



original

CASE NO. 1389

DATE OF HEARING 8/19/2021

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  USE VARIANCE  INTERPRETATION

#### II. APPLICANT/PETITIONER

Applicant's Name Ronald J Palczewski  
Address 1270 Quaker Rd  
City East Aurora State N.Y ZIP 14052  
Phone \_\_\_\_\_ Fax \_\_\_\_\_ Email 1270@aol.com  
Interest in \_\_\_\_\_ er/purchaser/developer \_\_\_\_\_

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

Property Owner(s) Name(s) RONALD & NANCY PALCZEWSKI  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
Phone \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_

#### III. PROPERTY INFORMATION

Property Address 1270 Quaker Rd., East Aurora  
SBL# 163.00-2-20.2 163.00-2-20.1  
Property size in acres 28 Property Frontage in feet 382.80  
Zoning District RR1A Surrounding Zoning RR1A  
Current Use of Property Residential

#### IV. REQUEST DETAIL

(check all that apply)  
 Variance from Ordinance Section(s) # 116-19B.  
 Special Use Permit for: \_\_\_\_\_  
 Use Variance for:  kennel permit (7 dogs) MORE THAN 3 NOT MORE THAN 7 dogs  
 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)

*Ronald J. Palczewski*  
Signature of Applicant/Petitioner

Ronald J Palczewski  
Print name of Applicant/Petitioner

State of New York; County of Erie

On the 22 day of June in the year 2021 before me, the above individual appeared, personally known to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.

*Sheryla A. Miller*  
Notary Public

SHERYLA. MILLER  
Reg. #01M16128663  
Notary Public, State of New York  
Qualified In Erie County  
Commission Expires June 13, 2025

(Notary stamp)

Office Use Only: Date received: 7/12/2021 Receipt #: 804962 *Butcher*  
*DTC*

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)

I am applying to  
Have more than 3 dogs not more than 7 dogs at  
ONE time.  
We probably would not have more than 4 dogs at one time, but I  
UNDERSTAND I HAVE TO HAVE A SPECIFIC NOT MORE THAN NUMBER  
OF DOGS WHEN APPLYING FOR THIS SPECIAL USE PERMIT.  
Our house is situated about 1700' ft. from the road on 28 acres.  
We currently have 3 dogs. We have three separate fenced  
in areas - 1300' sq. ft., approx. 10,000 sq. ft. and another  
approx. 22,000 sq. ft. The dogs are kept in the house with us.  
They bring us great joy, while we give them a wonderful home  
and a very good life.

**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:  
Have room for more than 3 dogs

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:  
Have 28 acres. 7/4 acres of total fenced yard

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)

## SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, NY AND REPLY TO MUNICIPALITY

Note: Please complete in triplicate. Send original and one copy (with attachments) to Erie County Division of Planning, Room 1053, 95 Franklin Street, Buffalo, N.Y. 14202. Retain last copy for your files.

DO NOT WRITE IN THIS SPACE

Case No.: ZR-21-430  
Received: 7/15/21

The proposed action described herein is referred in accordance with the provisions of the General Municipal Law, which provides that if no reply is received in 30 days after receipt of full information including a SEQR EAF if applicable, the municipal agency may take final action without considering such reply. If, however, reply is received at any time prior to municipal Action, such reply must be considered.

### Description of Proposed Action

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

**2. Hearing Schedule:**      **Date** 7/15/2021      **Time** 7:00pm      **Location** 575 Oakwood Ave., E. Aurora

**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       Specific as follows: 1270 Quaker Road

**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

Request for more than 3, but up to 7 dogs requires a special use permit per

**7. Proposed change or use: (be specific)** Aurora Town Code

**8. Other remarks: (ID#, SBL#, etc.)** SBL#163.00-2-20.2

**9. Submitted by:** Martha L. Librock, Town Clerk      7/15/2021

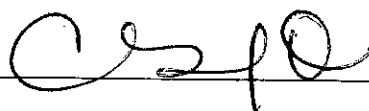
575 Oakwood Ave., E. Aurora, NY 14052

### Reply to Municipality by Erie County Division of Planning

Receipt of the above-described proposed action is acknowledged on 7/16/21. 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.  Form ZR-3, Comment on Proposed Action is attached hereto.
3.  The proposed action is subject to review; the Division makes the recommendation shown on Form ZR-4, Recommendation on Proposed Action, which is attached hereto.
4.  No recommendation; proposed action has been reviewed and determined to be of local concern

