



CASE NO. 1479

DATE OF HEARING 8/15/2024

Town of Aurora Zoning Board of Appeals  
300 Glead Avenue, East Aurora, New York 14052

### Zoning Board of Appeals Application Form

#### I. TYPE OF REQUEST

AREA VARIANCE     SPECIAL USE PERMIT     USE VARIANCE     INTERPRETATION

#### II. APPLICANT/PETITIONER

Applicant's Name Nicholas A. Bond  
Address 1603 Hubbard Road  
City East Aurora State NY ZIP 14052  
Phone 716 Fax \_\_\_\_\_ Email nic@eastaurora.org  
Interest in purchase/development Nicholas A. Bond

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

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


#### III. PROPERTY INFORMATION

Property Address 1603 Hubbard Rd. East Aurora, NY 14052  
SBL# 187.02-1-49  
Property size in acres 1.028 Property Frontage in feet 200'  
Zoning District Residential Surrounding Zoning Residential  
Current Use of Property Residential

#### IV. REQUEST DETAIL

(check all that apply)  
 Variance from Ordinance Section(s) # 116-18<sup>A</sup>(3)  
 Special Use Permit for: \_\_\_\_\_  
 Use Variance for: \_\_\_\_\_  
 Interpretation of \_\_\_\_\_

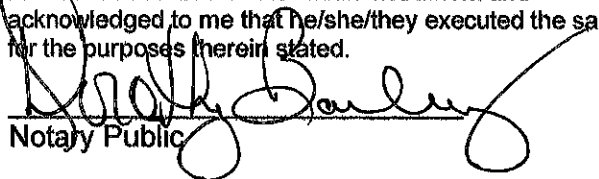
**V. SIGNATURES** (This application must be signed by the applicant/petitioner. If the applicant is not the owner of the property, a separate owner authorization form must be submitted – see pg. 5 )

  
\_\_\_\_\_  
Signature of Applicant/Petitioner

Nicholas A. Bond  
\_\_\_\_\_  
Print name of Applicant/Petitioner

State of New York; County of Erie

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

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

(Notary stamp)

DOROTHY BAILEY  
Reg #01BA0023544  
Notary Public, State of New York  
Qualified in Erie County  
Commission Expires April 15, 2020

Office Use Only:      Date received: \_\_\_\_\_      Receipt #: \_\_\_\_\_

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

ECDP ZR-1 form sent to EC: \_\_\_\_\_      Hearing publication date: \_\_\_\_\_

**PREVIOUS APPEAL(S):**

A previous appeal to the Zoning Board of Appeals ( ) has ( ) has not been made with respect to this property.

**Previous appeals:**

Date: \_\_\_\_\_ Type of Appeal: \_\_\_\_\_      Granted \_\_\_\_\_ Denied \_\_\_\_\_

Date: \_\_\_\_\_ Type of Appeal: \_\_\_\_\_      Granted \_\_\_\_\_ Denied \_\_\_\_\_



June 24, 2024

Nicholas A. Bond  
1603 Hubbard Rd.  
East Aurora, NY 14052

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

Dear Members of the Town of Aurora Zoning Board,

I am writing to formally request a variance to allow the placement of a shed on my property at 1603 Hubbard Rd. East Aurora, NY. Due to the unique characteristics and constraints of my property, I am seeking permission to place the shed less than 10 feet from an existing structure.

The specific factors for this request are as follows:

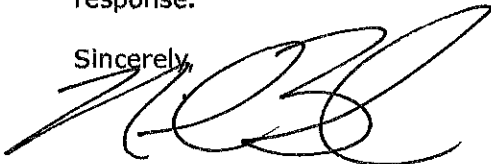
1. **\*\*Grade of the Property\*\***: The landscape of my property includes a significant slope, limiting suitable locations for the shed. The installation of the pool allowed for the proposed location to follow that grade.
2. **\*\*Proximity to the Pool\*\***: My property includes a swimming pool, and the proposed location for the shed is intended for safely storing pool-related equipment and supplies. Placing the shed closer to the pool enhances convenience and accessibility.
3. **\*\*Use as a Barrier of Access\*\***: The shed will serve as a critical barrier to restrict access to certain areas of the property, enhancing safety and security, particularly around the pool area.
4. **\*\*Elevated Pond\*\***: An elevated pond on the property further restricts viable locations for the shed. The location minimizes disruption to the landscape, which could create additional drainage issues, if moved further south on the property.

