



original

CASE NO. 1509
DATE OF HEARING 7/12/2025

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 Joshua Best
Address 718 Jewett Holmwood Road
City East Aurora State NY ZIP 14052
Phone 7 Fax _____ Email Jo it.com _____
Interest in owner/purchaser/developer

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

Property Owner(s) Name(s) Alexandria G. Best
Address 718 Jewett Holmwood Rd
City East Aurora State NY ZIP 14052
Phone _____ Fax _____ Email _____

III. PROPERTY INFORMATION

Property Address Vacant Land (future 700 Jewett Holmwood Road)
SBL# 174.00-2-40.121
Property size in acres 1.95 Acres (1.848 excluding highway) Property Frontage in feet 125
Zoning District RR / A Surrounding Zoning RR / A
Current Use of Property Vacant Land

IV. REQUEST DETAIL

(check all that apply)

116-8.4E(3) ; 116-4 lot width definition

☒ Variance from Ordinance Section(s) # 116-8.4-F Front yard depth (1) 75 feet
☐ Special Use Permit for: _____
☐ Use Variance for: _____
☒ Interpretation of 116-26 Effects on lots of record (Variance not required)

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)

Joshua S. Best Joshua S. Best
Signature of Applicant/Petitioner

Joshua S. Best, AIA, NCARB

Print name of Applicant/Petitioner

State of New York; County of Erie

On the 9 day of June 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.

Martina Librock
Notary Public

(Notary stamp)

MARTHA L. LIBROCK
Notary Public, State of New York
No. 01LI5028312
Qualified in Erie County
My Commission Expires May 31, 2026

Office Use Only:

Date received:

6/10/25 \$100 cash

Receipt #:

713946

(dA)

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 _____

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)

In 2019 we purchased my home at 718 Jewett Holmwood Road contingent on getting the parcel in the rear split. I worked out the new property line with former building inspector Bill Kramer, the town attorney, Ken Zollitsch (GPI), Ambar Bhargava (real estate attorney) and Sean Hopkins (land use attorney). On 3/19/2029 Bill Kramer (see exhibit 5) with guidance from the town attorney determined this lot was buildable prior to the effective date of the revised chapter 116. Chapter 16 has since been revised and my lot of record, I'm being told does not comply with the new zoning code with an effective date after my lot of record was determined buildable. I do not agree with this interpretation and feel section 26 of chapter 116 was created for situations like this. With that being said, i plan on building a single family home in this beautiful setting surrounded by trees and deer. Please approve my variance request as my land would be worthless without it. THANK YOU!

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)

Town of Aurora
575 Oakwood 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:

Vacant land (Jewett Hollow Rd) Identified as Tax Map (SBL)# 174.00-2-40.121
(address)

hereby authorizes Jashua Best to bring an application for ☒ area variance
and Mary Ann Best, Jerry Thompson Century 21, Ken Zollitsch GPI
☐ 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.

Alexandria Best
Owner (print)

6-9-2025
Date

[Signature]
Owner (signature)

STATE OF NEW YORK)
COUNTY OF ERIE) SS

On this 9 day of June, 2025, before me, the undersigned, a notary public in and for said state, personally appeared Alexandria Best, 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

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

Town of Aurora
575 Oakwood 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:

VACANT LAND identified as Tax Map (SBL)# 174.00-2-40.121
(address)

hereby authorizes MARY ANN BEST to bring an application for () area variance
ELLIOTT BEST JERRY THOMPSON CENTRY ZV KEN ZOLTECH
() special use permit () use variance () interpretation before the Town of Aurora Zoning Board of GPI

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.

JOSHUA BEST
Owner (print)

6/9/25
Date

J Best J Best
Owner (signature)

STATE OF NEW YORK)
COUNTY OF ERIE) SS

On this 9 day of June, 2025, before me, the undersigned, a notary public in and for said state, personally appeared JOSHUA S. BEST, 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.