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



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

7/29/21

SUPERVISOR  
James J. Bach  
(716) 652-7590  
[jbach@townofaurora.com](mailto:jbach@townofaurora.com)



TOWN CLERK  
Martha L. Libroek  
(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

July 12, 2021

Susan A. Friess  
[sfriess@townofaurora.com](mailto:sfriess@townofaurora.com)

Jolene M. Jeffe  
[jjeffe@townofaurora.com](mailto:jjeffe@townofaurora.com)

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

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

TOWN ATTORNEY  
Ronald P. Bennett

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  
NYS Relay Number:  
(800) 662-1220

*This institution is  
an equal opportunity  
provider and  
employer*

Ronald Palczewski  
1270 Quaker Rd  
East Aurora, NY 14052


The Building Department has reviewed your request for more than three dogs at your property at 1270 Quaker Rd. The request has been denied because it fails to meet the requirements of the Town of Aurora Code for the Rural Residential (RR)/Agriculture (A) zoning district in which it is located.

### Section 116-19B

Required: No more than three dogs over the age of four months shall be kept, harbored or maintained in any R, B, A or I District. The Zoning Board of Appeals may grant temporary or permanent permission to keep more than three dogs on such conditions as it may require.

Requested: not more than 7 dogs  
Variance: 4 dogs

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

Sincerely,  
  
Elizabeth Cassidy  
Code Enforcement Officer

## Short Environmental Assessment Form

### Part 1 - Project Information

#### Instructions for Completing

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

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

<b>Part 1 - Project and Sponsor Information</b>			
<b>SPECIAL USE PERMIT</b>			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
1270 QUAKER Rd., East Aurora, N.Y. 14052			
Brief Description of Proposed Action:			
REQUEST to HAVE more than 3 dogs - NOT MORE THAN 7 dogs			
Name of Applicant or Sponsor:		Telephone:	
RON PALCZEWSKI		7	
Address:		E-Mail:	
1270 QUAKER Rd.		Adl.com	
City/PO:		State:	Zip Code:
EAST AURORA, N.Y.		N.Y.	14052
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO
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.			YES
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			NO
If Yes, list agency(s) name and permit or approval:			YES
3.a. Total acreage of the site of the proposed action?			28
b. Total acreage to be physically disturbed?			_____
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			_____
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			



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>RONALD J. PALCZEWSKI</u>	Date: <u>July 9, 2021</u>	
Signature: <u>Ronald J. Palczewski</u>		





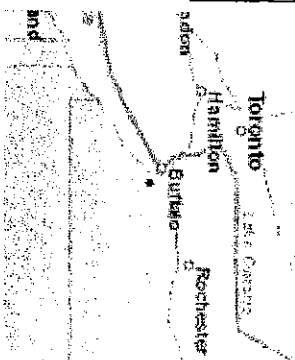
# Erie County On-Line Mapping Application



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.



## Legend

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

1: 1,128





# Erie County On-Line Mapping Application

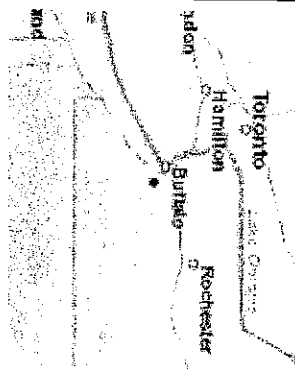


0 0.14 0.3 Miles

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
THIS MAP IS NOT TO BE USED FOR NAVIGATION

