

**AGENDA**  
**Village Board of East Aurora**  
**February 7, 2022 Regular Meeting at 7 p.m.**

**1. CALL MEETING TO ORDER**

- A. Pledge of Allegiance
- B. Roll Call
- C. Approval of Minutes of Village Board Meeting for January 18, 2021
- D. Approval of Payment of Abstract for 2/7/22 for Voucher Nos. 61854 to 61909 for a total of \$148,953.92

**2. SPEAKERS & COMMUNICATIONS (I)**

**3. PUBLIC HEARINGS**

- A. Site Plan Application for 189 King Street – David & Georgina Schutte
- B. Local Law to Exceed the Tax Levy Limit
- C. Local Law to Amend Village Code Section 171-2 – Prohibited Acts (Noise Ordinance)
- D. Local Law to Amend Village Code Section 223-21 – Streets and Sidewalks
- E. Local Law to Amend Village Code Section 285-52.1 – Special Use Permits

**4. OFFICIAL CONSIDERATIONS**

- A. Negative Declaration under the State Environmental Quality Review Act (SEQRA) for an Unlisted Action for the proposed Site Plan for 189 King Street
- B. Approve the Site Plan Application for 189 King Street, applicants David and Georgina Schutte
- C. Approve a Local Law to Allow the Village to Exceed the Tax Levy Limit
- D. Negative Declaration under SEQRA for an Unlisted Action for a Local Law Amending Village Code Section 171-2 – Prohibited Acts (Noise Ordinance)
- E. Approve a Local Law Amending Village Code Section 171-2 – Prohibited Acts (Noise Ordinance)
- F. Negative Declaration under SEQRA for an Unlisted Action for a Local Law Amending Village Code Section 223-21 – Streets and Sidewalks
- G. Approve a Local Law Amending Village Code Section 223-21 – Streets and Sidewalks
- H. Negative Declaration under SEQRA for an Unlisted Action for a Local Law Amending Village Code Section 285-52.1 – Special Use Permits
- I. Approve a Local Law Amending Village Code Section 285-52.1 – Special Use Permits
- J. Schedule a Public Hearing on March 7<sup>th</sup> for a Local Law to Amend Village Code Section 227 – Subdivision of Land
- K. Approve a Temporary Use Permit for the EA Farmer's Market that runs from May 7 through November 23, 2022, Wednesdays and Saturdays only
- L. Authorize the Mayor to Sign the Renewal Agreement, Extending the Trash Collection Contract with Modern
- M. Refer to the Planning Commission on March 1<sup>st</sup> a Special Use Permit for 695 Main St., Dopest Dough, Joseph White
- N. Approve Budget Adjustments
- O. Resolution authorizing the transfer of funds from the Building Improvement Reserve to the General Fund
- P. Schedule a Public Hearing for March 7<sup>th</sup> for a Site Plan Application for 42 Riley Street for SNAP Fitness
- Q. Schedule a Public Hearing for March 7<sup>th</sup> for a Special Use Permit for 42 Riley St., Ace Hardware for a Propane Tank Exchange
- R. Schedule a Public Hearing for March 7<sup>th</sup> for a Residential Subdivision for 363 Prospect St./0 Walnut St. for Terrence Kopp
- S. Permission for the Mayor to Sign an Updated Agreement to add a Full-Time School Resource Officer (SRO) to the Town Police Agreement
- T. Permission for the Mayor to Sign a Contract for SRO Services with the East Aurora School District
- U. Approve two new members for the East Aurora Fire Department: Dennis McCarthy and Steven Kaminski, Jr.
- V. Permission for the Mayor (or his designee) to Sign a Service Contract with Ricoh for a new Copier, with approved language from the Village Attorney

**5. NEW BUSINESS**

**6. SPEAKERS & COMMUNICATIONS (II)**

**7. DEPARTMENT HEAD REPORT**

**8. ADJOURNMENT**

**VILLAGE OF EAST AURORA  
VILLAGE BOARD MEETING  
January 18, 2022 –7:00 PM**

**Present:**

Trustee Cameron  
Trustee Kimmel-Hurt  
Trustee Rosati  
Trustee Lazickas  
Trustee Scheer  
Mayor Mercurio

**Absent:**

Trustee Porter

**Also Present:**

Shane Krieger, Chief of Police  
Matthew Hoeh, DPW Superintendent  
Maureen Jerackas, Clerk Treasurer  
Cathie Thomas-Village Administrator  
Chris Trapp, Village Attorney  
Robert Pierce, Deputy Village Attorney  
Jessica Taneff- Village Deputy Clerk  
12 Members of the public

A Motion by Trustee Kimmel-Hurt to approve the Village Board minutes December 20, 2021, seconded by Trustee Rosati and carried by unanimous approval.

Trustee Cameron moved to approve the Payment of Abstract for 1/3/22 for Voucher Nos. 61737 to 61776 for a total of \$88,006.68, and the Payment of Abstract for 1/18/22 for Voucher Nos. 61777 to 61853 for a total of \$157,428.26 seconded by Trustee Rosati and carried by unanimous approval.

**PRESENTATION OF CERTIFICATES OF APPRECIATION FOR SERVICE TO THE VILLAGE**

- The Mayor presented a certification of Appreciation to Karen Lee for her numerous positions and everything she's done with the Village of East Aurora over the years.

**SPEAKERS & COMMUNICATIONS (I)**

- George Wilkson- asking the Board to write a letter to the DOT for 3 no turn on red signs at Olean and Main St. because the DOT will be more likely to install them than on an individual basis. The Safety Committee will review this request and make a recommendation to the Board.

- Dave Simeone-21 King St- brought up the chains that have been hung on the trees to mark off the parking at the Caboose and the Grain Elevator. Code Enforcement Officer would have to identify first if these are street trees and then the DPW would assist with this matter.

## **PUBLIC HEARING**

- A Motion by Trustee Kimmel-Hurt to open a public hearing at 7:10pm, for an application to keep three chickens at 243 Cazenovia Street from Caroline & Zack Taggart, seconded by Trustee Lazickas and carried with unanimous approval.
  - Mr. Taggart said they had 3 chickens when they lived at 442 Prospect and now moved to Cazenovia St. and would like approval for the chickens there. The Clerk Treasurer responded that we have not received any complaints on this.

A Motion by Trustee Lazickas to close the public hearing at 7:12pm, was seconded by Trustee Cameron and unanimously approved.

- A Motion by Trustee Lazickas to open a public hearing at 7:13pm, for the Site Plan for the Blue Eyed Baker at 636 E. Fillmore Avenue, seconded by Trustee Scheer and carried with unanimous approval.
  - John Schenne-representing for 636 E Fillmore- went to PC a few weeks ago and they addressed some of their concerns. They looked into permeable pavement for the parking area, which doesn't work in this climate due to the runoff from the salt. They feel by directing the water to the storm garden they will catch it before running into Tannery Brook and by having this would be better than having permeable pavement. They have relocated the bike rack that is now down near the entrance driveway. They will be storing the snow next to the parking area. They have extended the parapet up 3' so they are not visible from the street and will help the noise made on the outdoor rooftop seating. There will be 35 total seating. Their hours are currently 7am-5pm but they would be open to extending hours due to customer feedback asking if they could be open later. The Administrator said if they wanted to do special events they could come for a temporary use permit, but if they plan on changing their hours, they will need to come back to update their Special Use Permit. They will not have external speakers outside. The Chief will monitor the foot traffic once the business opens.

A Motion by Trustee Rosati to close the public hearing at 7:24pm, was seconded by Trustee Kimmel-Hurt and unanimously approved.

- A Motion by Trustee Lazickas to open a public hearing at 7:25pm, for the Special Use Permit for the Blue Eyed Baker at 636 E. Fillmore Avenue, seconded by Trustee Scheer and carried with unanimous approval.
  - Alex Robinson-owner- they are grateful to be able to expand their business and to offer more to the community.

A Motion by Trustee Rosati to close the public hearing at 7:26 pm, was seconded by Trustee Lazickas and unanimously approved.

## OFFICIAL CONSIDERATIONS

- **MOTION TO APPOINT PATRICK SHEA AS POLICE OFFICER**  
Motion by Trustee Cameron, to appoint Patrick Shea, to the position of Police Officer, provisionally, for the Village of East Aurora, effective January 17, 2022. The appointment is provisional pursuant to the of the Rules for the Classified Civil Service for Erie County and the Collective Bargaining Agreement in effect as of the date of hire, seconded by Trustee Lazickas and was unanimously approved
  - Chief Krieger said Patrick will be a great addition to our Department.
- A Motion by Trustee Lazickas, to Approve the Application to keep three chickens at 243 Cazenovia Street from Caroline & Zack Taggart, seconded by Trustee Scheer and unanimously approved.
- **Resolution of the Village of East Aurora of a Determination of Non-Significance pursuant to the State Environmental Quality Review Act (SEQRA) in the matter of the Site Plan Application for the Blue Eyed Baker business to locate a retail bakery in a portion of the building at 636 E. Fillmore Avenue in the Village of East Aurora**  
WHEREAS, the applicants have filed Part 1 of the Short Environmental Assessment Form (SEAF) with this Board, a copy of which is included by reference and made a part hereof, relating to the proposed project at 636 E. Fillmore Avenue, New York, wherein the applicants, Nick and Alex Robinson, owners of the Blue Eyed Baker business, propose to lease space within a portion of the building for a retail bakery, as detailed in a cover letter from Schenne & Associates, consulting engineers, dated October 25, 2021 (one page), and on the Site Plan Application (one page) dated and received on October 28, 2021, and as shown on drawings prepared by Schenne & Associates, all dated August 6, 2021, as follows: Proposed Site Layout, Drawing No. C-1, Site Grading & Utility Plan, Drawing No. C-2; and Site Landscape Plan, Drawing No. C-3, and on narratives dated September 22, and October 1, 2021; and  
WHEREAS, the Erie County Division of Planning, after carefully and fully reviewing a description of the proposed project, along with the application, including the Site Plan attached thereto, with any and all amendments and modifications, as submitted by the Village Clerk, replied in writing it had “No recommendation; proposed action has been reviewed and determined to be of local concern”; and of local concern”; and  
WHEREAS, the Village Planning Commission, after carefully and fully reviewing the application, including the Site Plan attached thereto, with any and all amendments and modifications, and considering comments and documentation presented for and against the project, voted in the majority recommending approval, with conditions; and  
WHEREAS, the Village SEQRA Intake Committee carefully and fully reviewed Part 1 of the SEAF submitted by applicants including the Site Plan attached thereto, and the above-referenced amendments and modifications; and  
WHEREAS, the Village SEQRA Intake Committee, after their review of the above, prepared Parts 2 and 3 of the SEAF with a recommendation of the issuance of the Negative Declaration of Environmental Significance for submission to, and consideration by, the Village Board; and

WHEREAS, the Village Board of Trustees, upon taking an independent hard look and reasoned evaluation of the above-referenced information, comments and written documentation, including, but not limited to, Part 1 of the SEAF; comments, recommendations, findings and conditions of the Planning Commission, the Site Plan; the reply of Erie County Division of Planning; and the recommendation of the SEQRA Intake Committee and that Committee's completed Parts 2 and 3 of the SEAF concerning the potential environmental impacts of the project; all of which are incorporated by reference herein; and

WHEREAS, the Village Board, upon carefully and fully reviewing all the information, comments and written documentation in regard to the project, made a finding that there are no significant environmental impacts.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of East Aurora as Lead Agency has determined that the proposed action described in the SEAF, submitted by the applicants, for the site plan proposed for the Blue Eyed Baker retail bakery business to locate in a portion of the building at 636 E. Fillmore Avenue, East Aurora, New York, filed with the Village, included and incorporated by reference herein, is classified as an Unlisted Action and therefore issues a Negative Declaration, that this development will not have a significant environmental impact and a Draft Environmental Impact Statement will not be required nor prepared. The foregoing resolution was duly made by Trustee Cameron and seconded by Trustee Kimmel-Hurt and carried on January 18, 2022.

• **Resolution of the Village of East Aurora Approving the Site Plan for the Blue Eyed Baker retail bakery business to locate in a portion of the building at 636 E. Fillmore Avenue, in the Village of East Aurora, New York**

WHEREAS, an application has been submitted for Site Plan Approval at the above referenced property by applicants Nick and Alex Robinson; and

WHEREAS, the Village Board referred the site plan to the Planning Commission for review, comment and recommendation, and the Planning Commission resolution, recommending site plan approval, with findings and subject to conditions, is incorporated herein and is detailed as follows:

Findings:

1. Proposed site plan is a good re-use of an existing structure which is consistent with the Village Comprehensive plan.
2. All outdoor lighting will be code compliant.
3. A wall of greenery will be employed on the roof top seating area to buffer noise to neighboring residential properties.
4. The proposed parking plan provided by the applicants is consistent with parking previously approved by the Planning Commission for the same location.

Conditions:

1. Applicants should look at a permeable option for the parking lot to mitigate run-off to Tannery Brook.
2. Applicants should look into alternate snow stacking location to allow the rain garden area to mitigate run-off to Tannery Brook.

3. Recommend the Safety Committee to take a look at pedestrian safety crossing Riley St. and E. Fillmore to get to the bakery and whether crosswalks might be necessary due to the high volume of traffic from the ice rink.

4. Applicants should employ a parapet on the roof as a design feature and to obscure roof-top mechanicals as per Village Commercial Design Guidelines.

WHEREAS, the Erie County Division of Planning has reviewed said Site Plan and has no recommendation and deems the matter to be of local concern; and

WHEREAS, the Village's SEQRA Intake Committee considered the application and reviewed Part 1 of the Short Environmental Assessment Form submitted by the applicants and completed Part 2 and Part 3 thereof on behalf of the Village, and it was the determination of the SEQRA Committee that the proposed development plan is an Unlisted Action and would have no significant environmental impact; and

WHEREAS, the Village Board at a public meeting reviewed and considered further the comments and all written materials submitted by the applicants and all other information and recommendations before the Board, including minutes of prior Village Board meetings and the recommendation of the SEQRA Intake Committee and Planning Commission; and

WHEREAS, the Village Board received and considered the Site Plan, the above referenced upgrades, and any and all amendments thereof; and

WHEREAS, the Village Board has separately considered the environmental impacts of the project, declared itself Lead Agency and issued a Negative Declaration of environmental significance, with the proposal classified as an Unlisted Action.

NOW, THEREFORE, BE IT RESOLVED, by the Village Board as follows:

1. The Findings of Fact of the SEQRA Intake Committee, the resolution with findings and conditions of the Planning Commission, and the site plan application, including the above-referenced improvement rendering filed with the Village, all information included in the minutes taken in relation to the abovementioned Village Board and Planning Commission meetings are herein incorporated by reference.

2. The Resolution of the Village Board considering the environmental impacts of the project and the issuance of a Negative Declaration of environmental significance is incorporated herein by reference.

3. The Site Plan relating to the proposed project at 636 E. Fillmore Avenue, East Aurora, New York, wherein the applicants propose to establish the Blue Eyed Baker business, a retail bakery, in a portion of the building is detailed in the following documentation:

- a cover letter from Schenne & Associates, consulting engineers, dated October 25, 2021 (one page);
- on the Site Plan Application (one page) dated and received on October, 28, 2021;
- and as shown on drawings prepared by Schenne & Associates, all dated August 6, 2021, as follows:
  - o Proposed Site Layout, Drawing No. C-1;
  - o Site Grading & Utility Plan, Drawing No. C-2; and

- o Site Landscape Plan, Drawing No. C-3; and
- on narratives dated September 22, and October 1, 2021; and is hereby approved, applying the standards under the Village Zoning Code, the project sits in with the Master Plan and is in harmony with the Zoning Code, and is subject to the following additional conditions:

4. The resolution is effective immediately approving the issuance of a development, construction permit as hereinbefore set forth, subject to compliance with all applicable federal, state and local laws and codes.

The foregoing resolution was duly made by Trustee Scheer and seconded by Trustee Lazickas and carried on January 18, 2022.

- **An Application of a Request for a Special Use Permit, received by the Office of the Village Clerk on October 28, 2021, is hereby:**

A motion by Trustee Cameron,

To approve, as submitted, for applicants Nick and Alex Robinson, for establishment of the Blue Eyed Baker retail bakery to be located in a portion of the building at 636 E. Fillmore Avenue. The Village Board shall serve as the Lead Agency for purposes of the State Environmental Quality Review Act (SEQRA). A Negative Declaration is made under SEQRA and said application is determined to be an Unlisted Action. This application was submitted to Erie County Planning for review and the reply received is, "No recommendation; proposed action has been reviewed and determined to be of local concern." This application was reviewed by the Village Planning Commission and received a positive recommendation to be approved by the Village Board, along with findings which are incorporated herein. If approved, the following additional language should be part of the approval: Approval is Granted for the above-referenced Special Use Permit Application, as written and submitted, including and as detailed in a cover letter from Schenne & Associates, consulting engineers, dated October 25, 2021 (one page), and on the Special Use Permit Application (one page) dated October 28, 2021, and as shown on drawings prepared by Schenne & Associates, all dated August 6, 2021, as follows: Proposed Site Layout, Drawing No. C-1, Site Grading & Utility Plan, Drawing No. C-2; and Site Landscape Plan, Drawing No. C-3, and on a one-page narrative dated October 26, 2021. Should any part of the application and Special Use Permit approval be in conflict with any segment of the underlying Village Code (i.e., Zoning, etc.), adherence shall be with the Village Code provisions. The Village shall have the right to periodically inspect the property for compliance with the Village Code, the Special Use Permit and its conditions. The nature, duration and intensity of the operations which are involved in, or conducted in connection with, this Special Use Permit shall not be increased or expanded without the approval of the Village Board. Any increase or expansion shall be considered at a public hearing held in accordance with the application requirements an administrative procedures which have been adopted by the Village Board. This Special Use Permit shall expire if significant construction has not been commenced within one year, and has not been completed within two years, of final Special Use Permit approval or, if no construction is involved, if the use has not been

commenced within one year of final Special Use Permit approval. This Special Use Permit shall expire if the use, once begun, ceases operation, for any reason, for more than six consecutive months. For seasonal uses, the use will be considered ceased if there is no operation for at least 12 consecutive months. This Special Use Permit may be revoked by the Village Board if it is found and determined that there has been a material failure of compliance with any one of the terms, conditions, limitations or requirements imposed by the Special Use Permit. Revocation may also occur in the event of Village Code violations occurring at the property. The Village Board shall hold a public hearing to consider whether or not the Special Use Permit grantee has violated the terms and conditions of the Special Use Permit or if any Village Code violations have occurred. The public hearing shall be held only after the permit grantee has been notified. Notice of the violations and of the date, place and time of the public hearing shall be mailed to the Special Use Permit grantee by certified mail, return receipt requested, directed to the last known address of the permit grantee.

Seconded by Trustee Kimmel-Hurt, with unanimous approval.

- A Motion by Trustee Kimmel-Hurt, to Authorize the Mayor to Sign the Easement License Agreement with the Poked Yolk at 227 Main Street, was seconded by Trustee Lazickas, with unanimous approval.
- A Motion by Trustee Kimmel-Hurt, to Approve removing the tree at 831 E. Fillmore Avenue from Mary & Ralph Gese, seconded by Trustee Lazickas, with unanimous approval.
  - The DPW will remove this tree and the owners will fix the sidewalk once the tree is removed.
- A Motion by Trustee Rosati, to Authorize the Mayor to Sign the Hamlin Park Agreement with the Town of Aurora, was seconded by Trustee Kimmel-Hurt, with unanimous approval.
- A Motion by Trustee Scheer, to Approve Budget Adjustments,

Budget Transfers	2021-2022				
TO			FROM		
A.5.1409.0420	Public Works Admin Maintance and Repairs	\$ 5,000.00	A.5.5142.0470	Snow removal - Department Supply	\$ 5,000.00
A.5.5110.0420	Streets Maintance	\$ 15,000.00	A.5.1990.0400	Contingency	\$ 15,000.00
A.5.1640.0433	Central Garage Water	\$ 1,000.00	A.5.1640.0450	Central Garage Gas	\$ 1,000.00

was seconded by Trustee Kimmel-Hurt, with unanimous approval.



