

AGENDA  
Village Board of East Aurora  
September 18, 2023 Regular Meeting at 7 p.m.

1. CALL MEETING TO ORDER
  - A. Pledge of Allegiance
  - B. Roll Call
  - C. Approval of Minutes of Village Board Meeting for September 5, 2023
  - D. Approval of Payment of Abstract 2023/2024 fiscal year for Voucher Nos. 63910 to 63967 for a total of \$238,364.26
2. PUBLIC HEARINGS
  - A. Amendment Special Use Permit for Alix & Nick Robinson 636 East Fillmore - tavern use with outdoor seating
  - B. Local Law for 285-30.5 Visibility
3. SPEAKERS & COMMUNICATIONS (I)
4. OFFICIAL CONSIDERATIONS
  - A. Approve a Special Use Permit for Anthony Amabile 27 Riley Street – Outdoor music.
  - B. Approve an Amended Special Use Permit for Alix & Nick Robinson at 636 East Fillmore - tavern use with outdoor seating.
  - C. Approve Local Law for 285-30.5 Visibility
  - D. Approve a Temporary Use Permit for Brian Moeller - Buffalo Autism Project – October 21<sup>st</sup>, 2-8pm
  - E. Approve a Temporary Use Permit for Holly Layer – Turk EA Trot- November 23<sup>rd</sup>, 9-11am
  - F. Approve a Temporary Use Permit for Victoria Storman – Carolcade- December 23<sup>rd</sup>, 6pm-8pm
  - G. Schedule a public hearing for Community Development Block Grant on October 2<sup>nd</sup>
  - H. Schedule a public hearing on October 16<sup>th</sup> for Jane Brewer & Joseph Zambon at 245 Prospect Ave – Special Use Permit for ADU
  - I. Schedule a public hearing on October 16<sup>th</sup> for Lori & Richard McDermott at 105 Park Place – Special Use Permit for Air B&B
  - J. Schedule a public hearing on **October 16th** for Joshua Best at 49 Knox Road – Rezone SFR to **GR**
  - K. Schedule a public hearing on **October 16th** for Benderson Development at 123 Grey Street – Site Plan Application for Five Below
  - L. Schedule a public hearing on **October 16th** for Buffalo Modular Homes at 757 Ellis Drive – Site Plan Application to construct a single-family home
  - M. Schedule a public hearing on **October 16th** for **Manny's Hardware at 42 Riley Street** – Amended Special Use Permit for Outdoor Merchandise & shipping container for storage
  - N. Schedule a public hearing on **October 16th** for Ed & Kristin Borzillieri at 586 Main Street – Special Use Permit for a Patio
  - O. Approve a request for 30-day waiver for a liquor license for **Jemal's Roycroft** – 40 S. Grove Street
  - P. Approve Budget adjustments for the 2023/2024 fiscal year
  - Q. Appoint Logan Girdlestone to the Position of Part time Dispatcher effective on or after September 19, 2023
5. NEW BUSINESS
  - A. South Willow- No Parking request. Refer to the Safety committee if applicable.
  - B. Erie Niagara Sunrise Exchange Club, possible display
  - C. 206 Main Street- **Mister's Site plan review Schedule Public hearing if appropriate**
6. OLD BUSINESS
  - A. **Sign Law Discussion**
7. SPEAKERS & COMMUNICATIONS (II)
8. DEPARTMENT HEAD REPORT
9. ADJOURNMENT

**VILLAGE OF EAST  
AURORA VILLAGE BOARD  
MEETING September 5, 2023  
- 7:01 PM**

**Present:**

Mayor Mercurio  
Trustee Scheer  
Trustee Cameron  
Trustee Viger  
Trustee Flynn  
Trustee Lazickas

**Absent:**

**Also Present:**

Maureen Jerackas, Village Clerk Treasurer  
Elizabeth Cassidy, Code Enforcement  
Officer Chris Trapp, Village Attorney  
Matthew Hoeh, DPW Superintendent  
Crystal Barrett, Village Deputy Clerk  
10 Members of the public  
East Aurora Bee

A Motion by Trustee Flynn to approve the Village Board minutes for August 21, 2023 seconded by Trustee Lazickas, and carried with unanimous approval.

Trustee Cameron, moved to approve the payment of Abstract 2023/2024 fiscal year for Voucher Nos. 63873 to 63909 for a total of \$216,640.08, seconded by Trustee Viger, and carried by unanimous approval.

**SPEAKERS & COMMUNICATIONS (I)**

- Nancy Smith, 195 Sycamore St – spoke about the visibility law and her concerns for variances. Nancy measured various types of plants along sidewalks throughout the Village and addressed her concern about the plants needing to be removed if restrictions were going to be enforced. Nancy gave a few examples of plants that would be affected by the visibility law. Nancy spoke with Code Enforcement and discussed plants that would be grandfathered in and her concerns for tree lawns in the Village.

**PUBLIC HEARINGS**

- A Motion by Trustee Lazickas to open a Public Hearing at 7:05pm for a Special Use Permit for John Langfelder at 650 Main Street, seconded by Trustee Viger and carried with unanimous approval.
  - The Applicant's goal is to use local ingredients and it won't be a typical pizzeria. The Applicant will apply for his liquor license and offer a few Italian cocktails with beer and wine options. The Applicant will be open on Sundays in the future from

10am-5pm with limited brunch. Monday nights will be pizza classes for amateurs and professionals. There will be a long bench and a high-top counter installed.

A motion by Trustee Cameron to close the public hearing at 7:12 pm, seconded by Trustee Lazickas and carried with unanimous approval.

- A Motion by Trustee Lazickas to open a Public Hearing at 7:12pm for a Special Use Permit for Anthony Amabile at 27 Riley Street, seconded by Trustee Scheer and carried with unanimous approval.
  - The Applicant's excited to reopen Riley Street Station and used to work there in the past. The Board of Trustees reviewed the request for outdoor music and questioned the hours. The Applicant requested 6pm-9pm or 7pm-10pm and would be only on Friday or Saturday nights. The Board of Trustees asked Code Enforcement and the Police Chief for their input if any complaints were filed, and they replied there wasn't any that were received. The Board of Trustees requested to review other establishments with outdoor music and postpone the decision regarding outdoor music. The Board of Trustees reviewed the lot and how it's shared with the Rink. The Owners will work together regarding the lot and parking spaces.

A motion by Trustee Lazickas to close the public hearing at 7:26pm, seconded by Trustee Cameron and carried with unanimous approval.

- A Motion by Trustee Lazickas to open a Public Hearing at 7:26pm for an Amended Special Use Permit for Alix and Nick Robinson at 636 East Fillmore, seconded by Trustee Viger and carried with unanimous approval.
  - The public hearing was left open due to the absence of the Applicants.

## OFFICIAL CONSIDERATIONS

- **An Application of a Request for a Special Use Permit, received by the Office of the Village Clerk on July 10, 2023, is hereby:**

A motion by Trustee Lazickas,

WAS APPROVED as submitted, for applicant John Langfelder 650 Main Street, to operate a restaurant.

The Village Board shall be Lead Agency under the State Environmental Quality Review Act (SEQRA). A Negative Declaration is made under SEQRA and said application is determined to be an Unlisted Action.

The following findings and conditions from the Village Planning Commission are incorporated herein:

1. The proposed business is consistent with other retail establishments on Main Street.
2. Good use of a vacant site.
3. The applicant plans to obtain a full liquor license but will not have a full bar – Only counter service.

Approval is Granted for the above-referenced Special Use Permit Application, as written and submitted, and with the following additional modifications and/or conditions\*:

1. The operating hours are: Sunday 10am-5pm, Monday 5pm-9:30pm, Tuesday – Friday 9:30am-9:30pm, and Saturday 12:00pm-9:30pm

Should any part of the application and Special Use Permit approval be in conflict with any segment of the underlying Village Code (i.e., Zoning, etc.), adherence shall be with the Village Code provisions.

The Village shall have the right to periodically inspect the property for compliance with the Village Code, the Special Use Permit and its conditions.

The nature, duration and intensity of the operations which are involved in, or conducted in connection with, this Special Use Permit shall not be increased or expanded without the approval of the Village Board. Any increase or expansion shall be considered at a public hearing held in accordance with the application requirements and administrative procedures which have been adopted by the Village Board.

This Special Use Permit shall expire if significant construction has not been commenced within one year, and has not been completed within two years, of final Special Use Permit approval or, if no construction is involved, if the use has not been commenced within one year of final Special Use Permit approval.

This Special Use Permit shall expire if the use, once begun, ceases operation, for any reason, for more than six consecutive months. For seasonal uses, the use will be considered ceased if there is no operation for at least 12 consecutive months.

This Special Use Permit may be revoked by the Village Board if it is found and determined that there has been a material failure of compliance with any one of the terms, conditions, limitations or requirements imposed by the Special Use Permit. Revocation may also occur in the event of Village Code violations occurring at the property. The Village Board shall hold a public hearing to consider whether or not the Special Use Permit grantee has violated the terms and conditions of the Special Use Permit or if any Village Code violations have occurred. The public hearing shall be held only after the permit grantee has been notified. Notice of the violations and of the date, place and time of the public hearing shall be mailed to the Special Use Permit grantee by certified mail, return receipt requested, directed to the last known address of the permit grantee.

Seconded by Cameron, and unanimously approved.

- **An Application of a Request for a Special Use Permit, received by the Office of the Village Clerk on July 11, 2023, is hereby:**

A motion by Trustee Flynn to leave the public hearing open regarding the outdoor music until the September 18, 2023 meeting and

APPROVE, as submitted, for applicant Anthony Amabile 27 Riley Street, to operate a restaurant with outdoor seating at 27 Riley Street the Riley Street Station.

The Village Board shall be Lead Agency under the State Environmental Quality Review Act (SEQRA). A Negative Declaration is made under SEQRA and said application is determined to be an Unlisted Action.

The following findings and conditions from the Village Planning Commission are incorporated herein:

1. Business will be consistent with the neighborhood character.
2. It is a good use for a historic building.
3. The applicant will cooperate with rink owner on parking.
4. The applicant will comply with noise codes and outdoor music will end by 11pm

Should any part of the application and Special Use Permit approval be in conflict with any segment of the underlying Village Code (i.e., Zoning, etc.), adherence shall be with the Village Code provisions.

The Village shall have the right to periodically inspect the property for compliance with the Village Code, the Special Use Permit and its conditions.

The nature, duration and intensity of the operations which are involved in, or conducted in connection with, this Special Use Permit shall not be increased or expanded without the approval of the Village Board. Any increase or expansion shall be considered at a public hearing held in accordance with the application requirements and administrative procedures which have been adopted by the Village Board.

This Special Use Permit shall expire if significant construction has not been commenced within one year, and has not been completed within two years, of final Special Use Permit

approval or, if no construction is involved, if the use has not been commenced within one year of final Special Use Permit approval.

This Special Use Permit shall expire if the use, once begun, ceases operation, for any reason, for more than six consecutive months. For seasonal uses, the use will be considered ceased if there is no operation for at least 12 consecutive months.

This Special Use Permit may be revoked by the Village Board if it is found and determined that there has been a material failure of compliance with any one of the terms, conditions, limitations or requirements imposed by the Special Use Permit. Revocation may also occur in the event of Village Code violations occurring at the property. The Village Board shall hold a public hearing to consider whether or not the Special Use Permit grantee has violated the terms and conditions of the Special Use Permit or if any Village Code violations have occurred. The public hearing shall be held only after the permit grantee has been notified. Notice of the violations and of the date, place and time of the public hearing shall be mailed to the Special Use Permit grantee by certified mail, return receipt requested, directed to the last known address of the permit grantee.

Seconded by Lazickas, and unanimously approved.

- A motion by Trustee Lazickas, to Schedule a Public Hearing on October 2<sup>nd</sup> to consider an Application from Jordan Chip at 800 Martin Drive to maintain 3 or more dogs, seconded by Trustee Cameron, and unanimously approved.
- A motion by Trustee Viger, to Schedule a Public Hearing on October 2<sup>nd</sup> to consider an Application from Gabrielle Regnet at 342 South Grove Street to maintain 3 or more dogs, seconded by Trustee Lazickas, and unanimously approved.
- A motion by Trustee Scheer, to Schedule a Public Hearing on October 2<sup>nd</sup> to consider an Application from Jason Rodemeyer at 338 Center Street to maintain bees and chickens, seconded by Trustee Lazickas, and unanimously approved.
- A motion by Trustee Cameron to Refer to the Planning Commission on September 12<sup>th</sup> an Application for a Special Use Permit from Joseph Zambon for 245 Prospect Street proposing to add an ADU to the second floor of the detached garage, seconded by Trustee Viger, and unanimously approved.
- A motion by Trustee Flynn to Refer to the Planning Commission on October 3<sup>rd</sup> an Application for a Special Use Permit from George and Linda Lund for 33 Elm Street proposing to operate a retail business for Babcia's Pierogi, seconded by Trustee Cameron, and unanimously approved.
- The request for 30-day waiver for a liquor license for Blue Eyed Baker at 636 East Fillmore Avenue was table due to the absence of the Applicants.
- Mayor Mercurio appointed Jeffrey Rabey Ph.D as a Village Trustee with a term to end April 1<sup>st</sup>, 2024.

Trustee Cameron-aye

Trustee Lazickas-aye

Trustee Flynn-aye

Trustee Viger-aye

Trustee Scheer-aye

Mayor Mercurio-aye

The motion was approved

## **NEW BUSINESS**

- **SPEAKERS & COMMUNICATIONS (II)**

- Timothy Wade, 239 Sycamore – spoke about his concern regarding pickle ball and if the sound barrier will be installed. He suggested the possibility of closing two pickle ball courts.

Trustee Lazickas mentioned that the Parks Committee reviewed the options of sound barriers and the DPW Superintendent is working on options to control the sound.

- Owen Sullivan spoke about his experience working with sound and noise control. He suggested working with an Independent Consultant and get acoustic advice. The DPW Superintendent will contact an Independent Consultant.

A motion by Trustee Flynn, to close down two of the pickle ball courts closest to the residents on Sycamore until further notice, seconded by Trustee Lazickas, and unanimously approved.

### **Department Head and Trustee Reports**

Police Chief – Reviewed the Safety Committee report that was submitted to the Board of Trustees.

DPW Superintendent – Road painting is getting completed and getting equipment ready for leaf pick up.

Clerk-Treasurer – Getting caught up

Trustee Scheer – None

Trustee Cameron – None

Trustee Flynn – Questioned if the Visibility Law can be postponed as per Ms. Smith's request. It was confirmed that the legal notice was published, and the public hearing will take place on September 18, 2023.

Trustee Lazickas – None

Trustee Viger – None

Mayor Mercurio – Mentioned that a dinner will be held at 42 North on September 21, 2023, and the Clerk Treasurer will send out an email to all the Board of Trustees with the details for the event.

### **ADJOURNMENT**

A Motion was made by Trustee Lazickas to adjourn the meeting at 8:07pm. Seconded by Trustee Cameron and unanimously carried.

Respectfully submitted,  
Crystal Barrett  
Village Deputy Clerk



Village of East Aurora  
9/18/2023

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
BANK OF HOLLAND GEN CHECK - 00100	63949	Amazon	09/07/2023	1TTD-9Y4W-H9NL	\$125.98	For DPW-replacement filters	2024	4	09/18/2023		
				<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
				1	For DPW-replacement filters	A.5.1490.0403	PUBLIC WORKS ADMINISTRATION - OFFICE SUPPLIES	\$125.98			
Total vouchers for Amazon: 1					\$125.98						
BANK OF HOLLAND GEN CHECK - 00100	63964	Assured Partners Northeast	09/13/2023	Multiple Inv.	\$173,940.00	Insurance Renewals 7/31/23-7/31/24	2024	4	09/18/2023		
				<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
				1	Inv. # 4275; Auto Renewal plus Motor Vehicle Record Fee	A.5.1910.0410	UNALLOCATED INSURANCE - GEN LIABILITY SERVICES	\$44,445.00			
				2	Inv. 4276; General Liab/Management Liab Renewal	A.5.1910.0410	UNALLOCATED INSURANCE - GEN LIABILITY SERVICES	\$79,118.00			
				3	Inv. # 4277; Umbrella Renewal	A.5.1910.0410	UNALLOCATED INSURANCE - GEN LIABILITY SERVICES	\$22,472.00			
				4	Inv. #4278; Property/Inland Marine Renewal plus SN Fire Fee	A.5.1910.0410	UNALLOCATED INSURANCE - GEN LIABILITY SERVICES	\$27,155.00			
				5	Inv. # 4279; OCP DOT Permit	A.5.1910.0410	UNALLOCATED INSURANCE - GEN LIABILITY SERVICES	\$750.00			
Total vouchers for Assured Partners Northeast: 1					\$173,940.00						
BANK OF HOLLAND GEN CHECK - 00100	63930	Bobcat of Buffalo	08/16/2023	04-206385/04-205841	\$24.42	bobcat bolts and spacers	2024	4	09/18/2023		
				<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
				1	bobcat bolts and spacers	A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS	\$24.42			
Total vouchers for Bobcat of Buffalo: 1					\$24.42						
BANK OF HOLLAND GEN CHECK - 00100	63937	CARQUEST AUTO PARTS	08/30/2023	739895/740862 740735/74143 7741556/7416 39/741896	\$620.41	August 2023	2024	4	09/18/2023		
				<b>Line Number</b>	<b>Detail Description</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
				1		A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS	\$219.90	2024000068	07/31/2023	



Village of East Aurora  
9/18/2023

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
			2	August 2023	A.5.7140.0420	PLAYGROUNDS & RECREATION CTRS. - MAINTENANCE & REPAIRS		\$383.97	2024000068	07/31/2023	
			3	August 2023	F.5.8340.0420	TRANSMISSION AND DISTRIBUTION - MAINT & REPAIRS		\$16.54	2024000068	07/31/2023	
Total vouchers for CARQUEST AUTO PARTS: 1					\$620.41						
BANK OF HOLLAND GEN CHECK - 00100	63953	Charter Communications	09/01/2023	142218801090 123	\$159.98	ACCT 142218801 - 400 PINE ST; 9/1-9/30/23	2024	4	09/18/2023		
			Line Number	Detail Description	Account Number	Account Description		Detail Amount	PO Number	PO Date	
			1	TWC 400 PINE ST - ACCT202- 129529001-001	A.5.1480.0410	PUBLIC INFO SERVICES - PUBLIC INFO: SUPPLIES, MAINT AGR, INTERNET, SERVER, GIS		\$159.98			
BANK OF HOLLAND GEN CHECK - 00100	63954	Charter Communications	09/01/2023	142017501090 123	\$139.98	ACCT 142017501; 571 MAIN ST; 9/1-9/30/23	2024	4	09/18/2023		
			Line Number	Detail Description	Account Number	Account Description		Detail Amount	PO Number	PO Date	
			1	TWC VEA ACCT 142017501 - 571 MAIN ST	A.5.1480.0410	PUBLIC INFO SERVICES - PUBLIC INFO: SUPPLIES, MAINT AGR, INTERNET, SERVER, GIS		\$139.98			
Total vouchers for Charter Communications: 2					\$299.96						
BANK OF HOLLAND GEN CHECK - 00100	63941	Churchville Fire Equipment Corp	09/07/2023	207472	\$508.48	co monitors	2024	4	09/18/2023		
			Line Number	Detail Description	Account Number	Account Description		Detail Amount	PO Number	PO Date	
			1		A.5.3410.0460	FIRE DEPARTMENT - VEHICLE MAINTENANCE & PARTS		\$508.48	2024000115	09/07/2023	
Total vouchers for Churchville Fire Equipment Corp: 1					\$508.48						
BANK OF HOLLAND GEN CHECK - 00100	63936	CINTAS CORPORATION	08/29/2023	4163256866- 4166086845	\$1,195.70	August 2023	2024	4	09/18/2023		
			Line Number	Detail Description	Account Number	Account Description		Detail Amount	PO Number	PO Date	
			1		A.5.1640.0480	CENTRAL GARAGE - UNIFORMS		\$242.05	2024000065	07/31/2023	
			2		A.5.1640.0420	CENTRAL GARAGE - MAINTENANCE & REPAIRS		\$675.17	2024000065	07/31/2023	
			3		A.5.1620.0420	BUILDINGS - MAINTENANCE &		\$278.48	2024000065	07/31/2023	







Village of East Aurora  
9/18/2023

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CHECK - 00100											





Village of East Aurora  
9/18/2023

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
		Line Number	Detail Description			Account Number	Account Description	Detail Amount	PO Number	PO Date	
		1				A.5.1620.0420	BUILDINGS - MAINTENANCE & REPAIRS	\$397.10	2024000019	06/01/2023	
Total vouchers for IRR SUPPLY CTRS INC: 1					\$397.10						
BANK OF HOLLAND GEN CHECK - 00100	63922	JOHN SIXT & SON INC.	08/31/2023	2307-619099	\$187.50	wood stakes for HP	2024	4	09/18/2023		
		Line Number	Detail Description			Account Number	Account Description	Detail Amount	PO Number	PO Date	
		1	wood stakes for HP			A.5.7140.0420	PLAYGROUNDS & RECREATION CTRS. - MAINTENANCE & REPAIRS	\$187.50			
Total vouchers for JOHN SIXT & SON INC.: 1					\$187.50						
BANK OF HOLLAND GEN CHECK - 00100	63931	KEN'S SERVICE & SALES, INC.	08/31/2023	79609	\$169.98	ignition parts and air filter kit	2024	4	09/18/2023		
		Line Number	Detail Description			Account Number	Account Description	Detail Amount	PO Number	PO Date	
		1	ignition parts and air filter kit			A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS	\$169.98			
Total vouchers for KEN'S SERVICE & SALES, INC.: 1					\$169.98						
BANK OF HOLLAND GEN CHECK - 00100	63946	KREIGER, SHANE M.	09/18/2023	Travel Reim 9/6/23	\$385.86	Mileage and tolls for NYSACOP meeting in Albany 9/6/23-29/37/	2024	4	09/18/2023		
		Line Number	Detail Description			Account Number	Account Description	Detail Amount	PO Number	PO Date	
		1	Mileage and tolls for NYSACOP meeting in Albany 9/6/23-29/37/			A.5.3120.0440	POLICE DEPARTMENT - TRAINING, TRAVEL & DUES	\$385.86			
Total vouchers for KREIGER, SHANE M.: 1					\$385.86						
BANK OF HOLLAND GEN CHECK - 00100	63935	KURK FUEL COMPANY	08/24/2023	643350	\$2,981.71	Diesel fuel 7/7/23-8/23/23	2024	4	09/18/2023		
		Line Number	Detail Description			Account Number	Account Description	Detail Amount	PO Number	PO Date	
		1	DPW- 619.735 gallons x \$3.4671/gallon			A.5.1640.0450	CENTRAL GARAGE - GASOLINE, OIL & GREASE	\$2,148.68			
		2	EAFD- 240.265 gallons x \$3.4671/gallon			A.5.3410.0450	FIRE DEPARTMENT - GASOLINE, OIL & GREASE	\$833.03			



Village of East Aurora  
9/18/2023

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
Total vouchers for KURK FUEL COMPANY: 1					\$2,981.71						
BANK OF HOLLAND GEN CHECK - 00100	63932	LAKESHORE EMPLOYEE	08/22/2023	48313	\$67.00	pre-employment screening- Zach Schnieder	2024	4	09/18/2023		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	pre-employment screening- Zach Schnieder		A.5.1490.0440	PUBLIC WORKS ADMINISTRATION - TRAINING, TRAVEL & DUES		\$67.00			
Total vouchers for LAKESHORE EMPLOYEE: 1					\$67.00						
BANK OF HOLLAND GEN CHECK - 00100	63960	LaSalle Ambulance Inc.	09/13/2023	953793	\$6,465.47	Quarterly Subsidy July-September, 2023	2024	4	09/18/2023		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	Quarterly Subsidy July-September, 2023		A.5.4540.0410	AMBULANCE SERVICE - American Medical Response		\$6,465.47			
Total vouchers for LaSalle Ambulance Inc. : 1					\$6,465.47						
BANK OF HOLLAND GEN CHECK - 00100	63943	LOWE'S	09/01/2023	8312023	\$1,399.24	July 2023	2024	4	09/18/2023		
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1			A.5.1640.0420	CENTRAL GARAGE - MAINTENANCE & REPAIRS		\$0.00	2024000044	07/11/2023	
		2			A.5.1620.0420	BUILDINGS - MAINTENANCE & REPAIRS		\$1,134.28	2024000044		
		3			A.5.3410.0420	FIRE DEPARTMENT - DEPARTMENT SUPPLIES		\$264.96	2024000044		
Total vouchers for LOWE'S: 1					\$1,399.24						
BANK OF HOLLAND GEN CHECK - 00100	63948	M and T BANK	09/12/2023	CC Payment	\$75.00	Holabird Sports from previous August Bill, (refund on August Bill)	2024	4	09/12/2023	57114	09/14/2023
		Line Number	Detail Description		Account Number	Account Description		Detail Amount	PO Number	PO Date	
		1	Holabird Sports from previous August Bill, (refund on August Bill)		A.5.7140.0420	PLAYGROUNDS & RECREATION CTRS. - MAINTENANCE & REPAIRS		\$75.00			
Total vouchers for M and T BANK: 1					\$75.00						



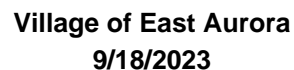
Village of East Aurora  
9/18/2023

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
BANK OF HOLLAND GEN CHECK - 00100	63919	Manny's Ace Hardware	08/31/2023	2132-2285	\$493.28	August 2023	2024	4	09/18/2023		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1			A.5.1640.0420	CENTRAL GARAGE - MAINTENANCE & REPAIRS		\$118.29	2024000073	07/31/2023	
		2			A.5.1620.0420	BUILDINGS - MAINTENANCE & REPAIRS		\$291.71	2024000073		
		3			A.5.7140.0420	PLAYGROUNDS & RECREATION CTRS. - MAINTENANCE & REPAIRS		\$38.30	2024000073		
		4	August 2023		A.5.8560.0470	SHADE TREES - DEPARTMENTAL SUPPLIES		\$44.98	2024000073	07/31/2023	
Total vouchers for Manny's Ace Hardware: 1					\$493.28						
BANK OF HOLLAND GEN CHECK - 00100	63918	MUNICIPAL EMERGENCY SERVICES INC.	08/21/2023	IN1922565	\$9,853.80	battery powered ram for EAFD	2024	4	09/18/2023		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1			A.5.3410.0200	FIRE DEPARTMENT - EQUIPMENT		\$9,853.80	2024000026	06/21/2023	
Total vouchers for MUNICIPAL EMERGENCY SERVICES INC.: 1					\$9,853.80						
BANK OF HOLLAND GEN CHECK - 00100	63934	NOCO ENERGY CORP.	08/24/2023	SP12648499	\$8,962.66	Unleaded fuel 7/11/23-8/23/23	2024	4	09/18/2023		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1	B&G- 145.223 gallons x \$3.4485/gallon		A.5.1640.0450	CENTRAL GARAGE - GASOLINE, OIL & GREASE		\$500.80			
		2	DPW- 693.126 gallons x \$3.4485/gallon		A.5.1640.0450	CENTRAL GARAGE - GASOLINE, OIL & GREASE		\$2,390.25			
		3	EAPD- 255.729 gallons x \$3.4485/gallon		A.5.3120.0450	POLICE DEPARTMENT - GASOLINE, OIL & GREASE		\$881.88			
		4	EAFD- 1504.922 gallons x \$3.4485/gallon		A.5.3410.0450	FIRE DEPARTMENT - GASOLINE, OIL & GREASE		\$5,189.73			
Total vouchers for NOCO ENERGY CORP.: 1					\$8,962.66						
BANK OF HOLLAND GEN CHECK - 00100	63940	NOVA HEALTHCARE ADMINISTRATORS, INC.	09/18/2023	042067	\$148.50	Monthly Administrative Fee of \$4.50 per Enrollee - 33 Enrollees; August 2023	2024	4	09/18/2023		



Village of East Aurora  
9/18/2023

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
		Line Number	Detail Description			Account Number	Account Description	Detail Amount	PO Number	PO Date	
		1	Water fund active-1 enrollee; August 2023			F.5.9060.0805	HOSPITAL & MEDICAL INSURANCE - HEALTH INSURANCE	\$4.50			
		2	General Fund Retiree-9 enrollees; August 2023			A.5.9060.0806	HOSPITAL & MEDICAL INSURANCE - HEALTH INSURANCE-RETIREES	\$40.50			
		3	Water fund Retiree-1 enrollee; August 2023			F.5.9060.0806	HOSPITAL & MEDICAL INSURANCE - HEALTH INSURANCE-RETIREES	\$4.50			
		4	General Fund Active-22 Enrollees; August 2023			A.5.9060.0805	HOSPITAL & MEDICAL INSURANCE - HEALTH INSURANCE	\$99.00			
Total vouchers for NOVA HEALTHCARE ADMINISTRATORS, INC.: 1					\$148.50						
BANK OF HOLLAND GEN CHECK - 00100	63912	NYSEG	09/05/2023	ACCT 483	\$4,461.61	ACCTS 483 & 491 ELECTRICITY USAGE; 8/1-8/31/23	2024	4	09/18/2023		
		Line Number	Detail Description			Account Number	Account Description	Detail Amount	PO Number	PO Date	
		1	STREET LIGHT R3 NYSEG ACCT 1001-3627-483			A.5.5182.0431	STREET LIGHTING - ELECTRIC	\$4,461.61			
BANK OF HOLLAND GEN CHECK - 00100	63913	NYSEG	08/30/2023	1001-7910-034	\$23.37	ELECTRICITY USAGE- GLENRIDGE RD; 7/26-8/25/23	2024	4	09/18/2023		
		Line Number	Detail Description			Account Number	Account Description	Detail Amount	PO Number	PO Date	
		1	GLENRIDGE RD NYSEG ACCT 1001-7910-034			F.5.1620.0431	BUILDINGS - ELECTRIC	\$23.37			
Total vouchers for NYSEG: 2					\$4,484.98						
BANK OF HOLLAND GEN CHECK - 00100	63962	Pierce, Robert J	09/12/2023	September Svcs.	\$958.33	Legal Svcs. for September, 2023	2024	4	09/18/2023		
		Line Number	Detail Description			Account Number	Account Description	Detail Amount	PO Number	PO Date	
		1	Legal Svcs. for September, 2023			A.5.1420.0410	VILLAGE ATTORNEY - CONTRACT SERVICES	\$958.33			
Total vouchers for Pierce, Robert J: 1					\$958.33						
BANK OF HOLLAND GEN CHECK - 00100	63956	Quadient	09/03/2023	Postage Fee	\$2,000.00	VEA postage on 8/22	2024	4	09/18/2023		
		Line Number	Detail Description			Account Number	Account Description	Detail Amount	PO Number	PO Date	



09/14/2023





Village of East Aurora  
9/18/2023

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
BANK OF HOLLAND GEN CHECK - 00100	63920	THRUWAY BUILDERS OF	08/04/2023	200591	\$86.64	concrete tools/brooms	2024	4	09/18/2023		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1			A.5.5110.0420	STREET MAINTENANCE - ROAD MATERIALS		\$86.64	2024000084	08/04/2023	
Total vouchers for THRUWAY BUILDERS OF: 1					\$86.64						
BANK OF HOLLAND GEN CHECK - 00100	63921	TRI-COUNTY SUPPLY, INC.	08/31/2023	221653/221689 /221890/22203 0	\$473.00	husqvarna parts; hard helmets	2024	4	09/18/2023		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1	husqvarna parts; hard helmets		A.5.5110.0420	STREET MAINTENANCE - ROAD MATERIALS		\$473.00			
Total vouchers for TRI-COUNTY SUPPLY, INC.: 1					\$473.00						
BANK OF HOLLAND GEN CHECK - 00100	63955	TRI-COUNTY TOOL RENTAL & SALES	08/29/2023	88616/27905/2 7924/27941/27 949/27997/281 02/28109/	\$620.41	August 2023	2024	4	09/18/2023		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1			A.5.5110.0420	STREET MAINTENANCE - ROAD MATERIALS		\$219.90	2024000067	07/31/2023	
		2			A.5.7140.0420	PLAYGROUNDS & RECREATION CTRS. - MAINTENANCE & REPAIRS		\$383.97	2024000067		
		3			F.5.8340.0470	TRANSMISSION AND DISTRIBUTION - SUPPLIES & MATERIALS		\$11.55	2024000067		
		4	August 2023		A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS		\$4.99	2024000067	07/31/2023	
Total vouchers for TRI-COUNTY TOOL RENTAL & SALES: 1					\$620.41						
BANK OF HOLLAND GEN CHECK - 00100	63945	UNITED UNIFORM COMPANY	09/18/2023	IO21-449816	\$32.95	initial order PO Schiffman Handcuff pouch	2024	4	09/18/2023		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1	handcuff pouch		A.5.3120.0480	POLICE DEPARTMENT - UNIFORMS, BODY ARMOR		\$32.95			
Total vouchers for UNITED UNIFORM COMPANY: 1					\$32.95						



Village of East Aurora  
9/18/2023

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
BANK OF HOLLAND GEN CHECK - 00100	63910	Vaspian	09/01/2023	INV-005675	\$540.20	Phone Services for September, 2023	2024	4	09/18/2023		

Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date
1	Phone Services for VEA	A.5.1325.0434	VILLAGE ADMINISTRATOR - TELEPHONE	\$89.90		
2	Phone Services for EAPD	A.5.3120.0434	POLICE DEPARTMENT - TELEPHONE	\$192.70		
3	Phone Services for DPW	A.5.1490.0434	PUBLIC WORKS ADMINISTRATION - TELEPHONE	\$102.80		
4	Phone Services for EAFD	A.5.3410.0434	FIRE DEPARTMENT - TELEPHONE	\$154.80		

Total vouchers for Vaspian: 1 \$540.20

BANK OF HOLLAND GEN CHECK - 00100	63950	VERIZON WIRELESS	09/03/2023	9943538793	\$158.80	CELLULAR PHONES PROVIDED AS PER NYS OGS (STATE CONTRACT); 8/4-9/3/23	2024	4	09/18/2023		
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Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date
1	716-359-0911 DETECTIVE	A.5.3120.0434	POLICE DEPARTMENT - TELEPHONE	\$40.27		
2	716-913-1761 POLICE SUPERVISOR (LIETENANTS)	A.5.3120.0434	POLICE DEPARTMENT - TELEPHONE	\$40.27		
3	716-998-3734 MAYOR	A.5.1210.0434	MAYOR - TELEPHONE	\$0.00		
4	716-383-1957 POLICE CHIEF SHANE KRIEGER	A.5.3120.0434	POLICE DEPARTMENT - TELEPHONE	\$40.27		
5	716-256-0983 FIRE CHIEF MOBILE WIFI	A.5.3410.0434	FIRE DEPARTMENT - TELEPHONE	\$37.99		
6	CREDIT	A.5.3410.0434	FIRE DEPARTMENT - TELEPHONE	\$0.00		

Total vouchers for VERIZON WIRELESS: 1 \$158.80

BANK OF HOLLAND GEN CHECK - 00100	63966	Verizon-Local Svc.	09/06/2023	Local Phone Service	\$358.09	Verizon Local Service; 9/7-10/16/23	2024	4	09/18/2023		
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Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date
1	716-652-6000 Front office-Clerk's	A.5.1325.0434	VILLAGE ADMINISTRATOR - TELEPHONE	\$0.00		
2	716-652-6057 DPW	A.5.1490.0434	PUBLIC WORKS ADMINISTRATION - TELEPHONE	\$0.00		
3	716-N73-1487 Data Private Line Between Village Hall & DPW	A.5.1490.0434	PUBLIC WORKS ADMINISTRATION - TELEPHONE	\$91.24		
4	716-652-111 Police	A.5.3120.0434	POLICE DEPARTMENT - TELEPHONE	\$0.00		



Village of East Aurora  
9/18/2023

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
				5		716-N73-1438 Radio Transmitter Police Station to Boces/Ormsby Center (1010 Center St.)		A.5.3120.0434		POLICE DEPARTMENT - TELEPHONE	\$165.49
				6		716-652-0319 Fire Hall Elevator (33 Center St)		A.5.3410.0434		FIRE DEPARTMENT - TELEPHONE	\$32.54
				7		652-0893 Elevator; 655-6086 Fire alarm		A.5.3120.0434		POLICE DEPARTMENT - TELEPHONE	\$68.82
Total vouchers for Verizon-Local Svc.: 1					\$358.09						
BANK OF HOLLAND GEN CHECK - 00100	63944	W.B. MASON CO., INC.	09/18/2023	240678459, CM2127576 240976538, CM2124628	\$60.90	Water for EAPD/DISP 8/23/23 and 9/6/23	2024	4	09/18/2023		
				Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date	
				1	Water for EAPD/DISP 7 jugs ordered each and 7 returned each date 8/23/23 and 9/6/23	A.5.3120.0420	POLICE DEPARTMENT - MAINT. SERVICE CONTRACTS	\$30.45			
				2	Water for EAPD/DISP 7 jugs ordered each and 7 returned each date 8/23/23 and 9/6/23	A.5.3420.0420	POLICE & FIRE DISPATCH - MAINTENANCE/SERVICE CONTRACTS	\$30.45			
Total vouchers for W.B. MASON CO., INC.: 1					\$60.90						
BANK OF HOLLAND GEN CHECK - 00100	63958	WNYNETWORKS	09/12/2023	4886	\$1,187.50	August IT Services	2024	4	09/18/2023		
				Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date	
				1	August IT Services for EAPD	A.5.3120.0420	POLICE DEPARTMENT - MAINT. SERVICE CONTRACTS	\$687.50			
				2	August IT Services for VEA	A.5.1480.0410	PUBLIC INFO SERVICES - PUBLIC INFO: SUPPLIES, MAINT AGR, INTERNET, SERVER, GIS	\$500.00			
Total vouchers for WNYNETWORKS: 1					\$1,187.50						



Village of East Aurora  
9/18/2023

Posted Batch Totals

Fund	Fund Description	Invoice Batch		Manual Checks		Purchase Cards		Total	
		Paid	Unpaid	Paid	Unpaid	Paid	Unpaid	Paid	Unpaid
A	GENERAL FUND	\$75.00	\$230,715.28	\$0.00	\$0.00	\$0.00	\$0.00	\$75.00	\$230,715.28
F	WATER FUND	\$0.00	\$7,648.98	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,648.98
Posted Batch Grand Totals		\$75.00	\$238,364.26	\$0.00	\$0.00	\$0.00	\$0.00	\$75.00	\$238,364.26



Village of East Aurora  
9/18/2023

\*\*\*\*\* Certificate of Financial Officer \*\*\*\*\*

I hereby certify that the attached Voucher Listing is complete and accurate to the best  
of my knowledge, and payment is hereby approved.

Signed: \_\_\_\_\_

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

# **TOWN OF AURORA**

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

## **MEMO**

TO: Mayor Mercurio, and Village Trustees

FROM: Elizabeth Cassidy, Code Enforcement Officer

DATE: July 11, 2023

The Building Department has accepted a Special Use Permit (SUP) application from Anthony Amabile II for operation of a restaurant with outdoor seating and outdoor music at 27 Riley St, the Riley Street Station.

Village Code section 285-52.3B states that the Village Board may refer the Special Use Permit application to the Planning Commission for their review and recommendations. The Village Board shall then schedule a public hearing for the applications.

A County referral is required for this application due to the proximity to a State Highway (Main St/20A).

This is an Unlisted action under SEQRA.

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

Liz Cassidy

# VILLAGE OF EAST AURORA

585 Oakwood Ave, East Aurora, New York 14052  
716-652-6000

In conjunction with

Town of Aurora Building Department  
575 Oakwood Ave, East Aurora, NY 14052  
716-652-7591

Building Dept:  
Date Received 7/11/23  
Complete App 7/11/23  
Village Clerk:  
Date Filed \_\_\_\_\_  
Amount \$ \_\_\_\_\_  
Receipt # \_\_\_\_\_

## SPECIAL USE PERMIT APPLICATION

PROPOSED PROJECT Riley Street Station SBL# 165.17-1-1.2  
LOCATION 27 Riley St., East Aurora, NY 14052 ZONING DISTRICT JC

The applicant agrees to reimburse the Village for any additional fees required for review by consultants hired by the Village.

APPLICANT NAME Anthony Amabile II (Riley Street Station, LLC)  
ADDRESS 3848 Seneca St., Lower, West Seneca, NY 14224  
TELEPHONE 716-361-8219 FAX \_\_\_\_\_ E-MAIL amabile30@qyc.edu  
SIGNATURE [Signature]

OWNER OF PROPERTY Riley Station, LLC  
ADDRESS 2730 Transit Road, West Seneca NY 14224  
TELEPHONE 716-75-1100 FAX \_\_\_\_\_ E-MAIL jk@winnet@Regorholdings.com  
SIGNATURE [Signature]

DEVELOPER NAME NA  
ADDRESS \_\_\_\_\_  
TELEPHONE \_\_\_\_\_ FAX \_\_\_\_\_ E-MAIL \_\_\_\_\_  
SIGNATURE \_\_\_\_\_

Request is for: ☒ Restaurant, Indoor Dining and/or ☒ Restaurant, Outdoor Dining  
☐ Gas Station ☐ Car Wash ☐ Other  
☒ Outdoor music or other noise impact; if yes please include a quick summation of request:  
See Narrative

Days and hours of operation (indoor) Monday - Sunday 11am - 12am  
Days and hours of operation (outdoor) Monday - Sunday 11am - 12am

Will alcoholic beverages be served? ☒ Yes ☐ No

Will there be outdoor music? ☒ Yes ☐ No If yes, what type of music: \_\_\_\_\_  
Days and times of music Friday and Saturday

Are premises handicap accessible? ☒ Yes ☐ No If not, premises must be made ADA compliant  
If yes, contact building department at 716-652-7591

Will there be any renovations ☐ Yes ☒ No

### THIS APPLICATION MUST INCLUDE THE FOLLOWING:

- One Cover Letter to Village Board, Supporting Documents and SEQR as required in §285-52.2
- One complete file of submittal package in PDF format via email (under 10MB) to [maureen.jcrackas@east-aurora.ny.us](mailto:maureen.jcrackas@east-aurora.ny.us). Larger files may be submitted on a USB drive or CD-ROM
- Application fee \$25.00, Permit fee \$25.00 and Public Hearing fee \$100.00 – Total \$150 at time of application

OFFICE USE ONLY: Sketch Plan Meeting Date \_\_\_\_\_

REQUIRED MEETINGS/REFERRALS:

	Mtg/Mail Date	Conditions/Comments, if applicable:
Planning Commission	_____	_____
Safety Committee	_____	_____
VEA DPW	_____	_____
OTHER (specify)	_____	_____

SEQR ACTION:

\_\_\_ Type 1 \_\_\_ Type 2 ☒ Unlisted

VILLAGE BOARD ACTION:

	Mtg/Mail Date	
Public Hearing	_____	
Notices Mailed	_____	
Posted Notice-VEA Hall	_____	
Posted Notice-Prop	_____	
Approval/Denial Date	_____	Attach Village Board resolution with noted conditions.

**CHECK LIST FOR SPECIAL USE PERMIT APPLICATION**

- ☐ A cover letter to the Village Board with a narrative of all proposed uses and structures, including but not limited to: hours of operation, number of employees, maximum seat capacity and required number of parking spaces.
- ☐ A narrative report describing how the proposed use will satisfy the criteria set forth in the Special Use Permit review criteria of Chapter §285-52.4 (also listed below), as well as any other applicable requirements relating to the specific use proposed.
  - ☐ Will be generally consistent with the goals of the Village Comprehensive Plan.
  - ☐ Will meet all relevant criteria set forth in Chapter §285-52.3 and §285-52.4.
  - ☐ Will be compatible with existing uses adjacent to and near the property.
  - ☐ Will not create a hazard to health, safety or the general welfare of the public.
  - ☐ Will not alter the essential character of the neighborhood nor be detrimental to the neighborhood residents.
  - ☐ Will not be a nuisance to neighboring land uses in terms of the production of obnoxious or objectionable noise, dust, glare, odor, refuse, fumes, vibrations, unsightliness, contamination or other similar conditions.
  - ☐ Will not cause undue harm to, or destroy, existing sensitive natural features on the site or in the surrounding area or cause adverse environmental impacts such as significant erosion and/or sedimentation, slope destruction, flooding or ponding of water or degradation of water quality.
  - ☐ Will not destroy or adversely impact significant historic and/or cultural resource sites.
  - ☐ Will provide adequate landscaping, screening or buffering between adjacent uses which are incompatible with the proposed project.
  - ☐ Will not otherwise be detrimental to the public convenience and welfare.
- ☐ All SEQR documentation, as required by New York State Law.



# **Special Use Permit**

**Village of East Aurora**

**Anthony Amabile II  
Riley Street Station, LLC  
(Applicant)**

**To:**

**Village Board of East Aurora**

**Dated:**

**July 10<sup>th</sup>, 2023**

To whom it may concern,

I am writing to you in hopes to have your approval to reopen Riley Street Station located at 27 Riley Street. As the new tenant of the property and owner of the business, I plan to reopen the restaurant and have it running very similar to how it was ran by the previous owner, Conseulo "Babe " Neff.

I previously worked at Riley Street Station from January of 2012 to April 2017. Throughout my time working there, I was a server, bartender, and manager. Although I've worked at many restaurants in my life and managed several, I learned the most about running a restaurant from Babe Neff. She always did everything "by the book." From menus to hours of operation to having bands to staffing to just about everything she had going, I plan on reopening with the same plan.

My background is that I grew up in Elma and went to Iroquois Central Schools K-12. Then I went on to D'Youville College where I entered the 7-Year Bachelors in Biology/ Doctor of Chiropractic Program. I took a leave of absence from school in 2014 when my dad, who was a chiropractor and bar owner, was diagnosed with ALS. He survived for 7 years with this terrible disease and it was devastating to my entire family. I ended up returning to school in 2019 to finish my bachelors and I'm currently in clinical for my Doctor of Chiropractic Degree. I also bartend 3-4 nights a week at Angelina's in East Aurora and work at Universal Chiropractic where I'll be part-owner next June. I currently reside in West Seneca and I'm 32 years old. I am very ambitious and I never shy away from bigger and better opportunities. Being a restaurant owner has always been a goal of mine and there is no other place I would rather open and watch thrive. Riley Street Station and the Village of East Aurora have always been close to my heart because I've spent so much of my life being in East Aurora and made so many friends and connections there.

My plans for Riley Street Station are as follows:

- I'm planning on opening up daily at 11 am for lunch and staying open through dinner till midnight Monday – Sunday.
- My menu will be very similar to what it was before it closed. This will consist of an array of appetizers, salads, sandwiches, dinners, and desserts.
- I will also have a cocktail list, a wine list, and an extensive beer list such a craft, local, and domestic line.
- The side patio and atrium will be used primarily for lunch and dinner, as well as banquets such as bridal showers, funeral brunches, birthday parties, and other types of small gatherings.

- Entertainment will include jukebox and tvs. I plan to have live music a few times a month limited to Fridays and Saturdays. Any live music that will be outside will end before the Village's noise ordinance.
- I do not plan to make any alterations to the layout.
- Also, I do not plan to making any structural alteration to the foundation, internally or externally.
- My plan does not involve any hazardous problems for the environment.
- My plan does not involve any harm to the people of East Aurora.
- My plan is to comply with the rules set forth by the Village of East Aurora.

Thank you for reviewing my Special Use Permit. I am very excited to bring a new business to the Village of East Aurora and to make Riley Street Station a place for people to enjoy as it was for so many years before.

Best,

A handwritten signature in black ink, appearing to read 'Anthony Amabile II', written over a horizontal line.

Anthony Amabile II  
Riley Street Station, LLC  
Owner

# Short Environmental Assessment Form

## Part 1 - Project Information

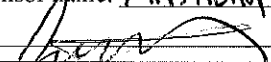
### Instructions for Completing

**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>							
Name of Action or Project: <div style="font-size: 1.2em;">Riley Street Station</div>							
Project Location (describe, and attach a location map): <div style="font-size: 1.2em;">27 Riley Street, East Aurora, NY 14052.</div>							
Brief Description of Proposed Action: <div style="font-size: 1.2em;">Open and operate a restaurant and bar at existing restaurant building.</div>							
Name of Applicant or Sponsor: <div style="font-size: 1.2em;">Anthony Amabile II</div>		Telephone: 716-361-8219 E-Mail: amabilia30@dyc.edu					
Address: <div style="font-size: 1.2em;">3848 Seneca Street, Lower</div>							
City/PO: <div style="font-size: 1.2em;">West Seneca</div>		State: <div style="font-size: 1.2em;">NY</div>	Zip Code: <div style="font-size: 1.2em;">14224</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.			<table border="1" style="width: 100%; text-align: center;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<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:			<table border="1" style="width: 100%; text-align: center;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		<div style="font-size: 1.2em;">.3</div> acres					
b. Total acreage to be physically disturbed?		<div style="font-size: 1.2em;">0</div> acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<div style="font-size: 1.2em;">.3</div> acres					
4. Check all land uses that occur on, adjoining and near the proposed action.							
<div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> Urban</div> <div style="width: 50%;"><input checked="" type="checkbox"/> Rural (non-agriculture)</div> <div style="width: 50%;"><input type="checkbox"/> Industrial</div> <div style="width: 50%;"><input checked="" type="checkbox"/> Commercial</div> <div style="width: 50%;"><input checked="" type="checkbox"/> Residential (suburban)</div> <div style="width: 50%;"><input type="checkbox"/> Forest</div> <div style="width: 50%;"><input type="checkbox"/> Agriculture</div> <div style="width: 50%;"><input type="checkbox"/> Aquatic</div> <div style="width: 50%;"><input type="checkbox"/> Other (specify): _____</div> <div style="width: 50%;"><input checked="" type="checkbox"/> Parkland</div> </div>							



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	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 AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Anthony Amabile II</u>		Date: <u>7/7/23</u>
Signature: 		

# **TOWN OF AURORA**

575 OAKWOOD AVENUE, EAST AURORA, NY 14052

BUILDING DEPARTMENT

(716) 652-7591

## **MEMO**

TO: Mayor Mercurio and Village Trustees

FROM: Elizabeth Cassidy, Code Enforcement Officer

DATE: July 12, 2023

The Building Department has accepted a revised Special Use Permit application for 636 East Fillmore Ave (SBL: 165.17-1-8) submitted by John A. Schenne, P.E. of Schenne and Associates, on behalf of applicant and owner of Blue Eyed Baker, Alix and Nick Robinson. The request includes addition of a tavern use, outdoor seating on the second floor at the rear of the building, and extended hours of operation. There is no request for outdoor music on the patio, either live or speakers.