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**DEPARTMENT OF ENVIRONMENT & PLANNING**  
**OFFICE OF GIS**

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### Legend

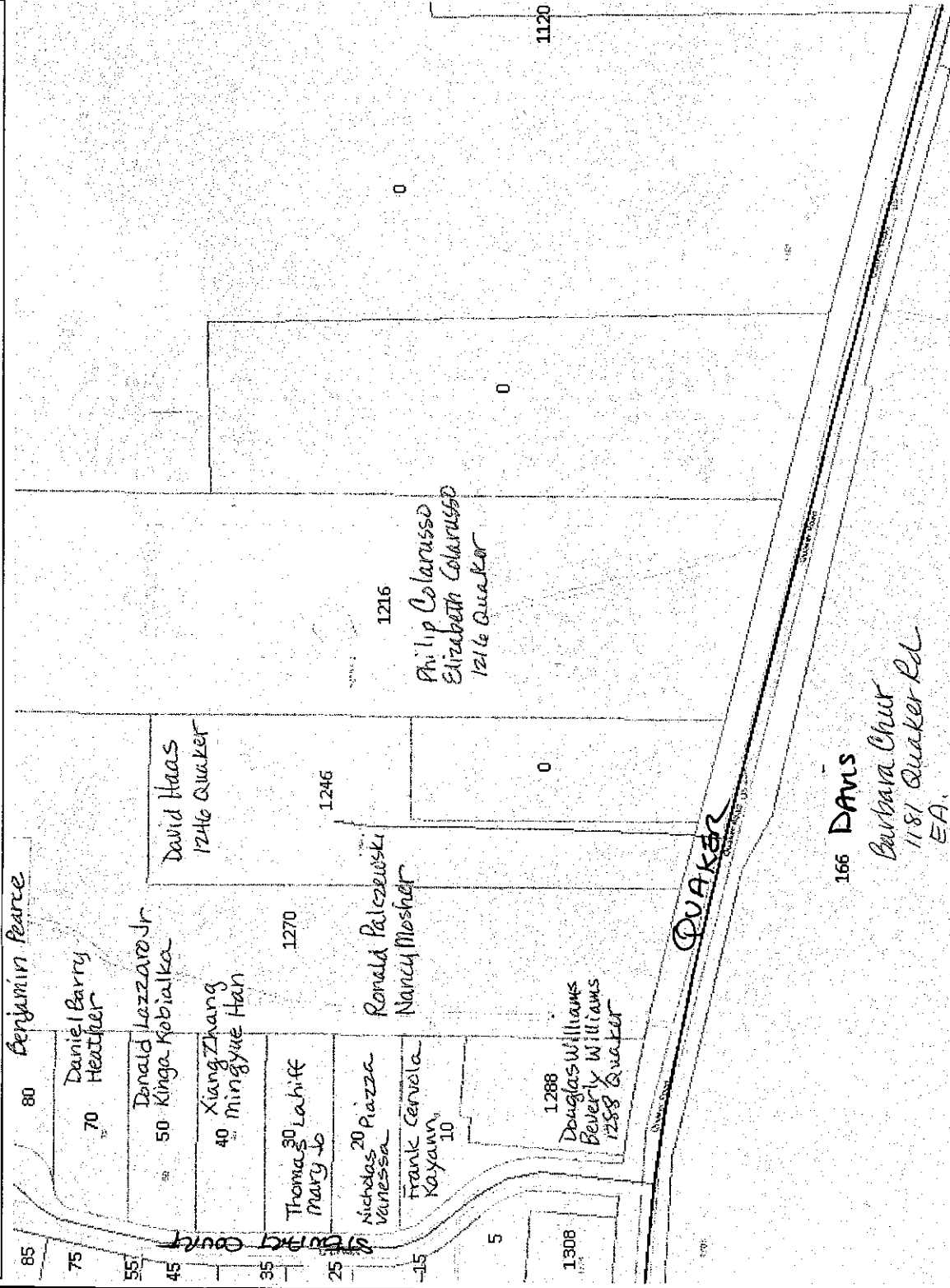
- Parcels
- Streets and Highways**
  - Interstate
  - Primary State Road
  - Secondary State Road
  - County Road
  - Local Road

1: 9,028

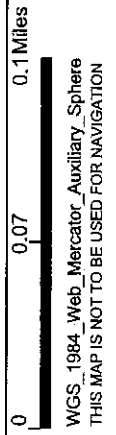
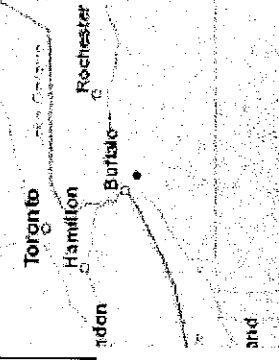


Case 1389

# Erie County On-Line Mapping Application



- Legend**
- Parcels
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    - Interstate
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    - Local Road



