



CASE NO. 1447
DATE OF HEARING 8/17/2023

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 JAY BRAYMILLER IZA
Address 5000 RICE ROAD
City BOSTON State NY ZIP 14025
Phone 716 348 9044 Fax / Email JBRaymiller@icloud.com
Interest in the property (ex: owner/purchaser/developer) ARCHITECT

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

Property Owner(s) Name(s) ALEXANDER MADDOX LLC
Address 180 WILLARDSHIRE
City EAST AURORA State NY ZIP 14052
Phone / Fax / Email JBoud.com

III. PROPERTY INFORMATION

Property Address 180 WILLARDSHIRE
SBL# 164.00-1-9
Property size in acres 11.97 Property Frontage in feet 130'
Zoning District RIA Surrounding Zoning RIA
Current Use of Property RESIDENTIAL

IV. REQUEST DETAIL

(check all that apply)

Variance from Ordinance Section(s) # 116-28 A
 Special Use Permit for: _____
 Use Variance for: _____
 Interpretation of _____

PETITIONER'S LETTER OF INTENT

Please describe in detail the proposed project, reason the variance and/or special use permit is being requested and any additional information that may be helpful to the Zoning Board of Appeals in deciding this appeal: (attach additional pages if needed)

install a privacy gate and two stone piers.
gate is approximately 14' wide.
piers are 6' tall above grade.

TO BE COMPLETED ONLY WHEN A USE VARIANCE IS BEING REQUESTED:

A Use Variance is requested because the applicable regulations and restrictions in the Zoning Code of the Town of Aurora have caused unnecessary hardship as demonstrated by the following:

1) I cannot realize a reasonable return on my property for each and every permitted use allowed in the current zoning classification as demonstrated by the accompanying financial evidence (provide financial evidence to support your argument).
Financial Evidence Provided Yes No (financial evidence is required per NYS Town Law)

2) Describe why your alleged hardship relating to the subject property is unique and does not apply to other properties in the zoning district or neighborhood: _____

3) Describe why you believe that the essential character of the neighborhood/community will not change if the Zoning Board of Appeals grants you a use variance: _____

4) Is your need for a use variance a result of you own actions (is your difficulty self-created)? Please explain: _____

(Attach additional pages if needed)

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



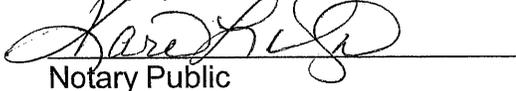
Signature of Applicant/Petitioner

Jay Braymiller

Print name of Applicant/Petitioner

State of New York; County of Erie

On the 17 day of July in the year 23 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)

KARIN L. DOJNIK
Notary Public, State of New York
Reg. # 01DO6445148
Qualified in Erie County
Commission Expires December 12, 2026

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 _____

Town of Aurora
300 Gleed Avenue
East Aurora, NY 14052
www.townofaurora.com

**Zoning Board of Appeals
Application
Owner Authorization**

The undersigned, who is the owner of the premises know as:

180 WILLARDSHIRE
(address), identified as Tax Map (SBL)# 164.00-1-9

hereby authorizes JAY BRAYMILLER RA to bring an application for area variance
 special use permit use variance interpretation before the Town of Aurora Zoning Board of
Appeals for review and potential approval. The undersigned further permits the Town or its authorized
representative(s) access to the property to review existing site conditions during the review process.

Hayley Beane
Owner (print)

7/18/23
Date

Hayley Beane
Owner (signature)

STATE OF NEW YORK)
) SS
COUNTY OF ERIE)

On this 18 day of July, 2023 before me, the undersigned, a notary public in and for said state,
personally appeared Hayley Beane, personally known to me on the basis of
satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and
acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their
signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted,
executed the instrument.

[Signature]
Notary Public

MARGARET M. BRAYMILLER
Notary Public, State of New York
Qualified in Erie County
Registration #: 01BR4941007
Commission Exp. August 15, 2026

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



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

TOWN OF AURORA

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

TOWN COUNCIL MEMBERS

Charles D. Snyder
csnyder@townofaurora.com

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lwochensky@townofaurora.com

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

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

DIR. OF RECREATION
Christopher Musshafen
(716) 652-8866
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

FAX: (716) 652-3507

Jay Braymiller RA
5660 Rice Rd
Boston NY 14025

Jay:

The Building Department has reviewed your request to construct fence and gate at your client's property at 180 Willardshire Rd. The request has been denied because it fails to meet the code requirements for fences in the RR Zoning District in which the property is located.

