION:

Property Address 275 BOWEN RD  
SBL# 164.00-1-42.2  
Describe Special Use requested (use additional pages if needed): BNB

Property size in acres 9.6 Property Frontage in feet 0.52  
Zoning District R1 Surrounding Zoning R1  
Current Use of Property Home / AIRBNB  
Size of existing building(s): 3400 sf Size of proposed building(s) \_\_\_\_\_ sf  
Present/Prior tenant/use: \_\_\_\_\_  
Parking spaces: Existing: X Proposed additional spaces: \_\_\_\_\_ Total #: 1

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								

Peak hours: \_\_\_\_\_

Number of employees (if applicable): Full-time \_\_\_\_\_ Part-time \_\_\_\_\_ Seasonal \_\_\_\_\_

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

a. Building Permit

b. Sign Permit

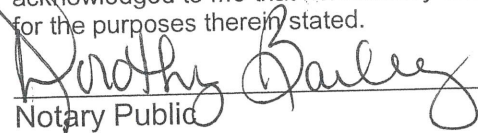
**IV. SIGNATURE** (This application must be signed by the applicant/petitioner. If the applicant is not the owner of the property, a separate owner authorization form must be submitted – see pg. 4)

  
 \_\_\_\_\_  
 Signature of Applicant/Petitioner

James S. Atkinson  
 \_\_\_\_\_  
 Print name of Applicant/Petitioner

State of New York; County of Erie

On the 17 day of Sept in the year 2024 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

(Notary stamp) **DOROTHY BAILEY**  
 Reg #01BA0023544  
 Notary Public, State of New York  
 Qualified in Erie County  
 Commission Expires April 15, 2028

Office Use Only: Date received: \_\_\_\_\_ Receipt #: \_\_\_\_\_

Application reviewed by: \_\_\_\_\_

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

**Special Use Permit  
Application  
Owner Authorization**

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

..... 275 BOWEN RD, E. AURORA, NY....., identified as Tax Map (SBL)#.....  
(address) 14052

hereby authorizes ..... to bring an application for a special use permit before the Town of Aurora Town Board 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.

JAMES J. ATKINSON  
Owner (print)

9/17/2024  
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





# TOWN OF AURORA

575 OAKWOOD AVENUE, EAST AURORA, NY 14052  
BUILDING DEPARTMENT  
(716) 652-7591

## MEMO

TO: Supervisor Snyder and Town Board Members  
FROM: Richard Miga, Assistant Code Enforcement Officer  
DATE: September 23, 2024

The Building Department has accepted a Special Use permit application for 275 Bowen Road, by owners James and Donna Atkinson, for the request to use their unit above their attached garage as a Bed-N-Breakfast. The zoning district is R-1.

Town Code section 116-43 states that the Town Board shall refer the Special Use permit application to the Planning Commission for their review and recommendation. The Town Board has historically scheduled a public hearing after the Planning Board's recommendation has been received.

This is an Unlisted action for purposes of SEQR.

If you have any questions, please contact me at 652-7591.

Richard Miga



## 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: <b>JAMES ATKINSON</b>			
Project Location (describe, and attach a location map): <b>275 BOWEN RD, E. AURORA, NY 14052</b>			
Brief Description of Proposed Action: <b>UTILIZE UNIT ABOVE <del>EA</del> ATTACHED GARAGE FOR AIR BNB RENTAL</b>			
Name of Applicant or Sponsor: <b>JAMES S. ATKINSON</b>		Telephone: <b>716-863-4375</b>	
Address: <b>275 BOWEN RD</b>		E-Mail: <b>DONNAATKINSON275@gmail.com</b>	
City/PO: <b>E. AURORA</b>	State: <b>NY</b>	Zip Code: <b>14052</b>	
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"/>	YES <input 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:		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<u>9.6</u> acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 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 type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