Marttha Librock
Notary Public

MARTHA L. LIBROCK
Notary Public, State of New York
No. 01L15028312
Qualified in Erie County
My Commission Expires May 31, 2026

**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 July 17, 2025 Time 7:45 pm Location 575 Oakwood Ave., East 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: Vacant lot Jewett Holmwood Road

5a. S.B.L. of Property: 174.00-2-40.12.1

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: Lot width at minimum required building setback less than allowed by
(specify the action, such as the Town Code
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., East 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: _____

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



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

TOWN OF AURORA

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

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jgranville@townofaurora.com

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TOWN JUSTICE
Jeffrey P. Markello
Anthony DiFilippo IV

HISTORIAN
Robert L. Goller
(716) 652-7944
historian@townofaurora.com

FAX: (716) 652-3507

Joshua Best
718 Jewett Holmwood Rd
East Aurora, NY 14052

June 9, 2025

Joshua:

The Building Department has reviewed your existing lot at VL Jewett Holmwood Rd (SBL: 174.00-2-40.121) behind your residence at 718 Jewett Holmwood Rd and determined that it does not meet the definition of lot width in order to be a buildable lot. *116-4 lot width definition: a distance between the side lot lines of a lot and parallel to the front lot line of that lot measured at the minimum required building setback.*

Section 116-8.4E(3)

Required: Minimum lot size with a width of 125'

Requested: Minimum lot width at 75' from the ROW of 36.12'

Variance: 38.88'

Additionally, Town Code §116-26 does not apply to this property, as the effective date of the chapter is when it was originally adopted.

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			
Proposed Home			
Name of Action or Project:			
Lot of Record - Vacant Land (700 Jewett Holmwood Road)			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
Build a new home on lot of record			
Name of Applicant or Sponsor:		Telephone:	
Joshua S. Best, AIA, NCARB		E-Mail: Jos	
Address:		l.com	
718 Jewett Holmwood Road			
City/PO:		State:	Zip Code:
East Aurora		NY	14052
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 government Agency?			NO
If Yes, list agency(s) name and permit or approval:			YES
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ 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, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO ☐ ☐	YES ☒ ☒	N/A ☐ ☐
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? If Yes, identify: _____	NO ☒	YES ☐	
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 ☐ ☐ ☐	
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 ☒	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO ☐	YES ☒	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ Septic _____	NO ☒	YES ☐	
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 ☐ ☐	
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 ☐ ☐	

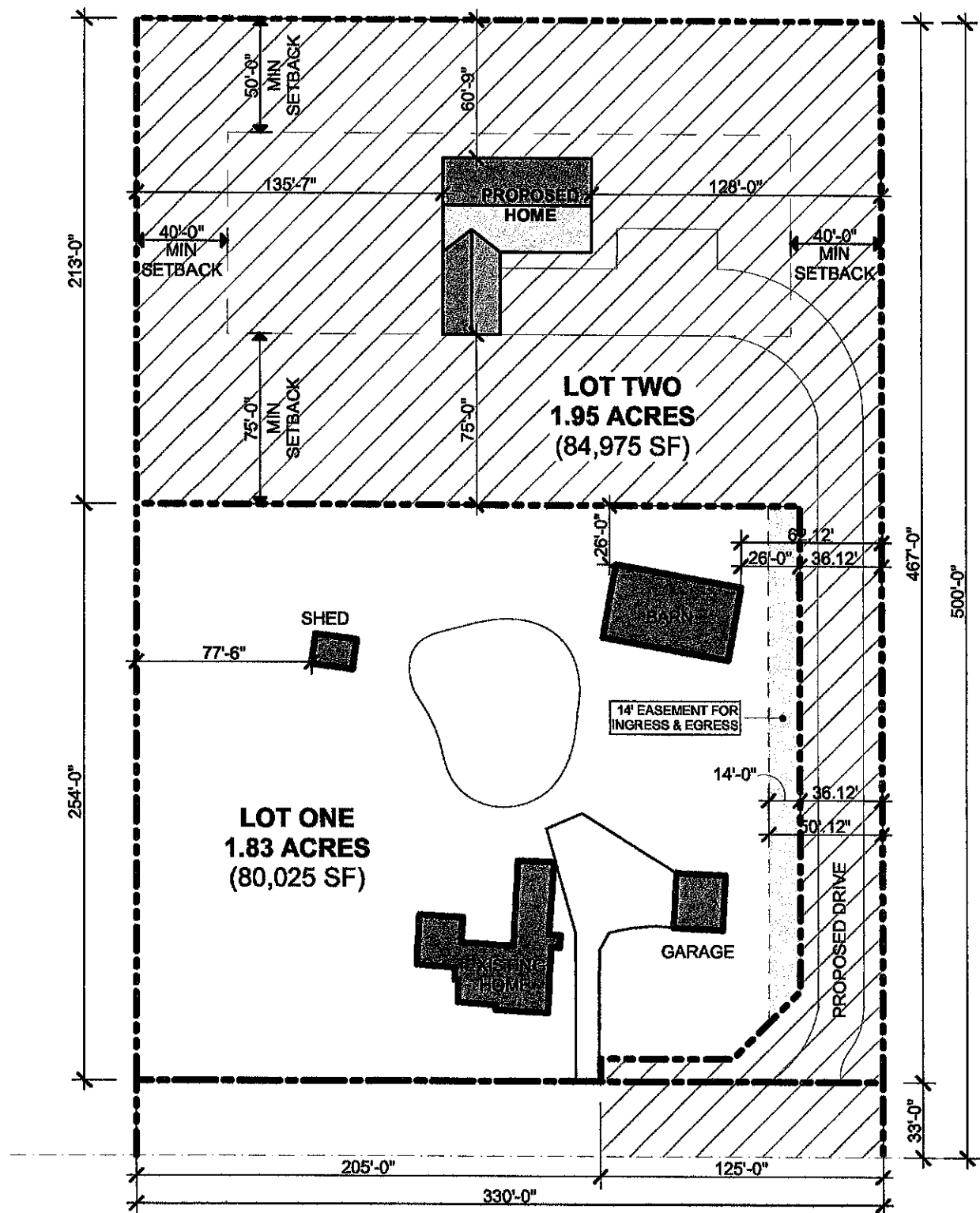
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☒ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☒ Suburban		
15. Does the site of the proposed action contain any species of animal, or 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>Joshua Best</u> Date: <u>6/9/2025</u>		
Signature: <u></u> Title: <u>Architect</u>		