Section 116-28A

Required: The following structure shall be allowed within required yards: a wall or fence not over 3.5' high in any front yard.

Requested: Fence 5' and gate and pillars 6'

Variance: fence 1.5, gate and pillars 2.5'

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

Sincerely,

Elizabeth Cassidy
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.

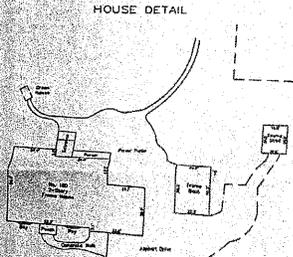
Part 1 - Project and Sponsor Information			
DRIVEWAY PRIVACY GATE			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
180 WILLARDSHIRE EAST AURORA NY 14025			
Brief Description of Proposed Action:			
INSTALL PRIVACY gate with 3'x3'x8' tall stone pier At end of existing drive			
Name of Applicant or Sponsor:		Telephone: 6	
JAY BRAYMILLER RA		E-Mail: jk wd.com	
Address:			
5660 RICE ROAD			
City/PO:		State:	Zip Code:
BOSTON		NY	14025
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO
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.			YES
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:			NO
TOWN OF AURORA - BUILDING PERMIT			YES
3.a. Total acreage of the site of the proposed action?		10.97 acres	
b. Total acreage to be physically disturbed?		NA acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		10.97 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input checked="" type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<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	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 checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<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 site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input 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? 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: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input checked="" 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, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

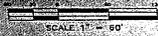
<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Jay Braymiller RA.</u> Date: <u>7/17/23</u></p> <p>Signature: <u>JM</u></p>		

RECORD OF SURVEY

180 WILLIARDSHIRE ROAD
PART OF LOT 40, TOWNSHIP 9, RANGE 6
OF THE HOLLAND LAND COMPANY'S SURVEY
TOWN OF AURORA
ERIE COUNTY, NEW YORK



SCALE 1" = 30'



GENERAL NOTES

1. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE IN FEET AND DECIMALS THEREOF.
2. ALL DIMENSIONS ARE TO THE CENTER OF THE ROAD UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO THE CENTER OF THE ROAD UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS ARE TO THE CENTER OF THE ROAD UNLESS OTHERWISE NOTED.
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LEGEND

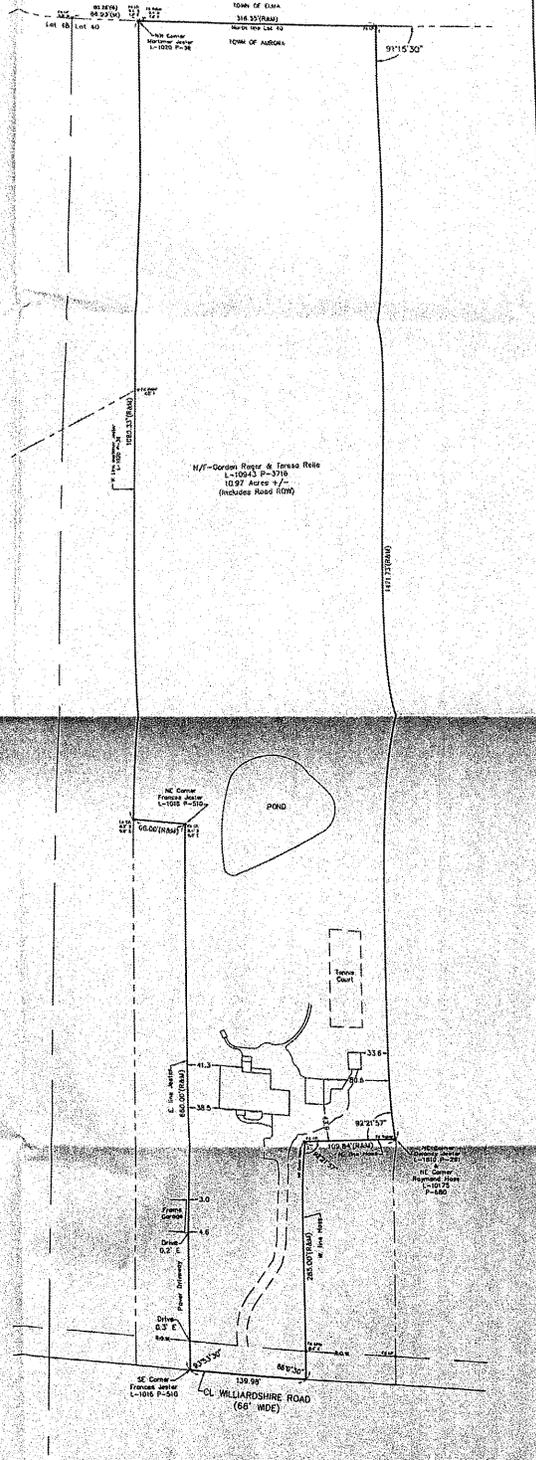
- END CORNER MONUMENT
- ⊙ SET COR MONUMENT
- N/F NOW OR FORMERLY OWNED BY
- (R) RECORD DIMENSION OR ANGLE
- (M) MEASURED DIMENSION OR ANGLE