The proposed location of the shed is the most practical and safe option given the constraints mentioned. I believe that granting this variance will not negatively impact neighboring properties or the community.

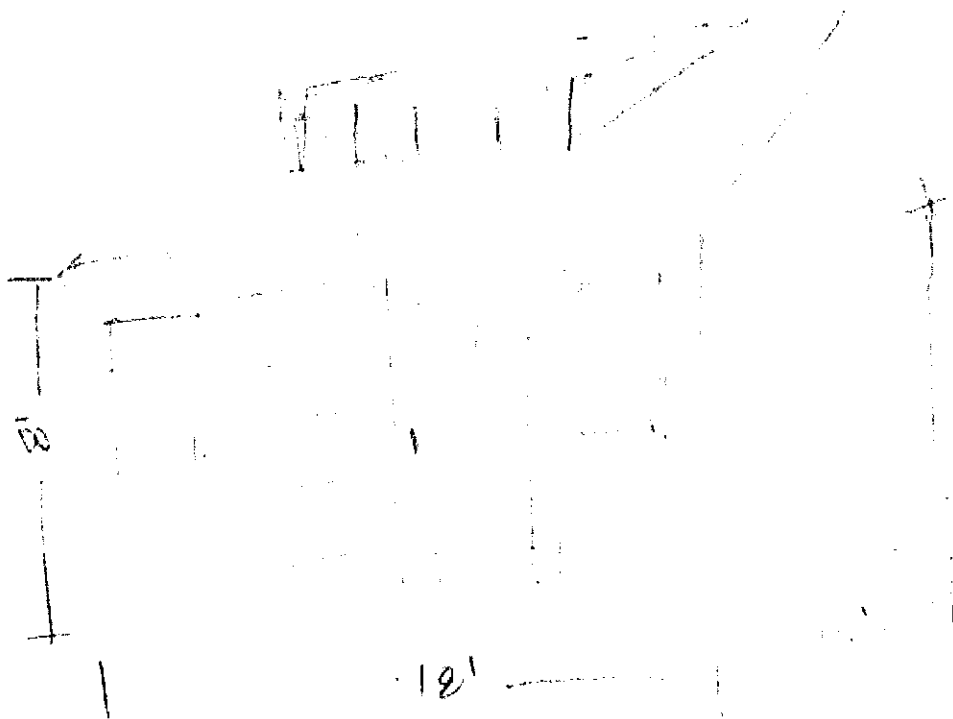
I am committed to complying with all other zoning regulations and ensuring that the shed is constructed to high standards of safety and aesthetics.

Thank you for your time and consideration of this request. I am available to provide any additional information or answer questions at your convenience. I look forward to your response.

Sincerely,



Nicholas A. Bond



**Sunset Sheds**

11851 Seager Hill Rd.

Conewango Valley, NY 14726

**Building Materials:**

Kilned Dried Wood

Black Metal Roof

Vinyl Doors and Windows

Plywood Waterproof Flooring

2x4 walls, Roof and Floor

2x6 Floor Framing

Prefabricated Panels Assembled on site.

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

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

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

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

Raymond M. Wrazen  
[rwrazen@townofaurora.com](mailto:rwrazen@townofaurora.com)

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

CODE ENFORCEMENT  
OFFICER  
Elizabeth Cassidy  
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[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 5, 2024

Nicholas A. Bond  
1603 Hubbard Road  
East Aurora, NY 14052

Mr. Bond:

The Building Department has reviewed the request to have *an accessory structure (pool shed) at 1603 Hubbard Road, East Aurora, NY (SBL: 187.02-1-49)*. The request has been denied because it fails to meet the minimum separation requirement between your dwelling and the accessory building/structure (pool shed) for your RR zoning district.