JEWETT - HOLMWOOD ROAD

ZBA APPLICATION

THIS SITE PLAN DIAGRAM MEETS ALL ZONING REQUIREMENTS OF THE TOWN OF AURORA, NY TO BUILD THE PROPOSED HOME

6/9/2025
EXHIBIT 2

TOWN OF AURORA, NY BUILDING DEPARTMENT

718 Jewett Holmwood Roa
East Aurora, NY 14052

jsb
architects

JSB Architects
8750 Main Street
Williamsville, NY 14221
716 818 9168

Project No.: 201903
Scale:
Date: 3/08/2019
Drawn by:
Checked by:
Stage:

Sketch Number:

G-001

NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209 PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.
NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.

■ SET OR EX. 5/8" REDBAR OR AS NOTED



GPI **GPI ENGINEERING, LANDSCAPE
ARCHITECTURE & SURVEYING, LLP**
ENGINEERING • SURVEYING • LANDSCAPE ARCHITECTURE
4600 GENESSEE STREET, SUITE 100
BUFFALO, NEW YORK 14226
(716) 633-4844 FAX 633-4940

Job No. 7477--BASE--NORTH Date: APRIL 16, 2019
Scale 1" = 50' TAX No. PART OF 174.00-2-40.12

[illegible]



ATTN: Town of Aurora Building Department
300 Gleed Ave, East Aurora, NY 14052

DATE: 3/14/2019

ZBA APPLICATION
6/9/2025
EXHIBIT 1

To Whom it May Concern,

This is a formal request for a zoning compliance letter of the attached site plan diagram of 718 Jewett Holmwood Road. Please confirm that the proposed lot split, into Lot 1 of 1.83 acres and Lot 2 of 1.95 acres, conform to the current zoning codes.

In addition to conforming to code, please confirm that the proposed home highlighted in Lot 2 is also in compliance.

We appreciate your time and thoughts on this matter.

Thank you,

Joshua Best
Best Brothers Development, LLC

Cc:

Sean Hopkins
Land use Attorney

Ambar Bhargava
Real Estate Attorney

718 Jewett-Holmwood

From William Kramer <bkramer@townofaurora.com>
Date Fri 3/15/2019 3:55 PM
To Joshua Best <Josh@bestbrothersdevelopment.com>

ZBA APPLICATION
6/9/2025
EXHIBIT 3

Josh,

I am not prepared at this time to sign off on a zoning compliance letter for the proposed split at 718 Jewett-Holmwood. I am still seeking some legal guidance from the town attorney with regards to the proposed split.
We will be getting together early next week for further discussion. I will be in touch after said meeting.

