



CASE NO. 1434
DATE OF HEARING 4/20/2023

Town of Aurora Zoning Board of Appeals
300 Gleed 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 Willis & Mary Beth Putney
Address 173 Stoneridge Ct
City East Aurora State NY ZIP 14052
Phone 716 Fax _____ Email _____@a1.com
Interest in _____ (purchaser/developer) Owner

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

Property Owner(s) Name(s) _____
Address _____
City _____ State _____ ZIP _____
Phone _____ Fax _____ Email _____

III. PROPERTY INFORMATION

Property Address 81 Heiler Drive
SBL# 165.10-1-3.2
Property size in acres 2.1875 Property Frontage in feet 351.92
Zoning District R1 Surrounding Zoning L
Current Use of Property Vacant

IV. REQUEST DETAIL

(check all that apply)
 Variance from Ordinance Section(s) # 99-31A(5)
 Special Use Permit for: _____
 Use Variance for: _____
 Interpretation of _____

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)

We are requesting a variance for the 200' building setback. As you can see from the survey, the area that is considered frontage actually faces the side of my neighbor's (sister's) house. Given the circumstances of the property (lot depth of only 304' deep, the elevation of the land, and access to the property), the most feasible placement of the home would be on the higher Northeast portion of the property. A visit to the site would reinforce the justification for this request.

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)

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)

Willis L. Putney

Signature of Applicant/Petitioner

Willis L Putney

Print name of Applicant/Petitioner

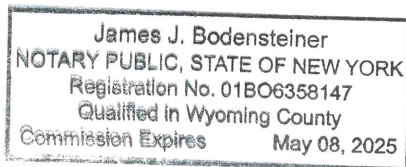
State of New York; County of Erie

On the _____ day of _____ in the year _____ 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.

James J. Bodenstern

Notary Public *11-11-2022*

(Notary stamp)



Office Use Only:

Date received: *2/28/23*

Receipt #: *568174*

\$ 100 CASH (HR)

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 _____

**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** 4/20/2023 **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 Address: 81 Heiler Dr

5a. S.B.L. of Property: 165.10-1-3.2

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: Lot size, setbacks, ingress/egress for proposed single family home do not
(specify the action, such as the scope of variances or site plans) meet Town Code

8. Other remarks: This is also an Open Development lot having no frontage on platted road

9. Submitted by: Martha Librock, Town Clerk Email: townclerk@townofaurora.com

10. Return Address: 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 _____. 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: _____

SUPERVISOR

James J. Bach
(716) 652-7590
jbach@townofaurora.com



TOWN CLERK
Martha L. Librock
(716) 652-3280

townclerk@townofaurora.com

TOWN OF AURORA

Aurora Municipal Center
575 Oakwood Avenue, East Aurora, NY 14052
www.townofaurora.com

TOWN COUNCIL MEMBERS

March 16, 2023 Revised

Charles D. Snyder
csnyder@townofaurora.com

Willis & Mary Beth Putney
173 Stoneridge Ct
East Aurora, NY 14052

Luke Wochensky
lwochensky@townofaurora.com

Bill and Mary Beth:

James F. Granville
jgranville@townofaurora.com

The Building Department has re-reviewed your request to construct a residence at your Open Development Area (ODA) lot at 81 Heiler Dr (SBL 165.10-1-3.2). The request has been denied because it fails to meet the requirements for ODA lots in the Town.

Joseph M. McCann
jmccann@townofaurora.com

SUPT. OF HIGHWAYS
David M. Gunner
(716) 652-4050
highway@townofaurora.com

Section 99-31A(1)
Required: Minimum lot size of 3 acres exclusive of "flagpole" portion of property
Requested: Existing lot size of 2.188 Ac
Variance: .812 Ac

CODE ENFORCEMENT
OFFICER
Elizabeth Cassidy
(716) 652-7591
building@townofaurora.com

Section 99-31A(2)
Required: The flagpole portion of the lot must have a minimum of 75' frontage on an existing ROW and maintain 75'
Requested: Existing flagpole of 25'
Variance: 50'

ASSESSOR
Roger P. Pigeon
assessor@townofaurora.com
(716) 652-0011

Section 99-31A(3)
Required: All access roadways will be located on a private ROW of at least 75' wide
Requested: Existing ROW of 25'
Variance: 50'

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

Section 99-31A(5)
Required: Front Yard Setback of 200'
Requested: 50' front yard setback
Variance: 150'

TOWN ATTORNEY
Brigid M. Maloney

TOWN JUSTICE
Jeffrey P. Markello
Anthony DiFilippo IV

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.