- A Motion by Trustee Cameron, to Schedule a Public Hearing on February 7<sup>th</sup> for the Site Plan Application for 189 King Street, seconded by Trustee Kimmel-Hurt, carried by unanimous approval.
- A Motion by Trustee Lazickas, to Schedule a Public Hearing on February 7<sup>th</sup> Local Law considering the Tax Cap Override, seconded by Trustee Scheer, carried by unanimous approval.
- A Motion by Trustee Cameron, to Schedule a Public Hearing on February 22<sup>nd</sup> proposing to rescind the Site Plan Approval for townhouses to be located at 636 E. Fillmore Avenue, seconded by Trustee Lazickas, carried by unanimous approval.
  - This property currently has two approvals and since they are going forward with a proposal of retail, the Board will rescind the Townhome site plan approval.
- A Motion by Trustee Kimmel-Hurt , to Schedule a Public Hearing on February 22<sup>nd</sup> amending Village Code Section 249-Vehicles and Traffic, seconded by Trustee Cameron , carried by unanimous approval.
- A Motion by Trustee Scheer, to Adopt the Hazardous Mitigation Resolution for the Joint County Hazard Mitigation Plan, seconded by Trustee Rosati, carried by unanimous approval.
  - This is a County plan and they are happy with what we've done for our participation.
- A Motion by Trustee Lazickas, for Permission for the Administrator to Approve Temporary Special Use Permits for Outdoor Dining this year due to COVID, seconded by Trustee Rosati, carried by unanimous approval.
  - The right of way on Main Street would have to get a permit from the DOT and the Administrator is still waiting to hear back from them on how to move forward with getting a permit.
- A Motion by Trustee Cameron, for Appoint Stacy Oar to the Planning Commission to fill an unexpired term ending April 4, 2023, seconded by Trustee Lazickas, carried by unanimous approval.
- A Motion by Trustee Cameron, to Refer to the Planning Commission on February 1<sup>st</sup> a site plan application for 42 Riley St. SNAP Fitness, was seconded by Trustee Kimmel-Hurt, with unanimous approval.
- A Motion by Trustee Lazickas, to Refer to the Planning Commission on February 1<sup>st</sup> for a propane tank exchange 42 Riley Ace Hardware, was seconded by Trustee Kimmel-Hurt, with unanimous approval.
- A Motion by Trustee Cameron, to Refer to the Planning Commission on February 1<sup>st</sup> for residential subdivision 363 Prospect and 0 Walnut – Terrence Kopp, was seconded by Trustee Rosati, with unanimous approval.

- A Motion by Trustee Kimmel-Hurt, to Schedule a Public Hearing on February 7<sup>th</sup> for a Local Law amending Village Code Section 220 - Stormwater, seconded by Trustee Lazickas, carried by unanimous approval.

#### **DEPARTMENT HEAD AND TRUSTEE REPORTS**

- Police Chief- just got notice the first officer to get into drug recognition school will be the first week of February and is a process to be selected.
- DPW Superintendent- Past few days have been working on snow plowing and snow removal
- CEO Cassidy- none
- Clerk-Treasurer- Spoke about Code Red and has been speaking with many of the vendors and is making sure what they are telling us we will be getting is in writing. They will be speaking with each department to discuss how each one would use it. She does not have the cost figures yet. We got a notice from NICERTA today that we will be receiving the 5k and we will be spending it on LED Street lights. The office has started the reports for the Budget meeting
- Village Administrator- Spoke about errors in the Code and that's why we have been scheduling public hearings to update the code.
- Trustee Cameron- remind everyone to shovel out their fire hydrants for the Fire Department in case of emergencies and to not shovel the snow at the end of the driveway out into the road.
- Trustee Kimmel-Hurt- none
- Trustee Rosati- trees with orange dots on them that are on Walnut will be taken down by NYSEG.
- Trustee Lazickas- none
- Trustee Scheer- Thanked the DPW for clearing the streets.
- Mayor Mercurio- been meeting the past few years with the Superintendent about an SRO contract and have come up with a solution they believe is agreeable with the Village, Town and School Board. The School Board has approved it, the Town is looking at it now and then the Village Board will review it. We will be putting the link for covid home tests given out

#### **EXECUTIVE SESSION**

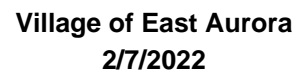
A Motion was made by Trustee Kimmel-Hurt, to go into Executive Session at 7:58 PM to discuss potential litigation, seconded by Lazickas, to end Executive Session at 8:28 PM, seconded by Trustee Kimmel-Hurt and unanimously carried.

#### **ADJOURNMENT**

A Motion was made by Trustee Kimmel-Hurt to adjourn the meeting at 8:28 pm. Seconded by Trustee Cameron and unanimously carried.

Respectfully submitted,

Jessica Taneff



Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date
1	571 MAIN ST VILLAGE HALL ACCT 7933856	A.5.1620.0431	BUILDINGS - ELECTRIC	\$349.68		
2	575 OAKWOOD AVE (OLD FIRE DEPT) ACCT 237062	A.5.3410.0431	FIRE DEPARTMENT - ELECTRIC	\$0.00		
3	581 OAKWOOD AVE DPW STORAGE ACCT 5123021	A.5.1640.0431	CENTRAL GARAGE - ELECTRIC	\$0.00		
4	ELM ST SIGNAL ACCT 3514288	A.5.5182.0431	STREET LIGHTING - ELECTRIC	\$1.69		
5	ELMWOOD & CHESTNUT HILL BOOSTER PUMP STATION ACCT 3590155 (BILLS EVERY OTHER MONTH)	A.5.5182.0431	STREET LIGHTING - ELECTRIC	\$405.71		
6	GIRARD AVE ACCT 893560	A.5.5182.0431	STREET LIGHTING - ELECTRIC	\$8.72		
7	PINE ST DPW Offices and Garage; ACCT 256115	A.5.1640.0431	CENTRAL GARAGE - ELECTRIC	\$136.52		
8	PINE ST WATER PLANT; ACCT 288597	F.5.1620.0431	BUILDINGS - ELECTRIC	\$13.06		
9	ST LIGHTING ACCT 4086039	A.5.5182.0431	STREET LIGHTING - ELECTRIC	\$390.85		
10	ST LIGHTING R2 ACCT 719336	A.5.5182.0431	STREET LIGHTING - ELECTRIC	\$262.18		
11	33 CENTER ST (NEW FIRE HALL) ACCT N01000060689999	A.5.3410.0431	FIRE DEPARTMENT - ELECTRIC	\$748.21		

Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date
1	Postage for water bills.	F.5.8310.0403	WATER ADMINISTRATION - POSTAGE, BILLS, NOTICES	\$2,000.00		
2	VEA supplies.	A.5.1670.0470	CENTRAL PRINTING & MAILING - POSTAGE	\$148.00		

Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date
1	Lease and Maintenance Agreement: 1/14/21-1/13/2022; Contract #737934.004	A.5.1670.0420	CENTRAL PRINTING & MAILING - MAINTENANCE & REPAIRS	\$1,341.72		

Report run by: gretchen



**Village of East Aurora**  
**2/7/2022**

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
HOLLAND GEN CHECK - 00100			Line Number	Detail Description	Account Number	Account Description		Detail Amount	PO Number	PO Date	
			1	Near 21 Elm ST.; 12/11-1/12/22	A.5.5182.0431	STREET LIGHTING - ELECTRIC	\$21.61				
BANK OF HOLLAND GEN CHECK - 00100	61858	NYSEG	01/13/2022	1001-7273-243	\$27.21	ELECTRICITY USAGE-NEAR 650 GIRARD AVE.; 12/10-1/12/22	2022	9	02/07/2022		
			Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date		
BANK OF HOLLAND GEN CHECK - 00100	61859	NYSEG	1	GIRARD AVE SIGNAL NYSEG ACCT NO 1001-7273-243	A.5.5182.0431	STREET LIGHTING - ELECTRIC		\$27.21			
			01/13/2022	1004-8515-430	\$23.88	400 Pine St. Salt Shed; 12/10-1/12/22	2022	9	02/07/2022		
BANK OF HOLLAND GEN CHECK - 00100	61860	CSEA EMPL BENEFIT FUND	Line Number	Detail Description	Account Number	Account Description		Detail Amount	PO Number	PO Date	
			1	400 Pine St. Salt Shed; 12/10-1/12/22	A.5.1640.0431	CENTRAL GARAGE - ELECTRIC	\$23.88				
BANK OF HOLLAND GEN CHECK - 00100			02/07/2022	12314052FEB2022	\$6,911.44	Dental & Vision Insurance Group DH123; 37 Enrollees; February 2022	2022	9	02/07/2022		
			Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date		
BANK OF HOLLAND GEN CHECK - 00100	61861	Time Warner Cable-EAFD	1	Dental Insurance General Fund; 34 Enrollees; February 2022	A.5.9061.0807	DENTAL INSURANCE - DENTAL INSURANCE		\$5,408.55			
			2	Dental Insurance Water Fund; 3 Enrollees; February 2022	F.5.9061.0807	DENTAL INSURANCE - DENTAL INSURANCE	\$463.59				
BANK OF HOLLAND GEN CHECK - 00100			3	Optical Insurance General Fund; 34 Enrollees; February 2022	A.5.9062.0808	OPTICAL - OPTICAL		\$957.25			
			4	Optical Insurance Water Fund; 3 Enrollees; February 2022	F.5.9062.0808	OPTICAL - OPTICAL	\$82.05				
BANK OF HOLLAND GEN CHECK - 00100	61861	Time Warner Cable-EAFD	01/14/2022	115006201011422	\$187.10	EAFD-1/14-2/13/2022	2022	9	02/07/2022		
			Line Number	Detail Description	Account Number	Account Description	Detail Amount	PO Number	PO Date		
BANK OF HOLLAND	61862	TROST FIRE EQUIPMENT	1	EAFD-1/14-2/13/2022	A.5.1480.0410	PUBLIC INFO SERVICES - PUBLIC INFO: SUPPLIES, MAINT AGR, INTERNET, SERVER, GIS		\$187.10			
			01/12/2022	103551	\$112.50	SCBA tank refill	2022	9	02/07/2022		





Village of East Aurora  
2/7/2022

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
BANK OF HOLLAND GEN CHECK - 00100	61871	HI-VIZ SAFETY WEAR, LLC	01/12/2022	95697/95726	A.5.5110.0420	STREET MAINTENANCE - ROAD MATERIALS	2022	\$3,320.84	02/07/2022	2022000243	
					A.5.5110.0480	STREET MAINTENANCE - UNIFORMS		\$214.01			
					\$2,351.44	workwear hoodies for DPW		9			
BANK OF HOLLAND GEN CHECK - 00100	61872	Bobcat of Buffalo	01/19/2022	01-150459	\$189.00	glass door for #540	2022	9	02/07/2022		
BANK OF HOLLAND GEN CHECK - 00100	61873	ERIE COUNTY PUBLIC HEALTH LAB	01/14/2022	1220021	\$45.00	DEC 2021 WATER SAMPLES	2022	9	02/07/2022		
BANK OF HOLLAND GEN CHECK - 00100	61874	SHANOR ELECTRIC SUPPLY	01/19/2022	PSI10031280	\$95.70	POLICE STATION REMODEL-lightbulbs	2022	9	02/07/2022		
BANK OF HOLLAND GEN CHECK - 00100	61875	CARQUEST AUTO PARTS	01/11/2022	498750-499891	\$555.19	Jan 2022 Auto Parts	2022	9	02/07/2022		



Village of East Aurora  
2/7/2022

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
		2			A.5.3120.0460	POLICE DEPARTMENT - VEHICLE MAINTENANCE & PARTS		\$272.13	2022000242		
BANK OF HOLLAND GEN CHECK - 00100	61876	CINTAS CORPORATION	01/25/2022	17711278/17711838	\$582.10	Jan 2022- DPW and Police	2022	9	02/07/2022		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1			A.5.1620.0420	BUILDINGS - MAINTENANCE & REPAIRS		\$256.34	2022000233	12/30/2021	
		2			A.5.1640.0480	CENTRAL GARAGE - UNIFORMS		\$122.20	2022000233	12/30/2021	
		3			A.5.1640.0420	CENTRAL GARAGE - MAINTENANCE & REPAIRS		\$203.56	2022000233	12/30/2021	
BANK OF HOLLAND GEN CHECK - 00100	61877	LAWSON PRODUCTS INC	12/21/2021	9309120099	\$653.40	Vehicle parts and DPW shop supplies	2022	9	02/07/2022		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1			A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS		\$653.40	2022000224	12/21/2021	
BANK OF HOLLAND GEN CHECK - 00100	61878	DIG SAFELY NY, INC.	12/31/2021	21120875	\$26.00	Oct-Dec 2021 response charges	2022	9	02/07/2022		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1	Oct-Dec 2021 response charges		F.5.8340.0420	TRANSMISSION AND DISTRIBUTION - MAINT & REPAIRS		\$26.00			
BANK OF HOLLAND GEN CHECK - 00100	61879	Manny's Ace Hardware	01/26/2022	01312022	\$402.81	Jan 2022	2022	9	02/07/2022		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1			A.5.1640.0420	CENTRAL GARAGE - MAINTENANCE & REPAIRS		\$0.00	2022000245	12/30/2021	
		2			A.5.1620.0420	BUILDINGS - MAINTENANCE & REPAIRS		\$41.26	2022000245		
		2	DPW sec system		A.5.1490.0403	PUBLIC WORKS ADMINISTRATION - OFFICE SUPPLIES		\$130.11	2022000245		
		3	mailbox repair		A.5.5110.0420	STREET MAINTENANCE - ROAD MATERIALS		\$19.24	2022000245		
		4	#517		A.5.1640.0460	CENTRAL GARAGE - VEHICLE MAINTENANCE & PARTS		\$92.93	2022000245		







Village of East Aurora  
2/7/2022

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
		1	33 CENTER ST FIRE HALL 827	1004-1637-	A.5.3410.0431	FIRE DEPARTMENT - ELECTRIC		\$465.10			
BANK OF HOLLAND GEN CHECK - 00100	61885	W.B. MASON CO., INC.	01/24/2022	226946643	\$5.95	EAPD and Dispatch Water	2022	9	02/07/2022		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1	EAPD Water		A.5.3120.0420	POLICE DEPARTMENT - MAINT. SERVICE CONTRACTS		\$2.98			
		2	Dispatch Water		A.5.3420.0420	POLICE & FIRE DISPATCH - MAINTENANCE/SERVICE CONTRACTS		\$2.97			
BANK OF HOLLAND GEN CHECK - 00100	61886	W.B. MASON CO., INC.	01/24/2022	226946427	\$5.99	VEA water	2022	9	02/07/2022		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1	VEA water		A.5.1325.0403	VILLAGE ADMINISTRATOR - OFFICE SUPPLIES		\$5.99			
BANK OF HOLLAND GEN CHECK - 00100	61887	Aqua Supply & Irrigation Inc.	12/30/2021	52698	\$9,922.00	Scag Blower	2022	9	02/07/2022		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1			A.5.7140.0420	PLAYGROUNDS & RECREATION CTRS. - MAINTENANCE & REPAIRS		\$9,922.00	2022000247	12/30/2021	
BANK OF HOLLAND GEN CHECK - 00100	61888	Pierce, Robert J	01/27/2022	February Services	\$958.33	Legal 2022 Services for February,	2022	9	02/07/2022		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1	Legal Services for February, 2022		A.5.1420.0410	VILLAGE ATTORNEY - CONTRACT SERVICES		\$958.33			
BANK OF HOLLAND GEN CHECK - 00100	61889	UNITED UNIFORM COMPANY	02/07/2022	IO21-355680	\$524.91	Initial issue PO Pinto & PO Shea	2022	9	02/07/2022		
		<b>Line Number</b>	<b>Detail Description</b>		<b>Account Number</b>	<b>Account Description</b>		<b>Detail Amount</b>	<b>PO Number</b>	<b>PO Date</b>	
		1	Holster 7360 for PO Shea		A.5.3120.0480	POLICE DEPARTMENT - UNIFORMS, BODY ARMOR		\$141.00			
		2	2 Baton and baton holsters		A.5.3120.0480	POLICE DEPARTMENT - UNIFORMS,		\$353.96			



Village of East Aurora  
2/7/2022

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
BANK OF HOLLAND GEN CHECK - 00100	61890	OFFICE DEPOT	02/07/2022	220936651001	\$12.49	BODY ARMOR	2022	9	02/07/2022		
						POLICE DEPARTMENT - UNIFORMS, BODY ARMOR					
						Various office supplies					
BANK OF HOLLAND GEN CHECK - 00100	61891	UNITED UNIFORM COMPANY	02/07/2022	IO21-357002	\$86.85		2022	9	02/07/2022		
						initial issue PO Shea, police academy					
BANK OF HOLLAND GEN CHECK - 00100	61892	UNITED UNIFORM COMPANY	02/07/2022	IO21-355674	\$212.73		2022	9	02/07/2022		
						Initial issue for PO Shea					
BANK OF HOLLAND GEN CHECK - 00100	61893	UNITED UNIFORM COMPANY	02/07/2022	IO21-3155623	\$25.00		2022	9	02/07/2022		
						Initial issue PO Pinto					
BANK OF HOLLAND GEN	61894	WNYACOP	02/07/2022	2022 Dues	\$100.00		2022	9	02/07/2022		
						WNY Association Chiefs Dues					

**Village of East Aurora**  
**2/7/2022**

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
CHECK - 00100											
BANK OF HOLLAND GEN CHECK - 00100	61895	UNITED UNIFORM COMPANY	02/07/2022	IO21-342024	\$9.98	gold insignia for LT promotion, LT Bastine	2022	9	02/07/2022		
BANK OF HOLLAND GEN CHECK - 00100	61896	UNITED UNIFORM COMPANY	02/07/2022	IO21-334142	\$39.95	Initial issue for PSD Atkinson	2022	9	02/07/2022		
BANK OF HOLLAND GEN CHECK - 00100	61897	CINTAS CORPORATION	02/07/2022	5093205718	\$95.46	Medical Supplies for first aid cabinet located in police dept. (Note:This service includes CINTA's rep visiting EAPD periodically to check and refill as needed so a PO can't be issued in advance)	2022	9	02/07/2022		
BANK OF HOLLAND GEN CHECK - 00100	61898	W.B. MASON CO., INC.	02/07/2022	226682332, CM0542820	\$23.94	EAPD Water	2022	9	02/07/2022		
BANK OF	61899	LAW ENFORCEMENT	02/07/2022	5914	\$424.00	Psychological Evaluation for new	2022	9	02/07/2022		





Village of East Aurora  
2/7/2022

Bank Name	Voucher No	Vendor Name	Invoice Date	Invoice No	Invoice Amt	Invoice Description	Fiscal Year	Period	Due Date	Check No	Check Date
BANK OF HOLLAND GEN CHECK - 00100	61905	Amazon	Line Number	Detail Description	Account Number	Account Description		Detail Amount	PO Number	PO Date	
			1	ELECTRICITY USAGE-BUFFALO RD @ GREY ST	A.5.5182.0431	STREET LIGHTING - ELECTRIC	\$19.80				
			01/09/2022	1MQF-XJVW-W14R	\$69.26	VEA Office Supplies-Voice Recorder	2022	9	02/07/2022		
BANK OF HOLLAND GEN CHECK - 00100	61906	M and T BANK	Line Number	Detail Description	Account Number	Account Description		Detail Amount	PO Number	PO Date	
			1	VEA Office Supplies-Voice Recorder	A.5.1325.0403	VILLAGE ADMINISTRATOR - OFFICE SUPPLIES	\$69.26				
			02/01/2022	January Payment	\$39,316.44	Credit Card Payment, January 2022	2022	9	02/07/2022		
BANK OF HOLLAND GEN CHECK - 00100			Line Number	Detail Description	Account Number	Account Description		Detail Amount	PO Number	PO Date	
			1	Safelite Autoglass	A.5.3120.0460	POLICE DEPARTMENT - VEHICLE MAINTENANCE & PARTS	\$450.66				
			2	Clearinghouse (DPW)	A.5.1640.0440	CENTRAL GARAGE - TRAINING, TRAVEL & DUES	\$62.50				
			3	Adobe	A.5.1480.0410	PUBLIC INFO SERVICES - PUBLIC INFO: SUPPLIES, MAINT AGR, INTERNET, SERVER, GIS	\$16.30				
			4	Modern Corporation	A.5.8160.0410	REFUSE & GARBAGE	\$38,334.64				
			5	NYS Assoc. of Chiefs of Police Membership through 12/31/22	A.5.3120.0440	POLICE DEPARTMENT - TRAINING, TRAVEL & DUES	\$175.00				
			6	International Assoc. of Chiefs of Police Membership dues.	A.5.3120.0440	POLICE DEPARTMENT - TRAINING, TRAVEL & DUES	\$190.00				
			7	EAPD rubber date stamp	A.5.3120.0403	POLICE DEPARTMENT - OFFICE SUPPLIES	\$14.94				
			8	EAPD Equipment	A.5.3120.0470	POLICE DEPARTMENT - DEPARTMENTAL SUPPLIES	\$72.40				
BANK OF HOLLAND GEN CHECK - 00100	61907	Brian Parisi Copier Systems, Inc.	02/07/2022	IN105949	\$16.50	Shipping for toner for MPC307 copier, clerks office	2022	9	02/07/2022		
			Line Number	Detail Description	Account Number	Account Description		Detail Amount	PO Number	PO Date	
			1	Shipping for toner for MPC307 copier, clerks office	A.5.3120.0420	POLICE DEPARTMENT - MAINT. SERVICE CONTRACTS	\$8.25				
			2	Shipping for toner for MPC307 copier, clerks office	A.5.3420.0420	POLICE & FIRE DISPATCH - MAINTENANCE/SERVICE CONTRACTS	\$8.25				
BANK OF	61908	CARDIAC LIFE PRODUCTS, INC.	02/07/2022	134923	\$806.00	2 AED batteries Unit 6 & 9	2022	9	02/07/2022		



**Village of East Aurora**  
**2/7/2022**

[illegible]



Village of East Aurora  
2/7/2022

Posted Batch Totals

Fund	Fund Description	Invoice Batch		Manual Checks		Purchase Cards		Total	
		Paid	Unpaid	Paid	Unpaid	Paid	Unpaid	Paid	Unpaid
A	GENERAL FUND	\$0.00	\$141,136.15	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$141,136.15
F	WATER FUND	\$0.00	\$7,817.77	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,817.77
Posted Batch Grand Totals		\$0.00	\$148,953.92	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$148,953.92



Village of East Aurora  
2/7/2022

\*\*\*\*\* Certificate of Financial Officer \*\*\*\*\*

I hereby certify that the attached Voucher Listing is complete and accurate to the best  
of my knowledge, and payment is hereby approved.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_



# **TOWN OF AURORA**

575 OAKWOOD AVENUE, EAST AURORA, NY 14052

BUILDING DEPARTMENT

(716) 652-7591

## **MEMO**

TO: Mayor Mercurio and Village Trustees

FROM: Elizabeth Cassidy, Code Enforcement Officer

DATE: November 30, 2021

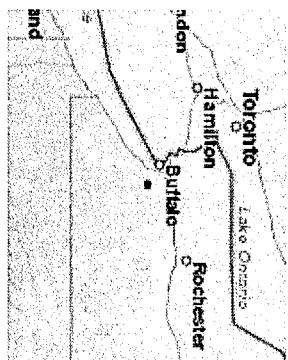
The Building Department has accepted a Site Plan application for a residential development at a vacant lot at 189 King St. A site plan review is required per Village Code section 285-30.6 because it is an existing legal lot of record that has less than the required 70' of frontage. For your reference, see the attached a map of this section on King St with lot frontage marked.







