

TOWN OF AURORA

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

MEMO

TO: Supervisor Snyder and Town Board Members
FROM: Richard Miga, Assistant Code Enforcement Officer
DATE: August 25, 2025

Attached is an ODA application for 761 Quaker Road submitted by owner Paul Spahn II. The application is for the request to construct an accessory building/ structure (pole barn) on the west side of the rear yard of this existing nonconforming ODA lot. The Zoning Board of Appeals on 8/21/25, under case #1512, has approved the requests for a side yard setback of the detached garage and multiple existing lot variances.

The application will need to be referred to the Planning Board for their review and recommendation after which the Town Board will schedule a public hearing.

This is an Unlisted action for purposes of SEQR.

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

Richard Miga



**TOWN OF AURORA
OPEN DEVELOPMENT AREA APPLICATION**

To Be Completed By Applicant

TB: 8/25/25
PB: 9/3/25
TB:
PH:
TB:

PETITIONER: Name: PAUL SPAHN II
Address: 761 QUAKER RD
EAST AURORA NY 14052
Phone: 716 796 7753 City State Zip
Fax: _____
E-Mail: PSPAHN2C@gmail.com

PROPERTY OWNER (if different from petitioner):

Name: _____
Address: _____ Ph. No. _____

PROJECT ADDRESS: 761 QUAKER NY EAST AURORA
No. Street SBL No.

PROJECT DESCRIPTION: BUILD A SINGLE STORY
2 CAR POLE BARN GARAGE
TO REPLACE A GARAGE PREVIOUSLY
ON THE SAME SITE.
Signature of Applicant: [Signature]

State of New York) SS:
County of Erie)

On the 15 day of August, in the year 2020, before me, the undersigned, a notary public in and for said state, personally appeared Paul Spahn II, 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 they 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

DOROTHY BAILEY
Reg #01BA0023544
Notary Public, State of New York
Qualified in Erie County
Commission Expires April 15, 2028

OFFICE USE ONLY:

File #: _____ Number of Lots _____ Total Acreage _____ Zoning _____

Open Development Area Review Application Fee \$ _____

Materials Received by
Town Clerk & Fee Paid

Accepted by _____ Date _____

TOWN OF AURORA 5 SOUTH GROVE STREET, EAST AURORA, NY 14052
(716) 652-3280 FAX (716) 652-3507 www.townofaurora.com



TOWN OF AURORA
REVIEW AND APPROVAL PROCEDURES FOR
OPEN DEVELOPMENT AREA APPLICATION ITEMS

This application package includes the following:

- Application Procedures
 - Application Form
 - Full Environmental Assessment Form (EAF)
-

- IMPORTANT -

1. Applicant obtains application from the Building Department or Town Clerk, 5 South Grove Street, East Aurora, NY 14052.
2. This Open Development Area petition is subject to the requirements of 6 NYCRR Part 617, State Environmental Quality Review Act (SEQR) and Chapter 98 of the Town of Aurora code.
3. The applicant shall file fifteen (15) copies of the completed application and attachments with the Town Clerk with the necessary fees. (See schedule of fees on back of application. Make checks payable to: Town of Aurora.) Each package must be collated and folded to no larger than 9" by 12" in size. The following information must be included in each application package:
 - A completed, signed and notarized application form with all required attachments.
 - A conceptual development plan at a scale of not less than 1" = 20', drawn to scale (no larger than 24" by 36" in size). The development plan shall, at a minimum, include:
 - Name and address of owner(s) of the land to be developed
 - Name and address of the developer(s), if other than owner (see note)
 - All pertinent features, such as existing structures, streets, etc.
 - Location, width and approximate grade of all proposed access roadways
 - Location, dimensions and area of all proposed or existing lots, drainage plans, public utilities and sewage disposal
 - Names and addresses of all owners of record of property adjacent to and abutting (within a 500' radius) the proposed open development area
 - Acreage of the tract to be developed to the nearest 1/10 of an acre
 - The 500- and 100-year floodplains
 - National Wetland Inventory and NYS Department of Environmental Conservation mapped wetlands (www.fws.gov/wetlands)