*Section 116.18A(3)*

*Required: In any R District, no accessory building/structure shall be erected or altered so as to be nearer than 10 feet to any dwelling unless attached thereto.*

*Requested: 5' separation between dwelling and accessory building/structure (pool shed).*

*Variance: 5'*

*Section 116.8.4F(1)*

*Required: 75' front yard set back*

*Requested: 50.45' (existing)*

*Variance: 24.55'*

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

Sincerely,

Richard Miga  
Assistant Code Enforcement Officer

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

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

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

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Shed Placement Variance			
Project Location (describe, and attach a location map): 1603 Hubbard Rd. East Aurora, NY 14052			
Brief Description of Proposed Action: Requesting a variance to allow for a shed to be placed at 5 feet from the existing garage, at 1603 Hubbard Rd. East Aurora, NY 14052.			
Name of Applicant or Sponsor: Nicholas A. Bond		Telepl _____ E-Ma _____	
Address: 1603 Hubbard Rd.			
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.			NO <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:			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 1.028 acres b. Total acreage to be physically disturbed? _____ 0 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 1.028 acres			YES <input type="checkbox"/>
4. Check all land uses that occur on, are adjoining or near the proposed action: <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

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? 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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<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: _____ _____	NO	YES	
	<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: _____ _____	NO	YES	