Village Code section 285-51.5 requires the Village Board to refer the Site Plan application to the Planning Commission for their review and recommendation. The Village Board shall then schedule a public hearing prior to the SEQR determination and decision.

A County Planning referral is not required for this site plan.

This is an Unlisted action for purposes of SEQR.

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



- Legend**
-  **Parcels**
- Streets and Highways**
-  Interstate
  -  Primary State Road
  -  Secondary State Road
  -  County Road
  -  Local Road

### Legend

Parcels

## Streets and Highways

## Interstate

— Primary State Road

— Secondary State Road

County Road

Local Road

**ERIE COUNTY  
DEPARTMENT OF ENVIRONMENT & PLANNING  
OFFICE OF AIR**

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: 2,257



# **BUFFALO BUNGALOW** CONTEMPORARY CRAFTSMAN

549 Winspear rd. Elma NY 14059 \* 716-864-6785 \* Mybuffalobungalow.com

11/23/2021

RE: 189 king st. proposed site plan review

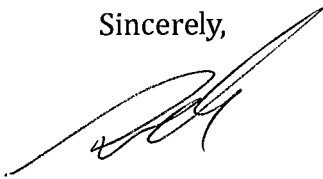
Owners: David & Georginia Schutte

Dear Plan review,

Buffalo bungalow is the builder/agent hired by the owners of 189 King St. Please see attached documents, plans, survey. plot, topo, drainage etc. regarding the proposed new residential build at 189 king st. East Aurora 14052.

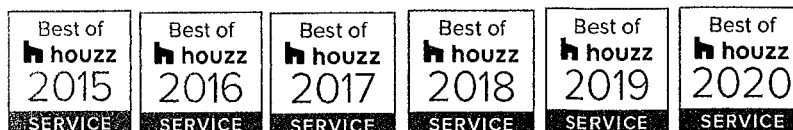
Our hope is to have the plan & site plan approved for a winter of 2021 New residential home start to be built ay 189 king st.

Sincerely,



Derek Sullivan

1 of 1



**VILLAGE OF EAST AURORA**  
 571 Main Street, East Aurora, New York 14052  
 716-652-6000  
 In conjunction with  
**Town of Aurora Building Department**  
 300 Gleed Ave, East Aurora, NY 14052  
 716-652-7591

Building Dept.	11/29/21
Date Received	11/30/21
Complete App	
Village Clerk:	
Date Received	
Amount \$	
Receipt #	

**SITE PLAN APPLICATION**

PROPOSED PROJECT Residential Home SBL#: 4 Block E  
 LOCATION 189 KING ST ZONING DISTRICT \_\_\_\_\_

The applicant agrees to reimburse the Village for any additional fees required for consultant's review of submitted technical data, including but not limited to, traffic studies, drainage, lighting, water and sewer plans.

APPLICANT NAME David & Georgia Schutte (Buffalo Bungalow - Abat)  
 ADDRESS 965 Center Rd Apt. D2 Buffalo NY 14204  
 TELEPHONE 863-242-6323 FAX \_\_\_\_\_ E-MAIL DavidSchutte@gmail.com  
 SIGNATURE \_\_\_\_\_

OWNER NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 TELEPHONE \_\_\_\_\_ FAX \_\_\_\_\_ E-MAIL \_\_\_\_\_  
 SIGNATURE \_\_\_\_\_

ENGINEER/ARCHITECT/LANDSCAPE ARCHITECT  
 NAME James D. Skotz FIRM JDS & Associates  
 ADDRESS 9 Ryan St. Lancaster NY 14086  
 TELEPHONE 392-5747 FAX \_\_\_\_\_ E-MAIL JDS-AssociatesPC@yahoo.com  
 SIGNATURE James D. Skotz AFFIX STAMP

**THIS APPLICATION MUST INCLUDE THE FOLLOWING:**

- Twenty (20) Sets – Cover letter to Village Board, Supporting Documents, and SEQR as required in §285-51.3
- One (1) complete file of submittal package in PDF format via email (under 10MB) to [maureen.ierackas@east-aurora.ny.us](mailto:maureen.ierackas@east-aurora.ny.us). Larger files may be submitted on a USB drive or CD Rom.
- Application fee \$25.00 and Public Hearing fee \$100.00 – Total \$125 at time of application

**OFFICE USE ONLY:** Sketch Plan Meeting Date \_\_\_\_\_ Minor Project written request to waive PC mtg Y/N/NA: VB Decision Y/N

**REQUIRED MEETINGS/REFERRALS:**

	Mtg/Mail Date	Conditions/Comments, if applicable:
Planning Commission	_____	_____
Historic Preservation	_____	_____
ZBA	_____	_____
EC Div of Planning	_____	_____
NYS DOT	_____	_____
Town Notification	_____	_____
Safety Committee	_____	_____
VEA DPW	_____	_____
OTHER (specify)	_____	_____

**SEQR ACTION:**

\_\_\_ Type 1 \_\_\_ Type 2 \_\_\_ Unlisted

**VILLAGE BOARD ACTION:**

	Mtg/Mail Date
Public Hearing	_____
Notices Mailed	_____
Posted Notice-VEA Hall	_____
Posted Notice-Prop	_____
Approval/Denial Date	_____

Attach Village Board resolution with noted conditions.



# 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.

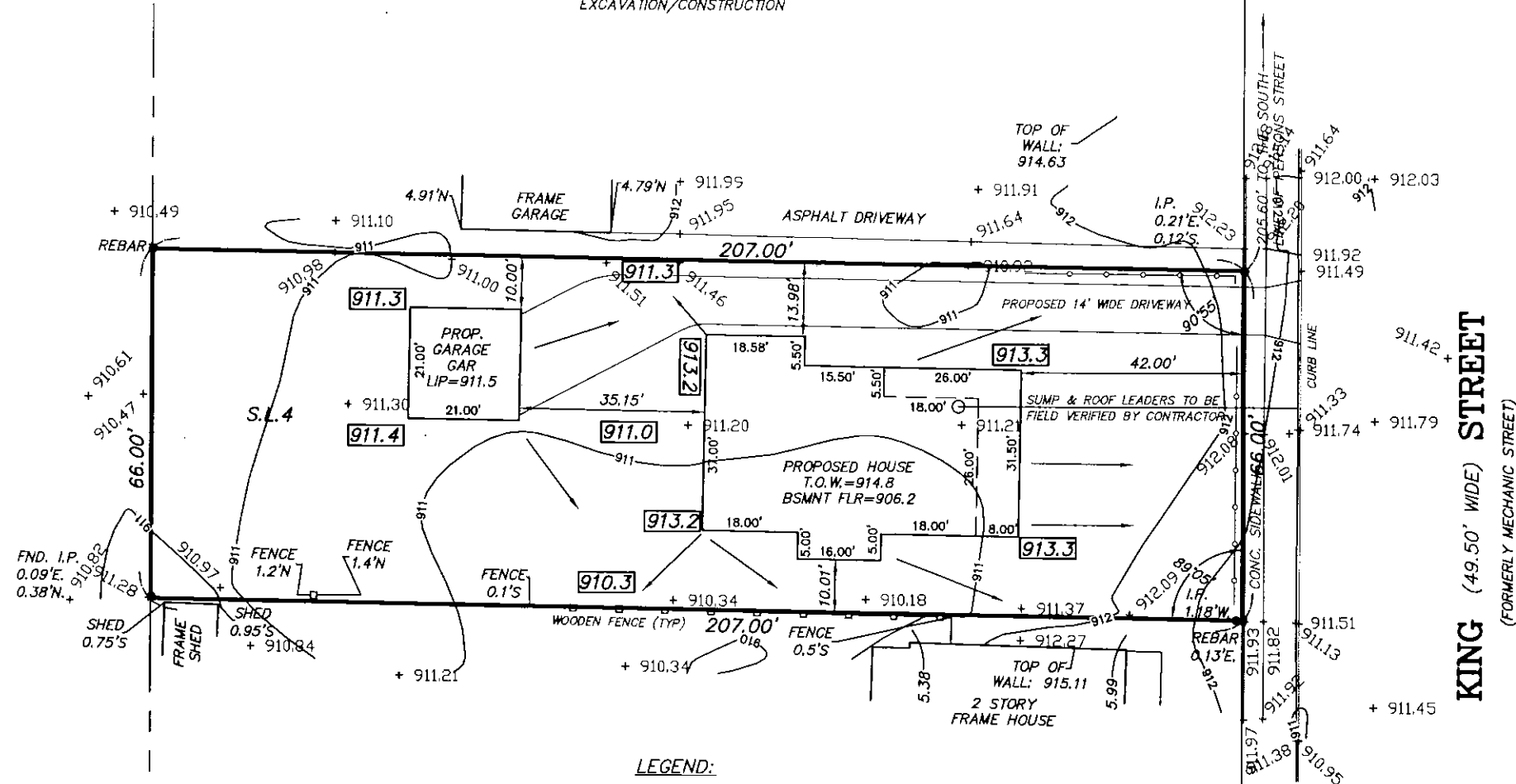
<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: <i>NEW RESIDENTIAL HOME FOR THE SCHULTZ FAMILY</i>			
Project Location (describe, and attach a location map): <i>189 KING ST.</i>			
Brief Description of Proposed Action: <i>TO ERRECT A NEW SINGLE FAMILY HOME.</i>			
Name of Applicant or Sponsor: <i>DEREK SILLMAN (AGENT) BUFFALO BUNGALOW</i>		Telephone: <i>716-867-6785</i>	
Address: <i>549 WINSBOR RD</i>		E-Mail: <i>INZICRETE@MSG.COM</i>	
City/PO: <i>ELMA</i>		State: <i>NY</i>	Zip Code: <i>14059</i>
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.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
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: <i>E.A. BUILDING PERMIT ONLY</i>		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<i>.3</i> acres	
b. Total acreage to be physically disturbed?		<i>.3</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>.3</i> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input 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 type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <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 <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<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?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
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: _____	<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 type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" 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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <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	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <u>Drainage Plan Attached</u> <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES			

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)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor name: <u>Deck Sullivan Robert Rogers</u> Date: <u>11/23/21</u> Signature: <u>[Signature]</u>		

NOTE: THIS SURVEY WAS PREPARED WITHOUT THE  
BENEFIT OF AN ABSTRACT OF TITLE.  
● SET OR EX. 5/8" REBAR

PLOT PLAN TO BE APPROVED BY  
THE LOCAL BUILDING DEPARTMENT  
PRIOR TO COMMENCEMENT OF  
EXCAVATION/CONSTRUCTION



**LEGEND:**

914.8 INDICATES TOP OF WALL ELEVATION

000.0 INDICATES MINIMUM FINISHED GRADE ELEVATION

913.2 INDICATES MINIMUM FINISHED GRADE AT THE FOUR CORNERS OF HOUSE,

x 783.01 INDICATES EXISTING GRADE ELEVATION

INDICATES PROPOSED SURFACE RUNOFF FLOW DIRECTION

BENCHMARK,  
TOP OF FIRE HYDRANT IN FRONT OF 199 KING STREET  
ELEVATION 913.43

SILT FENCE



*[Handwritten signature]*

DATE	REVISION/TYPE

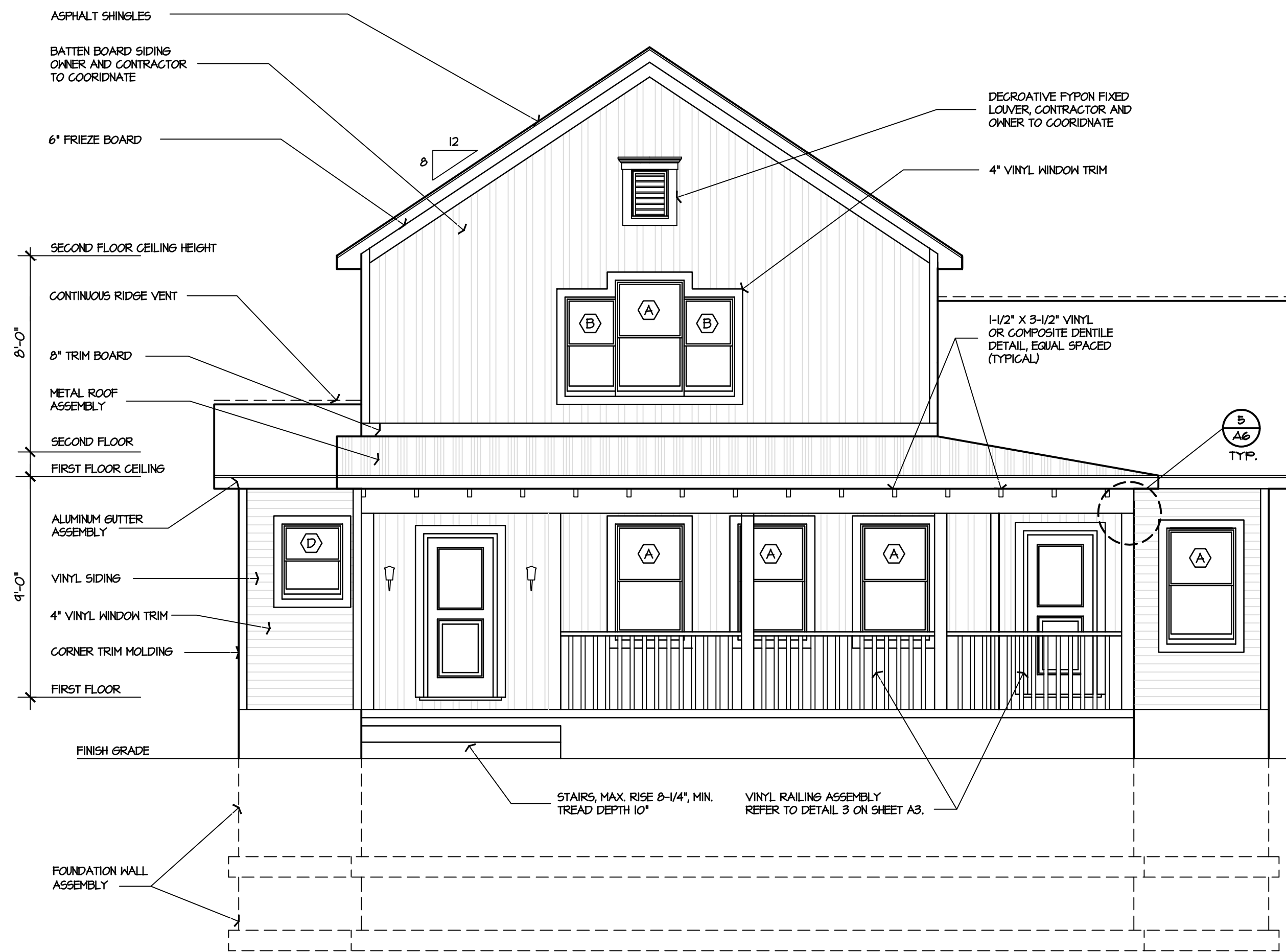
GRADING PLAN OF  
SUB LOT 4, BLOCK "E", MAP COVER 742  
**THE EAST AURORA LAND & IMPROVEMENT COMPANY MAP**  
PART OF LOT 23, TOWNSHIP 9, RANGE 6  
HOLLAND LAND COMPANY'S SURVEY  
VILLAGE OF EAST AURORA, TOWN OF AURORA, ERIE COUNTY, NEW YORK

**GPI ENGINEERING, LANDSCAPE  
ARCHITECTURE & SURVEYING, LLP**  
ENGINEERING • SURVEYING • LANDSCAPE ARCHITECTURE  
4950 GENESEE STREET, SUITE 100  
BUFFALO, NEW YORK 14225  
(716) 633-4844 FAX 633-4940

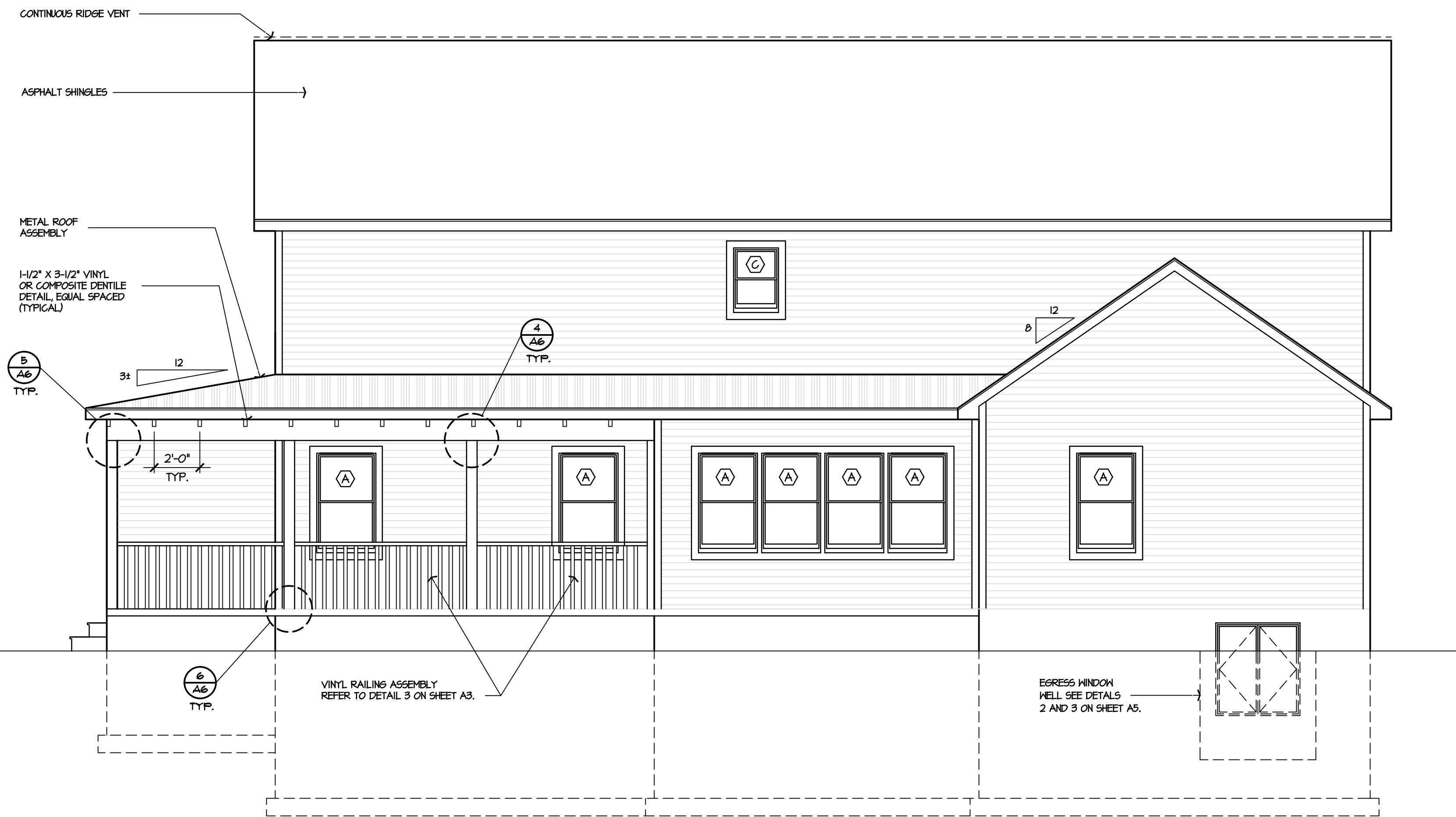
Job No. 9613  
Scale: 1" = 20'