- Location and approximate water shed size of all drainage ways
 - Any other information the Town Board may request
- An 8 ½ " by 11" reduction of the conceptual development plan.
 - A narrative description of the planned private right-of-way including:
 - Specifications for the private right-of-way
 - Ownership of the right-of-way
 - Maintenance plan for the right-of-way
 - A copy of the recorded deed describing the subject premises.
 - A copy of the current property survey of the property.
 - Part 1 of the SEQR Environmental Assessment Form (EAF)
4. The Town Clerk transmits copies of the application to the Town Board who in turn will forward the application for a review by:

Planning Board	Town Attorney
Building Inspector	Town Engineer
 5. Planning Board Meeting Procedure – The applicant must be prepared to present the project at the next regular meeting of the Planning Board after the official submission date and any subsequent meetings deemed necessary by the Planning Board to discuss the preliminary open development area plan.
 6. The applicant may be required to submit revised plans, reports, or materials to address review agency comments. The procedures for submittal of revised information are as follows:
 - A cover letter address all comments received to date as required.
 - "Highlight" the area of change on the conceptual development plan drawings and provide a notation describing the change
 - Fifteen (15) complete sets of the revised materials are required.
 Any revised plans, reports or materials shall be submitted to the Town Clerk for distribution to appropriate parties.
 7. Before taking action on the plan, the Town Board may schedule a public hearing.
 8. Final approval shall be given by the Town Board.

NOTE: If the petitioner is not the property owner, the property owner must submit a notarized statement authorizing the petitioner to act on their behalf.

A complete copy of the Aurora Town code can be found at www.generalcode.com.

Pole Barn Garage Development Plan

Project Name: Pole Barn Garage Construction

Property Owner: Paul Spahn II

Property Address: 761 Quaker Rd East Aurora NY 14052

Parcel Number: 175.09-1-4

Date: 07/02/2025

1. Project Overview

The property owner proposes to construct a post-frame (pole barn) garage on the above-referenced property. The structure will be used for personal vehicle storage, workshop activities, and general equipment storage. No commercial activity or residential occupancy is intended.

2. Project Details & Specifications

- **Type of Construction:** Post-frame (pole barn) with engineered trusses
 - **Building Dimensions:** 32 ft × 24 ft × ft to eaves
 - **Roof Pitch:** [e.g., 4/12 or 5/12]
 - **Foundation:** Treated laminated posts on concrete footings
 - **Exterior Finish:** Steel siding and roofing panels, color to match existing structures on property
 - **Doors and Windows:**
 - 2 overhead garage doors 9 ft × 7 ft)
 - 2 man doors
 - 5 windows
 - **Floor:** 4-inch reinforced concrete slab / gravel base
 - **Utilities:** Electrical service with lighting/receptacles; no plumbing / water service
-

6. Environmental Considerations

- Erosion and sediment control measures will be implemented during construction.
- Construction activities will occur during normal daytime working hours.
- No adverse impact on neighboring properties is anticipated.
- Drainage patterns will remain consistent with existing site conditions.

7. Neighbors

- 757 QUAKER RD – Smith, Justin
- 743 QUAKER RD – BUCHHEIT, EDWARD C
- 765 QUAKER RD – FERBER, JANET
- 407 GROVER RD - THE THOMAS BEST REVOC TRUST