	<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: _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<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?  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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<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:

Shoreline 
  Forest 
  Agricultural/grasslands 
  Early mid-successional  
 Wetland 
  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	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,  a. Will storm water discharges flow to adjacent properties?  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:  _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

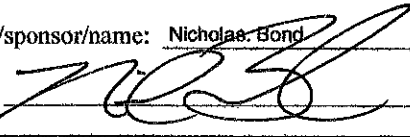
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:  _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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"/>

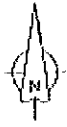
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:  _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

Applicant/sponsor/name: Nicholae Bond Date: June 24, 2024

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

PRINT FORM



# HUBBARD (66' WIDE) ROAD

12.29' TO THE CENTER LINE OF CENTER STREET (E-WIDE)

200.00'

NORTH L.N.L. OF LOT 21

FOUND CORNER 42.74' ON LINE

FOUND CORNER 42.74' ON LINE

224.00'

224.00'

1.029 ACRES (INCLUDING HIGHWAY)

2 STORY FRAME HOUSE

**5' requested setback**

200.00'

GRAVEL DRIVE  
GRAVEL DRIVE  
FRAME BARN

FOUND CORNER 40.00' ON LINE

FOUND CORNER 42.74' ON LINE

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

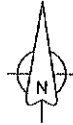
Unauthorized alterations or additions to any survey, drawing, design, specification, plan or report is a violation of section 1700, provisions 2 of the New York State Education Law.

*Thornton A. Kenyon*

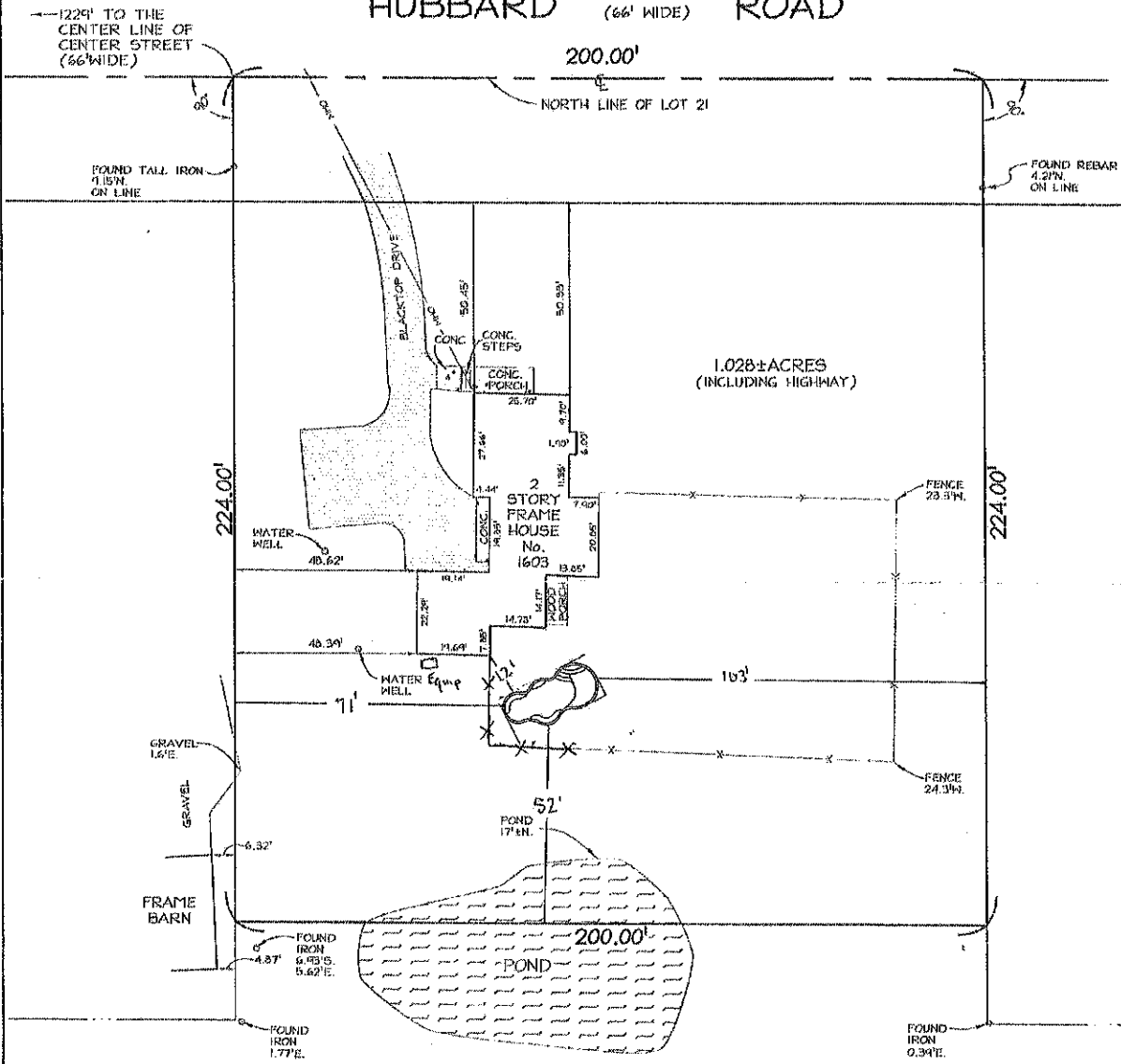
NO CORNER SET OR CORNER OR PRESENT CORNERS SHOWN HEREON