Village Code section 285-50.4C require the Village to submit the applications to Erie County Department of Environment and Planning for their review and comment due to proximity to a County sewer district (easement).

Village Code sections 285-51.5 and 285-52.3 require the Village Board to refer the amended Special Use Permit application to the Planning Commission for their review and recommendations. The Village Board shall then schedule a public hearing for the applications prior to SEQRA determination.

This is an Unlisted action for purposes of SEQR.

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

Liz Cassidy

VILLAGE OF EAST AURORA  
571 Main Street, East Aurora, New York 14052  
716-652-6000  
In conjunction with  
Town of Aurora Building Department  
300 Gleed Ave, East Aurora, NY 14052  
716-652-7591

Building Dept:	
Date Received	7/11/23
Complete App	
Village Clerk:	
Date Filed	
Amount \$	
Receipt #	

**SPECIAL USE PERMIT APPLICATION**

PROPOSED PROJECT Proposed Bakery SBL# 165.17-1-B  
LOCATION 616 East Fillmore, East Aurora, NY 14052 ZONING DISTRICT VC

The applicant agrees to reimburse the Village for any additional fees required for consultant's review.

APPLICANT NAME Nick and Alex Robinson  
ADDRESS 33 Elm Street, East Aurora, NY 14052  
TELEPHONE (716) 235-9633 FAX N/A E-MAIL alex@blueeyedbaker.net  
SIGNATURE Alex Robinson

OWNER NAME Blue Eyed Baker  
ADDRESS 33 ELM STREET EAST AURORA NY 14052  
TELEPHONE 716.491.1637 FAX N/A E-MAIL alex@blueeyedbaker.net  
SIGNATURE Alex Robinson

DEVELOPER NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
TELEPHONE \_\_\_\_\_ FAX \_\_\_\_\_ E-MAIL \_\_\_\_\_  
SIGNATURE \_\_\_\_\_

**THIS APPLICATION MUST INCLUDE THE FOLLOWING:**

- One (1) – Cover letter to Village Board, Supporting Documents, and SEQR as required in §285-52.2
- One (1) complete file of submittal package in PDF format via email (under 10MB) to [maureen.jerackas@east-aurora.ny.us](mailto:maureen.jerackas@east-aurora.ny.us). Larger files may be submitted on a USB drive or CD or by Dropbox.
- Application fee \$25.00, Permit fee \$25.00, and Public Hearing fee \$100.00 – Total \$150 at time of application

OFFICE USE ONLY: Sketch Plan Meeting Date \_\_\_\_\_

**REQUIRED MEETINGS/REFERRALS:**

	Mtg/Mail Date	Conditions/Comments, if applicable:
Planning Commission	_____	_____
Safety Committee	_____	_____
VEA DPW	_____	_____
OTHER (specify)	_____	_____

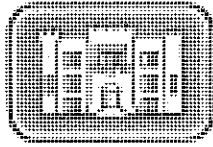
SEQR ACTION:  
\_\_\_ Type 1 \_\_\_ Type 2 \_\_\_ Unlisted

**VILLAGE BOARD ACTION:**

	Mtg/Mail Date
Public Hearing	_____
Notices Mailed	_____
Posted Notice-VEA Hall	_____
Posted Notice-Prop	_____
Approval/Denial Date	_____

Attach Village Board resolution with noted conditions.





# SCHENNE & ASSOCIATES

**ENGINEERING - PLANNING - GEOLOGY**

967 LUTHER ROAD  
EAST AURORA, NEW YORK 14052  
(716) 655-4991

July 11, 2023

Village of East Aurora  
571 Main Street  
East Aurora, NY 14052

RE: Proposed Blue Eyed Baker  
636 Fillmore, East Aurora, NY

Dear Village of East Aurora,

Our firm (Schenne & Associates) represents Blue Eyed Baker, the applicant and buyer for the property located at 636 East Fillmore Avenue in the Village of East Aurora. The proposed use of this property is to be a new, larger location for the locally owned bakery: Blue Eyed Baker.

To adapt to today's evolving economic and community changes, Blue Eyed Baker wishes to work with neighbors and community members to address their needs and alleviate any concerns they may have. The new location for Blue Eyed Baker will be across the street from the East Aurora Classic Rink, which will allow the bakery to explore the opportunity for business collaborations, like providing parents a nearby place to sit down, grab a drink and have an amazing macaron while the kids are playing games. In that, the owner wishes the village would grant the extension of their operating hours from 7am to 11pm, Monday to Sunday.

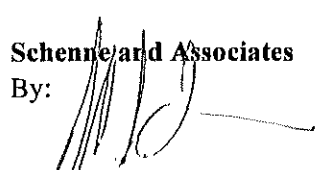
In addition to the previous approved use as bakery/café, the new tavern use will lead to open the second-floor patio space for seasonal outdoor seating of 22 seats, it will bring the maximum seating capacity to 84. The new rooftop patio will include beautiful greenery to prevent sound from traveling to the nearby residents, while also bring forth a beautiful view. There will only be 4 outdoor gooseneck barn light on the patio side as it was previous approved as the lighting source, and no speaker nor living music on the patio.

The site will maintain a parking lot consisting of 12 parking spaces, including 1 HC space, and 4 bicycle spaces. plus additional 9 off-site street parking based on additional square footage requirement for parking spaces and it is within 400' of public parking lot. Also on site, a new rain garden will be integrated on site to control stormwater runoff while enhancing the view of the property and providing habitat for the local wildlife.

Sincerely,

**Schenne and Associates**

By:

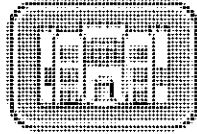
  
**John A. Schenne, P.E.**  
**Schenne and Associates**



**New York State Certified**  
Service-Disabled Veteran-Owned Business

Phone: (716) 655-4991 Email: john@schenne.com





## SCHENNE & ASSOCIATES

ENGINEERING - ARCHITECTURE - GEOLOGY  
967 LUTHER RD  
EAST AURORA, NEW YORK 14052

Proposed Project: Bakery/Tavern  
Project location: 636 East Fillmore, East Aurora, NY, 14052.  
Zoning District: VC-Village Center

### **SPECIAL USE PERMIT SUBMISSION**

**June 23, 2023**

DESCRIPTION/ NARRATIVE- propose uses, etc.

#### **Only Tenant – Blue Eyed Baker :**

Total Square Footage of Primary Tenant:

First Floor –	3,605 SF
Kitchen Space -	1,890 SF
Master Class	500 SF
Café –	704 SF
Second Floor –	1,480 SF
Open area –	1,135 SF
Prep Kitchen	141 SF
Storage –	82 SF
Restroom –	68 SF
Patio –	738SF

Existing Building (raise floor 2'-0")

#### **Bakery\Cafe\Tavern\Bar Use**

20 Employees (Maximum)

Hours of operation:

Monday – Sunday: 7am – 11pm

Maximum seat capacity:

First Floor – dining 12, outdoor 10 (seasonal; Patio Use)	414 SF
Master Class 12	500 SF
Second Floor –seating 28	1,135 SF
Patio- Outdoor-seating 22	738 SF
Total	84
	5,085 SF

#### **Off Street Parking:**

Parking – Total 12 spaces (Including 1 HC space) plus additional 9 off-site parking based on additional square footage requirement for parking spaces and withing 400' of public parking lot. Plus, Bicycles – 4 spaces

# Short Environmental Assessment Form

## Part 1 - Project Information

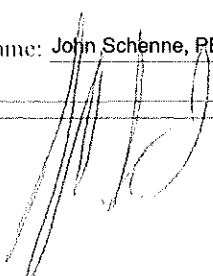
### Instructions for Completing

**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>							
Blue Eyed Baker							
Name of Action or Project: Proposed Bakery							
Project Location (describe, and attach a location map): 636 East Fillmore, East Aurora, NY 14052.							
Brief Description of Proposed Action: Renovate existing building into 1 commercial use space.							
Name of Applicant or Sponsor: Nick and Alex Robinson		Telephone: (716) 235-9633					
		E-Mail: alex@blueeyedbaker.net					
Address: 33 Elm Street							
City/PO: East Aurora		State: New York	Zip Code: 14052				
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Village of East Aurora - Planning, Building, and floodplain permit			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		0.47 acres					
b. Total acreage to be physically disturbed?		0.47 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.47 acres					
4. Check all land uses that occur on, adjoining and near the proposed action.							
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES	
a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES			
COMPLY WITH NYS STORMWATER REGULATIONS. _____			

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	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 AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor name: <u>John Schenne, PE, PG</u> Date: <u>06/09/2023</u> Signature: <u></u>		



**VILLAGE OF EAST AURORA**

**SPECIAL USE PERMIT**

**Permit Dated April 17, 2023**

**636 East Fillmore Avenue**

**Special Use Permit issued pursuant to §285-52 of the East Aurora Village Code**

**Issued To:** Nick & Alex Robinson

**For the purpose of:** Space for commercial kitchen for baking and selling of pastries.

**As per Village Board Approval:** Amended April 17, 2023

**Effective:** April 17, 2023

**Hours of Operation:** Monday through Saturday, 7 a.m. to 5 p.m.  
Sunday, 8 a.m. to 3 p.m.

**For the purpose of:**

First Floor Seating: Dining 12, Outdoor 10 (seasonal/patio use)

Second Floor Seating: 16 (mezzanine) used for Master Class and Teaching Space

**Special Conditions:**

Approval is Granted for the above-referenced Special Use Permit Application, as written and submitted and referred by the Village Planning Commission with the following Findings and Recommendations:

**Findings:**

1. Proposed use is allowed in the current zoning designation. 2. There will be no outdoor music. 3. There will be no additional lighting used for outdoor seating. 4. The height of the proposed building appears consistent with the surrounding area. 5. Hours of operation at the new location will remain the same as the hours at the current location. 6. Hours of operation end at 5 p.m. Monday through Saturday and 3 p.m. Sunday, preventing any disturbance to neighbors during evening hours. 7. Applicant has stated that the roof top air handling units will operate at noise level of approximately 50dB. 8. Place the bike rack closer to the sidewalk.

**Recommendation:**

Village Board should refer the application to the Safety Committee to evaluate pedestrian crossing from the Ice Rink to the proposed Special Use Permit. The Erie County Division of Planning reviewed this application and responded: "No recommendation; proposed action has been reviewed and determined to be of local concern".

The permit herein is issued to the applicants on behalf of Blue Eyed Baker and cannot be transferred without the written consent of the Village Board of Trustees. No activities other than the activities specifically set forth in this Special Use Permit shall be conducted. No activities shall be deemed incidental to the activities permitted by this Special Use Permit unless and until such activities shall be approved as incidental activities by resolution of the Village Board of Trustees. The Village Board of Trustees hereby reserves the right to revoke approval of this Special Use Permit in the event the owner of the premises in which the use is permitted is found to be in violation of any of the above stated conditions.

- ① BRICK VENEER
- ② PAINTED CMU
- ③ METAL PANELING
- ④ METAL STANDING SEAM ROOF
- ⑤ EPDM ROOF
- ⑥ ALUM. STOREFRONT WINDOWS W/BLACK TRIM
- ⑦ METAL RAILING
- ⑧ GOOSENECK LIGHTING FIXTURE
- ⑨ METAL RAMPS
- ⑩ METAL STAIRS
- ⑪ METAL AWNINGS
- ⑫ BLUE EYED BAKER SIGN
- ⑬ METAL FLASHING



				21	6/23/2023	PLANNING BOARD	
				20	5/9/2023	INTERICE	
				19	5/2/2023	ERIE COUNTY SEWER COMMENTS	
				18	4/20/2023	ERIE COUNTY SEWER COMMENTS	
				17	4/10/2023	ERIE COUNTY SEWER COMMENTS	
				16	4/6/2023	ERIE COUNTY SEWER COMMENTS	
				15	3/14/2023	STEEL	
				14	3/8/2023	ERIE COUNTY SEWER COMMENTS	
				13	3/6/2023	ERIE COUNTY SEWER COMMENTS	
6	10/27/2022	STRUCTURAL REVISION	12	2/21/2023	BULLETH #2 CONSTRUCTION		
5	10/07/2022	RESTROOM	11	2/14/2023	BULLETH #1 CONSTRUCTION		
4	9/28/2022	PRICING SET	10	1/30/2023	PLANNING BOARD		
3	2/18/2022		9	1/20/2023	PERMIT SET COMMENTS		
2	1/25/2022	REVISION	8	1/13/2023	PERMIT SET COMMENTS		
1	1/17/2022	PLANNING BOARD	7	11/21/2022	PERMIT SET		
NO	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION		

IT IS A VIOLATION OF SECTION 2000, SUBSECTION 2, OF THE NEW YORK STATE EDUCATION LAW FOR ANY PERSON OTHER THAN THOSE WHOSE NAMES ARE ON THIS LISTING, TO PERFORM ANY WORK ANY ITEM ON THIS DOCUMENT. IF AN ITEM IS ALTERED, THE ALTERING ENGINEER'S NAME AND THE ITEM IS DELETED AND THE VIOLATION VIOLATED IS RECORDED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A FURTHER DESCRIPTION OF THE ALTERATION.



**SCHENNE & ASSOCIATES**  
CONSULTING ENGINEERS  
967 Luther Road  
East Aurora, NY 14062  
(716) 855-4991; [John@schenne.com](mailto:John@schenne.com)

OWNER
-------

**BLUE EYED BAKER**  
**33 ELM STREET**  
**EAST AURORA, NY 14052**

PROJECT	
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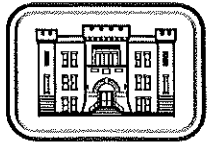
**PROPOSED BAKERY 636  
EAST FILLMORE EAST  
AURORA, NY 14052**

JOB NUMBER / 21-3550

CREATED BY: KP | RR

### PROPOSED ELEVATIONS

SCALE: AS NOTED	DATE: 03-06-2021	DWG. A-4
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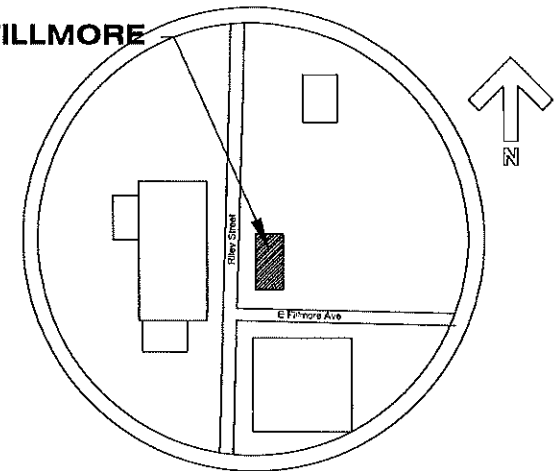
# Schenne & Associates

967 Luther Road

East Aurora, NY 14052

636 East Fillmore, East Aurora, NY 14052

636 EAST FILLMORE



## SITE LOCATION MAP

SCALE: N.T.S.

### Applicable Codes:

1. EXISTING BUILDING CODE OF NEW YORK STATE (EBCNYS - 2020)
2. BUILDING CODE OF NEW YORK STATE 2020
3. NATIONAL ELECTRIC CODE (2019)
4. NFPA 70
5. AISI 117.1-2017
6. ADA-2010

### Use and Occupancy Classification:

Village of East Aurora -

Commercial Use - Bakery

### Construction Classification:

New Construction Type IIB with the following ratings.

- Exterior Wall Construction (Masonry, Stone/brick, Metal stud) 0-hour
- Structural Frame frame stud 0-hour
- Floor Construction frame 0-hour
- Metal frame stud Demising Wall (Stairwell) 1-hour
- Roof Construction (metal decking) 0-hour

### Means of Egress:

- Egress Width, Stairs = 0.2' per Occupant but not less than 44"
- Egress Width, Corridors = 0.15' per Occupant but not less than 44"
- Number of Exits:
  - First Floor:
    - Office Dental and Medical Min. 2 Required, 4 Provided.
- Exit Access:
  - Common Path of Egress Travel: 125' max. (no spirals)
  - Dead End Corridors: 20' max (new)
  - Corridor Width: 44" min. required, 60" provided
  - Exit Access Doors: Provide 2 exits for spaces with occupant loads greater than 50.
  - Separation of Exits: Provide separation that is not less than 1/2 diagonal of building

### Occupant Load:

Numbers in these tables are reflective of calculations made from Table 1004.1.2, actual occupancy loads will most likely be much less. However, the number below are used in code review requirements.

■ Ground Floor: A-2	3,605 sf gross
704 SF dining (1 occ./ 15 s.f.)	47 OL
500 SF Master class (1 occ./ 15 s.f.)	34 OL
BOH/ Kitchen 900 sf net (1 occ./ 200s.f.)	6 OL

■ Second Floor: A-2	1,480 sf Gross
net open area 1,135 sf (1 occ./ 15 s.f.)	76 OL
net patio area 738 sf (1 occ./ 15 s.f.)	49 OL

### TOTAL FOR ENTIRE BUILDING: # occupants

First Floor - Square Footage	3,605 sf
Second Floor - Square Footage	1,480 sf

Total Building - Square Footage 5,085 sf

### Fire Rated Construction:

- The Building is Sprinklered.
- Fire Barriers - Required for Vertical Exit Enclosures and exit passageways.
- Fire Partitions for Corridors
  - 1/2 hr. fire partition required (Building is fully sprinklered)
- Fire Barriers - Required for incidental use areas (fumace & boiler rooms, storage rooms), 1 hr. fire barrier or Sprinkler Required. Sprinkler Provided, no rated walls required.
- Opening Protectives - B-label at 2 hr. walls, B-label at 1 hr. walls, 20 min. doors 1/2 Hr. walls. Exterior Walls. Not required due to setback distances at all locations.

### Work By Others:

- Design Build Alarm System
  - Design Build Audio/ sound/ Video system
  - Design Build Security
- |    |           |                            |
|----|-----------|----------------------------|
| 21 | 6/23/2023 | PLANNING BOARD             |
| 20 | 6/9/2023  | INTERIOR                   |
| 19 | 5/2/2023  | ERIE COUNTY SEWER COMMENTS |
| 18 | 4/20/2023 | ERIE COUNTY SEWER COMMENTS |
| 17 | 4/10/2023 | ERIE COUNTY SEWER COMMENTS |
| 16 | 3/9/2023  | ERIE COUNTY SEWER COMMENTS |
| 15 | 3/6/2023  | ERIE COUNTY SEWER COMMENTS |
| 14 | 3/6/2023  | ERIE COUNTY SEWER COMMENTS |
| 13 | 3/6/2023  | ERIE COUNTY SEWER COMMENTS |

### INDEX OF DRAWINGS

DWG. NO.	DESCRIPTION	09/28/2022	11/16/2022	11/21/2022	12/05/2023	2/14/2023	3/02/2023
T-1	Title Sheet	●	●	●	●	●	●
C-1	Site Plan	●	●	●	●	●	●
C-2	Site Grading and Utility Plan	●	●	●	●	●	●
C-3	Site Landscaping Plan	●	●	●	●	●	●
CC-1	Code Compliance Plan	●	●	●	●	●	●
A-1	First Floor Plans	●	●	●	●	●	●
A-2	Second Floor Plans	●	●	●	●	●	●
A-3	Roof Plan	●	●	●	●	●	●
A-4	Elevations	●	●	●	●	●	●
P-1	1st Floor Sanitary & Waste Plumbing	●	●	●	●	●	●
P-2	1st Floor Water & Gas Plumbing	●	●	●	●	●	●
P-3	2nd Floor Sanitary & Waste Plumbing	●	●	●	●	●	●
P-4	Restroom Elevations	●	●	●	●	●	●
E-1	First Floor Electrical Plans	●	●	●	●	●	●
E-2	First Floor Electrical Plans	●	●	●	●	●	●
E-3	Second Floor Electrical Power Plan	●	●	●	●	●	●
E-4	Second Floor Electrical Lighting Plan	●	●	●	●	●	●
M-1	First Floor HVAC Plans	●	●	●	●	●	●
M-2	Second Floor HVAC Plans	●	●	●	●	●	●
S-1	Foundation Plan	●	●	●	●	●	●
S-2	First Floor Framing Plan	●	●	●	●	●	●
S-3	Roof Framing Plan	●	●	●	●	●	●
S-4	Structural Framing (Col. Line 2,3,4)	●	●	●	●	●	●
S-5	Structural Details (Col. Line 2,3,4)	●	●	●	●	●	●
S-6	Structural Framing (Col. Line 5)	●	●	●	●	●	●
S-7	Structural Details (Col. Line 5)	●	●	●	●	●	●
S-8	Typ. Structural details	●	●	●	●	●	●
FP-1	1st Floor Fire Protection Plan	●	●	●	●	●	●
FP-2	2nd Floor Fire Protection Plan	●	●	●	●	●	●

### GENERAL NOTES

- CONTRACTOR BEFORE STARTING WORK, NOTIFY THE ENGINEER/ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES. A. SOONEST BEGINNING, THE ARCHITECT'S ASSISTANT AND SELECTIVE DEMONSTRATIONS WILL BE PERFORMED FIRST, AND THE RECONSTRUCTION AND RENOVATION WORK WILL BE PERFORMED AFTER.
- THE RECONSTRUCTION AND RENOVATION CONTRACTOR SHALL BE CAREFUL SO AS TO NOT DISTURB ANY OF THE REMAINING/EXISTING WORK WHICH SHALL BE ENCLOSED BY THEIR NEW WORK.
- DURING THE RECONSTRUCTION AND RENOVATION WORK, THE OWNER WILL EMPLOY THE SERVICES OF A FULLTIME (ON-SITE) PROJECT MONITOR TO OBSERVE AND ENSURE THERE IS NO DISTURBANCE OF ANY OF THE REMAINING/EXISTING WORK. IN THE EVENT OF ANY DISTURBANCE, THE ARCHITECT/CONTRACTOR SHALL PERFORM THE NECESSARY CLEANUP OPERATIONS AND/OR REPAIRS AS MAY BE NEEDED.
- REFER TO THE NYS-DOL SITE SPECIFIC VARIANCE AND THE SPECIFICATIONS FOR FURTHER DEFINITION, AND CLARIFICATION FOR THE COORDINATION AND SEQUENCING CONTRACTS.
1. VERIFICATION: VERIFY ALL DIMENSIONS, ELEVATIONS AND SITE
  2. CONFLICTS: NOTES AND DETAILS ON THE DRAWINGS TAKE PRECEDENCE OVER THE GENERAL NOTES AND TYPICAL DETAILS IN CASE OF CONFLICT.
  3. CODES: ALL MATERIALS AND WORK SHALL CONFORM TO THE REQUIREMENTS OF THE NYS UNIFORM FIRE PREVENTION AND BUILDING CODE.
  4. SUBSTITUTIONS: PROVIDE MANUFACTURER'S APPROVED PRODUCT EVALUATION REPORTS (TDS REPORTS) AND A LIST OF ALL PROPOSED SUBSTITUTIONS TO THE ENGINEER FOR REVIEW AND WRITTEN APPROVAL BEFORE FABRICATION OR INSTALLATION.
  5. SIMILAR WORK: WHERE CONSTRUCTION DETAILS ARE NOT SHOWN OR NOTED FOR ANY PART OF THE WORK, SUCH DETAILS SHALL BE THE SAME AS FOR SIMILAR WORK SHOWN ON THE DRAWINGS.
  6. PIPES, DUCTS, SLEEVES, CHASES, ETC. SHALL NOT BE PLACED IN SLABS, BEAMS, OR WALLS UNLESS SPECIFICALLY SHOWN OR NOTED NOR SHALL ANY STRUCTURAL MEMBER BE CUT FOR PIPES, DUCTS, ETC. UNLESS SPECIFICALLY SHOWN. OBTAIN PRIOR WRITTEN APPROVAL FOR INSTALLATION OF ANY ADDITIONAL PIPES, DUCTS, ETC.
  7. EXCAVATIONS: LOCATE AND PROTECT UNDERGROUND OR CONCEALED CONDUIT, PLUMBING OR OTHER UTILITIES WHERE NEW WORK IS BEING PERFORMED.
  8. CONSTRUCTION LOADS: MATERIALS SHALL BE EVENLY DISTRIBUTED IF PLACED ON FRAMED FLOORS OR ROOFS. LOADS SHALL NOT EXCEED THE ALLOWABLE LOADING (LL=40 PSF) FOR THE SUPPORTING MEMBERS AND THEIR CONNECTIONS.
  9. [REDACTED]
  10. [REDACTED]

### ARCHITECTURAL MATERIAL SYMBOLS

BRICK	FIBROUS INSULATION
CONCRETE BLOCK	RIGID INSULATION
CONCRETE	EXTERIOR
STEEL	PLYWOOD
FINISHED WOOD	PLASTER OR DRYWALL
ROUGH WOOD	PARTIAL BOARD
CONCRETE BLOCK (ELEVATION)	METAL (ELEVATION)
EXTERIOR INSULATION AND FINISH SYSTEM (SECTION)	

### ARCHITECTURAL ABBREVIATIONS

AB	ANCHOR BOLT	L H R B	LEFT HAND REVERSE BEVEL
ACM	ASBESTOS-CONTAINING MATERIALS	LLV	LONG LEG VERTICAL
ACT	ACOUSTIC CEILING TILE (NON-ASBESTOS)	LLH	LONG LEG HORIZONTAL
ADD'L	ADDITIONAL	LT WT	LIGHT WEIGHT
A F F	ABOVE FINISH FLOOR	MA	MASONRY TEE
AGG	AGGREGATE	MANUF	MANUFACTURER
ALT	ALTERATE	MAX	MAXIMUM
AL ALUM	ALUMINUM	MECH RM	MECHANICAL ROOM
APPROX	APPROXIMATE	MIN	MINIMUM
AVG	AVERAGE	MC	MISC CHANNEL
B C	BLOCK COURSES	MECH	MECHANICAL
BO	BOARD	MET MTL	METAL
BET	BETWEEN	MIN	MINIMUM
BEW	BOTTOM EACH WAY	M O	MASONRY OPENING
BLOO	BUILDING	N	NORTH
BM	BEAM	N I C	NOT IN CONTRACT
BMT	BENT	NO	NUMBER
B O F	BOTTOM OF FOOTING	NOM	NOMINAL
BOT	BOTTOM	N R	NON-RATED
BSH	BASEMENT	N & S	NORTH AND SOUTH
CEIL	CEILING	O C	ON CENTER
C J	CONTROL JOINT	O D	OUTSIDE DIAMETER
C L	CENTER LINE	O H	OVERHEAD
CLR	CLEAR	OPNO	OPENING
C M U	CONCRETE MASONRY UNIT	OPP HAND	OPPOSITE HAND
COL	COLUMN	PRAM	PROVIDED BY ARCH MANUF.
CONC	CONCRETE	PRE-FINISH	PRE-FINISH
CONC	CONCRETE	P	PLATE
CONT	CONTINUED - CONTINUOUS	PNEU	PNEUMATIC
CONST.	CONSTRUCTION	PA	PAIR
CRS	COURSE(S)	PREFIN	PRE-FINISHED
CUR	CURB	PSF	POUNDS PER SQUARE FOOT
DET	DETAIL	PSI	POUNDS PER SQUARE INCH
DRWO	DRAWING	PT	PAINT
EA	EACH	PVC	POLY VINYL CHLORIDE
E F	EACH FACE	R	RISER
E J	EXPANSION JOINT	RAWA	REGULATED ABATEMENT WORK AREA
ELEC	ELECTRICAL	RACMU	REINFORCED CONCRETE BLOCK
ELEV EL	ELEVATION	REG	REGULAR
EMBED	EMBEDMENT	REINF	REINFORCEMENT
E W	EACH WAY	REQ	REQUIRED
E W E F	EACH WAY EACH FACE	R H	RIGHT HAND
EXT	EXTERIOR	R H R B	RIGHT HAND REVERSE BEVEL
EXST	EXISTING	R C P	REFLECTED CEILING PLAN
FABRIC	FABRICATION	RM	ROOM
FON	FOUNDATION	S	SOUTH
FF	FINISH FLOOR	SC	SHEAR CONNECTOR
FAST	FASTENER	SCHDO	SCHEDULE
F O	FULL GLASS	SECT	SECTION
FIN	FINISH	SHIT	SHEET
FLASH	FLASHING	SIM	SIMILAR
FL	FLOOR	SPECS	SPECIFICATION
F O B	FACE OF BLOCK	STD	STANDARD
F O C	FACE OF CONCRETE	STIFF	STIFFENER
FOUND FDN	FOUNDATION	STL	STEEL
F P	FIRE PROTECTION	STRUCT	STRUCTURAL
FOOTING	FOOTING	TEMP	TEMPERATURE
GA	GAUGE	THK	THICK
GALV	GALVANIZED	T O	TOP OF
GB	GLOVE BAG	T O B	TOP OF BLOCK
OWB	GYPSUM WALLBOARD	T O C	TOP OF CONCRETE
HD	HEAD	T O F	TOP OF FOOTER
HF	HEPA EXHAUST FAN	T O S	TOP OF STEEL
H M	HOLLOW METAL	TYP	TYPICAL
HORIZ	HORIZONTAL	U N O	UNLESS NOTED OTHERWISE
HOUR	HOUR	U O N	UNLESS OTHERWISE NOTED
HT	HIGH TEMPERATURE	VERT	VERTICAL
HT	HEIGHT	W	WIDE
HYD	HYDRAULIC	WTH	WITH
ID	INSIDE DIAMETER	WD	WOOD
INFO	INFORMATION	WF	WIDE FLANGE
INSUL	INSULATION	WR	WATER RESISTANT
JOINT	JOINT	W W F	WELDED WIRE FABRIC
LG	LONG	W W M	WELDED WIRE MESH
KB	KNEE BRACE		
L H	LEFT HAND		

### ARCHITECTURAL DRAWING SYMBOLS

1/8"	ARCHITECTURAL DIMENSION
WORK POINT	WORK POINT (ELCIN, FIN FLOOR, ROOF, etc.)
DATUM - WORKING POINT	DATUM - WORKING POINT (DIMENSIONAL STARTING POINT)
COLUMN LINES	COLUMN LINES
CENTER LINE	CENTER LINE
ROOM NUMBER - NUMBERING ROOMS	ROOM NUMBER - NUMBERING ROOMS (FIRST FLOOR 101, 102, etc., SECOND FLOOR 201, 202, etc.)
DOOR NUMBER - Identification	DOOR NUMBER - Identification
ROOM NUMBER that door is associated with	ROOM NUMBER that door is associated with
SHEET ELEV. LOCATED ON	SHEET ELEV. LOCATED ON
ELEVATION NUMBER	ELEVATION NUMBER
SECTION NUMBER	SECTION NUMBER
SHEET SECTIONS ON	SHEET SECTIONS ON
PARTITION TYPE	PARTITION TYPE (Refer to PARTITION TYPE sheet for assemblies)
ARCHITECTURAL WALL/ROOF, FINISH	ARCHITECTURAL WALL/ROOF, FINISH (Refer to INTERIOR FINISH SELECTION SCHEDULE for specific finishing of walls/roofs)
ARCHITECTURAL FLOOR FINISH	ARCHITECTURAL FLOOR FINISH (Refer to INTERIOR FINISH SELECTION SCHEDULE for specific finishing of floors)
DETAIL NUMBER	DETAIL NUMBER
SHEET LOCATED ON	SHEET LOCATED ON
AREA TO BE LOCATED	AREA TO BE LOCATED
WINDOW NUMBER	WINDOW NUMBER (1, 2, etc. = EXTERIOR WINDOWS; A, B, etc. = INTERIOR WINDOWS)
REVISION NUMBER AND BUBBLE	REVISION NUMBER AND BUBBLE
DRAWING LABEL	DRAWING LABEL
DRAWING NUMBER	DRAWING NUMBER
SHEET DRAWING IS LOCATED ON	SHEET DRAWING IS LOCATED ON
DRAWING SCALE	DRAWING SCALE
NORTH ARROW (TRUE NORTH)	NORTH ARROW (TRUE NORTH)
NEW DOOR	NEW DOOR
EXISTING DOOR (45° ANGLE)	EXISTING DOOR (45° ANGLE)
DEMOLITION OF EXISTING DOOR	DEMOLITION OF EXISTING DOOR

NOTE: FOR ALL OTHER LEGENDS NOT LISTED, REFER TO RELATED SHEETS FOR ADDITIONAL LEGENDS AND DRAWING INFORMATION.

ENGINEER



**SCHENNE & ASSOCIATES**  
CONSULTING ENGINEERS  
967 Luther Road  
East Aurora, NY 14052  
(716) 855-4981; John@schenne.com

OWNER

**BLUE EYED BAKER**  
33 ELM STREET  
EAST AURORA, NY 14052

PROJECT

**PROPOSED BAKERY 636**  
**EAST FILLMORE EAST**  
**AURORA, NY 14052**

JOB NUMBER # 21-3550

CREATED BY: KP | RR

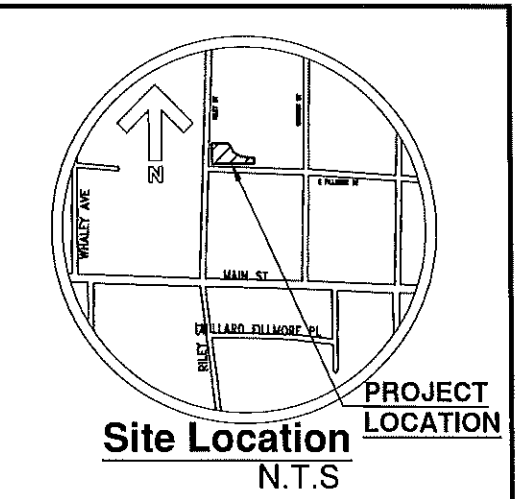
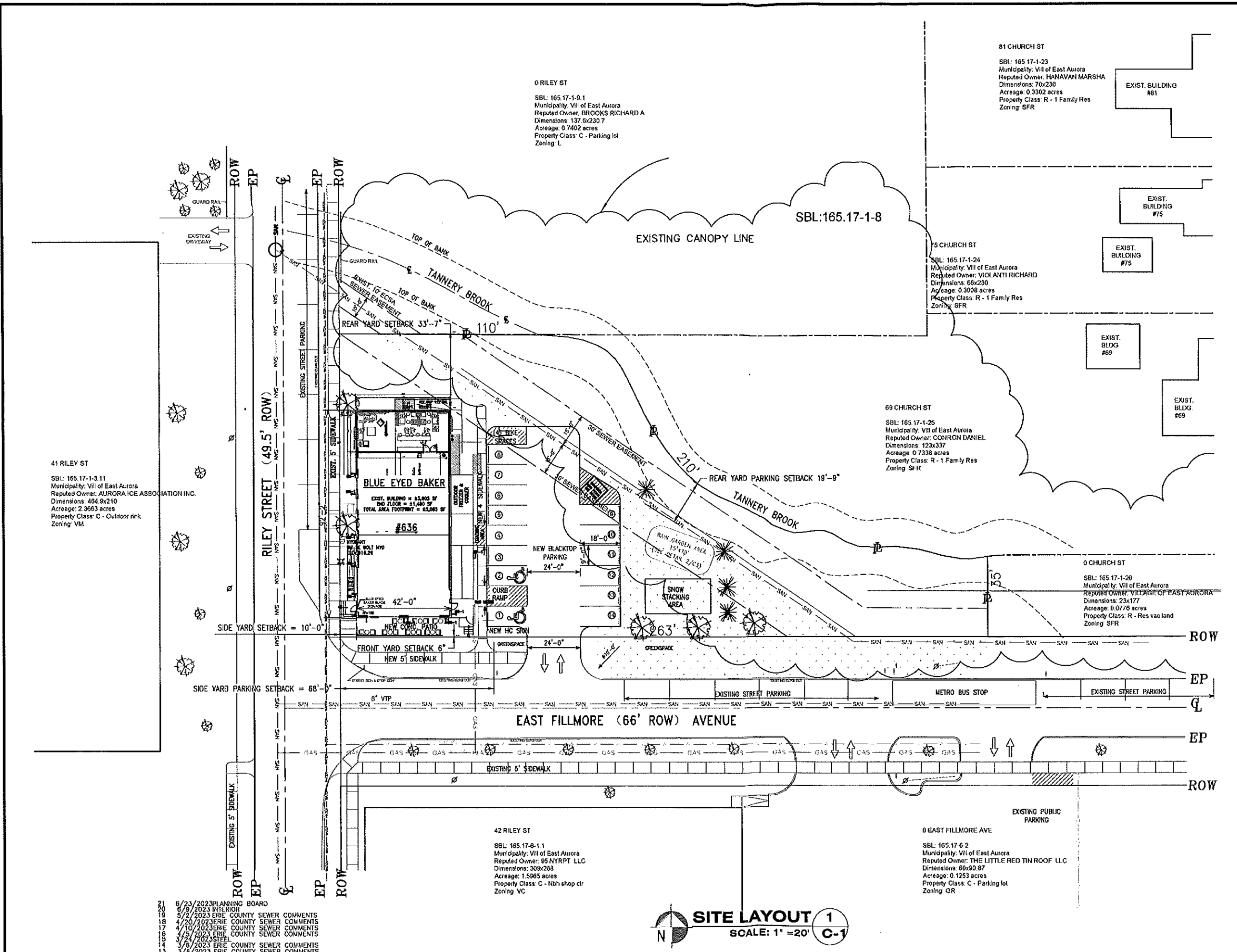
## TITLE SHEET

SCALE: AS NOTED

DATE: 08-01-2021

DWG. T-1





SITE ZONING INFORMATION		
EXISTING ZONING: VILLAGE-CENTER COMMERCIAL (VC) DISTRICT		
PROPOSED USE: BAKERY		
SITE INFORMATION		
TYPE	AREA	%
GREEN SPACE	0.278 AC (12,039.95F)	58.6%
BUILDINGS	0.121 AC (5,289.85F)	25.6%
PARKING	0.072 AC (3,144.25F)	15.4%
TOTAL SIZE	0.47 AC (20,473.5F)	100%
ZONING REQUIREMENT		
	MIN. SETBACK	PROP. SETBACK
FRONT YARD (SOUTH) SETBACK:	0'	6'
SIDE YARD (WEST) SETBACK:	10'	10'
REAR YARD (NORTH) SETBACK:	10'	33'
MAX. BUILDING HEIGHT:	45'	25'
PARKING FRONT YARD (SOUTH) SETBACK:	10'	10'
PARKING SIDE YARD (WEST) SETBACK:	2'	6'
PARKING REAR YARD (NORTH) SETBACK:	2'	10'
MAX. LOT COVERAGE:	75%	41.2%
OWNER OF RECORD		APPLICANT
Lisa B DeCarlo 572574 Main Street (North entry) East Aurora, NY 14052		Blue Eyed Bakery 33 Elm Street, East Aurora, NY 14052

- GENERAL NOTES**
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH LOCAL MUNICIPALITIES CONSTRUCTION SPECIFICATIONS WHERE APPLICABLE AND/OR SUBJECT TO THE LATEST REVISIONS BY THE TOWN OF AURORA.
  - STAMPS AND BRUSH MAY NOT BE BURIED ON SITE.
  - ALL EXISTING AND PROPOSED ELEVATIONS ARE IN 5' 0" DATUM.
  - PROVIDE SELECT FILL UNDER ALL DRIVEWAY AND PARKING AREAS FOR UTILITY BACKFILL.
  - THE DEPTHS AND LOCATIONS OF EXISTING UTILITIES SHOWN ARE APPROXIMATE. CONTRACTOR SHALL NOTIFY UTILITY COMPANIES AND IN-DEPENDENT UTILITY LOCATOR, IN ACCORDANCE WITH APPLICABLE REGULATIONS & LAWS BEFORE BEGINNING WORK. CONTRACTOR SHALL USE ALL MEANS POSSIBLE, INCLUDING METAL DETECTORS.
- GN-1**
- BLACK 18" GROUND BOLL MOUNTED (GBM)  
ALL FIXTURES TO BE INSTALLED AT 90 DEGREE ANGLE.  
PROVIDE COUP-OUT & WIRING IN ACCORDANCE WITH NEC  
800 LUMEN FLUORESCENT LED VEDUUM BACK SCREW-IN BULB
- WP-1**
- 20 WATT LED FIXTURES, RUS MODEL NO. WPL020V/PC 2-15 VARS  
ALL FIXTURES TO BE INSTALLED AT 90 DEGREE ANGLE  
PROVIDE COUP-OUT & WIRING IN ACCORDANCE WITH NEC  
PROVIDE DARK SKY COMPLIANT SHIELDS
- SURVEY INFORMATION**
- SOME INFORMATION ON THIS DRAWING HAS BEEN COPIED WITH PERMISSION FROM A  
BOUNDARY SURVEY PREPARED BY KRAUSE & GANTER LAND SURVEYORS  
LICENSED SURVEYOR MARSHALL L. KRAUSE, SEAL #000182  
13 DOWN DR. EAST AURORA, NY 14052  
Date of Survey: JUNE 5TH 2019; JOB NO. 169.537

TOTAL SPACES		PARKING INFORMATION		
		REQUIRED	PROVIDED	DIMENSION
14		12 SPACES	12 SPACES	9' X 18'
		2 HC SPACE	2 HC SPACE	

LEGEND	
SANITARY WASHOLE	SAN W/H
WATER WASHOLE	WATER W/H
TRAFFIC SIGNAL WASHOLE	TRAFFIC S/H
STORM SEWER	ST
OVERHEAD ELECTRIC	OE
UNDERGROUND ELECTRIC	UE
OVERHEAD TELEPHONE	OT
UNDERGROUND TELEPHONE	UT
OH ELECTRIC & TELEPHONE	OE&T
GAS LINE	G
WATER LINE	W
SANITARY SEWER	SS
UTILITY POLE	UTL P
EXISTING CONTOUR	CON
PROPOSED CONTOUR	PROP CON
TREE OR OVER 3" CALIPER	T
EVERGREEN SHrub	EG
FLOWERING SHrub	FS
DECIDUOUS SHrub	DS
CLEAN OUT TO GROUND	CO
PROPOSED ELEVATION	77.0
EXISTING ELEVATION	77.0
GRASS AREA	GRASS
LOT LIGHT	A2
LOT LIGHT	A
LOT LIGHT	D
NOT FIELD VERIFIED	N.F.V.
POWER POLE	PP
TRAFFIC SIGNAL	TS
RECEIVER	CO
INTERMPT	INT
WATER VALVE	WV
CLEAN OUT	CO
PROPERTY LINE	PL
DEVELOPMENT	DEV
PEA STOP AT 3" IN	PS
CONG PAVEMENT	CONG
TRAFFIC SIGN	TS
CURB	CURB

NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION
6	10/27/2022	STRUCTURAL REVISION	12	2/21/2023	BULLETIN #2 CONSTRUCTION
5	10/07/2022	RESTROOM	11	2/14/2023	BULLETIN #1 CONSTRUCTION
4	9/28/2022	PRICING SET	10	1/30/2023	PLANNING BOARD
3	2/18/2022		9	1/20/2023	PERMIT SET COMMENTS
2	1/25/2022	REVISION	8	1/13/2023	PERMIT SET COMMENTS
1	1/17/2022	PLANNING BOARD	7	11/21/2022	PERMIT SET
NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION

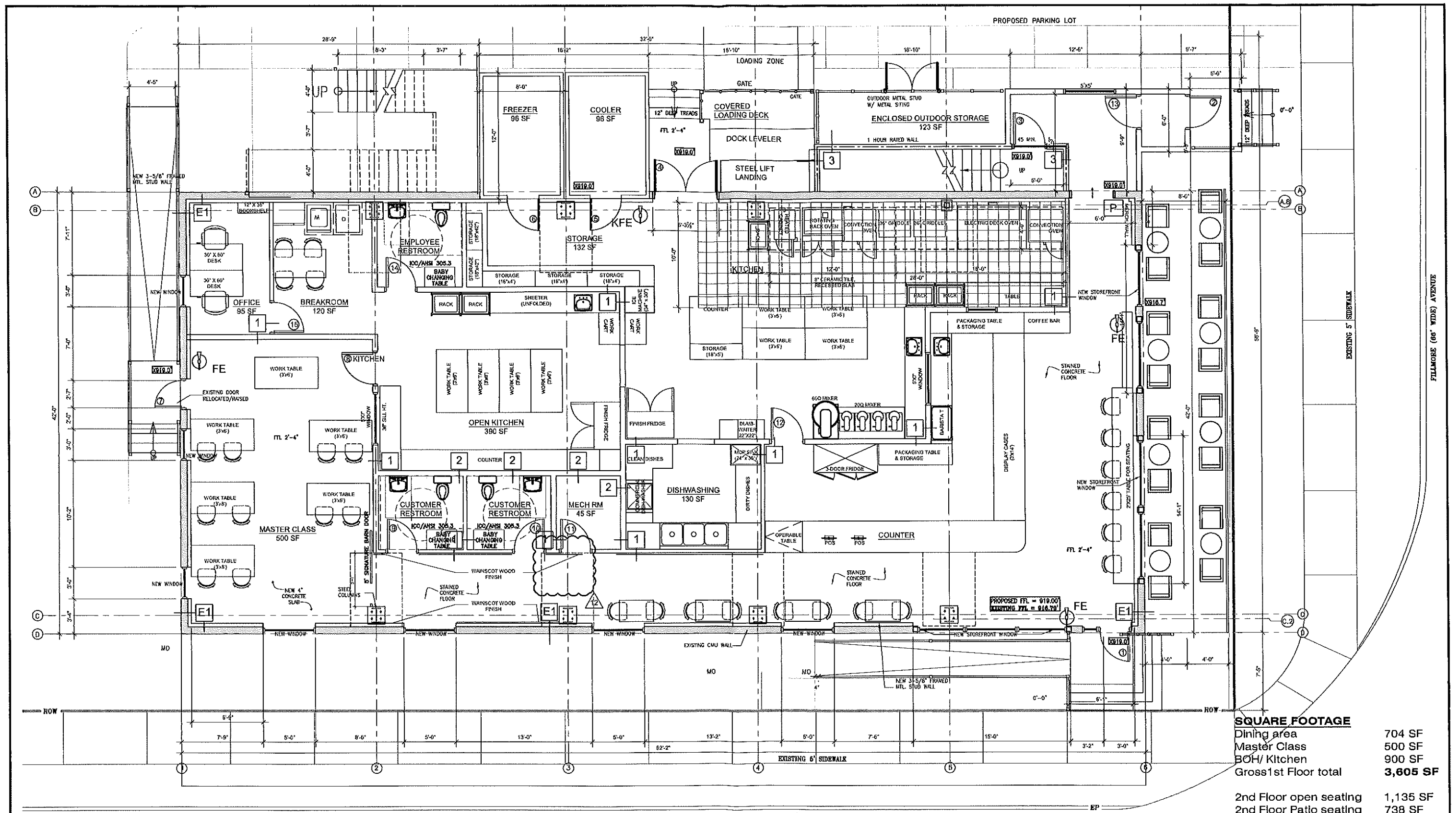
IT IS A VIOLATION OF SECTION 2009, SUBSECTION 2, OF THE NEW YORK STATE ENGINEERING LAW FOR ANY PERSON OTHER THAN THOSE WHOSE NAME APPEARS ON THIS DRAWING, TO ALTER IN ANY MANNER ANY PART OF THIS DRAWING. IF AN ITEM IS ALTERED, THE ALTERING ENGINEER SHALL AFFIX TO THE DRAWING HIS SIGN AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF EACH ALTERATION, AND A BRIEF DESCRIPTION OF THE ALTERATION.

**SCHENNE & ASSOCIATES**  
CONSULTING ENGINEERS  
987 Luther Road  
East Aurora, NY 14052  
(716) 655-4991; John@schenne.com

**BLUE EYED BAKER**  
33 ELM STREET  
EAST AURORA, NY 14052

**PROPOSED BAKERY 636**  
EAST FILLMORE EAST  
AURORA, NY 14052

**PROPOSED SITE LAYOUT**  
SCALE: AS NOTED  
DATE: 02-06-2023  
DWA: C-1



SQUARE FOOTAGE	
Dining area	704 SF
Master Class	500 SF
BOH/ Kitchen	900 SF
Gross 1st Floor total	3,605 SF
2nd Floor open seating	1,135 SF
2nd Floor Patio seating	738 SF
Gross 2nd Floor	1,480 SF
Grand Total	5,085 SF

**FIRST FLOOR PLAN**  
SCALE: 1/4" = 1'-0"

5	10/27/2022	STRUCTURAL REVISION	12	2/21/2023	BULLETIN #2 CONSTRUCTION
5	10/07/2022	RESTROOM	11	2/14/2023	BULLETIN #1 CONSTRUCTION
4	9/28/2022	PRICING SET	10	1/30/2023	PLANNING BOARD
3	2/18/2022		9	1/26/2023	PERMIT SET COMMENTS
2	1/25/2022	REVISION	8	1/13/2023	PERMIT SET COMMENTS
1	1/17/2022	PLANNING BOARD	7	11/21/2022	PERMIT SET
NO	DATE	DESCRIPTION	NO	DATE	DESCRIPTION

IT IS A VIOLATION OF SECTION 2209, SUBDIVISION 3, OF THE NEW YORK STATE EDUCATION LAW FOR ANY PERSON, OTHER THAN THOSE WHOSE SEAL APPEARS ON THIS DRAWING, TO ALTER IN ANY MANNER ANY INFORMATION CONTAINED HEREON. IF ANY ALTERATION IS MADE, THE ALTERING ENGINEER SHALL AFFIX TO THE PLAN HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION AND A BRIEF DESCRIPTION OF THE ALTERATION.