1 SQ = 1 FT

FRONT VIEW

15' or less

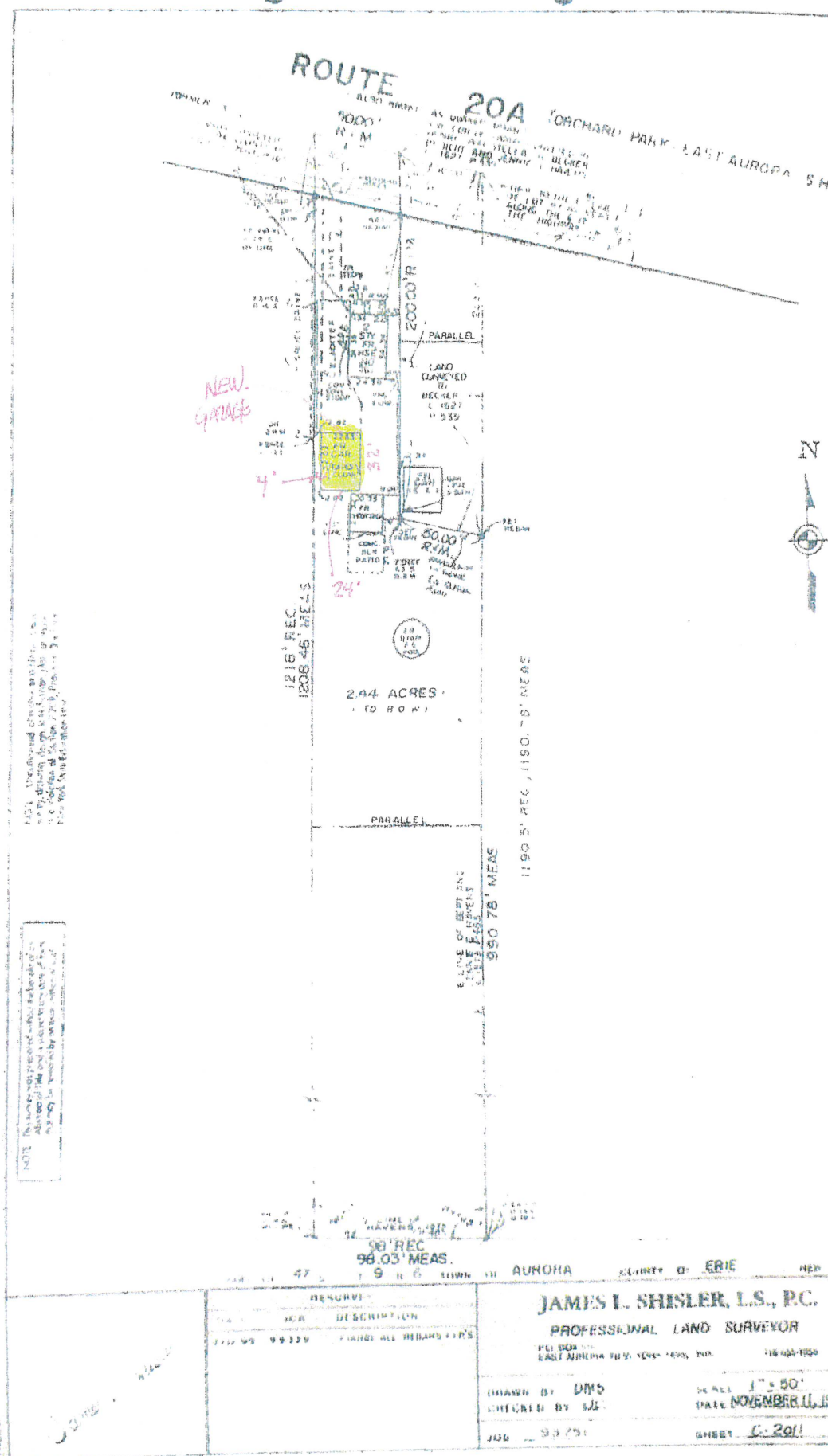
7' x 9'

7' x 9'

24'

4'

