

**TOWN OF AURORA**

**LOCAL LAW INTRO \_\_ - 2025**

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A LOCAL LAW, TO AMEND LOCAL LAW 1-1990 KNOWN AS "THE CODES OF THE TOWN OF AURORA", ADOPTED BY THE TOWN BOARD OF THE TOWN OF AURORA ON JANUARY 22, 1990, TO AMEND THE ZONING MAP.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF AURORA AS FOLLOWS:

**SECTION 1. LEGISLATIVE INTENT**

This Local Law amends a prior Local Law known as "The Town of Aurora Code" adopted by the Town of Aurora on January 22, 1990, as amended, relating to the administrative, legislative and general legislation of Codes within the Town of Aurora as therein set forth. This Local Law will amend the boundaries of the Zone Map to transfer the described properties at their present locations the R-1 Zoning District to C-1 Zoning District to accommodate the uses contained herein, or its successors.

**SECTION 2. SECTION 116-6, ZONE MAP**

Section 116-6(A), Zone Map, of the Codes of the Town of Aurora is amended to place transfer and place the following described properties from their present classification as R-1 Zoning Districts to a C-1 Zoning District:

397 Old Glenwood (SBL #199.01-3-13)

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Aurora, County of Orleans and State of New York, being part of Lot No. 58, Township 9, Range 6 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the point of intersection of the center line of Old Glenwood Road, also known as Main Street and the easterly property line of the Buffalo, Rochester and Pittsburgh Railway Company, said point being 88 feet as measured along a line at right angles from the center line of said Railroad Company's main track; thence along the center line of Old Glenwood Road, south  $1^{\circ} 17' 30''$  west, a distance of 464.9 feet to a point; thence along a line south  $84^{\circ} 04'$  west, a distance of 148.18 feet to a point which is 17 feet distant from the center line of said main track as measured at right angles thereto; thence along a line parallel to said main track, north  $15^{\circ} 44'$  east, a distance of 502.87 feet to a point; thence along a line south  $74^{\circ} 16'$  east, a distance of 16 feet to the point of beginning.

SECTION 3. SEVERABILITY.

The invalidity of any word, section, clause, paragraph, sentence, or part or provision of this Local Law shall not affect the validity of any other part of this Local Law which shall be given effect.

SECTION 4. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the New York Secretary of State.

(Submit in Triplicate)

Fee: \$150.00

**PETITION**

**TO AMEND THE ZONING MAP OF THE TOWN OF AURORA, NEW YORK**

TO: THE TOWN BOARD OF THE TOWN OF AURORA, NEW YORK

Pursuant to Article IX of the Zoning Ordinance of the Town of Aurora, the undersigned owner(s) and petitioner(s) hereby request that the Zoning Map of the Town of Aurora, be amended as follows:

1. <u>Conor</u>	<u>W.</u>	<u>Schneider</u>
Name (First)	(Middle Initial)	(Last)

2. Location of property to be rezoned: 397 Old Glenwood Road, West Falls, NY 14170  
199.01-3-13

3. Area, in square feet, of the property to be rezoned: 0.87 Acres / 37,897 sq. ft.  
Dimension of the property to be rezoned: 464.90' x 141.97' x 502.63'

4. If the petitioner is not the owner of the property:  
N/A  
\_\_\_\_\_  
Owner's Name and Address  
\_\_\_\_\_  
Owner's Name and Address

What is the interest of the petitioner in the proposed rezoning?  
Commerical use desired to reopen the West Falls Depot for public use.  
See attached for more information.

5. Petitioner understands and agrees to furnish any of the following if requested by the Town Board or its agencies: An accurate survey map prepared by a licensed surveyor showing all dimensions, including interior angles or bearing of lines, and the location, proposed use and height of all buildings; location of all parking and truck loading areas, with access and egress drives thereto; location of outdoor storage, if any; location of all existing or proposed site improvements, including drains, culverts, retaining walls and fences; description of method of sewage disposal and location of such facilities; location and size of all signs; location and proposed development of buffer areas; location and design of lighting facilities; and the amount of building area proposed for retail sales, if any.