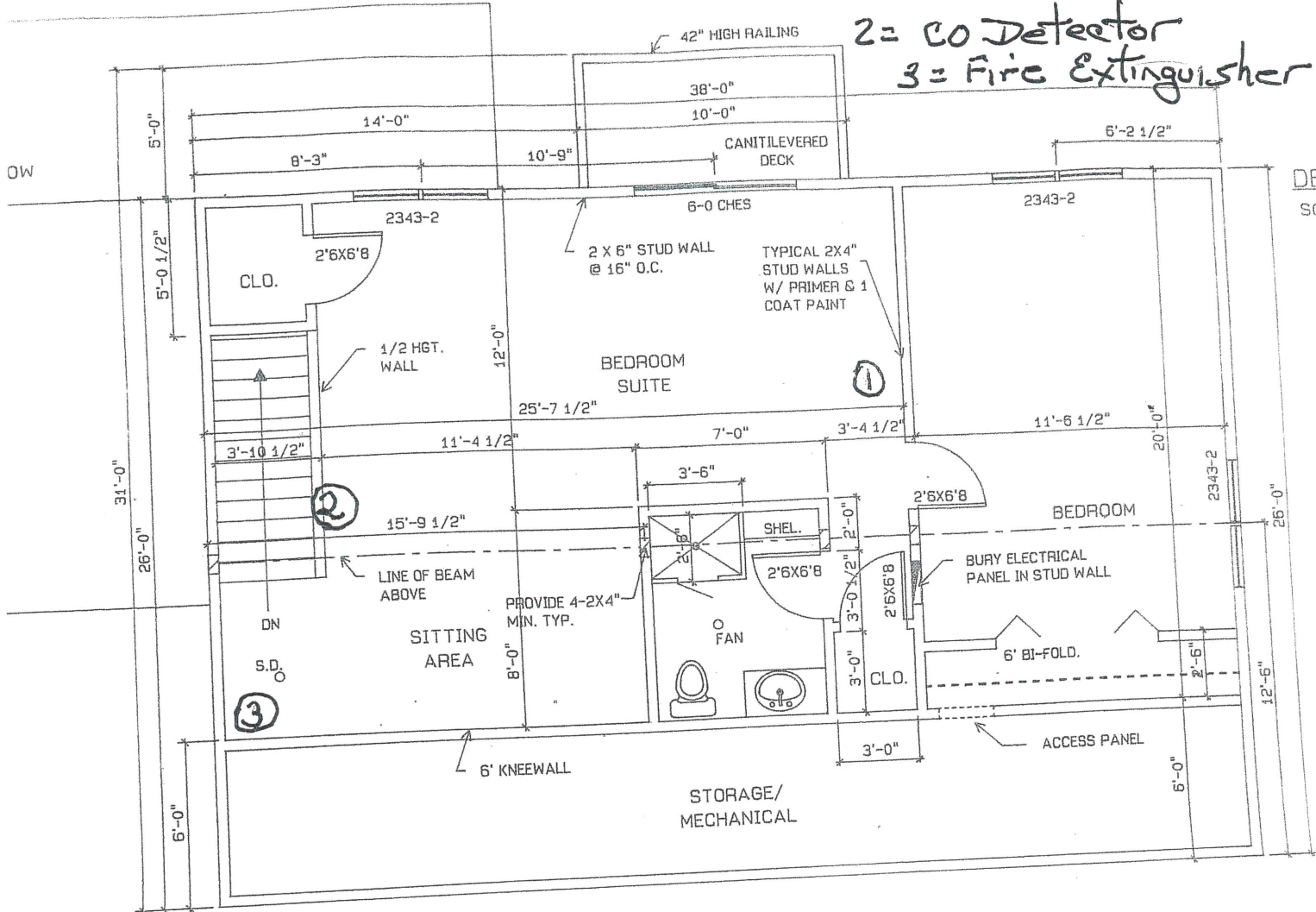
5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?  b. Are public transportation service(s) available at or near the site of the proposed action?  c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" 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: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" 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?	NO	YES	
	<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?  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: _____	NO	YES	
	<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 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 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: _____	NO	YES	
	<input checked="" 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  <input checked="" type="checkbox"/>	YES  <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  <input checked="" type="checkbox"/>	YES  <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  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>JAMES B. ATKINSON</u>	Date: <u>9/17/24</u>	
Signature: _____		