ENGINEER  
**SCHENNE & ASSOCIATES**  
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(716) 855-4991; John@schenne.com

OWNER  
**BLUE EYED BAKER**  
33 ELM STREET  
EAST AURORA, NY 14052

PROJECT  
**PROPOSED BAKERY 636  
EAST FILLMORE EAST  
AURORA, NY 14052**

JOB NUMBER # 21-3550  
CREATED BY: KP | RR  
**1ST FLOOR PLAN**  
SCALE: AS NOTED  
DATE: 09-06-2021  
DWG. **A-1**

NOTE: ALL LOCKS FOR EXTERIOR DOORS SHALL BE MASTER KEYED



IT IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW FOR ANY PERSON, OTHER THAN THOSE WHOSE SOCIAL APPEARANCE ON THIS DRAWING, TO ALTER IN ANY WAY AN ITEM ON THIS DRAWING. IF AN ITEM IS ALTERED, THE ALTERING ENGINEER SHALL AFFIX TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

**SCHENNE & ASSOCIATES**  
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**BLUE EYED BAKER**  
**33 ELM STREET**  
**EAST AURORA, NY 14052**

**PROPOSED BAKERY 636  
EAST FILLMORE EAST  
AURORA, NY 14052**

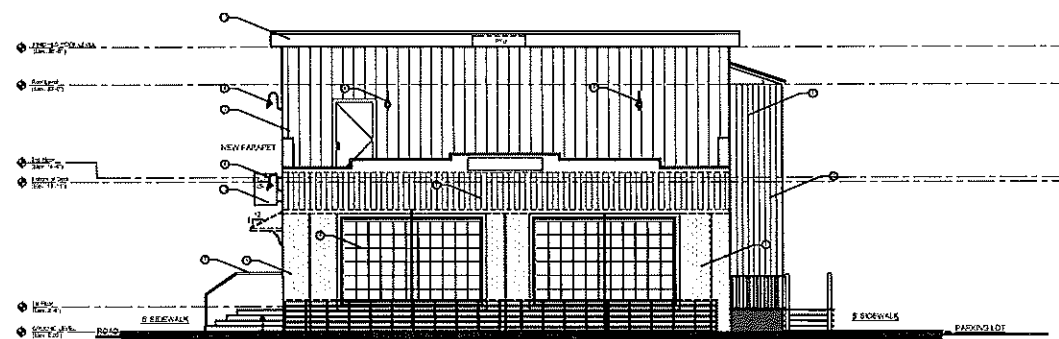
CREATED BY: KP | RR

## SECOND FLOOR PLAN

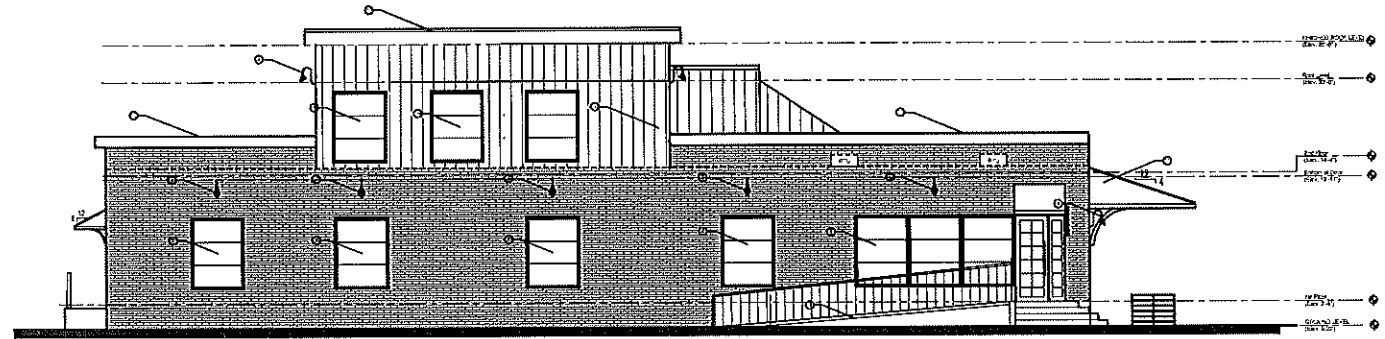
SCALE: AS NOTED	DATE: 08-06-2021	DWG. <b>A-2</b>
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NOTES

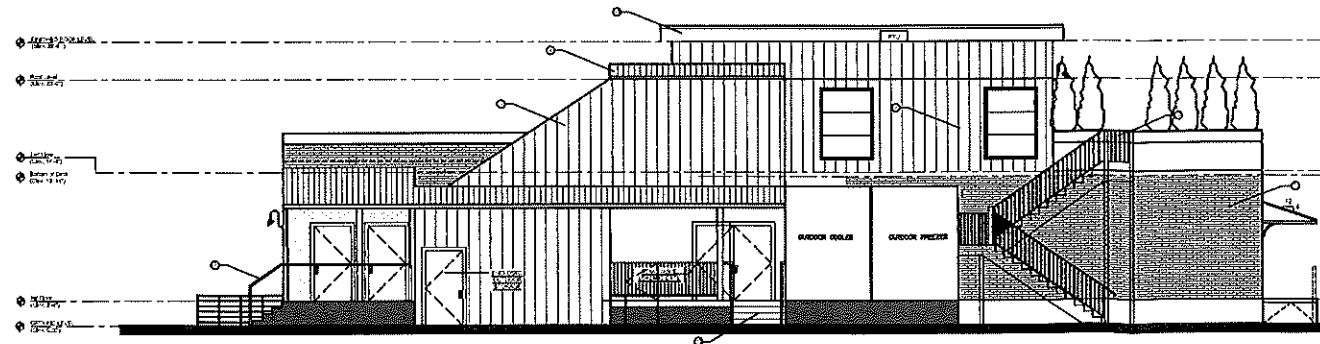
- 1 DRICK VENEER
- 2 PAINTED CMU
- 3 METAL PANKLING
- 4 METAL STANDING SEAM ROOF
- 5 EPDM ROOF
- 6 ALUM. STOREFRONT WINDOWS W/BLACK TRIM
- 7 METAL RAILING
- 8 GOOSENECK LIGHTING FIXTURE
- 9 METAL RAMPS
- 10 METAL STAIRS
- 11 METAL AWNINGS
- 12 BLUE EYED BAKER SIGN
- 13 METAL FLASHING



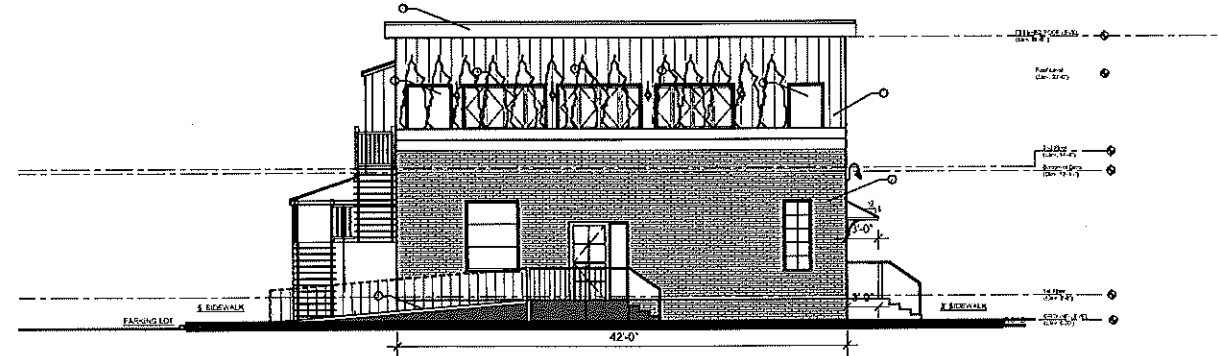
PROPOSED SOUTH ELEVATION 1  
SCALE: 1/8" = 1'-0" A-4



PROPOSED WEST ELEVATION 2  
SCALE: 1/8" = 1'-0" A-4



PROPOSED EAST ELEVATION 3  
SCALE: 1/8" = 1'-0" A-4

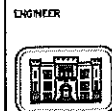


PROPOSED NORTH ELEVATION 4  
SCALE: 1/8" = 1'-0" A-4

21	6/23/2023	PLANNING BOARD
20	6/9/2023	INTERIOR
19	5/2/2023	ERIE COUNTY SEWER COMMENTS
18	4/20/2023	ERIE COUNTY SEWER COMMENTS
17	4/10/2023	ERIE COUNTY SEWER COMMENTS
16	4/5/2023	ERIE COUNTY SEWER COMMENTS
15	3/24/2023	STEEL
14	3/6/2023	ERIE COUNTY SEWER COMMENTS
13	3/6/2023	ERIE COUNTY SEWER COMMENTS

6	10/27/2022	STRUCTURAL REVISION	12	2/21/2023	BULLETIN #2 CONSTRUCTION
5	10/07/2022	RESTROOM	11	2/14/2023	BULLETIN #1 CONSTRUCTION
4	9/28/2022	PRICING SET	10	1/30/2023	PLANNING BOARD
3	2/18/2022		9	1/20/2023	PERMIT SET COMMENTS
2	1/25/2022	REVISION	8	1/13/2023	PERMIT SET COMMENTS
1	1/17/2022	PLANNING BOARD	7	11/21/2022	PERMIT SET
NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION

IT IS A VIOLATION OF SECTION 7209, SUBDIVISION 5, OF THE NEW YORK STATE EDUCATION LAW FOR ANY PERSON, OTHER THAN THOSE WHOSE SEAL APPEARS ON THIS DRAWING, TO ALTER IN ANY WAY AN ITEM ON THIS DRAWING. IF AN ITEM IS ALTERED, THE ALTERING ENGINEER SHALL AFFIX TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A BRIEF DESCRIPTION OF THE ALTERATION.



**SCHENNE & ASSOCIATES**  
CONSULTING ENGINEERS  
967 Luther Road  
East Aurora, NY 14052  
(716) 858-4991; john@schenne.com

OWNER

**BLUE EYED BAKER**  
33 ELM STREET  
EAST AURORA, NY 14052

PROJECT

**PROPOSED BAKERY 636  
EAST FILLMORE EAST  
AURORA, NY 14052**

JOB NUMBER # 21-3550

CREATED BY: NP | RR

**PROPOSED ELEVATIONS**

SCALE: AS NOTED

DATE: 08-06-2021

DWG. **A-4**

285-30.5 Visibility

- A. Corner visibility. Within the triangle formed by intersecting.....
- B. Street visibility. Within the right of way, no fence, wall, hedge or dense foliage shall be erected, planted or maintained between the heights of 2' and 6' in any residential district.

***\*Important instructions to Village Board members:***

Include all pertinent items desired by the Village pertaining to the operation of the business. Note that any items and matters that are part of the discussion, prior to the official approval, which are not included in the conditions section when the approval is granted, those may not be enforceable unless they are made express conditions of the approval.

**An Application of a Request for an Amended Special Use Permit, received by the Office of the Village Clerk on July 11, 2023, is hereby:**

- A. [APPROVED] or [DENIED], as submitted, for applicant Alix and Nick Robinson 636 East Fillmore Avenue, for an addition of a tavern use, outdoor seating on the second floor at the rear of the building, and extended hours of operation. There's no request for outdoor music on the patio, either live or speakers.

The Village Board shall be Lead Agency under the State Environmental Quality Review Act (SEQRA). A Negative Declaration is made under SEQRA and said application is determined to be an Unlisted Action.

The following findings and conditions from the Village Planning Commission are incorporated herein:

1. The business is a good use of a formerly dilapidated building.
2. The business is compatible with the neighborhood.
3. There will be no outdoor music.
4. The conditions from the existing SUP will carry forward and become part of the amended SUP.

***If approved, the following additional language should be part of the approval:***

Approval is Granted for the above-referenced Special Use Permit Application, as written and submitted, and with the following additional modifications and/or conditions\*:

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Should any part of the application and Special Use Permit approval be in conflict with any segment of the underlying Village Code (i.e., Zoning, etc.), adherence shall be with the Village Code provisions.

The Village shall have the right to periodically inspect the property for compliance with the Village Code, the Special Use Permit and its conditions.

The nature, duration and intensity of the operations which are involved in, or conducted in connection with, this Special Use Permit shall not be increased or expanded without the approval of the Village Board. Any increase or expansion shall be considered at a public hearing held in accordance with the application requirements and administrative procedures which have been adopted by the Village Board.

This Special Use Permit shall expire if significant construction has not been commenced within one year, and has not been completed within two years, of final Special Use Permit approval or, if no construction is involved, if the use has not been commenced within one year of final Special Use Permit approval.

This Special Use Permit shall expire if the use, once begun, ceases operation, for any reason, for more than six consecutive months. For seasonal uses, the use will be considered ceased if there is no operation for at least 12 consecutive months.

This Special Use Permit may be revoked by the Village Board if it is found and determined that there has been a material failure of compliance with any one of the terms, conditions, limitations or requirements imposed by the Special Use Permit. Revocation may also occur in the event of Village Code violations occurring at the property. The Village Board shall hold a public hearing to consider whether or not the Special Use Permit grantee has violated the terms and conditions of the Special Use Permit or if any Village Code violations have occurred. The public hearing shall be held only after the permit grantee has been notified. Notice of the violations and of the date, place and time of the public hearing shall be mailed to the Special Use Permit grantee by certified mail, return receipt requested, directed to the last known address of the permit grantee.

***\*Important instructions to Village Board members:***

Include all pertinent items desired by the Village pertaining to the operation of the business. Note that any items and matters that are part of the discussion, prior to the official approval, which are not included in the conditions section when the approval is granted, those may not be enforceable unless they are made express conditions of the approval.

**An Application of a Request for a Special Use Permit, received by the Office of the Village Clerk on July 11, 2023, is hereby:**

- A. [APPROVED] or [DENIED], as submitted, for applicant Anthony Amabile 27 Riley Street, to operate a restaurant with outdoor seating and outdoor music at 27 Riley Street the Riley Street Station.

The Village Board shall be Lead Agency under the State Environmental Quality Review Act (SEQRA). A Negative Declaration is made under SEQRA and said application is determined to be an Unlisted Action.

The following findings and conditions from the Village Planning Commission are incorporated herein:

1. Business will be consistent with the neighborhood character.
2. It is a good use for a historic building.
3. The applicant will cooperate with rink owner on parking.
4. The applicant will comply with noise codes and outdoor music will end by 11pm

***If approved, the following additional language should be part of the approval:***

Approval is Granted for the above-referenced Special Use Permit Application, as written and submitted, and with the following additional modifications and/or conditions\*:

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---

Should any part of the application and Special Use Permit approval be in conflict with any segment of the underlying Village Code (i.e., Zoning, etc.), adherence shall be with the Village Code provisions.

The Village shall have the right to periodically inspect the property for compliance with the Village Code, the Special Use Permit and its conditions.

The nature, duration and intensity of the operations which are involved in, or conducted in connection with, this Special Use Permit shall not be increased or expanded without the approval of the Village Board. Any increase or expansion shall be considered at a public hearing held in accordance with the application requirements and administrative procedures which have been adopted by the Village Board.

This Special Use Permit shall expire if significant construction has not been commenced within one year, and has not been completed within two years, of final Special Use Permit approval or, if no construction is involved, if the use has not been commenced within one year of final Special Use Permit approval.

This Special Use Permit shall expire if the use, once begun, ceases operation, for any reason, for more than six consecutive months. For seasonal uses, the use will be considered ceased if there is no operation for at least 12 consecutive months.

This Special Use Permit may be revoked by the Village Board if it is found and determined that there has been a material failure of compliance with any one of the terms, conditions, limitations or requirements imposed by the Special Use Permit. Revocation may also occur in the event of Village Code violations occurring at the property. The Village Board shall hold a public hearing to consider whether or not the Special Use Permit grantee has violated the terms and conditions of the Special Use Permit or if any Village Code violations have occurred. The public hearing shall be held only after the permit grantee has been notified. Notice of the violations and of the date, place and time of the public hearing shall be mailed to the Special Use Permit grantee by certified mail, return receipt requested, directed to the last known address of the permit grantee.

285-30.5 Visibility

- A. Corner visibility. Within the triangle formed by intersecting.....
- B. Street visibility. Within the right of way, no fence, wall, hedge or dense foliage shall be erected, planted or maintained between the heights of 2' and 6' in any residential district.



**VILLAGE OF EAST AURORA**  
**APPLICATION FOR TEMPORARY USE PERMIT**  
Not less than 60 days or more than 75 days before date of activity

\$25.00 Application Fee ☒ \$50.00 Permit Fee ☒  
\$100.00 Mailer Fee (300 feet for road/public parking lot closure and/or outdoor music) \_\_\_\_\_

Date Application Filed: 8/18/23  
Date of V.B. Action: \_\_\_\_\_

Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_  
Conditions of approval will be listed in permit

*Sect. 285-52 Participants of an area activity, such as, but not necessarily limited to, a sidewalk sale, art, antique, craft show and/or sales, farmers market, or community/civic promotion activities and similar*

Please type or print legibly

Name of Organization Buffalo Autism Project  
Is Organization a: ☐ not-for-profit ☐ Charitable/Service ☐ Business ☐ School ☐ Government  
Name & Address of Individual Responsible Brian Moeller, 11 Park Walk Lancaster, NY 14086  
Phone Number 716-984-8820 E-mail brian.buffaloautismproject@gmail.com  
Event Name Crawlween  
Date(s) of Event 10/21/2023 Time(s) of Event 2-8pm Estimated # of People 500-700

Please describe activity/purpose of this event Bar Crawl to raise money for events for the autism community

Location (include all areas of the event) Bars in the village of East Aurora  
(attach map)

Will this event be donating a portion of proceeds to one or more charities and publicizing that in promotional material? ☒ Yes ☐ No

If yes, list charities and the percentage of proceeds to be donated: 100% Buffalo Autism Project

Will this event be held entirely in the Village of East Aurora? ☒ Yes ☐ No

If no, specify: \_\_\_\_\_

Will the event include more than one vendor/organization? ☒ Yes ☐ No

(if yes, attach list of vendors/participants)

Will the event involve a street or parking lot closure/usage? ☐ Yes ☒ No If yes, please note:

Road/Lot Name(s) \_\_\_\_\_  
Date(s) of Closure \_\_\_\_\_ Time(s) \_\_\_\_\_

Will the event include:

Parade or motorcade ☐ Yes ☒ No (Attach Map of route)  
Walk or Run ☐ Yes ☒ No (Attach Map of route)

Will there be outdoor music? ☐ Yes ☒ No

Time & Location \_\_\_\_\_ Live ☐ DJ ☐ Multiple/Mixed ☐  
Amplification ☐ Yes ☐ No

Will you be providing or selling alcohol? ☐ Yes ☒ No

Will people be allowed to bring alcohol? ☐ Yes ☒ No

Will there be Security Guards? ☐ Yes ☒ No Volunteers ☐ or Private Paid Entity ☐

Please List Entity Name \_\_\_\_\_

Will there be temporary **food stands**? ☐ Yes ☒ No

How many? \_\_\_\_\_

Food Truck? If yes, name of vendor: \_\_\_\_\_  
(additional permit required)

Will **tent** or other structure be erected for event? ☐ Yes ☒ No Size \_\_\_\_\_  
Date & Time to be installed \_\_\_\_\_ Date & Time to be removed \_\_\_\_\_

Will any prep work be done on/or before the event? ☐ Yes ☒ No

Please describe \_\_\_\_\_

Set up Date: \_\_\_\_\_ Time: \_\_\_\_\_

Clean up Date: \_\_\_\_\_ Time: \_\_\_\_\_

Will additional **garbage cans** be needed? ☐ Yes ☒ No How many \_\_\_\_\_ Drop Off Location \_\_\_\_\_

Will each vendor/organization be responsible for their own garbage? ☒ Yes ☐ No

Will a **dumpster** be used? ☐ Yes ☒ No If yes, location \_\_\_\_\_

Will there be **portable lavatories**? ☐ Yes ☒ No How Many? \_\_\_\_\_

Location(s) \_\_\_\_\_

Will there Bell Jar or Games of Chance? ☐ Yes ☒ No (if yes, separate permit required)

What is the source of **electric**, if applicable? N/A

Please list any extras eg. Light show, loud speakers, decorations, paints or dyes:

Police Services Requested: \_\_\_\_\_

(Crossing Guards may be required dependent upon event and is a decision of the Police Department)

DPW Services Requested \_\_\_\_\_

Fire/Other \_\_\_\_\_

- Attach map or sketch showing the location of the event. Such map shall include:

Location of parking facilities, indicating number of parking spaces being provided; location of toilet facilities including the location of port-a-potties; location of public entrance(s) and exit(s) to the event site; location of vendor facilities (if applicable) including booths, tents and food service facilities; explanation of steps being taken to control traffic and provide security (if applicable) and the number of security personnel that will be present.

       *Requesting organization shall attach a completed Certificate of Insurance with minimum limits include public liability coverage of limits of \$1,000,000 each occurrence; property damage insurance with limits of \$1,000,000 each occurrence. Policy shall be endorsed to include Village of East Aurora as an additional named insured.*

       *Requesting organization shall attach Indemnification Agreement on organization letterhead, signed by authorized applicant or officer of company and duly notarized (sample included)*

*"Applicant named herein is fully responsible for obtaining any & all licensing with regard to the presentation or playing of music, pursuant to music copyright laws. The Village of East Aurora assumes no liability in this regard".*

☐ Police Department: Conditions/Comments \_\_\_\_\_

☐ Dept of Public Works: Conditions/Comments \_\_\_\_\_

☐ Fire Dept/Disaster Coordinator: Conditions/Comments \_\_\_\_\_

Sign Permits are to be obtained from the Town of Aurora Building Department 575 Oakwood Ave, 716.652.7591



BuffaloAutismProject@gmail.com

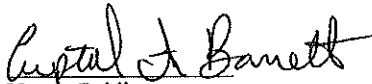
PO Box 476 Lancaster, NY 14086

***Indemnification Agreement***

To the fullest extent permitted by law, I/We shall indemnify and hold harmless the Village of East Aurora and its employees from and against claims, damages, losses and expenses, including but not limited to attorney's fees, arising out of or resulting from performance of our work under this contract, provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property, including loss of use resulting there from but only to the extent caused in whole or in part by negligent acts or omissions of our organization, anyone directly or indirectly employed by us or anyone for whose acts they may be liable, regardless of whether or not such claim, damage, loss or expense is caused in part by a party indemnified hereunder. Such obligation shall not be construed to otherwise exist as to a party or person described in this paragraph.

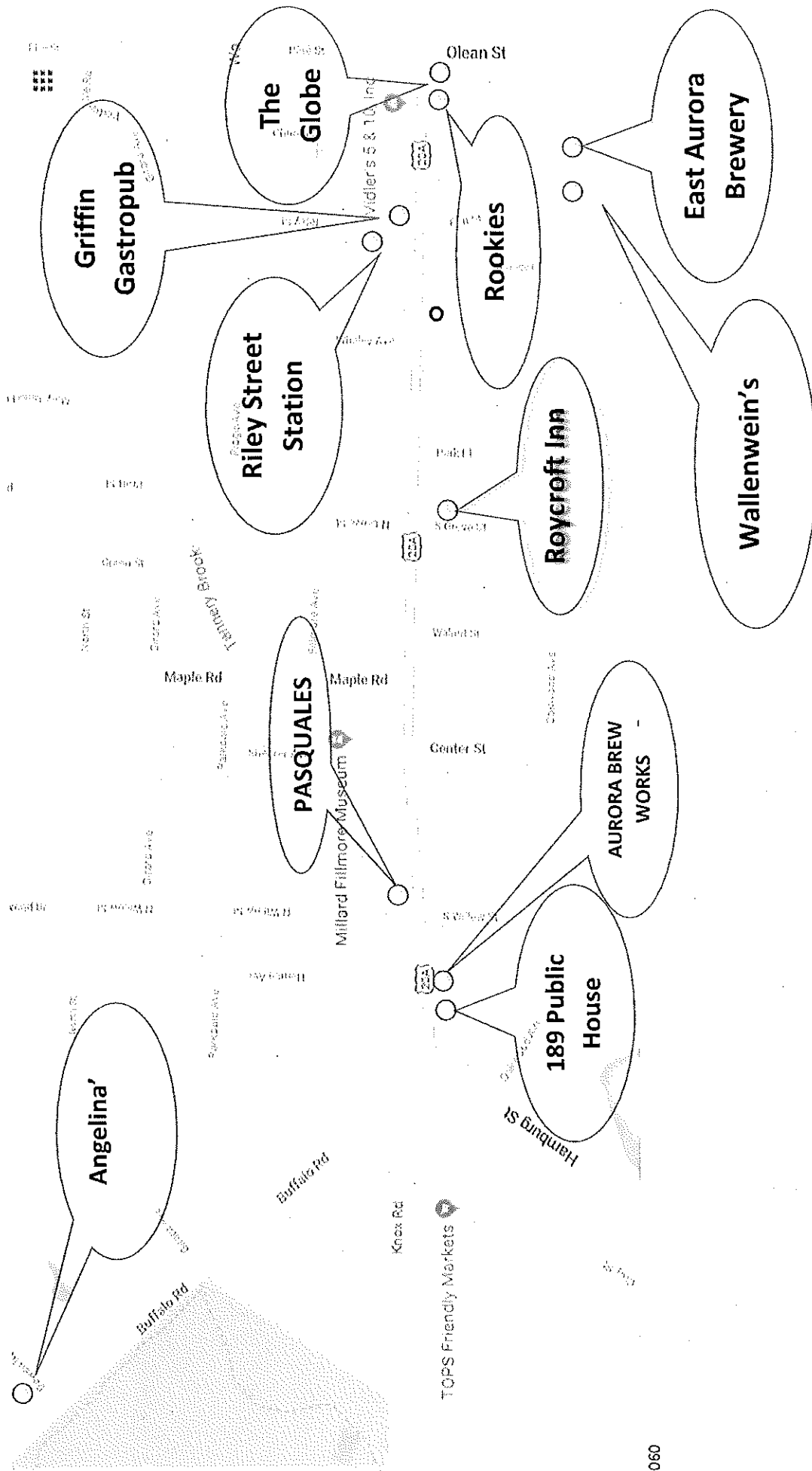
  
Authorized Applicant or Officer

Subscribed and sworn to before me this <sup>Aug. 24</sup> 18 day of, 20 23

  
Notary Public

CRYSTAL ANN BARRETT  
NOTARY PUBLIC-STATE OF NEW YORK  
No. D1BA6238535  
Qualified in Erie County  
My Commission Expires 4-11-2027

# Crawl-o-Ween Participating Bar Locations





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

8/16/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> R.V. Nuccio & Associates Insurance Brokers, Inc. 10148 Riverside Drive Toluca Lake, CA 91602	<b>CONTACT NAME:</b> Robert V. Nuccio
	<b>PHONE</b> (A/C, No, Ext): (800) 364-2433 <b>FAX</b> (A/C, No): (818) 980-1595
	<b>E-MAIL</b> : support@rvnuccio.com
	<b>INSURER(S) AFFORDING COVERAGE</b>
	<b>INSURER A:</b> Fireman's Fund Insurance Company <b>NAIC #</b> 21873
	<b>INSURER B:</b>
	<b>INSURER C:</b>
	<b>INSURER D:</b>
	<b>INSURER E:</b>
	<b>INSURER F:</b>

**COVERAGES** **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> <b>Host Liquor Liability</b> GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	<input checked="" type="checkbox"/>		UST022072230 NAEP111544	10/21/2023	10/22/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES \$ 100,000 MEDICAL EXPENSE \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000 \$
A	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Liquor Liability			UST022072230	10/21/2023	10/22/2023	1,000,000
A	Care Custody Control Liability			UST022072230	10/21/2023	10/22/2023	\$25,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Additional Insured: Village of east aurora

**CERTIFICATE HOLDER**

Village of east aurora  
Village of east aurora  
East aurora, NY 14052

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Robert V. Nuccio

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**VILLAGE OF EAST AURORA**  
**APPLICATION FOR TEMPORARY USE PERMIT**  
Not less than 60 days or more than 75 days before date of activity

\$25.00 Application Fee ☒ \$50.00 Permit Fee ☒  
 \$100.00 Mailer Fee (300 feet for road/public parking lot closure and/or outdoor music) ☒  
 Date Application Filed: 8/31/23  
 Date of V.B. Action: \_\_\_\_\_ Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_  
 Conditions of approval will be listed in permit

Please type or print legibly

Name of Organization EAST AURORA RUNNERS  
 Is Organization a: Not-For-Profit ☒ Charitable/Service ☐ Business ☐ School ☐ Government ☐  
 Name & Address of Individual Responsible Holly R. Loyer  
 Phone Number 937.974.2621 E-mail hloyer@gmail.com  
 Event Name TURK- EA TROT  
 Date(s) of Event 11.23.23 Time(s) of Event 9 am Estimated # of People 500

Please describe activity/purpose of this event Thanksgiving Day 5K (run/walk)  
 Location (include all areas of the event) start/end @ Boys & Girls Club, route in village  
 (attach map)

Will this event be donating a portion of proceeds to one or more charities and publicizing that in promotional material? ☒ Yes ☐ No

If yes, list charities and the percentage of proceeds to be donated: Boys & Girls Club, etc...

Will this event be held entirely in the Village of East Aurora? ☒ Yes ☐ No  
 If no, specify: \_\_\_\_\_

Will the event include more than one vendor/organization? ☐ Yes ☒ No  
 (if yes, attach list of vendors/participants)

Will the event involve a street or parking lot closure/usage? ☒ Yes ☐ No If yes, please note:

Road/Lot Name(s) see map  
 Date(s) of Closure 11.23.23 Time(s) 9 am

Will the event include:

Parade or motorcade ☐ Yes ☒ No (Attach Map of route)  
 Walk or Run ☒ Yes ☐ No (Attach Map of route)

Applicants should review proposed routes with the Police Department prior to making this application. ☒

Will there be outdoor music? ☒ Yes ☐ No

Time & Location 9am Paine St Live ☐ DJ ☐ Multiple/Mixed ☐  
 Amplification ☒ Yes ☐ No

Will you be providing or selling alcohol? ☐ Yes ☒ No

Will people be allowed to bring alcohol? ☐ Yes ☒ No

Will there be Security Guards? ☐ Yes ☒ No Volunteers ☐ or Private Paid Entity ☐  
 Please List Entity Name \_\_\_\_\_

Will there be temporary food stands? ☐ Yes ☒ No

How many? \_\_\_\_\_

Food Truck? If yes, name of vendor: \_\_\_\_\_  
 (additional permit required)

Will tent or other structure be erected for event? ☒ Yes ☐ No Size start/finish line  
 Date & Time to be installed 7am 11.23.23 Date & Time to be removed ~11am 11.23.23

Will any prep work be done on or before the event? ☒ Yes ☐ No

Please describe start/finish line on main st.

Set up Date: 11.23.23 Time: ~7a

Clean up Date: 11.23.23 Time: ~11a

Applicants/Event Organizers are responsible for ensuring complete clean-up after the event.

Will additional **garbage cans** be needed? ☐ Yes ☒ No How many \_\_\_\_\_ Drop Off Location \_\_\_\_\_

On request, these may be provided by the Village DPW for an added fee.

Will each vendor/organization be responsible for their own garbage? ☒ Yes ☐ No

Will a **dumpster** be used? ☐ Yes ☐ No If yes, location \_\_\_\_\_

Will there be **portable toilets**? ☐ Yes ☒ No How Many? \_\_\_\_\_

Location(s) \_\_\_\_\_

Will there Bell Jar or Games of Chance? ☐ Yes ☒ No (if yes, separate permit required)

What is the source of **electric**, if applicable? \_\_\_\_\_

Please list any extras e.g. light show, loud speakers, decorations, paints, dyes, etc.:

speakers @ finish line

For the following items, state if the applicant has made prior contact with each entity to discuss the event.

Police Services Requested: discussed w H. Welch 08.21.23, crossing guards  
(Crossing Guards may be required, and an additional fee charged to the applicant, depending on the event, as determined by the Police Department.)

DPW Services Requested: \_\_\_\_\_

Fire/Other Services Requested: \_\_\_\_\_

- Attach map or sketch showing the location of the event. Such map shall include:

Location of parking facilities, indicating number of parking spaces being provided; location of toilet facilities including the location of portable toilets; location of public entrance(s) and exit(s) to the event site; location of vendor facilities (if applicable) including booths, tents and food service facilities; explanation of steps being taken to control traffic and provide security (if applicable) and the number of security personnel that will be present.

Requesting organization shall attach a completed Certificate of Insurance with minimum limits include public liability coverage of limits of \$1,000,000 each occurrence; property damage insurance with limits of \$1,000,000 each occurrence. Policy shall be endorsed to include Village of East Aurora as an additional named insured.

Requesting organization shall attach Indemnification Agreement on organization letterhead, signed by authorized applicant or officer of company and duly notarized (sample included).

*Applicant named herein is fully responsible for obtaining any & all licensing with regard to the presentation or playing of music, pursuant to music copyright laws. The Village of East Aurora assumes no liability in this regard.*

☐ Police Department: Conditions/Comments \_\_\_\_\_

☐ Department of Public Works: Conditions/Comments \_\_\_\_\_

☐ Fire Department/Disaster Coordinator: Conditions/Comments \_\_\_\_\_

Sign Permits are to be obtained from the Town of Aurora Building Department 575 Oakwood Ave, 716-652-7591

Name, Address and Telephone Number of Property Owner(s): \_\_\_\_\_

Signature of Applicant: Hally P. Lauer

Applicant's signature certifies that all information contained in this application is complete and accurate and that the applicant has any permission required by the property owner(s) for the event to occur on the property.

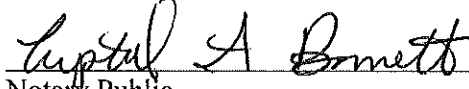


**Indemnification Agreement**

To the fullest extent permitted by law, I/We shall indemnify and hold harmless the Village of East Aurora and its employees from and against claims, damages, losses and expenses, including but not limited to attorney's fees, arising out of or resulting from performance of our work under this contract, provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property, including loss of use resulting there from but only to the extent caused in whole or in part by negligent acts or omissions of our organization, anyone directly or indirectly employed by us or anyone for whose acts they may be liable, regardless of whether or not such claim, damage, loss or expense is caused in part by a party indemnified hereunder. Such obligation shall not be construed to otherwise exist as to a party or person described in this paragraph.

  
Authorized Applicant or Officer

Subscribed and sworn to before me this 31 day of August, 2023

  
Notary Public

CRYSTAL ANN DARRETT  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01BA6238535  
Qualified in Erie County  
My Commission Expires 4-11-2027

# CERTIFICATE OF INSURANCE

PRINT DATE: 11/2/2022

CERTIFICATE NUMBER: 20221102941980

**AGENCY:**

Edgewood Partners Insurance Center  
5909 Peachtree Dunwoody Road, Suite 800  
Atlanta, GA 30328  
678-324-3300 (Phone), 678-324-3303 (Fax)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

**NAMED INSURED:**

USA Track & Field, Inc. East Aurora Runners  
130 East Washington Street, Suite 800  
Indianapolis IN 46204

**INSURERS AFFORDING COVERAGE:**

INSURER A: Accredited Surety and Casualty Company, Inc. NAIC# 26379  
INSURER B: Allied World National Assurance Company NAIC# 19489

**EVENT INFORMATION:**

Turk-EA Trot (11/24/2022 - 11/24/2022)

**POLICY/COVERAGE INFORMATION:**

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INS	TYPE OF INSURANCE:	POLICY NUMBER(S):	EFFECTIVE:	EXPIRES:	LIMITS:
A	GENERAL LIABILITY				
	X Occurrence	1-TRE-IN-17-01338542-00	11/1/2022 12:01 AM	11/1/2023 12:01 AM	GENERAL AGGREGATE (Applies Per Event) \$4,000,000
	X Participant Legal Liability				EACH OCCURRENCE \$2,000,000
					DAMAGE TO RENTED PREMISES (Each Occ.) \$2,000,000
					MEDICAL EXPENSE (Any one person) EXCLUDED
					PERSONAL & ADV INJURY \$2,000,000
					PRODUCTS-COMP/OP AGG \$2,000,000
A	UMBRELLA/EXCESS LIABILITY				
	X Occurrence	1-TRE-IN-17-01338543-00	11/1/2022 12:01 AM	11/1/2023 12:01 AM	EACH OCCURRENCE \$3,000,000
					AGGREGATE \$3,000,000
B	OTHER				
	X EXCESS LIABILITY	0313-1301	11/1/2022 12:01 AM	11/1/2023 12:01 AM	EACH OCCURRENCE \$7,000,000
					AGGREGATE \$7,000,000

**DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS:**

Coverage applies to USA Track & Field sanctioned events and registered practices, including any directly related activities, such as event set-up and tear-down, participant check-in and award ceremonies.

The certificate holder is an additional insured per the following endorsement: Blanket Additional Insured (RSCG 03 03)

The General Liability policy is primary and non-contributory with respect to the negligence of the Named Insureds (Form CG 20 01)

The General Liability policy contains a blanket Waiver of Subrogation as required by contract per Waiver of Transfer of Rights of Recovery Against Others (Form CG 24 04).

Excess policy follows form of underlying General Liability.

**CERTIFICATE HOLDER:**

Village of East Aurora  
585 Oakwood Ave  
East Aurora NY 14052

**NOTICE OF CANCELLATION:**

Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

**AUTHORIZED REPRESENTATIVE:**

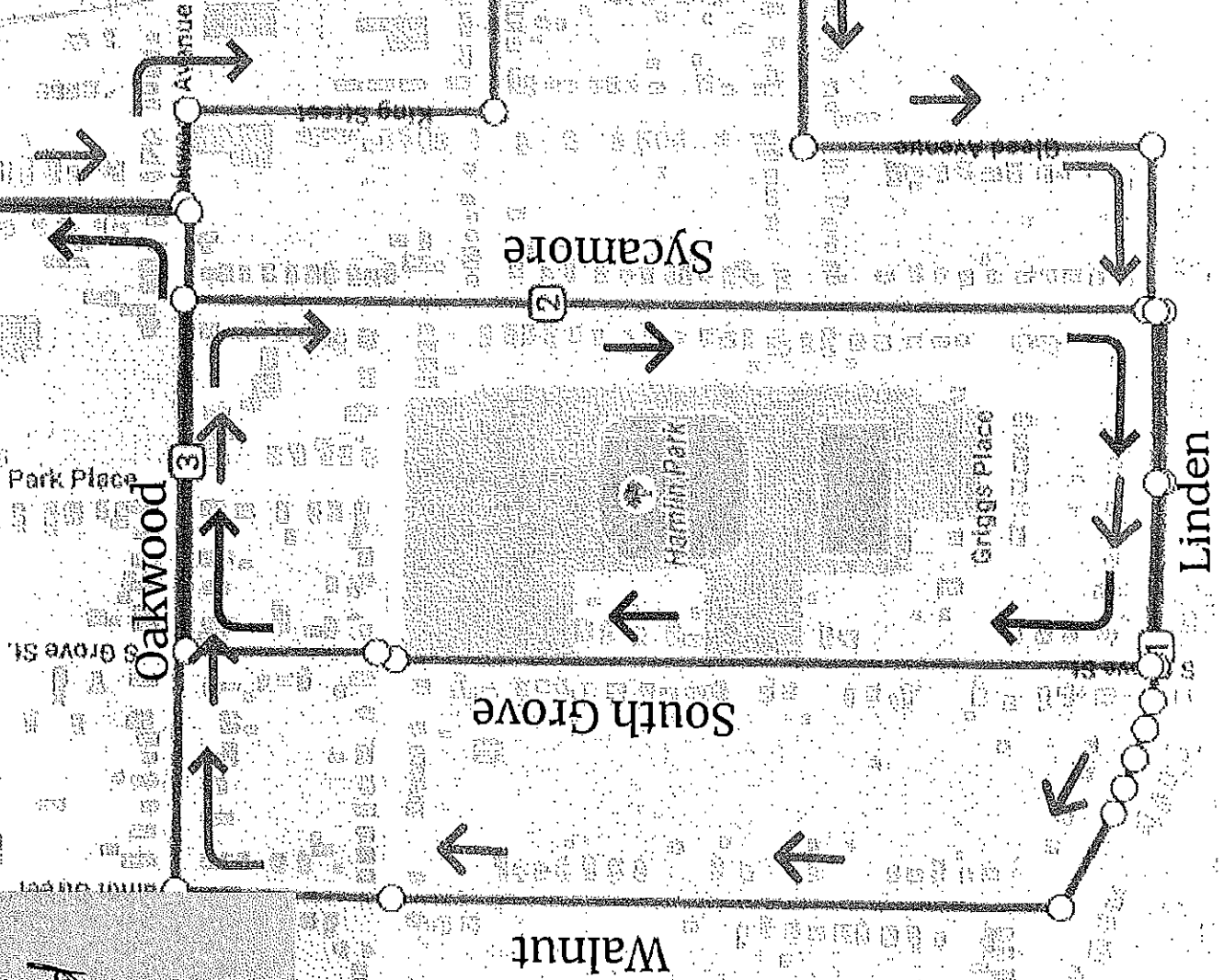
Main Street - 20A

24 Paine St, East  
Aurora, New  
York, 14052

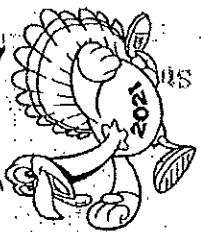
same as last  
year - approved  
per vt welch

16

loop 1  
loop 2



EA Runners  
5th Annual



THURSDAY

9/18/23 meeting  
Receipt #2809-5

**VILLAGE OF EAST AURORA**  
**APPLICATION FOR TEMPORARY USE PERMIT**  
Not less than 60 days or more than 75 days before date of activity

\$25.00 Application Fee ☒ \$50.00 Permit Fee ☒

\$100.00 Mailer Fee (300 feet for road/public parking lot closure and/or outdoor music) ☒

Date Application Filed: 9/18/23

Date of V.B. Action: 9/18/23

Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_  
Conditions of approval will be listed in permit

Please type or print legibly

Name of Organization Greater East Aurora Chamber of Commerce

Is Organization a: ☒ Not-For-Profit ☐ Charitable/Service ☐ Business ☐ School ☐ Government

Name & Address of Individual Responsible Victoria Sturman 652 Main St. East Aurora

Phone Number 716 652-8444 E-mail VSturman@eanyc.com

Event Name Cardcode

Date(s) of Event 12/23/23 Time(s) of Event 7pm Estimated # of People 1,000+

Please describe activity/purpose of this event An annual carding event

Location (include all areas of the event) Main Street between Elm/Riley St and

(attach map)

Okon Rd

Will this event be donating a portion of proceeds to one or more charities and publicizing that in promotional material? Yes ☒ No ☐

If yes, list charities and the percentage of proceeds to be donated: \_\_\_\_\_

Will this event be held entirely in the Village of East Aurora? ☒ Yes ☐ No

If no, specify: \_\_\_\_\_

Will the event include more than one vendor/organization? ☐ Yes ☒ No

(if yes, attach list of vendors/participants)

Will the event involve a street or parking lot closure/usage? ☒ Yes ☐ No If yes, please note:

Road/Lot Name(s) Main Street between Elm/Riley & Okon

Date(s) of Closure 12/23/23 Time(s) 5:30 pm

Will the event include:

Parade or motorcade ☐ Yes

☒ No (Attach Map of route)

Walk or Run ☐ Yes

☒ No (Attach Map of route)

Applicants should review proposed routes with the Police Department prior to making this application.

Will there be outdoor music? ☒ Yes ☐ No

Time & Location 7pm main st.

Live ☒ DJ ☐ Multiple/Mixed ☐

Amplification ☒ Yes ☐ No

Will you be providing or selling alcohol? ☐ Yes ☒ No

Will people be allowed to bring alcohol? ☐ Yes ☒ No

Will there be Security Guards? ☐ Yes ☒ No Volunteers ☐ or Private Paid Entity ☐

Please List Entity Name \_\_\_\_\_

Will there be temporary food stands? ☒ Yes ☒ No

How many? 2

Food Truck? If yes, name of vendor: Rotary will give hot chocolate

(additional permit required)

Will tent or other structure be erected for event? ☐ Yes ☒ No Size \_\_\_\_\_

Date & Time to be installed \_\_\_\_\_ Date & Time to be removed \_\_\_\_\_

Will any prep work be done on or before the event? ☒ Yes ☐ No

Please describe 75 tables in front of Ordors for Hot Chocolate

Set up Date: 12/23/23 Time: 6pm

Clean up Date: 12/23/23 Time: 8pm

Applicants/Event Organizers are responsible for ensuring complete clean-up after the event.

Will additional **garbage cans** be needed? ☒ Yes ☐ No How many 10 Drop Off Location @Cerb

On request, these may be provided by the Village DPW for an added fee.

DPW historically has donated garbage pickup for Caracade Street

Will each vendor/organization be responsible for their own garbage? ☒ Yes ☐ No

Will a **dumpster** be used? ☐ Yes ☒ No If yes, location \_\_\_\_\_

Will there be **portable toilets**? ☐ Yes ☒ No How Many? \_\_\_\_\_

Location(s) \_\_\_\_\_

Will there Bell Jar or Games of Chance? ☐ Yes ☒ No (if yes, separate permit required)

What is the source of **electric**, if applicable? DPW plugs speakers into power at

Please list any extras e.g. light show, loud speakers, decorations, paints, dyes, etc.:

speakers

For the following items, state if the applicant has made prior contact with each entity to discuss the event.

Police Services Requested: Crowd control

(Crossing Guards may be required, and an additional fee charged to the applicant, depending on the event, as determined by the Police Department.)

DPW Services Requested: street closure / garbage cans

Fire/Other Services Requested: FD historically brings their ladder truck for

- Attach map or sketch showing the location of the event. Such map shall include:

Location of parking facilities, indicating number of parking spaces being provided; location of toilet facilities including the location of portable toilets; location of public entrance(s) and exit(s) to the event site; location of vendor facilities (if applicable) including booths, tents and food service facilities; explanation of steps being taken to control traffic and provide security (if applicable) and the number of security personnel that will be present.

☒ Requesting organization shall attach a completed Certificate of Insurance with minimum limits include public liability coverage of limits of \$1,000,000 each occurrence; property damage insurance with limits of \$1,000,000 each occurrence. Policy shall be endorsed to include Village of East Aurora as an additional named insured.

☒ Requesting organization shall attach Indemnification Agreement on organization letterhead, signed by authorized applicant or officer of company and duly notarized (sample included).

*Applicant named herein is fully responsible for obtaining any & all licensing with regard to the presentation or playing of music, pursuant to music copyright laws. The Village of East Aurora assumes no liability in this regard.*

☐ Police Department: Conditions/Comments \_\_\_\_\_

☐ Department of Public Works: Conditions/Comments \_\_\_\_\_

☐ Fire Department/Disaster Coordinator: Conditions/Comments \_\_\_\_\_

Sign Permits are to be obtained from the Town of Aurora Building Department 575 Oakwood Ave, 716-652-7591

Name, Address and Telephone Number of Property Owner(s): \_\_\_\_\_

Signature of Applicant: [Signature]


Applicant's signature certifies that all information contained in this application is complete and accurate and that the applicant has any permission required by the property owner(s) for the event to occur on the property.

## Indemnification Agreement

To the fullest extent permitted by law, I/We shall indemnify and hold harmless the Village of East Aurora and its employees from and against claims, damages, losses and expenses, including but not limited to attorney's fees, arising out of or resulting from performance of our work under this contract, provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property, including loss of use resulting there from but only to the extent caused in whole or in part by negligent acts or omissions of our organization, anyone directly or indirectly employed by us or anyone for whose acts they may be liable, regardless of whether or not such claim, damage, loss or expense is caused in part by a party indemnified hereunder. Such obligation shall not be construed to otherwise exist as to a party or person described in this paragraph.

  
\_\_\_\_\_  
Authorized Applicant or Officer

Subscribed and sworn to before me this 8<sup>th</sup> day of September, 2023

  
\_\_\_\_\_  
Notary Public

CRYSTAL ANN BARRETT  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01BA6238535  
Qualified in Erie County  
My Commission Expires 4-11-2027

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER <b>BADGER &amp; GUNNER INC</b> 24 Pine St East Aurora, NY 14052		CONTACT NAME: PHONE (A/C No Ext): <b>(716) 652-6350</b> FAX (A/C No): <b>(716) 652-2512</b> E-MAIL: ADDRESS:	
INSURED <b>GREATER EAST AURORA</b> <b>CHAMBER OF COMMERCE</b> 652 MAIN STREET EAST AURORA, NY 14052		INSURER(S) AFFORDING COVERAGE INSURER A: <b>SELECTIVE INSURANCE CO OF S CAROLINA</b> INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

## COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATION MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

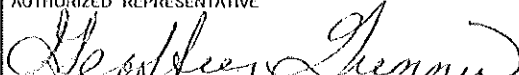
INSR LTR	TYPE OF INSURANCE	ADDITIONAL INSURED	SUBROGATION	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	Y		S 1850486	10/1/2022	10/1/2023	EACH OCCURRENCE \$ <b>1,000,000</b>
							DAMAGE TO RENTED PREMISES (Ea occurrence) \$ <b>500,000</b>
							MED EXP (Any one person) \$ <b>15,000</b>
							PERSONAL & ADV INJURY \$ <b>1,000,000</b>
	GEN'L AGGREGATE LIMIT APPLIES PER <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER						GENERAL AGGREGATE \$ <b>2,000,000</b>
							PRODUCTS - COMP/OP AGG \$ <b>2,000,000</b>
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRE AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$
							BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTIONS						EACH OCCURRENCE \$
							AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NY) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE \$
							OTHER \$
							E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

IT IS AGREED THAT THE VILLAGE OF EAST AURORA IS LISTED AS AN ADDITIONAL INSURED FOR CAROLCADE EVENT, DECEMBER 23, 2023.

