

2A

# 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



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 71 Fax \_\_\_\_\_ Email DONNA1 D@MAIL.COM  
 Interest in \_\_\_\_\_  
 or/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):

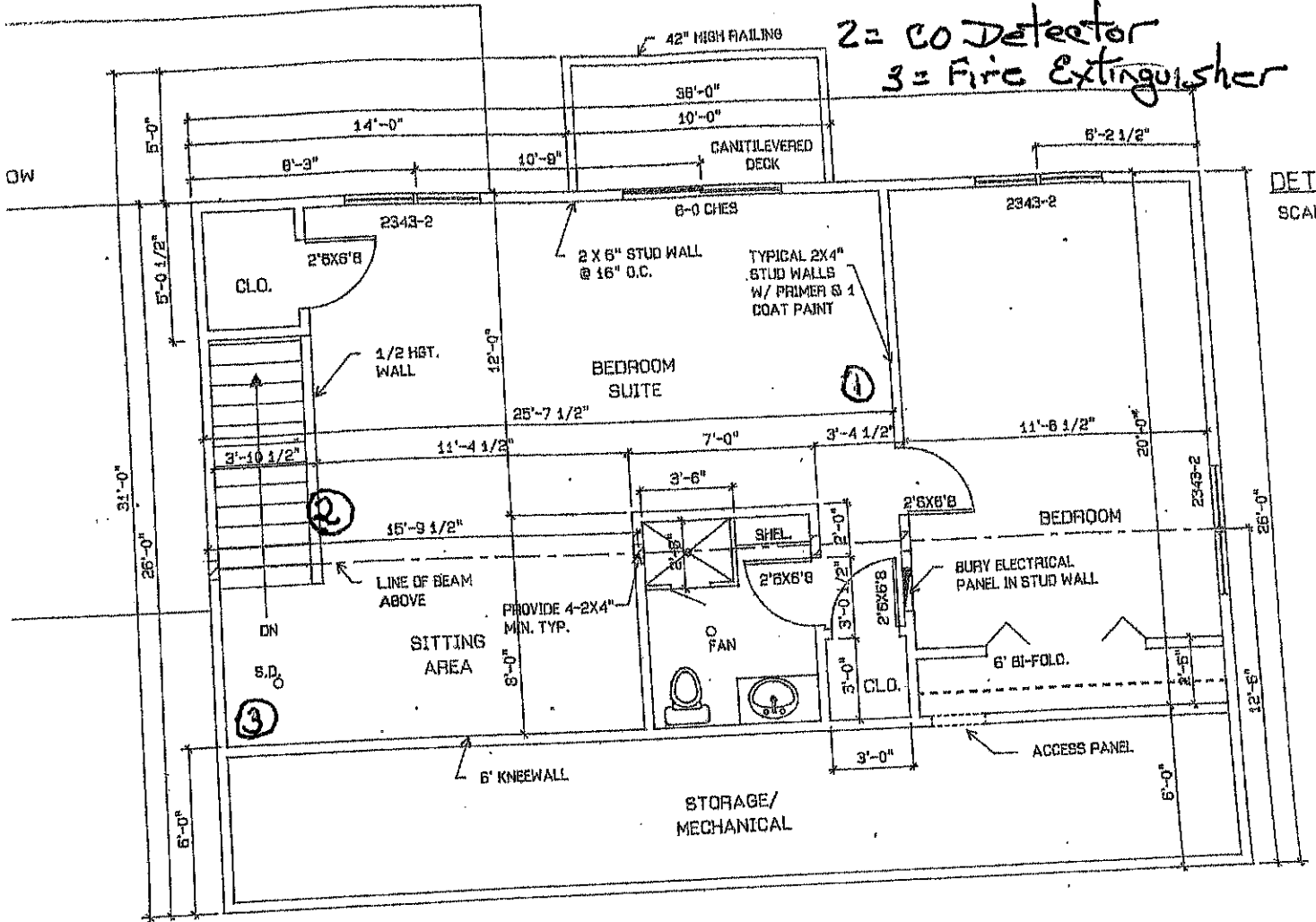
Property Owner(s) Name(s) JAMES AND DONNA ATKINSON  
 If a corporate, please name a responsible party/designated officer: \_\_\_\_\_  
 Address 275 BOWEN RD  
 City E. AURORA State NY ZIP 14052  
 Phone \_\_\_\_\_ Fax \_\_\_\_\_ Email DONNA1 D@MAIL.COM

#### 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 ODA  
 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: SFR  
 Parking spaces: Existing: X Proposed additional spaces: \_\_\_\_\_ Total #: 1

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



DETAIL  
 SCALE 1'



2B



Town of Aurora Town Board  
575 Oakwood Avenue, East Aurora NY, 14052

**Special Use Permit Application Form**

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

Business/Project Name: 140 Jewett Holmwood Road  
Business/Project Address: 140 Jewett Holmwood Road, East Aurora NY 14052  
Applicant Name: Douglas J. Nemec  
Mailing Address: 140 Jewett Holmwood Road  
City East Aurora State NY ZIP 14052  
Phone \_\_\_\_\_ Fax NA Email DN@com  
Interest 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) Douglas J. Nemec  
If a corporate, please name a responsible party/designated officer: \_\_\_\_\_  
Address 140 Jewett Holmwood Road  
City East Aurora State NY ZIP 14052  
Phone \_\_\_\_\_ Fax NA Email DN@com

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

Property Address 140 Jewett Holmwood Road, East Aurora NY 14052  
SBL# 175.10-3-12  
Describe Special Use requested (use additional pages if needed):  
Operate a Bed n Breakfast short term rental

Property size in acres 6.0 Property Frontage in feet 697 ft  
Zoning District R2 - Residential Surrounding Zoning R2 - Residential  
Current Use of Property Residence  
Size of existing building(s): 4212 sf Size of proposed building(s) Existing sf  
Present/Prior tenant/use: Residence  
Parking spaces: Existing: 15 Proposed additional spaces: 0 Total #: 15

Proposed water service: X public \_\_\_\_\_ private (well) \_\_\_\_\_ n/a Is this existing Y/N YES  
 Proposed sanitary sewer: \_\_\_\_\_ public X private (septic) \_\_\_\_\_ n/a Is this existing Y/N YES

Hours of operation (if applicable):

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	By Appt.
Hours	X	X	X	X	X	X	X	

Peak hours: NA

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

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

- a. Building Permit \_\_\_\_\_
- b. Sign Permit X

**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 )

Douglas J. Nemec  
 Signature of Applicant/Petitioner

Douglas J. Nemec  
 Print name of Applicant/Petitioner

State of New York; County of Erie

On the 4 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.