Date: NOVEMBER 18, 2021  
TAX No. 175.08-5-5





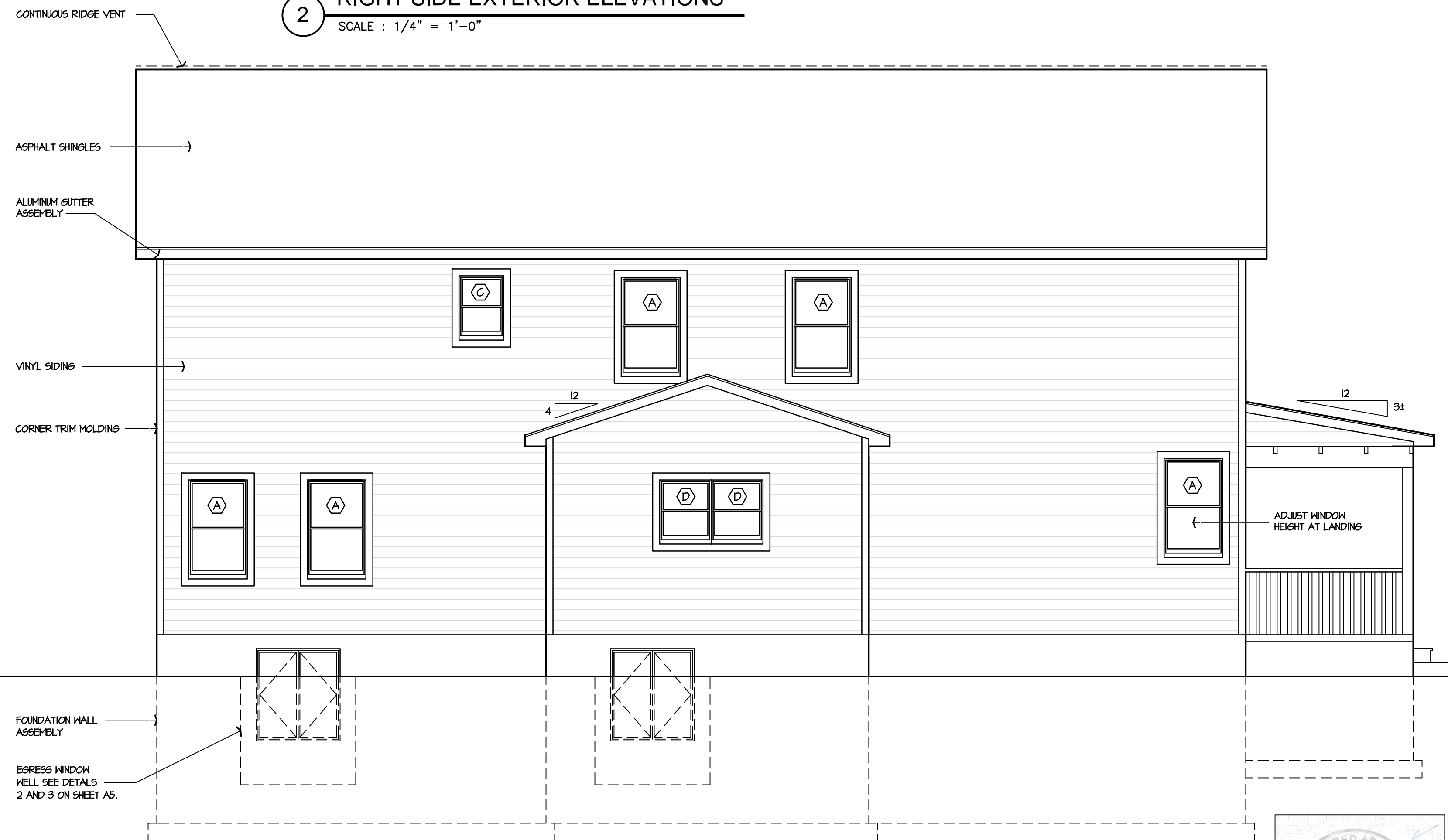
1 FRONT EXTERIOR ELEVATIONS  
SCALE : 1/4" = 1'-0"



2 RIGHT SIDE EXTERIOR ELEVATIONS  
SCALE : 1/4" = 1'-0"



3 REAR EXTERIOR ELEVATIONS  
SCALE : 1/4" = 1'-0"



4 LEFT SIDE EXTERIOR ELEVATIONS  
SCALE : 1/4" = 1'-0"



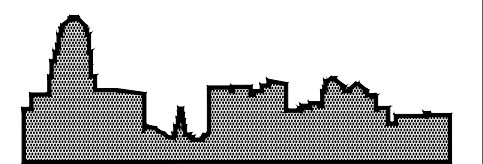
DRAWING REVISIONS	
ITEM	DESCRIPTION



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KING STREET, EAST AURORA EW YORK  
PROPOSED EXTERIOR ELEVATIONS

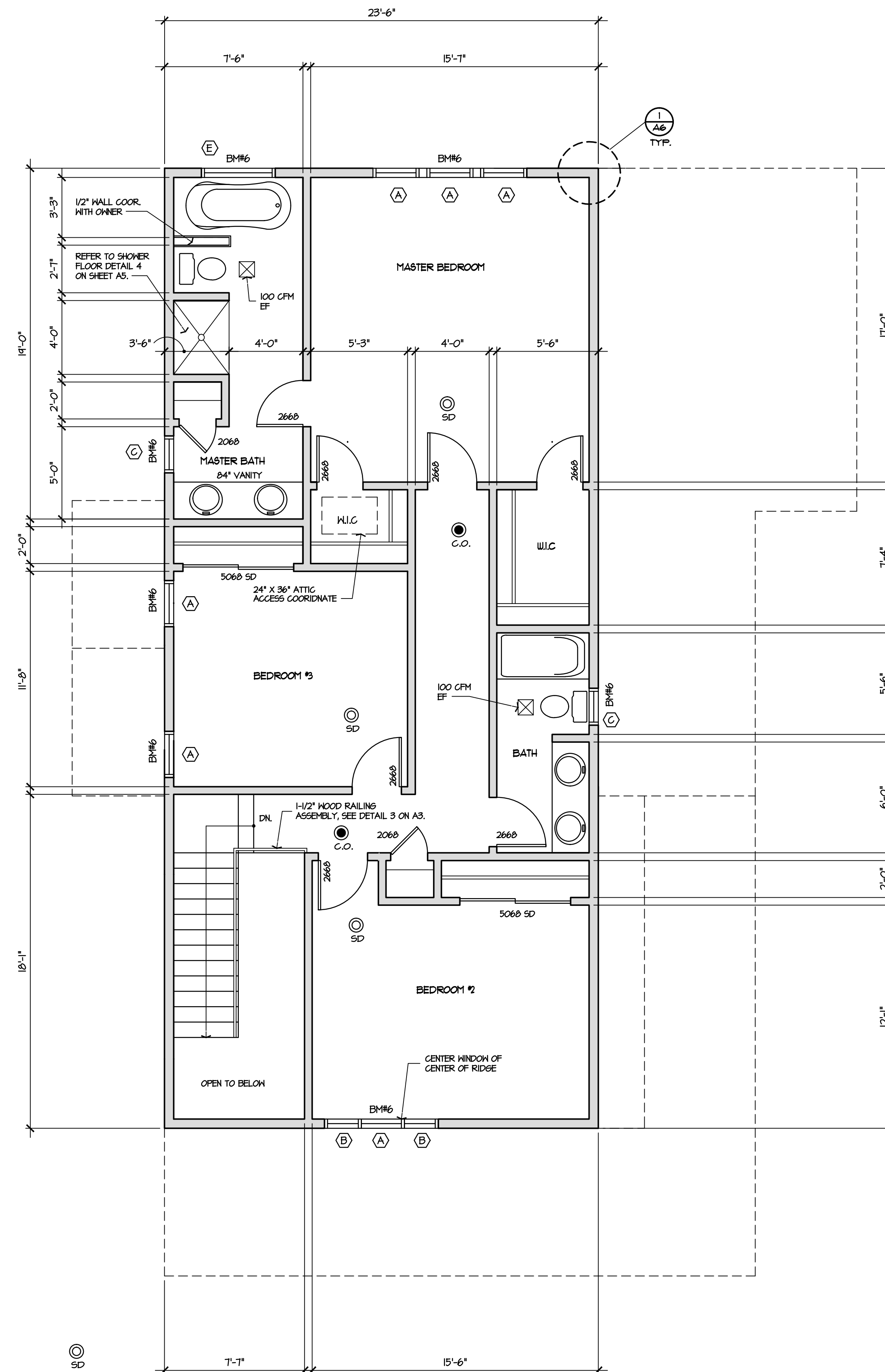
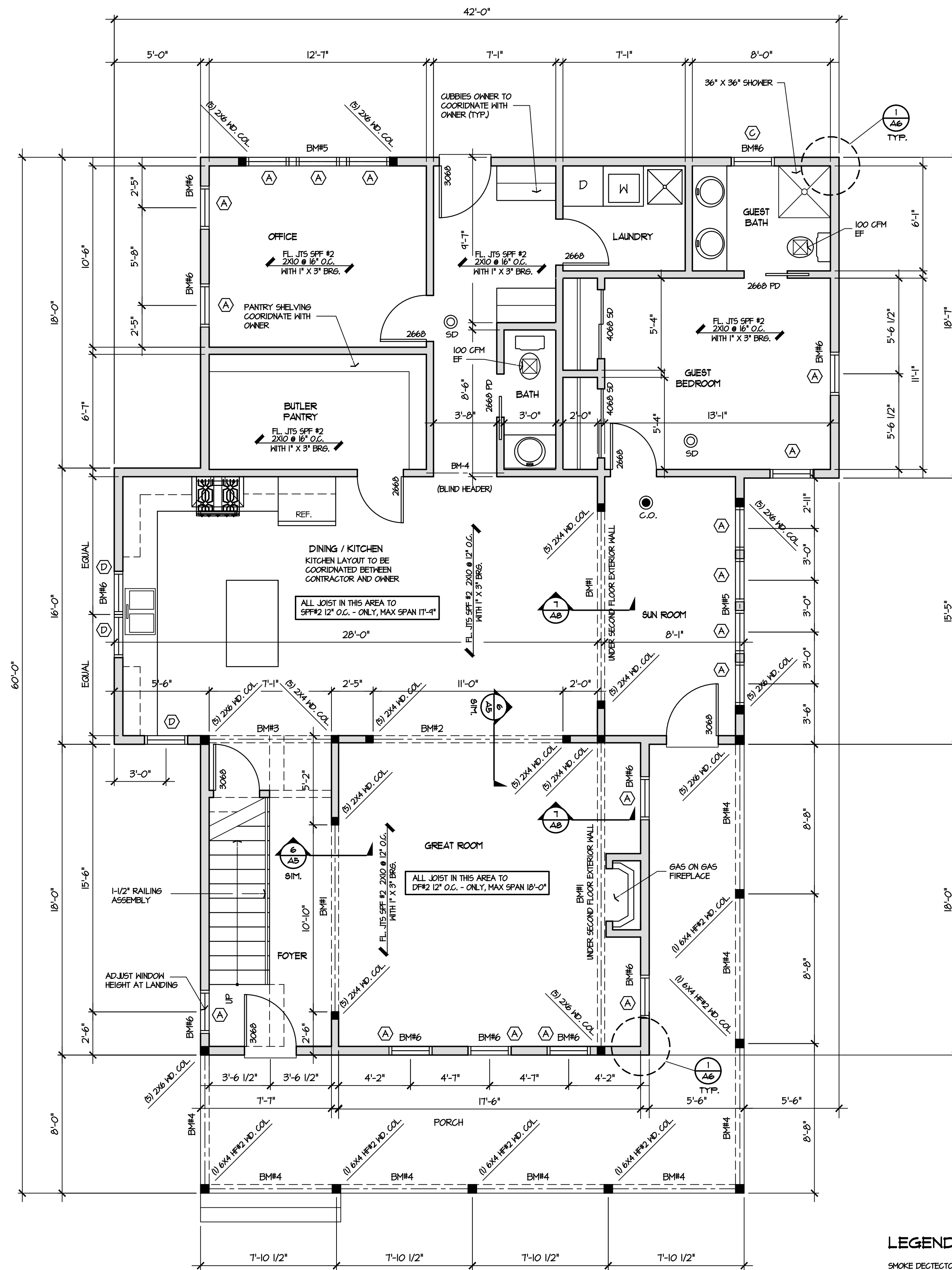
PROJECT NAME  
DRAWING



JDS ASSOCIATES  
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CHECKED BY:	JDS
DATE:	OCTOBER 2021
SCALE:	NOTED
PROJECT NO.:	2021-200
SHEET NO.	A1



#### GENERAL BLOCKING NOTES:

- 01) ALL BEARING COLUMNS WOOD OR STEEL TO BE PROVIDED WITH SOLID BLOCKING AS PER DETAILS 9 ON SHEET A6 AND 1 ON SHEET A5, TYPICAL ALL LOCATIONS.
- 02) PROVIDE FIRE BLOCKING IN ALL AREAS, 10'-0" MAX AS PER NYSRC 2020 R302.11.

1 FIRST FLOOR PLAN  
SCALE : 1/4" = 1'-0"  
FIRST FLOOR: 1724 SQFT.

2 SECOND FLOOR PLAN  
SCALE : 1/4" = 1'-0"  
SECOND FLOOR: 1221 SQFT.

DRAWING REVISIONS	DATE	DESCRIPTION



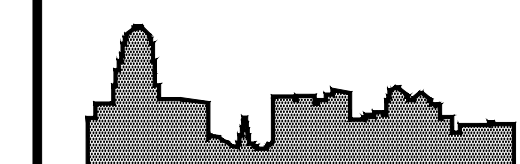
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## RESIDENTIAL HOUSE BUFFALO BUNGALOW DEVELOPMENT KING STREET, EAST AURORA EW YORK

### PROPOSED FLOOR PLAN

PROJECT NAME

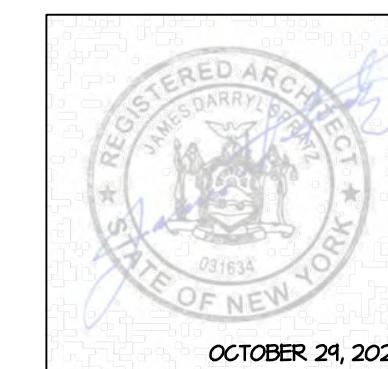
DRAWING



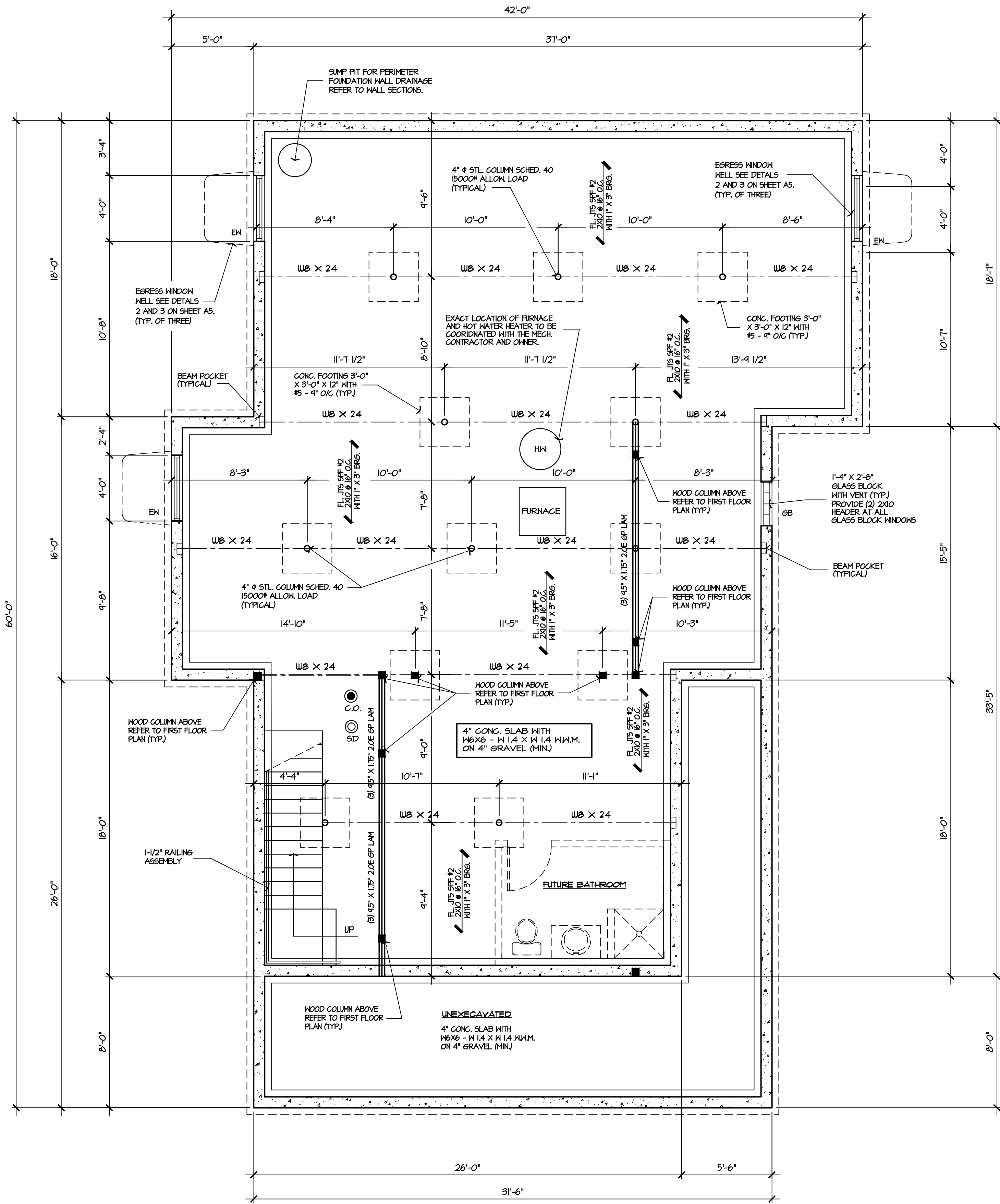
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ARCHITECT, P.C.  
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SCALE:	NOTED
PROJECT NO.:	2021-200
SHEET NO.	A2