## CERTIFICATE HOLDER

## CANCELLATION

VILLAGE OF EAST AURORA 585 OAKWOOD AVENUE EAST AURORA NY 14052	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

**SUGGESTED RESOLUTION  
AUTHORIZING RESOLUTION**

At a meeting of the \_\_\_\_\_

(Name of Municipality)

Board/Council held on \_\_\_\_\_, the Board/Council

(Date)

authorized \_\_\_\_\_, \_\_\_\_\_

(Name)

(Title)

to sign, submit and execute a contract with Erie County Community Development Block Grant (ECCDBG) program for the following project(s) upon approval of ECCDBG:

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

\_\_\_\_\_  
Town/City/ Village/ Clerk

\_\_\_\_\_  
Notary

Please attach a copy of Public Hearing Notice



**SAMPLE**  
**NOTICE OF PUBLIC HEARING**

Notice to the Citizens of the  
(City) (Town) (Village) of \_\_\_\_\_

A Public Hearing will be held on \_\_\_\_\_ (date) \_\_\_\_\_ at \_\_\_\_\_ (time) \_\_\_\_\_ in  
\_\_\_\_\_ (location, room) \_\_\_\_\_ regarding the use of Federal Community  
Development funds on the (City) (Town) (Village) of \_\_\_\_\_

The (City) (Town) (Village) of \_\_\_\_\_  
is eligible for a Federal Community Development Grant under Title I of the Housing and  
Community Development Act of 1974, as amended.

The purpose of the Hearing is to provide an opportunity for citizens to express  
community development and housing needs and to discuss possible projects which  
would benefit low- and moderate-income persons in the (City) (Town) (Village) of \_\_\_\_\_

Citizens are urged to attend this meeting to make known their views and/or written  
proposals on the (City) (Town) (Village) of \_\_\_\_\_'s  
selection of potential projects to be submitted for possible funding by the Federal  
Community Development Grant Program.

The Hearing will also present a review of prior Community Development projects and  
expenditures and a discussion of eligible activities. The meeting room is wheelchair  
accessible. Those needing special arrangements should call the (City) (Town) (Village)  
at \_\_\_\_\_ (phone #) \_\_\_\_\_ by ( five (5) days before Public Hearing date) \_\_\_\_\_.

# **TOWN OF AURORA**

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

## **MEMO**

TO: Mayor Mercurio and Village Trustees

FROM: Elizabeth Cassidy, Code Enforcement Officer

DATE: July 17, 2023

The Building Department has accepted a Special Use Permit application from Jane Brewer and Joseph Zambon, property owners, for an Accessory Dwelling Unit (ADU) at their property at 245 Prospect Ave. The proposed ADU is the second floor of the detached garage. The proposed structure received a mean height variance when it was constructed in 2019.

Village Code section 285-52.1 requires the Village Board to refer the Special Use Permit application to the Planning Commission for their review and recommendation. The Village Board shall then schedule a public hearing prior to the SEQR determination and decision.

A referral to the Erie County Planning Department is not required for this application.

This is an Unlisted action for purposes of SEQR.

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

VILLAGE OF EAST AURORA  
571 Main Street, East Aurora, New York 14052  
716-652-6000  
In conjunction with  
Town of Aurora Building Department  
300 Glead Ave, East Aurora, NY 14052  
716-652-7591

Building Dept:  
Date Received 7/13/23  
Complete App 7/19/23  
Village Clerk:  
Date Filed 7/19/23  
Amount \$ 150.00  
Receipt # 2741-3

**SPECIAL USE PERMIT APPLICATION**

PROPOSED PROJECT Add in Detached Garage SBL#: 175.08-9-2  
LOCATION 245 PROSPECT AVE ZONING DISTRICT SFR

The applicant agrees to reimburse the Village for any additional fees required for consultant's review.

APPLICANT NAME JANE BREWER / JOSEPH ZAMBON  
ADDRESS 245 PROSPECT AVE EAST AURORA NY 14052  
TELEPHONE 716 462 3953 FAX 1 E-MAIL JANE.BREWER@gmail.com  
SIGNATURE [Signature]

OWNER NAME JANE BREWER / JOSEPH ZAMBON  
ADDRESS 245 PROSPECT AVE EAST AURORA NY 14052  
TELEPHONE 716 462 3953 FAX 1 E-MAIL JANE.BREWER@gmail.com  
SIGNATURE [Signature]

DEVELOPER NAME N/A  
ADDRESS \_\_\_\_\_  
TELEPHONE \_\_\_\_\_ FAX \_\_\_\_\_ E-MAIL \_\_\_\_\_  
SIGNATURE \_\_\_\_\_

**THIS APPLICATION MUST INCLUDE THE FOLLOWING:**

- One (1) – Cover letter to Village Board, Supporting Documents, and SEQR as required in §285-52.2
- One (1) complete file of submittal package in PDF format via email (under 10MB) to [maureen.jerackas@east-aurora.ny.us](mailto:maureen.jerackas@east-aurora.ny.us). Larger files may be submitted on a USB drive or CD or by Dropbox.
- Application fee \$25.00, Permit fee \$25.00, and Public Hearing fee \$100.00 – Total \$150 at time of application

**OFFICE USE ONLY:** Sketch Plan Meeting Date \_\_\_\_\_

**REQUIRED MEETINGS/REFERRALS:**

	Mtg/Mail Date	Conditions/Comments, if applicable:
Planning Commission	_____	_____
Safety Committee	_____	_____
VEA DPW	_____	_____
OTHER (specify)	_____	_____

SEQR ACTION:  
\_\_\_ Type 1 \_\_\_ Type 2 ☒ Unlisted

**VILLAGE BOARD ACTION:**

	Mtg/Mail Date	
Public Hearing	_____	
Notices Mailed	_____	
Posted Notice-VEA Hall	_____	
Posted Notice-Prop	_____	
Approval/Denial Date	_____	Attach Village Board resolution with noted conditions.

## **CHECK LIST FOR SPECIAL USE PERMIT APPLICATION**

- ☒ A cover letter to the Village board with a narrative of all proposed uses and structures, including but not limited to: hours of operation, number of employees, maximum seat capacity, and required number of parking spaces.
- ☒ A narrative report describing how the proposed use will satisfy the criteria set forth in the special use permit review criteria of Chapter §285-52.4 (also listed below), as well as any other applicable requirements relating to the specific use proposed.
  - ☒ Will be generally consistent with the goals of the Village Comprehensive Plan.
  - ☒ Will meet all relevant criteria set forth in Chapter §285-52.3 and §285-52.4.
  - ☒ Will be compatible with existing uses adjacent to and near the property.
  - ☒ Will not create a hazard to health, safety or the general welfare of the public.
  - ☒ Will not alter the essential character of the neighborhood nor be detrimental to the neighborhood residents.
  - ☒ Will not be a nuisance to neighboring land uses in terms of the production of obnoxious or objectionable noise, dust, glare, odor, refuse, fumes, vibrations, unsightliness, contamination or other similar conditions.
  - ☒ Will not cause undue harm to or destroy existing sensitive natural features on the site or in the surrounding area or cause adverse environmental impacts such as significant erosion and/or sedimentation, slope destruction, flooding or ponding of water, or degradation of water quality.
  - ☒ Will not destroy or adversely impact significant historic and/or cultural resource sites.
  - ☒ Will provide adequate landscaping, screening or buffering between adjacent uses which are incompatible with the proposed project.
  - ☒ Will not otherwise be detrimental to the public convenience and welfare.
- ☒ All SEQR Documentation as required by New York State Law.

Jane Brewer DDS, MS  
Joseph J. Zambon DDS, PhD  
245 Prospect Avenue  
East Aurora, NY, 14052

July 13, 2020

East Aurora Village Board  
575 Oakwood Ave.  
East Aurora, Ny. 14052

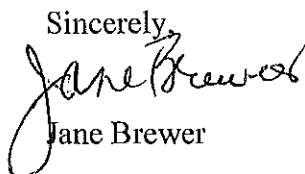
This is a request for use of an existing garage second floor at 245 Prospect Ave, East Aurora, NY, 14052 as an auxiliary dwelling unit for habitation by the property owners, Dr. Jane Brewer and Dr. Joseph Zambon.


The garage was constructed several years ago to replace a 50 year old garage. The new garage included a second floor living space that has not been used as a dwelling prior to this time. We use it primarily as a workout space. It's got a pilates reformer and some other workout equipment.

In April of this year, our children Dr. Gilian Alexander and Dr. Tawfiq Hazboun began a year-long complete renovation of a historic village house on Girard Avenue. This is a major renovation. As such, that house is uninhabitable during the renovation (which has involved lifting the house and pouring a new foundation) for them and their two children – our grandchildren. To minimize disruption to our children and grandchildren's lives including enabling our grandchildren to continue to attend Parkdale Elementary School, we are allowing their family to live in our house at 245 Prospect Ave. Since, there is not enough living space in that house for six people, Jane and I would like to live in the small living space above the garage. Hence, our request that that space be approved as an auxiliary dwelling unit.

It is not our intent to live above the garage on a permanent basis. We'd like to be able to live there only until the renovation of our children's house on Girard Avenue is completed – we've been told the renovation will take a year - and our children and grandchildren can move back in. At that time, we'd move back into our house. No one else besides the two of us will live in this garage space and we have no intention that anyone will live there in the future. We'd like to be able to live in our property only for the time it takes to complete our children's Girard house renovation. Even then, we won't be living in our garage space for the whole time. We have a condo in Raleigh, NC where we spend about 4 months a year.

In summary, we ask the town board to approve our request for an auxiliary dwelling unit at 245 Prospect Ave.

Sincerely,  
  
Jane Brewer

  
Joseph Zambon

# 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>							
Name of Action or Project: <div style="text-align: center;">ACCESSORY DWELLING UNIT</div>							
Project Location (describe, and attach a location map): <div style="text-align: center;">ABOVE GARAGE 245 PROSPECT, AVE, EAST AURORA, NY</div>							
Brief Description of Proposed Action: <div style="text-align: center;">CREATE A LIVING SPACE ABOVE THE GARAGE FOR TEMPORARY USE UNTIL BUILDING AT 302 Grand Ave IS completed.</div>							
Name of Applicant or Sponsor: <div style="text-align: center;">JANE BREWER / JOSEPH ZAMORA</div>		Telephone: 716 462 3953 E-Mail: JANE.BREWER@gmail.com					
Address: <div style="text-align: center;">245 PROSPECT AVE, EAST AURORA, NY, 14052</div>							
City/PO: <div style="text-align: center;">EAST AURORA</div>		State: <div style="text-align: center;">NY</div>	Zip Code: <div style="text-align: center;">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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		<div style="text-align: center;">0.3</div> acres					
b. Total acreage to be physically disturbed?		<div style="text-align: center;">0</div> acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<div style="text-align: center;">0.3</div> acres					
4. Check all land uses that occur on, adjoining and near the proposed action.							
<div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> Urban</div> <div style="width: 50%;"><input type="checkbox"/> Rural (non-agriculture)</div> <div style="width: 50%;"><input type="checkbox"/> Industrial</div> <div style="width: 50%;"><input type="checkbox"/> Commercial</div> <div style="width: 50%;"><input checked="" type="checkbox"/> Residential (suburban)</div> <div style="width: 50%;"><input type="checkbox"/> Forest</div> <div style="width: 50%;"><input type="checkbox"/> Agriculture</div> <div style="width: 50%;"><input type="checkbox"/> Aquatic</div> <div style="width: 50%;"><input type="checkbox"/> Other (specify): _____</div> <div style="width: 50%;"><input type="checkbox"/> Parkland</div> </div>							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
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: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input 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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/> NO <input type="checkbox"/> YES		

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>Jane Brewer</u> Date: <u>7/13/23</u> Signature: <u>[Signature]</u>		



4. The front of the business at 586 Main Street is not visible from Main Street and is only visible from Whaley Ave.
5. The petitioner has agreed that the proposed sign will not exceed the allowable sign code size.
6. The sign cannot be illuminated and will be located in the front West corner of 572 Main Street.
7. This request for a variance will not change the character of the neighborhood. .
8. This request is not substantial.
9. The alleged difficulty was not self-created.
10. The proposed variance is the minimum variance which will prevent the practical difficulty herein without violating the spirit and intent of the zoning code.
11. There were 26 notices sent out with 1 response who was concerned about the size and location.
12. This is a Type II action under SEQR.

Michael Campanella made a motion to accept the proposed findings and to **GRANT** a variance. The motion was seconded by John Pagliaccio with a unanimous vote to follow.

11/9/17 – Variance “**GRANTED**”

Chairman asked for a motion to close this hearing, motioned by John Pagliaccio, seconded by Michael Croft, unanimous “aye”, hearing closed.

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**IN THE MATTER OF THE APPLICATION OF  
Dr. Jane Brewer – 245 Prospect Street.  
§285-17B(3) prohibits the mean height not to exceed 15 Ft. in height on an accessory  
building.**

---

Chairman, John Spooner opened the hearing at 6:32 PM.

IT APPEARING that all parties entitled to notice pursuant to statute were given due and timely notice of the hearing in this matter as it appears from an affidavit of mailing filed herein and made a part of the record in this matter and that the required notice of hearing was published in the official newspaper of the Village of East Aurora on November 2<sup>nd</sup>, 2017 as it appears from the affidavit of publication filed herein and made a part of the record in this proceeding; and findings.

Chairman John Spooner read asked Code Enforcement Officer, William Kramer to read the denial letter:

1. The denial letter from the Code Enforcement Officer dated October 18, 2017 stating that relief is needed from Village Code Section §285-17B(3) prohibits the mean height not to exceed 15 Ft. in height on an accessory building.
2. The letter of appeal from Mr. Gregory Schneider on behalf of Dr. Jane Brewer dated October 18, 2017, was read aloud by CEO Bill Kramer and made a part of the record.

IT APPEARING that this matter was not referred to the Erie County Division of Planning with Erie County giving no recommendation.

Chairman, Spooner asked if there were any other communications received on the matter. CEO Bill Kramer responded 'No'.

Chairman, John Spooner asked for Dr. Jane Brewer and her architect, Mr. Gregory Schneider, to present their case to the Zoning Board of Appeals.

Mr. Schneider stated his client is hoping to construct a 1 ½ story attached garage with a "bonus" room – the "bonus" room will be to serve as a home office and a children's playroom. This construction will be replacing the currently existing garage which they intend to demolish. If they were to attempt to follow the current guidelines set forth by the Village's zoning code, the applicant would not be able to meet the minimum ceiling height of 7'-6". The garage to be constructed will be done in a manner to complement the existing house with similar aesthetic.

Chairman Spooner reviewed the plans and clarified, the proposed garage does not include future plans of having it be converted in to a rental property of any sort - as by code, this is not allowable. Dr. Brewer replied that she has no interest in going into the property rental business.

Member Pagliaccio clarified with the CEO whether a home office in a garage is allowable? CEO Bill Kramer replied that the applicant is not planning on seeing patients or clients in the area, so it is allowable. The plans showing the addition of a ½ bath is also allowable – Dr. Brewer will be treating this space truly as a 'garage office' – not as a 'home office'.

There being no further testimony, or questions from the members of the Zoning Board of Appeals. Chairman Spooner closed the hearing for deliberations and findings at 6:45 PM.

Chairman, Spooner called the meeting back into order at 7:13PM and read the following findings for Dr. Jane Brewer at 245 Prospect Street.

1. 245 Prospect Street in the R District
2. The resident was constructed in 1950..
3. The proposed 28' x 46' x 8" garage will replace the existing 22' x 22' garage in the same location.
4. The requested variance is for a 10" height variance. The code requires a mean height of an accessory building not to exceed 15'.

5. The only way to achieve the project goals would be by reducing the garage and garage door heights, which would limit the ability to have taller vehicles and reduce the 2<sup>nd</sup> floor ceiling height to 7'-0" 6" below code required ceiling height for living space.
6. There were 27 notices sent out and no response.
7. The Village code does not allow a proposed accessory structure to be used as habitable space.
8. The requested variance will not change the character of the neighborhood nor is it substantial.
9. The proposed variance is the minimum variance which will prevent the practical difficulty herein without violating the spirit and intent of the zoning code.
10. This is a Type II action under SEQR.

Michael Croft made a motion to accept the proposed findings and to **GRANT** a variance. The motion was seconded by Molly Flynn with a unanimous vote to follow.

11/9/17 – Variance **“GRANTED”**

Chairman asked for a motion to close this meeting, motioned by Michael Campanella, seconded by John Pagliaccio, unanimous “aye”, Zoning Board of Appeals meeting for November 9<sup>th</sup>, closed.

Respectfully submitted,

Nancy A. Burkhardt  
Deputy Village Clerk

LAND SURVEYORS  
DATED JANUARY 6, 2006

TOWN OF AURORA  
VILLAGE OF EAST AURORA  
COUNTY OF ERIE

STATE OF NEW YORK  
PART OF LOT 31, TOWNSHIP 4, RANGE 6

PROSPECT AVENUE (49.50' WIDE)

EXISTING SIDEWALK

EXISTING SIDEWALK

EXISTING RESIDENCE

EXISTING POOL AND FENCE

EXISTING PROPOSED GARAGE

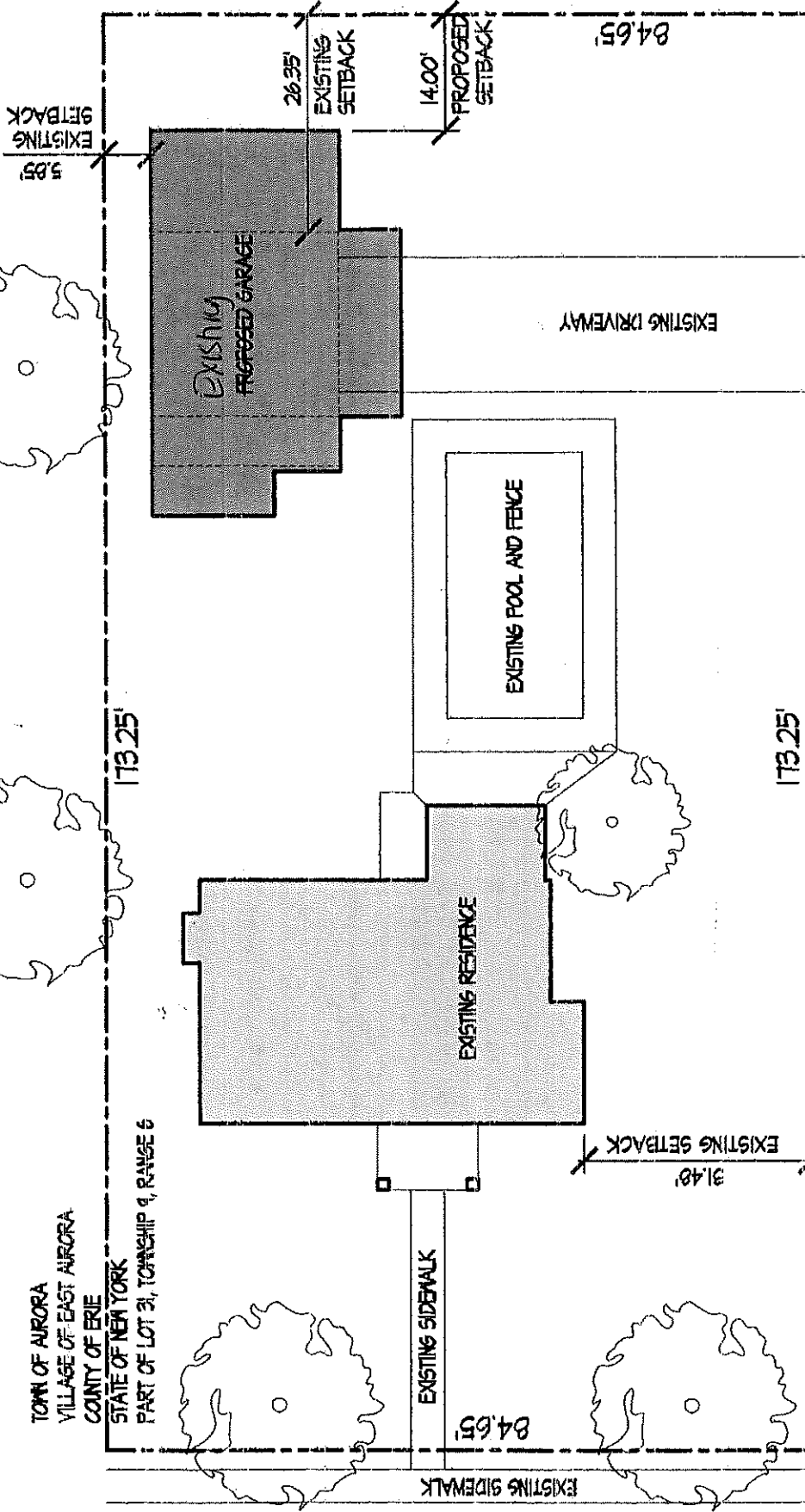
EXISTING DRIVEWAY



SOUTH WILLOW STREET (49.50' WIDE)

# PARTIAL SITE PLAN

SCALE: 1" = 20'-0"

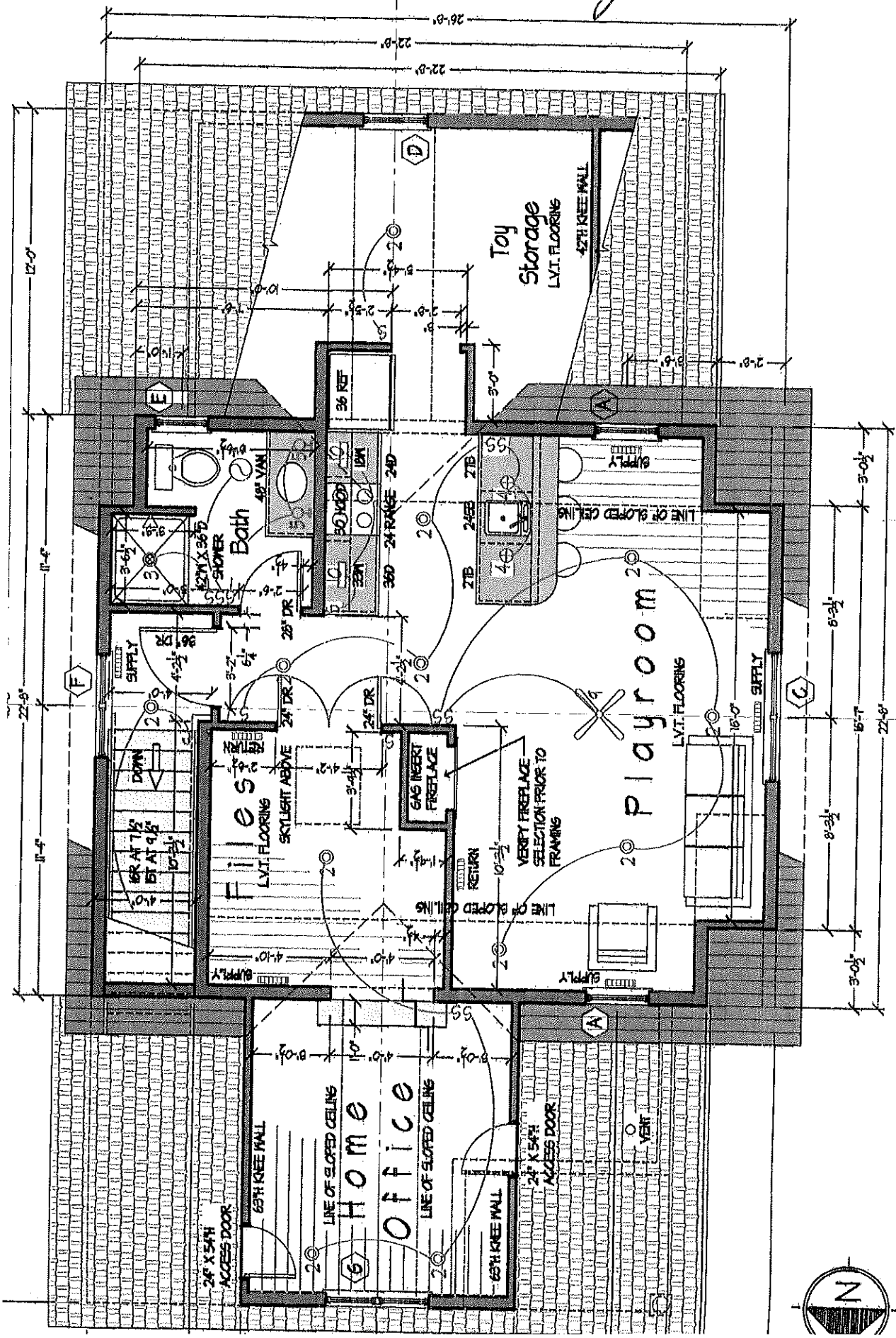




DATE: July 11, 2000  
SCALE: As N  
JOB NO: 17.2  
DRAWN BY: ASK  
CHECKED: GKS  
REVISED:

SHEET: 2ND FL  
PLAN /  
EXTER  
ELEVAT  
AND BUIL  
SECT

DRAWING NO. **A-**  
IN SET OF:



# 2 FLOOR PLAN

5" = 1'-0"

# **TOWN OF AURORA**

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

## **MEMO**

TO: Mayor Mercurio and Village Board of Trustees

FROM: Elizabeth Cassidy, Code Enforcement Officer

DATE: July 28, 2023

Our office has accepted a special use permit application to operate a B&B submitted by Lori and Richard McDermott at 105 Park Pl (SBL: 175.08-3-6). This owner-occupied existing non-conforming three family dwelling is located in the Single-Family Residence (SFR) zone. Operation of a B&B is an allowed use for an owner-occupied residence.

Village Code section 285-51.5 requires the Village Board to refer the Special Use Permit application to the Planning Commission for their review and recommendation. The Village Board shall then schedule a public hearing prior to the SEQR determination and decision.

This is an Unlisted action under SEQRA.

A County referral is not required for this application.

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

Liz Cassidy

VILLAGE OF EAST AURORA  
571 Main Street, East Aurora, New York 14052  
716-652-6000  
In conjunction with  
Town of Aurora Building Department  
300 Glead Ave, East Aurora, NY 14052  
716-652-7591

Building Dept:	
Date Received	7/27/23
Complete App	7/28/23
Village Clerk:	
Date Filed	7/28/23
Amount \$	150.00
Receipt #	2758-13

**SPECIAL USE PERMIT APPLICATION**

PROPOSED PROJECT BNB SBL#: 175.08-3-6  
LOCATION 105 Park Place, East Aurora ZONING DISTRICT SFR

The applicant agrees to reimburse the Village for any additional fees required for consultant's review.

APPLICANT NAME Richard & Lori McDermott  
ADDRESS 105 Park Pl.  
TELEPHONE 716-886-7026 FAX \_\_\_\_\_ E-MAIL lori.mcdermott@gmail.com  
SIGNATURE Lori A. McDermott

OWNER NAME same as above  
ADDRESS \_\_\_\_\_  
TELEPHONE \_\_\_\_\_ FAX \_\_\_\_\_ E-MAIL \_\_\_\_\_  
SIGNATURE \_\_\_\_\_

DEVELOPER NAME N/A  
ADDRESS \_\_\_\_\_  
TELEPHONE \_\_\_\_\_ FAX \_\_\_\_\_ E-MAIL \_\_\_\_\_  
SIGNATURE \_\_\_\_\_

**THIS APPLICATION MUST INCLUDE THE FOLLOWING:**

- One (1) – Cover letter to Village Board, Supporting Documents, and SEQR as required in §285-52.2
- One (1) complete file of submittal package in PDF format via email (under 10MB) to [maureen.jerackas@east-aurora.ny.us](mailto:maureen.jerackas@east-aurora.ny.us). Larger files may be submitted on a USB drive or CD or by Dropbox.
- Application fee \$25.00, Permit fee \$25.00, and Public Hearing fee \$100.00 – Total \$150 at time of application

**OFFICE USE ONLY:** Sketch Plan Meeting Date \_\_\_\_\_

**REQUIRED MEETINGS/REFERRALS:**

	Mtg/Mail Date	Conditions/Comments, if applicable:
Planning Commission	_____	_____
Safety Committee	_____	_____
VEA DPW	_____	_____
OTHER (specify)	_____	_____

SEQR ACTION:  
\_\_\_ Type 1 \_\_\_ Type 2 ☒ Unlisted

**VILLAGE BOARD ACTION:**

	Mtg/Mail Date
Public Hearing	_____
Notices Mailed	_____
Posted Notice-VEA Hall	_____
Posted Notice-Prop	_____
Approval/Denial Date	_____

Attach Village Board resolution with noted conditions.

## **CHECK LIST FOR SPECIAL USE PERMIT APPLICATION**

- ☒ A cover letter to the Village board with a narrative of all proposed uses and structures, including but not limited to: hours of operation, number of employees, maximum seat capacity, and required number of parking spaces.
- ☒ A narrative report describing how the proposed use will satisfy the criteria set forth in the special use permit review criteria of Chapter §285-52.4 (also listed below), as well as any other applicable requirements relating to the specific use proposed.
  - ☒ Will be generally consistent with the goals of the Village Comprehensive Plan.
  - ☒ Will meet all relevant criteria set forth in Chapter §285-52.3 and §285-52.4.
  - ☒ Will be compatible with existing uses adjacent to and near the property.
  - ☒ Will not create a hazard to health, safety or the general welfare of the public.
  - ☒ Will not alter the essential character of the neighborhood nor be detrimental to the neighborhood residents.
  - ☒ Will not be a nuisance to neighboring land uses in terms of the production of obnoxious or objectionable noise, dust, glare, odor, refuse, fumes, vibrations, unsightliness, contamination or other similar conditions.
  - ☒ Will not cause undue harm to or destroy existing sensitive natural features on the site or in the surrounding area or cause adverse environmental impacts such as significant erosion and/or sedimentation, slope destruction, flooding or ponding of water, or degradation of water quality.
  - ☒ Will not destroy or adversely impact significant historic and/or cultural resource sites.
  - ☒ Will provide adequate landscaping, screening or buffering between adjacent uses which are incompatible with the proposed project.
  - ☒ Will not otherwise be detrimental to the public convenience and welfare.
- ☐ All SEQR Documentation as required by New York State Law.



July 27, 2023

Village of East Aurora  
571 Main Street  
East Aurora, NY 14052

To Our Village Board:

This letter is in response to the letter dated July 24, 2023, from Elizabeth Cassidy, Code Enforcement for the Town of Aurora/Village of East Aurora, regarding operating Short-Term Rental. We have completed the Special Use Permit Application and are dropping it off today to your office.

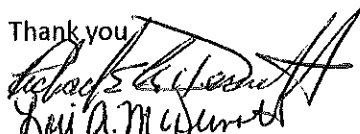
We purchased our multi-family home in August 2017. Our home has been updated to include an egress window and landscaping with a fenced in yard. We are entrenched in our beloved community and volunteer for the Music Festival, Garden Walk, and EA Discovery Day.

We have recently engaged in a BNB for our home and have very strict policies in place. Many of our guests have once lived in the Village or Town and seek to return to visit family, friends and attend reunions, weddings, and funerals. We have enjoyed hosting our guests as they have been very respectful and follow our house guidelines.

When we rented to long term guests, we opened our home to what we felt was a revolving door with pets that damaged our home, were loud and destroyed our landscaping. Recently, we decided after much consideration and neighbors asking if friends and family could stay, to convert to short term from long term guests. Our policy is peaceful enjoyment and quiet time from 10:00 pm – 7:00 am. We only allow guests that are over the age of 25 and not locals. We also have a no tolerance for parties or smoking on premises and have not experienced this. Our guests are here for a vacation and are rarely home as they have previous commitments prior to staying. We have ample parking on premises (6 cars). We provide snow removal and sidewalk cleaning and always are considerate of our surroundings. There are no parties allowed by our guests and never had one other than our own that includes our neighborhood get togethers, EA Discovery and the Garden Walk in the Village. We are considerate of our neighbors and ask our guests to park in front of our house across the street, *if* they choose to park in the street. We live adjacent to Immaculate Conception. Parking on the street is used by the church, school, and park goers. Our street, as you are aware, butts up to Hamlin Park. We use our driveway to accommodate guests and even others that seek parking for village events. We are considerate of our neighbors and enjoy the camaraderie.

Should you have any questions, please call me at 716-880-7026.

Thank you,



Richard A. McDermott  
Richard and Lori McDermott  
Owners & Operator

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

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

Luke Wochensky  
[lwochensky@townofaurora.com](mailto:lwochensky@townofaurora.com)

James F. Granville  
[jgranville@townofaurora.com](mailto:jgranville@townofaurora.com)

Joseph M. McCann  
[jmcann@townofaurora.com](mailto:jmcann@townofaurora.com)

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

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

ASSESSOR  
Stephen R. Pigeon  
[assessor@townofaurora.com](mailto:assessor@townofaurora.com)  
(716) 652-0011

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

TOWN ATTORNEY  
Brigid M. Maloney

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

July 24, 2023

Richard & Lori McDermott  
105 Park Pl  
East Aurora, NY 14052

RE: Operating Short Term Rental without approval

Richard and Lori:

It has come to our attention that you are renting the basement apartment through Air BnB. This is not allowed in the Single-Family Residential zoning district without a Special Use Permit from the Village Board. Please either submit the enclosed application, property survey showing the available off-street parking for all units in the dwelling, a cover letter explaining how you intend to mitigate any issues, and the fee to our office no later than 8/1/23. Or remove the rental from any listing sites and notify my office of the same by 8/1/23.

Call the office with any questions.

Sincerely,

Elizabeth Cassidy  
Code Enforcement Officer  
Town of Aurora/  
Village of East Aurora  
C 716-695-5194  
[ecassidy@townofaurora.com](mailto:ecassidy@townofaurora.com)

# 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>																		
Name of Action or Project: <span style="float: right;">N/A</span>																		
Project Location (describe, and attach a location map): <span style="font-size: 1.2em;">BNB</span> <span style="font-size: 1.2em;">105 Park Pl., E.A., NY 14052</span>																		
Brief Description of Proposed Action: <span style="font-size: 1.2em;">Requesting a BNB</span>																		
Name of Applicant or Sponsor: <span style="font-size: 1.2em;">Richard &amp; Lori McDermott</span>		Telephone: <span style="font-size: 1.2em;">716-880-7026</span>																
Address: <span style="font-size: 1.2em;">105 Park Pl.</span>		E-Mail: <span style="font-size: 1.2em;">loramcdermott@gmail.com</span>																
City/PO: <span style="font-size: 1.2em;">East Aurora</span>		State: <span style="font-size: 1.2em;">NY</span>	Zip Code: <span style="font-size: 1.2em;">14052</span>															
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input type="checkbox"/>											
NO	YES																	
<input type="checkbox"/>	<input 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:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>											
NO	YES																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>																	
3. a. Total acreage of the site of the proposed action?		<span style="font-size: 1.2em;">30</span> acres																
b. Total acreage to be physically disturbed?		<span style="font-size: 1.2em;">0</span> acres																
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<span style="font-size: 1.2em;">30</span> acres																
4. Check all land uses that occur on, are adjoining or near the proposed action:																		
<table style="width: 100%;"> <tr> <td><input type="checkbox"/> Urban</td> <td><input type="checkbox"/> Rural (non-agriculture)</td> <td><input checked="" type="checkbox"/> Industrial</td> <td><input checked="" type="checkbox"/> Commercial</td> <td><input checked="" type="checkbox"/> Residential (suburban)</td> </tr> <tr> <td><input type="checkbox"/> Forest</td> <td><input checked="" type="checkbox"/> Agriculture</td> <td><input type="checkbox"/> Aquatic</td> <td colspan="2"><input type="checkbox"/> Other(Specify):</td> </tr> <tr> <td colspan="5"><input checked="" type="checkbox"/> Parkland</td> </tr> </table>				<input type="checkbox"/> Urban	<input type="checkbox"/> Rural (non-agriculture)	<input checked="" type="checkbox"/> Industrial	<input checked="" type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Residential (suburban)	<input type="checkbox"/> Forest	<input checked="" type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other(Specify):		<input checked="" type="checkbox"/> Parkland				
<input type="checkbox"/> Urban	<input type="checkbox"/> Rural (non-agriculture)	<input checked="" type="checkbox"/> Industrial	<input checked="" type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Residential (suburban)														
<input type="checkbox"/> Forest	<input checked="" type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other(Specify):															
<input checked="" type="checkbox"/> Parkland																		

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: Doesn't Require any Changes - meets current energy Code.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Plan Ren
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: existing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: existing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			
_____			
_____			

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 checked="" 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>Rich &amp; Lori McDermott</u> Date: <u>7/28/23</u>		
Signature: <u>[Signature]</u> Title: <u>owners</u>		

PARK PLACE (140' x 100') STREET

Millard, MacKay & Deley

LAND SURVEYORS (LP)

1911

# **TOWN OF AURORA**

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

## **MEMO**

TO: Mayor Mercurio and Village Trustees  
FROM: Elizabeth Cassidy, Code Enforcement Officer  
DATE: August 15, 2023

The Building Department has accepted Site Plan applications for 123 Grey St by James Boglioli, for Benderson Development Company, LLC. The proposed project is to construct a 1432 sqft addition to an existing tenant space at the back of the building.

Village Code sections 285-51.5 requires the Village Board to refer Site Plan application to the Planning Commission for their review and recommendations. The Village Board shall then schedule a public hearing for the applications.

A County referral is required for this application due to the proximity to a State Highway (20A, Hamburg St).

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

Liz Cassidy

August 10, 2023

**VIA HAND DELIVERY**

Peter M. Mercurio, Mayor and Members of the Village Board  
Village of East Aurora  
571 Main Street  
East Aurora, NY 14052

**Re: Aurora Village Shopping Center  
123 Grey Street (BDP # 2127)  
Application for Site Plan Approval for Proposed Addition**

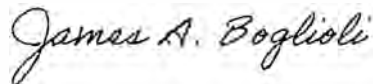
Dear Mayor Mercurio and Members of the Board:

In connection with the above-referenced property, Benderson has secured a new tenant within the existing multi-use multi-tenant building and is proposing site plan changes to accommodate an additional 1,433 S.F. of retail space for the proposed tenant.

As the Town is aware, the shopping center is a fully developed commercial plaza. In connection with the proposed tenant, we are proposing to add a rear addition that will increase the buildings' square footage by 1,433 S.F., existing utilities relocations and pavement resurfacing.

We look forward to working with the Town on this project. Should you have any questions or require any additional materials, please do not hesitate to contact me.

Thank you,  
**BENDERSON DEVELOPMENT COMPANY, LLC**



James A. Boglioli, Esq.  
Director, Right to Build – Northeast US



**VILLAGE OF EAST AURORA**  
571 Main Street, East Aurora, New York 14052  
716-652-6000  
In conjunction with  
**Town of Aurora Building Department**  
300 Gleed Ave, East Aurora, NY 14052  
716-652-7591

Building Dept:
Date Received _____
Complete App _____
Village Clerk:
Date Received <u>8/16/23</u>
Amount \$ <u>125.00</u>
Receipt # <u>2784-10</u>

**SITE PLAN APPLICATION**

PROPOSED PROJECT Five Below Facade Renovations SBL#: \_\_\_\_\_  
LOCATION 123 Grey Street ZONING DISTRICT C

The applicant agrees to reimburse the Village for any additional fees required for consultant's review of submitted technical data, including but not limited to, traffic studies, drainage, lighting, water and sewer plans.

APPLICANT NAME Benderson Development Company, LLC  
ADDRESS 570 Delaware Avenue  
TELEPHONE 716-878-9626 CELL 716-998-9915 E-MAIL jmb@benderson.com  
SIGNATURE James A. Boglioli

OWNER NAME 93 NYRPT, LLC  
ADDRESS 570 Delaware Avenue  
TELEPHONE 716-878-9626 CELL 716-998-9915 E-MAIL jmb@benderosn.com  
SIGNATURE James A. Boglioli

ENGINEER/ARCHITECT/LANDSCAPE ARCHITECT  
NAME James A. Rumsey FIRM \_\_\_\_\_  
ADDRESS 570 Delaware Avenue  
TELEPHONE 716-878-9626 FAX \_\_\_\_\_ E-MAIL jmb@benderosn.com  
SIGNATURE \_\_\_\_\_ AFFIX STAMP

**THIS APPLICATION MUST INCLUDE THE FOLLOWING:**

- Twenty (20) Sets – Cover letter to Village Board, Supporting Documents, and SEQR as required in §285-51.3
- One (1) complete file of submittal package in PDF format via email (under 10MB) to [maureen.jerackas@east-aurora.ny.us](mailto:maureen.jerackas@east-aurora.ny.us). Larger files may be submitted on a USB drive or CD Rom.
- Application fee \$25.00 and Public Hearing fee \$100.00 – Total \$125 at time of application

**OFFICE USE ONLY:** Sketch Plan Meeting Date \_\_\_\_\_ Minor Project written request to waive PC mtg Y/N/NA: VB Decision Y/N

**REQUIRED MEETINGS/REFERRALS:**

	Mtg/Mail Date	Conditions/Comments, if applicable:
Planning Commission	_____	_____
Historic Preservation	_____	_____
ZBA	_____	_____
EC Div of Planning	_____	_____
NYS DOT	_____	_____
Town Notification	_____	_____
Safety Committee	_____	_____
VEA DPW	_____	_____
OTHER (specify)	_____	_____

**SEQR ACTION:**

\_\_\_ Type 1 \_\_\_ Type 2 \_\_\_ Unlisted

**VILLAGE BOARD ACTION:**

	Mtg/Mail Date
Public Hearing	_____
Notices Mailed	_____
Posted Notice-VEA Hall	_____
Posted Notice-Prop	_____
Approval/Denial Date	_____

Attach Village Board resolution with noted conditions.

## **CHECK LIST FOR SITE PLAN APPLICATION**

An application for site plan review shall include the following supporting documents, as applicable. A licensed professional engineer or registered land surveyor shall prepare all site plan materials unless otherwise approved by the Village Board.

- ☐ Description or narrative of all proposed uses and structures, including but not limited to hours of operation, number of employees, maximum seat capacity, and proposed number of off-street vehicle and bicycle parking spaces.
- ☐ A site plan drawn at a scale of one inch equals 20 feet or such other scale as the Village Board may deem appropriate, on standard 24 inch by 36 inch sheets, with continuation on 8 ½ inch by 11 inch sheets as necessary for written information.
- ☐ A certified land survey showing the boundaries of the applicant's property under consideration in its current state plotted to scale with the north point, scale, and date clearly indicated, or other document deemed acceptable by the reviewing board.
- ☐ Plans indicating the following with regard to the property in question, where applicable.
  - ☐ The location of all properties, their ownership, uses thereon, subdivisions, streets, easements, and adjacent buildings within 300 feet of the property in question.
  - ☐ The location and use of all existing and proposed structures on the property in question, including all dimensions of height and floor area, exterior entrances, and anticipated future additions and alterations.
  - ☐ The location of all existing and proposed topography features, including but not limited to, site grading, open spaces, woodlands, watercourses, steep slopes, wetlands, floodplains, and watersheds.
  - ☐ The location of existing and proposed landscaping, screening, walls, and fences, including information regarding the size and type of plants and building materials proposed.
  - ☐ The location of existing and proposed public and private streets, off-street parking areas, loading areas, driveways, sidewalks, ramps, curbs, and paths. Such plans shall include considerations for vehicular, pedestrian, and bicycle traffic circulation, parking, and access.
  - ☐ The location of existing and proposed utility systems including sewage or septic, water supply, telephone, cable, electric, and stormwater drainage. Stormwater drainage systems shall include existing and proposed drain lines, culverts, catch basins, headwalls, endwalls, hydrants, manholes, and drainage swales.
  - ☐ The location, height, intensity, and bulb type (sodium, incandescent, etc.) of all external lighting fixtures. The direction of illumination and methods to eliminate glare onto adjoining properties must also be shown.
  - ☐ The location, height, size, material, and design of all existing and proposed signs.
  - ☐ Elevations at a scale of one-quarter inch equals one foot for all exterior facades of the proposed structure(s) and/or alterations to or expansions of existing facades, showing design features and indicating the type and color or materials to be used.
  - ☐ Plans to prevent the pollution of surface or ground water, erosion of soil both during and after construction, excessive runoff, excessive raising or lowering of the water table, and flooding of other properties, as applicable.
  - ☐ A schedule for completion of each construction phase for buildings, parking, and landscaped areas.
  - ☐ Plans for disposal of construction and demolition waste, either on-site or at an approved disposal facility.
- ☐ All New York State SEQRA documentation as required by law.
- ☐ The Village Board may request additional information as per Village Code §285-51.3(B)(6) or anything else it deems necessary for a complete assessment of the site plan.
- ☐ All required fees and reimbursements, and an escrow deposit to cover professional review costs, if required.

# Short Environmental Assessment Form

## Part 1 - Project Information

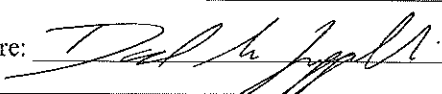
### Instructions for Completing

**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>			
Name of Action or Project: Proposed Addition - Aurora Village Shopping Center			
Project Location (describe, and attach a location map): 123 Grey Street, East Aurora, Erie County			
Brief Description of Proposed Action: The proposed action consists of constructing a 1,433 S.F. building addition to the rear of an existing multi-tenant building.			
Name of Applicant or Sponsor: Benderson Development Company, LLC		Telephone: 716-878-9626 E-Mail: jamesboglioli@benderson.com	
Address: 570 Delaware Ave			
City/PO: Buffalo		State: New York	Zip Code: 14202
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? <span style="float: right;">14.43 acres</span> b. Total acreage to be physically disturbed? <span style="float: right;">0.07 acres</span> c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <span style="float: right;">19.78 acres</span>			
4. Check all land uses that occur on, are adjoining or near the proposed action: <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> Urban</div> <div style="width: 50%;"><input type="checkbox"/> Rural (non-agriculture)</div> <div style="width: 50%;"><input type="checkbox"/> Industrial</div> <div style="width: 50%;"><input checked="" type="checkbox"/> Commercial</div> <div style="width: 50%;"><input checked="" type="checkbox"/> Residential (suburban)</div> <div style="width: 50%;"><input type="checkbox"/> Forest</div> <div style="width: 50%;"><input type="checkbox"/> Agriculture</div> <div style="width: 50%;"><input type="checkbox"/> Aquatic</div> <div style="width: 50%;"><input type="checkbox"/> Other(Specify):</div> <div style="width: 50%;"><input type="checkbox"/> Parkland</div> </div>			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO  <input type="checkbox"/>  <input type="checkbox"/>	YES  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	N/A  <input type="checkbox"/>  <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO  <input type="checkbox"/>	YES  <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO  <input checked="" type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	YES  <input type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO  <input type="checkbox"/>	YES  <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ N/A Existing	NO  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ N/A Existing	NO  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>  <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>  <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" 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, <div style="margin-left: 20px;">           a. Will storm water discharges flow to adjacent properties?            b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?         </div> If Yes, briefly describe:	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
Sheet drain to nearby storm infrastructures		
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>David Zuppelli</u> Date: <u>05.31.2023</u>  Signature: <u></u> Title: <u>Civil Engineer</u>		

# **TOWN OF AURORA**

575 OAKWOOD AVENUE, EAST AURORA, NY 14052

BUILDING DEPARTMENT

(716) 652-7591

## **MEMO**

TO: Mayor Mercurio and Village Board Members

FROM: Elizabeth Cassidy, Code Enforcement Officer

DATE: August 15, 2023

The Building Department has received a re-zoning request application from Joshua S. Best, RA, as agent for Fiboo Properties, LLC, owner of 49 Knox Rd. The request is to rezone the parcel at 49 Knox Rd, where a single-family residence and a former commercial building is located. The request is to rezone from Single Family Residential District to the General Residential District.

Village Code section 285-57.3 requires the application be referred to the Planning Commission for their recommendation. After which a public hearing is required prior to a decision by the Village Board.

Village Code section 285-57.4 requires all zoning changes be referred to the Erie County Planning Department for review.

This is an Unlisted action for purposes of SEQR.

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

PETITION TO AMEND THE ZONING MAP OF THE  
VILLAGE OF EAST AURORA, NEW YORK,  
BY THE VILLAGE BOARD

TO: THE VILLAGE BOARD OF THE VILLAGE OF EAST AURORA, NEW YORK

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

1. Joshua S. Best  
Name (First) (Middle Initial) (Last)
2. Location of property to be rezoned: 49 Knox Road, East Aurora, NY 14052
3. Area, in square feet, of the property to be rezoned: 16,117 sf  
Dimension of the property to be rezoned: 72' x 206'
4. If the petitioner is not the owner of the property:  
Fiboo Properties, LLC, 5 Joyeuse, Laguna Niguel, CA 92677  
Owner's Name and Address  
  
Owner's Name and Address  
What is the interest of the petitioner in the proposed rezoning? Architect
5. Petitioner understands and agrees to furnish any of the following if requested by the Village 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: Single - Family (SFR)
8. Proposed zoning classification of the property: ~~Limited Commercial (LCR)~~ GR
9. Present use of the property: Vacant Building
10. Proposed use of the property: 4 Apartments
11. Description of uses on all adjacent properties and a general description of the type of neighborhood in which the subject property is located:  
Single- Family, Two-Family, Insurance Agency, Dollar General, Tops Market, McDonald's.  
Transition zone between commercial and residential districts.
12. Names and Addresses of Owners of Abutting Properties:
  1. 55 Knox (2-family) Donald Small Back
  2. 43 Knox (1-family) Thad Heimburg
  3. 15 Grey (2-family) Robert Bove
  4. 25 Grey (1-family) Fiboo Properties, LLC
  5. 65 Grey (Tops) Benderson Development
  6. \_\_\_\_\_
  7. \_\_\_\_\_
13. Additional information which the petitioner believes will assist the Village Board in its consideration of this request for rezoning: \_\_\_\_\_  
The current zoning is not appropriate for the existing structure. Major repair and selective demolition need to be done, not only to clean up the site, but also for safety concerns. This project will enhance the neighborhood, by utilize an existing decrepit structure and add back green space.

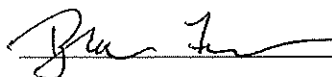


14. Petitioner(s) acknowledge that payment of the application fee is for administrative and advertising expense to the Village as a result of this application and in no way relates to either approval or disapproval of the application and is not refundable.
15. Attach completed New York State SEQR documentation as required by the law

Date:

8/14/23

(Signature of Petitioner)



(Signature of Owner)

State of New York  
County of Erie  
Village of East Aurora

SS:

On this 14 day of August, 2023, personally appeared before me

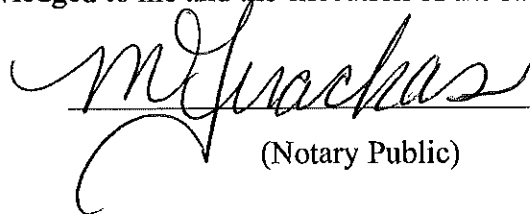
Joshua Best

(Name)

718 Jewett Holmwood East Aurora  
NY 14052

(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 and the execution of the same for the purpose therein mentioned.