Brigitte Armstrong  
 Notary Public



(Notary stamp)

Office Use Only: Date received: 9/12/2024 Receipt #: 114695

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

September 5, 2024

**140 Jewett Holmwood Road  
East Aurora, New York 14052**

To whom it may concern

We are seeking a special use permit to allow for short-term rentals at our house as a bed and breakfast in East Aurora New York. The property is uniquely situated on a very picturesque site, and we believe it is ideally situated to allow for a very quaint bed and breakfast opportunity. Allowing the visitors to enjoy the town and the associated activities in the area. The property is 6 acres located on Cazenovia Creek which allows for very beautiful vistas in each of the rooms of the house. Please let us know if you require any further information.

Thank you

Douglas J. Nemeo

140 Jewett Holmwood Road  
East Aurora, NY 14052

20

# 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: October 11, 2024

The Building Department has accepted a Special Use permit application for 1150 Underhill, by owner John Radford, for the request to use the first and second floors of his dwelling as a Bed-N-Breakfast while he occupies the basement level. The zoning district is RR/A.

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





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: \_\_\_\_\_  
 Business/Project Address: 1150 Underhill Rd East Aurora 14052  
 Applicant Name: John Radford  
 Mailing Address: Same as above  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone \_\_\_\_\_ Fax \_\_\_\_\_ Email J DO@gmail.com  
 Interest in \_\_\_\_\_ (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) John Radford  
 If a corporate, please name a responsible party/designated officer: \_\_\_\_\_  
 Address 1150 Underhill Rd  
 City East Aurora State NY Zip 14052  
 Phone \_\_\_\_\_ Fax \_\_\_\_\_ Email JR P@gmail.com

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

Property Address 1150 Underhill Rd East Aurora NY 14052  
 SBL# 188.00-1-6.2

Describe Special Use requested (use additional pages if needed):  
BED & BREAKFAST

Property size in acres 10.4 Property Frontage in feet 150  
 Zoning District RR/A Surrounding Zoning RR/A  
 Current Use of Property SFD  
 Size of existing building(s): 6875 sf Size of proposed building(s) \_\_\_\_\_ sf  
 Present/Prior tenant/use: SFD  
 Parking spaces: Existing: \_\_\_\_\_ Proposed additional spaces: \_\_\_\_\_ Total #: \_\_\_\_\_

## 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: <div style="text-align: center; font-size: 1.2em;">Bed and Breakfast</div>			
Project Location (describe, and attach a location map): <div style="text-align: center; font-size: 1.2em;">1150 Underhill Rd East Aurora NY 14052</div>			
Brief Description of Proposed Action: <div style="text-align: center; font-size: 1.5em;">(see attached)</div>			
Name of Applicant or Sponsor: <div style="text-align: center; font-size: 1.2em;">John Radford</div>		Telephone: _____	
		E-Mail: <u>Ji</u> @gmail.com	
Address: <div style="text-align: center; font-size: 1.2em;">1150 Underhill Rd East Aurora NY</div>			
City/PO: <div style="text-align: center; font-size: 1.2em;">East Aurora</div>		State: <div style="text-align: center; font-size: 1.2em;">NY</div>	Zip Code: <div style="text-align: center; font-size: 1.2em;">14052</div>
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 checked="" 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 type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		<u>10.5</u> acres	
b. Total acreage to be physically disturbed?		<u>9</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>19</u> acres	
4. Check all land uses that occur on, are adjoining or 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			

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 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,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
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"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor/name: <u>John Redford</u>	Date: <u>9/4/24</u>	
Signature: <u>(C) Redford</u>	Title: <u>owner</u>	

**John Radford MD**  
1150 Underhill Rd  
East Aurora, NY 14052

Sept 7, 2024

East Aurora Town Board  
Town of East Aurora  
East Aurora, NY 14052

Dear Members of the Town Board,

I am writing to formally apply for a permit to operate a bed-and-breakfast at my residence, located at 1150 Underhill Rd East Aurora NY 14052. My home is situated on 20 acres, gated, and set far off the street, with significant distance from the neighboring homes, providing a peaceful and private environment for both me and any guests. I will be offering up to four bedrooms for rent, with parking available for up to 6 cars. However, I do not anticipate having more than four guest vehicles on the property at any given time, outside of my own.

I will be residing on the property full-time in a fully furnished basement with two bedrooms, one and a half bathrooms, a living room, a full kitchen and dining area and a separate entrance and exit. The area I will be renting includes the first and second floors of the home, with all four guest bedrooms located on the second floor.

To maintain the peaceful and respectful environment that is expected in the community, I will be establishing the following house rules for all guests:

1. **No Parties or Events:** Hosting large gatherings, parties, or events is strictly prohibited to avoid disturbing the neighborhood.
2. **Quiet Hours:** Quiet hours are enforced between 9:00 PM and 8:00 AM. During this time, guests are asked to keep noise levels to a minimum both inside and outside the home.
3. **No Excessive Noise:** No loud music, shouting, or other disruptive noises are permitted especially when outdoors. Guests are encouraged to enjoy the property quietly. (please see details listed below)
4. **No Amplified Music Outdoors:** Playing amplified music or using loudspeakers outside the home is not allowed.