HISTORIAN
Robert L. Goller
(716) 652-7944
historian@townofaurora.com

FAX: (716) 652-3507

Sincerely,

Elizabeth Cassidy
Code Enforcement Officer

*This institution is an equal
opportunity provider and employer.*

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: <i>Variances From OPA Code</i>			
Project Location (describe, and attach a location map): <i>81 Heiler Drive</i>			
Brief Description of Proposed Action: <i>Please See Attached</i>			
Name of Applicant or Sponsor: <i>Willis Putney</i>		Telephone: [REDACTED]	
Address: <i>173 Stoneridge Ct.</i>		E-Mail: <i>B [REDACTED].Com</i>	
City/PO: <i>East Aurora</i>		State: <i>NY</i>	Zip Code: <i>14052</i>
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"/>
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: <i>Building Permit TOA, Erie County Health Dept Septics Water Tap</i>			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<i>2.1875</i> acres	
b. Total acreage to be physically disturbed?		<i>1</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>13.302</i> acres	
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 checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): <i>Church</i>			
<input type="checkbox"/> Parkland			

<p>5. Is the proposed action,</p> <p>a. A permitted use under the zoning regulations?</p> <p>b. Consistent with the adopted comprehensive plan?</p>	<p>NO</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>N/A</p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>
<p>6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>	
<p>7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>	
<p>8. a. Will the proposed action result in a substantial increase in traffic above present levels?</p> <p>b. Are public transportation service(s) available at or near the site of the proposed action?</p> <p>c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	
<p>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: _____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>	
<p>10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>	
<p>11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>Septic System</u></p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>	
<p>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?</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	
<p>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: _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	
<p>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 checked="" 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</p>			
<p>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?</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>	
<p>16. Is the project site located in the 100 year flood plain?</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>	
<p>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: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES _____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>	

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"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Bill Putney</u>		Date: <u>11/11/22</u>
Signature: <u>Bill Putney</u>		

This Indenture

Made the 16 day of February, Two thousand and ~~the~~ Ten

Between

BRUCE R. PUTNEY, residing at 60 Heiler Drive, East Aurora, New York 14052

Grantor, and

WILLIS L. PUTNEY and MARY BETH PUTNEY, his wife, residing at 173 Stoneridge Court, East Aurora, New York 14052

Grantees.

Witnesseth, That the said Grantor, in consideration of One and more Dollars (\$1.00 & more) lawful money of the United States, paid by the Grantees does hereby grant and release unto the Grantees 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. 16, Township 9, Range 6 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at a point in the easterly line of lands deeded to Karen D. Putney by deed recorded in the Erie County Clerk's Office in Liber 9474 of Deeds at page 259 at its intersection with the southerly line of Heiler Drive (60 feet wide), said point also being the northwest corner of Sublot No. 8 as shown on a map filed in the Erie County Clerk's Office under Cover No. 1914; thence southerly along the easterly line of lands so deeded to Putney and being the westerly line of said Sublot No. 8 a distance of 209.00 feet to the southeast corner of Putney's lands; thence westerly at an interior angle of $90^{\circ} 02' 28''$ and along Putney's southerly line 306.00 feet; to the POINT OF BEGINNING; thence continuing westerly along Putney's southerly line 304.00 feet; thence northerly at an interior angle of $89^{\circ} 57' 32''$ and parallel with the easterly line of lands so deeded to Putney 104.14 feet; thence northerly at an interior angle of $172^{\circ} 56' 00''$ a distance of 105.67 feet; thence northerly at an interior angle of $163^{\circ} 20' 00''$ a distance of 42.10 feet; thence northeasterly at an interior angle of $163^{\circ} 00' 00''$ a distance of 70.17 feet; thence easterly at an interior angle of $152^{\circ} 20' 00''$ a distance of 130.00 feet; thence easterly at an interior angle of $160^{\circ} 18' 00''$ a distance of 107.46 feet; thence southerly at an interior angle of $88^{\circ} 06' 00''$ and parallel with the easterly line of lands so deeded to Putney 351.92 feet to the point of beginning, containing 2.1875 acres of land more or less.