(Notary Public)

Maureen Jerackas  
Notary Public, State of New York  
Qualified in Erie County  
Reg. # 01JE6332789  
Commission Expires 11/09/23

**617.20**  
**Appendix B**  
**Short Environmental Assessment Form**

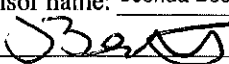
**Instructions for Completing**

**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>							
4 Apartments in Existing Building							
Name of Action or Project: 49 Knox Road, East Aurora, NY 14052							
Project Location (describe, and attach a location map): Corner of Knox and Grey Street							
Brief Description of Proposed Action: Renovate an existing building into 4 apartments							
Name of Applicant or Sponsor: Joshua Best		Telephone: 716.818.9168					
		E-Mail: Josh@Line42Arch.com					
Address: PO Box 665							
City/PO: East Aurora		State: NY	Zip Code: 14052				
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;"><b>NO</b></td> <td style="width: 50%; padding: 2px;"><b>YES</b></td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> </tr> </table>	<b>NO</b>	<b>YES</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>NO</b>	<b>YES</b>						
<input type="checkbox"/>	<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:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;"><b>NO</b></td> <td style="width: 50%; padding: 2px;"><b>YES</b></td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> </table>	<b>NO</b>	<b>YES</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>NO</b>	<b>YES</b>						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		0.37 acres					
b. Total acreage to be physically disturbed?		0.2 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.37 acres					
4. Check all land uses that occur on, adjoining and near the proposed action.							
<div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"> <input type="checkbox"/> Urban    <input type="checkbox"/> Rural (non-agriculture)         </div> <div style="width: 50%;"> <input type="checkbox"/> Industrial    <input checked="" type="checkbox"/> Commercial    <input checked="" type="checkbox"/> Residential (suburban)         </div> <div style="width: 50%;"> <input type="checkbox"/> Forest    <input type="checkbox"/> Agriculture         </div> <div style="width: 50%;"> <input type="checkbox"/> Aquatic    <input type="checkbox"/> Other (specify): _____         </div> <div style="width: 50%;"> <input type="checkbox"/> Parkland         </div> </div>							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
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: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" 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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES Existing building will use existing storm water system _____			

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	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 AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor name: <u>Joshua Best</u> Date: <u>8/14/2023</u> Signature: <u></u>		

**Part 2 - Impact Assessment.** The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

**Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3.** For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
<div style="display: flex; justify-content: space-between;"> <div> <hr/> Name of Lead Agency </div> <div> <hr/> Date </div> </div>	
<div style="display: flex; justify-content: space-between;"> <div> <hr/> Print or Type Name of Responsible Officer in Lead Agency </div> <div> <hr/> Title of Responsible Officer </div> </div>	
<div style="display: flex; justify-content: space-between;"> <div> <hr/> Signature of Responsible Officer in Lead Agency </div> <div> <hr/> Signature of Preparer (if different from Responsible Officer) </div> </div>	

**PRINT**

## **Village of East Aurora Site Plan Procedures**

1. The Village of East Aurora adopted a new Zoning Code in October 2019. The new code is on the homepage of their website.
2. Prior to submission, applicants may schedule a sketch plan meeting with the reviewing board (Village Board or Planning Commission). Sketch plan meetings are advisory only and nonbinding. Materials presented as part of this meeting can be incomplete or conceptual in design. Contact the Village Clerk's office (716-652-6000) to determine the next available meeting date.
3. In addition to the specific Zoning District code requirements, also applicable are:
  - a. Regulations for Certain Uses (§285-31)
  - b. Development Standards (§285-40)
  - c. Signs (§285-44)
  - d. General Application and Review Procedures (§285-50)
  - e. Site Plan Review (§285-51) processes and requirements

For additional guidance refer to the East Aurora Commercial Design Guidelines as found on the Planning Commission webpage on the Village of East Aurora website at [www.east-aurora.ny.us/government/planning-commission/](http://www.east-aurora.ny.us/government/planning-commission/).

4. If compliance with all applicable regulations is not feasible, an application to the Village Zoning Board of Appeals must be submitted prior to, or concurrently with the Site Plan application.
5. Submission Deadline: A complete Site Plan application, supporting documents, and the required fee must be submitted no later than the first of the month to the Code Enforcement Officer (CEO) at the Town of Aurora Building Department.
6. Submissions will be reviewed for completion by the CEO. Applicants will be notified by email/mail of any deficiencies. If the deficiencies are not corrected within 30 days, the application is considered withdrawn. Incomplete applications will not be placed on any Village Board agenda.
7. The Village Board may waive any of the Site Plan requirements with the determination that they are unnecessary for a complete assessment of the project.
8. The Village Board may also request additional information beyond what is listed on the checklist and may ask that it be presented in graphic form accompanied by a written text, and/or prepared by a licensed professional if such additional materials are deemed necessary for a complete assessment of the site plan.
9. A representative must attend every meeting at which this project will be discussed, or the project will be tabled. Typically, the Village Board receives the application and refers it to the Planning Commission for review and recommendation. The application may also be referred to the Historic Preservation Commission or Tree Board for their review and recommendations. Multiple meetings with the same reviewing board may be necessary.
10. Once all recommendations are received, the State Environmental Quality Review Act (SEQRA) is completed.
11. Next, a public hearing will be scheduled. The Village Board will render their decision at a meeting following the public hearing.
12. The Village Board will provide a written statement (or Village Board minutes) to the applicant stating whether or not the application is approved, conditionally approved, or denied.

**VILLAGE OF EAST AURORA**  
571 Main Street, East Aurora, New York 14052  
716-652-6000  
In conjunction with  
**Town of Aurora Building Department**  
300 Glead Ave, East Aurora, NY 14052  
716-652-7591

Building Dept:
Date Received _____
Complete App _____
Village Clerk:
Date Received _____
Amount \$ _____
Receipt # _____

**SITE PLAN APPLICATION**

PROPOSED PROJECT Five Below Facade Renovation SBL#: \_\_\_\_\_  
LOCATION 123 Grey Street ZONING DISTRICT C

The applicant agrees to reimburse the Village for any additional fees required for consultant's review of submitted technical data, including but not limited to, traffic studies, drainage, lighting, water and sewer plans.

APPLICANT NAME Benderson Development Company, LLC  
ADDRESS 570 Delaware Avenue  
TELEPHONE 716-878-9626 CELL 716-998-9915 E-MAIL jmb@benderson.com  
SIGNATURE James A. Boglioli

OWNER NAME 93 NYRPT, LLC  
ADDRESS 570 Delaware Avenue  
TELEPHONE 716-878-9626 CELL 716-998-9915 E-MAIL jmb@benderosn.com  
SIGNATURE James A. Boglioli

ENGINEER/ARCHITECT/LANDSCAPE ARCHITECT  
NAME James A. Rumsey FIRM \_\_\_\_\_  
ADDRESS 570 Delaware Avenue  
TELEPHONE 716-878-9626 FAX \_\_\_\_\_ E-MAIL jmb@benderosn.com  
SIGNATURE \_\_\_\_\_ AFFIX STAMP

**THIS APPLICATION MUST INCLUDE THE FOLLOWING:**

- Twenty (20) Sets – Cover letter to Village Board, Supporting Documents, and SEQR as required in §285-51.3
- One (1) complete file of submittal package in PDF format via email (under 10MB) to [maureen.jerackas@east-aurora.ny.us](mailto:maureen.jerackas@east-aurora.ny.us). Larger files may be submitted on a USB drive or CD Rom.
- Application fee \$25.00 and Public Hearing fee \$100.00 – Total \$125 at time of application

---

**OFFICE USE ONLY:** Sketch Plan Meeting Date \_\_\_\_\_ Minor Project written request to waive PC mtg Y/N/NA: VB Decision Y/N

**REQUIRED MEETINGS/REFERRALS:**

	Mtg/Mail Date	Conditions/Comments, if applicable:
Planning Commission	_____	_____
Historic Preservation	_____	_____
ZBA	_____	_____
EC Div of Planning	_____	_____
NYS DOT	_____	_____
Town Notification	_____	_____
Safety Committee	_____	_____
VEA DPW	_____	_____
OTHER (specify)	_____	_____

**SEQR ACTION:**

\_\_\_ Type 1 \_\_\_ Type 2 \_\_\_ Unlisted

**VILLAGE BOARD ACTION:**

	Mtg/Mail Date
Public Hearing	_____
Notices Mailed	_____
Posted Notice-VEA Hall	_____
Posted Notice-Prop	_____
Approval/Denial Date	_____

Attach Village Board resolution with noted conditions.

## **CHECK LIST FOR SITE PLAN APPLICATION**

An application for site plan review shall include the following supporting documents, as applicable. A licensed professional engineer or registered land surveyor shall prepare all site plan materials unless otherwise approved by the Village Board.

- ☐ Description or narrative of all proposed uses and structures, including but not limited to hours of operation, number of employees, maximum seat capacity, and proposed number of off-street vehicle and bicycle parking spaces.
- ☐ A site plan drawn at a scale of one inch equals 20 feet or such other scale as the Village Board may deem appropriate, on standard 24 inch by 36 inch sheets, with continuation on 8 ½ inch by 11 inch sheets as necessary for written information.
- ☐ A certified land survey showing the boundaries of the applicant's property under consideration in its current state plotted to scale with the north point, scale, and date clearly indicated, or other document deemed acceptable by the reviewing board.
- ☐ Plans indicating the following with regard to the property in question, where applicable.
  - ☐ The location of all properties, their ownership, uses thereon, subdivisions, streets, easements, and adjacent buildings within 300 feet of the property in question.
  - ☐ The location and use of all existing and proposed structures on the property in question, including all dimensions of height and floor area, exterior entrances, and anticipated future additions and alterations.
  - ☐ The location of all existing and proposed topography features, including but not limited to, site grading, open spaces, woodlands, watercourses, steep slopes, wetlands, floodplains, and watersheds.
  - ☐ The location of existing and proposed landscaping, screening, walls, and fences, including information regarding the size and type of plants and building materials proposed.
  - ☐ The location of existing and proposed public and private streets, off-street parking areas, loading areas, driveways, sidewalks, ramps, curbs, and paths. Such plans shall include considerations for vehicular, pedestrian, and bicycle traffic circulation, parking, and access.
  - ☐ The location of existing and proposed utility systems including sewage or septic, water supply, telephone, cable, electric, and stormwater drainage. Stormwater drainage systems shall include existing and proposed drain lines, culverts, catch basins, headwalls, endwalls, hydrants, manholes, and drainage swales.
  - ☐ The location, height, intensity, and bulb type (sodium, incandescent, etc.) of all external lighting fixtures. The direction of illumination and methods to eliminate glare onto adjoining properties must also be shown.
  - ☐ The location, height, size, material, and design of all existing and proposed signs.
  - ☐ Elevations at a scale of one-quarter inch equals one foot for all exterior facades of the proposed structure(s) and/or alterations to or expansions of existing facades, showing design features and indicating the type and color or materials to be used.
  - ☐ Plans to prevent the pollution of surface or ground water, erosion of soil both during and after construction, excessive runoff, excessive raising or lowering of the water table, and flooding of other properties, as applicable.
  - ☐ A schedule for completion of each construction phase for buildings, parking, and landscaped areas.
  - ☐ Plans for disposal of construction and demolition waste, either on-site or at an approved disposal facility.
- ☐ All New York State SEQR documentation as required by law.
- ☐ The Village Board may request additional information as per Village Code §285-51.3(B)(6) or anything else it deems necessary for a complete assessment of the site plan.
- ☐ All required fees and reimbursements, and an escrow deposit to cover professional review costs, if required.



# *Short Environmental Assessment Form*

## *Part 1 - Project Information*

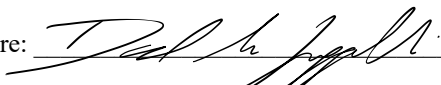
### Instructions for Completing

**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>				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:			Telephone:	
			E-Mail:	
Address:				
City/PO:			State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO	YES
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.			<input type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO	YES
If Yes, list agency(s) name and permit or approval:			<input type="checkbox"/>	<input type="checkbox"/>
3.   a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned _____ acres or controlled by the applicant or project sponsor?				
4. Check all land uses that occur on, are adjoining or near the proposed action: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <span><input type="checkbox"/> Urban</span> <span><input type="checkbox"/> Rural (non-agriculture)</span> <span><input type="checkbox"/> Industrial</span> <span><input type="checkbox"/> Commercial</span> <span><input type="checkbox"/> Residential (suburban)</span> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <span><input type="checkbox"/> Forest</span> <span><input type="checkbox"/> Agriculture</span> <span><input type="checkbox"/> Aquatic</span> <span><input type="checkbox"/> Other(Specify):</span> </div> <div style="margin-top: 5px;"><input type="checkbox"/> Parkland</div>				

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO  <input type="checkbox"/>  <input type="checkbox"/>	YES  <input type="checkbox"/>  <input type="checkbox"/>	N/A  <input type="checkbox"/>  <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO  <input type="checkbox"/>	YES  <input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO  <input type="checkbox"/>	YES  <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	YES  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO  <input type="checkbox"/>	YES  <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO  <input type="checkbox"/>	YES  <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO  <input type="checkbox"/>	YES  <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO  <input type="checkbox"/>  <input type="checkbox"/>	YES  <input type="checkbox"/>  <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO  <input type="checkbox"/>  <input type="checkbox"/>	YES  <input type="checkbox"/>  <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest    Agricultural/grasslands    Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban    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  <input type="checkbox"/>	YES  <input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO  <input type="checkbox"/>	YES  <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO  <input type="checkbox"/>	YES  <input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>
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  <input 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 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 type="checkbox"/>	YES  <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: _____ Date: _____  Signature:  Title: _____		



# PROPOSED ADDITION

## AURORA VILLAGE SHOPPING CENTER

123 GREY STREET, EAST AURORA, NY 14052

BDC Property # 2127

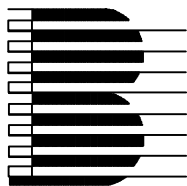
### SITE DEVELOPMENT DRAWINGS

INDEX OF DRAWINGS

DWG. #	DRAWING NAME	REVISION	DATE
C1.0	COVER SHEET		
C2.0	EXISTING SURVEY		
C3.0	DEMOLITION PLAN AND DETAILS		
C4.0	OVERALL SITE PLAN		
C4.1	DETAILED SITE PLAN AND DETAILS		
C5.0	GRADING AND UTILITY PLAN		

OWNER/DEVELOPER:

NAME: BENDERSON DEVELOPMENT COMPANY, LLC  
ADDRESS: 570 DELAWARE AVENUE, BUFFALO, NY 14202  
CONTACT: DAVID ZUPPELLI  
PHONE: 716 - 878 - 9683



**BENDERSON DEVELOPMENT COMPANY, LLC**  
570 Delaware Ave.  
Buffalo, New York 14202

SURVEYOR

NAME: KHEOPS ARCHITECTURE, ENGINEERING & SURVEY, DCP  
ADDRESS: BUFFALO, NY 14202  
CONTACT: -  
PHONE: 716-849-8739

UTILITIES:

NATURAL GAS  
NAME/TITLE: WILLIAM SCHNEIDER  
COMPANY/DEPT: NATURAL FUEL GAS  
ADDRESS: -  
PHONE: 716 - 696 - 6460

TELEPHONE COMPANY  
NAME/TITLE: JOHN HECKMAN  
COMPANY/DEPT: VERIZON  
ADDRESS: -  
PHONE: 716 - 840 - 8603

ELECTRIC  
NAME/TITLE: -  
COMPANY/DEPT: NATIONAL GRID  
ADDRESS: -  
PHONE: -

DIG SAFELY NEW YORK  
PHONE: 1 - 800 - 962 - 7962 OR (811)

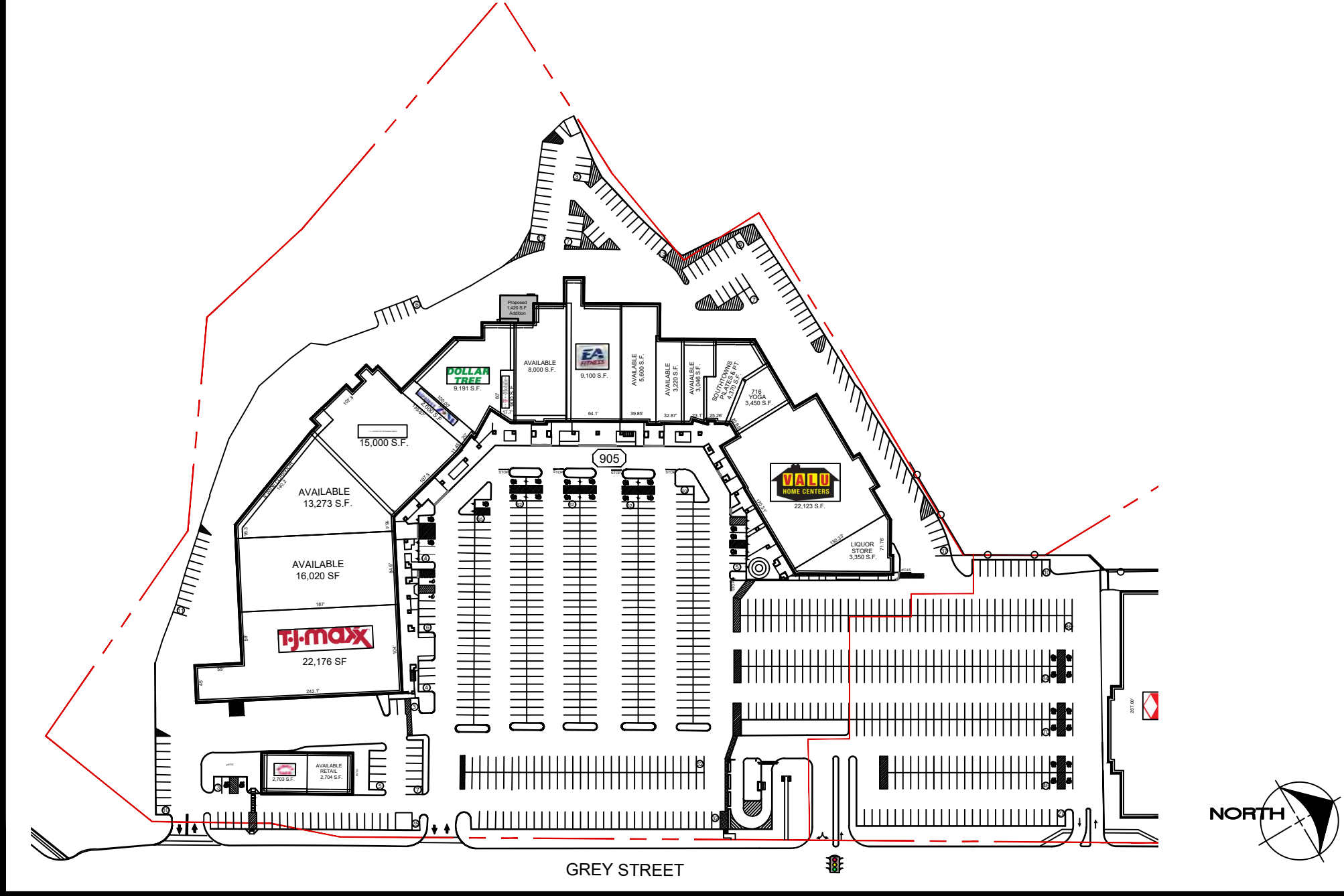
AGENCIES:

PLANNING COMMISSION  
NAME/TITLE: DAN CASTLE  
COMPANY/DEPT: VILLAGE OF EAST AURORA  
ADDRESS: 585 OAKWOOD AVE. EAST AURORA, NY 14052  
PHONE: 716 - 652 - 6000 Opt.4

BUILDING & CODE ENFORCEMENT  
NAME/TITLE: ELIZABETH CASSIDY / CODE ENFORCEMENT OFFICER  
COMPANY/DEPT: VILLAGE OF EAST AURORA / CODE ENFORCEMENT  
ADDRESS: 575 OAKWOOD AVE. EAST AURORA, NY 14052  
PHONE: 716 - 652 - 7591

DEPARTMENT OF PUBLIC WORKS  
NAME/TITLE: MATTHEW HOEH / SUPERINTENDENT  
COMPANY/DEPT: VILLAGE OF EAST AURORA  
ADDRESS: 400 PINE STREET EAST AURORA, NY 14052  
PHONE: 716 - 652 - 6057

SITE LOCATION MAP 1:150



REGIONAL LOCATION MAP NTS



DRAWING REVISIONS:			
No.	DATE	BY	REMARKS

SPECIAL INFORMATION:  
ALL CONTRACTORS SHALL GUARANTEE THEIR WORK FOR A PERIOD OF ONE YEAR FROM THE DATE OF OWNERS ACCEPTANCE.

SHOP DRAWING SUBMITTALS ARE REQUIRED FOR ANY AND ALL STRUCTURES.

NOTICE  
UNAUTHORIZED ALTERATIONS OF THIS DOCUMENT ARE IN VIOLATION OF SECTION #7209 OF THE STATE EDUCATION LAW.



PROPERTY NUMBER: #2127  
AREA: -

AURORA VILLAGE  
SHOPPING CENTER  
123 GREY STREET,  
EAST AURORA, NY 14052  
PROPOSED ADDITION

CONSULTANT

JAMES ALLEN RUMSEY  
ARCHITECT  
PREPARED FOR  
**BENDERSON DEVELOPMENT**  
570 DELAWARE AVE., BUFFALO, NY 14202  
(716) 886-0211

SEAL



TITLE:  
Cover Sheet

SCALE:  
NTS  
DRAWN BY: DMZ  
CHECKED BY: MAO  
DATE: 05.23.2023  
DRAWING NO.:  
**C1.0**





AS-BUILT SURVEY  
TJ MAXX STORE  
123 GREY STREET, TOWN OF AURORA, VILLAGE OF EAST AURORA  
COUNTY OF ERIE, STATE OF NEW YORK

MAP  
NUMBER:  
**62493-AB**  
Sheet 1 of 1

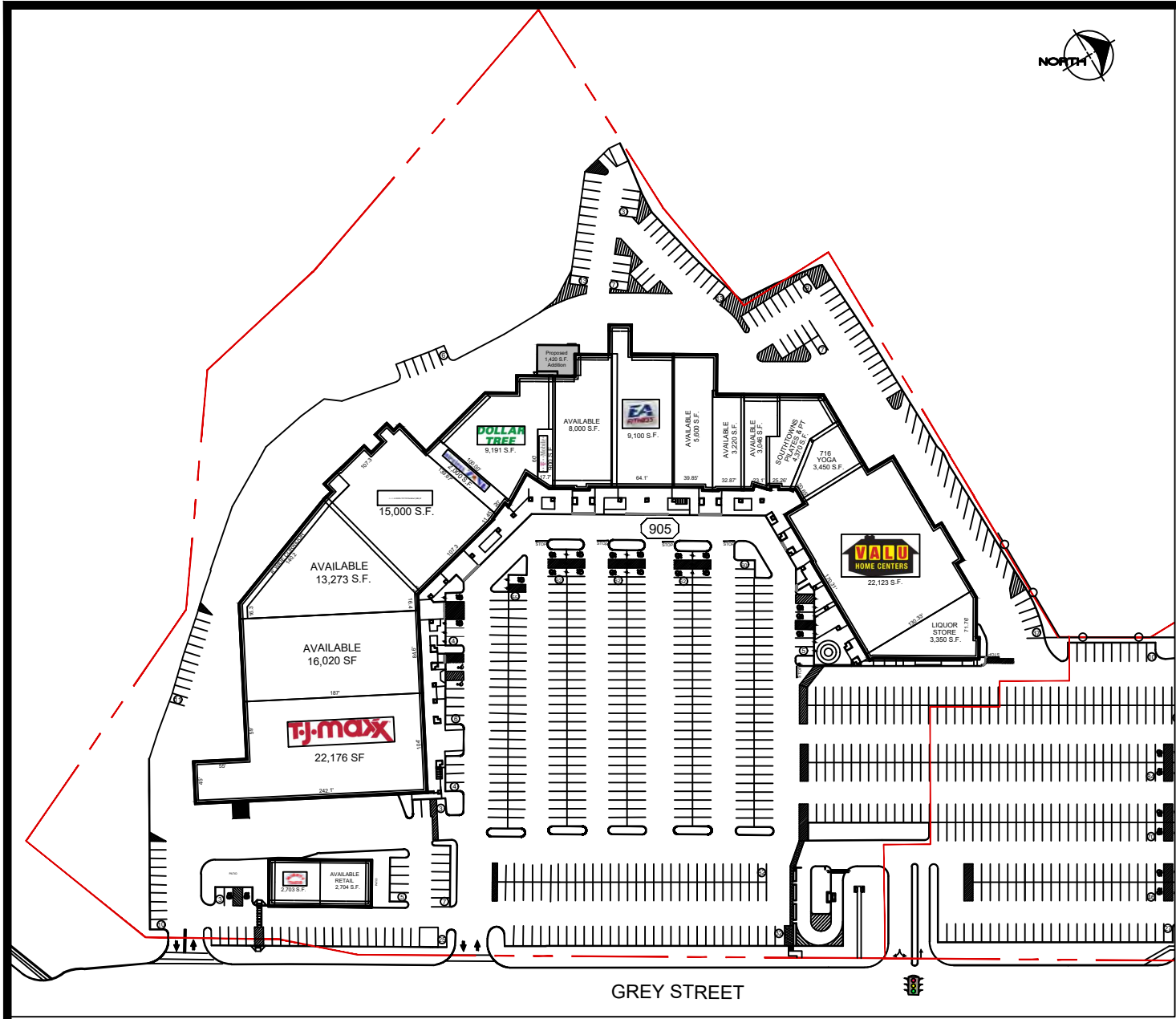
Designed by: JMH  
Drawn by: JMH & JPH  
Checked by: JPH  
Dwg Scale: 1"=40'  
North: N/A

Field Date: 10/1/15  
Office Date: 10/6/15  
Job No: 1442201.07 & 1601063  
Scale: 1"=40'  
Page: 47  
Map: 62493-AB  
File Name: TJ MAXX COMBINED

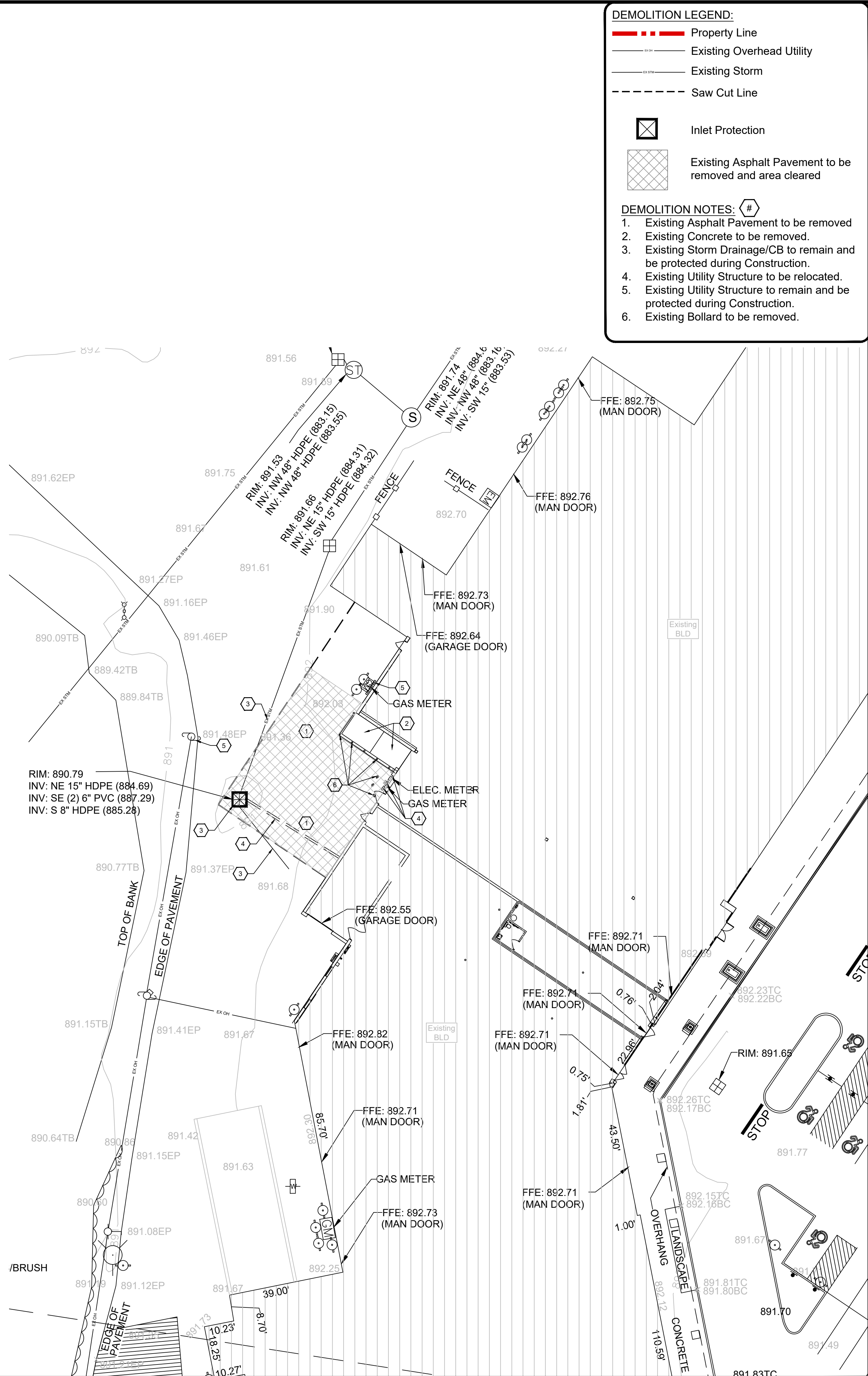
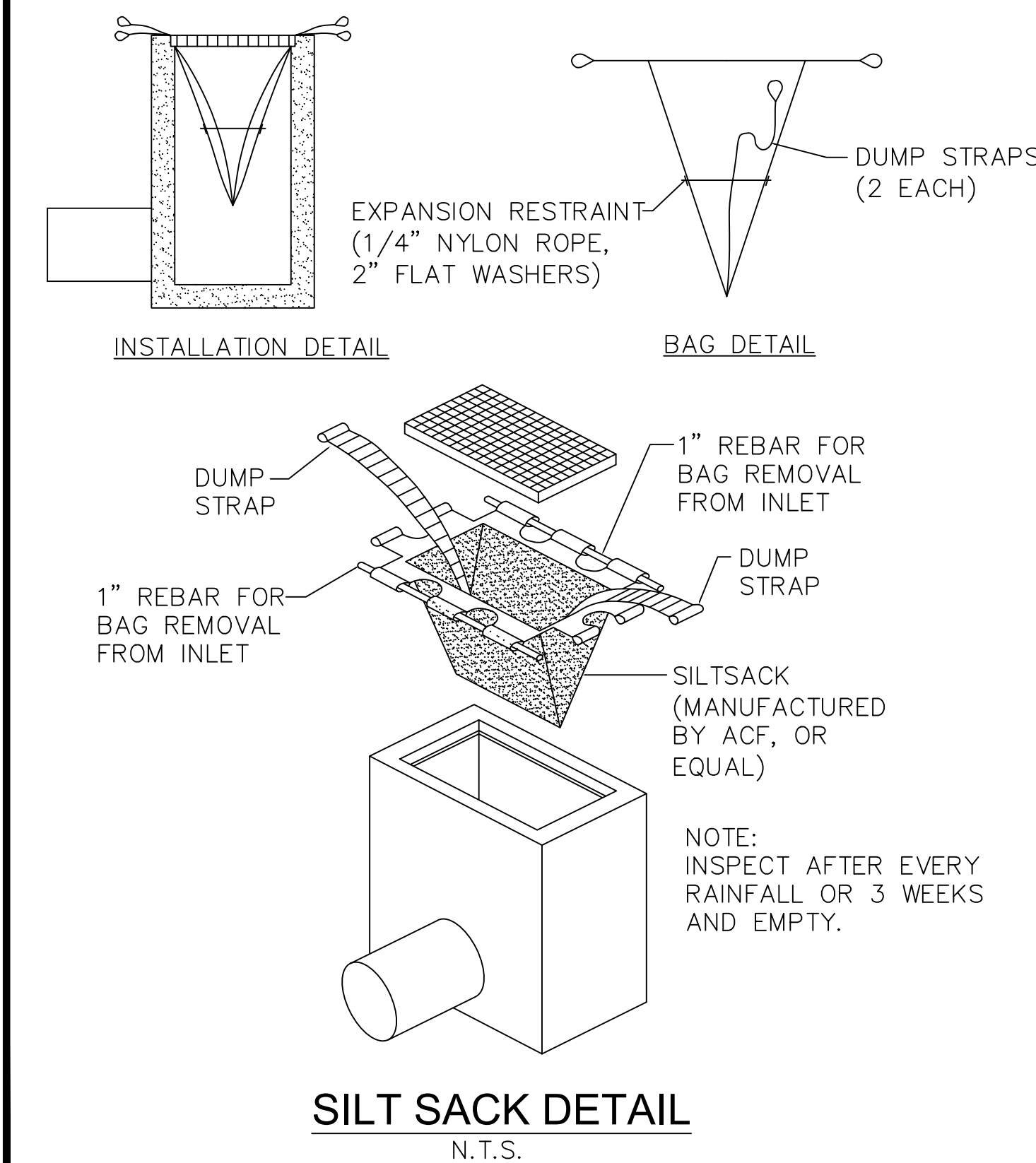
CONSTRUCTION OF THIS  
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NOTES:  
1. THIS DRAWING IS A REVISION OF  
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DRAWING 62493-AB, WHICH IS  
THE BASIS FOR THIS DRAWING.

NO.	DESCRIPTION	DATE	BY
1	ADDITIONAL TOPO FOR NEW GARAGE DOOR	6/26/16	JPH





- GENERAL NOTES:
1. INSTALL ALL MATERIALS TO MANUFACTURER'S RECOMMENDATIONS AND BEST STANDARDS OF TRADE INVOLVED.
  2. SUBSTITUTIONS SHALL BE MADE ONLY WITH OWNER'S APPROVAL AND BE OF EQUIVALENT QUALITY TO WHAT IS SPECIFIED.
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  6. CONTRACTOR SHALL KEEP JOB FREE OF DEBRIS AND MAKE FINAL CLEANUP TO THE SATISFACTION OF OWNER.
  7. CONTRACTOR SHALL ASCERTAIN THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION SO THAT THIS WORK WILL NOT DISTURB EXISTING LINES AND/OR INSTALLATIONS EXCEPT AS DETAILED ON THE PLANS. COORDINATE ALL WORK WITH THE APPLICABLE UTILITY COMPANIES.
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  11. CONCRETE SIDEWALK SEALERS: (REFER TO ARCHITECTURAL PLANS FOR LOCATION OF CONCRETE TYPES.)
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  12. LIGHTING FIXTURE ARROW SYMBOLS REFER TO THE DIRECTION THAT THE FIXTURES ARE REQUIRED TO FACE. SPECIFIC MOUNT BRACKETS WILL BE REQUIRED DEPENDING ON ORIENTATION AND FIXTURE COUNT.
  13. CURB ISLAND DIMENSIONS ARE FROM INSIDE OF CURB TO INSIDE OF CURB.



- DEMOLITION LEGEND:
- Property Line
  - Existing Overhead Utility
  - Existing Storm
  - Saw Cut Line
  - Inlet Protection
  - Existing Asphalt Pavement to be removed and area cleared
- DEMOLITION NOTES: #
1. Existing Asphalt Pavement to be removed
  2. Existing Concrete to be removed.
  3. Existing Storm Drainage/CB to remain and be protected during Construction.
  4. Existing Utility Structure to be relocated.
  5. Existing Utility Structure to remain and be protected during Construction.
  6. Existing Bollard to be removed.

DRAWING REVISIONS:			
No.	DATE	BY	REMARKS

SPECIAL INFORMATION:

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SHOP DRAWING SUBMITTALS ARE REQUIRED FOR ANY AND ALL STRUCTURES.

NOTICE

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PROPERTY NUMBER: #2127

AREA: -

AURORA VILLAGE  
SHOPPING CENTER  
123 GREY STREET,  
EAST AURORA, NY 14052

PROPOSED ADDITION

CONSULTANT

JAMES ALLEN RUMSEY  
ARCHITECT  
PREPARED FOR

**BENDERSON  
DEVELOPMENT**  
570 DELAWARE AVE., BUFFALO, NY 14202  
(716) 886-0211

SEAL



TITLE:

Demolition  
Plan

SCALE:  
1" = 20'

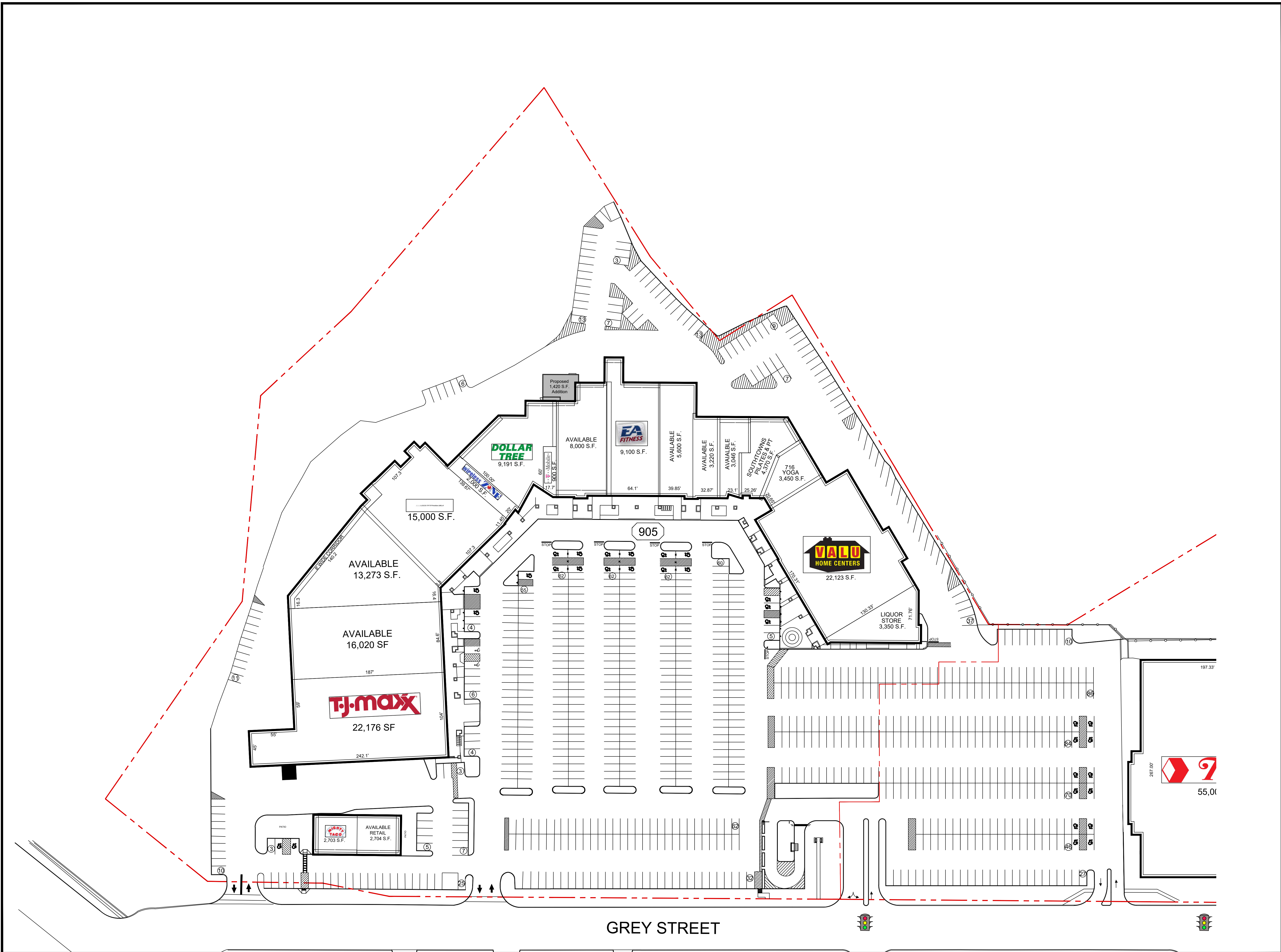
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DMZ

CHECKED BY:  
MAO

DATE:  
05.23.2023

DRAWING NO.  
**C3.0**





DRAWING REVISIONS:

No.	DATE	BY	REMARKS

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NORTH

811

Know what's below.  
Call before you dig.

PROPERTY NUMBER:

#2127

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-

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570 DELAWARE AVE., BUFFALO, NY 14202  
(716) 886-0211

SEAL

REGISTERED ARCHITECT  
JAMES ALLEN RUMSEY  
STATE OF NEW YORK

TITLE:

Overall  
Site Plan

SCALE:  
1" = 50'

DRAWN BY:  
DMZ

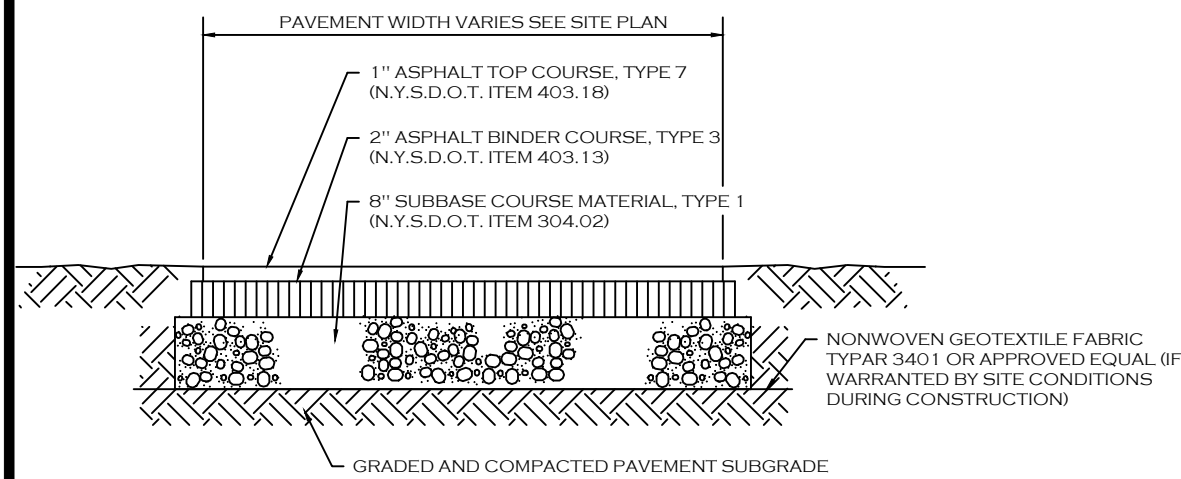
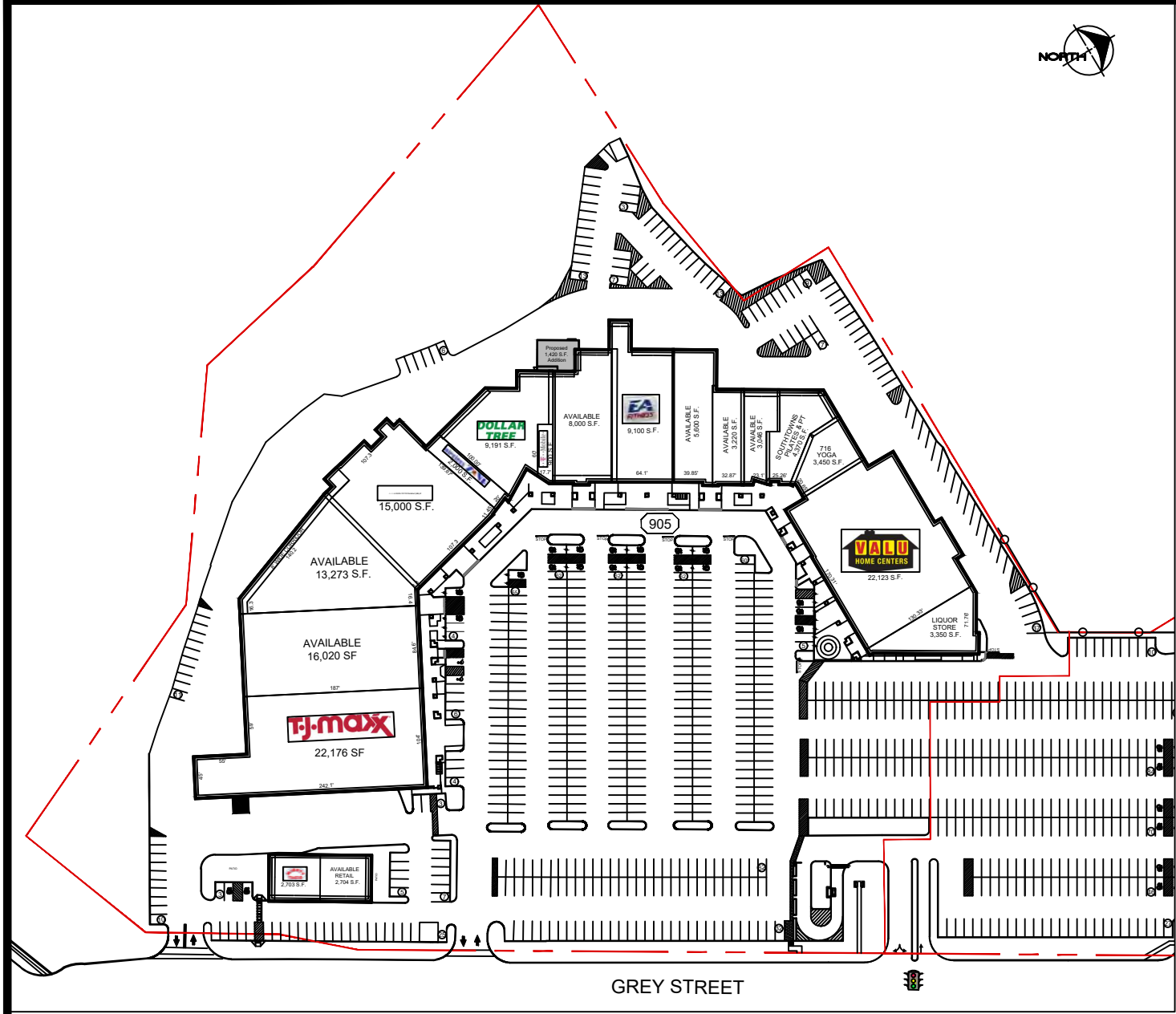
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MAO

DATE:  
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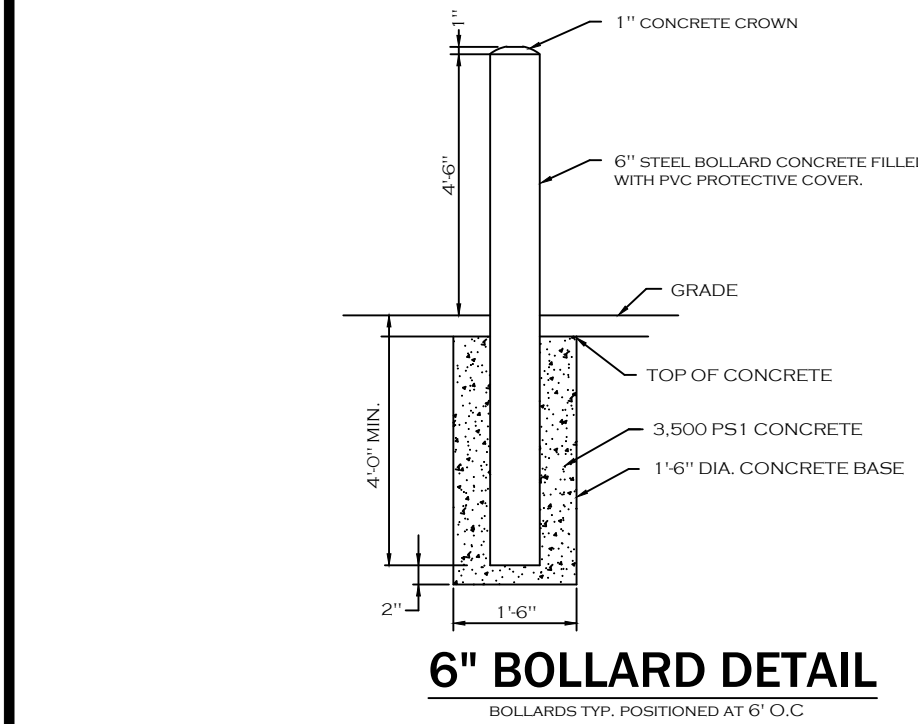
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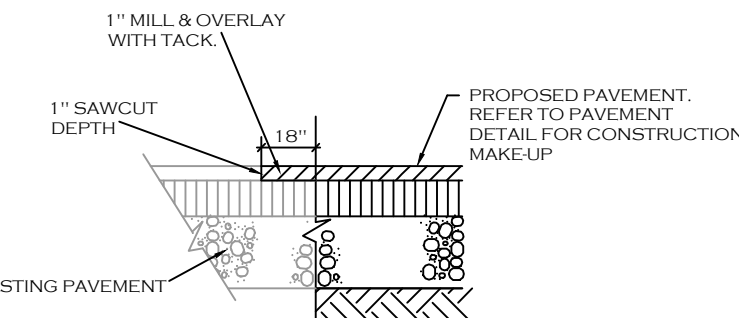