5. **Respect the Neighbors:** Guests are expected to be mindful of neighbors and avoid any activities that may cause a disturbance, such as excessive vehicle traffic, loud gatherings, or lingering outside late at night.
6. **Parking:** Only designated parking areas should be used, with no parking on the street or in areas that could block driveways or other access points.
7. **No Pets:** To maintain cleanliness and comfort for all guests, pets are not allowed on the property.
8. **Guest Limit:** The maximum number of guests allowed in the home is 8 This ensures a peaceful stay for all guests and respects the privacy of neighbors.
9. **No Smoking:** Smoking is not allowed inside the home. Please smoke only in designated outdoor areas and properly dispose of cigarette butts.
10. **No Hunting or possession of Firearms or weapons of any kind will be allowed on the property.**

The following are specific noise rules that can help ensure and disruption and maintain a peaceful atmosphere for everyone:

1. **Limit Outdoor Conversations:** Please keep all outdoor conversations at a low volume, especially during the evening and early morning hours.
2. **No Outdoor Gatherings After 9:00 PM:** To respect the quiet enjoyment of the neighborhood, outdoor gatherings are not permitted after 9:00 PM.
3. **Limit Use of Outdoor Areas During Quiet Hours:** Use of outdoor spaces such as patios, decks, or yards is not permitted during quiet hours (9:00 PM – 8:00 AM) to avoid noise disturbances.
4. **Vehicle Noise:** Please keep vehicle noise to a minimum, including avoiding idling for long periods, loud engines, or slamming car doors, especially late at night or early in the morning.
5. **Children's Noise:** While children are welcome, guests are kindly asked to ensure children are not excessively loud, especially outdoors or in common areas.
6. **No Use of Loud Equipment:** The use of loud outdoor equipment or other machinery is not permitted by guests.
7. **Monitor Noise Inside:** Guests must keep indoor noise, including television or music volume, to a reasonable level, particularly during quiet hours.
8. **No Shouting or Loud Behavior:** Shouting, yelling, or other loud behaviors inside or outside the home are not permitted at any time to prevent disturbing the peaceful environment.
9. **Noise Sensors:** A noise monitoring device- NoiseAware are placed to track noise levels without invading privacy. These devices send alerts when noise exceeds

acceptable levels. They do not record voice and are located outside the property. For more information, please see <https://noiseaware.com/>

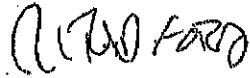
**10. Important Notice:**

Failure to follow the house rules, including but not limited to excessive noise, unauthorized guests, or disturbances to neighbors, will result in immediate removal from the property without a refund. We appreciate your understanding and cooperation in maintaining a peaceful and respectful environment for everyone.

These rules will help maintain the quality and serenity of the property, an enjoyable stay for guests and ensure that the bed-and-breakfast runs smoothly and in harmony with the character of the East Aurora community.

I would be happy to meet with the board to discuss any questions or concerns regarding my application. Thank you for your consideration, and I look forward to contributing positively to the local community with this venture.

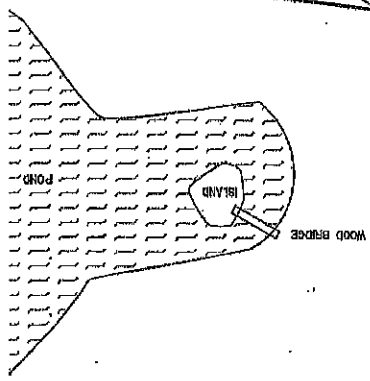
Sincerely,



John Radford

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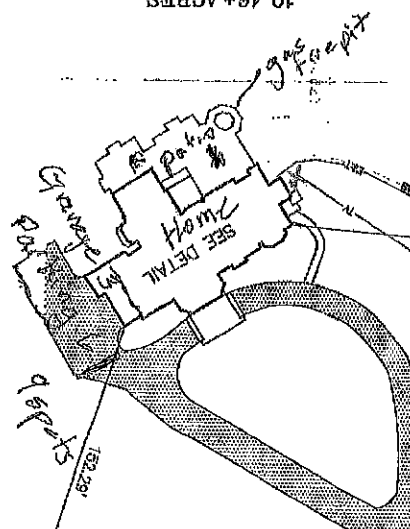
317.00' N 81° W



111.14' N 100.00' W

*Handwritten:* and corner 5' and 11' to Blakeley Rd

10.46± ACRES (INCLUDING HIGHWAY)



WATER WELL

ELECTRICAL & TELEPHONE SERVICE

GAS SERVICE

TV CABLE SERVICE

10' EASEMENT IN L. 11080, P. 1659

APPROXIMATE LOCATION OF UNDERGROUND SERVICE LINES AS MARKED BY THE SURETY JULY 2004

SERVICE POLE (UNDERGROUND SERVICE TO HOUSE)

BUY ANCHOR

ASSUMED N 00°00'00" E

866.00' N 66° W

*Handwritten:* width allows 2 cars to pass

870° E 867.00'

Gate

BUS SHELTER

878.74' W. LINE OF LOT 12

149.00'

3B

Town of Aurora  
Warrant Report

11/25/24 ags

Fund	Fund Description	Invoice Batch	Manual Checks	Purchase Cards	Total
<b>Unposted Batch Grand Totals</b>					<b>\$0.00</b>
<b>Posted Batch Totals</b>					<b>\$0.00</b>