INGRESS AND EGRESS EASEMENT

AND FURTHER, the Grantor does grant, convey and release to the Grantees, their successors and assigns forever, a non-exclusive easement for ingress and egress, described as follows:

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. 16, Township 9, Range 6 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at a point in the easterly line of lands deeded to Karen D. Putney by deed recorded in the Erie County Clerk's Office in Liber 9474 of Deeds at page 259 at its intersection with the southerly line of Heiler Drive (60 feet wide), said point also being the northwest corner of Sublot No. 8 as shown on a map filed in the Erie County Clerk's Office under Cover No. 1914; thence northerly along the easterly line of lands so deeded to Putney and along the westerly terminus of Heiler Drive 54.05 feet to the center line of a 25 foot wide easement for ingress and egress; thence westerly and southerly along said center line the following nine (9) courses and distances: (1) westerly at an angle of $117^{\circ} 08' 00''$ as measured to the right from the previous course 41.08 feet; thence (2) westerly at a deflection angle to the left of $4^{\circ} 25' 00''$ a distance of 121.21 feet; thence (3) westerly at a deflection angle to the left of $6^{\circ} 42' 00''$ a distance of 132.70 feet; thence (4) westerly at a deflection angle to the left of $17^{\circ} 55' 00''$ a distance of 140.14 feet; thence (5) westerly at a deflection angle to the left of $19^{\circ} 42' 00''$ a distance of 135.25 feet; thence (6) southwesterly at a deflection angle to the left of $27^{\circ} 40' 00''$ a distance of 75.12 feet; thence (7) southerly at a deflection angle to the left of $17^{\circ} 00' 00''$ a distance of 45.80 feet; thence (8) southerly at a deflection angle to the left of $16^{\circ} 40' 00''$ a distance of 108.27 feet; thence (9) southerly at a deflection angle to the left of $7^{\circ} 04' 00''$ a distance of 104.92 feet.

DWM 32561
Aur-0
DV00-2-1

R 85277

THIS CORRECTING DEED is given and recorded to clarify the creation of the easement for access originally given in a deed signed on December 7, 2008 and recorded in the Erie County Clerk's Office on December 9, 2008 in Liber 11153 at page 2867. ✓

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

TO HAVE AND TO HOLD, the above granted premises unto the said Grantees.

AND the said Grantor does covenant with said Grantees as follows:

FIRST,--That the Grantees shall quietly enjoy the said premises.

SECOND,--That the Grantor will forever **WARRANT** the title to said premises.

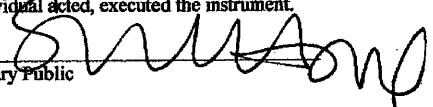
THIRD,--Subject to the trust fund provisions of section thirteen of the lien law.

IN WITNESS WHEREOF, The said Grantor has hereunto set his hand and seal the day and year first above written.

 L.S.
Bruce R. Putney

State of New York) SS.:
County of Erie)

On the 18 day of February, 2009 before me, the undersigned, a notary public in and for said state, personally appeared **Bruce R. Putney**, personally known to me or proved 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 executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

SALLY CLOUGH HEZEL
Notary Public, State of New York
Qualified in Erie County
Commission Expires March 30, 2011

MINUTES OF A MEETING AS HELD BY THE
TOWN OF AURORA PLANNING & CONSERVATION BOARD

May 7, 2014

Members Present: Donald Owens, Chairman
William Adams
Timothy Bailey
Norm Merriman
Alternate Member: Douglas Crow
David Majka
Absent/ Excused: Laurie Kutina
William Voss
Also Present: David Gunner, Highway Superintendent
William Kramer, Assistant Building Inspector
Greg Keyser, CRA
Jeffrey Harris, Town Councilman

Chairman Don Owens presided over the meeting which began at 7:00 p.m. at the Town Hall, 300 Glead Avenue, East Aurora, New York. William Adams led the recitation of the Pledge of Allegiance to the Flag. Chairman Owens designated alternate members Doug Crow and David Majka as voting members for the meeting.

Bill Adams made a motion to accept the minutes of the April 2, 2014. The motion was seconded by Doug Crow. Motion carried.

New Business:

Heiler Drive ODA referral from the Town Board. Don Aubrecht appeared as agent for the owner Brian Schofield, who was also in attendance.