STANDARD DUTY ASPHALT SECTION



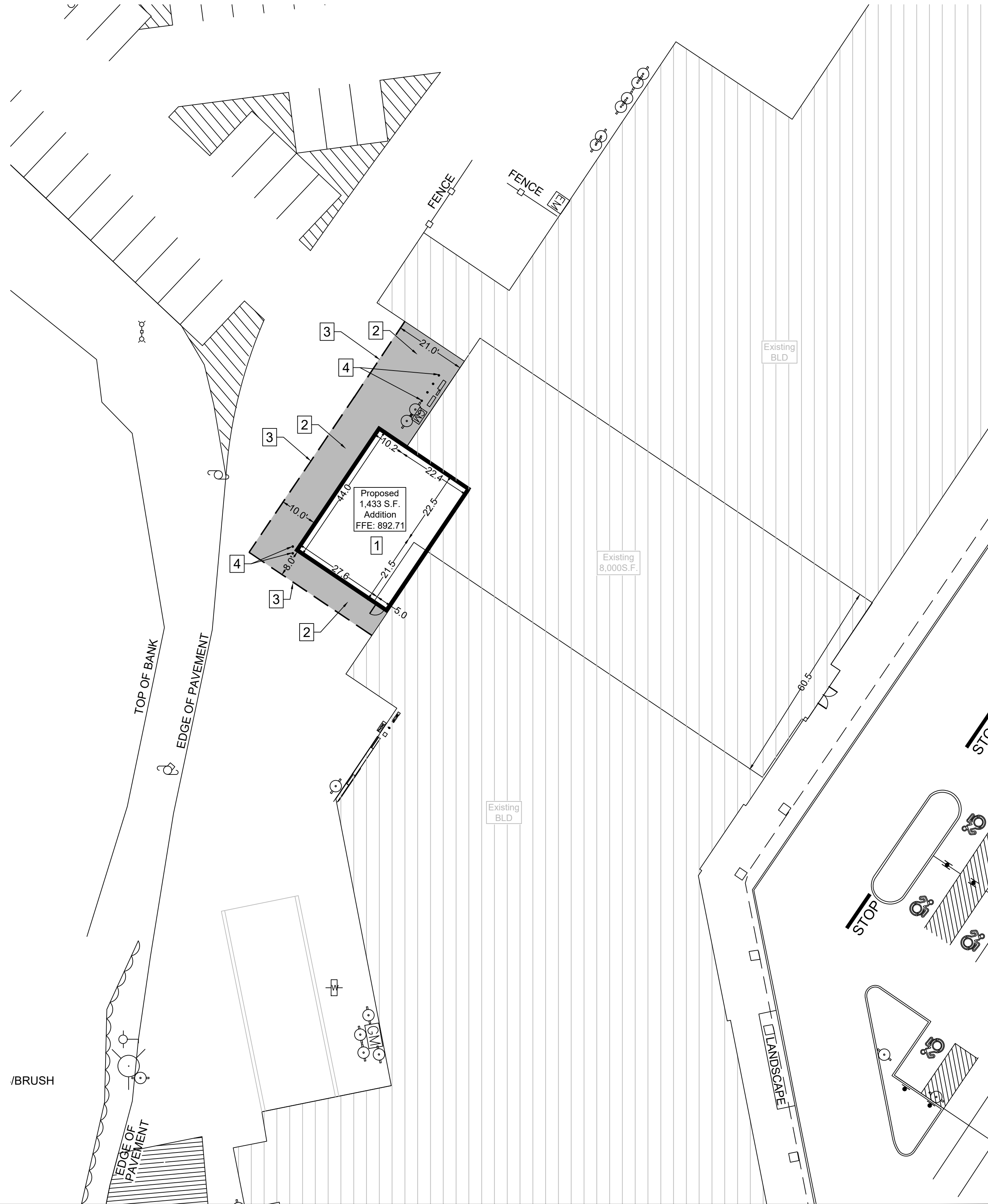
6" BOLLARD DETAIL

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PAVEMENT TRANSITION DETAIL  
(ASPHALT PAVEMENT)

- SITE LEGEND:
- Property line
  - 6" Curb (typ).
  - Proposed 6" Concrete Bollard
  - Proposed Standard Duty Asphalt Pavement
- SITE NOTES: #
1. Proposed Building Addition
  2. Proposed Standard Duty Pavement.
  3. Match into Existing Pavement.
  4. Proposed 6" Bollard



DRAWING REVISIONS:			
No.	DATE	BY	REMARKS

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CONSULTANT

JAMES ALLEN RUMSEY  
ARCHITECT  
PREPARED FOR

BENDERSON  
DEVELOPMENT  
570 DELAWARE AVE., BUFFALO, NY 14202  
(716) 886-0211

SEAL



TITLE:

Detailed  
Site Plan

SCALE:  
1" = 20'

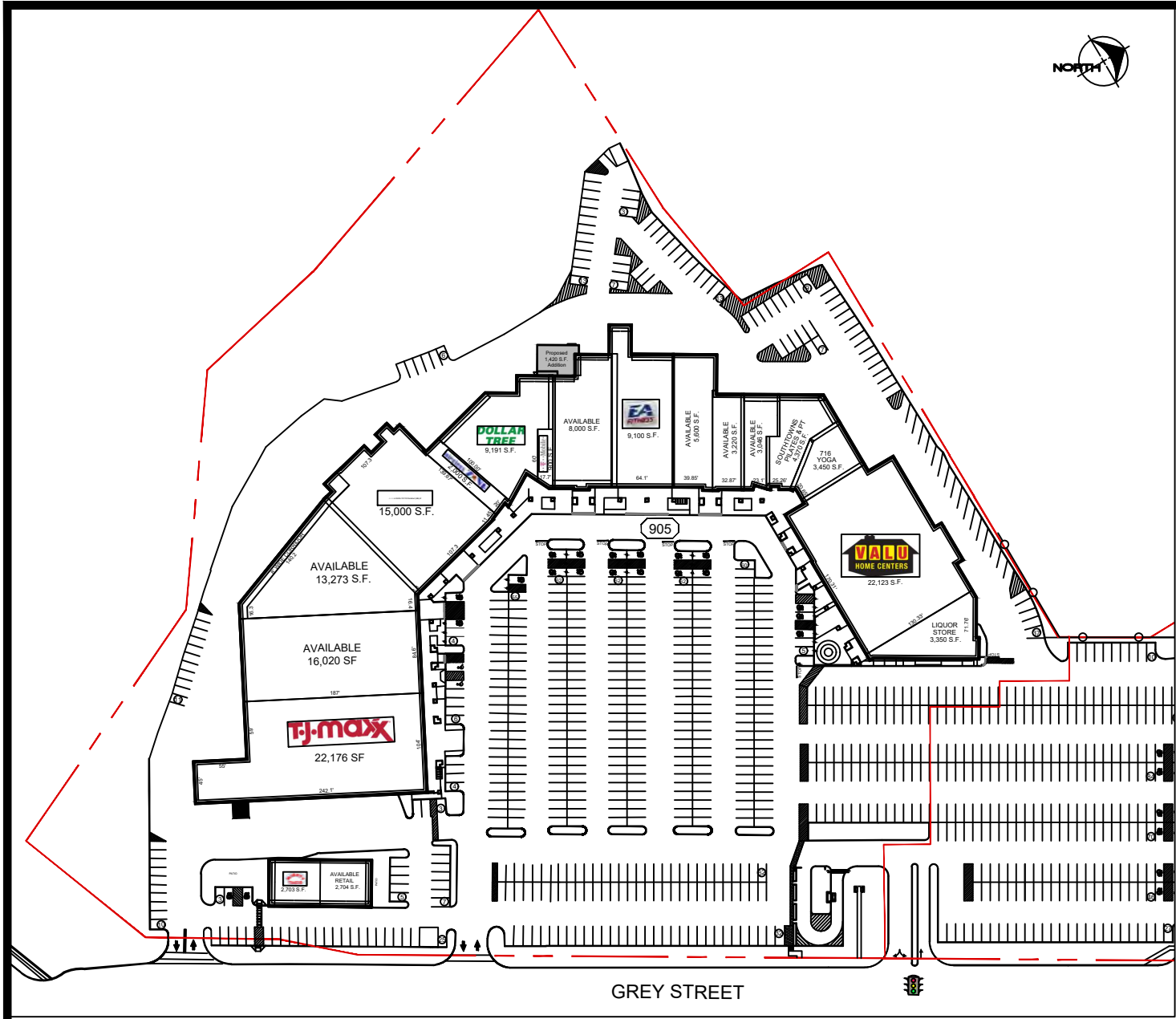
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CHECKED BY:  
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DATE:  
05.23.2023

DRAWING NO.  
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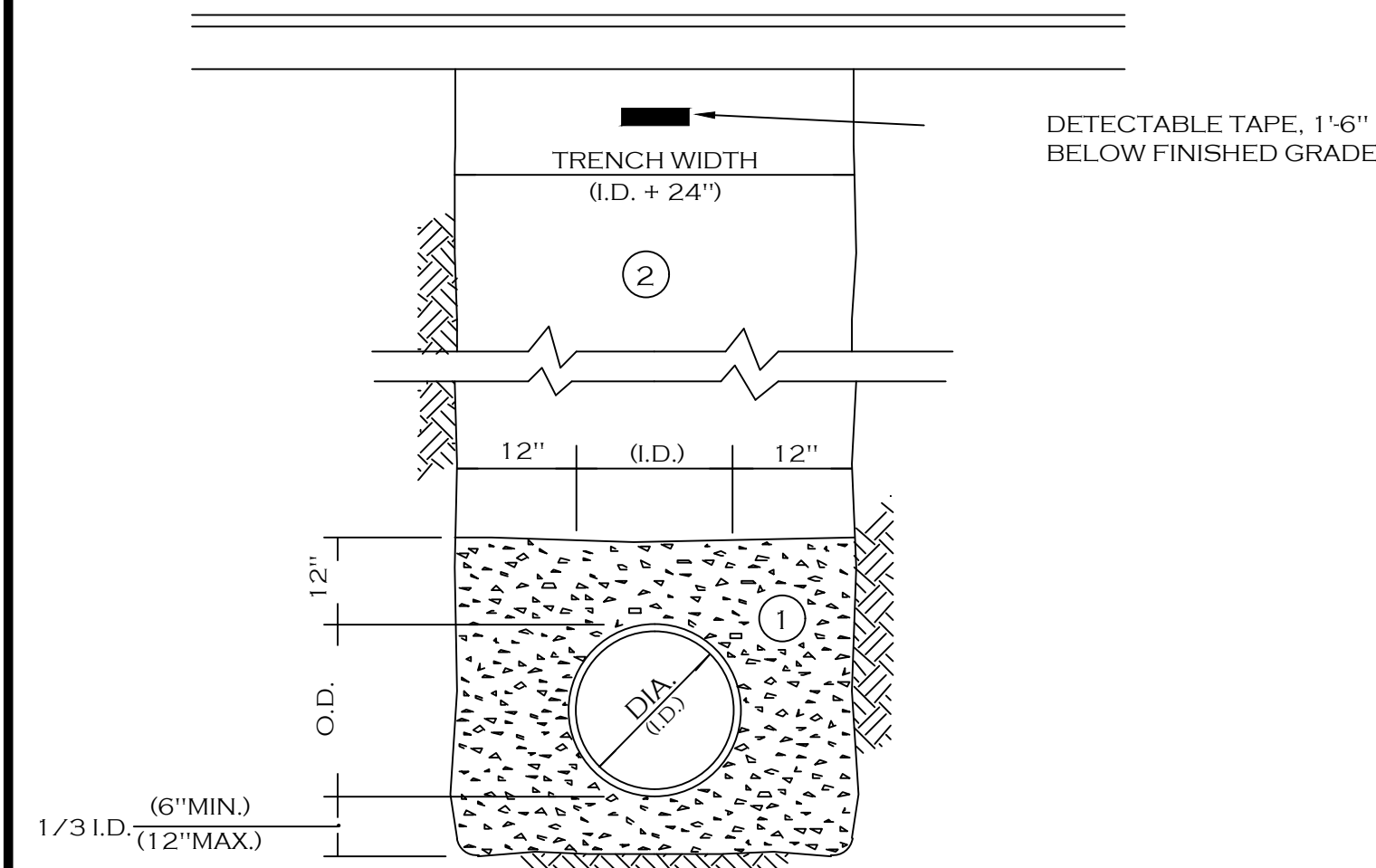
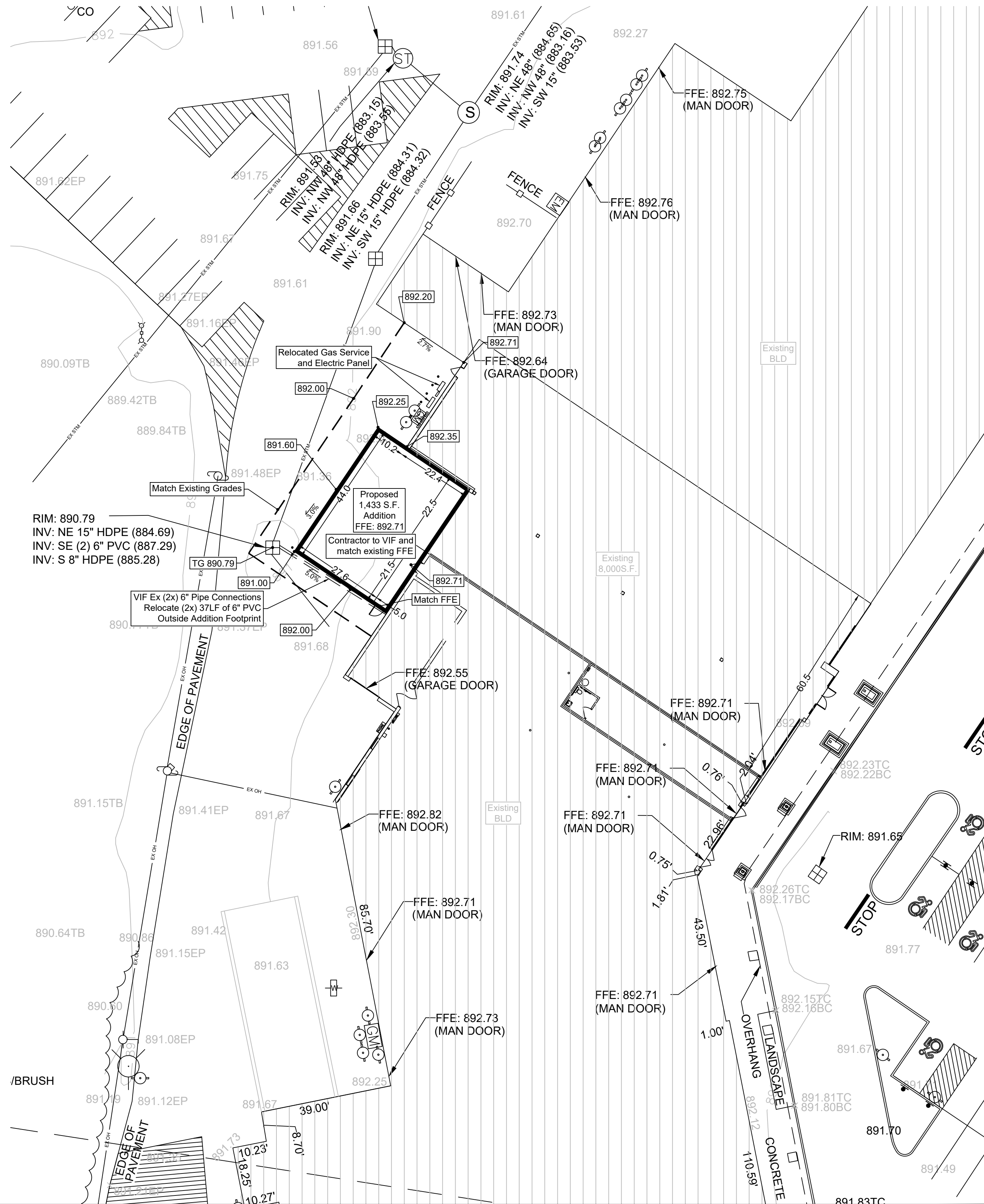




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GRADING LEGEND:

- Property Line
- 6" Curb (typ).
- TG # Catch Basin - Top of Grade
- ### Proposed Contour Line
- ###% Slope Direction



- NOTES:
- A. PIPE INSTALLATION SHALL BE IN ACCORDANCE WITH MANUFACTURERS RECOMMENDATIONS.
  - B. TRENCHING OPERATIONS SHALL INCLUDE ALL NECESSARY DEWATERING.
  - C. TRENCH DETAILS ARE ONLY SHOWN FOR PURPOSES OF MATERIAL PLACEMENT AND MAXIMUM PAY LIMITS.
  - D. AN OSHA APPROVED MOVABLE PROTECTIVE TRENCH SHIELD SHALL BE USED IN ALL UNSHEETED TRENCH AREAS.

MATERIALS

PIPE BEDDING MATERIAL (NYS DOT 1985 EDITION)

1. NO. 1 CRUSHED STONE OR CRUSHED GRAVEL WITH A GRADATION CONFORMING WITH NYS DOT SECTION 703-02. THE MATERIAL SHALL BE WELL GRADED WITH NO PARTICLES LARGER THAN ONE INCH AND HAVING A MAXIMUM GRADATION MEETING THE LIMITS DESCRIBED IN THE SPECIFICATIONS. THE BEDDING SHALL BE COMPACTED IN 6" LIFTS WITH EQUIPMENT ACCEPTABLE TO THE PIPE MANUFACTURER.
2. TYPE 2 CRUSHED STONE OR CRUSHED GRAVEL WITH A GRADATION CONFORMING WITH NYS DOT SECTION 304-2.02 TYPE 2. THE MATERIAL SHALL BE WELL GRADED WITH NO PARTICLES LARGER THAN TWO INCHES AND HAVING A MAXIMUM GRADATION MEETING THE LIMITS DESCRIBED IN THE SPECIFICATIONS. THE BEDDING SHALL BE COMPACTED IN 6" LIFTS WITH EQUIPMENT ACCEPTABLE TO THE PIPE MANUFACTURER.

TRENCH SECTION IN PAVED AREAS

DRAWING REVISIONS:			
No.	DATE	BY	REMARKS

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PROPERTY NUMBER: #2127

AREA: -

AURORA VILLAGE  
SHOPPING CENTER  
123 GREY STREET,  
EAST AURORA, NY 14052

PROPOSED ADDITION

CONSULTANT

JAMES ALLEN RUMSEY  
ARCHITECT  
PREPARED FOR  
**BENDERSON  
DEVELOPMENT**  
570 DELAWARE AVE., BUFFALO, NY 14202  
(716) 886-0211

SEAL



TITLE:  
**Grading and  
Utility Plan**

SCALE:  
1" = 20'

DRAWN BY:  
DMZ

CHECKED BY:  
MAO

DATE:  
05.23.2023

DRAWING NO.  
**C5.0**



August 10, 2023

**VIA HAND DELIVERY**

Peter M. Mercurio, Mayor and Members of the Village Board  
Village of East Aurora  
571 Main Street  
East Aurora, NY 14052

**Re: Aurora Village Shopping Center  
123 Grey Street (BDP # 2127)  
Application for Site Plan Approval for Proposed Addition**

Dear Mayor Mercurio and Members of the Board:

In connection with the above-referenced property, Benderson has secured a new tenant within the existing multi-use multi-tenant building and is proposing site plan changes to accommodate an additional 1,433 S.F. of retail space for the proposed tenant.

As the Town is aware, the shopping center is a fully developed commercial plaza. In connection with the proposed tenant, we are proposing to add a rear addition that will increase the buildings' square footage by 1,433 S.F., existing utilities relocations and pavement resurfacing.

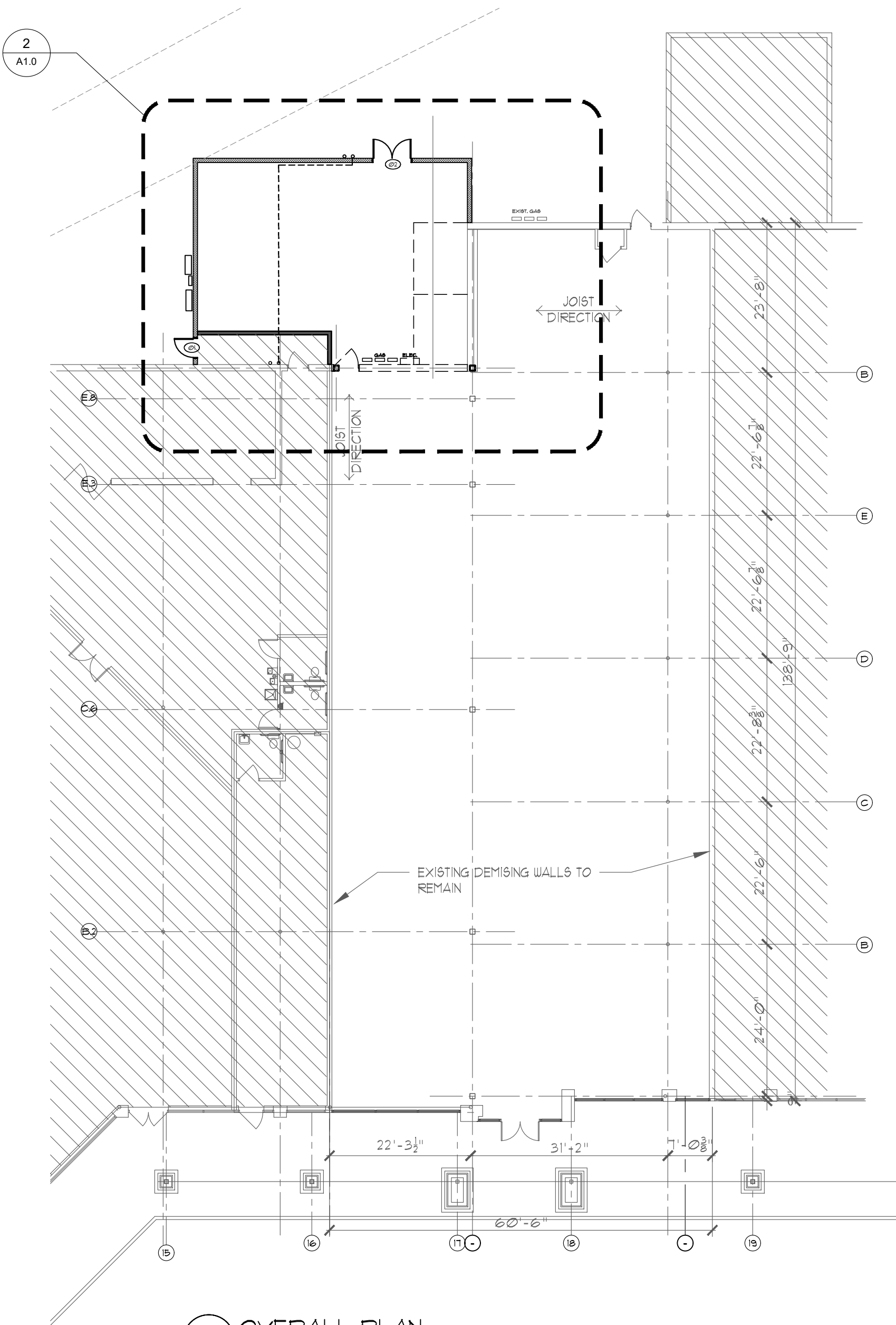
We look forward to working with the Town on this project. Should you have any questions or require any additional materials, please do not hesitate to contact me.

Thank you,  
**BENDERSON DEVELOPMENT COMPANY, LLC**

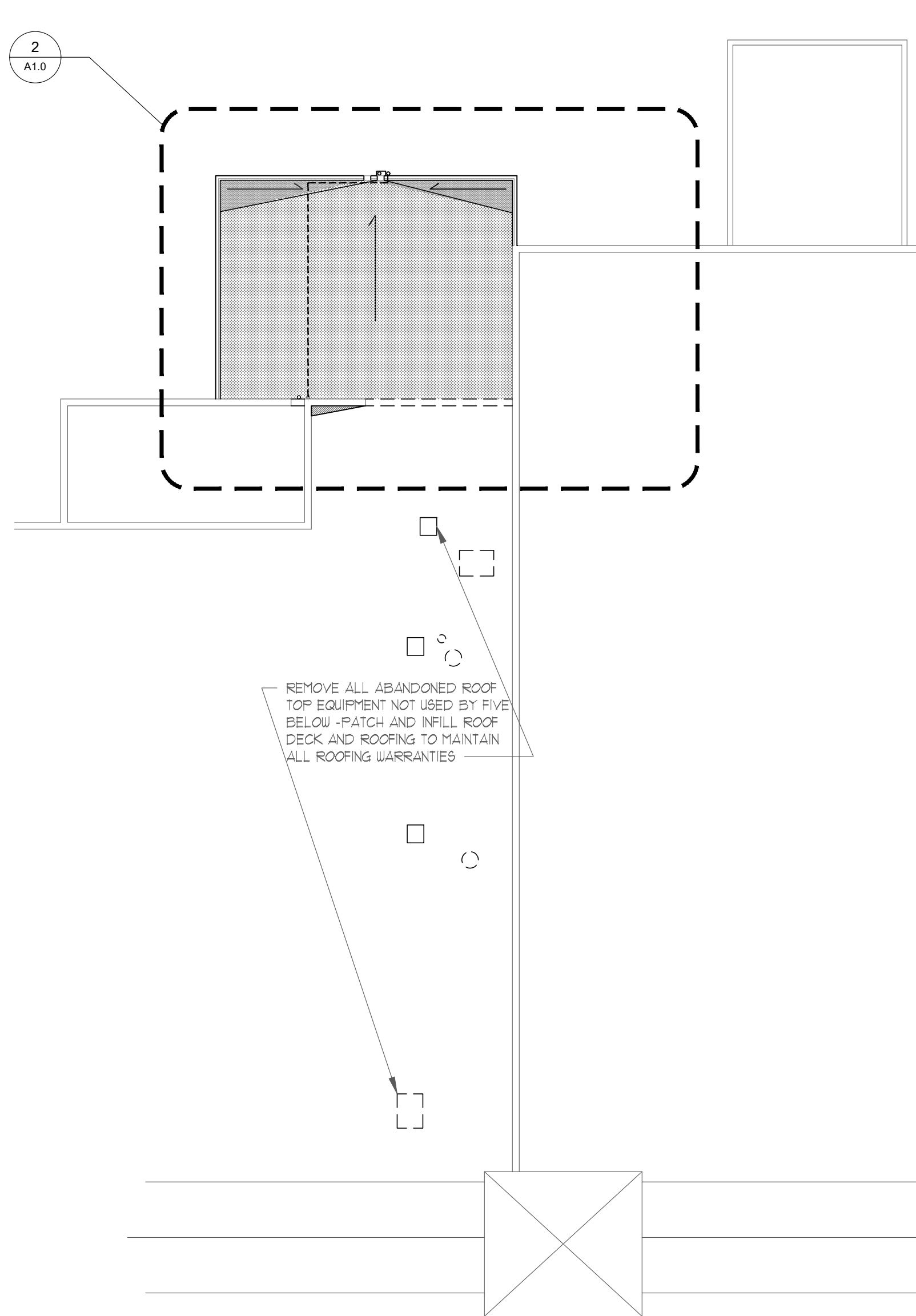
*James A. Boglioli*

James A. Boglioli, Esq.  
Director, Right to Build – Northeast US

M:\BENDERSON\2127-AURORA VILLAGE SHIP CRT\TENANT\FIVE BELOW\_ARCH\2127-FIVE BELOW\_SHEETS.DWG, LAYOUT, A1.0, 8/6/2023 11:17:56 AM



1 OVERALL PLAN  
SCALE: 1/16" = 1'-0"



2 OVERALL ROOF PLAN  
SCALE: 1/16" = 1'-0"

#### ROOF NOTES

1. NO PVC ROOF DRAINS UNO.
2. CONTRACTOR TO PROVIDE LEADER HANGERS BOTH HORIZONTALLY AND VERTICALLY AS REQUIRED.
3. MINIMUM 4" DRAIN REFER TO PLAN FOR SIZE.
4. CONTRACTOR TO PROVIDE ALUMINUM DOME.
5. NO SUMP PANS UNLESS NOTED OTHERWISE.
6. CONTRACTOR TO PROVIDE UNDER DECK CLAMPS.
7. FOR PRIMARY DRAINS, DRAIN FLANGE TO BE COORDINATED WITH ROOF INSULATION THICKNESS.
8. FOR SECONDARY OR OVERFLOW DRAINS FLANGE FLUSH WITH TOP OF ROOF INSULATION LOCATED IN VICINITY OF PRIMARY DRAIN BUT WITHOUT OBSTRUCTING CRICKET. UPSLOPE OF PRIMARY DRAIN.
9. PROVIDE RIGID INSULATION ON UNDERSIDE OF ROOF DRAIN AND LEADER BELOW DECK TO AVOID CONDENSATION.
10. ROOF DRAINS IN UNHEATED AREAS AND CANOPIES SHOULD BE WRAPPED WITH HEAT TRACE IN DRAIN AND LEADER TO AVOID FREEZE THAW ISSUES.
11. CONTRACTOR TO PROVIDE FACTORY TAPERED INSULATION DRAIN SUMPS FOR PRIMARY DRAINS.
12. NOTE TO PLUMBER AND ROOFER: DO NOT SUMP.
13. PROVIDE ROOF PAVERS AT THE SERVICE SIDE OF ALL HVAC UNITS.
14. PROVIDE INSULATION AT ALL HORIZONTAL STORM LEADERS (MIN 1" THICK) - TAPE JOINTS.
15. INSTALL SMOKE BARRIERS OF 3/8" GUB ON 3/8" METAL STUDS 16" OC. TO EXTEND FULL WIDTH AND HEIGHT OF ALL CONCEALED SPACES, ROOF CANTS AND CANOPIES TYP. @ 20'-0" OC WITH SMOKE TIGHT JOINTS.
16. PROVIDE 2'X3' ROOF ACCESS HATCH EITHER IN THE SOFFIT OR ON THE ROOF (COORD. WITH BDCI REPRESENTATIVE) IN ALL CANOPIES AT EACH SMOKE COMPARTMENT (BETWEEN SMOKE BARRIERS).

#### GAS LINE INFORMATION:

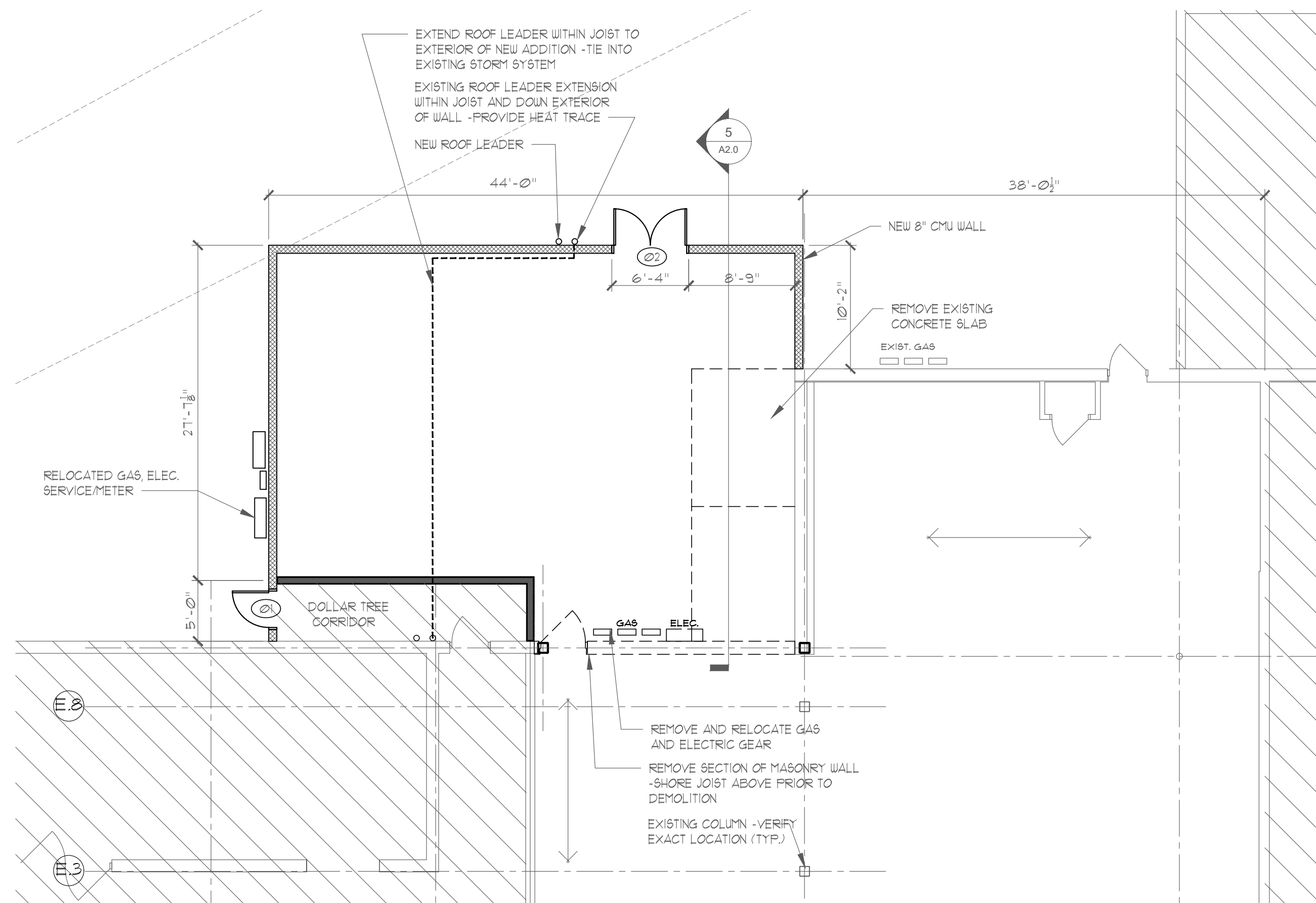
1. VERIFY GAS PRESSURE AND ADJUST PIPE SIZE AS REQ'D BASED ON TENANT REQUIREMENTS.
2. PAINT PIPE SAFETY YELLOW.
3. PROVIDE PIPE SUPPORT AS REQUIRED (NO WOOD SUPPORTS) ROOF TOP BLOC - RTB-01 OR APPROVED EEQUAL.

#### ACCEPTABLE DRAIN MANUFACTURES:

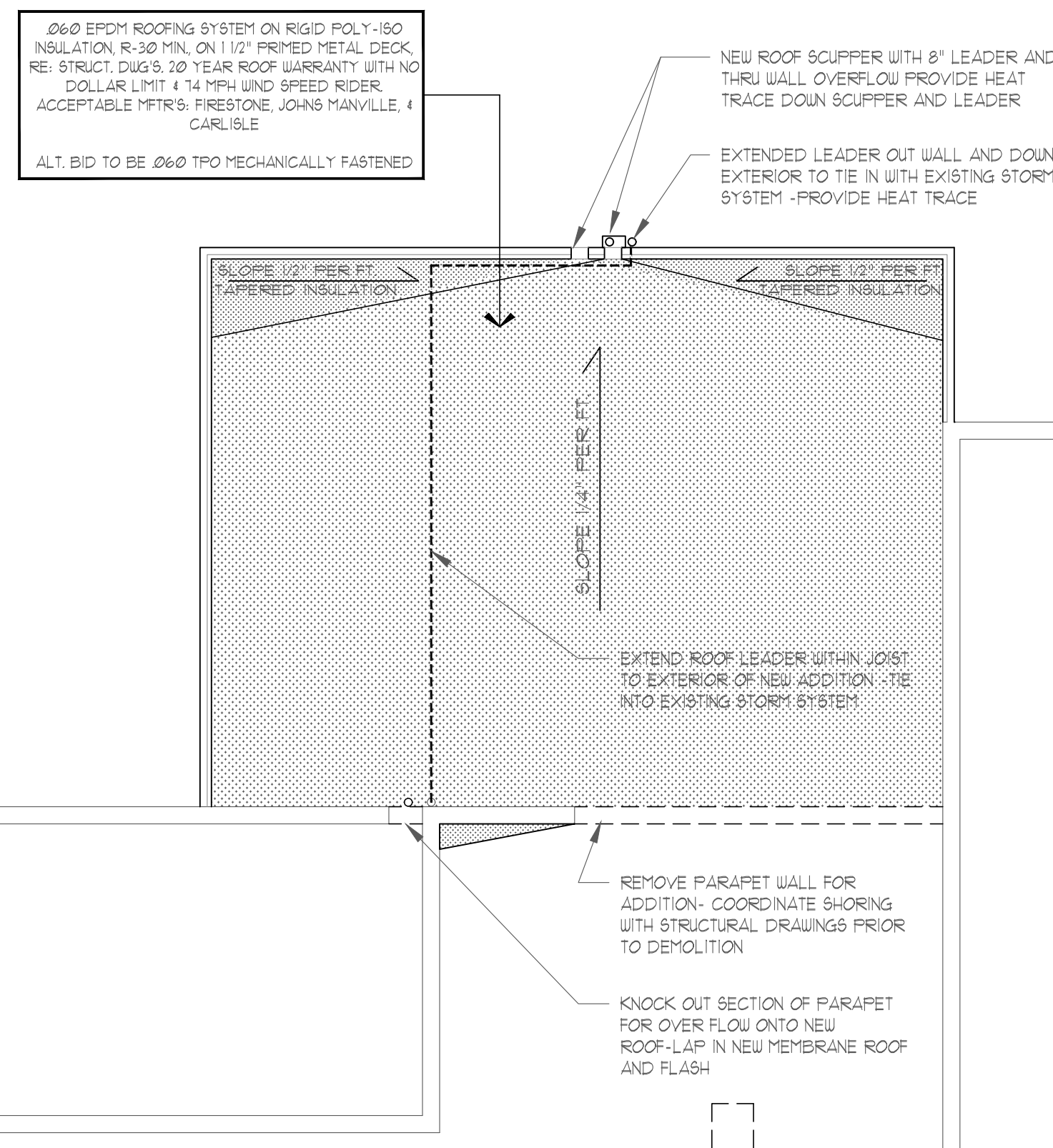
PRIMARY DRAINS:	
ZURN	Z100 (SIZE PER PLAN) NO HUB OUTLET WITH UNDER DECK CLAMP, ALUMINUM STRAINER
JR SMITH	100Y (SIZE PER PLAN) NO HUB OUTLET, UNDER DECK CLAMP, ALUMINUM STRAINER
JOSAM	21500 (SIZE PER PLAN) NO HUB OUTLET, UNDER DECK CLAMP, ALUMINUM STRAINER
SECONDARY OR OVERFLOW DRAINS:	
ZURN	SAME AS ABOVE BUT WITH INTERNAL WATER DAM EITHER 2", 3" OR 4" OPTION
JR SMITH	SAME AS ABOVE BUT WITH EXTERIOR WATER DAM EITHER 2", 3" OR 4" OPTION
JOSAM	SAME AS ABOVE BUT WITH FIXED EXTERIOR COLLAR 4" STANDARD OR SPECIFY LESSER HEIGHT

#### HEAT TRACE SYSTEM:

AUTOMATIC SNOW/ICE MELTING SYSTEM CONTROL PANEL	
MODEL - AP5-4C 211/480	--SNOW SWITCH BY ENVIRONMENTAL TECHNOLOGY INC.
SNOW SENSOR	
MODEL - CIT 1 SNOW SENSOR	
MODEL - CIT 1 GUTTER SENSOR	
SELF-REGULATING ROOF AND GUTTER DE-ICING CABLE	
CATALOG # - GM-2XT-...	120/208 VOLTS



3 FLOOR PLAN  
SCALE: 1/8" = 1'-0"



4 ROOF PLAN  
SCALE: 1/8" = 1'-0"

DRAWING REVISIONS:	
NO.	DATE
2	A1.0

**SPECIAL INFORMATION:**  
THIS DRAWING PREPARED FOR TENANT IMPROVEMENTS TO AN EXISTING BUILDING OR BUILDING CONSTRUCTED BY OTHERS IT IS UNDERSTOOD THAT ANY WARRANTY INFORMATION CONCERNING EQUIPMENT INSTALLED MUST BE FORWARDED TO THE OWNER AND THAT ANY AND ALL CONTRACTORS SHALL GUARANTEE THEIR WORK FOR A PERIOD OF ONE YEAR FROM THE DATE OF OWNERS ACCEPTANCE.

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ARCHITECT

PREPARED FOR

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BUFFALO, NY 14202  
(716) 886-0211

PROPERTY NUMBER:  
2127

AREA:  
- GSF

**AURORA VILLAGE**  
123 GREY ST. SUITE 10  
EAST AURORA, NY

**FIVE BELOW**

SEAL:



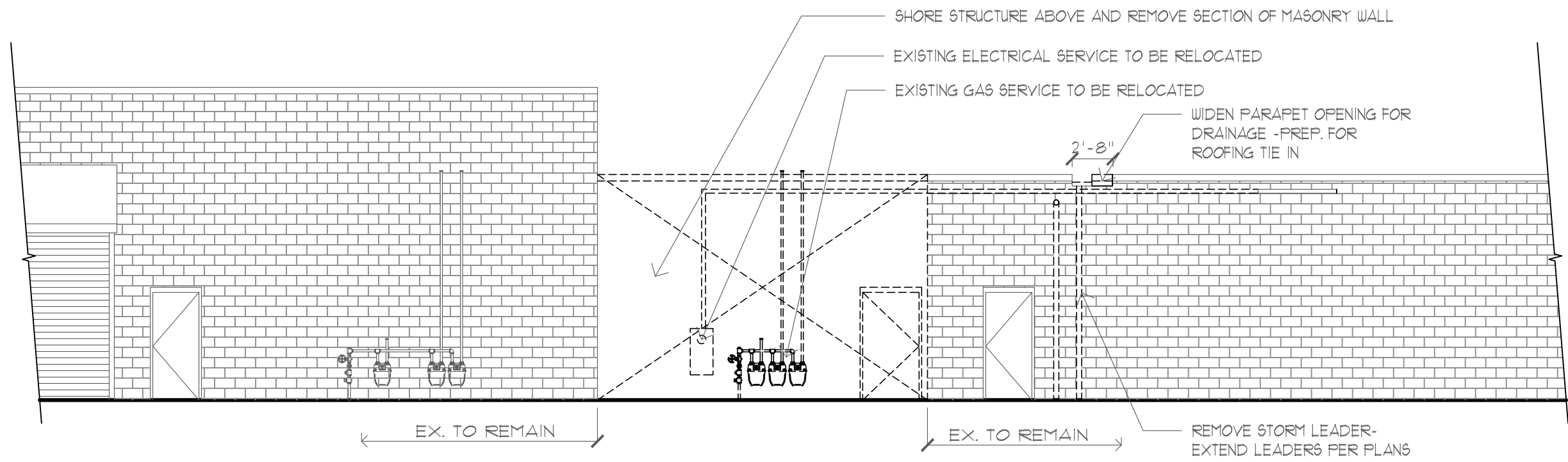
TITLE  
**FLOOR & ROOF  
PLANS**

DRAWN BY:  
CAR  
CHECKED BY:  
JAR  
DATE:  
8.7.23

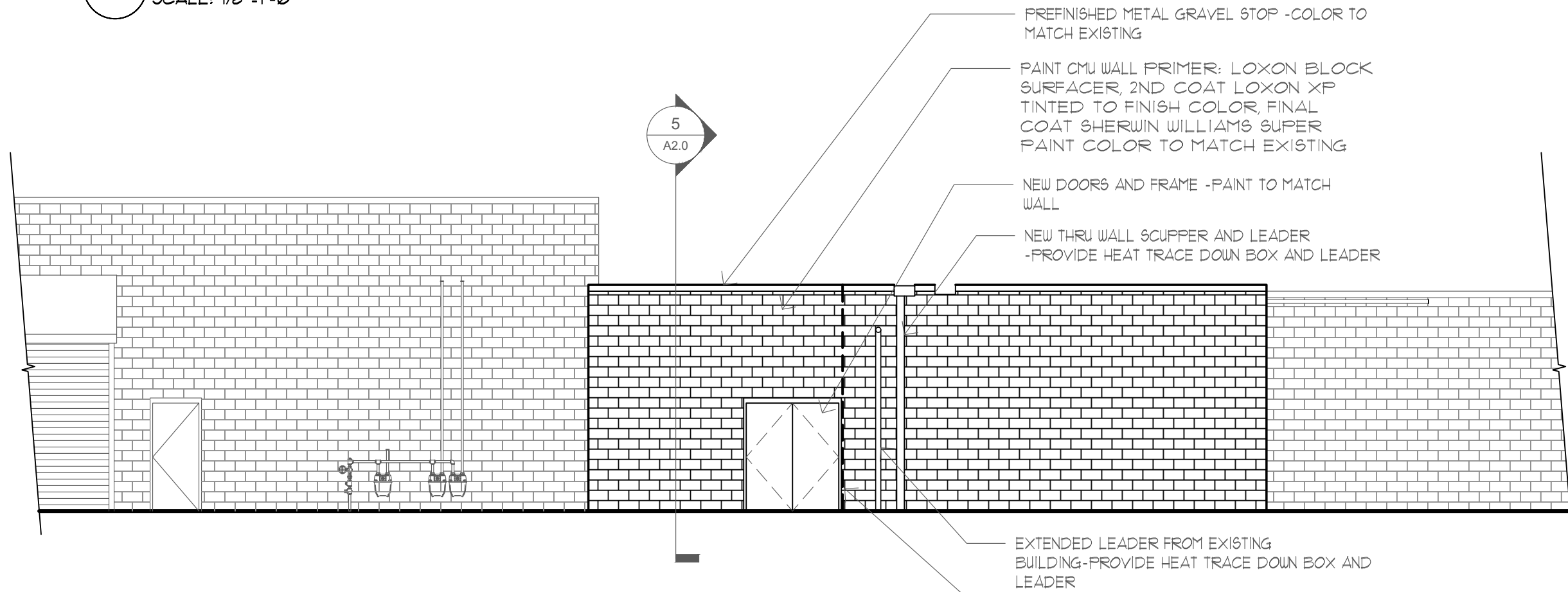
DRAWING NO.