Fund	Fund Description	Invoice Batch	Manual Checks	Purchase Cards	Total
A00	GENERAL FUND	\$34,709.78	\$405.64	\$26,105.86	\$61,221.28
B00	PART TOWN FUND	\$0.00	\$0.00	\$80.00	\$80.00
DA0	HIGHWAY TOWN WIDE FUND	\$211.54	\$0.00	\$0.00	\$211.54
DB0	HIGHWAY PART TOWN FUND	\$18,624.21	\$0.00	\$17,487.61	\$36,111.82
H70	VILLAGE BRIDGE REPAIRS	\$13,793.75	\$0.00	\$0.00	\$13,793.75
L30	CONSOLIDATED LIGHTING DIST.	\$0.00	\$0.00	\$744.27	\$744.27
L40	CONSOLIDATED LIGHTING DIST.	\$0.00	\$0.00	\$558.49	\$558.49
SG0	GARBAGE & RESOURCE RECOV. DIST	\$0.00	\$0.00	\$67,515.28	\$67,515.28
SR0	RUBBISH COLLECTION DISTRICT #1	\$1.69	\$0.00	\$0.00	\$1.69
ZP0	PRIVATE WATER SYSTEM	\$18.00	\$0.00	\$22.89	\$40.89
<b>Posted Batch Grand Totals</b>					<b>\$180,279.01</b>

Report Grand Totals

Fund	Fund Description	Invoice Batch	Manual Checks	Purchase Cards	Total
A00	GENERAL FUND	\$34,709.78	\$405.64	\$26,105.86	\$61,221.28
B00	PART TOWN FUND	\$0.00	\$0.00	\$80.00	\$80.00
DA0	HIGHWAY TOWN WIDE FUND	\$211.54	\$0.00	\$0.00	\$211.54
DB0	HIGHWAY PART TOWN FUND	\$18,624.21	\$0.00	\$17,487.61	\$36,111.82
H70	VILLAGE BRIDGE REPAIRS	\$13,793.75	\$0.00	\$0.00	\$13,793.75
L30	CONSOLIDATED LIGHTING DIST.	\$0.00	\$0.00	\$744.27	\$744.27
L40	CONSOLIDATED LIGHTING DIST.	\$0.00	\$0.00	\$558.49	\$558.49
SG0	GARBAGE & RESOURCE RECOV. DIST	\$0.00	\$0.00	\$67,515.28	\$67,515.28
SR0	RUBBISH COLLECTION DISTRICT #1	\$1.69	\$0.00	\$0.00	\$1.69
ZP0	PRIVATE WATER SYSTEM	\$18.00	\$0.00	\$22.89	\$40.89
<b>Grand Totals</b>					<b>\$180,279.01</b>



5A

Application # 2024-1

Date received: 10/2024

### Application For SPECIAL EVENT Permit

Submit applications to:  
Town of Aurora Town Clerk  
575 Oakwood Ave  
East Aurora, NY 14052  
Telephone (716) 652-3280 Fax: (716) 652-3507

***ALL REQUESTS MUST BE MADE NO LESS THAN 30 DAYS IN ADVANCE OF EVENT.***

1. Name of organization/Applicant: \_\_\_\_\_
2. Individual responsible for this request: MICHAEL BOJANOWSKI
3. Address: 1840 BOIES RD  
EAST AURORA 14052
4. Telephone number: 3
5. Fax: \_\_\_\_\_
6. Email: MIKH n
7. Date(s) of event: SEE ATTACHED
8. Hours of event (including set up/take down): Start DEC 1<sup>st</sup> End DEC 29<sup>th</sup>
9. Description of the event:  
HOLIDAY LIGHT SHOW  
\_\_\_\_\_  
\_\_\_\_\_
10. Location of event:  
Address: 1840 BOIES ROAD EAST AURORA NY 14052  
SBL #: 200.00-1-20.2

Please attach a map of the event area. On the map include the following:

- Parking area(s) - including number of on and off-street parking spaces. LOCATED ON SOLVEY MAP
- Location(s) and number of toilet facilities. NONE
- Location of entrance(s) and exit(s) to/from the event site. NONE

- Location of vendor facilities, if applicable, including tents, booths and food service facilities.
- Location of all residential structures on the property and on adjacent properties.
- Map of parade route if applicable.

11. Written steps to be taken to control traffic:

OFFER MULTIPLE DAYS TO RUN DISPLAY TO PREVENT CONGESTION. INSTALL NO PARKING SIGNS ON EAST SIDE OF ROAD TO PREVENT DOUBLE PARKING. LIMIT RUN LOOP TO KEEP P & VIEWERS

12. Written plan for security: FROM STAMING ONLY.

SAFETY IS OUR #1 PRIORITY. SHOW WILL BE SHUTDOWN DUE TO WEATHER OR OTHER UNDER OUR OBSERVATION.

13. Estimated attendance per day: 15 CARS

- a. Will pedestrian participants be crossing any public road(s)? Y X N
- b. Will participants be attending via bus? Y X N

14. Will food or drinks be served? NO

a. If yes, please describe \_\_\_\_\_

15. Will there be sound amplification, music, DJ or band(s)?

a. If yes, please describe NO

16. Provide drawings to the Town of Aurora Building Department that describe location, size and text of all proposed signs for this event. (Additional fees may apply.) Approved signs may be erected upon approval of the permit, but no sooner than 30 days prior to the event and must be removed immediately after.

LIGHT SHOW WILL CONSIST OF LIGHTS THROUGHOUT PROPERTY.

**PLEASE NOTE:** Based on the type of event and estimated attendance, a meeting with SEE SURVEY the Town Supervisor, Highway Supervisor, and Chief of Police may be scheduled at the FOR PROPERTY discretion of the Aurora Town Board to discuss a plan for proper traffic control, parking and crowd control.

17. Insurance: Applicant must obtain and maintain commercial liability insurance policy, including public liability coverage, with minimum limits of \$1,000,000 per occurrence, and property damage insurance with minimum limits \$1,000,000 per occurrence; Such policies shall list the Town of Aurora as an additional name insured.

18. Indemnification: Applicant shall defend, indemnify, and hold harmless the Town of Aurora, its officials, employees, agents and other persons from and against all claims, costs, judgments, liens, encumbrances, and expenses (including reasonable attorneys' fees) arising

out of any activity related to or in connection with this application or any permit, gather or event related to this application.