#### GENERAL NOTES:

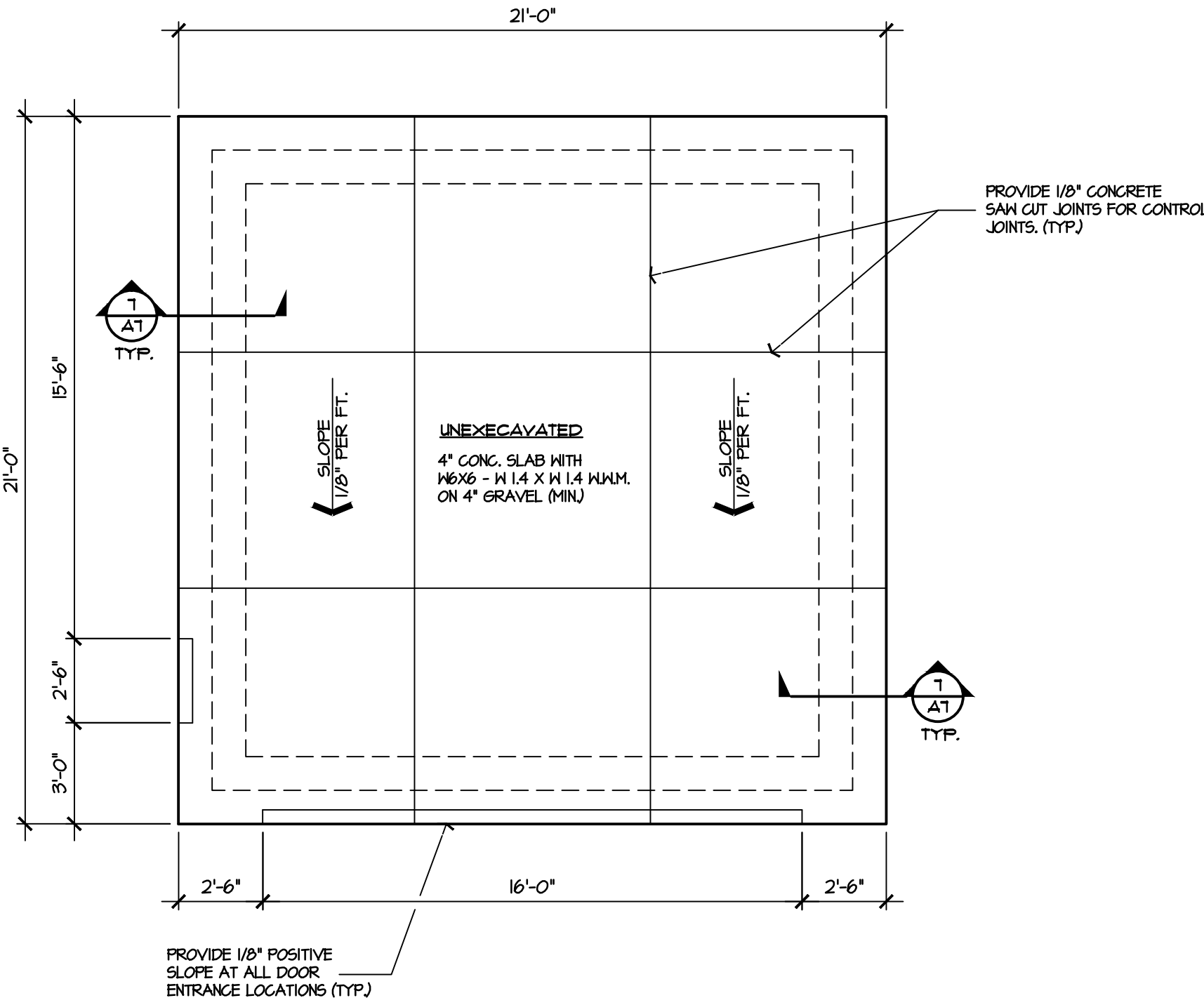
- FOUNDATION DESIGN AND CONSTRUCTION SHALL BE CAPABLE OF ACCOMMODATING ALL LOADS ACCORDING TO SECTION R301 OF THE RESIDENTIAL CODE OF NEW YORK AND TRANSMITTING LOAD TO THE SUPPORTING SOIL.
- PROVIDE #6 AT 26" O.C. AT ALL GARAGE WALLS AND ABUTTING PORCH WALLS.
- PROVIDE DOUBLE JOIST UNDER ALL PARALLEL WALLS UNLESS OTHERWISE NOTED.

#### 1 FOUNDATION PLAN

SCALE: 1/4" = 1'-0"

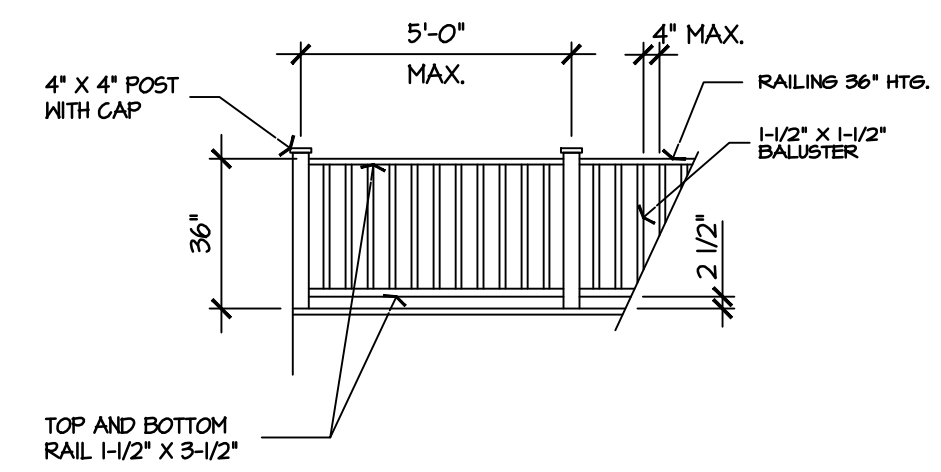
#### GENERAL BLOCKING NOTES:

- ALL BEARING COLUMNS WOOD OR STEEL TO BE PROVIDED WITH SOLID BLOCKING AS PER DETAILS 3 ON SHEET A6 AND 1 ON SHEET A5, TYPICAL ALL LOCATIONS.
- PROVIDE FIRE BLOCKING IN ALL AREAS, 10'-0" MAX AS PER NYSRC 2020 R302.11.



#### 2 GARAGE FOUNDATION PLAN

1/4" = 1'-0"



#### 3 TYPICAL RAILING DETAIL

SCALE: NOT TO SCALE

#### BEAM SCHEDULE

BEAM - BM#	MANUFACTURER	TYPE	SIZE	BEARING (SEE NOTES)	REMARKS
BM-1	GEORGIA PACIFIC	LVL	(3) - 1.75" X 10.00" - 2.0E 6P-LAM	5"	
BM-2	GEORGIA PACIFIC	LVL	(3) - 1.75" X 11-1/8" - 2.0E 6P-LAM	5"	
BM-3	GEORGIA PACIFIC	LVL	(2) - 1.75" X 9-1/4" - 2.0E 6P-LAM	5"	
BM-4	SPRICE PINE FIR	BEAM	(3) 2X10 SFF #2	5"	
BM-5	GEORGIA PACIFIC	LVL	(3) - 1.75" X 11-1/8" - 2.0E 6P-LAM	5"	
BM-6	DOUGLAS FIR	HEADER	(2) 2X12 DF #2 WITH 1/2" PLYWOOD SPACER	4"	PROVIDE (3) 2X6 WD COL. EACH SIDE OF BEAM

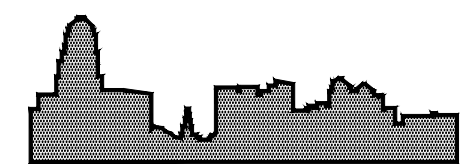
- REFER TO MANUFACTURERS DESIGN SPECIFICATIONS FOR ALL BEAM TO COLUMN CONNECTIONS, BUILT UP BEAM ASSEMBLIES AND REQUIRED BEARING LENGTHS.
- ALL BEAMS BY GEORGIA PACIFIC LVL, SUBSTITUTIONS NEED WRITTEN APPROVAL FROM ARCHITECT.
- THE CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS AND FIELD CONDITION PRIOR PURCHASING OR PLACEMENT OF NEW LVL BEAMS, NOTIFY ARCHITECT, IN WRITING OF ANY DISCREPANCIES.
- ALL BEAMS TO BE STORED ON SITE AS PER THE MANUFACTURERS SPECIFICATIONS.
- ALL BEAM TO COLUMN CLIPS AS PER BEAM MANUFACTURER.
- ALL BEAMS TO BE CONTINUOUS UNLESS OTHERWISE NOTED.



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www.mybuffalobungalow.com

## RESIDENTIAL HOUSE BUFFALO BUNGALOW DEVELOPMENT KING STREET, EAST AURORA EW YORK

PROJECT NAME



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(716) 392-5747  
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DATE: OCTOBER 2021  
SCALE: NOTED  
PROJECT NO.: 2021-200  
SHEET NO.

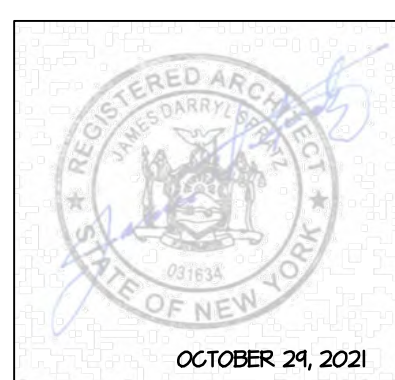
A3



- A. EXTEND ALL ICE AND WATER BARRIER UP ADJACENT WALLS 8" MINIMUM
- B. INSTALL ICE AND WATER BARRIER FROM FASCIA UP ROOF EDGE 3'-0" AS MEASURED HORIZONTALLY FROM OUTSIDE FACE OF EXTERIOR WALL. INSTALL ICE AND WATER BARRIER IN 3'-0" FROM EDGE OF ROOF AT ALL RAKES.
- C. VALLEY FLASHINGS CONSIST OF THE FOLLOWING: 18" WIDE ALUMINUM FLASHING DOWN CENTER OF VALLEY, ICE AND WATER BARRIER OVER ALUMINUM FLASHING AND UP SIDES OF VALLEY 48" MINIMUM 30# FELT PAPER AND SEMI CLOSED SHINGLE INSTALLATION.
- D. ALL GUTTERS ARE TO BE OF THE CONTINUOUS TYPE WITH ENDPLATES AND DOWN SPOUT DROP INSTALLED IN SILICONE SEALANT. GUTTERS AND DOWN SPOUTS ARE TO BE FORMED FROM PRE-FINISHED ALUMINUM. ALL GUTTERS ARE TO HAVE A GUTTER SCREEN OR GUARD TO ELIMINATE LEAF BUILDUP IN THE GUTTERS.
- E. ALL STEP FLASHING IS TO BE 16" WIDE WITH 8" UP SIDES OF ADJACENT WALLS
- F. ALL RIDGE VENTS ARE TO BE INSTALLED CENTERED ON RIDGE. HOLD BACK RIDGE VENT 6" FROM OUTSIDE FACE OF EXTERIOR WALL AND 1/2" FROM INTERSECTION OF RIDGE AND OTHER ROOF SLOPES
- G. ALL ROOF SHINGLES ARE TO BE 30 YEAR WARRANTED FIBERGLASS ASPHALT LAMINATED ARCHITECTURAL STYLE SHINGLES. THE OWNER IS TO SELECT MANUFACTURER, COLOR AND STYLE.



- 01.) ALL DOWN SPOUTS TO BE TIED INTO EXISTING DRAINAGE SYSTEM.
- 02.) PROVIDE ACCESS TO ALL ATTIC AREAS AS PER NYS RC 2020 R807.
- 03.) DO NOT BRACE RAFTERS TO PARTITION WALLS THAT ARE PARALLEL TO FLOOR JOIST.

[illegible]

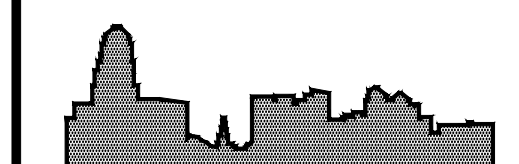
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**BUFFALO BUNGALOW DEVELOPMENT**  
**KING STREET, EAST AURORA EW YORK**

## ROOF PLAN AND DETAILS

PROJECT NAME

DRAWING



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EMAIL: [jds\\_associatespc@yahoo.com](mailto:jds_associatespc@yahoo.com)  
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SHEET NO.

A4

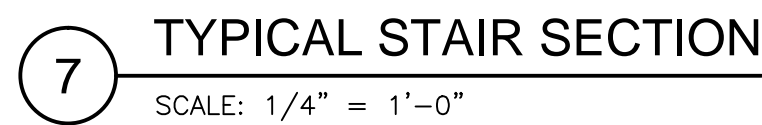




Diagram illustrating the cross-section of a shower pan assembly. The assembly includes the following components and layers (from top to bottom):

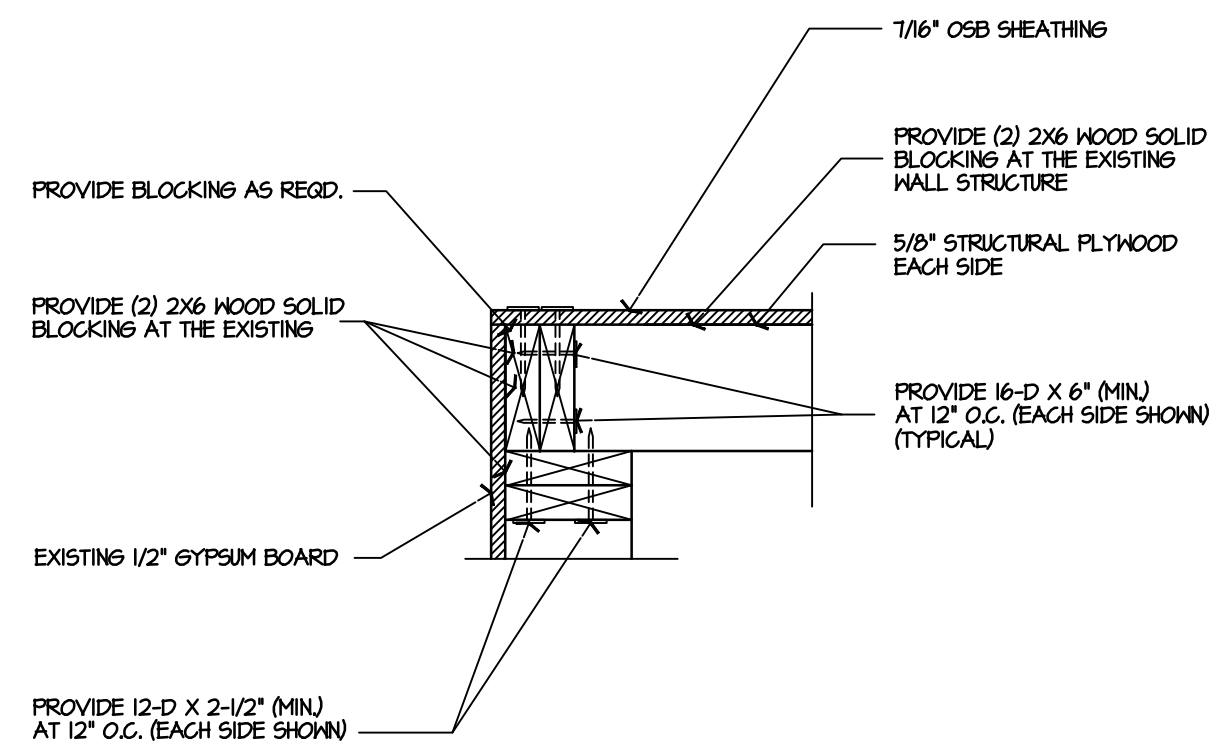
- CERAMIC TILE
- 3/4" SUB-FLOOR
- SPF 2x6 12" O.C. (TYP.) WITH JOIST HANGERS
- MOISTURE RESISTANT SHOWER UNDERLAYMENT BOARD
- PLYWOOD SPACER
- 2X BLOCKING AS REQUIRED
- WALL ASSEMBLY
- PROVIDE SPF #2 CONTINUOUS 2X10 FOR RECESSED SHOWER
- 2x10 HEADER

Additional labels include "SEE PLAN" and "3/4" SUB-FLOOR".



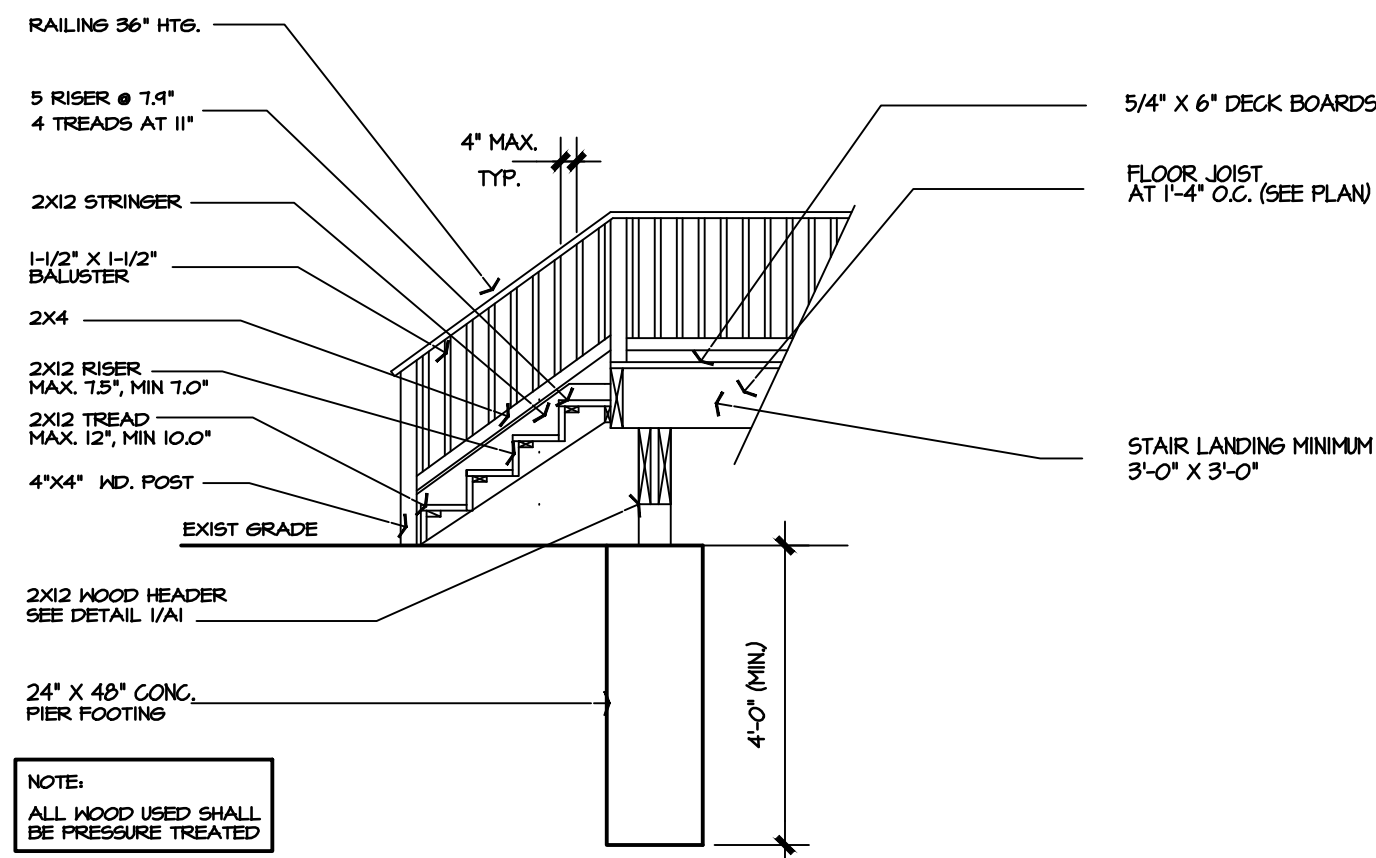
# A5





NOTE:  
TOE NAIL TOP AND BOTTOM  
OF PROPOSED BLOCKING  
TYPICAL AT ALL LOCATION  
INDICATED.