Bill Kramer

718

ZBA APPLICATION

6/9/2025

EXHIBIT 4

From William Kramer <bkramer@townofaurora.com>

Date Tue 3/19/2019 4:19 PM

To Joshua Best <Josh@bestbrothersdevelopment.com>

 1 attachment (35 KB)

MX-B402SC_20190319_152548.pdf;

Josh,

Attached is my determination. Talk to you soon.

wrk

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

ZBA APPLICATION
6/9/2025
EXHIBIT 5

TOWN COUNCIL MEMBERS

Susan A. Friess
sfriess@townofaurora.com

Jeffrey T. Harris
jharris@townofaurora.com

Jolene M. Jeffe
jjeffe@townofaurora.com

Charles D. Snyder
csnyder@townofaurora.com

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

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OFFICER
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building@townofaurora.com

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

DIR. OF RECREATION
Christopher Musshafen
(716) 652-8866
chris@townofaurora.com

TOWN ATTORNEY
Ronald P. Bennett

TOWN JUSTICE
Jeffrey P. Markello
Anthony DiFilippo IV

HISTORIAN
Robert L. Goller
(716) 652-7944
historian@townofaurora.com

FAX: (716) 652-3507
NYS Relay Number:
1(800) 662-1220

Joshua Best
PO Box 665
East Aurora, NY 14052

3/19/2019

Josh,

After reviewing the proposed sub-division of the property at 718 Jewett-Holmwood Rd. in the Town of Aurora, it is my determination that, while not meeting the spirit and intent of the local zoning ordinance, the vacant lot at the rear of the property would be a buildable lot.

This determination is based on the information you have provided me in a drawing dated 3/08/2019. This information which you have provided must be verified with survey stamped by a NYS registered surveyor confirming the accuracy of your measurements and the actual placement of the buildings and pond. Any deviation in these numbers may void this determination. Prior to issuance of any building permit for the rear lot we will need, among other things, the afore mentioned survey and execution and recording of the permanent easement in The Erie County Clerks Office

If you have any further questions feel free to contact me at 652-7591.

William R Kramer

Town of Aurora Building Department

FW: Jewett Holmwood Surveys

ZBA APPLICATION

6/9/2025

EXHIBIT 6

From Joshua Best <Josh@bestbrothersdevelopment.com>

Date Tue 4/30/2019 5:09 PM

To Ambar Bhargava <bhargava@bhargavalaw.com>; Best Brothers Development <info@bestbrothersdevelopment.com>

 5 attachments (469 KB)

7477-SOUTH.doc; 7477-NORTH.doc; 7477-South.pdf; 7477-North.pdf; Invoice Project BUF-2019000.00 TASK 272.pdf;

Please see attached.

From: Zollitsch, Ken <kzollitsch@gpinet.com>

Sent: Tuesday, April 30, 2019 11:03 AM

To: Joshua Best <Josh@bestbrothersdevelopment.com>

Subject: Jewett Holmwood Surveys

Josh,

Attached are the individual surveys and legal descriptions for Jewett Holmwood. Also attached is the invoice for the requested work.

Feel free to contact me with any questions.

Thank you.

Ken Zollitsch, LEED AP

Vice President / Director of Land Planning

4950 Genesee Street, Suite 100, Buffalo, NY 14225

d +1 (716) 989-3342

kzollitsch@gpinet.com | www.gpinet.com



GPI

Engineering | Design | Planning | Construction Management

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JOB NO. 7477 NORTH PARCEL
April 25, 2019

ZBA APPLICATION
6/9/2025
EXHIBIT 8

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

BEGINNING at a point on the centerline of Jewett-Holmwood Road at the southeast corner of lands conveyed to Anton C. and Janina A. Harfmann by deed recorded in the Erie County Clerk's Office in Liber 10060 of Deeds at page 626;

THENCE: westerly along said centerline a distance of 125.00 feet to a point;

THENCE: through said Anton C. and Janina A. Harfmann, lands, the following five (5) courses and distances:

- 1) northerly forming an interior angle of $88^{\circ}-25'-36''$ a distance of 43.01 feet to a point;
- 2) easterly forming an interior angle of $91^{\circ}-34'-24''$ a distance of 70.00 feet to a point;
- 3) northeasterly forming an exterior angle of $135^{\circ}-00'-00''$ a distance of 27.43 feet to a point;
- 4) northerly forming an exterior angle of $136^{\circ}-34'-24''$ a distance of 224.58 feet to a point;
- 5) westerly forming an exterior angle of $88^{\circ}-25'-36''$ a distance of 293.87 feet to a point on the westerly bounds of said Anton C. and Janina A. Harfmann lands;

THENCE: along the boundary of said Anton C. and Janina A. Harfmann, lands, the following three (3) courses and distances

- 1) northerly forming an interior angle of $88^{\circ}-25'-36''$ a distance of 213.00 feet to a point;
- 2) easterly forming an interior angle of $91^{\circ}-34'-24''$ a distance of 330.00 feet to a point;
- 3) southerly forming an interior angle of $88^{\circ}-25'-36''$ a distance of 500.00 feet to the POINT OR PLACE OF BEGINNING containing 1.848 acres more or less excluding the highway boundary.

Excepting any rights to the Public in and to that portion lying within the bounds of Jewett-Holmwood Road.

This description is intended to describe the northerly and easterly portion of said Liber 10060 of Deeds at page 626;

THIS INDENTURE, made the 28th day of September, 2023.

BETWEEN JOSHUA BEST,

residing at 718 Jewett Holmwood Road, East Aurora, New York 14052,

party of the first part, and

ALEXANDRIA E. BEST,

residing at 718 Jewett Holmwood Road, East Aurora, New York 14052,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ONE AND MORE Dollars (\$1.00 & More) lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, her heirs and assigns forever,

SEE ATTACHED SCHEDULE A

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 above granted premises unto the said party of the second part, her heirs and assigns forever.

AND said party of the first part covenants as follows:

FIRST, that the party of the second part shall quietly enjoy the said premises;

SECOND, that said party of the first part will forever WARRANT the title to said premises;

THIRD, that this conveyance is subject to the trust fund provisions of section thirteen of the lien law.

IN WITNESS WHEREOF, the party of the first part has hereunto set his hand and seals the day and year first above written.

IN PRESENCE OF

J. Best is
JOSHUA BEST

STATE OF NEW YORK) ss:
COUNTY OF ERIE)

On this 28th day of September, in the year Two Thousand Twenty-Three, before me, the undersigned, personally appeared JOSHUA BEST, to me personally known or proved to me on the basis of satisfactory evidence to be the individual whose names is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person(s) upon behalf of which the individual acted, executed the instrument.

AMBAR BHARGAVA
Notary Public, State of New York
No. 02BH6028018
Qualified in Erie County
Commission Expires July 19, 2025

AB

Aur

174667 Deed-2

SCHEDULE A

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. 54, Township 9, Range 6 of the Holland Land Company's Survey, described as follows:

Beginning at a point in the center line of Jewett-Holmwood Road (66 feet wide) at the southeast corner of lands conveyed to Anton C. and Janina A. Harfmann by a deed recorded in Erie County Clerk's Office in Liber 10060 of Deeds at page 626, said point being distant 437.58 feet westerly of the east line of Lot No. 54, as measured along the center line of Jewett-Holmwood Road, and said point also being a southwest corner of lands conveyed to Karen A. Smith and John E. Nagel by deed recorded in the Erie County Clerk's Office in Liber 10586 of Deeds at page 264; running westerly along said center line of Jewett-Holmwood Road, a distance of 125 feet to a point; thence through said Anton C. and Janina A. Harfmann lands, the following 5 courses and distances: (1) thence northerly, forming an interior angle of $88^{\circ} 25' 36''$, a distance of 43.01 feet to a point; (2) thence easterly, forming an interior angle of $91^{\circ} 34' 24''$, a distance of 70 feet to a point; (3) thence northeasterly, forming an exterior angle of $135^{\circ} 00' 00''$ a distance of 27.43 feet to a point; (4) thence northerly, forming an exterior angle of $136^{\circ} 34' 24''$ a distance of 224.58 feet to a point; (5) thence westerly parallel with the center line of Jewett-Holmwood and forming an exterior angle of $88^{\circ} 25' 36''$, a distance of 293.87 feet to a point in the westerly line of lands so conveyed to Harfmann by deed aforesaid, said westerly line also being the westerly line of lands conveyed to Edward H. Nagel and Anna Mary Nagel by deed recorded in the Erie County Clerk's Office in Liber 7693 of Deeds at page 597; thence northerly along the westerly lines of lands so conveyed to Harfmann and Nagel by deeds aforesaid, forming an interior angle of $88^{\circ} 25' 36''$, a distance of 213 feet to a point therein, said point being the northwest corner of lands so conveyed to Harfmann by deed aforesaid and said point also being a southwest corner of lands so conveyed to Smith and Nagel by deed aforesaid; thence along the boundaries of said Harfmann and Smith and Nagel lands, the following 2 courses and distances: (1) thence easterly, parallel with the center line of Jewett-Holmwood Road and forming an interior angle of $91^{\circ} 34' 24''$, a distance of 330 feet to a point; and 2) thence southerly, forming an interior angle of $88^{\circ} 25' 36''$ a distance of 500 feet to the point or place of beginning.