19. Acknowledgement:

**I CERTIFY UNDER PENALTY OF PERJURY THAT ALL INFORMATION IN THIS APPLICATION IS TRUE AND CORRECT, THAT ANY FALSE OR MISLEADING INFORMATION SHALL BE GROUNDS FOR DENIAL, AND I AGREE, TO COMPLY WITH ANY AND ALL CONDITIONS OF APPROVAL.**

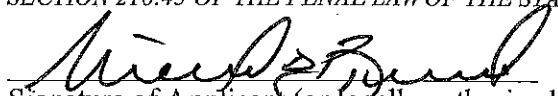
**I ACKNOWLEDGE THAT IT IS THE APPLICANT'S RESPONSIBILITY TO ENSURE THAT PATRONS, LICENSEES, AND/OR INVITEES OF THE EVENT DO NOT TRESPASS UPON OR DAMAGE ANY ADJOINING PROPERTY OR PREMISES.**

**I ACKNOWLEDGE THAT THE AURORA TOWN CODE CHAPTER, ENTITLED "SPECIAL EVENTS," IS THE CONTROLLING LEGISLATION FOR THE REGULATION OF EVENTS IN THE TOWN OF AURORA, AND THAT THE ISSUANCE OF A PERMIT PURSUANT TO THIS APPLICATION REQUIRES COMPLIANCE WITH ALL PROVISIONS AND REGULATIONS WITHIN.**

**I FURTHER ACKNOWLEDGE THAT THE ISSUANCE OF A PERMIT PURSUANT TO THIS APPLICATION IS NOT A WAIVER FOR ANY ACTIVITY PROHIBITED BY LAW, AND AS A CONDITION OF ANY PERMIT ISSUED, COMPLIANCE WITH ALL PROVISIONS OF THE AURORA TOWN CODE, AS WELL AS APPLICABLE STATE AND FEDERAL LAW, IS REQUIRED.**

**APPLICANT CONSENTS TO THE INSPECTION OF THE PREMISES BY A POLICE OFFICER OR OTHER ENFORCEMENT OFFICER FOR THE PURPOSE OF ENSURING THAT THE TERMS AND CONDITIONS OF THE PERMIT ARE MET.**

*A FALSE STATEMENT MADE HEREIN IS PUNISHABLE AS A CLASS "A" MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW OF THE STATE OF NEW YORK.*

  
Signature of Applicant (or legally authorized representative of Applicant)

10/21/24  
Date

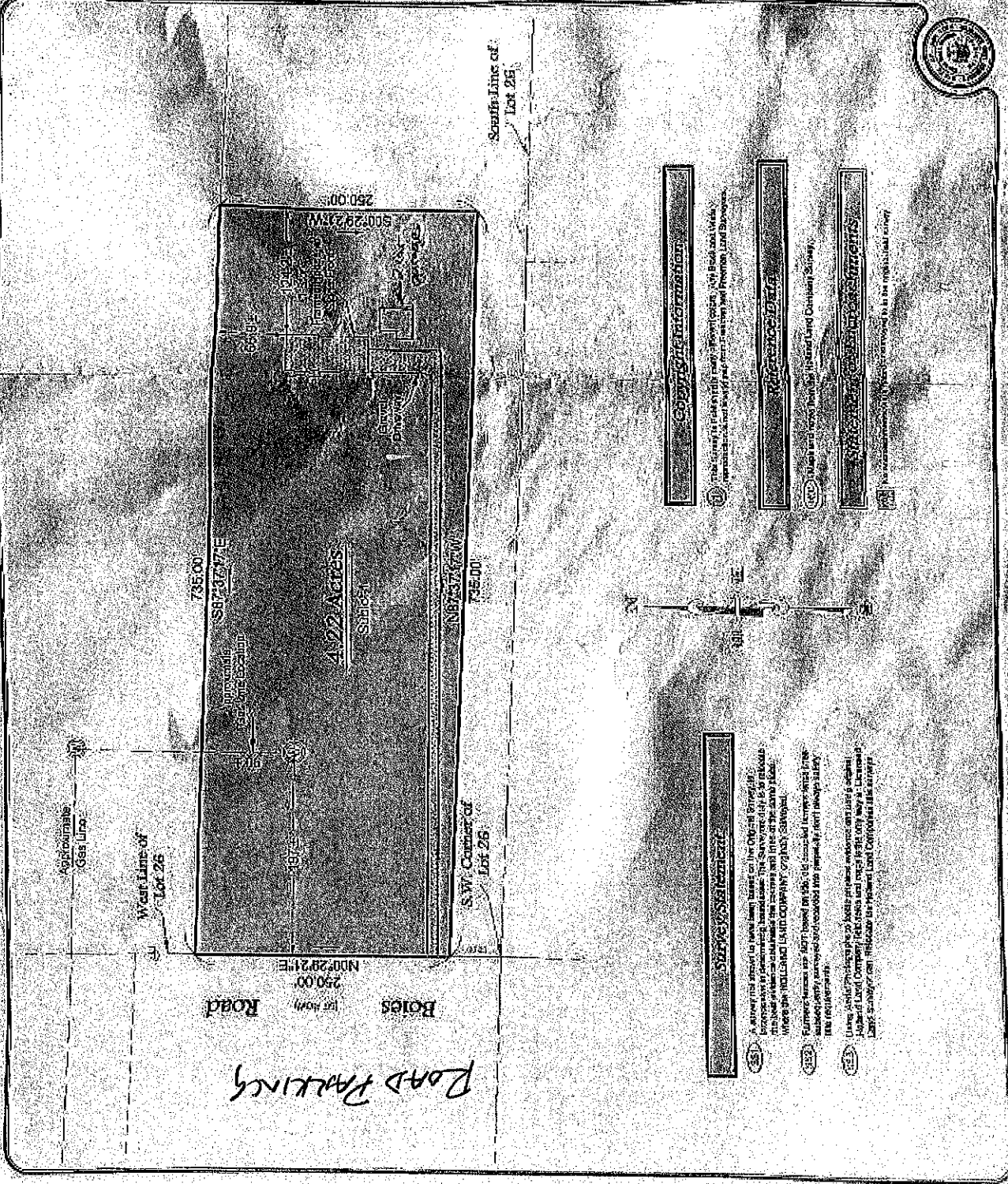
20. Property Owner Consent: Property owner consent is required when the Applicant is not the property owner. If the Applicant is the property owner, this portion does not need to be filled out.