6. Attach the legal description of the property to be rezoned.

7. Present zoning classification of the property: R-1

8. Proposed zoning classification of the property: C-1

9. Present use of the property: Vacant Historic Train Station / Under Restoration

10. Proposed use of the property: Restored mix-use museum, leasable commercial space, and upstairs studio rental unit

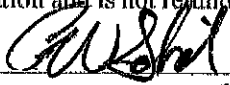

11. Description of uses on all adjacent properties and a general description of the type of neighborhood in which the subject property is located: Primarily R-1 residential.  
R-1 and Agricultural along west side of Old Glenwood Road  
RR along east side of Old Glenwood Road / west side of railroad  
R-2 on east side of railroad / west side of Davis Road

12. Names and Addresses of Owners of Abutting Properties:
1. Mark I. Pifher & Cynthia S. Pifher - 1739 Davis Road
  2. Bryan S. Hitchcock & Kelly Hitchcock - 1745 Davis Road
  3. Genesee & Wyoming Railroad Inc. - immediately adjacent to western edge of property
  4. Marissa A. Vincent & Robert Wodzinski - 1707 Davis Road
  5. Dorothy J. Doty - 1756 Davis Road
  6. John H. Herbst & Stacy L. Herbst - 1602 Davis Road
  7. Joseph J. DiPasquale & Tanya L. Zabinski - 357 Old Glenwood Road

13. Additional information which the petitioner believes will assist the Town Board in its consideration of this request for rezoning: See attached documentation.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

14. Petitioner(s) acknowledge that payment of the application fee is for administrative and advertising expense to the Town as a result of this application and in no way relates to either approval or disapproval of the application and is not refundable.