SURVEYOR'S STATEMENT

I, JEFFREY A. GENZEL, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NEW YORK, DO HEREBY STATE THAT THIS RECORD OF SURVEY OF THE LAND AS DESCRIBED HEREON WAS PREPARED FROM THE FIELD NOTES OF AN ACTUAL FIELD SURVEY MADE BY ME DURING OCTOBER 2022.

I HEREBY STATE THAT IN MY PROFESSIONAL OPINION IT CORRECTLY AND ACCURATELY REPRESENTS THE MONUMENTS AND PROPERTY LINES AS SET OR FOUND AT THE TIME OF SAID SURVEY.

Jeffrey A. Genzel
JEFFREY A. GENZEL
NEW YORK, N.Y.S. 059523



Sheet 11

PROJECT: RECORD OF SURVEY
180 WILLIARDSHIRE ROAD
TOWN OF AURORA
ERIE COUNTY, NEW YORK

GENZEL LAND SURVEYING, P.C.
7033 COLE ROAD COLDEN, NEW YORK 14033
PH: (716) 667-9733 EMAIL: Jeff@Genzelsurvey.com

PROJECT: 8804
DATE: 10/14/22
SURVEYOR: JAG
DRAWN BY: JAG

CONSTRUCTION PLAN KEYNOTES

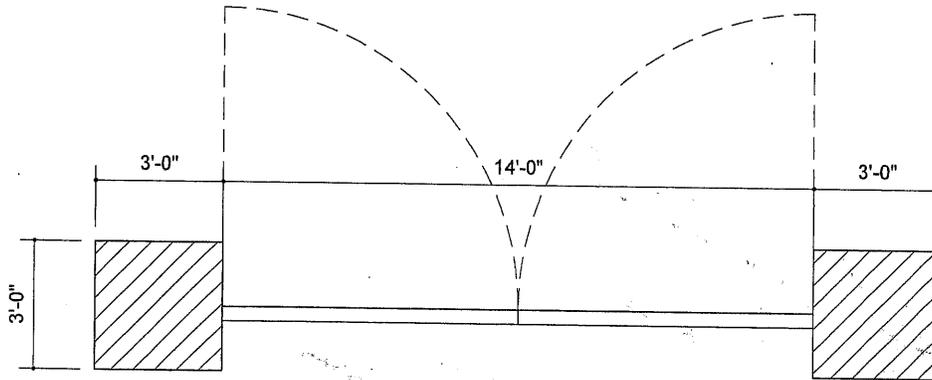
- ① NEW STONE PIER ENTRY GATE
- ② NEW PERIMETER FENCING