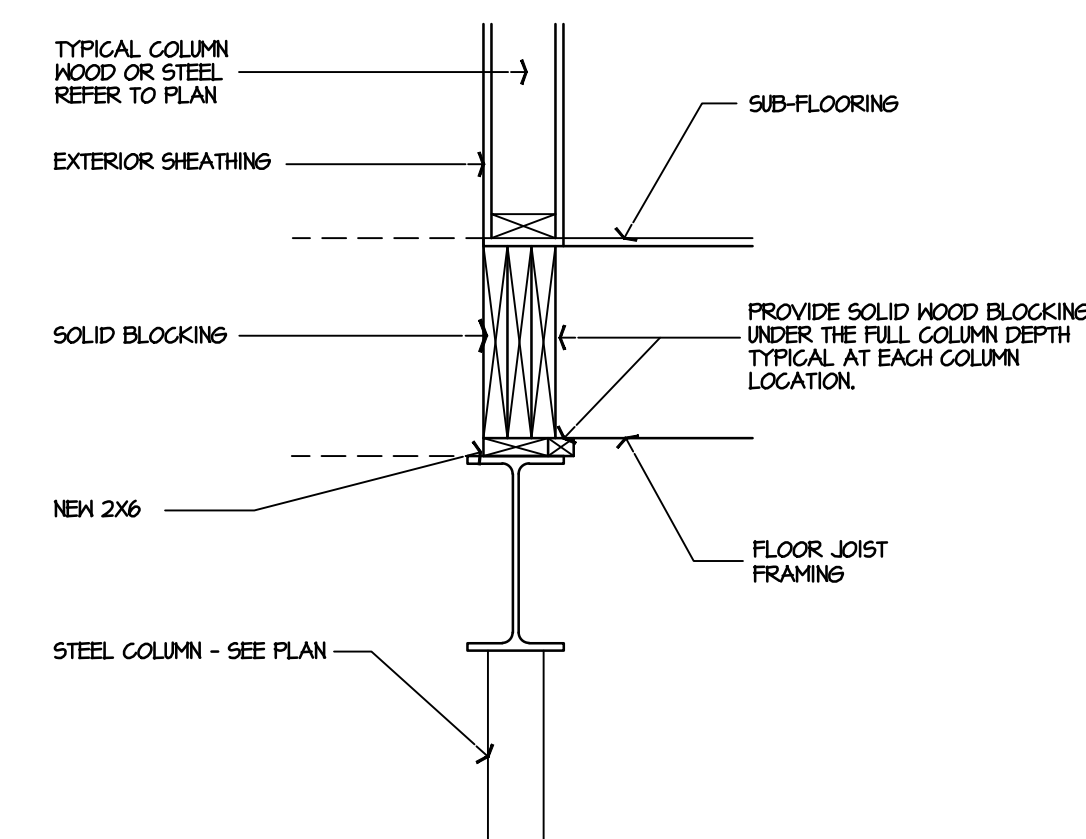
1 FRAMING CORNER DETAIL  
SCALE: NOT TO SCALE



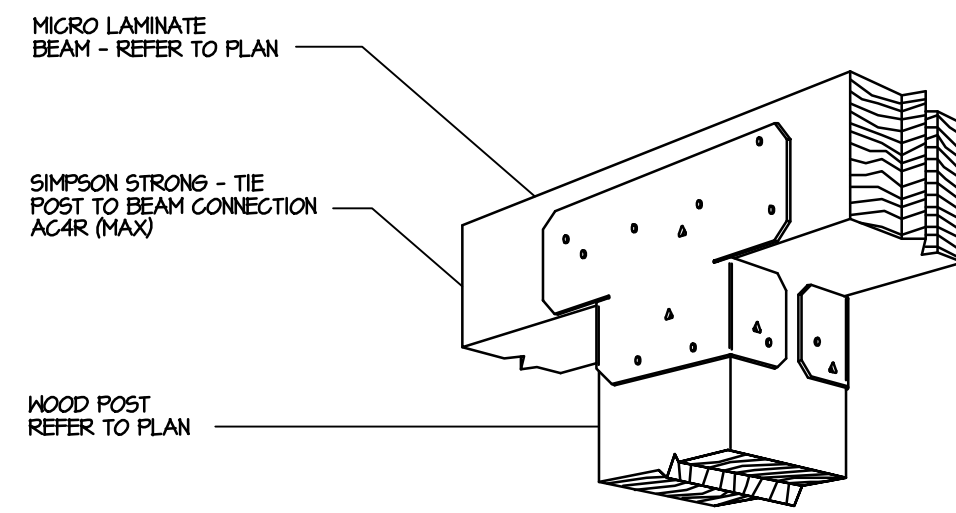
NOTE:  
ALL WOOD USED SHALL  
BE PRESSURE TREATED

2 TYPICAL STAIR DETAIL  
SCALE: NOT TO SCALE

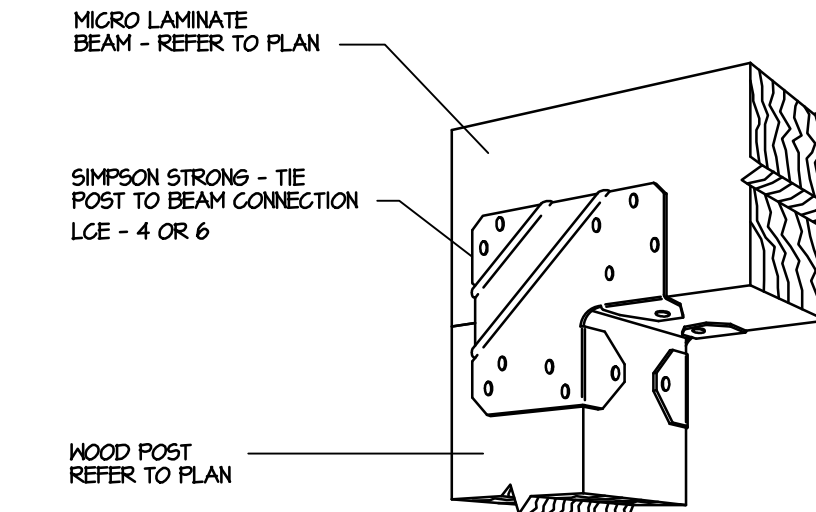
LOCATION OF PROPOSED STAIR TO BE COORDINATED WITH OWNER.



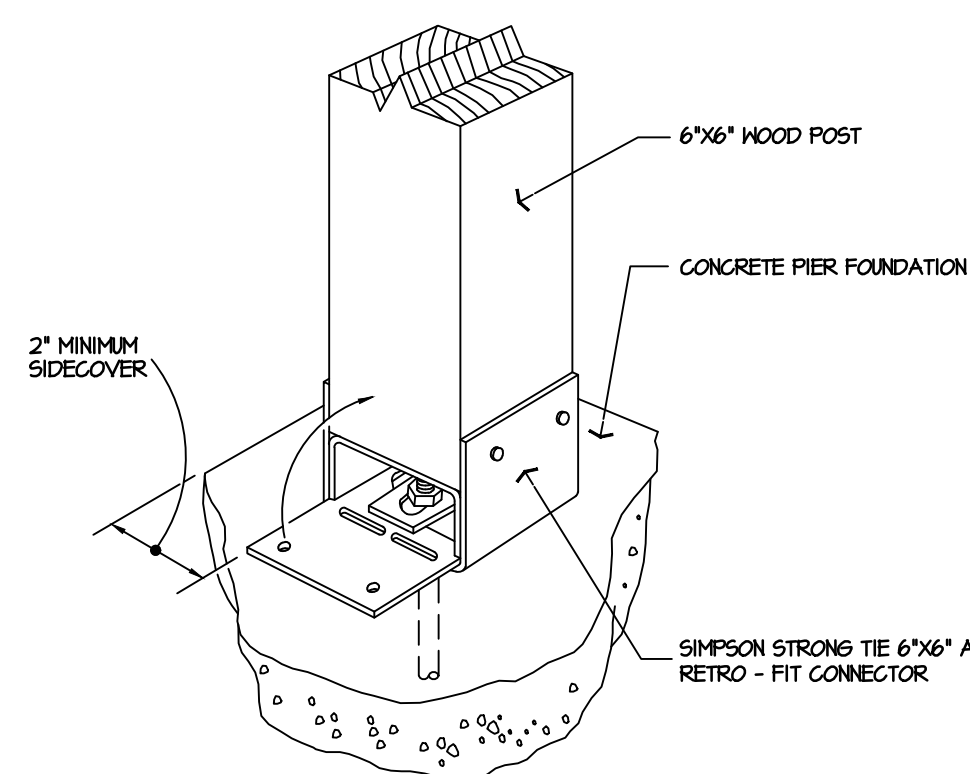
3 TYPICAL WOOD BLOCKING DETAIL  
SCALE: NOT TO SCALE



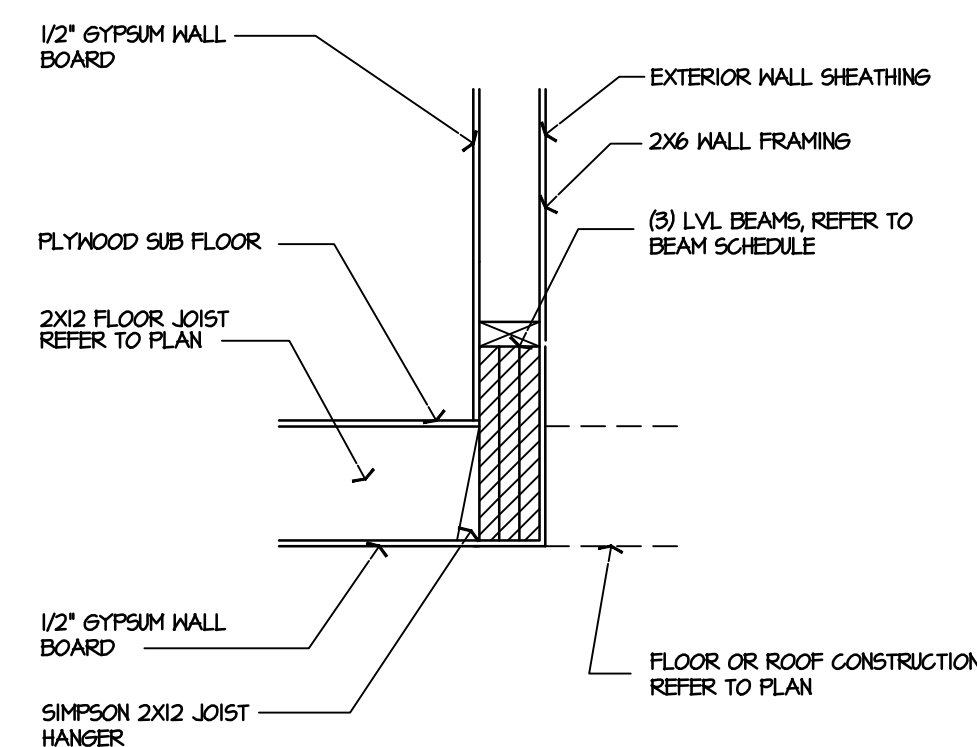
4 WOOD COLUMN DETAIL  
SCALE: NOT TO SCALE



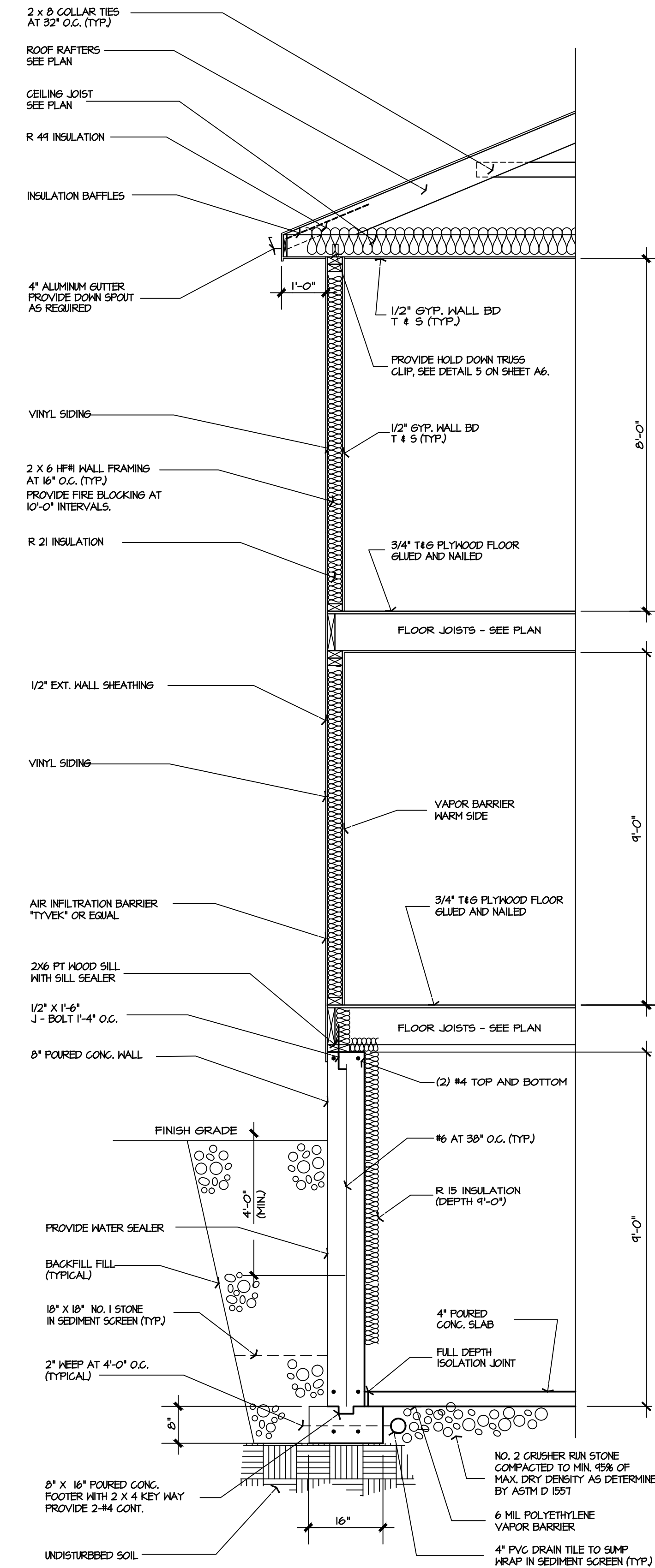
5 TYPICAL POST ANCHOR DETAIL  
SCALE: NOT TO SCALE



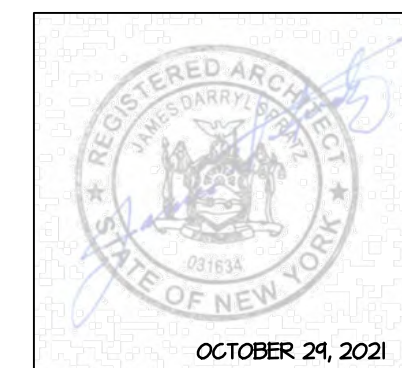
6 WOOD COLUMN DETAIL  
SCALE: NOT TO SCALE



7 HIDDEN HEADER BEAM  
SCALE: NOT TO SCALE



8 TYPICAL WALL SECTION  
SCALE : NOT TO SCALE



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ITEM	DESCRIPTION

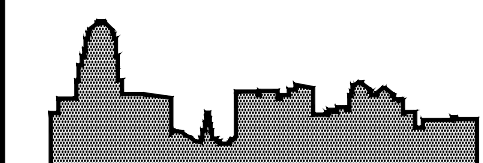


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FOUNDATION PLAN AND WALL SECTION

PROJECT NAME  
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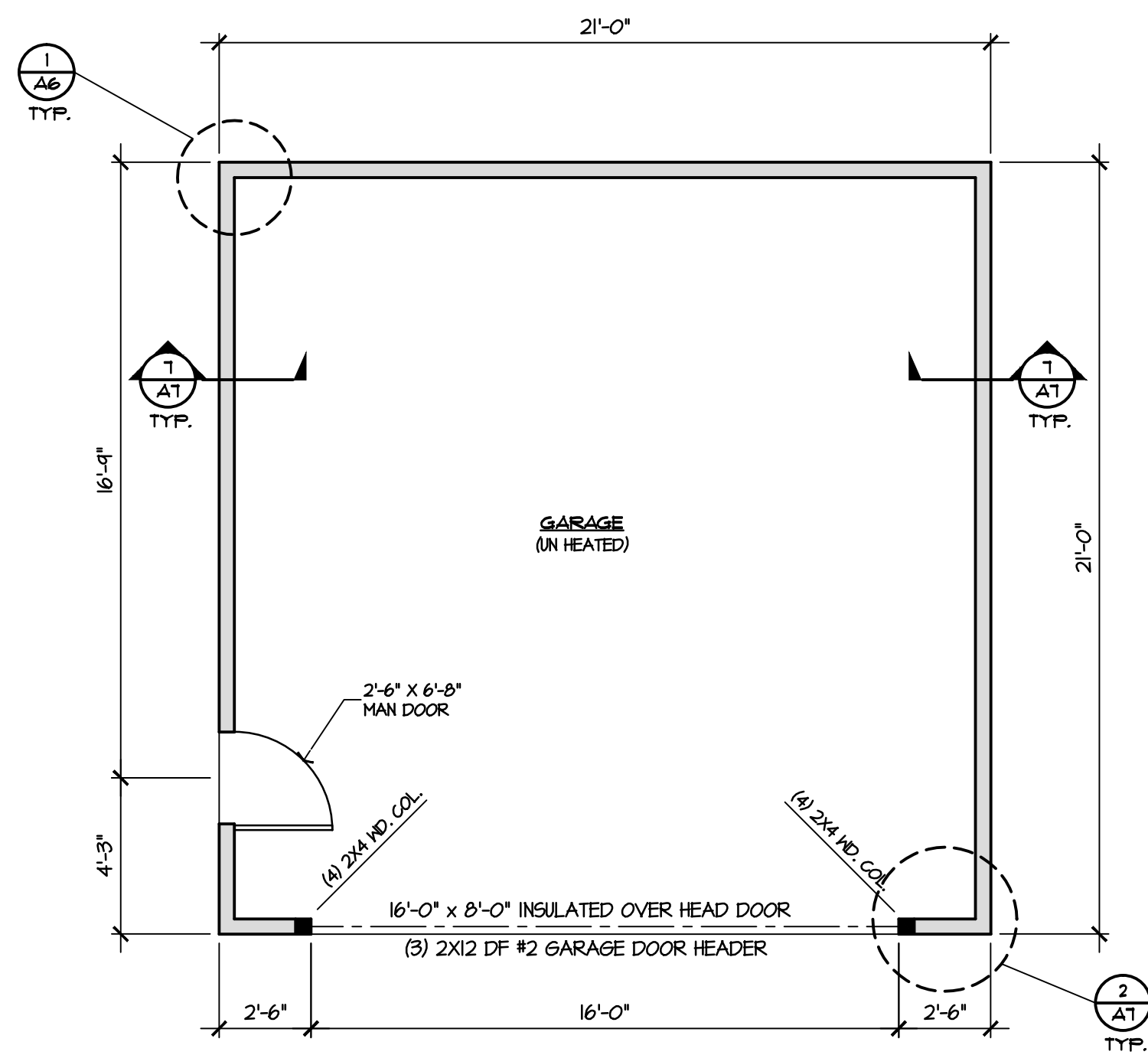
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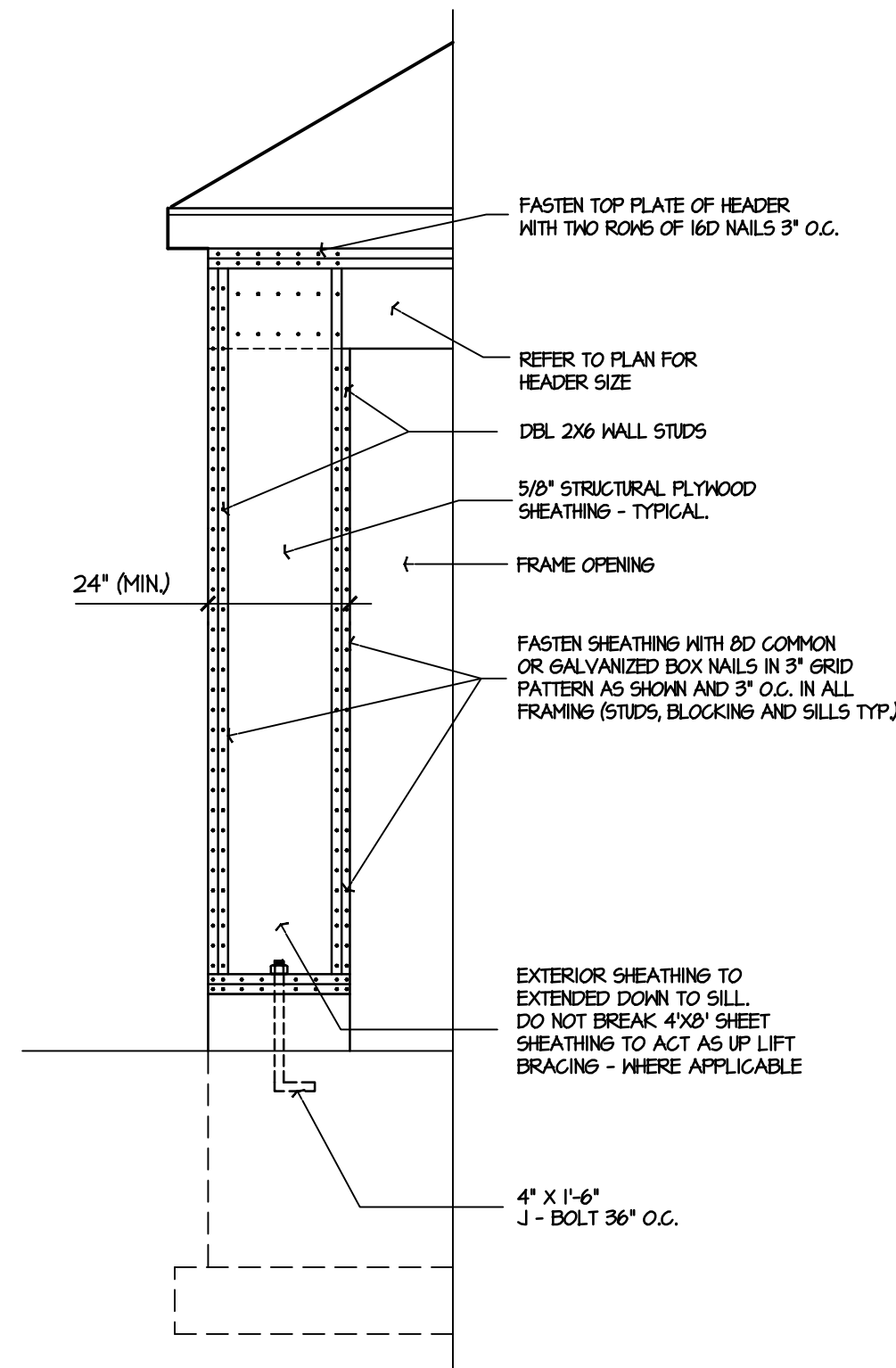
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DRAWN BY: JDS  
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PROJECT NO.: 2021-200  
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A6

