



original

CASE NO. 1504
DATE OF HEARING 6/18/25

Town of Aurora Zoning Board of Appeals
575 Oakwood 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 Alexander Bosko
Address 2270 Lewis Road
City South Wales State NY ZIP 14139
Phone 716- Email abc.com
Interest in the (urchaser/developer) owner

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

Property Owner(s) Name(s) SAME
Address _____
City _____ State _____ ZIP _____
Phone _____ Fax _____ Email _____

III. PROPERTY INFORMATION

Property Address 2270 Lewis Road, South Wales NY 14139
SBL# 201.00-3-18
Property size in acres 1.52 Property Frontage in feet 154
Zoning District RR Surrounding Zoning RR
Current Use of Property Residence

IV. REQUEST DETAIL

(check all that apply)

☒ Variance from Ordinance Section(s) # 116-8.4F(1)
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)

See attached

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)

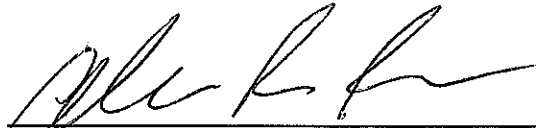
Brief Description of Proposed Action:

This proposal is to construct an addition to the single family dwelling at 2270 Lewis Road in South Wales. The current residence is under initial renovation to become a three bedroom and two bath home of approximately 1400 sqft. This project will add a mudroom (150sqft) and front porch to the home.

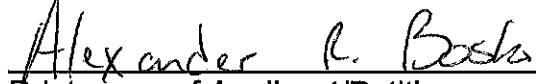
The selected layout, shown in attached architectural drawings, optimizes the space for use and simplifies construction. With the proposed layout, an exception to the towns 75' rural residential front yard setback is required. The proposed layout adds approximately 5'-9.5")to the front of the home, which currently is 60.39 ft from the front of the property. This addition would require updating a variance to the 75' Zoning code.

With the level of improvement the addition will provide to the property, this exception is believed to be warranted. We believe this will have a net positive effect for our family, neighborhood, and town.

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)



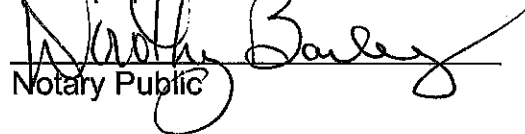
Signature of Applicant/Petitioner



Print name of Applicant/Petitioner

State of New York; County of Erie

On the 12 day of May in the year 2025 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, 2028

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 _____

SUPERVISOR
Charles D. Snyder
(716) 652-7590
csnyder@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

May 12, 2025

Luke Wochensky
lwochensky@townofaurora.com

James F. Granville
jgranville@townofaurora.com

Joseph M. McCann
jmccann@townofaurora.com

Raymond M. Wrazen
rwrazen@townofaurora.com

SUPT. OF HIGHWAYS
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(716) 652-4050
highway@townofaurora.com

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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

Alex Bosko
2270 Lewis Road
South Wales, NY 14139

Alex:

The Building Department has reviewed your request to construct an addition at 2270 Lewis Road (SBL 201.00-3-18). The request has been denied because the addition fails to meet the requirement for an front yard setback from the right-of-way.

*Sections 116-8.4F(1): Front yard depth or setback
Required: A minimum of 75 feet from the street right-of-way.
Requested: 54.59'
Variance: 20.41'*

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,

Richard Migá
Assistant Code Enforcement Officer

**SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, N.Y.
AND REPLY TO MUNICIPALITY**

Submit this form with full statement of proposed action (as described in GML 239-m(c)) at www.Erie.gov/IRonline, OR mail a hard copy (retain a copy for your files) to: Erie County Division of Planning, 95 Franklin Street, Room 1053, Buffalo, N.Y., 14202

DO NOT WRITE IN THIS SPACE

Case No.: _____

Postmark/Delivery Date: _____

The proposed action described herein is referred in accordance with the provisions of NYS General Municipal Law §239 l - nn
A Municipal Referral Map is available to help determine whether an applicable action is subject to referral.