Don Aubrecht would like approval for the ODA. He reviewed the plot plan of 71 Heiler. There is an existing drive off the end of Heiler Drive to the three parcels and an exit onto Porterville Rd. Each of the ODA parcels is approx. 2 acres; the remainder is a little over 9 acres. There is an existing egress listed on the diagram as 25' from the end of Heiler Dr to the second ODA lot. After meeting with the Town Board, an adjustment was made to the easement to make the easement 50' wide as required by Town Code for emergency vehicle access. This egress change will also be extended to garage on larger parcel as well. The driveway to the proposed Schofield residence will be 20' wide with 28' radius as per State Code. The plot plan shows the road

NO RECORD
OF THIS
CHANGE

Brian Schofield stated no.

Don Owens explained topography of area and indicated that it soils are mostly stratified sand and gravel.

Bill Adams asked when construction would start.

Brian Schofield stated that as soon as there is approval.

Tim Bailey asked if the house is on the lowest part of the lot.

Brian Schofield indicated that the house will be on plane with the driveway and shop across the road. The property drops away from the house and is eventually 6-8' lower than the driveway side of the property.

Bill Adams asked about the setback from the road.

Don Aubrecht indicated that the front yard setback is from the east. From the driveway to the front corner of the garage, the house is located 60' from the edge of the pavement.

Greg Keyser asked if they were seeking approval for one lot or both.

Don Aubrecht stated that they would like approval for both.

Greg Keyser advised the board that after visiting the site, he does not see any problems from an engineering standpoint. Per Town Code, the long SEQR form should have been completed for a 2 lot ODA; however he didn't think that would make any material difference moving forward.

Doug Crow asked if the emergency vehicle turnaround would apply to the second ODA lot as well.

Don Aubrecht indicated that yes, the driveway is sufficient per code.

Brian Schofield indicated that the maintenance agreement will be recorded on the deeds three properties, in the event that sometime in the future one of the lots is sold to someone outside the family.

Norm Merriman asked about the plan for the water line to his house and his brother-in-law's house.

May 12, 2014

A meeting of the Town Board of the Town of Aurora took place on Monday, May 12, 2014, at 7:00 p.m. in the Town Hall Auditorium, 300 Gleed Avenue, East Aurora, New York.

Members Present:	Susan A. Friess	Councilwoman
	Jeffrey T. Harris	Councilman
	Charles D. Snyder	Councilman
	Jolene M. Jeffe	Councilwoman
	James J. Bach	Supervisor
Others Present:	David Gunner	Highway Superintendent
	William Adams	Planning Board
	Thomas Malecki	Drescher & Malecki (auditor)
	Carl Widmer	Drescher & Malecki (auditor)

Supervisor Bach opened the meeting at 7:00 p.m. with the Pledge of Allegiance to the Flag.

Karl Simmeth, representing Assemblyman David DiPietro's office, presented a NYS Assembly Citation from Mr. DiPietro to Town Clerk Martha Librock recognizing Municipal Clerks Week.

Tom Malecki, Drescher & Malecki, LLP – auditors for the Town, gave a power point presentation on the Town's 2013 audit. Mr. Malecki addressed fund balances and 2013 operations (revenues and expenditures). Mr. Malecki noted that the Enterprise Fund (Gleed) is a good business endeavor and is generating a positive cash flow. The auditor's observation is a need for the Town to formalize plans for use of fund balance.

Supervisor Bach presented the state of the Town. Highlights of the presentation were:

- General and Part Town funds are stable and growing slightly
- Water District No. 10 debt service was retired (5 years early)
- The tax receiver's office was successfully integrated into the town clerk's office
- New accounting software was purchased
- Improvements to the library included a new roof, furnaces, masonry pointing, etc.
- Geneva Road sewer and water line installation completed
- Purchased land on Mill Road with funds donated by the Friends of Mill Road
- Implemented a high deductible health care plan; set up an HRA; reduced out of pocket costs for employees
- Discontinued healthcare insurance for all part time elected officials
- 2014 Objectives include: investigation into the feasibility of direct water service from ECWA; evaluate staffing structure to maximize efficiencies; review capital plans

Councilwoman Friess moved to approve the minutes of the April 22, 2014 Town Board work session; seconded by Councilwoman Jeffe. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #145
4/22/14 work
session minutes
aprvd.