3' or less





U.S. Fish and Wildlife Service

National Wetlands Inventory

NWI Map 761 Quaker Rd East Aurora NY



August 15, 2025

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

Short Environmental Assessment Form

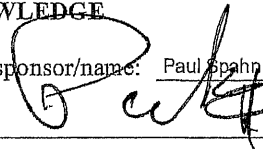
Part 1 - Project Information

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: Pole Barn / Garage build - 761 Quaker Rd							
Project Location (describe, and attach a location map): 761 Quaker Rd East Aurora NY 14052							
Brief Description of Proposed Action: Build a single story 2 car pole barn / garage to replace a garage previously on the same site							
Name of Applicant or Sponsor: Paul Spahn II		Telephone: 716-796-7753 E-Mail: pspahn2@gmail.com					
Address: 761 Quaker Rd							
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%; text-align: center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td>☒</td> <td>☐</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%; text-align: center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td>☒</td> <td>☐</td> </tr> </table>	NO	YES	☒	☐
NO	YES						
☒	☐						
3. a. Total acreage of the site of the proposed action? 2.3931 acres b. Total acreage to be physically disturbed? <1 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 2.3931 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							

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>Paul Spahn II</u> Date: <u>7/2/2025</u>		
Signature: <u></u> Title: <u>Property Owner</u>		

This Indenture

Made the 11 day of August Nineteen Hundred and Ninety-Nine

Between

Grantor(s): Anthony J. DeMarco, Jr. and Susan Elizabeth DeMarco,
Husband & Wife residing at
761 Quaker Road, East Aurora, New York 14052

Grantee(s): Paul P. Spahn II, residing at 1646 Boies Road,
East Aurora, New York 14052

Witnesseth that the grantor(s) in consideration of _____
_____ ONE AND MORE _____ Dollar(s) (\$1.00 & More)
lawful money of the United States, paid by the grantee(s) does hereby grant and release unto
the grantee(s) their heirs and assigns forever,

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. 47, Township 9, Range 6 of the Holland Company's
Survey, bounded and described as follows:

BEGINNING at the northwest corner of land conveyed to Henry Becker and Stella A. Becker, his wife, by Bert Havens and Jennie E. Havens, his wife, by deed dated January 6, 1923 and recorded in the Erie County Clerk's Office in Liber 1627 of Deeds at page 539 and which point of beginning is 1,164 feet westerly from the intersection of the center line of said highway and the easterly line of said Lot No. 47 as measured along the center line of said highway; thence southerly along the west line of lands so conveyed to said Becker 200 feet to the southwest corner thereof; thence easterly along the south line of said Becker's land, 50 feet to the southeast corner thereof; thence southerly along the east line of lands of Bert Havens and Jennie E. Havens, his wife, 390.5 feet to the southeast corner thereof; thence westerly 98 feet on the south line of lands of said Bert Havens and Jennie E. Havens to a point, so that a line drawn from such point northerly to the highway shall be parallel to the east line of the front 200 feet of lands herein described and to a point 50 feet on the highway distant from the point of beginning; thence northerly along said last mentioned line 1,218 feet to the center line of said highway; thence easterly along the north line of lands of said Bert Havens and Jennie E. Havens, his wife and said highway 50 feet to the place of beginning, excepting therefrom that portion of premises conveyed to the County of Erie by deed recorded in Liber 2667 of Deeds at Page 165.

6244
SMV
1417

dur

94,000

DAB-2

ERIE COUNTY CLERKS OFFICE
County Clerk's Recording Page

Return To:

BOX 454

DEMARCO
ANTHONY
DEMARCO
SUSAN
SPAHN
PAUL

J JR
ELIZABETH
B II

COUNTY	\$	24.00
STATE	\$	25.00
COE	\$	5.00
TRANSFER	\$	376.00
	\$	.00
NFTA TT	\$	470.00
	\$	.00
	\$	.00
	\$	.00

Total: \$ 900.00

STATE OF NEW YORK
ERIE COUNTY CLERKS OFFICE

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

DAVID J SWARTS
COUNTY CLERK

Index DEED LIBER

Book 10956 Page 4220

No. Pages 0003

Instrument DEED

Date : 8/27/1999

Time : 3:50:35

Control # 199908271417

TT# TT 1999 002293

Employee ID AMV

TRANSFER TAX

CONSIDERATN \$ 94,000.00

TRANSFER TAX \$ 846.00



D109564220