**I CERTIFY UNDER PENALTY OF PERJURY THAT ALL INFORMATION IN THIS APPLICATION IS TRUE AND CORRECT AND THAT I AM THE LEGAL OWNER OF THE PROPERTY LISTED IN THIS APPLICATION, OR I AM A LEGAL OWNER, AGENT, MEMBER, OR AUTHORIZED OFFICER OF THE CORPORATION OR TRUST OWNING THE PROPERTY LISTED IN THIS APPLICATION.**

**I UNDERSTAND THAT, AS AN OWNER OF A PROPERTY LOCATED WITHIN THE TOWN OF AURORA AND OUTSIDE OF THE BOUNDARIES OF ANY INCORPORATED VILLAGE, I SHALL NOT CAUSE, PERMIT, OR ALLOW MY PROPERTY TO BE USED FOR AN EVENT AS DEFINED IN AURORA TOWN CODE §XXX UNLESS A WRITTEN PERMIT FOR THE EVENT HAS BEEN ISSUED BY THE APPROPRIATE TOWN OFFICIAL(S).**

**I HEREBY CONSENT TO INSPECTION OF THE PREMISES BY A POLICE OFFICER OR OTHER ENFORCEMENT OFFICER FOR THE PURPOSE OF ENSURING THAT THE TERMS AND CONDITIONS OF THE PERMIT ARE MET.**

**I ALSO HEREBY AGREE THAT I AM FULLY AWARE OF THE DETAILS OF THE EVENT**



**Miscellaneous Notes**

(1) This survey was prepared and executed in accordance with the provisions of the New York State Real Property Law, Chapter 100, Section 100-1, et seq., and the provisions of the Real Property Law, Chapter 100, Section 100-1, et seq., and the provisions of the Real Property Law, Chapter 100, Section 100-1, et seq.

(2) The Survey was prepared and executed in accordance with the provisions of the New York State Real Property Law, Chapter 100, Section 100-1, et seq., and the provisions of the Real Property Law, Chapter 100, Section 100-1, et seq., and the provisions of the Real Property Law, Chapter 100, Section 100-1, et seq.

(3) This Survey was prepared and executed in accordance with the provisions of the New York State Real Property Law, Chapter 100, Section 100-1, et seq., and the provisions of the Real Property Law, Chapter 100, Section 100-1, et seq., and the provisions of the Real Property Law, Chapter 100, Section 100-1, et seq.

**Legend Symbols as Shown on the Map**

Symbol	Description
—	Property Boundary
—	Line of Survey
—	Edge of Block
—	Adjacent Lot to East
—	Adjacent Lot to West
—	Adjacent Lot to North
—	Adjacent Lot to South
—	Adjacent Lot to East
—	Adjacent Lot to West
—	Adjacent Lot to North
—	Adjacent Lot to South

**Freeman and Freeman Land Surveyors**

110 West 42nd Street, New York, N.Y. 10018  
 Phone: (212) 697-1100  
 Fax: (212) 697-1101

**Being Part of**  
**Lot 26 Township 9 Range 9**  
**Finland Land Company Survey**  
**Town of Aurora**  
**One County, New York**

**Survey**

This survey was prepared and executed in accordance with the provisions of the New York State Real Property Law, Chapter 100, Section 100-1, et seq., and the provisions of the Real Property Law, Chapter 100, Section 100-1, et seq., and the provisions of the Real Property Law, Chapter 100, Section 100-1, et seq.

**Freeman & Freeman**

**Survey**

This survey was prepared and executed in accordance with the provisions of the New York State Real Property Law, Chapter 100, Section 100-1, et seq., and the provisions of the Real Property Law, Chapter 100, Section 100-1, et seq., and the provisions of the Real Property Law, Chapter 100, Section 100-1, et seq.

**Agreement**  
 Get Line

**West Line of Lot 26**

**Boles**  
 250.00' (1st North)  
 Road

**4.22 Acres**  
 Sublot

**Scraft Line of Lot 26**

**S.W. Corner of Lot 26**

**Copy to the Information**

This survey was prepared and executed in accordance with the provisions of the New York State Real Property Law, Chapter 100, Section 100-1, et seq., and the provisions of the Real Property Law, Chapter 100, Section 100-1, et seq., and the provisions of the Real Property Law, Chapter 100, Section 100-1, et seq.

**Survey Information**

This survey was prepared and executed in accordance with the provisions of the New York State Real Property Law, Chapter 100, Section 100-1, et seq., and the provisions of the Real Property Law, Chapter 100, Section 100-1, et seq., and the provisions of the Real Property Law, Chapter 100, Section 100-1, et seq.

**Survey Information**

This survey was prepared and executed in accordance with the provisions of the New York State Real Property Law, Chapter 100, Section 100-1, et seq., and the provisions of the Real Property Law, Chapter 100, Section 100-1, et seq., and the provisions of the Real Property Law, Chapter 100, Section 100-1, et seq.

## Permit Approval Request for Holiday Light Show

To whom this may concern,

I am writing to request approval for my holiday light show scheduled for December 2024. I plan to run the show for a total of 22 days, from December 1st to December 29th.