Councilwoman Jeffe moved to approve the minutes of the April 28, 2014 Town Board meeting; seconded by Councilman Harris. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #146
4/28/14 TB mtg
minutes aprvd

UNFINISHED BUSINESS:

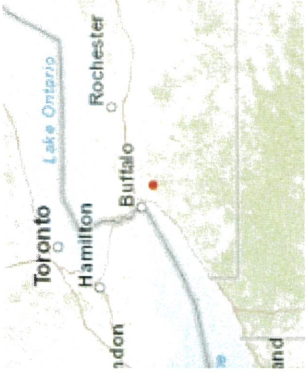
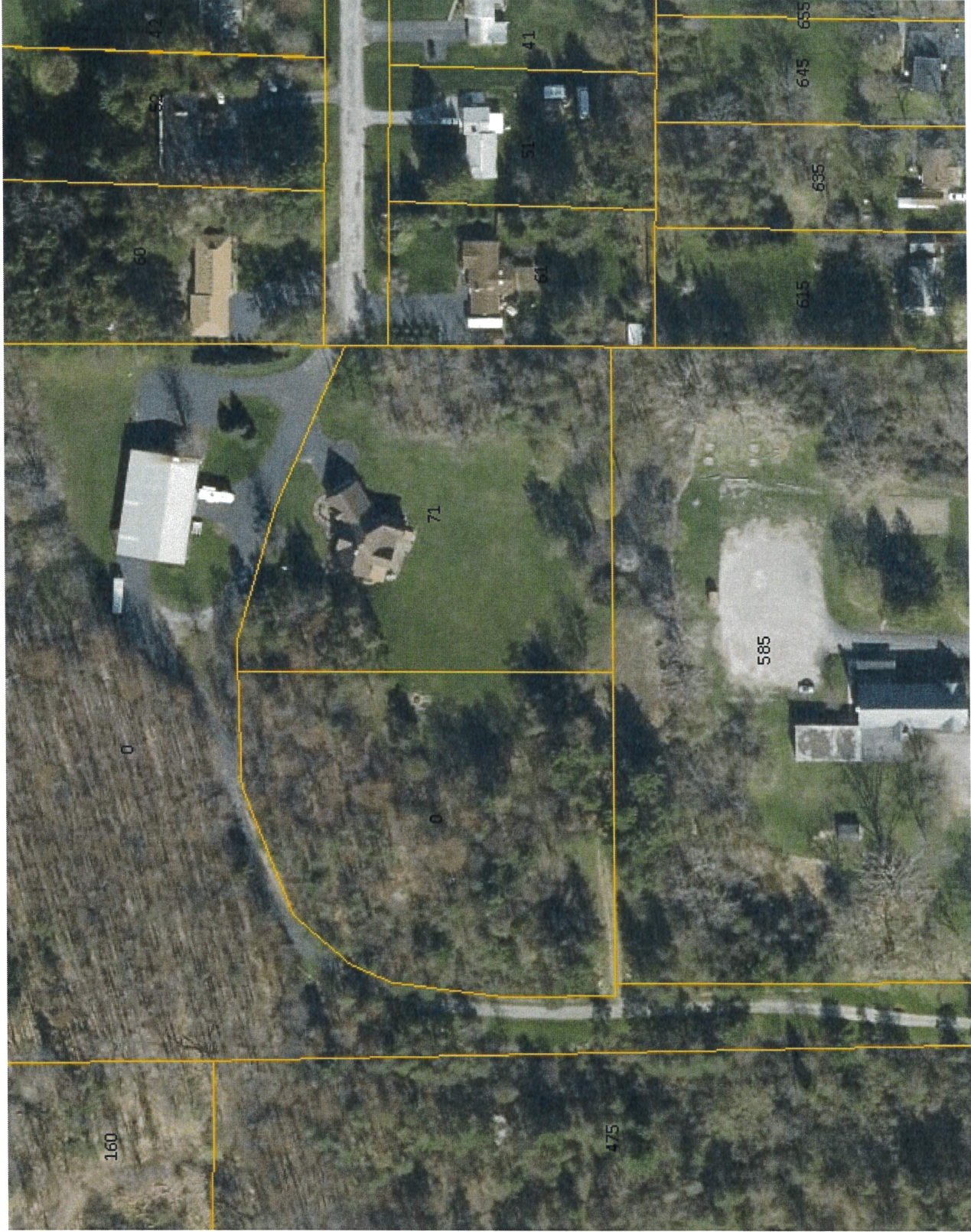
Councilman Harris moved to approve the Open Development Plan presented by Brian and Donna Schofield for SBL#'s 165.10-1-3.1/3.2/3.3 Heiler Drive, East Aurora, NY, using the short form SEQR. Councilman Snyder seconded the motion. Upon a vote being taken: ayes – five noes – none Motion carried.

Action #147
Heiler Dr
ODA approved.