PART OF LOT 21		COUNTY OF ALBANY		STATE OF NEW YORK		SCALE 1" = 40'	
LOCALITY - TOWN OF ALBANY		TRACT NAME -		REQUESTED BY		JOB NO.	
		KIND		DATE		REQUESTED BY	
		SURVEY		05/24/73		SARASINI & MARCELLO, P.C.	
		REQUIRE		07/17/79		CATHY A. KELLEY, ENG.	
IN WITNESS WHEREOF, I, the said Professional Engineer, have hereunto set my hand and the seal of my office at Catskill, New York, this 17th day of July, 1979.							

Subscribed to the records of Great Land Surveys  
 Subscribed to the records of James W. Foster, Esq. Surveyor



# HUBBARD (66' WIDE) ROAD



1.028±ACRES  
(INCLUDING HIGHWAY)

Proposed 12x26 Inground Pool

Setbacks:  
 North 12'  
 South PL 52'  
 East PL 103'  
 West PL 71'

Existing 48" Wooden Fence  
 around pool area

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.

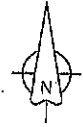
Unauthorized alterations or additions to any survey, drawing, design, specification, plan or report is a violation of section 7209, provision 2 of the New York State Education Law.

*Thornton A. Kenyon*

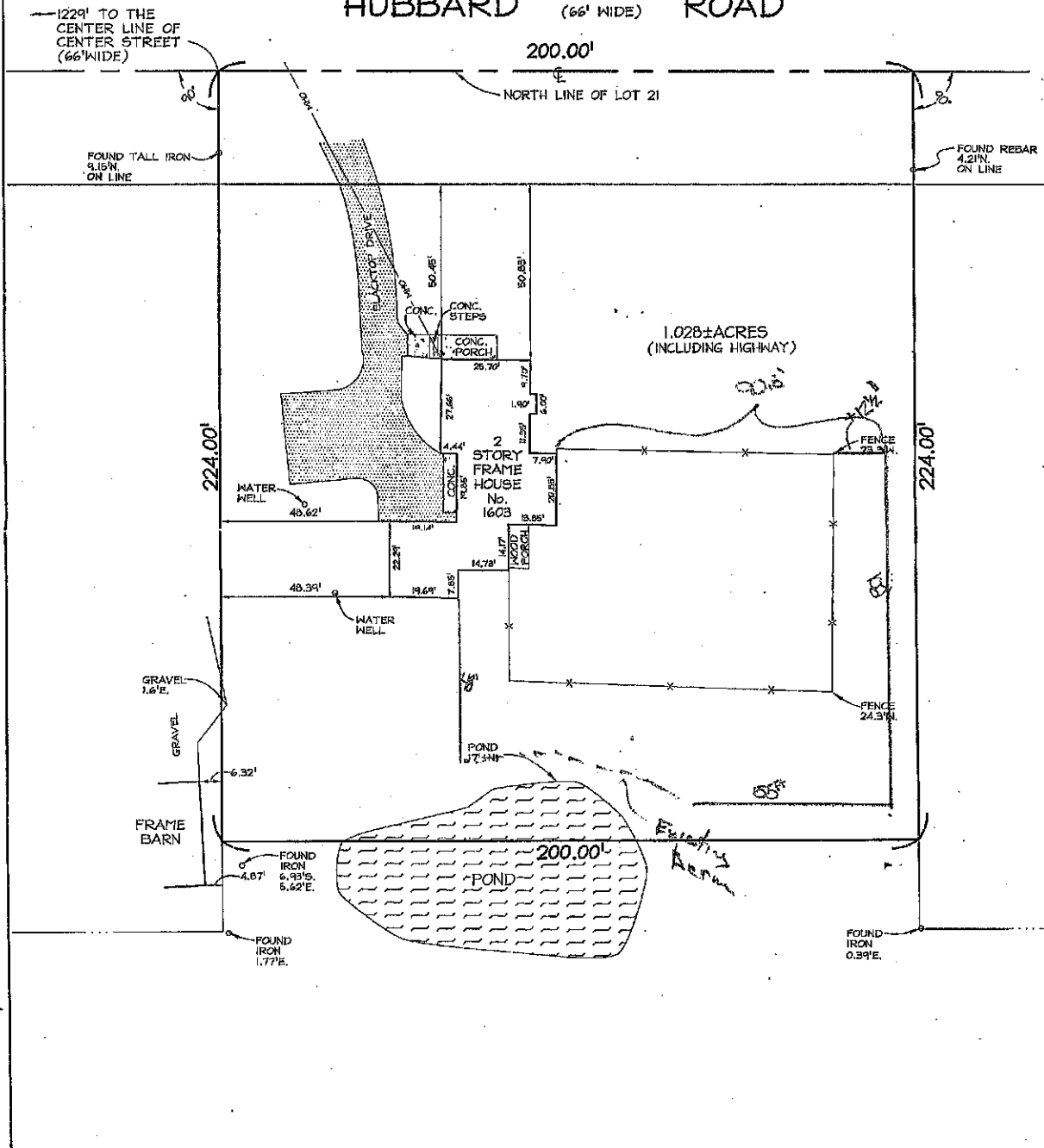
NO IRONS SET OR FOUND AT PROPERTY CORNERS UNLESS NOTED HEREON.

PART OF LOT(S) : 21		SECTION : 1	TOWNSHIP : 9	RANGE : 6	STATE OF NEW YORK		SCALE : 1" = 30'
LOCATION : TOWN OF AURORA		COUNTY OF ERIE					
	KIND	DATE	REQUESTED BY		JOB NO.		
	SURVEY	4/26/13	SAKONSKI & MARKELLO, P.C.		13.J3-0125		
	RESURVEY	9/25/16	SETH A. KELLEY, ESO.		13.J3-0129A		
100 Hamburg Street - P.O. Box 516 East Aurora, New York 14052-0516 (716) 685-1050							

2



# HUBBARD (66' WIDE) ROAD



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 is a violation of section 7204, provision 2 of the New York State Education Law.