**ERIE COUNTY**  
**DEPARTMENT OF ENVIRONMENT & PLANNING**  
**OFFICE OF GIS**

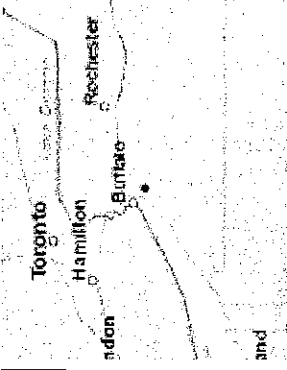
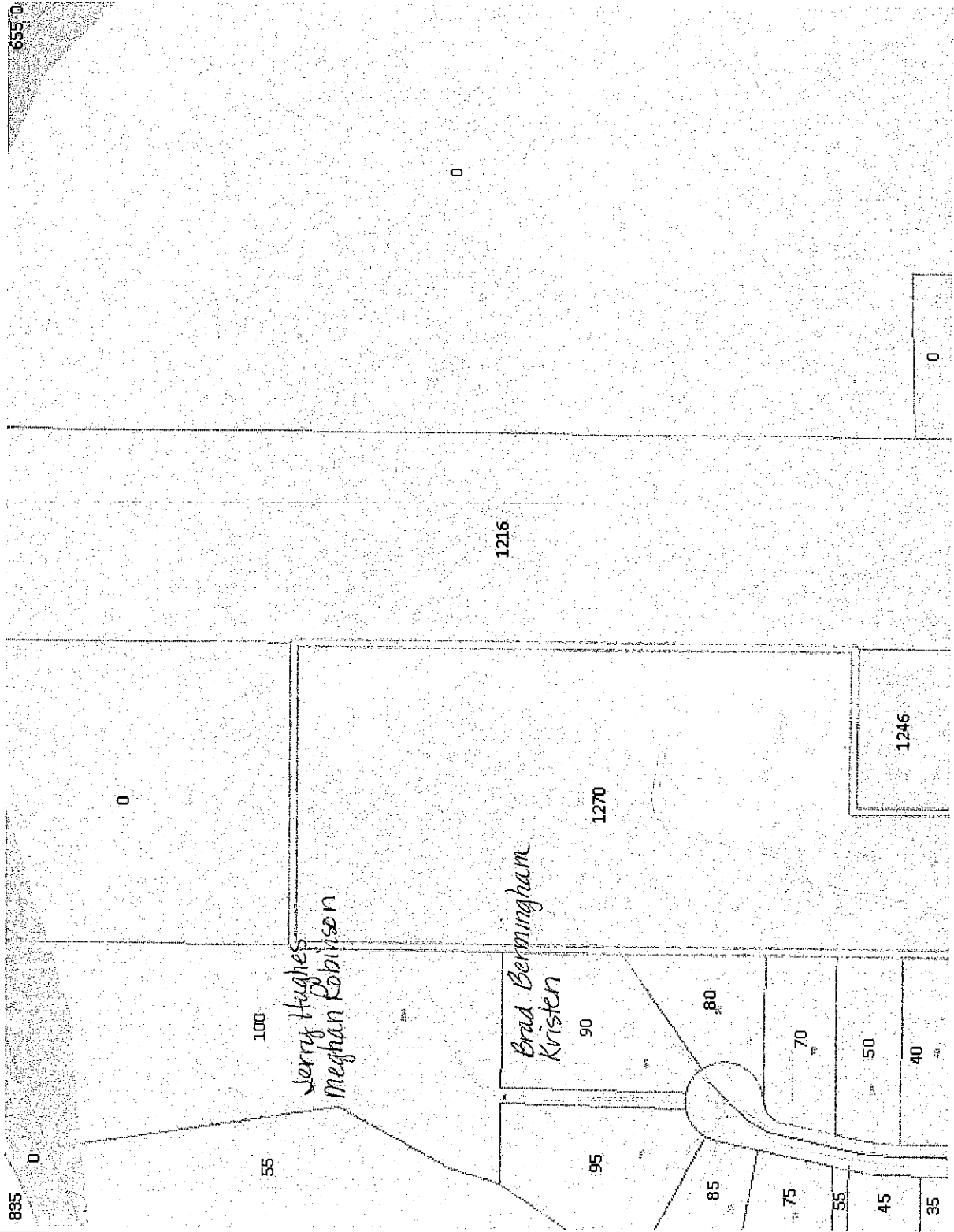
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1: 4,514





# Erie County On-Line Mapping Application



## Legend

- Parcels
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  - Interstate
  - Primary State Road
  - Secondary State Road
  - County Road
  - Local Road

0 0.07 0.1 Miles  
 WGS 1984 Web Mercator Auxiliary Sphere  
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**OFFICE OF GIS**

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1: 4,514

