

OK as to form only

TOWN OF AURORA
Zoning Board of Appeals Request

PAID
7500
7500

Building Application # _____
Building Permit # _____

Zoning Appeal Case No. 1264
Date 5.19.16

TO THE ZONING BOARD OF APPEALS, TOWN OF AURORA, NEW YORK

I, (we) Sean Miller of 719 Center St East Aurora
HEREBY APPEAL TO THE ZONING BOARD OF APPEALS FROM THE DECISION OF THE BUILDING
INSPECTOR on APPLICATION NO. _____ WHEREBY THE BUILDING INSPECTOR DID DENY

TO Sean Miller
Name of Applicant

OF 697 Center, East Aurora, New York
(Street & Number) (Municipality) (State)

- A PERMIT FOR USE
- A VARIANCE FROM ZONING ORDINANCE
- A TEMPORARY PERMIT OR EXTENSION THEREOF
- A CERTIFICATE OF EXISTING USE
- A PERMIT FOR OCCUPANCY

=====

1. LOCATION OF THE PROPERTY 447 Center Street
SBL # 187.02-1-60 ZONING DISTRICT A

2. PROVISION(S) OF THE ZONING ORDINANCE APPEALED. (Indicate the Article, section, sub-section,
and paragraph of the Zoning Ordinance being appealed, by number. Do not quote the Ordinance)
116-29B

3. TYPE OF APPEAL. Appeal is made herewith for:
 An interpretation A variance - to the Zoning Ordinance
 An exception A temporary permit

4. A PREVIOUS APPEAL has has not been made with respect to this decision of the Building Inspector
or with respect to this property

NAMES AND ADDRESSES OF OWNERS OF ABUTTING PROPERTIES ARE:
See attached list marked as an exhibit.

STATE OF NEW YORK
COUNTY OF ERIE
Town of Aurora

[Signature]
Signature(s)
719 Center St E. Aurora NY, 14052
Mailing Address

Sean W. Miller, being duly sworn, deposed and says that he is the petitioner in this
action; that he has read the foregoing Request and knows the contents thereof; that the same is true to the
knowledge of deponent.

4/28/16 BATT
936496

Sworn to before me this 26th
day of April, 2016

Christina L. Christen
NOTARY PUBLIC

CHRISTINA L. CHRISTEN
NOTARY PUBLIC, STATE OF NEW YORK
REGISTRATION NO.01CH6142672
QUALIFIED IN ERIE COUNTY
COMMISSION EXPIRES MARCH 20, 2018



Town of Aurora
300 Glead Avenue
East Aurora NY 14052



Zoning Board of Appeals Petitioner's Letter of Intent

Applicants Name Sean Miller
Address 719 Center Street East Aurora New York 14052
Telephone (716) 983-5950

Address of appeal 697 Center Street East Aurora New York 14052
Zoning District A
Zoning Code Section 116-29B

Type of Appeal:

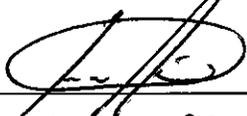
- A PERMIT FOR USE A CERTIFICATE OF EXISTING USE
 A VARIANCE FROM ZONING ORDINANCE A PERMIT FOR OCCUPANCY
 A TEMPORARY PERMIT OR EXTENSION THEREOF

GROUND FOR VARIANCE: (may continue on separate sheet)

In accordance with the Erie County Sewer Authority Properties that are set back beyond 300 feet from the road may use a septic system and may be exempt from using a county sewer system. Due to the fact that our house would be 500 feet from the road, we would like to apply for a variance to utilize a septic system. It would be the most economically feasible option to dispose of our sewage efficiently. Below are estimates for each type of sewage disposal methods.

ACKNOWLEDGMENT:

Pursuant to Section 809 of the New York State General Municipal Law, the appellant shall state in his written appeal that to the best of his knowledge, no state officer or officer or employee of the Town of Aurora, has any interest in the appellant as defined in Section 809 of the General Municipal Law. If this statement cannot be made, the nature of any such interest must be disclosed as required by said State Law

Petitioners Signature  Date 4/26/2016
 Owners Signature Sean Miller Date 4/26/2016

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

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

DO NOT WRITE IN THIS SPACE

Case No.: _____

Received: _____

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

Description of Proposed Action

1. Name of Municipality: Town of Aurora

2. Hearing Schedule: **Date** 5/19/2016 **Time** 7:00pm **Location** 300 Glead Avenue, E. Aurora

3. Action is before: Legislative Body Board of Appeals Planning Board

4. Action consists of: New Ordinance Rezone/Map Change Ordinance Amendment

Site Plan Variance Special Use Permit Other

5. Location of Property: Entire Municipality Specific as follows 719 Center St., E. Aurora

6. Referral required as Site is within 500' of: State or County Property/Institution Municipal Boundary Farm Operation located in an Agricultural District

Expressway County Road State Highway Proposed State or County Road, Property, Building/Institution, Drainageway

Use of private sewage disposal system when public sewers are available at road

7. Proposed change or use: (be specific) _____

8. Other remarks: (ID#, SBL#, etc.) SBL#187.02-1-60

9. Submitted by: Martha L. Librock, Town Clerk 4/28/2016

300 Glead Ave., E. Aurora, NY 14052

Reply to Municipality by Erie County Division of Planning

Receipt of the above-described proposed action is acknowledged on _____. The Division herewith submits its review and reply under the provisions of applicable state and local law, based on the information submitted with this referral.