The schedule is as follows:

- **Wednesday to Sunday:** 5 PM - 9 PM (excluding Christmas week)
- **Christmas Week:** Open daily from December 23rd to December 29th, 5 PM - 9 PM

In 2022, my light show averaged about 10 cars per night, though there were a few nights with no visitors, excluding the two nights I had to close due to weather.

Thank you for considering my request. I look forward to your positive response.

Sincerely,  
Michael Bojanowski

SUPERVISOR  
Charles D. Snyder  
(716) 652-7590  
[ssnyder@townofaurora.com](mailto:ssnyder@townofaurora.com)



5B(1) 5B(2)

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

To: Aurora Town Board

From: Martha Librock, Town Clerk

Date: November 18, 2024

Re: Azar Design Co. (formerly Foit-Albert) Payment – East Fillmore Bridge  
Azar Design Co. (formerly Foit-Albert) Payment – Church Street

Please consider approval of payment no. 14 to Azar Design Co. in the amount of \$2,509.39 for professional services rendered from September 28 through November 1, 2024 for the East Fillmore Avenue bridge replacement project; and

Please consider approval of payment no. 14 to Azar Design Co. in the amount of \$11,284.36 for professional services rendered from June 29 through November 1, 2024 for the Church Street bridge replacement project.

Funds will be disbursed from H7 5120.210.



SB(1)

**RE: East Fillmore Over Tannery Brook  
PIN 5763.88**

Progress Report No. 14: September 28, 2024 through November 1, 2024

**Achievements**

- Prepare and submit the final PS&E package.

**Scheduled Statement**

- On Schedule for 2024 bidding

**Budget Statement**

- On Budget

**Planned For Next Month**

- Final PS&E submission

**Items Required**

- Quick turnaround of PS&E comments after submission

Very truly yours,

Gerard J. Sentz, P.E.  
Vice President  
Foit-Albert Associates

**FEDERAL AID PROJECT  
SPONSOR CONSULTANT REIMBURSEMENT REQUEST**

FIN 421LL (05/12)

PAYEE ID: (FEDERAL ID)	16-1210859	NYS Comptroller's Contract No.	Est. No. 14
Work Period (this est.) FROM 09/28/24 TO 11/01/24			
Payee Name: Azar Design Co., Formally Foit-Albert Associates 295 Main Street, Suite 200 Buffalo New York 14203		Current Completion Date MIR Date <u>  </u> / <u>  </u> / <u>  </u> (completed by SPONSOR)	
		Original Contract Amount	\$194,783.63
		Current Contract Amount (includes thru approved S.A. NO. ) RRDA NO. (if applicable)	\$194,783.63

	Consultant Prepares	Sponsor use only
1. Total work reported on previous estimates	\$165,449.82	
2. Work reported on this estimate	\$2,509.39	
3. Total work reported to date (must equal page 2)	\$167,959.21	
4. Adjustments (Sponsor use only) Reason _____		
5. Retainage thru current estimate	\$0.00	
6. Total work reported less retainage	\$167,959.21	
7. Previous payments	\$165,449.82	
8. Payment requested or processed	\$2,509.39	

**CERTIFICATION BY CONSULTANT**

I, Scott W. Dabb, do hereby certify that I am Controller of Foit-Albert Associates, PC, consultant for the work referred to in the foregoing reimbursement request, that I am the person in whose name, the foregoing account against the State of New York is rendered; that the labor, materials, expenses or services charged for were actually delivered, incurred or rendered, as named, heretofore, and that the prices charged are just and reasonable; that the expenses detailed herein were actually incurred; that the services specified were actually rendered as charged; and further, that no percentage or compensation has been paid or promised to be paid to any manager, trustee, officer or employee of said institution, department, board of commission by reason of the claimant having been allowed to sell to, incur expenses for, or render services to, said institution; and also, that to the best of my knowledge and belief, no manager, trustee, officer or employee of said institution, department, board of commission has or has had, any interest directly or indirectly in said article, materials, expenses or services; and that no part of the foregoing account has been paid, and that the above statement is true and correct.

By my signature I further certify that all partial payments due to subconsultants or subcontractors in accordance with Article 5 of the subject consultant agreement have been paid.

<u>November 6, 2024</u> (DATE)	 (SIGNATURE)
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**CERTIFICATION BY SPONSOR**

I, \_\_\_\_\_, do hereby certify that I am the \_\_\_\_\_  
(Name) (Title)

in the supervision of the work described in the attached consultant's reimbursement request; that the materials, labors and services have been furnished and the work properly performed in accordance with the contract and that payment in the sum of \$ \_\_\_\_\_ can be made on this contract without detriment of the interests of the sponsor, \_\_\_\_\_ to the best of my knowledge and belief.

_____ (DATE)	_____ (SIGNATURE)
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**AZAR  
DESIGN  
CO**

SB(2)

**FORMERLY  
FOIT-ALBERT ASSOCIATES**

**RE: Church Street Over Tannery Brook  
PIN 5763.87**

Progress Report No. 14: June 29, 2024 through November 1, 2024

**Achievements**

- Coordinate with Mr. Marusza on property acquisition

**Scheduled Statement**

- On Schedule for 2024 bidding

**Budget Statement**

- On Budget

**Planned For Next Month**

- Final PS&E submission

**Items Required**

- Quick turnaround of PS&E comments after submission

Very truly yours,

Gerard J. Sentz, P.E.  
Vice President  
Foit-Albert Associates

**FEDERAL AID PROJECT  
SPONSOR CONSULTANT REIMBURSEMENT REQUEST**

FIN 421LL (05/12)