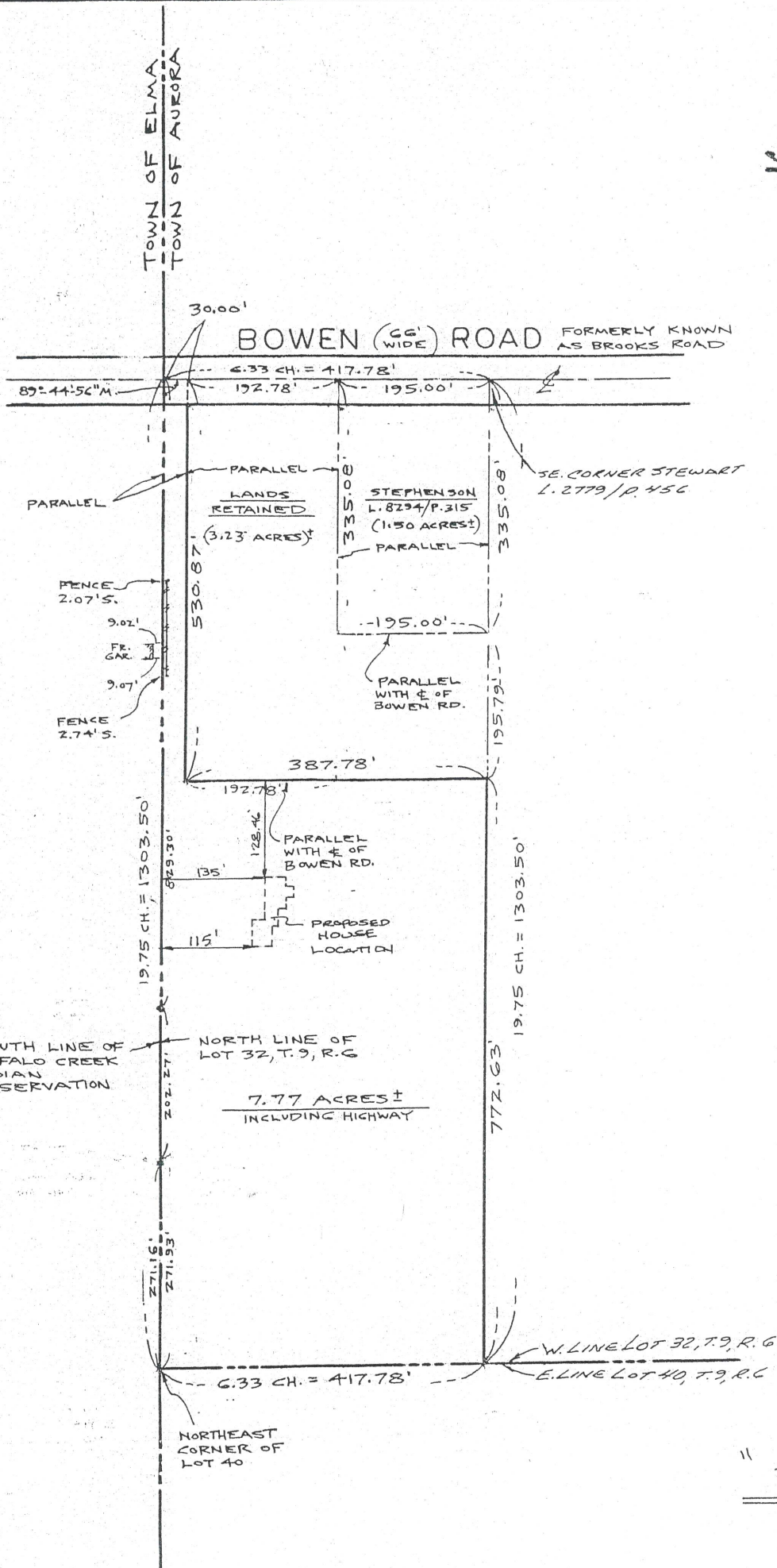
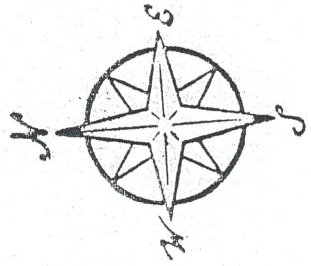


1 = smoke Detector  
 2 = CO Detector  
 3 = Fire Extinguisher



DETAIL  
 SCALE :





"Plot Plan"

PART OF L 32 S - T 9 R 6 OF THE HOLLAND LAND COMPANY'S SURVEY  
 TOWN OF AURORA, VILLAGE OF           , COUNTY OF ERIE, NEW YORK

NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO ANY SURVEY, DRAWING, DESIGN, SPECIFICATION, PLAN OR REPORT IS A VIOLATION OF SECTION 7209, PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.



ENGINEERS • SURVEYORS • PLANNERS

Tallamy, Van Kuren, Gertis & Associates  
 70 LINWOOD AVENUE P.O. BOX 718 ORCHARD PARK, NEW YORK 14127-0718  
 PHONE (716) 662-9366 FAX (716) 662-7689

REVISION		
DATE	JOB	DESCRIPTION

DRAWN BY N.L. TJC SCALE 1" = 200'  
 CHECKED BY            DATE OCT 28, 1991  
 JOB 910335 SHEET 2E-14380-A"









# This Indenture,

Made the 12<sup>th</sup> day of July, Nineteen Hundred and Ninety-one

Between FRANK M. SPRING and VALERIE SPRING, his wife, residing at 265 Bowen Road, East Aurora, New York 14052

Grantor(s), and

JAMES S. ATKINSON and DONNA M. ATKINSON, his wife, residing at 16 Hubbell Avenue, Buffalo, New York 14220

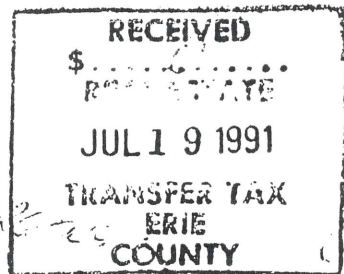
Grantee(s).