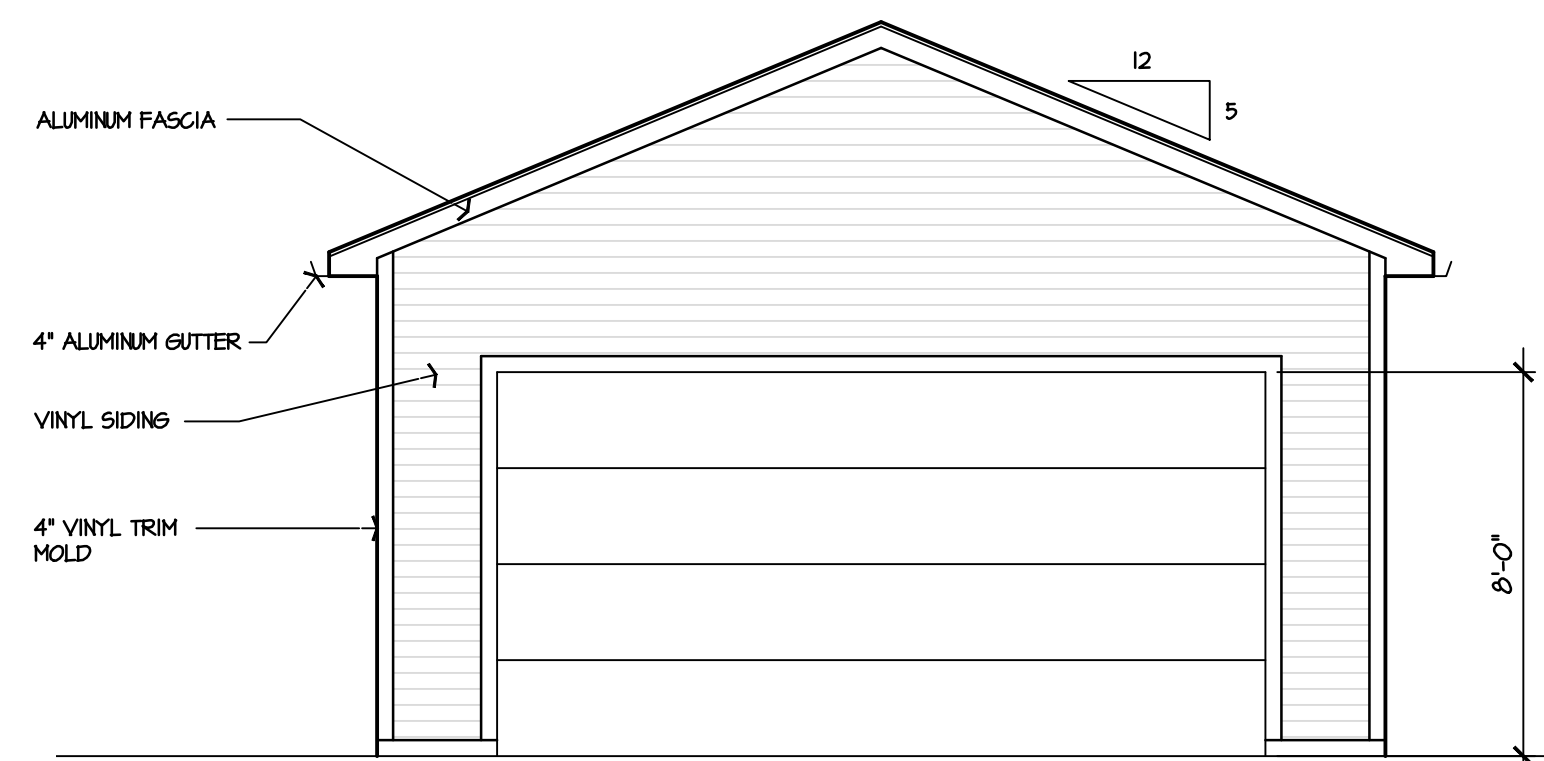




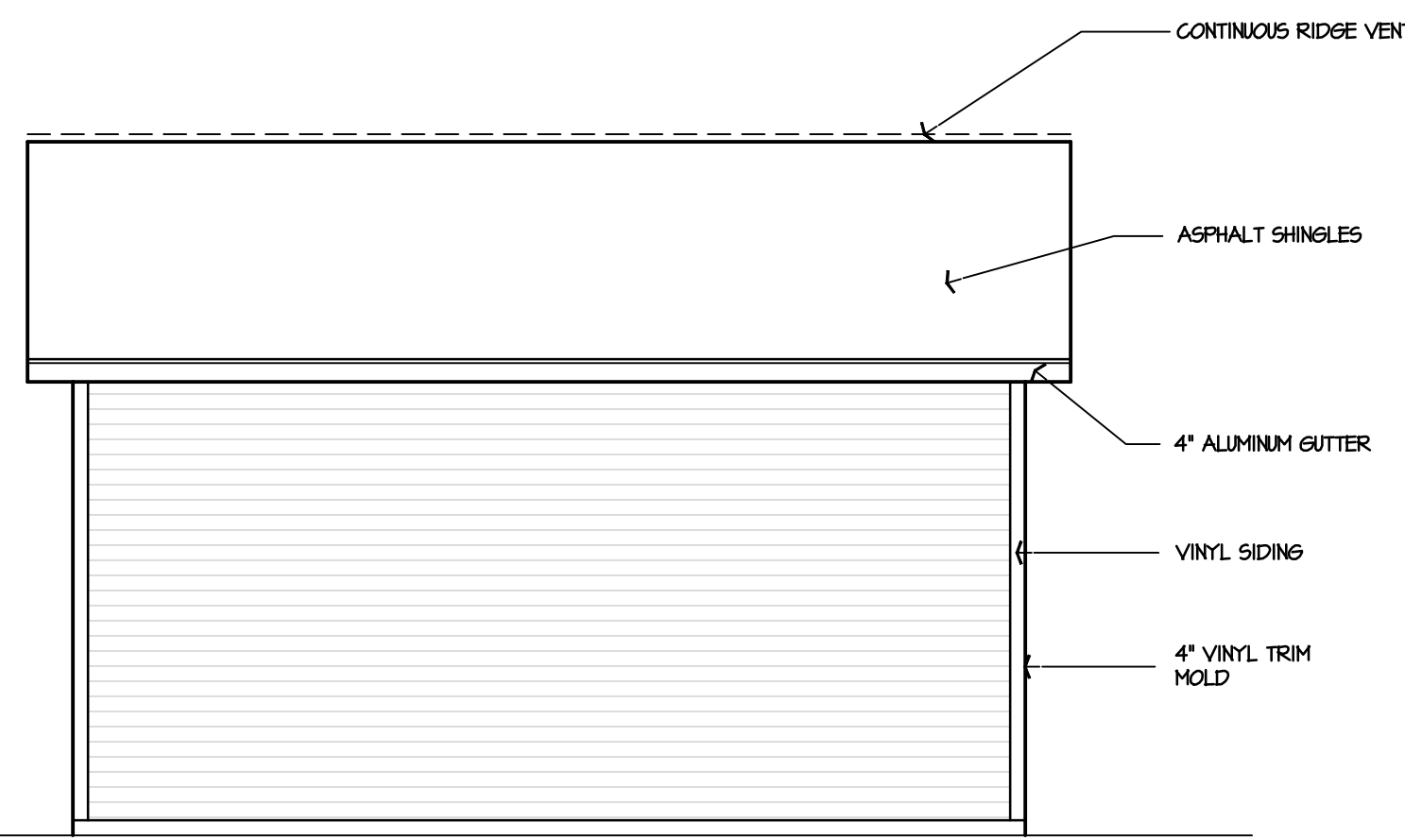
1 PROPOSED GARAGE FLOOR PLAN  
SCALE: 1/4" = 1'-0"



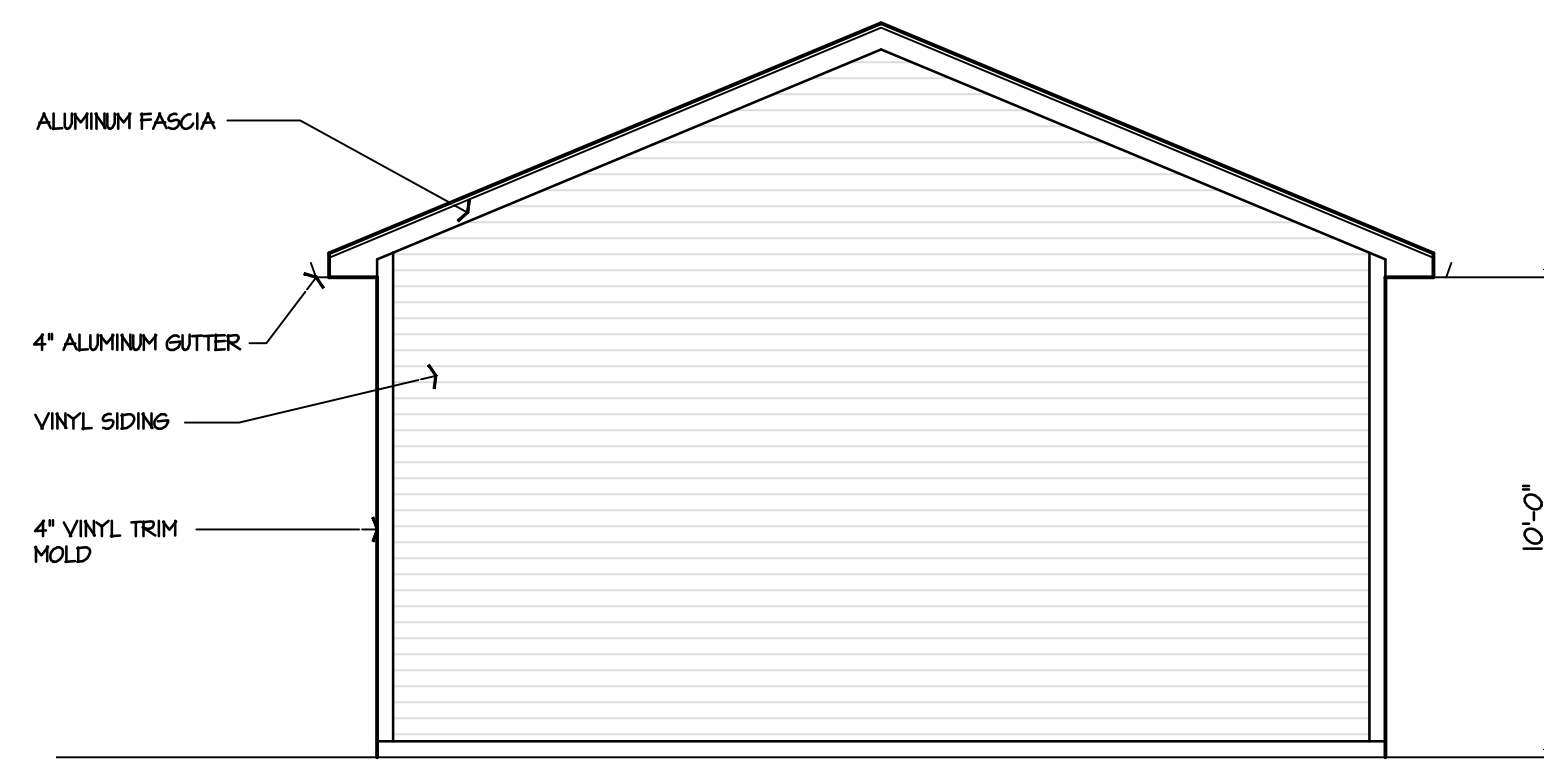
2 SHEAR WALL CONSTRUCTION DETAIL  
SCALE: NOT TO SCALE



3 FRONT GARAGE ELEVATION  
SCALE: 1/4" = 1'-0"



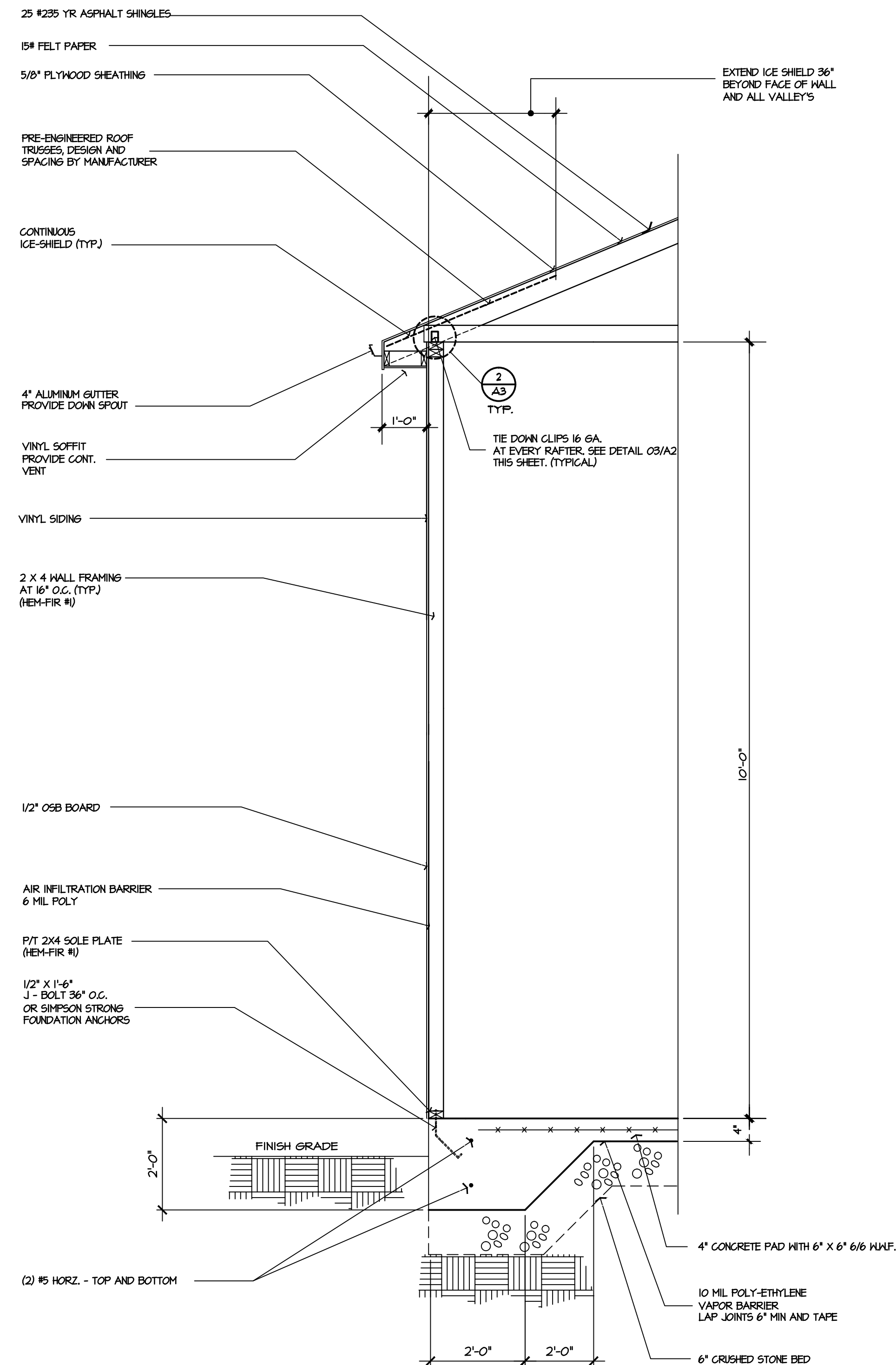
4 RIGHT SIDE GARAGE ELEVATION  
SCALE: 1/4" = 1'-0"



5 REAR GARAGE ELEVATION  
SCALE: 1/4" = 1'-0"



6 LEFT SIDE GARAGE ELEVATION  
SCALE: 1/4" = 1'-0"



7 TYPICAL WALL SECTION  
1" = 10'-0"

#### GENERAL NOTES

- THIS DRAWING REPRESENTS THE BEST REPRESENTATION OF A NEW STRUCTURE BASED UPON THE DESIGN INFORMATION AVAILABLE AT THE TIME OF THE CREATION OF THE CONSTRUCTION DOCUMENTS.
- THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL DIMENSION ON THE CONTRACT DOCUMENTS AND REPORT ANY DISCREPANCIES TO THE ARCHITECT IN AN REQUEST FOR INFORMATION LETTER BEFORE COMMENCING WITH ANY WORK.
- THE CONTRACTOR WILL BE RESPONSIBLE FOR ALL ADDITIONAL CONSTRUCTION COST FOR FAILURE OF NOT REPORTING DISCREPANCIES WITHIN THE PROPOSED CONTRACT DOCUMENTS AND SHALL NOT HOLD THE ARCHITECT RESPONSIBLE FOR ANY LIABILITY.

DRAWING REVISIONS



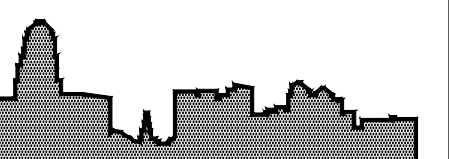
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RESIDENTIAL HOUSE  
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KING STREET, EAST AURORA EW YORK

GARAGE FLOOR, ELEVATIONS AND DETAILS

PROJECT NAME

DRAWING



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DATE: OCTOBER 2021

SCALE: NOTED

PROJECT NO.: 2021-200

SHEET NO.