Description of Proposed Action

1. Name of Municipality: Town of Aurora

§239-m(4)(b) provides that the county shall have 30 days after receipt of a full statement of the proposed action to reply.

If the county fails to reply within such period, the referring body may take final action.

However, any county reply received after 30 days but 2 or more days prior to final action by the referring body shall be subject to §239-m(5)

The referring body shall file a report of its final action with the county within 30 days per §239-m(6).

2. Hearing Schedule: **Date** 06/18/2025 **Time** 7:30pm **Location** 575 Oakwood Ave., E. Aurora, NY

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 ☒ Address: 2270 Lewis Rd, S. Wales

5a. S.B.L. of Property: 201.00-3-18

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

7. Proposed change or use: Addition to residence closer to front lot line than allowed by Town Code
(specify the action, such as the scope of variances or site plans)

8. Other remarks: _____

9. Submitted by: Martha Librock, Town Clerk **Email:** townclerk@townofaurora.com

10. Return Address: 575 Oakwood 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. ☐ Comment on proposed action is attached hereto.
3. ☐ The proposed action is subject to review; Recommendation on Proposed Action is attached hereto.
4. ☐ No Recommendation; proposed action has been reviewed and determined to be of local concern.

By the Division of Planning: _____ **Date:** _____

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

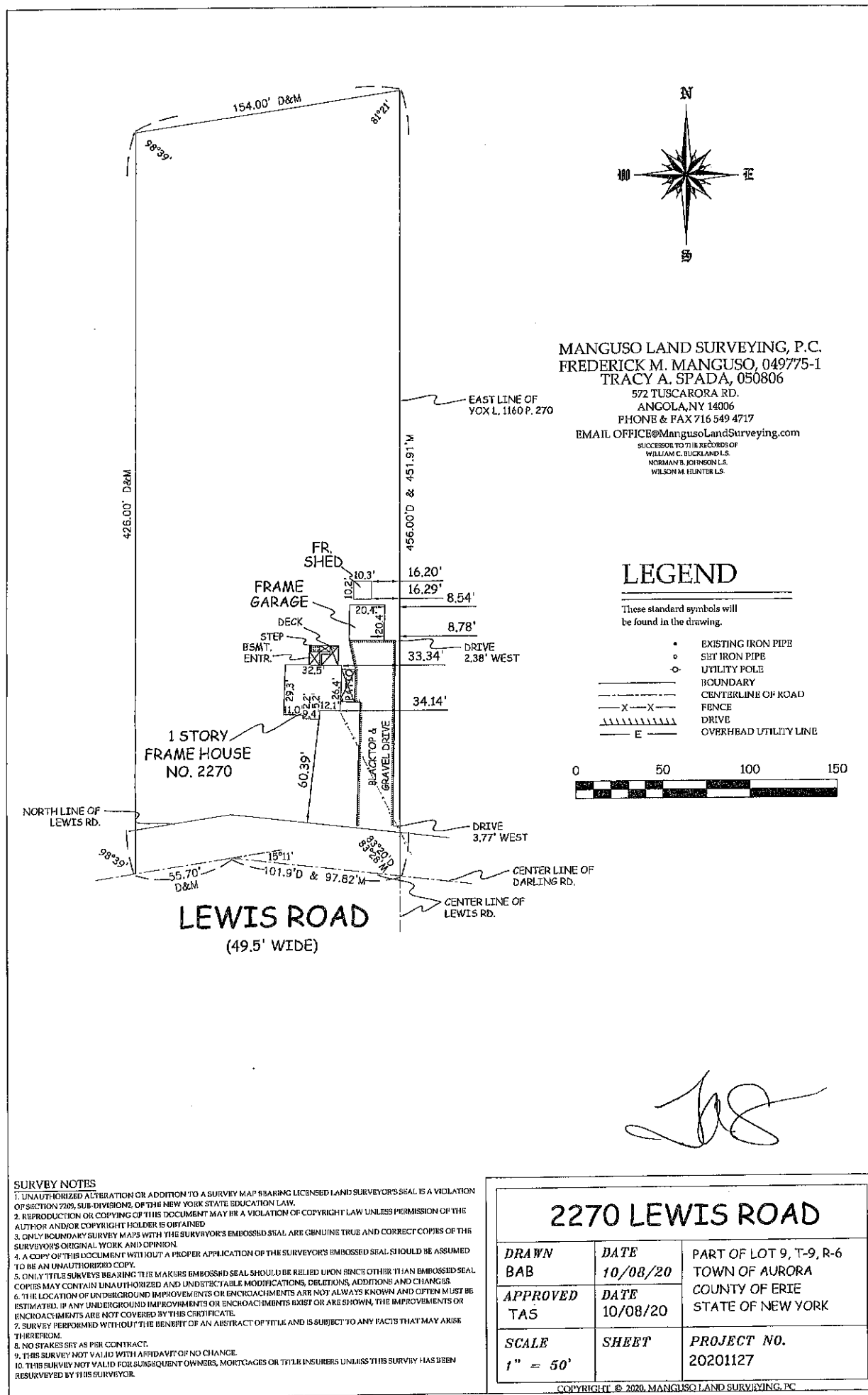
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: Residential Addition							
Project Location (describe, and attach a location map): 2270 Lewis Road South Wales NY 14139							
Brief Description of Proposed Action: Addition							
Name of Applicant or Sponsor: Alexander Bosko		Telephone: 716 333 7223 E-Mail: abosko@con					
Address: 2270 Lewis Road South Wales NY 14139							
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? 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="text-align: center;">NO</th> <th style="text-align: center;">YES</th> </tr> <tr> <td style="text-align: center;">☐</td> <td style="text-align: center;">☒</td> </tr> </table>	NO	YES	☐	☒
NO	YES						
☐	☒						
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> <th style="text-align: center;">NO</th> <th style="text-align: center;">YES</th> </tr> <tr> <td style="text-align: center;">☐</td> <td style="text-align: center;">☒</td> </tr> </table>	NO	YES	☐	☒
NO	YES						
☐	☒						
3. a. Total acreage of the site of the proposed action? 1.52 acres b. Total acreage to be physically disturbed? .02 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres							
4. Check all land uses that occur on, are adjoining or near the proposed action: ☐ Urban ☒ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Forest ☒ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland							