**A1.0**

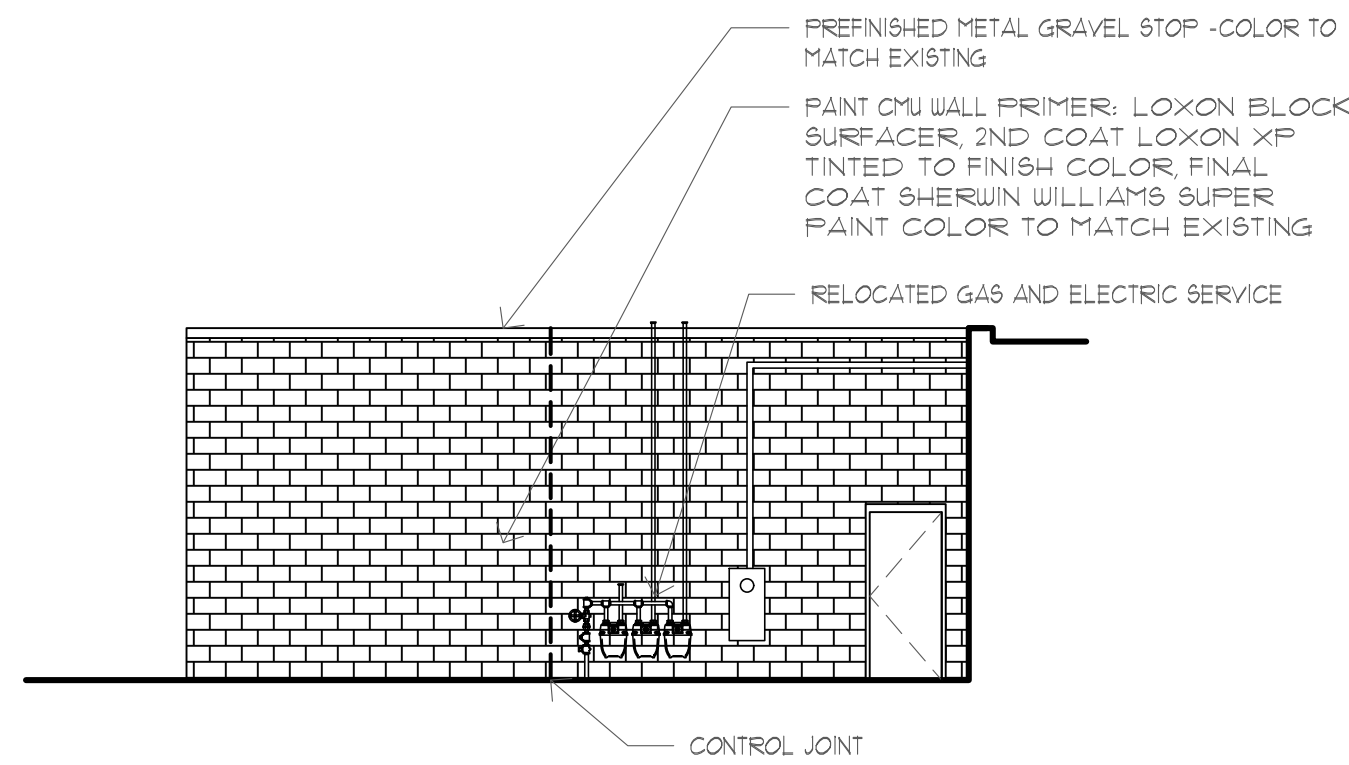




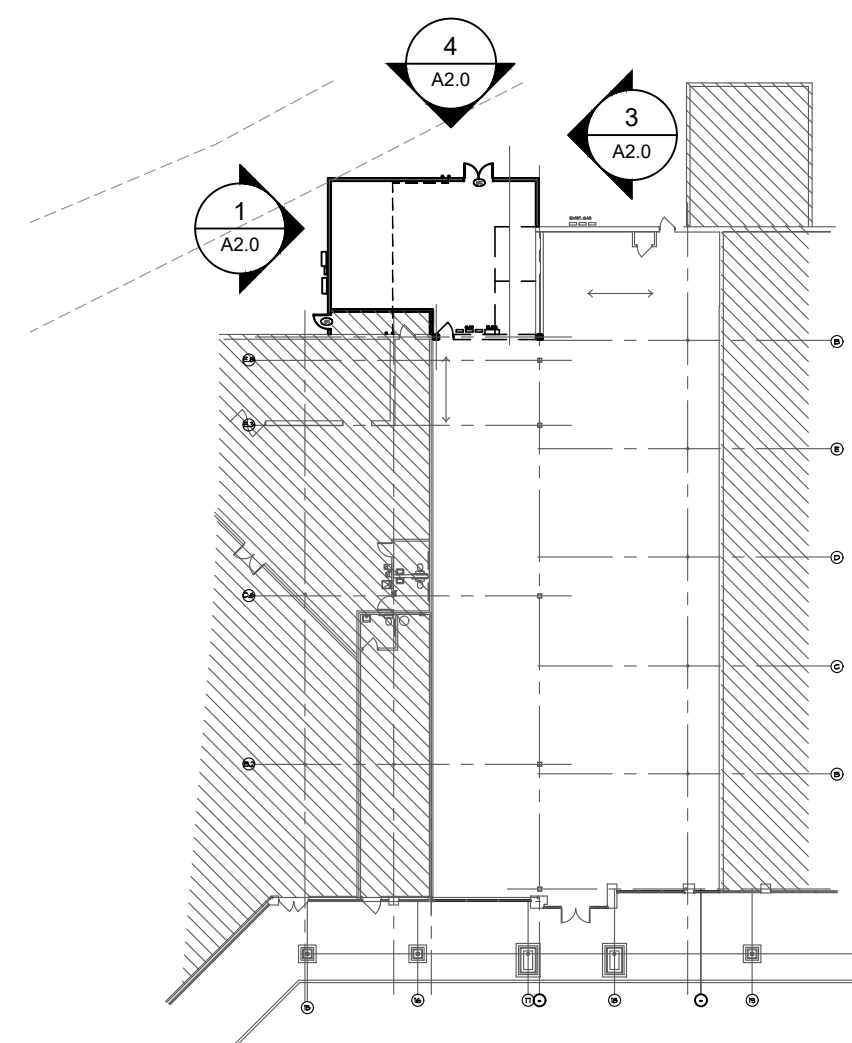
1 DEMO ELEVATION  
SCALE: 1/8"=1'-0"



3 ELEVATION  
SCALE: 1/8"=1'-0"

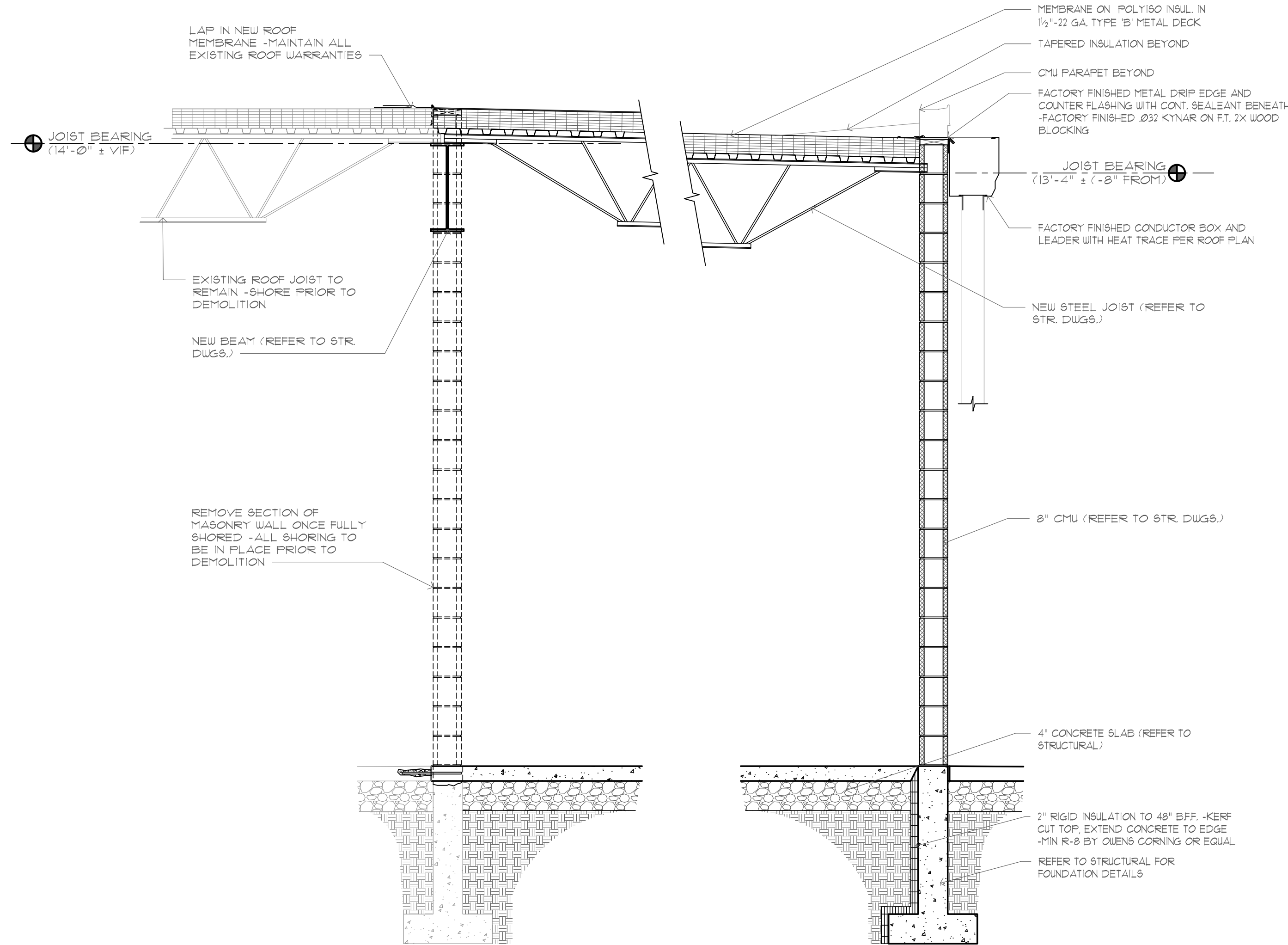


4 ELEVATION  
SCALE: 1/8"=1'-0"



KEY PLAN  
N.T.S.

2 ELEVATION  
SCALE: 1/8"=1'-0"



5 SECTION  
SCALE: 1/2"=1'-0"

#### GENERAL NOTES

- ALL WOOD BLOCKING AND EXTERIOR PLYWOOD TO BE EXTERIOR GRADE AND FIRE RETARDANT, TREATED IN ACCORDANCE WITH BUILDING CODE. FIRE TREATED PROCESS MUST BE IN ACCORDANCE WITH AURPA C20 OR AURPA C21 AND MUST HAVE A FLAME SPREAD RATING OF 25 OR LESS, MOISTURE CONTENT TO BE 19 PERCENT OR LESS FOR LUMBER AND 15 PERCENT OR LESS FOR WOOD STRUCTURAL PANELS. FIRE RETARDANT-TREATED LUMBER AND PLYWOOD MUST BE LABELED IN ACCORDANCE WITH SECTION 1703.5
- ALL CMU AND BRICK CONTROL JOINTS @ 20' O.C. MAX. CARRY CONTROL JOINTS THRU MASONRY VENEER WHERE IT EXISTS. COORDINATE WITH REQUIRED CMU CORE GROUTING.
- PROVIDE CONTINUOUS VAPOR BARRIER FOR BUILDING ENVELOPE.
- PROVIDE SEALANT & BACKER ROD AT ALL DISSIMILAR MATERIALS & EXPANSION JOINTS
- CAULK ALL DOORS & WINDOW. ALL EDGE CONDITIONS TO BE WEATHERTIGHT
- PROVIDE TERMINATION BARS AT TOP OF ALL FLASHING (8" MIN. ABOVE HORIZONTAL LEG OF FLASHING,
- AT ANY BELOW GRADE MASONRY PROVIDE MASTER STEEL 501 TO SEAL MASONRY UNITS.
- PROVIDE END DAM FLASHING AT ANY FLASHING TERMINATIONS.
- GROUT SOLID ALL BELOW GRADE MASONRY UNITS, CORES AND AIR SPACES.
- PROVIDE END DAM FLASHING AT ANY FLASHING TERMINATIONS.
- PROVIDE FLASHING AND DRIP EDGE AT ALL HORIZONTAL PROJECTIONS WHERE MATERIAL TRANSITIONS OCCUR. INCLUDE TERMINATION BAR OR THRU WALL FLASHING PER ABOVE.

DRAWING REVISIONS:

No. DATE BY REMARKS

SPECIAL INFORMATION:  
THIS DRAWING PREPARED FOR TENANT IMPROVEMENTS TO AN EXISTING BUILDING OR BUILDING CONSTRUCTED BY OTHERS IT IS UNDERSTOOD THAT ANY WARRANTY INFORMATION CONCERNING EQUIPMENT INSTALLED MUST BE FORWARDED TO THE OWNER AND THAT ANY AND ALL CONTRACTORS SHALL GUARANTEE THEIR WORK FOR A PERIOD OF ONE YEAR FROM THE DATE OF OWNERS ACCEPTANCE.

NOTICE  
UNAUTHORIZED ALTERATIONS OF THIS DOCUMENT ARE IN VIOLATION OF SECTION #7209 OF THE STATE EDUCATION LAW.

JAMES ALLEN RUMSEY ARCHITECT

PREPARED FOR

**BENDERSON DEVELOPMENT**  
570 DELAWARE AVE. BUFFALO, NY 14202  
BUFFALO, NY 14202  
(716) 886-0211

PROPERTY NUMBER:  
2127

AREA:  
- GSF

**AURORA VILLAGE**  
123 GREY ST. SUITE 10  
EAST AURORA, NY

**FIVE BELOW**

SEAL:



TITLE  
**EXTERIOR  
ELEVATIONS &  
SECTIONS**

DRAWN BY:  
CAR  
CHECKED BY:  
JAR  
DATE:  
8.7.23

DRAWING NO.

**A2.0**

# **TOWN OF AURORA**

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

## **MEMO**

TO: Mayor Mercurio and Village Trustees

FROM: Elizabeth Cassidy, Code Enforcement Officer

DATE: August 15, 2023

The Building Department has received an application for the construction of a single-family residence at 757 Ellis Pl by Jeremy Bates of Buffalo Modular Homes as/agent/for Carrie & Russ Walko, owners. Village Code section 285-30.6 requires site plan approval for substandard lots. The property has received approval for demolition and a zoning variance for a rear yard setback on March 9, 2023.

Village Code sections 285-51.5 requires the Village Board to refer Site Plan application to the Planning Commission for their review and recommendation. The Village Board shall then schedule a public hearing for the application. This is a Type II action under SEQ. R.

A County referral is required for this application due to the proximity to a State Highway (Olean Rd).

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

Liz Cassidy

**VILLAGE OF EAST AURORA**  
 571 Main Street, East Aurora, New York 14052  
 716-652-6000  
 In conjunction with  
**Town of Aurora Building Department**  
 300 Glead Ave, East Aurora, NY 14052  
 716-652-7591

Building Dept:	
Date Received	8/14/23
Complete App	8/15/23
Village Clerk:	
Date Received	8/16/23
Amount \$	125.00
Receipt #	2784-13

**SITE PLAN APPLICATION**

PROPOSED PROJECT New Modular Home SBL#: 176.05-2-53  
 LOCATION 757 Ellis Dr East Aurora 14052 ZONING DISTRICT \_\_\_\_\_

The applicant agrees to reimburse the Village for any additional fees required for consultant's review of submitted technical data, including but not limited to, traffic studies, drainage, lighting, water and sewer plans.

APPLICANT NAME Buffalo Modular Homes  
 ADDRESS 4185 Transit Rd 716 574 9766  
 TELEPHONE 716 713 2714 FAX 716 313 2019 E-MAIL jenny@buffalomodularhomes.com  
 SIGNATURE [Signature]

OWNER NAME Russ and Carrie Walko  
 ADDRESS 243 N Frederic St Burbank CA 91505  
 TELEPHONE 916 223 1111 E-MAIL family@yahoo.com  
 SIGNATURE [Signature] Email: walkofamily@yahoo.com

ENGINEER: Greg Koester Email: walkofamily@yahoo.com  
 NAME Greg Koester FIRM Nussbaumer + Clarke  
 ADDRESS 3556 Lake Shore Road Suite 500 Buffalo NY 14219  
 TELEPHONE 716 812 8111 FAX \_\_\_\_\_ E-MAIL gkoester@nussclarke.com  
 SIGNATURE Gregory J. Koester AFFIX STAMP  
Gregory J. Koester (Jul 17, 2023 15:04 EDT)

THIS APPL Email: gkoester@nussclarke.com

- Twenty (20) Sets – Cover letter to Village Board, Supporting Documents, and SEQR as required in §285-51.3
- One (1) complete file of submittal package in PDF format via email (under 10MB) to maureen.jerackas@east-aurora.ny.us. Larger files may be submitted on a USB drive or CD Rom.
- Application fee \$25.00 and Public Hearing fee \$100.00 – Total \$125 at time of application

OFFICE USE ONLY: Sketch Plan Meeting Date \_\_\_\_\_ Minor Project written request to waive PC mtg Y/N/NA: VB Decision Y/N

**REQUIRED MEETINGS/REFERRALS:**

	Mtg/Mail Date	Conditions/Comments, if applicable:
Planning Commission	_____	_____
Historic Preservation	_____	_____
ZBA	_____	_____
EC Div of Planning	_____	_____
NYS DOT	_____	_____
Town Notification	_____	_____
Safety Committee	_____	_____
VEA DPW	_____	_____
OTHER (specify)	_____	_____

SEQR ACTION:  
 \_\_\_ Type 1 \_\_\_ Type 2 \_\_\_ Unlisted

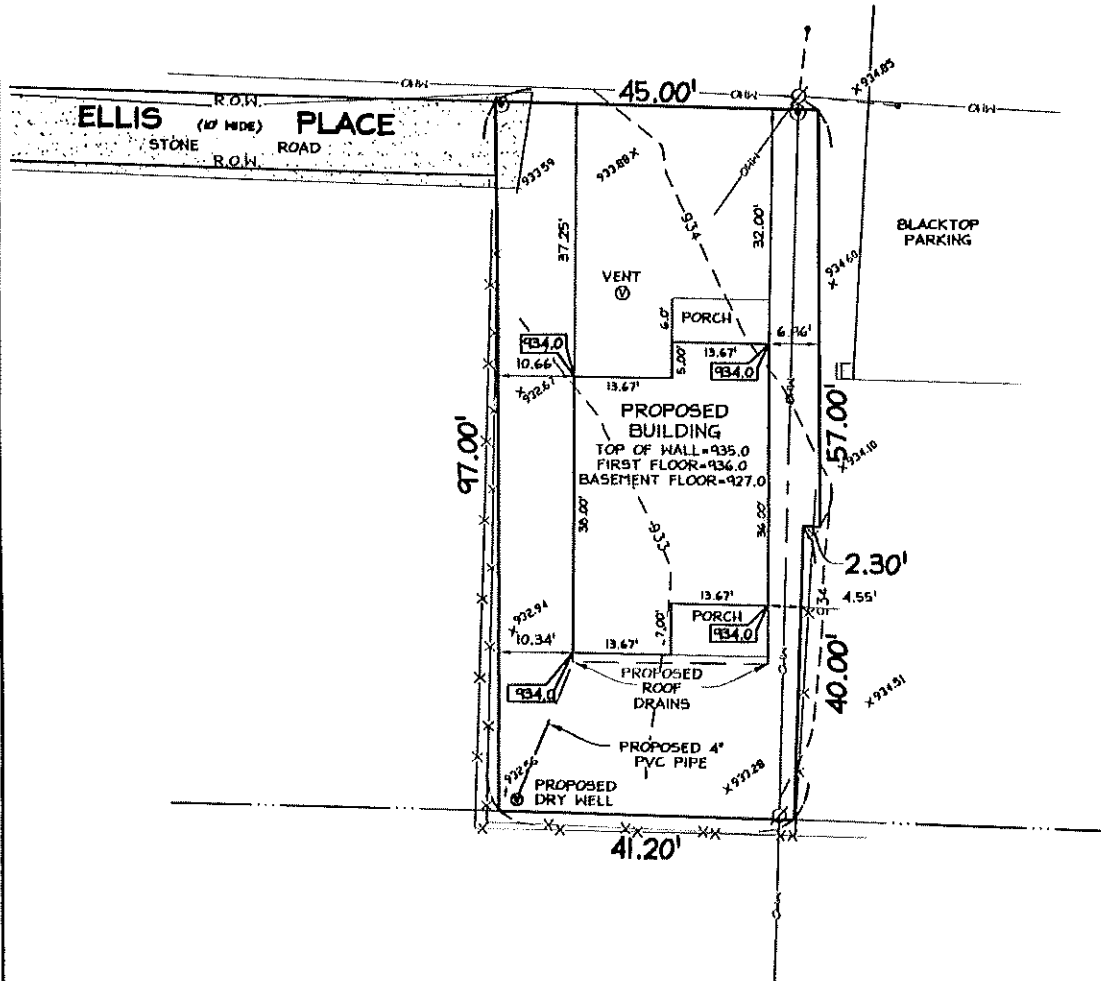
**VILLAGE BOARD ACTION:**

	Mtg/Mail Date	
Public Hearing	_____	
Notices Mailed	_____	
Posted Notice-VEA Hall	_____	
Posted Notice-Prop	_____	
Approval/Denial Date	_____	Attach Village Board resolution with noted conditions.



# LEGEND

- ELECTRIC METER
- FOUND IRON
- GUY WIRE
- UTILITY POLE
- VENT



## NOTES:

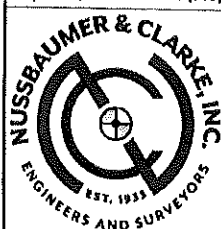
- PHYSICAL FEATURES AT GROUND LEVEL NOT CHECKED AND/OR LOCATED DUE TO THE PRESENCE OF EXCESSIVE SNOW AND/OR ICE.
- RIGHT OF INGRESS/EGRESS OVER ELLIS PLACE TO OLEAN ROAD.
- EXISTING HOUSE TO BE DEMOLISHED.
- PROPOSE A DRY WELL BE LOCATED IN SOUTHWEST CORNER OF LOT CONNECTED TO ROOF DRAINS AND SUMP DISCHARGE.

NO IRONS SET OR FOUND AT PROPERTY CORNERS UNLESS NOTED HEREON

3556 Lake Shore Road, Suite 500, Buffalo, NY 14219  
p (716) 827-8000 f (716) 270-6091 www.nussclarke.com

This survey was prepared without the benefit of an abstract of title and is subject to any state of facts that may be revealed by an examination of such.

Unauthorized alterations or additions to any survey, drawing, design, specification, plan or report are prohibited by section 7208, provision 2 of the New York State Education Law.



## PLOT PLAN SURVEY

757 Ellis Place

Part of Lot 15, Township 9, Range 6

Holland Land Company's Survey

Village of East Aurora, Town of Aurora

County of Erie, State of New York

Date of Survey: 01/03/23 Rev: 07/17/23 Scale: 1" = 20'



Successors to the records of Civil Land Surveyors Successors to the records of Professional Surveyors

# 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>Wulko - 757 Ellis Dr.</i>							
Project Location (describe, and attach a location map): <i>757 Ellis Dr, East Aurora NY 14052</i>							
Brief Description of Proposed Action: <i>New modular home to be constructed on the site.</i>							
Name of Applicant or Sponsor: <i>Buffalo Modular Homes</i>		Telephone: <i>716 313 2714 / 574 9766</i> E-Mail: <i>jeremy@buffalomodularhomes.com</i>					
Address: <i>4185 Transit Rd</i>							
City/PO: <i>Williamsville</i>		State: <i>NY</i>	Zip Code: <i>14221</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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? <i>97x45 = .1</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>.1</i> acres							
4. Check all land uses that occur on, adjoining and near the proposed action. <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"> <input type="checkbox"/> Urban    <input type="checkbox"/> Rural (non-agriculture)             </div> <div style="width: 50%;"> <input type="checkbox"/> Industrial    <input checked="" type="checkbox"/> Commercial    <input type="checkbox"/> Residential (suburban)             </div> <div style="width: 50%;"> <input type="checkbox"/> Forest    <input type="checkbox"/> Agriculture             </div> <div style="width: 50%;"> <input type="checkbox"/> Aquatic    <input type="checkbox"/> Other (specify): _____             </div> <div style="width: 50%;"> <input type="checkbox"/> Parkland             </div> </div>							



	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES If Yes, briefly describe: <i>Sump discharge and gutters will be directed to a dry well pit per the engineered site plan.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	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 AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor name: <u>Jenny Bates, Home Builder</u> Date: <u>7/11/23</u> Signature: <u>[Signature]</u>		

## **Village of East Aurora Site Plan Procedures**

- ✓ 1. The Village of East Aurora adopted a new Zoning Code in October 2019. The new code is on the homepage of their website.
- ✓ 2. Prior to submission, applicants may schedule a sketch plan meeting with the reviewing board (Village Board or Planning Commission). Sketch plan meetings are advisory only and nonbinding. Materials presented as part of this meeting can be incomplete or conceptual in design. Contact the Village Clerk's office (716-652-6000) to determine the next available meeting date.
- ✓ 3. In addition to the specific Zoning District code requirements, also applicable are:
  - a. Regulations for Certain Uses (§285-31)
  - b. Development Standards (§285-40)
  - c. Signs (§285-44)
  - d. General Application and Review Procedures (§285-50)
  - e. Site Plan Review (§285-51) processes and requirements

For additional guidance refer to the East Aurora Commercial Design Guidelines as found on the Planning Commission webpage on the Village of East Aurora website at [www.east-aurora.ny.us/government/planning-commission/](http://www.east-aurora.ny.us/government/planning-commission/).

- ✓ 4. If compliance with all applicable regulations is not feasible, an application to the Village Zoning Board of Appeals must be submitted prior to, or concurrently with the Site Plan application.
- ✓ 5. Submission Deadline: A complete Site Plan application, supporting documents, and the required fee must be submitted no later than the first of the month to the Code Enforcement Officer (CEO) at the Town of Aurora Building Department.
- ✓ 6. Submissions will be reviewed for completion by the CEO. Applicants will be notified by email/mail of any deficiencies. If the deficiencies are not corrected within 30 days, the application is considered withdrawn. Incomplete applications will not be placed on any Village Board agenda.
- ✓ 7. The Village Board may waive any of the Site Plan requirements with the determination that they are unnecessary for a complete assessment of the project.
- ✓ 8. The Village Board may also request additional information beyond what is listed on the checklist and may ask that it be presented in graphic form accompanied by a written text, and/or prepared by a licensed professional if such additional materials are deemed necessary for a complete assessment of the site plan.
- ✓ 9. A representative must attend every meeting at which this project will be discussed, or the project will be tabled. Typically, the Village Board receives the application and refers it to the Planning Commission for review and recommendation. The application may also be referred to the Historic Preservation Commission or Tree Board for their review and recommendations. Multiple meetings with the same reviewing board may be necessary.
- ✓ 10. Once all recommendations are received, the State Environmental Quality Review Act (SEQRA) is completed.
- ✓ 11. Next, a public hearing will be scheduled. The Village Board will render their decision at a meeting following the public hearing.
- ✓ 12. The Village Board will provide a written statement (or Village Board minutes) to the applicant stating whether or not the application is approved, conditionally approved, or denied.

## **CHECK LIST FOR SITE PLAN APPLICATION**

An application for site plan review shall include the following supporting documents, as applicable. A licensed professional engineer or registered land surveyor shall prepare all site plan materials unless otherwise approved by the Village Board.

- ☒ Description or narrative of all proposed uses and structures, including but not limited to hours of operation, number of employees, maximum seat capacity, and proposed number of off-street vehicle and bicycle parking spaces.
- ☒ A site plan drawn at a scale of one inch equals 20 feet or such other scale as the Village Board may deem appropriate, on standard 24 inch by 36 inch sheets, with continuation on 8 ½ inch by 11 inch sheets as necessary for written information.
- ☒ A certified land survey showing the boundaries of the applicant's property under consideration in its current state plotted to scale with the north point, scale, and date clearly indicated, or other document deemed acceptable by the reviewing board.
- ☒ Plans indicating the following with regard to the property in question, where applicable.
  - ☐ The location of all properties, their ownership, uses thereon, subdivisions, streets, easements, and adjacent buildings within 300 feet of the property in question.
  - ☐ The location and use of all existing and proposed structures on the property in question, including all dimensions of height and floor area, exterior entrances, and anticipated future additions and alterations.
  - ☐ The location of all existing and proposed topography features, including but not limited to, site grading, open spaces, woodlands, watercourses, steep slopes, wetlands, floodplains, and watersheds.
  - ☐ The location of existing and proposed landscaping, screening, walls, and fences, including information regarding the size and type of plants and building materials proposed.
  - ☐ The location of existing and proposed public and private streets, off-street parking areas, loading areas, driveways, sidewalks, ramps, curbs, and paths. Such plans shall include considerations for vehicular, pedestrian, and bicycle traffic circulation, parking, and access.
  - ☐ The location of existing and proposed utility systems including sewage or septic, water supply, telephone, cable, electric, and stormwater drainage. Stormwater drainage systems shall include existing and proposed drain lines, culverts, catch basins, headwalls, endwalls, hydrants, manholes, and drainage swales.
  - ☐ The location, height, intensity, and bulb type (sodium, incandescent, etc.) of all external lighting fixtures. The direction of illumination and methods to eliminate glare onto adjoining properties must also be shown.
  - ☐ The location, height, size, material, and design of all existing and proposed signs.
  - ☐ Elevations at a scale of one-quarter inch equals one foot for all exterior facades of the proposed structure(s) and/or alterations to or expansions of existing facades, showing design features and indicating the type and color or materials to be used.
  - ☐ Plans to prevent the pollution of surface or ground water, erosion of soil both during and after construction, excessive runoff, excessive raising or lowering of the water table, and flooding of other properties, as applicable.
  - ☐ A schedule for completion of each construction phase for buildings, parking, and landscaped areas.
  - ☐ Plans for disposal of construction and demolition waste, either on-site or at an approved disposal facility.
- ☐ All New York State SEQR documentation as required by law.
- ☐ The Village Board may request additional information as per Village Code §285-51.3(B)(6) or anything else it deems necessary for a complete assessment of the site plan.
- ☐ All required fees and reimbursements, and an escrow deposit to cover professional review costs, if required.

# Modified Site plan location - ellis dr

Final Audit Report

2023-07-19

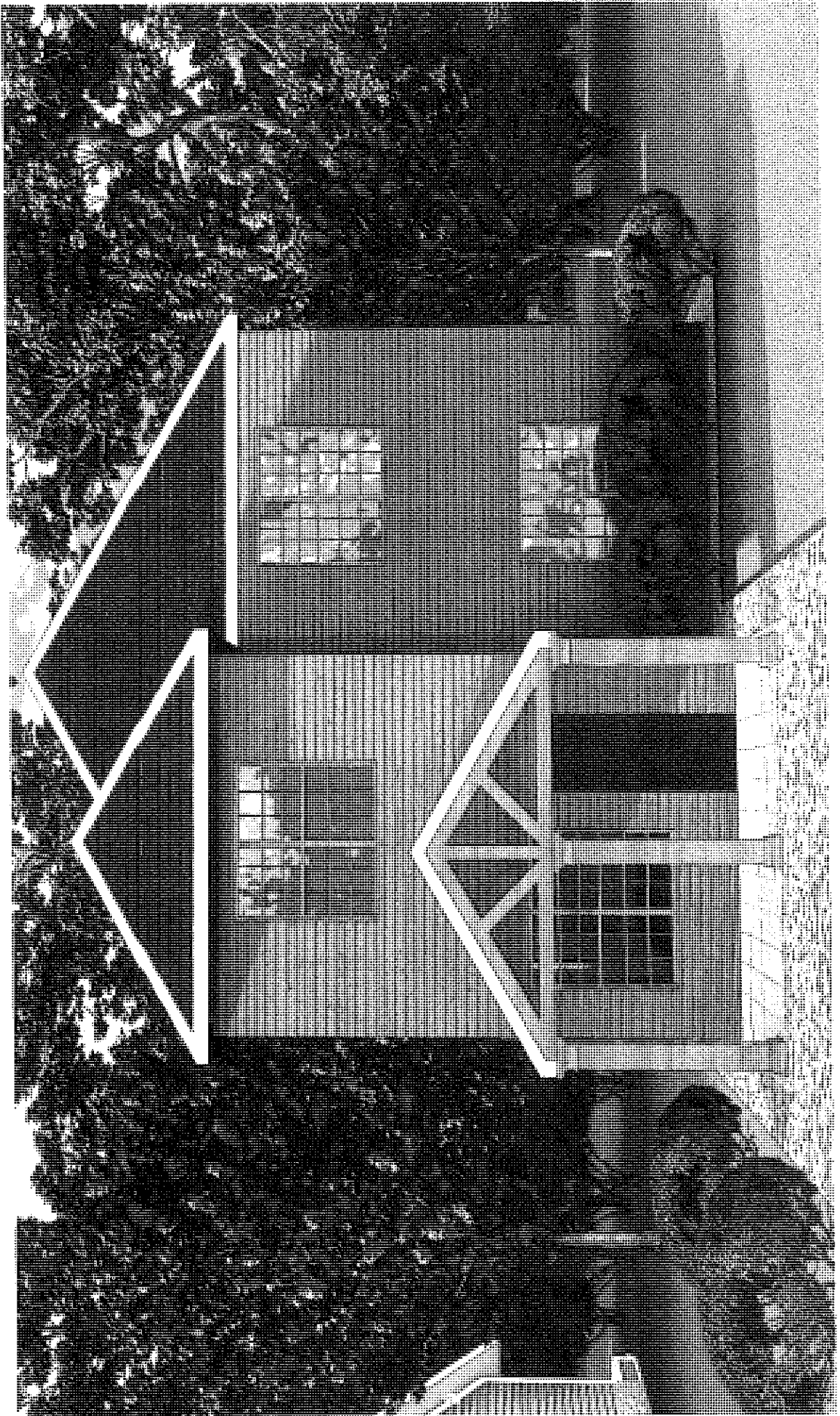
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By:	Lisa Cebulski (lisa@buffalomodularhomes.com)
Status:	Signed
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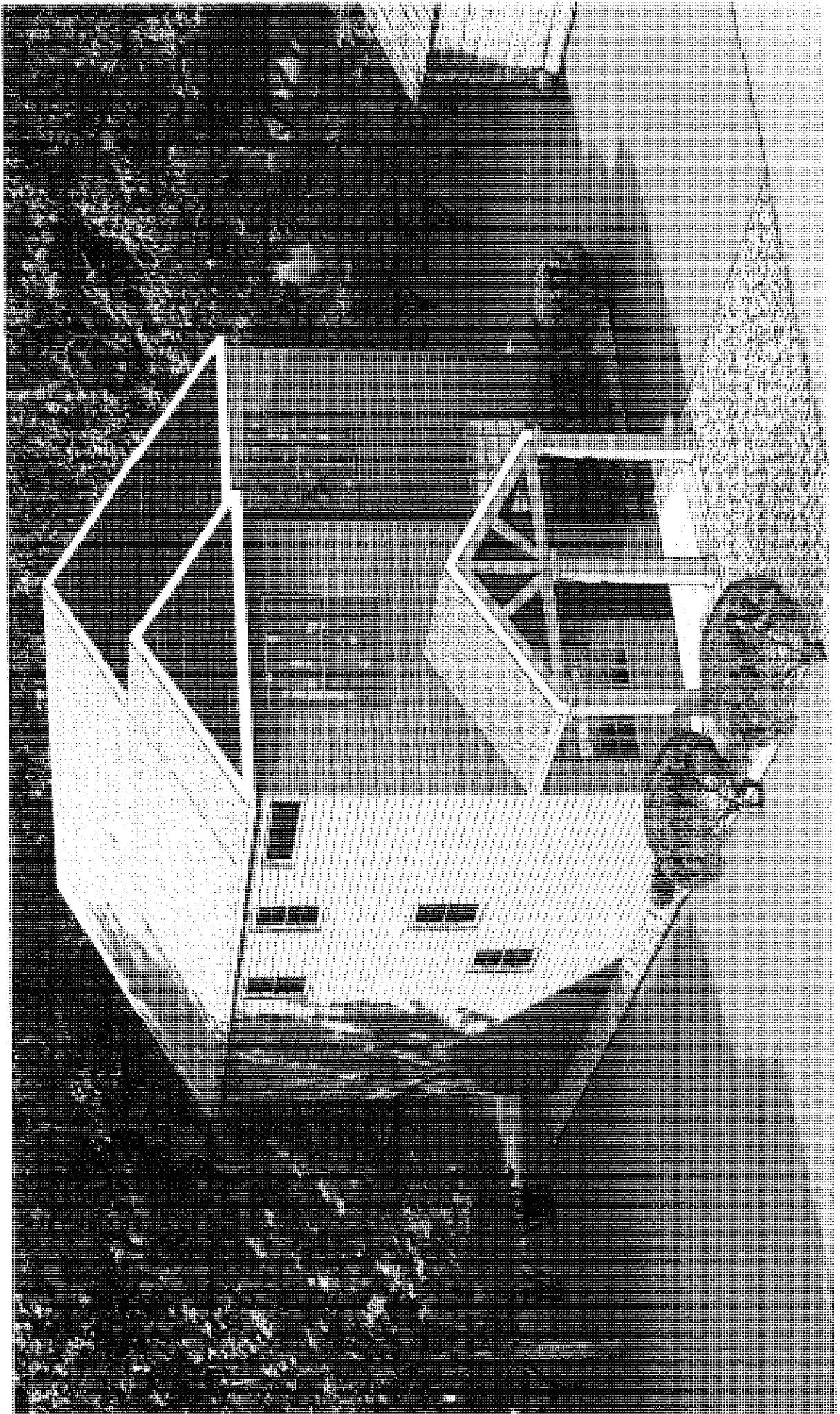
## "Modified Site plan location - ellis dr" History

-  Document created by Lisa Cebulski (lisa@buffalomodularhomes.com)  
2023-07-17 - 6:31:09 PM GMT- IP address: 72.88.82.40
-  Document emailed to walkofamily@yahoo.com for signature  
2023-07-17 - 6:32:07 PM GMT
-  Document emailed to gkoester@nussclarke.com for signature  
2023-07-17 - 6:32:07 PM GMT
-  Email viewed by gkoester@nussclarke.com  
2023-07-17 - 7:03:41 PM GMT- IP address: 104.47.66.126
-  Signer gkoester@nussclarke.com entered name at signing as Gregory J. Koester  
2023-07-17 - 7:04:28 PM GMT- IP address: 72.45.208.202
-  Document e-signed by Gregory J. Koester (gkoester@nussclarke.com)  
Signature Date: 2023-07-17 - 7:04:30 PM GMT - Time Source: server- IP address: 72.45.208.202
-  Email viewed by walkofamily@yahoo.com  
2023-07-18 - 0:02:54 AM GMT- IP address: 35.129.70.167
-  Signer walkofamily@yahoo.com entered name at signing as Carrie Walko  
2023-07-19 - 1:47:57 PM GMT- IP address: 35.129.70.167
-  Document e-signed by Carrie Walko (walkofamily@yahoo.com)  
Signature Date: 2023-07-19 - 1:47:59 PM GMT - Time Source: server- IP address: 35.129.70.167
-  Agreement completed.  
2023-07-19 - 1:47:59 PM GMT

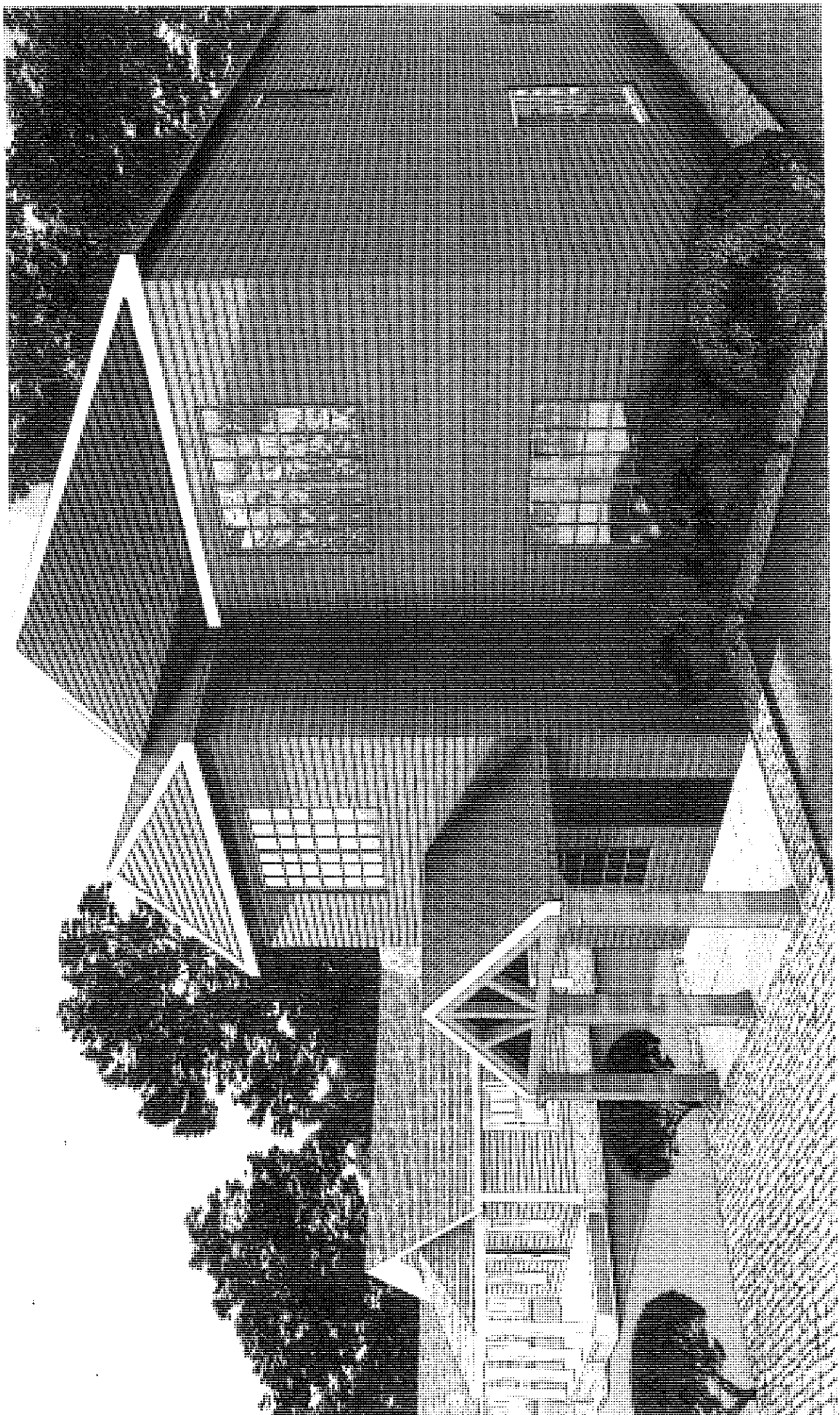


**Adobe Acrobat Sign**











At a meeting of the Zoning Board of Appeals of the Village of East Aurora, New York, held at the Village Hall, East Aurora, New York on the 9<sup>th</sup> day of March 2023

PRESENT:

Jenny Schamberger- Chair  
Bruce Mitchell  
Alaina Smith  
Gary Kimmel-Hurt  
Susan Russell

ABSENT:

Tony Hoffman

ALSO PRESENT:

Elizabeth Cassidy, Code Enforcement Officer  
Jessica Taneff, Deputy Clerk  
Chris Trapp-Village Attorney  
Jonathan Griffis, Buffalo Modular Homes  
3 members of the public

Chair, Jenny Schamberger opened the meeting at 6:00PM. Chair Schamberger requested a motion to approve the minutes with corrections from the February 9<sup>th</sup> meeting, Member Kimmel-Hurt motioned to approve the minutes. Member Russell seconded the motion with unanimous approval.

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**IN THE MATTER OF THE APPLICATION OF  
Carrie and Russ Walko-757 Ellis Place c/o Darcy Selleck  
Village Code: §285-21.4, Table 21.4A Minimum Lot Size. Required: Minimum lot  
area of 9000 sqft. Requested: Existing lot of record with 4460 sqft area. Variance: 4540 sq.  
Section 285-21.4, Table 21.4D Minimum Rear Yard. Required: 15' rear yard setback for  
residential use. Requested: 4.43' rear yard setback. Variance: 10.57'.**

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Chair, Schamberger introduced the (5) members of the Zoning Board of Appeals which constitutes a quorum.

Chair, Jenny Schamberger continued the hearing from February 9<sup>th</sup>, 2023, at 6:02pm.

The Board asked about the resolutions regarding drainage, and heavy construction that they inquired about last meeting. Regarding the drainage, Mr. Griffis said they would use something that would be the appropriate solution and to it would not drain to the side properties. CEO Cassidy spoke to Jeremy Bates last week regarding drainage. Mr. Bates' initial idea is to benefit both parties by putting in a catch basin with a dry well that would sit as close to the property lines as possible and have the gutters collect into the dry wells. Mr. Griffis told the Board their plan is to not create damage with the construction equipment. If there is any damage made during construction, any issues would be resolved and taken care of by the company.

Jerry Thompson-31 Girdle Road- His concerns last time were that this is a significant footprint on a parcel that is small already. He is still concerned about the drainage.  
Breanne Limberg-34 Olean-asked about what the variance is being asked for. Chair Schamberger reviewed the application. This property is looking to demolish the current house and create a new house and asking for a variance to create a larger setback.

There being no further testimony, or questions from the members of the Zoning Board of Appeals, Chair Schamberger called to close the hearing at 6:24 pm for deliberations and findings.

Acting Chair, Schamberger called the hearing back into order at 6:42 pm and read the following findings for 757 Ellis Place:

Lot Size:

1. 757 Ellis Pl is in the Village Center District.
2. The existing residence was built in approx. 1877.
3. The lot area required to construct a residence is 9,000 sq ft.
4. The existing lot has an area of 4,460 sq. ft. which would require a variance of 4,540 sq. ft.
5. An undesirable change will not be produced in the character of the neighborhood or a detriment to nearby properties will not be created by granting of the area variance.
6. The benefits sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance.
7. The proposed variance is substantial in relation to the requirement.
8. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood or district.
9. The alleged difficulty was not self-created.
10. The proposed variance is the minimum variance deemed necessary and adequate and at the same time preserves and protects the character of the neighborhood and the health, safety and welfare of the community.
11. There were 72 notices sent out and 2 responses.
12. This is a type II action under SEQR

Member Mitchell made a motion to accept the proposed findings and to **GRANT** the variance for the Lot Size at 757 Ellis Place. The motion was seconded by Member Smith, and unanimously carried.

## Rear Yard Setback

1. 757 Ellis Pl is in the Village Center District.
2. The existing residence was built in approx. 1877.
3. The required rear yard setback for residential use is 15'.
4. The proposed residence has a 4.43' rear yard setback and would require a 10.57' variance.
5. An undesirable change will not be produced in the character of the neighborhood or a detriment to nearby properties will not be created by granting of the area variance.
6. The benefits sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue, other than an area variance.
7. The proposed variance is substantial in relation to the requirement.
8. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood or district, given the requirement by the Building Dept. that a stamped Engineering drainage plan will be in place for the proposed construction.
9. The alleged difficulty was self-created.
10. The proposed variance is the minimum variance deemed necessary and adequate and at the same time preserves and protects the character of the neighborhood and the health, safety and welfare of the community.
11. There were 72 notices sent out and 2 responses, 1 opposed.
12. This is a type II action under SEQR

Member Mitchell made a motion to accept the proposed findings and to **GRANT** the variance for the Rear Yard Setback for 757 Ellis Place. The motion was seconded by Member Smith and unanimously carried.

Chair, Jenny Schamberger called to close the hearing at 6:53 pm. Member Mitchell made a motion to close the hearing, Member Smith seconded the motion with unanimous approval.

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Chair, Schamberger called to close this hearing of the Zoning Board of Appeals at 6:53 pm. A motion was made by Member Russell, seconded by Member Kimmel-Hurt and unanimously carried. The Zoning Board of Appeals hearing for March 9<sup>th</sup> meeting was closed.

Respectfully submitted,

Jessica Taneff  
Deputy Clerk

**From:** Manny Varma <manny@mannysace.com>  
**Sent:** Tuesday, July 25, 2023 5:21 PM  
**To:** Elizabeth Cassidy <ecassidy@townofaurora.com>  
**Subject:** Re: Container for forklift

I have marked on the attached file where the container would go. It has already been pre approved by the LL in the lease with Benderson. The edge of the loading dock is about 40'. Therefore this would not stick out into the parking lot.

The dimensions of the container would be 20'L x 8'W x 8.6'H.

This is to be delivered to me weather tight and with no rust. If it were to rust, I would absolutely paint it as I always maintain a clean premises and Benderson would definitely object to anything that is less than professional.

Can you tell me the date and time of the next meeting?

Thank you

Manny Varma  
M:716.572.2952  
O: 716.601.7507 ext 104

5175 Broadway  
Suite 12  
Depew, NY 14043

42 Riley St  
Suite 200  
East Aurora NY 14052

*Manny's*  *Hardware*  
The helpful place.

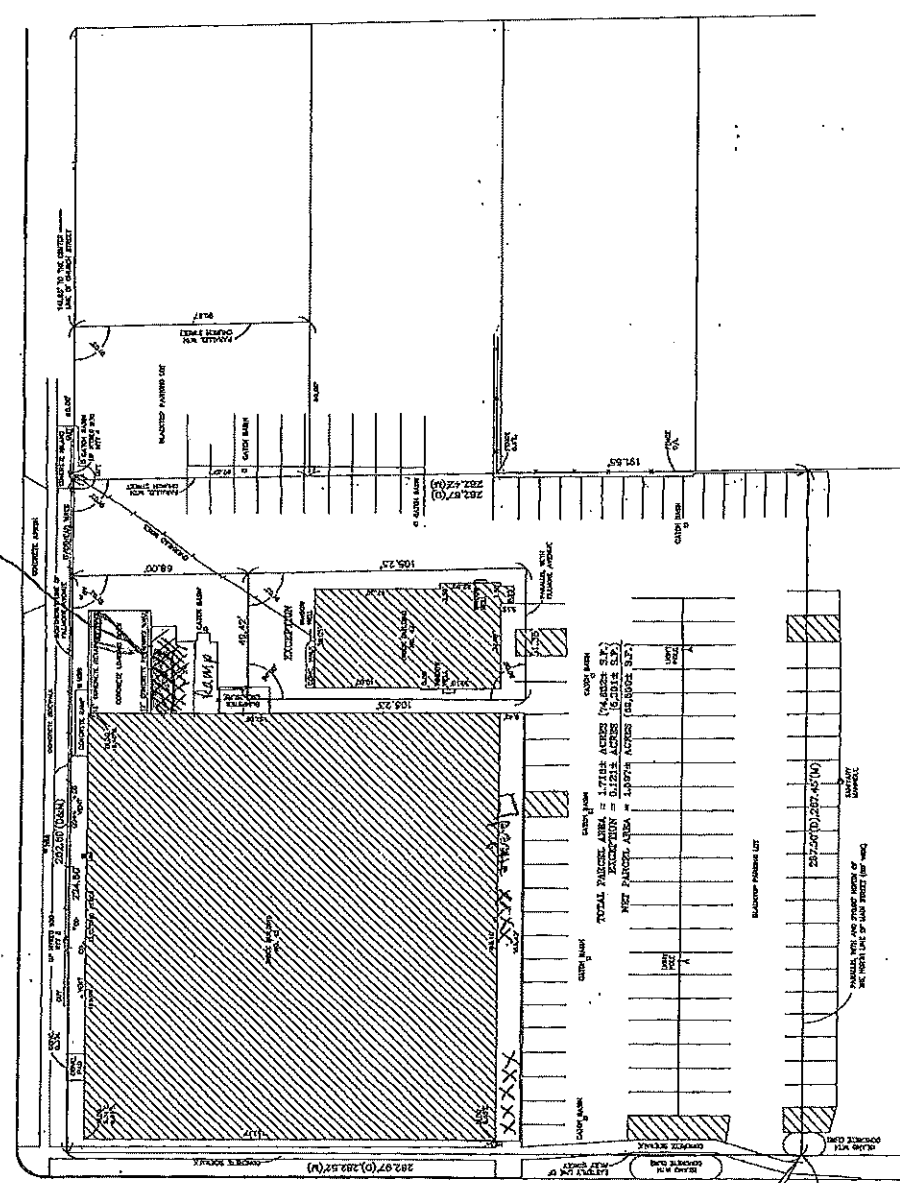
THIS MAP WAS PREPARED BY THE ENGINEER OF THE CITY OF NEW YORK, AND IS A TRUE AND CORRECT COPY OF THE ORIGINAL MAP AS SUBMITTED TO THE BOARD OF ASSESSMENT AND TAXATION, AND IS NOT TO BE USED FOR ANY OTHER PURPOSE.

PILLMORE AVENUE (part west)

RILEY (part west) STREET

CHURCH STREET (part west)

NOTES:  
1. The lot shown on this map is a portion of the lot shown on the map of the City of New York, and is not to be used for any other purpose.  
2. The lot shown on this map is a portion of the lot shown on the map of the City of New York, and is not to be used for any other purpose.  
3. The lot shown on this map is a portion of the lot shown on the map of the City of New York, and is not to be used for any other purpose.  
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10. The lot shown on this map is a portion of the lot shown on the map of the City of New York, and is not to be used for any other purpose.



- NOTES OF RECORDING OFFICER:
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DATE: 10/1/10  
BY: [Signature]

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*Original*

# **TOWN OF AURORA**

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

## **MEMO**

TO: Mayor Mercurio, and Village Trustees

FROM: Elizabeth Cassidy, Code Enforcement Officer

DATE: April 17, 2023

The Building Department has accepted an amended Special Use Permit (SUP) application for outdoor sales ancillary to permitted use for merchandise and bagged ice at Manny's Ace Hardware, 42 Riley St. Manny's Ace Hardware proposes locating seasonal merchandise and an ice freezer in front of their building.

Village Code section 285-52.3B states that the Village Board may refer the Special Use Permit application to the Planning Commission for their review and recommendations. The Village Board shall then schedule a public hearing for the applications.

A county referral is not required for this application.