WALL TYPE KEY

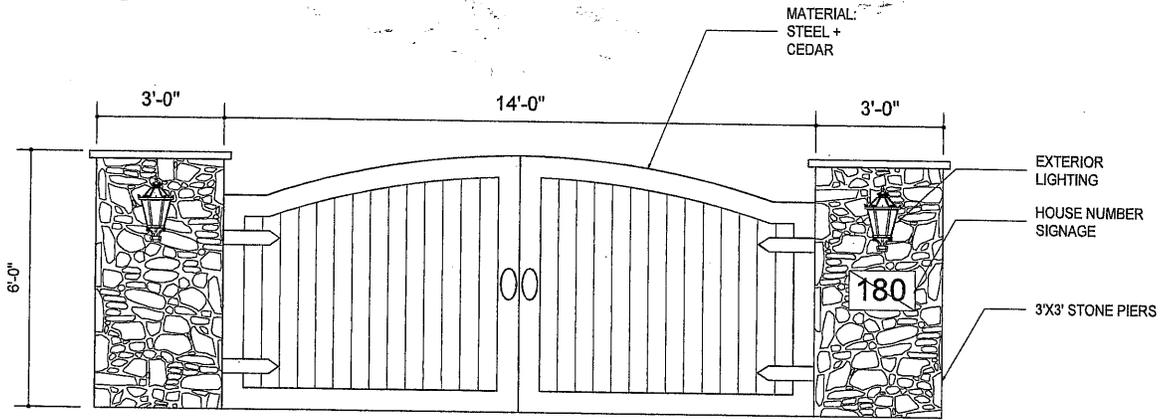
-  EXISTING WALLS
-  NEW CONSTRUCTION
-  AREA OF NO WORK

SHEET NOTES

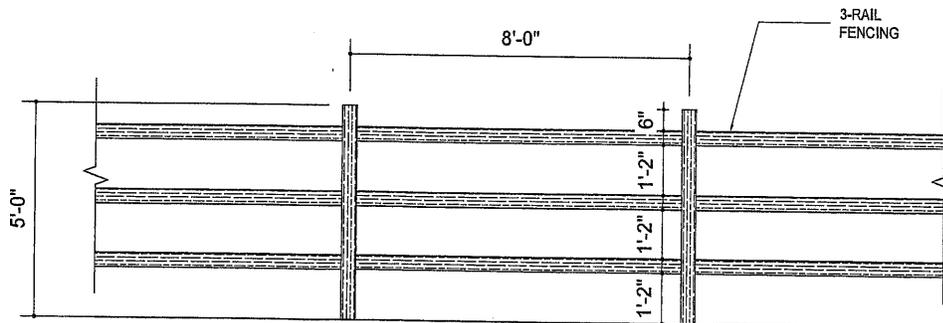
1. SEE DRAWING G-01 FOR SYMBOL LEGEND AND DR G-00 FOR GENERAL NOTES AND CONSTRUCTION NOTES. APPLY TO ALL ELEVATION DRAWINGS.
2. CONSTRUCTION PLAN KEYNOTES AND SHEET NOT APPLY TO ALL ELEVATION DRAWINGS.
3. DO NOT SCALE DRAWINGS. USE ONLY FIGURED DIMENSIONS. LARGE SCALE DRAWINGS TAKE PRECEDENCE OVER SMALL SCALE DRAWINGS.
4. CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN FIELD. IF ANY +/- DIMENSIONS VARY BY MORE THAN 2" NO ARCHITECT BEFORE PROCEEDING WITH WORK.