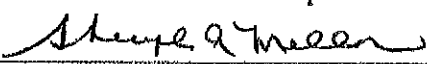
Date: September 24, 2024

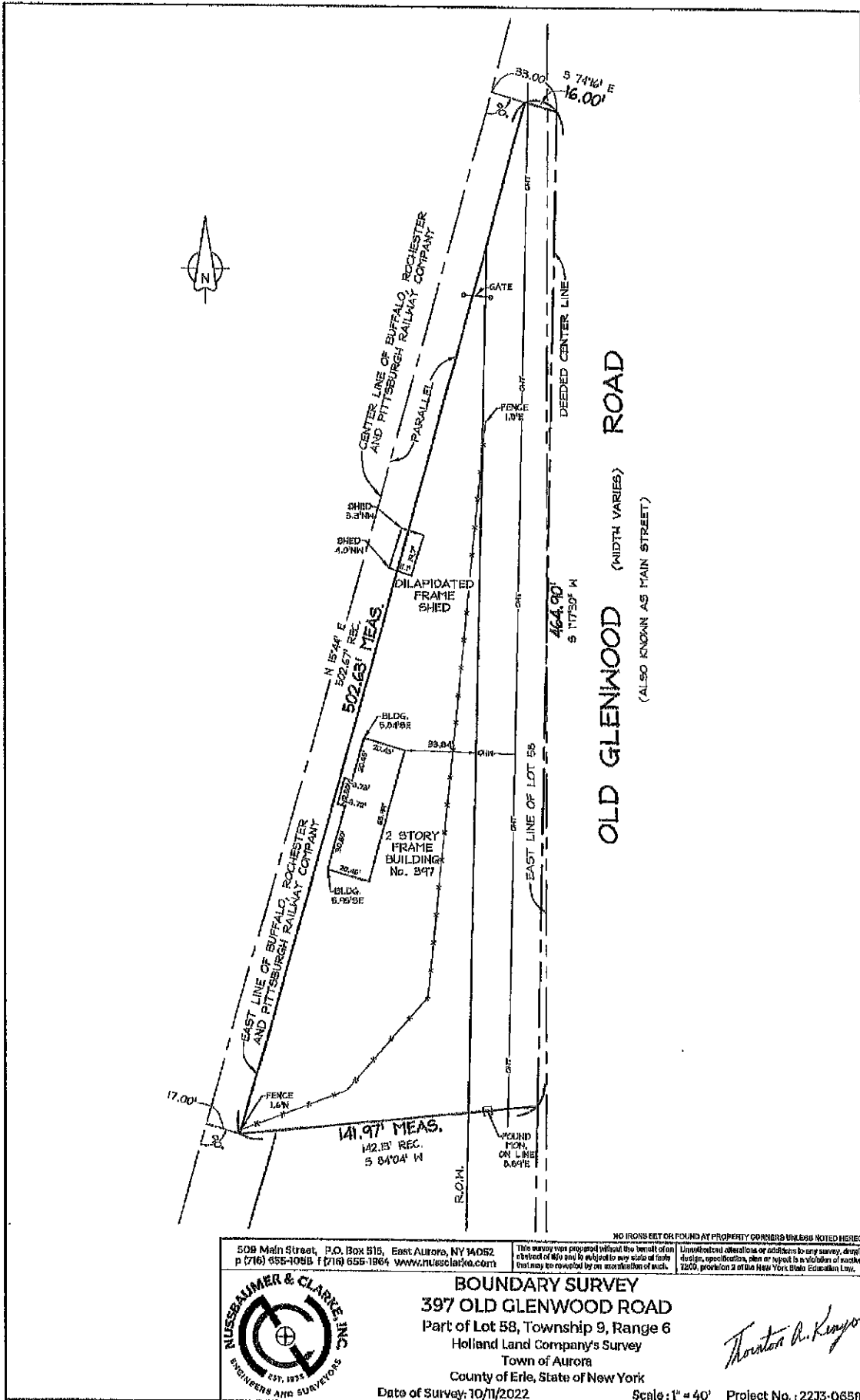
  
(Signature of Petitioner)  
  
(Signature of Owner)

STATE OF NEW YORK }  
COUNTY OF ERIE } SS:

On this 24th day of September personally appeared before me  
Conor W. Schneider 249 Old Glenwood Rd, West Falls, NY 14170  
(Name) (Address)

the petitioner, to me known to be the same person described in and who signed and executed the foregoing petition and who duly acknowledged to me the execution of the same for the purpose therein mentioned.

  
(Notary Public)  
SHERYL A. MILLER  
Reg. #01M6128683  
Notary Public, State of New York  
Qualified in Erie County  
Commission Expires June 13, 2025



**OLD GLENWOOD ROAD**  
(WIDTH VARIES)  
(ALSO KNOWN AS MAIN STREET)

NO IRONS SET OR FOUND AT PROPERTY CORNERS UNLESS NOTED HEREON.

509 Main Street, P.O. Box 916, East Aurora, NY 14052  
p (716) 655-1058 f (716) 655-1864 www.nussclark.com

This survey was prepared without the benefit of a plat of 400 and is subject to any state of facts that may be revealed by an excavation of such. Unintentional omissions or additions to any survey, drawing, design, specification, plan or report is a violation of section 2259, provision 2 of the New York State Education Law.



**BOUNDARY SURVEY**  
**397 OLD GLENWOOD ROAD**  
Part of Lot 58, Township 9, Range 6  
Holland Land Company's Survey  
Town of Aurora  
County of Erie, State of New York

*Houston A. Keyser*

Date of Survey: 10/11/2022 Scale: 1" = 40' Project No.: 22J3-065B

# WEST FALLS DEPOT

*Rezoning Application*



**THE BUFFALO, ROCHESTER & PITTSBURGH RAILWAY:  
WEST FALLS FREIGHT AND PASSENGER STATION**

Conor W. Schneider

September 24, 2024

## Summary of NY Forward Grant Application and Requested Rezoning

As part of the NY Forward Grant process, the proposed project seeks to restore and adaptively reuse the historic West Falls Depot, ensuring that it once again serves as a public space for the community. To achieve this vision and allow full public access to the property, a rezoning from R-1 (Residential) to C-1 (Commercial) is necessary. This change will enable the depot to function as a mixed-use space, including its role as a community and railroad heritage museum, a leasable small commercial or retail space, and offering an apartment/rental unit along the developing Erie Cattaraugus Rail Trail, thereby, revitalizing both the site and the surrounding area while preserving its historical significance.