Michael P. Kearns
Erie County Clerk
92 Franklin Street
Buffalo, New York 14202

To: Joshua Best
718 Jewett Holmwood Road
East Aurora, New York 14052

NOTICE

From
County Clerk Michael P. Kearns
regarding a change in ownership
of your property

NOTICE OF SALE OR TRANSFER OF OWNERSHIP OF YOUR RESIDENTIAL PROPERTY

To: Joshua Best
(name of owner of record)

Our records show that you are listed as the current owner of record for residential property:

Section: 174.00 Block: 2 Lot: 40.121

Located At: V/L Jewett Holmwood Road Aurora, County of Erie, New York.
(street address) (city/town)

On 10/10/23 documents were filed at this office to change ownership and transfer title of your property.
(date)

To: Alexandria E. Best
(name of new owner)

If you have any questions regarding the validity of the documents, and wish to dispute the recording of the transfer, you should obtain legal counsel. If you believe you are a victim of a crime related to this recording, contact your local law enforcement agency or, if in the City of New York, the office of the sheriff.

ERIE COUNTY CLERK'S OFFICE



County Clerk's Recording Page

Return to:

BOX 376

Party 1:
BEST JOSHUA

Party 2:
BEST ALEXANDRIA E

Book Type: D Book: 11422 Page: 8253

Page Count: 3

Doc Type: DEED

Rec Date: 10/10/2023

Rec Time: 10:31:01 AM

Control #: 2023174667

UserID: Eileen

Trans #: 23138503

Document Sequence Number

TT2023004781

Recording Fees:

RECORDING	\$35.00
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: 20000.00

BASIC MT	\$0.00
SONYMA MT	\$0.00
ADDL MT/NFTA	\$0.00
SP MT/M-RAIL	\$0.00
NY STATE TT	\$80.00
ROAD FUND TT	\$100.00

Total: \$370.00

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

FOR COUNTY USE ONLY

C1. SWIS Code

142489

C2. Date Deed Recorded

10/10/2023

C3. Book

11422

C4. Page

8253

New York State Department of
Taxation and Finance

Office of Real Property Tax Services

RP- 5217-PDF

Real Property Transfer Report (8/10)

AURORA ASSESSOR'S

NOV 14 2023

PROPERTY INFORMATION

1. Property
Location

V/L

* STREET NUMBER

Jewett Holmwood Road

* STREET NAME

Aurora

* CITY OR TOWN

VILLAGE

14052

* ZIP CODE

2. Buyer
Name

Best

* LAST NAME/COMPANY

Alexandria E.

FIRST NAME

LAST NAME/COMPANY

FIRST NAME

3. Tax
Billing
AddressIndicate where future Tax Bills are to be sent
if other than buyer address (at bottom of form)

LAST NAME/COMPANY

FIRST NAME

STREET NUMBER AND NAME

CITY OR TOWN

ZIP CODE

4. Indicate the number of Assessment
Roll parcels transferred on the deed

1

of Parcels

OR

Part of a Parcel

(Only if Part of a Parcel) Check as they apply:

5. Deed
Property
Size

* FRONT FEET

X

* DEPTH

1.80

* ACRES

4A. Planning Board with Subdivision Authority Exists

4B. Subdivision Approval was Required for Transfer

4C. Parcel Approved for Subdivision with Map Provided

6. Seller
Name

Best

* LAST NAME/COMPANY

Joshua

FIRST NAME

LAST NAME/COMPANY

FIRST NAME

7. Select the description which most accurately describes the
use of the property at the time of sale:

A. One Family Residential

Check the boxes below as they apply:

8. Ownership Type is Condominium

9. New Construction on a Vacant Land

10A. Property Located within an Agricultural District

10B. Buyer received a disclosure notice indicating that the property is in an
Agricultural District

SALE INFORMATION

11. Sale Contract Date

09/21/2023

12. Date of Sale/Transfer

9/28/2023

13. Full Sale Price

20,000.00

(Full Sale Price is the total amount paid for the property including personal property.
This payment may be in the form of cash, other property or goods, or the assumption of
mortgages or other obligations.) Please round to the nearest whole dollar amount.14. Indicate the value of personal
property included in the sale

.00

15. Check one or more of these conditions as applicable to transfer:

☒ A. Sale Between Relatives or Former Relatives☐ B. Sale between Related Companies or Partners in Business.☐ C. One of the Buyers is also a Seller☐ D. Buyer or Seller is Government Agency or Lending Institution☐ E. Deed Type not Warranty or Bargain and Sale (Specify Below)☐ F. Sale of Fractional or Less than Fee Interest (Specify Below)☐ G. Significant Change in Property Between Taxable Status and Sale Dates☐ H. Sale of Business is Included in Sale Price☐ I. Other Unusual Factors Affecting Sale Price (Specify Below)☐ J. None

Comment(s) on Condition:

PARTIES ARE HUSBAND + WIFE

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

16. Year of Assessment Roll from which information taken (YY)

23

17. Total Assessed Value

10,600

18. Property Class

210

19. School District Name

East Aurora

20. Tax Map Identifier(s)/Roll Identifier(s) (If more than four, attach sheet with additional identifier(s))

174.00-2-40.121

CERTIFICATION

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful
false statement of material fact herein subject me to the provisions of the penal law relative to the making and filing of false instruments.

SELLER SIGNATURE

J3

SELLER SIGNATURE

9.28.23

DATE

BUYER SIGNATURE

B3

BUYER SIGNATURE

9-28-2023

DATE

BUYER CONTACT INFORMATION

(Enter information for the buyer. Note: If buyer is LLC, society, association, corporation, joint stock company, estate or
entity that is not an individual agent or fiduciary, then a name and contact information of an individual responsible
party who can answer questions regarding the transfer must be entered. Type or print clearly.)

Best

Alexandria E.

* LAST NAME

FIRST NAME

* AREA CODE

* TELEPHONE NUMBER (Ex: 9099999)

718

Jewett Holmwood Road

* STREET NUMBER

* STREET NAME

East Aurora

NY

14052

* CITY OR TOWN

* STATE

* ZIP CODE

BUYER'S ATTORNEY

Bhargava

Ambar

LAST NAME

FIRST NAME

(716)

632-7203

AREA CODE

TELEPHONE NUMBER (Ex: 9099999)



ZBA APPLICATION
6/9/2025
EXHIBIT 9

August 30, 2023

Joshua Best
718 Jewett Holmwood Road
East Aurora, NY 14052

Dear, Mr. Best

Subject: Vacant Lot 1.88 acres Jewett Holmwood, East Aurora, NY

I have reviewed the vacant parcel of land adjoining 718 Jewett Holmwood Road, East Aurora. This parcel is 1.88 acres in size with 125 feet of frontage which narrows into a "flag Lot" and opens in the rear of the property. It is a legal residential building lot in the Town of Aurora.

I have reviewed both the positives and negatives of the property including terrain, location distances required of utilities and driveway in order to construct a home on this site. I have reviewed comparable sales over the last six months and it is my conclusion that the current market value for this lot would be \$72,000.00. This is based on both comparable sales as well as my 32 years of experience as a Real Estate Agent and Broker in this market.

Sincerely,

A handwritten signature in black ink, appearing to read 'JRT'.