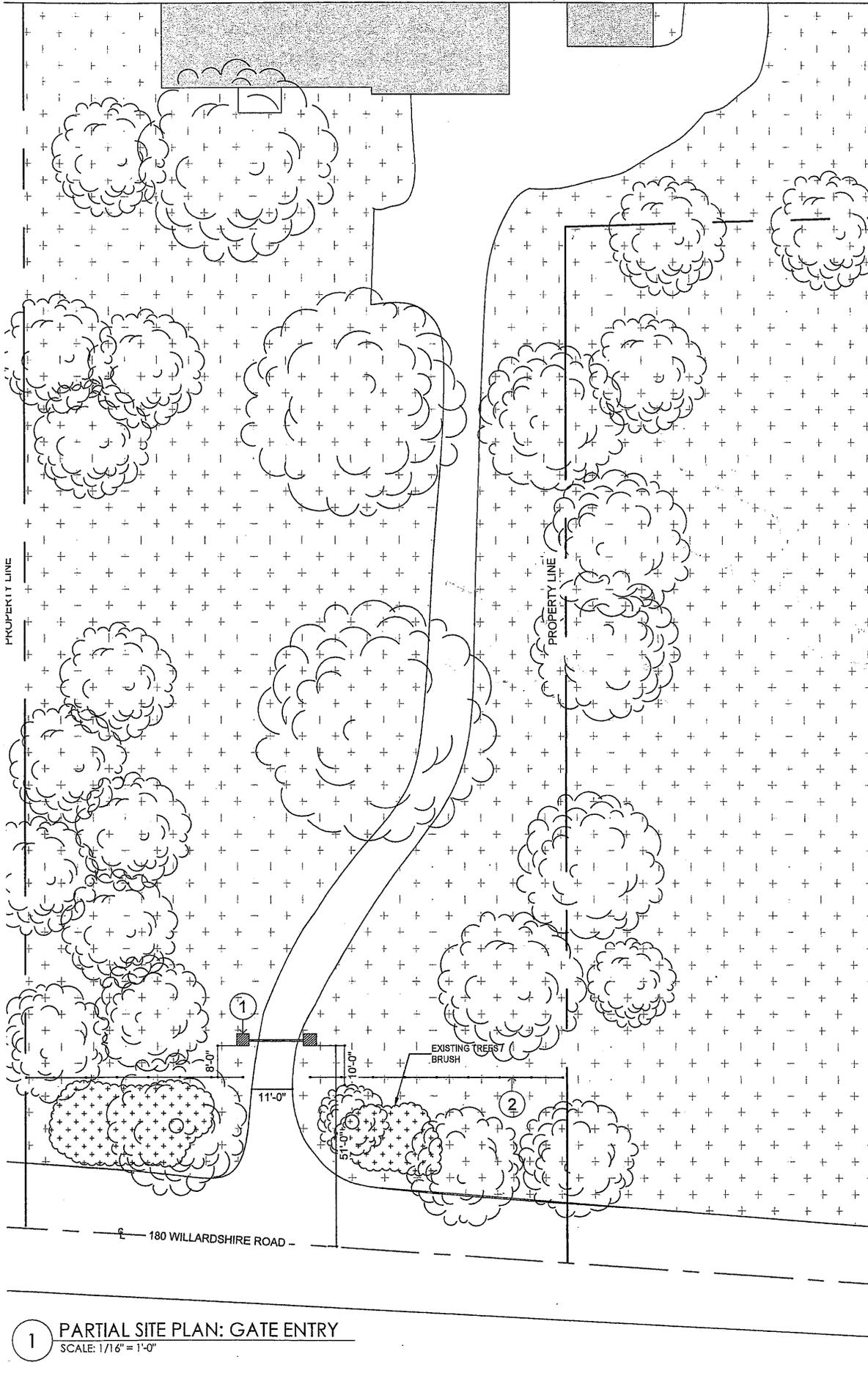
② **PLAN: ENTRY GATE**
SCALE: 1/2" = 1'-0"



③ **ELEVATION: ENTRY GATE**
SCALE: 1/2" = 1'-0"



④ **ELEVATION: FENCING**
SCALE: 1/2" = 1'-0"



JAY BRAYMILLER ARCHITECTS

JAY BRAYMILLER, R.A.
5660 RICE ROAD
BOSTON, NY 14025

EMAIL: JBRAYMILLER@ROADRUNNER.COM
TEL: (714) 348-9046

A RED SEAL AND BLUE SIGNATURE INDICATES AN ORIGINAL DOCUMENT.

PROJECT INFORMATION

PROJECT ADDRESS:
180 WILLARDSHIRE ROAD
EAST AURORA, NY 14052

PROJECT #: 110
DRAFTED: R.F.
SCALE: AS NOTED
DATE: 07.14.23

REVISIONS:

MARK	DATE	DESCRIPTION
1	10.13.22	EXISTING CONDITIONS
1	01.20.23	PERMIT SET
1	06.18.23	CONSTRUCTION SET
1	07.18.23	CONSTRUCTION SET

COPYRIGHT © 2021, JAY BRAYMILLER ARCHITECTS

This is a single sheet of a cohesive set of construction documents, including drawings and specifications. Interpretation of the information presented is to be based on the entire set of documents.

ENTRY
GATE
DETAILS

A-14

1 PARTIAL SITE PLAN: GATE ENTRY
SCALE: 1/16" = 1'-0"