### 1. Existing Conditions:

- **Historical Background:** Built in 1917 by the Buffalo, Rochester & Pittsburgh Railway, the West Falls Depot operated as a passenger and freight station until 1955. After its closure, it was partially demolished by mistake before being sold to Christian Nagel, who converted it into a private residence. In 1988, Terry Sprague purchased the depot with plans for restoration, but external challenges prevented the project's completion. In 2022, I became involved and eventually purchased the property with the goal of preserving and restoring this historic asset.
- **Current Conditions:** The exterior of the depot is largely intact and closely resembles its original specifications. The interior of the depot has been recently stripped of its last remaining 1960s modifications and remains unrestored. This project is essential for the revitalization of this historic structure and restoring the building's former role as a mixed-use community center and reopening its doors to the public for the first time in 70 years. This project will preserve local history and be a catalyst for future economic growth by providing a venue for commercial and recreational opportunities through its connection to the greater West Falls community through the adjacent Erie Cattaraugus Rail Trail.

### 2. NY Forward Project Description:

- **Historical Significance and Future Role:** The West Falls Depot was once a hub of transportation and commerce that fueled economic growth in the area. The project envisions restoring this important historical site and transforming it into a space that celebrates local heritage while contributing to the community's future.
- **Mixed-Use Concept:** The depot will serve as a heritage museum, a leasable commercial space for local business (e.g., café or shop), and an upstairs studio apartment rental, providing a recreational stop along the developing Erie Cattaraugus Rail Trail.
- **Restoration Details:**
  - **Structural Upgrades:** Lift the building to replace aging wooden ground supports and excavate 9' concrete foundation, effectively doubling the building's usable space and accommodating modern utilities.
  - **Interior Restoration:** Convert the upstairs into a studio-style rental unit. Restore the waiting room and agent's office to their original specifications, creating a living museum that educates visitors on the depot's historical significance.
  - **Commercial Development:** Transform the baggage room and outdoor 300' brick platform into a leasable commercial space for cafes, bakeries, or similar operations for other community gatherings.

- **Site Enhancements:** Reinstall the original brick platform, railroad tracks, and landscape street-side hill to spell “West Falls” in white lettering, reminiscent of the original BR&P style. Install period-appropriate harp-lamps along the platform and reconnect sidewalks to Old Glenwood Road and Davis Road.
- **Historical Artifacts:** Plans to acquire and display a BR&P Bobber Caboose from the Western New York Railway Historical Society, enhancing the historical ambiance, making the depot an educational resource for both locals and visitors.

### 3. Rezoning Request Rationale:

- As part of the NY Forward Grant process, the proposed rezoning of the West Falls Depot from R-1 (Residential) to C-1 (Commercial) is critical to restore public access and allow the depot to fulfill its original purpose of serving the community. Under the current R-1 zoning, the depot’s potential is severely limited, restricting public access to a property that was historically the lifeblood of the hamlet, engaging in interstate commerce as a key transportation hub for goods and people. The depot was built to serve the public, and rezoning it to C-1 is a logical step to restore its historical function as a community and commercial center.
- R-1 zoning does not accommodate the types of public-facing activities and commercial uses required to unlock the depot’s potential as a mixed-use space. Given the depot’s past role in facilitating commerce and its critical importance to the economic and social fabric of West Falls, it is only fitting that its former commercial role be recognized by rezoning it to C-1. The C-1 designation aligns with the project’s vision, as it is intended for community-oriented commercial spaces that have minimal impact on residential neighborhoods, and it allows a range of small-scale commercial, cultural, and service-oriented uses. This includes professional offices, cafes, retail stores, and community centers—perfectly suited to the depot’s planned transformation into a heritage museum, short-term rental, and local commercial venue.
- Moreover, C-1 zoning, as outlined in § 116-8.7, allows for modest-sized commercial buildings (under 5,000 square feet) and a variety of permitted and special-use businesses that would enable the depot to thrive as a community hub without overwhelming the surrounding residential area. By allowing uses such as cafes, tourism-related shops, and community spaces, C-1 zoning supports the depot’s adaptive reuse and ensures it can serve as an accessible and vibrant part of West Falls, reconnecting the community with both its historical roots and future opportunities for growth and engagement.