1. The proposed action is not subject to review under the law.
2. Form ZR-3, Comment on Proposed Action is attached hereto.
3. The proposed action is subject to review; the Division makes the recommendation shown on Form ZR-4, Recommendation on Proposed Action, which is attached hereto.
4. No recommendation; proposed action has been reviewed and determined to be of local concern

By the Division of Planning: _____ Date: _____

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



TOWN CLERK
Martha L. Librock
(716) 652-3280
townclerk@townofaurora.com

TOWN OF AURORA
Southside Municipal Center
300 Glead Avenue, East Aurora, NY 14052
www.townofaurora.com

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NYS Relay Number:
1(800) 662-1220

Sean Miller
697 Center St.
East Aurora, NY 14052

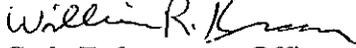
4/28/2016

RE: Sewer Connection

Sean,

Section 116-29 B requires a home owner to connect to public sewers if they are available. Any deviation from this requirement would need approval from the Town of Aurora Zoning Board of Appeals.

If you wish to pursue this matter further you must apply to the Town of Aurora Zoning Board of Appeals. You must include your application, application fee, and any documents to support your need for a variance from the Town Code. If you have any questions contact us 652-7591.

William R. Kramer

Code Enforcement Officer



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE
DEPARTMENT OF ENVIRONMENT & PLANNING

THOMAS J. DEARING
COMMISSIONER

JOSEPH L. FIEGL, P.E.
DEPUTY COMMISSIONER

April 25, 2016

William Cramer
Town of East Aurora
Code Enforcement Officer
300 Glead Avenue
East Aurora, New York 14052

RE: Erie County Sewer District No. 8
Sanitary Sewer Service for Mr. Sean Miller
Property Located at 697 Center Street, East Aurora NY

Dear Mr. Cramer:

Regarding sanitary sewer service for the proposed building of Mr. Sean Miller, located at 697 Center Street, East Aurora, NY the Division of Sewerage Management (DSM) does not object to service this home by means of a private sanitary septic system, approved by the Erie County Health Department.

This decision is pursuant to Erie County Sewer District Rules and Regulations, Article II, Section 201, which states that buildings located beyond three hundred (300) feet from the sanitary sewer may be exempt from connecting.

Should you have any questions concerning this matter, please contact me at 858-8663.

Sincerely,

Peter J. Ruffino
Assistant Sanitary Engineer

Cc: Steve Canestrari, Sewer District Manager
Sean Miller
M. Salah/3.2.4.Permits

Section 155 Words, if defined in or pursuant to the Act and not otherwise defined herein, shall have the meaning so defined in or pursuant to the Act.

ARTICLE II

USE OF SANITARY SEWERS REQUIRED

Section 201 - Connection of Facilities

The owner of any building which has internal plumbing and is used for human occupancy, employment, recreation or other human activity, situated within a District and accessible to a Sanitary Sewer is required at the property owner's expense to connect the Building Sewer to the Sanitary Sewer in accordance with the provisions of the Construction Specifications For Erie County Sewer Districts. The connection shall be made within ninety (90) days after date of official notice to connect, providing that said Sanitary Sewer is available to the building to be serviced. Buildings located beyond three hundred (300) feet from the Sanitary Sewer or which cannot be economically connected because of unusual physical limitations may be exempt from connecting if they have a private Sewage disposal system which is operating properly and which has been approved by the Erie County Health Department or the New York State Department of Environmental Conservation, and they receive permission from the District.

ARTICLE III

BUILDING SEWER AND SEWERAGE SYSTEM EXTENSIONS

Section 301 - Permit

No Person shall uncover, make any connection to, opening into, use, Tamper, or disturb any District Sanitary Sewer or appurtenance thereof without a permit. Connection shall be permitted under Inspection only with a written permit from the District. The owner or his agent shall make application for a permit for connection or other work pertaining to the Sewerage System on the form furnished by the District office, supplemented by any plans, specifications or other information considered pertinent in the judgment of the District.

KANDEFER PLUMBING & HEATING, INC

Established 1946
Stanley J. Kandefer, Pres.
SERVICE-DISABLED VETERAN OWNED

2247 Union Rd.
West Seneca, NY 14224
716-668-4677 phone
716-668-4678 fax

4/21/16

We are pleased to quote the labor, equipment, and material necessary to complete the following scope of work at 697 Center Rd East Aurora.

EXTERIOR PLUMBING:

SEWERLINE:

- Install new forced main sewer Approx 520'
- Road cut and patch.
- Pump tank and 2 pumps
- Embedment of pipe
- Includes Erie County permit
- Includes calling underground utilities for stake out

ESTIMATE \$ 35,875.00

Petitioner: Sean Miller
697 Center St
East Aurora, NY 14052

SBL#: 187.02-1-61

=====

Abutting Properties:

Mailing Address (if different)

SBL: 175.04-2-16
Edward & Jane Kolz
675 Center St
East Aurora, NY 14052

SBL: 187.02-1-41.22
Joseph & Julie VanCuren
690 Center St
East Aurora, NY 14052

SBL: 187.02-1-41.21
Thomas & Lillian O'Connor
696 Center St
East Aurora, NY 14052

SBL: 187.02-1-41.1
Douglas D Schumann
V/L Center

Attn: P-Q Controls Inc
95 Dolphin Rd
Bristol, CT 06010

SBL: 187.02-1-60
Marleah H Miller L/E
Et al
100 North Lake Dr Unit 35
Orchard Park, NY 14127

SBL: 187.02-1-1.2
Edgar F E Miller III & Mae Kim Miller
719 Center St
East Aurora, NY 14052

Sean W Miller

697 Center St

SBL: 187.02-1-61