*100.00 1/2*

Witnesseth, that the said Grantor(s), in consideration of ONE AND NO MORE Dollars (\$1.00 & No More) lawful money of the United States, paid by the Grantee(s), do hereby grant and release unto the Grantee(s), their heirs and assigns forever.

All that Tract or Parcel of Land, situate in the Town of Aurora, County of Erie and State of New York, being part of Lot No. 32, Township 9, Range 6, bounded and described as follows:

BEGINNING at a point in the center line of Bowen Road at its intersection with the north line of said Lot No. 32; thence southerly along the center line of said road, 30 feet to a point; thence westerly and parallel with the north line of said lot, 530.87 feet to a point; thence southerly and parallel with the center line of Bowen Road, 387.78 feet to a point; thence westerly and parallel with the north line of said lot, 772.63 feet to a point in the west line of said lot; thence northerly along the west line of said lot, 417.78 feet to the northwest corner thereof; thence easterly along the north line of said lot, 1303.5 feet to the point or place of beginning.







TOGETHER with the appurtenances and all the estate and rights of the Grantor(s) in and to the said premises.

TO HAVE AND TO HOLD, the above granted premises unto the said Grantee(s).

AND the said Grantor(s) do covenant with said Grantee(s) as follows:

FIRST.—That the Grantee(s) shall quietly enjoy the said premises.

SECOND.—That the Grantor(s) will forever WARRANT the title to said premises.

THIRD.—Subject to the trust fund provisions of section thirteen of the lien law.

IN WITNESS WHEREOF, The said Grantor(s) have hereunto set their hands and seals the day and year first above written.

IN PRESENCE OF

\_\_\_\_\_) (L.S.) Frank M. Spring (L.S.)  
Frank M. Spring  
\_\_\_\_\_) (L.S.) Valerie Spring (L.S.)  
Valerie Spring

STATE OF NEW YORK )  
COUNTY OF ERIE ) ss. On this 12<sup>th</sup> day of July  
Nineteen Hundred and Ninety-one

before me, the subscriber(s), personally appeared FRANK M. SPRING and VALERIE SPRING, his wife,  
to me personally known and known to me to be the same persons described in and who executed the within instrument, and they acknowledged to me that they executed the same.

NANCY PRESCOTT SMITH  
Notary Public, State of New York  
Qualified in Niagara County  
My Commission Expires March 30, 1991

Nancy Prescott Smith  
Notary Public

STATE OF NEW YORK )  
COUNTY OF ) ss. On this \_\_\_\_\_ day of  
Nineteen Hundred and \_\_\_\_\_

before me, the subscriber(s), personally appeared \_\_\_\_\_  
to me personally known and known to me to be the same person described in and who executed the within instrument, and he acknowledged to me that he executed the same.

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1991 JUL 19 11 09 58  
FRANK M. SPRING and  
VALERIE SPRING, his wife

83

JAMES S. ATKINSON and  
DONNA M. ATKINSON, his wife

DATED July 12<sup>th</sup>, 1991

STATE OF NEW YORK  
ERIE COUNTY CLERK'S OFFICE  
Recorded in Liber. 10309 Page 752  
ON this 19 day of July  
A.D. 1991 at Storvick, N.Y.  
and subscribed.

David J. Stewart  
CLERK

LIBR 10309 PG 753

B139406-16-

1020 P.M. 850





September 24, 2024

Mr. Richard Miga, Inspector  
Town of East Aurora  
575 Oakwood Avenue  
East Aurora, NY 14052

**Subject: Use of Airbnb for Apartment in East Aurora**

Dear Mr. Miga,

We are writing to provide clarification regarding our use of Airbnb in our East Aurora home. Our decision to list the apartment on Airbnb stems from several key considerations:

1. **Supplementing Income:** The rental income generated helps to offset property costs, including maintenance, utilities, and taxes.
2. **Short-Term Rental Demand:** East Aurora attracts visitors for its charming small-town appeal, proximity to attractions, and its connection to nearby Buffalo. By offering short-term accommodations, we are able to provide a solution for tourists and guests who may prefer staying in a more personalized and home-like environment.
3. **Supporting Local Businesses:** Guests staying at our Airbnb visit nearby restaurants and shops, contributing to the economic vitality of the area. We encourage all of our guests to explore East Aurora's unique offerings, promoting tourism and business growth.
4. **Flexibility:** Airbnb provides us with the flexibility to use the property ourselves when needed while still maximizing its use during other times.

We are mindful of the concerns surrounding short-term rentals, including noise, parking, and the impact on the local community. Please be assured that we maintain strict house rules for our guests to ensure they are respectful of our neighbors and the surrounding area.

We appreciate your understanding and are open to any feedback or additional requirements the Town may have regarding this matter. Thank you for your time and consideration.

Sincerely,

James and Donna Atkinson  
275 Bowen Road, East Aurora, NY 140652