AUDIENCE I: none



Erie County On-Line Mapping Application



Legend

 Parcels

0 0,04 0,1 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

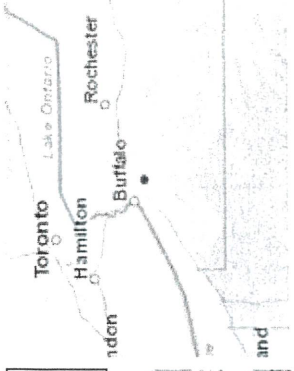
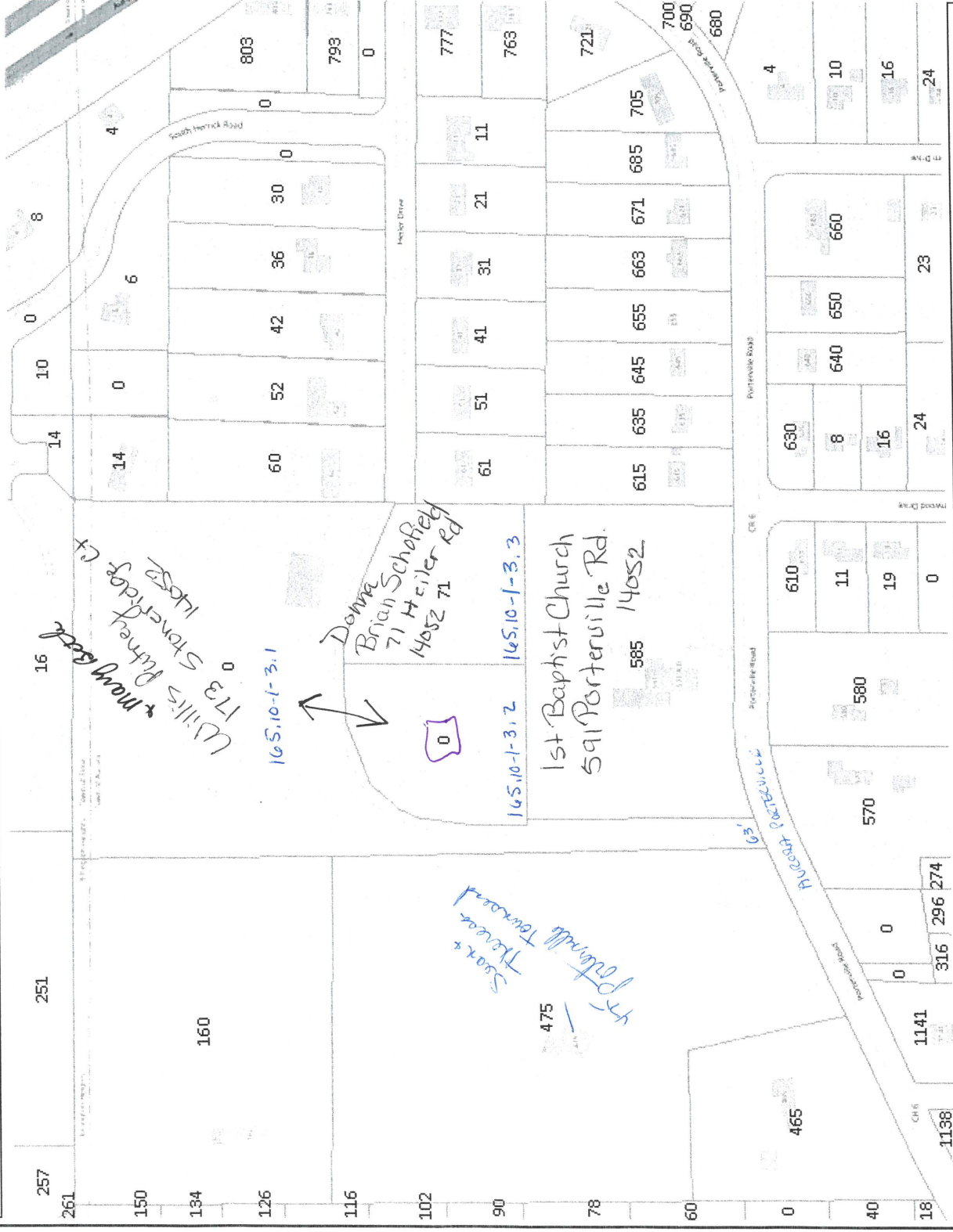
This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

1: 2,257



#1434

Erie County On-Line Mapping Application



Legend

- Parcels

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1: 4,514