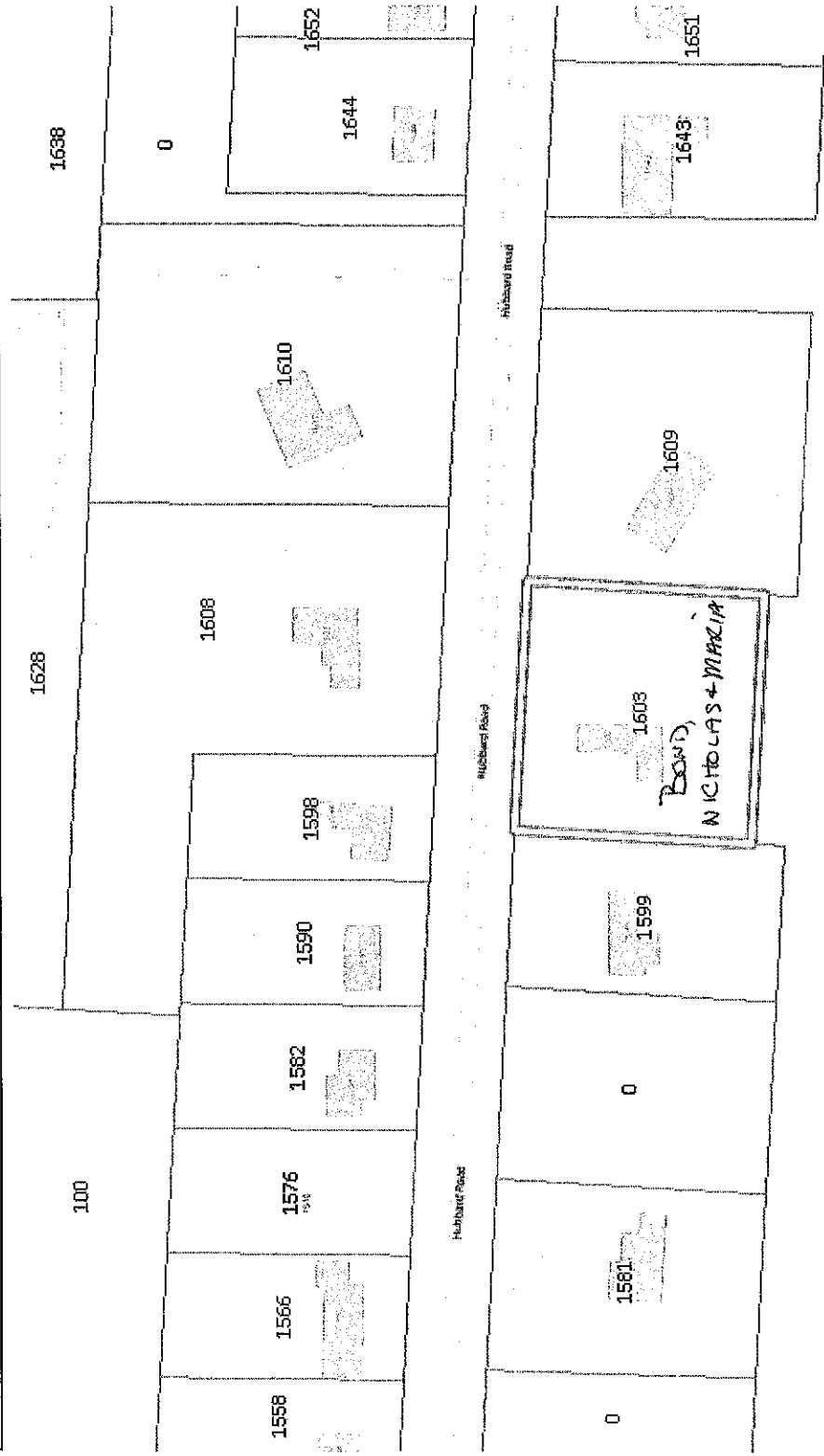
*Thornton D. Kenyon*

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

PART OF LOT(S) : 21	SECTION : 4	TOWNSHIP : 9	RANGE : 6	STATE OF NEW YORK	SCALE: 1" = 30'
LOCATION : TOWN OF AURORA		COUNTY OF ERIE		REQUESTED BY	JOB NO.
<p>100 Hamburg Street-P.O. Box 816 East Aurora, New York 14052-0516 (716) 655-1058</p>		KIND	DATE	SAKONSKI & MARCELLO, P.C.	13.B-0125
		SURVEY	4/26/13	SETH A. KELLEY, ESQ.	13.B-0125A
		RESURVEY	9/23/15		



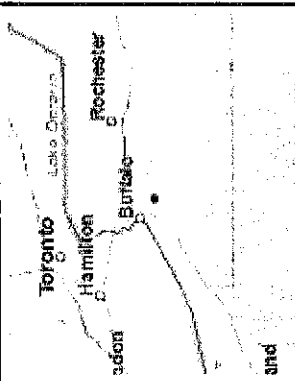
# Erie County On-Line Mapping Application



*WNY LAND CONSERVANCY*

0

**Legend**  
□ Parcels



0 0.04 0.1 Miles

WGS 1984 Web Mercator Auxiliary Sphere  
THIS MAP IS NOT TO BE USED FOR NAVIGATION

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

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

1: 2,257