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
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: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
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?	☒	☐	
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: _____ _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☒	
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	
	☒	☐	
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?	☒	☐	
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	
	☒	☐	
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: _____ _____ _____			

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	
					☒	☐	
16. Is the project site located in the 100-year flood plan?					NO	YES	
					☒	☐	
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?					☒	☐	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? 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	
					☒	☐	
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	
					☒	☐	
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	
					☒	☐	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE							
Applicant/sponsor/name: <u>Alexander Bosko</u> Date: <u>5/12/25</u>							
Signature: <u>[Signature]</u> Title: <u>Owner</u>							



A-1

ERIE COUNTY CLERK'S OFFICE



County Clerk's Recording Page

Return to:

ALEXANDER & HEIDI BOSKO
2270 LEWIS RD
SOUTH WALES, NY 14139

Party 1:

CLARK JACOB A

Party 2:

BOSKO ALEXANDER R

Book Type: D Book: 11370 Page: 6600

Page Count: 4

Doc Type: DEED

Rec Date: 12/05/2020

Rec Time: 09:58:03 AM

Control #: 2020209533

UserID: Faith

Trans #: 20379773

Document Sequence Number

TT2020009740

Recording Fees:

RECORDING	\$40.00
COE CO \$1 RET	\$1.00
COE STATE \$14.25 GEN	\$14.25
COE STATE \$4.75 RM	\$4.75
RP5217 CNTY \$9	\$9.00
RP5217 ST-RES \$116	\$116.00
TP584	\$10.00

Consideration Amount: 185000.00

BASIC MT	\$0.00
SONYMA MT	\$0.00
ADDL MT/NFTA	\$0.00
SP MT/M-RAIL	\$0.00
NY STATE TT	\$740.00
ROAD FUND TT	\$925.00

Total: \$1,860.00

STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE

WARNING – THIS SHEET CONSTITUTES THE CLERK'S ENDORSEMENT REQUIRED BY SECTION 319&316-a (5) OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK. DO NOT DETACH. THIS IS NOT A BILL.