Jerrold R. Thompson II
Broker
Century 21 Gold Standard

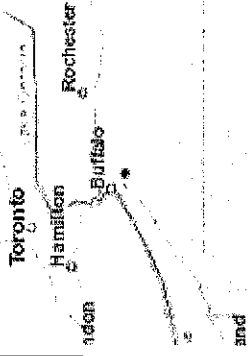
CENTURY 21 Gold Standard

716.652.0232 164 Quaker Rd, East Aurora NY 14052 www.c21goldstandard.com

Each Office is Independently Owned and Operated.



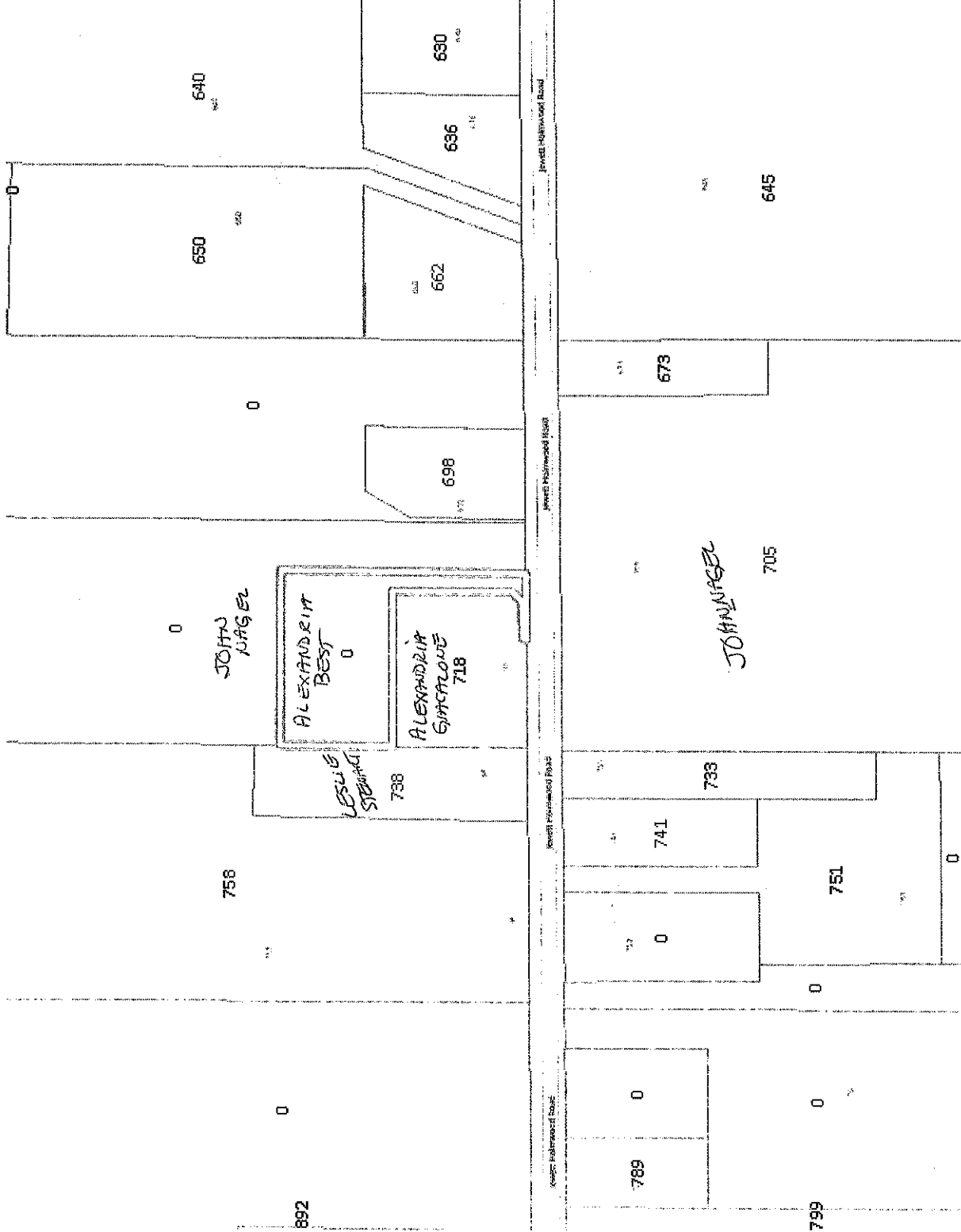
Erie County On-Line Mapping Application



Legend

Parcels

1509



0 0.07 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: 4,514