This is an Unlisted action under SEQRA.

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

Liz Cassidy

VILLAGE OF EAST AURORA  
571 Main Street, East Aurora, New York 14052  
716-652-6000  
In conjunction with  
Town of Aurora Building Department  
300 Gleed Ave, East Aurora, NY 14052  
716-652-7591

Building Dept:	
Date Received	4/10/23
Complete App	4/17/23
Village Clerk:	
Date Filed	4/17/23
Amount \$	150
Receipt #	CRK 1009

**SPECIAL USE PERMIT APPLICATION**

PROPOSED PROJECT Manny's Ace Hardware SBL#: 16S.17-6-1.1  
LOCATION 42 Riley St. Suite 200 GA ZONING DISTRICT VC

The applicant agrees to reimburse the Village for any additional fees required for consultant's review.

APPLICANT NAME Manny Varma  
ADDRESS 42 Riley St. Suite 200 East Aurora NY 14052  
TELEPHONE 716-572-2002 FAX — E-MAIL Manny @ Manny's Ace Hardware.com  
SIGNATURE [Signature]

OWNER NAME 570 DAB 72 LLC (Benderson Dev)  
ADDRESS 570 Delaware Ave Buffalo NY 14202  
TELEPHONE 716 886 0112 FAX 716 886 2269 E-MAIL —  
SIGNATURE see Attached

DEVELOPER NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
TELEPHONE \_\_\_\_\_ FAX \_\_\_\_\_ E-MAIL \_\_\_\_\_  
SIGNATURE \_\_\_\_\_

**THIS APPLICATION MUST INCLUDE THE FOLLOWING:**

- One (1) – Cover letter to Village Board, Supporting Documents, and SEQR as required in §285-52.2
- One (1) complete file of submittal package in PDF format via email (under 10MB) to [maureen.jerackas@east-aurora.ny.us](mailto:maureen.jerackas@east-aurora.ny.us). Larger files may be submitted on a USB drive or CD or by Dropbox.
- Application fee \$25.00, Permit fee \$25.00, and Public Hearing fee \$100.00 – Total \$150 at time of application

OFFICE USE ONLY: Sketch Plan Meeting Date \_\_\_\_\_

**REQUIRED MEETINGS/REFERRALS:**

	Mtg/Mail Date	Conditions/Comments, if applicable:
Planning Commission	_____	_____
Safety Committee	_____	_____
VEA DPW	_____	_____
OTHER (specify)	_____	_____

**SEQR ACTION:**

\_\_\_ Type 1 \_\_\_ Type 2 ☒ Unlisted

**VILLAGE BOARD ACTION:**

	Mtg/Mail Date
Public Hearing	_____
Notices Mailed	_____
Posted Notice-VEA Hall	_____
Posted Notice-Prop	_____
Approval/Denial Date	_____

Attach Village Board resolution with noted conditions.

# BENDERSON DEVELOPMENT

570 DELAWARE AVENUE  
BUFFALO, NY 14202  
716.886.0211.P 716.886.2269.F

April 12, 2023

Manny Varma  
Ace Hardware  
42 Riley Street Suite 200  
East Aurora, NY 14052

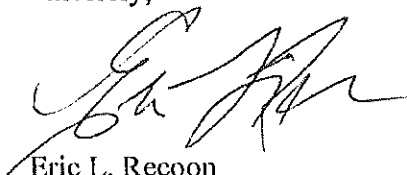
RE: Special Use Permit for Outdoor Merchandise

Dear Manny,

On behalf of 570 DAB 72, LLC (Benderson Development Company, LLC), I hereby authorize your submission of a Special Use Permit for outdoor merchandise in relation to your business, located at 42 Riley Street in East Aurora, NY.

If there are any questions or concerns, please don't hesitate to contact me. I can be reached at 716-878-9459 or [ericrecoon@benderson.com](mailto:ericrecoon@benderson.com).

Sincerely,



Eric L. Recoon  
Vice President, Development and Leasing





***Manny's Ace Hardware Inc.***

42 Riley St  
Suite 200  
East Aurora NY 14052  
716-601-7507

To whom this may concern:

We would like to sell Mulch and different varieties of soil. We would like to display mulch for sale at the front of our building and keep them near our loading docks for storage purposes. This will be an item we will mainly keep for the spring and summer months.

Thank you,

*We would also like to be able to sell bagged  
ice from a freezer such as the company ICEE.*

A handwritten signature in black ink, appearing to read "Manny Varma".

Manny Varma  
716-572-2952

# Short Environmental Assessment Form

## Part 1 - Project Information

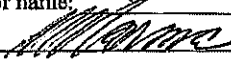
### Instructions for Completing

**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>							
Manny's Ace Hardware							
Name of Action or Project: Outdoor display							
Project Location (describe, and attach a location map): 42 Riley St East Aurora							
Brief Description of Proposed Action: Seasonal outdoor display of mulch and garden needs such as chairs and wheelbarrows.							
Name of Applicant or Sponsor: Manny Varma		Telephone: 716-572-2952					
		E-Mail: Manny@MannysAce.com					
Address: 42 Riley St suite 200							
City/PO: East Aurora		State: NY	Zip Code: 14052				
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		Storefront _____ acres					
b. Total acreage to be physically disturbed?		storefront _____ acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		storefront _____ acres					
4. Check all land uses that occur on, adjoining and near the proposed action.							
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)							
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____							
<input type="checkbox"/> Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
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: _____	<input type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input 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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/> NO <input type="checkbox"/> YES		

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	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 AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor name: <u>Manny Varma</u> Date: <u>4/13/2023</u> Signature: <u></u>		



# **TOWN OF AURORA**

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

## **MEMO**

TO: Mayor Mercurio and Village Trustees  
FROM: Elizabeth Cassidy, Code Enforcement Officer  
DATE: June 28, 2023

The Building Department has accepted an amended Special Use Permit from Ed & Kristin Borzillieri for The Deli at 586 Main St. The request is to add a seating area in front of their location.

Village Code section 285-51.5 requires the Village Board to refer the Special Use Permit application to the Planning Commission for their review and recommendation. The Village Board shall then schedule a public hearing prior to the SEQR determination and decision.

Village Code section 285-50.4C requires the Village to submit the application to Erie County Department of Environment and Planning for their review and comment due to proximity to a State highway (Main St/20A).

This is an Unlisted action for purposes of SEQR.

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

# VILLAGE OF EAST AURORA

585 Oakwood Ave, East Aurora, New York 14052  
716-652-6000

In conjunction with  
Town of Aurora Building Department  
575 Oakwood Ave, East Aurora, NY 14052  
716-652-7591

Building Dept:	
Date Received	6/28/23
Complete App	6/28/23
Village Clerk:	
Date Filed	
Amount \$	
Receipt #	

## SPECIAL USE PERMIT APPLICATION

PROPOSED PROJECT Outdoor Patio SBL#: 164.20-7-24  
LOCATION The Deli 586 Main St E.A. NY ZONING DISTRICT VC

The applicant agrees to reimburse the Village for any additional fees required for review by consultants hired by the Village.

APPLICANT NAME Ed Kristin Borzillea THE Deli  
ADDRESS 586 MAIN ST E.A. NY 14052  
TELEPHONE 716-860-9161 FAX \_\_\_\_\_ E-MAIL edborz@icloud.com  
SIGNATURE [Signature]

OWNER NAME David Kern  
ADDRESS 574 Main St. Suite 302 East Aurora NY 14052  
TELEPHONE 716-481-5703 FAX 716-455-2752 E-MAIL dkern5703@gmail.com  
SIGNATURE [Signature]

DEVELOPER NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
TELEPHONE N/A FAX \_\_\_\_\_ E-MAIL \_\_\_\_\_  
SIGNATURE [Signature]

Request is for: ☐ Restaurant, Indoor Dining and/or ☒ Restaurant, Outdoor Dining  
☐ Gas Station ☐ Car Wash ☐ Other

☒ Outdoor music or other noise impact; if yes please include a quick summation of request:

SMALL SPEAKER 500m Indoor Sound System

Days and hours of operation (indoor) M-Sat 10-8

Days and hours of operation (outdoor) M-Sat 10-8

Will alcoholic beverages be served? ☐ Yes ☐ No Looking into the possibility

Will there be outdoor music? ☒ Yes ☐ No If yes, what type of music: SMALL SPEAKER

Days and times of music M-Sat 10-7

Are premises handicap accessible? ☒ Yes ☐ No If not, premises must be made ADA compliant  
If yes, contact building department at 716-652-7591

Will there be any renovations? ☒ Yes ☐ No fencing/separation

### THIS APPLICATION MUST INCLUDE THE FOLLOWING:

- One Cover Letter to Village Board, Supporting Documents and SEQR as required in §285-52.2
- One complete file of submittal package in PDF format via email (under 10MB) to maureen.jerackas@east-aurora.ny.us. Larger files may be submitted on a USB drive or CD-ROM
- • Application fee \$25.00, Permit fee \$25.00 and Public Hearing fee \$100.00 – Total \$150 at time of application

---

**Edward Borzillieri**

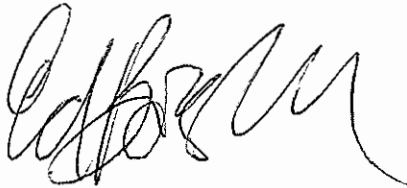
586 Main St. at Whaley  
East Aurora, New York 14052  
716-655-1383  
edborz@icloud.com

26 June 2023

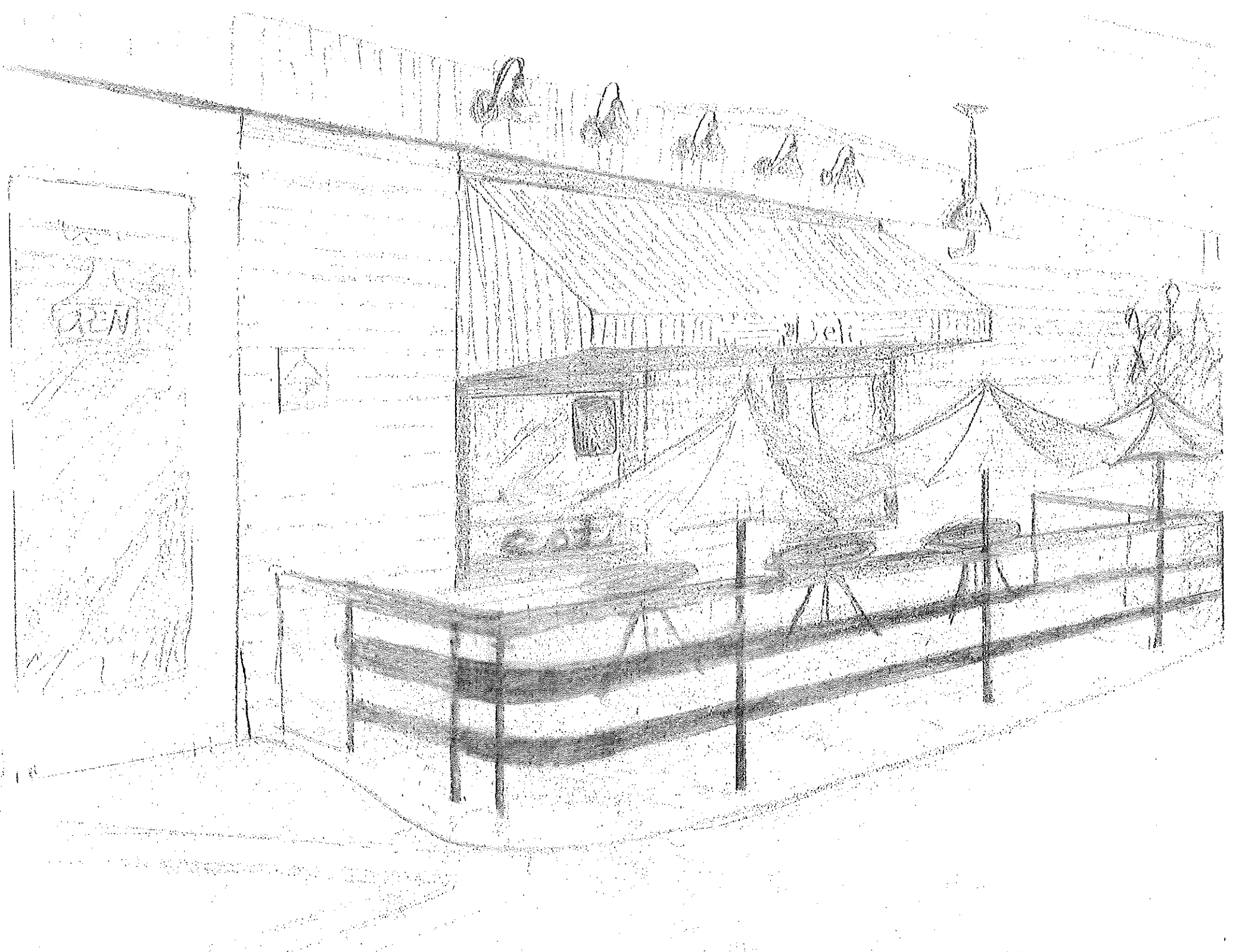
The Deli is owned and operated by Edward Borzillieri and his wife Kristin. For the past five years, the couple has been serving the community by offering high quality homemade food and deli goods at competitive prices. Takeout prepared food and slice to order cold cuts have been a staple for the last few years and dine-in options have increasingly become popular. The Deli seeks to better serve dine-in patrons by offering outdoor dining in the warmer months.

A partially-covered patio area situated in the front of the building would provide a significantly larger space for dine-in patrons. The plan is to build a stone paver patio that measures approximately 12' x 30' with outdoor tables, chairs, umbrellas, and greenery. Currently the front of the building consists of bank run stone with a few bushes and large boulders. The landowner David Kern has agreed to relocate the stone and boulders and transplant the bushes to another area on the property. The proposed space would consist of seating for maximum 30 people and be potentially open from the hours of 10-7. The space would include a small speaker with easy listening music from the indoor sound system. The premises would be handicap accessible. The Deli plans to start construction as soon as possible.

Thank you for your consideration of this proposal,  
Edward Borzillieri

A handwritten signature in black ink, appearing to read 'Edward Borzillieri', written in a cursive style.





# Short Environmental Assessment Form

## Part 1 - Project Information

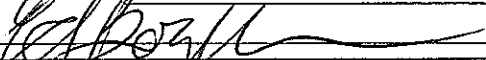
### Instructions for Completing

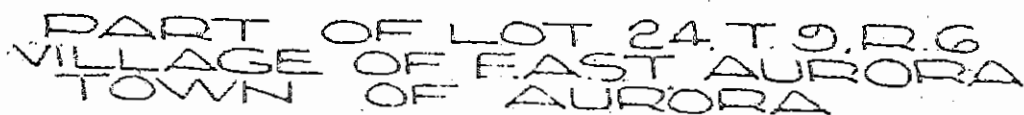
**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: Outdoor patio - seating			
Project Location (describe, and attach a location map): 586 MAIN #5 C.A., NY 14052 The Deli			
Brief Description of Proposed Action: Outdoor patio with umbrella tables			
Name of Applicant or Sponsor: Ed & Kristin Borzillieri The Deli		Telephone: 716 860 9161	
		E-Mail: edborz@icloud.com	
Address: 586 MAIN #5			
City/PO: EA NY 14052		State: NY	Zip Code: 14052
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO YES
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.			<input checked="" type="checkbox"/> <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			NO YES
If Yes, list agency(s) name and permit or approval: TCA building permit			<input type="checkbox"/> <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action? .34 acres			
b. Total acreage to be physically disturbed? .4 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? .34 acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input 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 plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO	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		

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="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="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="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>Ed Borzilleri</u> Date: <u>6/19/23</u> Signature: <u></u>		



W. A. H. H. H.

117902



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5008 MOUNT VERNON BLVD.

HAMBURG, NY 14075

585-633-3165

[info@slasolutions.com](mailto:info@slasolutions.com)

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

## REQUEST FOR WAIVER OF THE 30 DAY MUNICIPALITY NOTIFICATION

Date: 9/6/2023

To the Municipality of: EAST AURORA

Please be advised that a waiver of the 30-day notification is requested on behalf of JEMAL'S ROYCROFT L.L.C. dba ROYCROFT INN, CRAFTSMAN LOUNGE AT THE ROYCROFT INN located at 40 S. GROVE STREET, EAST AURORA, NY 14052. They are applying for a ON PREMISE LIQUOR LICENSE serving LIQUOR, WINE, BEER & CIDER at retail in a HOTEL establishment. This request is made to expedite the licensing process.

Thank You,

A handwritten signature in black ink, appearing to read "Robert Heil". The signature is fluid and cursive, with the first name "Robert" being more prominent than the last name "Heil".

Robert Heil

If such waiver is granted, please write a letter to that effect, signed by an Official, on OFFICIAL municipality stationary and either fax, e-mail or forward it to:

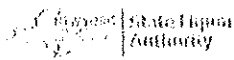
Robert Heil, Liquor License Consultant

5008 Mount Vernon Blvd.

Hamburg, NY 14075

FAX : 866-910-5025

E-MAIL : [info@slasolutions.com](mailto:info@slasolutions.com)



OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

## Standardized NOTICE FORM for Providing 30-Day Advance Notice to a Local Municipality or Community Board

1. Date Notice was Sent: 09/06/2023 1a. Delivered by: Certified Mail Return Receipt Requested

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License:

☒ New Application ☐ Renewal ☐ Alteration ☐ Corporate Change ☐ Removal ☐ Class Change ☐ Method of Operation Change

For New applicants, answer each question below using all information known to date

For Renewal applicants, answer all questions

For Alteration applicants, attach a complete written description and diagrams depicting the proposed alteration(s)

For Corporate Change applicants, attach a list of the current and proposed corporate principals

For Removal applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation

For Class Change applicants, attach a statement detailing your current license type and your proposed license type

For Method of Operation Change applicants, although not required, if you choose to submit, attach an explanation detailing those changes

This 30-Day Advance Notice is Being Provided to the Clerk of the Following Local Municipality or Community Board:

3. Name of Municipality or Community Board: VILLAGE OF EAST AURORA

### Applicant/Licensee Information:

4. Licensee Serial Number (if applicable): N/A Expiration Date (if applicable): N/A

5. Applicant or Licensee Name: JEMAL'S ROYCROFT L.L.C.

6. Trade Name (if any): ROYCROFT INN, CRAFTSMAN LOUNGE AT THE ROYCROFT INN

7. Street Address of Establishment: 40 S. GROVE STREET

8. City, Town or Village: EAST AURORA, NY Zip Code: 14052

9. Business Telephone Number of Applicant/Licensee: (202) 729-7419

10. Business E-mail of Applicant/Licensee: jmurray@douglasdev.com

11. Type(s) of alcohol sold or to be sold: ☐ Beer & Cider ☐ Wine, Beer & Cider ☒ Liquor, Wine, Beer & Cider

12. Extent of Food Service:

☒ Full food menu; full kitchen run by a chef or cook ☐ Menu meets legal minimum food availability requirements; food prep area at minimum

13. Type of Establishment: Hotel (requires full restaurant open to the public on premises)

14. Method of Operation: (check all that apply)

<input type="checkbox"/> Seasonal Establishment	<input type="checkbox"/> Juke Box	<input checked="" type="checkbox"/> Disc Jockey	<input checked="" type="checkbox"/> Recorded Music	<input checked="" type="checkbox"/> Karaoke
<input checked="" type="checkbox"/> Live Music (give details i.e., rock bands, acoustic, jazz, etc.): <u>MIXED GENRE</u>				
<input checked="" type="checkbox"/> Patron Dancing	<input type="checkbox"/> Employee Dancing	<input type="checkbox"/> Exotic Dancing	<input type="checkbox"/> Topless Entertainment	
<input type="checkbox"/> Video/Arcade Games	<input type="checkbox"/> Third Party Promoters	<input type="checkbox"/> Security Personnel		
<input type="checkbox"/> Other (specify): _____				

15. Licensed Outdoor Area: (check all that apply)

<input type="checkbox"/> None	<input checked="" type="checkbox"/> Patio or Deck	<input type="checkbox"/> Rooftop	<input checked="" type="checkbox"/> Garden/Grounds	<input type="checkbox"/> Freestanding Covered Structure
<input type="checkbox"/> Sidewalk Cafe	<input checked="" type="checkbox"/> Other (specify): <u>YARD, GUEST HOUSE</u>			

## OFFICE USE ONLY

☐ Original☐ Amended

Date \_\_\_\_\_

49

16. List the floor(s) of the building that the establishment is located on: 1ST, 2ND, 3RD, BASEMENT17. List the room number(s) the establishment is located in within the building, if appropriate: 1-kitchen, bar, dining, restroom, office, storage18. Is the premises located within 500 feet of three or more on-premises liquor establishments? ☐ Yes ☒ No3- Storage  
2-3 Guest rooms, office  
storage laundry19. Will the license holder or a manager be physically present within the establishment during all hours of operation? ☒ Yes ☐ No

20. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee:

N/A

Name

N/A

Serial Number

21. Does the applicant or licensee own the building in which the establishment is located? ☐ Yes (If YES, SKIP 23-26) ☒ No

## Owner of the Building in Which the Licensed Establishment is Located

22. Building Owner's Full Name: JEMAL'S ROYCROFT, LLC23. Building Owner's Street Address: 655 NEW YORK AVENUE NW, SUITE 83024. City, Town or Village: WASHINGTONState: DCZip Code: 2000125. Business Telephone Number of Building Owner: (202) 638-6300

## Representative or Attorney Representing the Applicant in Connection with the Application for a License to Traffic in Alcohol at the Establishment Identified in this Notice

26. Representative/Attorney's Full Name: ROBERT HEIL27. Representative/Attorney's Street Address: 5008 MOUNT VERNON BLVD.28. City, Town or Village: HAMBURGState: NYZip Code: 1407529. Business Telephone Number of Representative/Attorney: (716) 512-501830. Business E-mail Address of Representative/Attorney: Info@slasolutions.com

I am the applicant or licensee holder or a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under Penalty of Perjury - that the representations made in this form are true.

31. Printed Principal Name: NORMAN D. JEMALTitle: LLC MEMBERPrincipal Signature: 



Budget Transfer	2023-24				
FROM			TO		
A.5.1990.0400	Contingency	\$ 7,500.00	A.5.3120.0230	Police Dpt. Department Equipme	\$ 7,500.00
F.5.9045.0803	Life Ins	\$ 700.00	F.5.9045.0804	Life Ins. Retiree	\$ 700.00
F.5.9060.0805	Health Ins	\$ 15,000.00	F.5.9060.0806	Health In - retiree	\$ 15,000.00

VILLAGE OF EAST AURORA  
571 Main Street, East Aurora, NY 14052  
Phone: 716.652.6000 Fax: 716.652.1290  
[www.east-aurora.ny.us](http://www.east-aurora.ny.us)

SPECIAL PERMIT APPLICATION

**ALL Requests Must Be Received A Minimum of 60 Days in Advance**

**Required for application: one (1) complete file in electronic PDF format**  
Via e-mail to [maureen.jerackas@east-aurora.ny.us](mailto:maureen.jerackas@east-aurora.ny.us)

PUBLIC HEARING FEES: \$100.00 ✓

\$25.00 Application Fee ✓  
\$25.00 Permit Fee ✓

Date Application Filed 5/13/19

Date of V.B. Action \_\_\_\_\_ (attach minutes)

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_

Application is hereby made for a **SPECIAL PERMIT** pursuant to **Section 285.51** of the Code of the Village of East Aurora. Written approvals and other special permits as may be required by law, shall accompany this application.

**Section 285.51 Special Permit required for Gasoline Service Stations, Rapid Car Washes, and Restaurants and/or outdoor service of food and beverages when permitted by the Village Board after a public hearing thereon.**

Applicant's Name: Aurora International, LLC Address 4750 Clifton Parkway Hamburg, NY 14075  
Location of Premises: 206 Main Street East Aurora, NY 14052 SBL # 142401-164-190-0005-015-100  
E-mail: jbecker277@hotmail.com Phone # (716) 435-5007  
Signature of Applicant [Signature] - President Date: April 5th, 2019  
Owner of Premises Name: Main - Hamlin, LLC Address 206 Main Street East Aurora, NY 14052  
E-mail: robdcase@901.com Phone # (716) 903-4049  
Signature of Owner: [Signature] Date: 4/10/19

Is this application for an Amended Permit? ☐ Yes ☒ No If yes, attach copy of last permit

Request is for: ☒ Restaurant, Indoor Dining ☒ Restaurant, Outdoor Dining ☐ Gas Station  
☐ Car Wash ☐ Other

Days and hours of operation (indoor) Sunday to Saturday Breakfast 7am to 11am Restaurant/Bar 11am - 2am

Days and hours of operation (outdoor) Weather Permitting Sunday to Saturday - Breakfast, 7am - 11am

Will alcoholic beverages be served? ☒ Yes ☐ No Restaurant/Bar 11am - 2am

Will there be outdoor music? ☐ Yes ☒ No If yes, what type of music: \_\_\_\_\_

Days and times of music \_\_\_\_\_

Are premises handicap accessible? ☒ Yes ☐ No If not, premises must be made ADA compliant.

Will there be any renovations? ☒ Yes ☐ No If yes, contact building department @ 716-652-7591.

**Attach a letter detailing your project, along with a schematic drawing of the premises indicating the location of:**

☒ area to be occupied ☒ entrance/exits ☒ restrooms ☒ Backflow device & grease trap ☐ oil interceptor

☒ seating diagram (restaurant/indoor) # tables 26 #seats 4 Total Seating # 104

☒ (restaurant/outdoor) # tables 4 #seats 4 Total Seating # 16

SIGN PERMIT: Town of Aurora Building Dept, 300 Gleed Avenue, East Aurora, NY - PH 716.652.7591

## ARTICLE 44

### Sign Regulations

#### § 285-44.1. Purpose and intent.

- A. The primary purpose of these sign regulations for the Village of East Aurora is to permit the erection and display of signage within the Village, while protecting public health, safety and general welfare. All signs and sign systems are subject to the regulations that follow in this article.
- B. These regulations also serve to achieve the following objectives:
- (1) Ensure right to free speech as protected under the Constitution;
  - (2) Protect property values, create a more attractive economic and business climate, and protect the physical appearance of the community;
  - (3) Provide structures and uses with effective means of identification while reducing visual clutter through the prevention of excessive and confusing sign displays;
  - (4) Reduce traffic conflicts or hazards by minimizing visual distractions or obstacles in or visible from the public rights-of-way;
  - (5) Minimize the adverse effect of signs on nearby public and private property;
  - (6) Avoid personal injury and property damage from unsafe or confusing signs; and
  - (7) Establish a clear and impartial process for those seeking to install signs.
- C. The regulations of this article shall govern and control the erection, enlargement, expansion, renovation, operation, maintenance, relocation, and removal of all signs within the Village visible from any street, sidewalk, public right-of-way, or public space.

#### § 285-44.2. Sign permit required.

Except as hereinafter provided, no person shall erect, alter, construct, relocate or cause to be erected, altered, constructed or relocated any sign without first having obtained a sign permit from the **Code Enforcement Officer (CEO)**, unless otherwise stated in this article.  
[Do you want signs to be approved only by the CEO or require Board approval?]

- A. Application requirements. The following information shall be provided to the CEO for a sign permit application:
- (1) Name, address, **telephone number, including cellular number, email address, ~~contact information~~**, and signature of the applicant.
  - (2) Name, address, **telephone number, including cellular number, email address**, and signature of the building and/or property owner, if not the applicant.

- (3) Dimensions and drawings indicating the size, shape, construct, materials, and layout of the sign(s), **including any requests for illumination or moving parts.**
  - (4) Site plan and elevations indicating the proposed location and size of the sign(s) to scale, **including any provisions for illumination and structural supports.**
  - (5) Any additional site and/or sign information as requested by the CEO.
- B. No permit required. The following situations shall not require the issuance of a sign permit provided such maintenance, changes, or alterations do not in any way alter the physical size, design, or nature of the sign.
- (1) The repainting, repairing, changing of parts, and maintenance of signs.
  - (2) A change in the message of a sign.
- C. Board review.
- (1) New development subject to review and approval by the Village Board or Planning Commission, at the request of the applicant, may have proposed signage reviewed and approved as part of the special use permit or site plan review process. **[Amended 5-4-2020 by L.L. No. 2-2020]**
  - (2) In the event of such review, all required sign permit application materials shall be provided to the reviewing board as part of the complete application.
  - (3) Any sign permit application for a marquee sign shall require review and approval by the Village Board **after referral to the Planning Commission.**
- D. Alteration. Any sign for which a permit has been issued shall not be modified, relocated, altered, or replaced, unless an amended or new sign permit is obtained from the CEO.
- E. Expiration. A sign permit shall expire if the sign for which the permit has been issued is not fully constructed within **six (6) months ~~one year~~** from the date of issuance of the sign permit.
- F. Revocation. The CEO or designee may, at any time for a violation of this regulation, issue a notice of violation. A written notice of the violation including all reasons for the violation shall be mailed to the property and sign owner(s). Said violation must be corrected within **thirty (30) days** of the date of notice; otherwise, the sign permit shall be revoked and the sign in question shall be required to be removed.

### § 285-44.3. Measurement.

A. Sign area.

- (1) Single sign face. The area of a sign shall be computed by means of the smallest square, circle, rectangle, triangle, or geometric combination thereof that will encompass the extreme limits of the writing, representation, emblem, graphic, and/or other display, together with any material, backdrop, or structure on which it is placed.

(2) Multifaced signs. In the case of a multifaced sign, only one side of the sign is considered in determining sign area if the sides of the sign are back-to-back or diverge at an angle of 45° or less.

(3) Structural support not included. The supporting structure or bracing of a sign shall not be computed as part of the sign area, unless such supporting structure or bracing is made a part of the message with the inclusion of any text or graphics. If such is the case, a combination of regular geometric shapes which can encompass the area of said text or graphics shall be included as part of the total sign area computation.

**B. Sign height.**

- (1) Freestanding sign. The height of a freestanding sign shall be calculated by measuring the vertical distance between the top part of such sign or its structure, whichever is highest, to the elevation of the ground directly beneath the center of the sign.
- (2) Other signs. The height of all other signs shall be determined by measuring the vertical distance between the top part of the sign face or structure, whichever is highest, to the bottommost edge of the sign face or structure.
- (3) Structural support included. Any material whose major function is to provide structural support for a sign shall be considered part of the sign for purposes of determining sign height.

**§ 285-44.4. Regulations applicable to all signs.**

**A. Safety provisions.** All signs shall be designed, constructed, and located in accordance with the following criteria to protect the general health, safety, and welfare of the public.

- (1) No sign shall be erected in such a manner as to obstruct free egress from a window, door or fire escape or to become a menace to life, health or property.
- (2) No sign shall be erected at or near any intersection of streets, alleys, or railways in a manner that obstructs free and clear vision for pedestrians, bicyclists, and motorists.
- (3) No sign shall be of a shape or color that may be confused with any authorized traffic control device.
- (4) No rotating beam, beacon, or flashing illumination ~~resembling an emergency-light~~ shall be used with any sign display.
- (5) The erection of any sign and its supports, including any wiring and/or electrical components utilized therein, shall be consistent with the general accepted standards and practices of the New York State Building Code.
- (6) The erection of any sign, its supports, wiring, or other structural and/or electrical elements may be subject to inspection and approval by the CEO.

**B. Design and construction.** All signs shall be designed and constructed in accordance

with the following criteria:

- (1) All signs shall be constructed of permanent, weather-resistant, and durable materials, except for banners, flags, temporary signs, and window signs otherwise in conformance with this article.
- (2) Where applicable, signs shall be supported by sign structures that are designed to resist wind pressures, dead loads, and lateral loads in accordance with the appropriate provisions of the New York State Building Code.
- (3) All sign lettering shall be permanently affixed to the sign.
- (4) No permanent sign may be constructed of untreated or unpainted wood, sandblasted metal, or other unfinished material.
- (5) No sign may use an audible device or sound amplifier.

C. Location. All signs shall be so located in accordance with the following standards:

- (1) Signs shall not be erected within nor project into any public right-of-way ~~or between any sidewalk and street or highway. unless otherwise specified within this article.~~ Signs must be located on private property and comply with the dimensional and setback requirements herein.
- (2) Off-premises signs are prohibited. All signs shall be located on the site being promoted, identified, or advertised with the exception of temporary signs.
- (3) All signs, unless otherwise noted, are to be setback at least ~~ten (10) five~~ feet from any property line.
- (4) For the purposes of this article, ~~flexible banners, inflatable banners/signs, balloons with messages, flags (other than government), or pennants shall be permitted as temporary signs for a period not to exceed thirty (30) days in any twelve (12) month period.~~ No banner shall be displayed over any sidewalk, Village street or highway except upon approval by the Village Board. A public liability bond or policy in the sum of at least \$500,000 shall be furnished for each banner which extends across ~~and/or onto~~ a sidewalk, street or highway.
- (5) No signs shall be placed on any electrical pole, light pole, hydrant, municipal trash receptacle, utility pole, tree, municipal fence, street sign, or any traffic control device.
- (6) Except as provided for elsewhere in this Article, no more than two (2) signs or shall be permitted on any property.
- (7) Signs pertaining to elections shall not be erected more than thirty (30) days prior to any election and must be removed within ten (10) days of such election.

D. Visibility at intersections. No sign or any part of a sign exceeding three (3) feet in height, other than a supporting pole or brace no greater than ~~eighteen~~ (18) inches in width or diameter, shall be located within the designated clear sight triangle of any intersecting streets. The clear sight triangle shall be defined by the triangle formed by two intersecting street lines and a line joining points on such street lines

~~thirty~~ (30) feet from their intersection.

E. Illumination. All sign illumination shall be in accordance with the following standards:

- (1) Light sources for illuminated signs shall not be of such brightness as to constitute a hazard to pedestrians or motorists and shall be shielded so as not to cast an illumination of more than two ~~(2)~~ footcandles on adjacent nonresidential properties or more than 0.1 footcandle on adjacent residential properties.
- (2) Up-lighting, or the illumination of signs from a light source below that of the sign face, shall be permitted for ground signs or wall signs only. ~~No sign in a residential district may be illuminated between the hours of 8:00 p.m. and 6:00 a.m.~~
- (3) Intermittent illumination or illumination which involves movement or causes the illusion of movement resulting from the arrangement of lighting, is prohibited.

F. Maintenance and repair. All signs shall be maintained in safe and good structural condition, in compliance with all applicable building and electrical codes, and in conformance with this article at all times. Such maintenance includes replacement of all defective bulbs, parts, materials, painting, repainting, cleaning, replacement of copy, and other acts required for maintenance of such sign. If any sign does not comply with these standards, the CEO may require its removal.

G. Obsolete signs. Any sign that no longer advertises or identifies the current or permitted use of the property ~~and/or event~~ must be removed within ~~ten (10) 30~~ days after ~~the conclusion of the event~~ or written notification from the CEO, ~~whichever is sooner~~.

H. Removal of signs.

- (1) Where required by this article, the removal of signs shall be the sole responsibility of the sign owner. If said sign is not removed within ~~ten (10) 30~~ days of the date of written notice by the CEO, the CEO or their designee is authorized to affect its removal.
- (2) The CEO may ~~immediately and without notice~~ remove any sign that is found to be in violation of this article. This shall include any sign that is found to be unsafe, insecure, or in such condition as to be a menace to the safety of the public. ~~After removal~~, the sign owner shall be given written notice of the removal of such sign by the CEO. If the sign is not claimed within ten (10) days of such notice, the sign may be disposed of by the Village.
- (3) Any costs incurred for the removal of a sign shall be fully reimbursed to the Village of East Aurora by the sign owner. Such costs may be placed on the tax roll for collection by the Village.

**§ 285-44.5. Signs authorized without a permit.**

The following types of signs may be erected in the Village without obtaining a sign permit. Although permits are not required for these signs, they shall conform to all other requirements of this article or may be subject to removal by the CEO.

- A. Directional signs. Signs that provide direction to pedestrians, bicyclists, or motorists shall not require a sign permit provided the following conditions are met:
  - (1) The cumulative area of signs on any one property shall not exceed an area of six (6) square feet in a residential district or twelve (12) square feet in a nonresidential district.
  - (2) No sign exceeds three (3) feet in height or six square feet in area.
  - (3) The signs are not illuminated, unless otherwise approved by the Village Board.
  - (4) The signs do not extend above the first floor or project beyond property lines.
- B. Signs on gasoline pumps. Signs attached to a gasoline pump shall not require a permit provided they do not exceed six square feet in area per sign.
- C. Governmental signs. Any official sign, public notice, or warning sign supported by federal, state or local law, including but not limited to signs erected and maintained pursuant to and in discharge of any government functions. (Example: New York State inspection station or authorized repair shop identification). There are no size requirements or time limits for governmental signs.
- D. Historical signs. Signs such as cornerstones, commemorative tablets, and historical markers, provided that said signs are less than six (6) square feet in area and not illuminated.
- E. Incidental signs. Signs containing no commercial message that are intended to identify incidental property information, such as addresses, entrances, exits, hours of operation, or open/closed, shall not require a permit provided the following conditions are met:
  - (1) The sign does not exceed four (4) square feet in area and two (2) feet in height.
  - (2) The sign is not illuminated.
  - (3) If placed in a window, the sign must be ~~is~~ in conformance with all applicable regulations of window signs (§ 285-44.9).
- ~~F.~~ Internal signs. Signs within a building not legible from the public right-of-way or adjacent lots, or any sign within an enclosed outdoor space, such as an athletic field, where such sign is not legible beyond the property lines ~~shall not be subject to these regulations. There are no requirements for internal signs.~~
- G. Lawn signs. Lawn signs shall be allowed on any lot without a permit provided the following conditions are met ~~in addition to the provisions elsewhere in this Article:~~
  - (1) The sign does not exceed three (3) feet in height and six (6) square feet in area.
  - (2) The sign is not displayed for more than thirty (30) days in a ~~one hundred twenty~~



~~ninety~~-day period.

- (3) The sign is not illuminated.
- (4) No more than two (2) signs shall be permitted at any one time.
- (5) No signs shall be placed within ten (10) feet of the property line.
- (6) No signs shall have any moving parts.
- (7) Signs pertaining to elections shall not be erected more than thirty (30) days prior to any election and must be removed within ten (10) days of such election.

H. Noncommercial signs on a residential property. Any sign on a residential property that does not contain a commercial message shall not require the issuance of a sign permit, provided the following conditions are met **in addition to the provisions elsewhere in this Article:**

- (1) There is no more than one sign per dwelling unit.
- (2) No single sign exceeds three (3) feet in height and six (6) square feet in area.
- (3) The cumulative area of all signs does not exceed twelve (12) square feet.
- (4) The sign is not illuminated.
- (5) The sign is not attached to any permanent building or structure.

#### **§ 285-44.6. Prohibited signs.**

The following signs are prohibited within the Village:

- A. Signs for which no sign permit was issued or for which a sign permit has been revoked.
- B. Signs that are not properly maintained, considered structurally unsound, hazardous, or otherwise unsafe.
- C. Signs that contain words or pictures of an obscene or pornographic nature.
- D. Signs that emit audible sounds, odor, or visible matter, **such as smoke or a mist, or similar matter.**
- E. Signs placed on a curb, sidewalk, hydrant, utility pole, trees, **electrical pole, light pole, hydrant, municipal trash receptacle, municipal fence, street sign, or any traffic control device** or other objects located on or over any public street unless otherwise permitted by the Village Board.
- F. Signs that may be confused with a traffic control sign, signal or device or the light of an emergency or road equipment vehicle or hide from view any traffic or street sign, signal, or device.
- G. Signs that flash, blink, rotate, or revolve, and/or utilize unshielded lighting devices or reflectors to outline or provide the background of a sign. **[Amended 5-4-2020 by L.L. No. 2-2020]**

- H. Internally illuminated signs and signs that utilize exposed neon tubing for letters or lighting.
- I. Signs that are mounted on wheels or mounted on any structure on wheels.
- J. Signs mounted on or applied to registered or unregistered vehicles unless such vehicle is parked legally or out of public view. **[Amended 5-4-2020 by L.L. No. 2-2020]**
- K. Signs with mirrors or any other reflective material.
- L. Signs painted directly on walls or other structural building features except by special use permit from the Village Board. **[Amended 5-4-2020 by L.L. No. 2-2020]**
- M. Manual changeable copy signs, electronic changeable copy signs, and signs that are animated or utilize full motion or video technology.
- N. Banners, pennants, windblown or inflated signs. **[Amended 5-4-2020 by L.L. No. 2-2020]**
- O. Roof signs, obsolete signs, off-premises signs, and billboards.

**§ 285-44.7. Sign provisions by zoning districts.**

A. Residential districts.

- (1) No lot or use shall have more than one sign type, as provided for in § 285-44.9.
- (2) The illumination of signs in residential districts is prohibited.
- (3) Where a single- or multifamily residential development exists, such as an apartment complex, one ground sign may be permitted for the development at each entrance/exit access point **for a period not to exceed twelve (12) months.**

B. Nonresidential districts.

- (1) No use or lot shall have more than two sign types, as provided for in § 285-44.9.
- (2) Where multiple operations or uses are located on a single lot, such as, but not limited to, industrial centers, business parks, or shopping plazas, each use shall be allowed two signs of any type in addition to one freestanding sign for the development.
- (3) Window signs shall be included in the count of total allotted signage for any lot or use. **[Amended 5-4-2020 by L.L. No. 2-2020]**
- (4) Marquee signs may be permitted with Village Board review and approval.

**§ 285-44.8. Nonconforming signs.**

- A. All signs that are nonconforming as of the date of enactment of this chapter must be removed or brought into compliance at such time as the sign is replaced, the

§ 285-44.9

property and/or business changes use or ownership, or a new permit is required under the provisions of this article.

§ 285-44.9

- B. Any nonconforming sign that is removed from its position or siting and not replaced in-kind within **thirty (30)** days shall be presumed to be abandoned and discontinued and may not be restored or re-erected except in compliance with this article.
- C. No nonconforming sign may be altered in any way that would increase its nonconformity with the regulations of this article, including, but not limited to area, height, setback, and illumination.
- D. Nothing herein shall be deemed to prevent maintaining a nonconforming sign in good repair and safe condition.

### § 285-44.9. Regulations by sign type. [Amended 5-4-2020 by L.L. No. 2-2020]

The following tables outline the requirements for sign types that may be proposed for installation within the Village. The tables regulate each type of sign by the zoning district in which it is located.

Table 44.9A: Ground Signs							
Ground sign: A sign not attached to any building or structure, which may be supported by one or two columns or posts provided the distance between the ground and bottommost edge of the sign is no greater than three feet.							
	Zoning Districts						
Requirement	R	GC	NC	VC	GM	VM	OS
Number permitted <sup>1</sup>	1 per lot	—	1 per lot	1 per lot	—	1 per lot	1 per lot
Maximum area (square feet)	6	—	16	16	—	16	16
Maximum height <sup>2</sup> (feet)	6	—	7	7	—	7	7
Minimum setback <sup>3</sup> (feet)	5	—	5	5	—	5	5
Illumination permitted	No	—	Yes	Yes	—	Yes	Yes

#### NOTES:

<sup>1</sup> Signs shall be so located so that the sign face is parallel to the street.

<sup>2</sup> Measured from the elevation of the ground at the center of the sign to the topmost edge of the sign.

<sup>3</sup> Measured from the nearest edge of the sign to the front or side lot line.

Table 44.9B: Pedestal Signs							
Pedestal sign: A sign not attached to any building or structure supported by one or two columns or posts with a distance exceeding seven feet from the ground and the bottommost edge of the sign.							
	Zoning Districts						
Requirement	R	GC	NC	VC	GM	VM	OS
Number permitted <sup>1</sup>	-	1 per lot	-	-	1 per lot	-	-
Maximum area (square feet)	-	32	-	-	32	-	-
Maximum height <sup>2</sup> (feet)	-	15	-	-	15	-	-

§ 285-44.9

§ 285-44.9

Minimum setback <sup>3</sup> (feet)	-	10	-	-	10	-	-
Illumination permitted	-	Yes	-	-	Yes	-	-

**NOTES:**

- <sup>1</sup> Signs shall be so located so that the sign face is parallel to the street.
- <sup>2</sup> Measured from the elevation of the ground at the center of the sign to the topmost edge of the sign.
- <sup>3</sup> Measured from the nearest edge of the sign to the front or side lot line.

Table 44.9C: Wall Signs							
Wall sign: Any sign fastened to a building or structure that does not project more than 12 inches from the facade.							
Requirement	Zoning Districts						
	R	GC	NC	VC	GM	VM	OS
Number permitted	1 per structure	1 per facade	1 per facade	1 per facade	1 per facade	1 per facade	1 per facade
Maximum area <sup>1</sup>	6 square feet	12%	10%	10%	12%	10%	10%

Table 44.9C: Wall Signs							
<b>Wall sign: Any sign fastened to a building or structure that does not project more than 12 inches from the facade.</b>							
	Zoning Districts						
Requirement	R	GC	NC	VC	GM	VM	OS
Maximum height (feet)	2	5	4	4	5	4	4
Illumination permitted <sup>2</sup>	No	Yes	Yes	Yes	Yes	Yes	No

**NOTES:**

<sup>1</sup> Unless otherwise noted, the maximum area of a sign shall be measured as a percentage of the facade upon which it is to be located.

<sup>2</sup> Any sign located on a facade facing a residential district or use shall not be illuminated.

Table 44.9D: Projecting Signs							
<b>Projecting sign: A sign wholly or partly dependent upon a building or structure for support which projects more than 12 inches, but less than 36 inches from the facade.</b>							
	Zoning Districts						
Requirement	R	GC	NC	VC	GM	VM	OS
Number permitted	-	1 per use	1 per use	1 per use	-	1 per use	-
Maximum area (square feet)	-	8	6	6	-	6	-
Maximum height (feet)	-	3	2	2	-	2	-
Minimum clearance <sup>1</sup> (feet)	-	8	8	8	-	8	-
Illumination permitted	-	Yes	Yes	Yes	-	Yes	-

**NOTE:**

<sup>1</sup> Measured from the elevation of the ground directly beneath the center of the sign to the bottommost edge of the sign.

Table 44.9E: Suspended Signs							
<b>Suspended sign: A sign attached to and supported by the underside of a horizontal plane.</b>							
	Zoning Districts						
Requirement	R	GC	NC	VC	GM	VM	OS
Number permitted	-	1 per use	1 per use	1 per use	-	-	-
Maximum area (square feet)	-	8	6	6	-	-	-
Maximum height (feet)	-	3	2	2	-	-	-
Minimum clearance <sup>1</sup> (feet)	-	8	8	8	-	-	-
Illumination permitted	-	No	No	No	-	-	-

**NOTE:**

<sup>1</sup> Measured from the elevation of the ground directly beneath the center of the sign to the bottommost edge of the sign.

<b>Table 44.9F: Awning Signs</b>							
<b>Awning sign: A sign that is part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor area.</b>							
	<b>Zoning Districts</b>						
<b>Requirement</b>	<b>R</b>	<b>GC</b>	<b>NC</b>	<b>VC</b>	<b>GM</b>	<b>VM</b>	<b>OS</b>
Number permitted <sup>1</sup>	-	1 per awning	1 per awning	1 per awning	1 per awning	1 per awning	-
Maximum height (inches)	-	6	6	6	6	6	-
Minimum clearance <sup>2</sup> (feet)	-	8	8	8	8-	8	-
Illumination permitted	-	No	No	No	No	No	-

**NOTES:**

<sup>1</sup> Said sign shall only be permitted on the bottommost edge of the canvas, fabric, or other material to which it is applied, often referred to as the valence.

<sup>2</sup> Measured from the elevation of the ground directly beneath the center of the awning to the bottommost edge of the awning.

<b>Table 44.9G: Window Signs</b>							
<b>Window sign: A sign which is applied or attached to the exterior or interior of a window or is installed inside of a window within 12 inches of the window through which it can be seen.</b>							
	<b>Zoning Districts</b>						
<b>Requirement</b>	<b>R</b>	<b>GC</b>	<b>NC</b>	<b>VC</b>	<b>GM</b>	<b>VM</b>	<b>OS</b>
Number permitted	-	Any	Any	Any	Any	Any	-
Maximum Area <sup>1</sup>	-	20%	15%	15%	20%	15%	-
Illumination permitted	-	No	No	No	No	No	-

**NOTES:**

<sup>1</sup> The maximum area of a sign shall be determined by the percentage of window area covered.

<b>Table 44.9H: Sandwich Board Signs</b>							
<b>Sandwich board sign: A freestanding sign that is comprised of two sign faces diverging at a 45-degree angle from their adjoining edge.</b>							
	<b>Zoning Districts</b>						
<b>Requirement</b>	<b>R</b>	<b>GC</b>	<b>NC</b>	<b>VC</b>	<b>GM</b>	<b>VM</b>	<b>OS</b>
Number permitted <sup>1</sup>	1 per use	1 per use	1 per use	1 per use	1 per use	1 per use	1 per use
Maximum area (square feet)	6	6	6	6	6	6	6
Maximum height (feet)	4	4	4	4	4	4	4
Illumination permitted	No	No	No	No	No	No	No

**NOTE:**

<sup>1</sup> Sign must be brought in each day at the close of business.

<b>Table 44.9I: Temporary Signs</b>							
<b>Temporary sign: A sign which is not intended to be used for a period of time exceeding 30 days and is not attached to a building, structure, or the ground in a permanent manner.</b>							
	<b>Zoning Districts</b>						
<b>Requirement</b>	<b>R</b>	<b>GC</b>	<b>NC</b>	<b>VC</b>	<b>GM</b>	<b>VM</b>	<b>OS</b>
Number permitted <sup>1</sup>	1 per use	1 per use	1 per use	1 per use	1 per use	1 per use	1 per use
Maximum area (square feet)	12	32	32	32	32	32	32
Maximum height (feet)	3	4	4	4	4	4	4
Illumination permitted	No	No	No	No	No	No	No
Maximum display time <sup>2</sup>	30 days	30 days	30 days	30 days	30 days	30 days	30 days

**NOTES:**

<sup>1</sup> Temporary signs shall not be included in the count of total allotted signage for any lot or use.

<sup>2</sup> Maximum display time shall be limited to any given ninety-day period.