Michael P. Kearns
Erie County Clerk

Record + Return to:
Alexander + Heidi Bosko
2270 Lewis Road
South Wales NY 14139

**WARRANTY DEED WITH FULL COVENANTS
(INDIVIDUAL)**

STATUTORY FORM A

CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR SELLER AND PURCHASER BEFORE SIGNING.

THIS INDENTURE, made the 15th day of November, two thousand and twenty, **between** JACOB A. CLARK, 2270 Lewis Road, South Wales, New York 14139, party of the first part, and ALEXANDER R. BOSKO AND HEIDI A. BOSKO, husband and wife, 169 West Fillmore Avenue, East Aurora, New York 14052, parties of the second part,

WITNESSETH, that the party of the first part, in consideration of \$1.00 and more dollars, lawful money of the United States, paid by the parties of the second part, does hereby grant and release unto the parties of the second part, their successors and assigns forever,

SEE SCHEDULE "A" ATTACHED

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the parties of the second part, their successors and assigns forever,

AND the party of the first part covenants as follows:

FIRST. That said party of the first part is seized of the said premises in fee simple, and has good right to convey the same;

SECOND. That the parties of the second part shall quietly enjoy the said premises;

THIRD. That the said premises are free from encumbrances;

FOURTH. That the party of the first part will execute or procure any further necessary assurance of the title to said premises;

FIFTH. That said party of the first part will forever warrant the title to said premises.

SIXTH: That this grant is made subject to the trust fund provisions of Section 13 of the Lien Law.

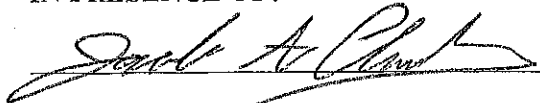
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

209533 re067.04

1-3
185.00

Deed-3
A. A. R.

IN PRESENCE OF:


JACOB A. CLARK

STATE OF NEW YORK)
) ss.:
COUNTY OF ERIE)

On the 5th day of November 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared JACOB A. CLARK, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



JACQUELYN A. MCGILLICUDDY
Notary Public, State of New York
Qualified in Erie County
My Commission Expires May 31, 2023

Issued By:

CHICAGO TITLE INSURANCE COMPANY

Schedule A

COMMITMENT FOR TITLE INSURANCE

No: 2013-8062EC

LEGAL DESCRIPTION

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

BEGINNING at a point in the east line of premises conveyed to Otto Yox and Kate Yox, his wife by deed recorded in the Erie County Clerk's Office in Liber 1160 of Deeds at page 270 and in the center of the highway as the same now exists and said point being the approximate westerly end of the Darling Road where the same joins with the highway known as the Lewis Road; thence northerly making a northwest angle with said Lewis Road of $83^{\circ} 20'$ and passing over an iron pipe placed 30 feet northerly from the point of beginning and along the east line of land conveyed by deed first above referred to, 456 feet to a point; thence westerly making an included angle with said last mentioned line of $81^{\circ} 21'$, 154 feet to a point; thence southerly making an included angle with said last mentioned line of $98^{\circ} 39'$, 426 feet passing over an iron pipe placed 33 feet north of the center of the paved portion of said Lewis Road and to the center of said highway known as the Lewis Road; thence easterly upon an exterior angle of $98^{\circ} 39'$ with the center of the paved portion of said Lewis Road, a distance of 55.7 feet; thence deflecting to the right $15^{\circ} 11'$ and along the center of said paved portion of said Lewis Road, 101.9 feet to the place of beginning.

3-9-8 & 9

For Conveyancing Only

Together with all right, title and interest of, in and to any streets and roads abutting the above described premises. Our Policy of Title Insurance includes such buildings and improvements thereon which by law constitute real property, unless specifically excepted therein.



Parcels

0	0.07	0.1 Miles
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**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: 4,514