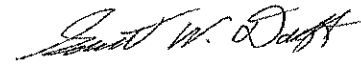
PAYEE ID: 16-1210859 (FEDERAL ID)	NYS Comptroller's Contract No.	Est. No. 14
Work Period (this est.) FROM 06/29/24 TO 11/01/24		
Payee Name: Azar Design Co., Formerly Foit-Albert Assoc 295 Main Street, Suite 200 Buffalo New York 14203	Current Completion Date MIR Date _/ _/ _ (completed by SPONSOR)	
	Original Contract Amount	\$160,698.92
	Current Contract Amount (includes thru approved S.A. NO. )	\$160,698.92
	RRDA NO. (if applicable)	

	Consultant Prepares	Sponsor use only
1. Total work reported on previous estimates	\$168,578.68	
2. Work reported on this estimate	\$11,284.36	
3. Total work reported to date (must equal page 2)	\$179,863.04	
4. Adjustments (Sponsor use only) Reason _____		
5. Retainage thru current estimate	\$0.00	
6. Total work reported less retainage	\$179,863.04	
7. Previous payments	\$168,578.68	
8. Payment requested or processed	\$11,284.36	

**CERTIFICATION BY CONSULTANT**

I, Scott W. Dabb, do hereby certify that I am Controller of Foit-Albert Associates, PC, consultant for the work referred to in the foregoing reimbursement request, that I am the person in whose name, the foregoing account against the State of New York is rendered; that the labor, materials, expenses or services charged for were actually delivered, incurred or rendered, as named, heretofore, and that the prices charged are just and reasonable; that the expenses detailed herein were actually incurred; that the services specified were actually rendered as charged; and further, that no percentage or compensation has been paid or promised to be paid to any manager, trustee, officer or employee of said institution, department, board of commission by reason of the claimant having been allowed to sell to, incur expenses for, or render services to, said institution; and also, that to the best of my knowledge and belief, no manager, trustee, officer or employee of said institution, department, board of commission has or has had, any interest directly or indirectly in said article, materials, expenses or services; and that no part of the foregoing account has been paid, and that the above statement is true and correct.

By my signature I further certify that all partial payments due to subconsultants or subcontractors in accordance with Article 5 of the subject consultant agreement have been paid.

<u>November 6, 2024</u> (DATE)	 (SIGNATURE)
-----------------------------------	---

**CERTIFICATION BY SPONSOR**

I, \_\_\_\_\_, do hereby certify that I am the \_\_\_\_\_  
 (Name) (Title)  
 in the supervision of the work described in the attached consultant's reimbursement request; that the materials, labors and services have been furnished and the work properly performed in accordance with the contract and that payment in the sum of \$ \_\_\_\_\_ can be made on this contract without detriment of the interests of the sponsor, \_\_\_\_\_ to the best of my knowledge and belief.  
 \_\_\_\_\_  
 (DATE) (SIGNATURE)



5C

## TOWN OF AURORA

Aurora Municipal Center

575 Oakwood Avenue, East Aurora, NY 14052

[www.townofaurora.com](http://www.townofaurora.com)

To: Supervisor Chuck Snyder & Town Board Members and Town Attorney

From: Raymond Wrazen Town Board Member

Date: November 20, 2024

Re: GIS Agreement with Western New York Land Conservancy

A while ago the WNY Land Conservancy reached out to the Town of Aurora through an intermediary to enter into an agreement to share their GIS data with the town. Concerns were raised that given the language of the agreement that once shared, the Town could not guarantee confidentiality should there be a FOIL request for Town of Aurora GIS data.

Subsequently that information was shared with the WNY Land Conservancy and via an email from Marcus Rosten he acknowledged that they would still like to share that data (for no fee) given the small vulnerability.

I would like to request that we sign the agreement with the WNY Land Conservancy.

**From:** Marcus Rosten <[mrosten@wnylc.org](mailto:mrosten@wnylc.org)>

**Date:** October 8, 2024 at 1:51:15 PM EDT

**To:** Dale Morris <[Dale.morris53@gmail.com](mailto:Dale.morris53@gmail.com)>

**Subject: Re: WNY Wildway Data Sharing**

Hi Dale,

We understand that the information could be FOIL-able once shared with a municipality and we recognize in those cases the data would have to be shared. Since it is avoidable, that possibility is something that we accept.

There is no charge for the data. We just look forward to figuring out how we can use the data to partner on projects in the future.

Please let me know if you have any other questions.

Thanks!

Marcus

# Data Sharing Agreement

## Between

**Western New York Land Conservancy**

**and**

**Town of Aurora**

## Purpose

This Data Sharing Agreement (the "Agreement") establishes the terms and conditions under which the Western New York Land Conservancy (Land Conservancy) agrees to share Geographic Information System (GIS) data related to the WNY Wildway with the Town of Aurora. The purpose of this Agreement is to facilitate collaboration and data sharing while ensuring that the shared data is protected and used appropriately.

## Terms and Conditions

### 1. Data Sharing

1.1 The Land Conservancy agrees to share GIS data related to the WNY Wildway with the Town of Aurora for purposes of planning, conservation, and management.

1.2 The GIS data provided shall be used solely for internal purposes by the Town of Aurora and shall not be shared externally without prior written consent from the Land Conservancy.

### 2. Confidentiality and Data Protection

2.1 Town of Aurora agrees to treat the GIS data and any related information as Confidential Information.

2.2 Town of Aurora shall implement appropriate technical and organizational measures to protect the GIS data from unauthorized access, use, or disclosure.

2.3 Town of Aurora shall restrict access to the GIS data to its employees, contractors, and agents who

need such access to perform their duties related to the agreed purposes and who are bound by confidentiality obligations no less stringent than those contained in this Agreement.

2.4 Town of Aurora shall not share, distribute, or disclose the GIS data or maps showing the GIS data externally without prior written permission from the Land Conservancy.

### 3. Intellectual Property

3.1 The Land Conservancy retains all rights, title, and interest in and to the GIS data, including all intellectual property rights.

3.2 Nothing in this Agreement shall be construed as granting the Town of Aurora any rights or licenses.

## Signatures

### Western New York Land Conservancy

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

### Town of Aurora

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_