A7







# Buffalo Bungalow Inc.

## Schutte Residence

189 King Street, East Aurora, NY

2021

( Front Exterior Elevation)





# Buffalo Bungalow Inc.

## Schutte Residence

189 King Street, East Aurora, NY

2021

( Left Side Exterior Elevation)





# Buffalo Bungalow Inc.

## Schutte Residence

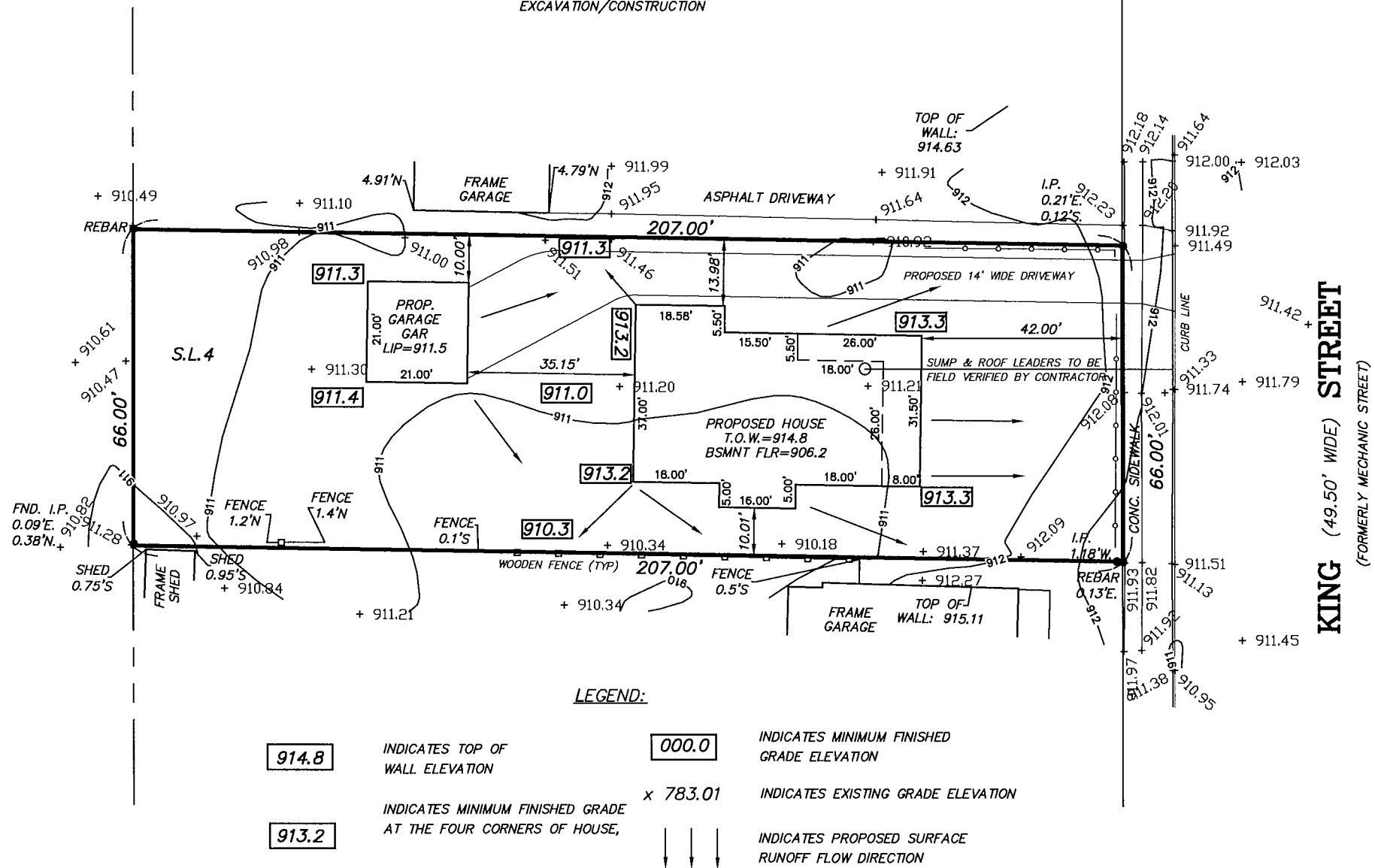
189 King Street, East Aurora, NY

2021

( Right Side Exterior Elevation)

NOTE: THIS SURVEY WAS PREPARED WITHOUT THE  
BENEFIT OF AN ABSTRACT OF TITLE.  
● SET OR EX. 5/8" REBAR

PLOT PLAN TO BE APPROVED BY  
THE LOCAL BUILDING DEPARTMENT  
PRIOR TO COMMENCEMENT OF  
EXCAVATION/CONSTRUCTION



*[Handwritten signature]*

GRADING PLAN OF  
SUB LOT 4, BLOCK "E", MAP COVER 742  
**THE EAST AURORA LAND & IMPROVEMENT COMPANY MAP**  
PART OF LOT 23, TOWNSHIP 9, RANGE 6  
HOLLAND LAND COMPANY'S SURVEY  
VILLAGE OF EAST AURORA, TOWN OF AURORA, ERIE COUNTY, NEW YORK

**GPI ENGINEERING, LANDSCAPE  
ARCHITECTURE & SURVEYING, LLP**  
ENGINEERING • SURVEYING • LANDSCAPE ARCHITECTURE  
4950 GENESEE STREET, SUITE 100  
BUFFALO, NEW YORK 14225  
(716) 633-4844 FAX 633-4940

Job No. 9613 Date: NOVEMBER 18, 2021  
Scale: 1" = 20' TAX No. 175.08-5-5

DATE	REVISION/TYPE



## Article 30 Regulations for Lots

### § 285-30.1 Lot for every dwelling; lot frontage on street.

Every building used as a dwelling shall be located on a lot; and, except for permitted accessory dwellings, there shall be not more than one such building on a lot. No dwelling shall be erected on any lot which does not have immediate frontage on an existing or platted street or highway as provided in New York State Village Law § 7-736. Such immediate frontage shall have a minimum width of 15 feet.

### § 285-30.2 Exceptions to height limitations.

The height limitations of this chapter shall not apply to:

- A. Churches, schools and other public buildings when permitted in any residential district, provided that the yard requirements are complied with.
- B. Church spires, belfries, cupolas and domes, monuments, chimneys, smokestacks, flagpoles, water tanks, elevator penthouses, and conveyors provided that the aggregate horizontal area of such parts shall not exceed 20% of the ground floor area of the main building.
- C. Parapet walls not over four feet high.

### § 285-30.3 Fences.

- A. Fences shall be permitted in all districts, provided the height of a fence does not exceed:
  - (1) Six feet where located behind the rear wall of the dwelling or other main building; or
  - (2) Four feet where located to the side or in front of the main building.
- B. In any district, no fence shall be located within 18 inches of the street right-of-way line and/or sidewalk.

### § 285-30.4 Corner lots.

- A. In the case of a corner lot in any residential district, all buildings shall comply with the front yard requirements for each street. The interior yards shall be considered side yards.
- B. In the case of a corner lot in any commercial or manufacturing district which abuts a lot in any residential district, all buildings on such corner lot shall have a setback from the street on which the lot in the residential district fronts equal to 60% of the front yard requirement of the residential district.

### § 285-30.5 Corner visibility.

Within the triangle formed by two intersecting street lines and a line joining points on such street lines 30 feet from their intersection, no fence, wall, hedge or dense foliage shall be erected, planted or maintained between the heights of two feet and six feet in any residential district. Open type fences less than 10% solid may be four feet high.

### § 285-30.6 Lot size exceptions for lots of record.

Except for lots which have a lot width of less than 50 feet or have a lot area of less than 7,500 square feet, the lot width and lot area requirements of this chapter shall be automatically waived to permit the erection of a single-family dwelling on any lot which was of record ownership at the time this chapter became effective and which was then in ownership separate from any adjoining land in the same block frontage. The development of such dwelling shall be subject to site plan review in accordance with Article 51 of this chapter.

### § 285-30.7 Usable open space for residence in commercial or manufacturing

- RESOLUTION

February 7, 2022

**ADOPT LOCAL LAW #1 OF 2022 – TAX CAP OVERRIDE**

Trustee \_\_\_\_\_ offered the following resolution and moved for its adoption:

**WHEREAS**, the Board of Trustees of the Village of East Aurora, New York held a public hearing on February 7, 2022 at 7:00 pm in the Council Chambers of the East Aurora Municipal Center, 585 Oakwood Ave, East Aurora NY to consider the adoption of a local law authorizing a property tax levy in excess of the limit established in General Municipal Law Section 3-c.

**WHEREAS**, all persons were given an opportunity to speak for or against this local law;

**NOW THEREFORE, BE IT RESOLVED**, this local law is hereby adopted.

If adopted, the proposed local law shall read as follows:

Section 1. Legislative Intent

It is the intent of this local law to allow the Village of East Aurora to adopt a budget for the fiscal year commencing June 1, 2021 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law Section 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law Section 3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3: Tax Levy Limit Override

The Board of Trustees of the Village of East Aurora, County of Erie, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2021 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law Section 3-c.

Section 4: Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5: Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

The resolution was seconded by Trustee \_\_\_\_\_, and duly put to a roll call vote which resulted in the following

Trustee Lazickas -

Trustee Porter-

Trustee Kimmel- Hurt-

Trustee Rosati-

Trustee Cameron-

Mayor Mercurio-

**Local Law No. \_\_\_\_\_ of 2022 of the Village of East Aurora  
Amending East Aurora Village Code Chapter 171 – Noise**

A motion was made by Trustee \_\_\_\_\_ to adopt Local Law No. \_\_\_\_ of 2022, amending East Aurora Village Code, as follows (items stricken are deleted and items underlined are added):

**Chapter 171. Noise**

**§ 171-2. Prohibited acts.**

No person ~~with the intent to~~ shall cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, shall cause, suffer, allow or permit to be made unreasonable noise. For purposes of this chapter, unreasonable noise is any disturbing, excessive, or offensive sound that disturbs a reasonable person of normal sensitivities. The following acts are declared to be prima facie evidence of a violation of this chapter. The enumeration shall not be deemed exclusive.

**Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Effective date**

This local law shall take effect immediately upon filing with the Secretary of State.  
seconded by Trustee \_\_\_\_\_ and was and was put on a roll call:

Trustee Cameron  
Trustee Lazickas  
Trustee Porter  
Trustee Rosati  
Trustee Kimmel-Hurt  
Trustee Scheer  
Mayor Mercurio

**Local Law No. \_\_\_\_\_ of 2022 of the Village of East Aurora  
Amending East Aurora Village Code Chapter 223 – Streets and Sidewalks**

A motion was made by Trustee \_\_\_\_\_ to adopt Local Law No. \_\_\_\_ of 2022, amending East Aurora Village Code, as follows (items stricken are deleted and items underlined are added):

**§ 223-21. Repair of unsafe, dangerous or obstructed sidewalks.**

- (1) Whenever the Village of East Aurora shall ~~receive written notice and~~ determine that an existing sidewalk (including driveway aprons) is unsafe, dangerous or obstructed, and by reason thereof is in need of repair, it shall notify in writing the adjoining owner of such unsafe, dangerous or obstructed sidewalk of such condition. If the owner shall not repair such sidewalk within ~~10~~ 30 days of such notice, the Village shall cause such repair to be made, and the cost thereof shall be paid by the owner.
- (2) If the cost thereof ~~amount so assessed~~ is not paid within 30 days after an invoice is sent to the property owner, such assessment, an action to recover the amount may be maintained by the Village against the owner, or the amount thereof may be included in the next annual tax levy.

**Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Effective date**

This local law shall take effect immediately upon filing with the Secretary of State.  
seconded by Trustee \_\_\_\_\_ and was and was put on a roll call:

Trustee Cameron  
Trustee Lazickas  
Trustee Porter  
Trustee Rosati  
Trustee Kimmel-Hurt  
Trustee Scheer  
Mayor Mercurio

**Local Law No. \_\_\_\_\_ of 2022 of the Village of East Aurora  
Amending East Aurora Village Code Chapter 285 - Zoning**

A motion was made by Trustee \_\_\_\_\_ to adopt Local Law No. \_\_\_\_ of 2022, amending East Aurora Village Code, as follows (items stricken are deleted and items underlined are added):

**§ 285. Zoning**

**§ 285.52 Special Use Permits**

§ 285-52.1 Applicability.

...

C. ~~Once granted, a special use permit is authorized with respect to the specified use and/or property rather than the applicant or property owner.~~ Once granted, a special use permitted shall remain in full force and effect for the specific use only. Any change of use which results in a departure from operations and conditions authorized under the existing special use permit shall require the review and issuance of a new permit. Any change in ownership of the property, the applicant, user, or person or entity originally granted such special use permit shall require the review and issuance of a new permit.

**Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Effective date**

This local law shall take effect immediately upon filing with the Secretary of State.  
seconded by Trustee \_\_\_\_\_ and was and was put on a roll call:

Trustee Cameron  
Trustee Lazickas  
Trustee Porter  
Trustee Rosati  
Trustee Kimmel-Hurt  
Trustee Scheer  
Mayor Mercurio



**Resolution of the Village of East Aurora of a Determination of Non-Significance  
pursuant to the State Environmental Quality Review Act (SEQRA) in the matter of  
the Site Plan Application for 189 King Street to Construct a Single Family Residence**

WHEREAS, the applicants have filed Part 1 of the Short Environmental Assessment Form (SEAF) with this Board, a copy of which is included by reference and made a part hereof, relating to the proposed project at 189 King Street, East Aurora, New York, wherein the applicants, David and Georgia Schutte propose to construct a single family residence at 189 King Street, as detailed in the Site Plan Application (one page) dated November 30, 2021, and as shown on drawings prepared by buffalo Bungalow Contemporary Craftsman, all dated October, 2021, as follows: Drawings A1 through A7, Exterior Elevations, Floor Plan, House and Garage Foundation, Roof Plan and Details, Details and Specifications, Foundation Plan and Wall Sections, Garage and Floor Elevations, respectively; and

WHEREAS, the Village Planning Commission, after carefully and fully reviewing the application, including the Site Plan attached thereto, with any and all amendments and modifications, and considering comments and documentation presented for and against the project, voted in the majority recommending approval; and

WHEREAS, the Village SEQRA Intake Committee carefully and fully reviewed Part 1 of the SEAF submitted by applicants including the Site Plan attached thereto, and the above-referenced amendments and modifications; and

WHEREAS, the Village SEQRA Intake Committee, after their review of the above, prepared Parts 2 and 3 of the SEAF with a recommendation of the issuance of the Negative Declaration of Environmental Significance for submission to, and consideration by, the Village Board; and

WHEREAS, the Village Board of Trustees, upon taking an independent hard look and reasoned evaluation of the above-referenced information, comments and written documentation, including, but not limited to, Part 1 of the SEAF; comments, recommendations, findings and conditions of the Planning Commission, the Site Plan and the recommendation of the SEQRA Intake Committee and that Committee's completed Parts 2 and 3 of the SEAF concerning the potential environmental impacts of the project; all of which are incorporated by reference herein; and

WHEREAS, the Village Board, upon carefully and fully reviewing all the information, comments and written documentation in regard to the project, made a finding that there are no significant environmental impacts.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of East Aurora as Lead Agency has determined that the proposed action described in the SEAF, submitted by the applicants, for the site plan proposed for the Blue Eyed Baker retail bakery business to locate in a portion of the building at 636 E. Fillmore Avenue, East Aurora, New York, filed with the Village, included and incorporated by reference herein, is classified as an Unlisted Action and therefore issues a Negative Declaration, that this development will not have a significant environmental impact and a Draft Environmental Impact Statement will not be required nor prepared.

The foregoing resolution was duly made by Trustee \_\_\_\_\_ and seconded by Trustee

\_\_\_\_\_ and carried on February 7, 2022.

**Resolution of the Village of East Aurora Approving the  
Site Plan for 189 King Street to Construct a Single Family Residence**

WHEREAS, an application has been submitted for Site Plan Approval at the above referenced property by applicants David and Georgia Schutte; and

WHEREAS, the Village Board referred the site plan to the Planning Commission for review, comment and recommendation, and the Planning Commission resolution, recommending site plan approval, with findings, is incorporated herein and is detailed as follows:

Findings:

1. The building design, dimensions and layout are consistent with the neighborhood.
2. The setbacks meet code.
3. The stormwater will be managed so there is no increase in runoff to adjacent properties.
4. The garage in the rear of the development is consistent with the neighborhood.

WHEREAS, the Village's SEQRA Intake Committee considered the application and reviewed Part 1 of the Short Environmental Assessment Form submitted by the applicants and completed Part 2 and Part 3 thereof on behalf of the Village, and it was the determination of the SEQRA Committee that the proposed development plan is an Unlisted Action and would have no significant environmental impact; and

WHEREAS, the Village Board at a public meeting reviewed and considered further the comments and all written materials submitted by the applicants and all other information and recommendations before the Board, including minutes of prior Village Board meetings and the recommendation of the SEQRA Intake Committee and Planning Commission; and

WHEREAS, the Village Board received and considered the Site Plan, the above referenced upgrades, and any and all amendments thereof; and

WHEREAS, the Village Board has separately considered the environmental impacts of the project, declared itself Lead Agency and issued a Negative Declaration of environmental significance, with the proposal classified as an Unlisted Action.

NOW, THEREFORE, BE IT RESOLVED, by the Village Board as follows:

1. The Findings of Fact of the SEQRA Intake Committee, the resolution with findings and conditions of the Planning Commission, and the site plan application, including the above-referenced improvement rendering filed with the Village, all information included in the minutes taken in relation to the abovementioned Village Board and Planning Commission meetings are herein incorporated by reference.
2. The Resolution of the Village Board considering the environmental impacts of the project and the issuance of a Negative Declaration of environmental significance is incorporated herein by reference.
3. The Site Plan relating to the proposed project at 189 King Street, East Aurora, New York, wherein the applicants propose to construct a single family residence and is detailed in the following documentation: Site Plan Application (one page) dated November 30, 2021, and as shown on drawings prepared by buffalo Bungalow Contemporary Craftsman, all dated

October, 2021, as follows: Drawings A1 through A7, Exterior Elevations, Floor Plan, House and Garage Foundation, Roof Plan and Details, Details and Specifications, Foundation Plan and Wall Sections, Garage and Floor Elevations, respectively, and is hereby approved, applying the standards under the Village Zoning Code, the project sits in with the Master Plan and is in harmony with the Zoning Code, and is subject to the following additional conditions:

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4. The resolution is effective immediately approving the issuance of a development, construction permit as hereinbefore set forth, subject to compliance with all applicable federal, state and local laws and codes.

The foregoing resolution was duly made by Trustee \_\_\_\_\_ and seconded by Trustee \_\_\_\_\_ and carried on February 7, 2022.

- RESOLUTION

February 7, 2022

**ADOPT LOCAL LAW #1 OF 2022 – TAX CAP OVERRIDE**

Trustee \_\_\_\_\_ offered the following resolution and moved for its adoption:

**WHEREAS**, the Board of Trustees of the Village of East Aurora, New York held a public hearing on February 7, 2022 at 7:00 pm in the Council Chambers of the East Aurora Municipal Center, 585 Oakwood Ave, East Aurora NY to consider the adoption of a local law authorizing a property tax levy in excess of the limit established in General Municipal Law Section 3-c.

**WHEREAS**, all persons were given an opportunity to speak for or against this local law;

**NOW THEREFORE, BE IT RESOLVED**, this local law is hereby adopted.

If adopted, the proposed local law shall read as follows:

Section 1. Legislative Intent

It is the intent of this local law to allow the Village of East Aurora to adopt a budget for the fiscal year commencing June 1, 2021 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law Section 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law Section 3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3: Tax Levy Limit Override

The Board of Trustees of the Village of East Aurora, County of Erie, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2021 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law Section 3-c.

Section 4: Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5: Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

The resolution was seconded by Trustee \_\_\_\_\_, and duly put to a roll call vote which resulted in the following

Trustee Lazickas -

Trustee Porter-

Trustee Kimmel- Hurt-

Trustee Rosati-

Trustee Cameron-

Mayor Mercurio-

**Resolution of the Village of East Aurora of a Determination of Non-Significance  
pursuant to the State Environmental Quality Review Act in the matter of a Local Law  
Amending Village Code Section 171-2 pertaining to the Noise Ordinance**

WHEREAS, Parts 1, 2 and 3 of the Short Environmental Assessment Form has been filed with this Board, a copy of which is included by reference and made a part hereof, relating to a Local Law Amending Village Code Section 171-2 pertaining to the Noise Ordinance; and

WHEREAS, the Village SEQRA Intake Committee carefully and fully reviewed Parts 1, 2 and 3 of the Short Environmental Assessment form referenced above; and

WHEREAS, the Village SEQRA Intake Committee, after review of the above, recommends the Village Board issue a Negative Declaration of Environmental Significance; and

WHEREAS, the Village Board, upon carefully and fully reviewing all the information in regard to the proposed Local Law made a finding that there are no significant environmental impacts.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of East Aurora, as Lead Agency, has determined that the proposed action described in the Short Environmental Assessment Form filed with the Village, included and incorporated by reference herein, is classified as an Unlisted Action and therefore issues a Negative Declaration, that adoption of this Local Law will not have a significant environmental impact and a Draft Environmental Impact Statement will not be required nor prepared.

The foregoing resolution was duly made by Trustee \_\_\_\_\_ and seconded by Trustee

\_\_\_\_\_ and carried on February 7, 2022.

**Local Law No. \_\_\_\_\_ of 2022 of the Village of East Aurora  
Amending East Aurora Village Code Chapter 171 – Noise**

A motion was made by Trustee \_\_\_\_\_ to adopt Local Law No. \_\_\_\_ of 2022, amending East Aurora Village Code, as follows (items stricken are deleted and items underlined are added):

**Chapter 171. Noise**

**§ 171-2. Prohibited acts.**

No person ~~with the intent to~~ shall cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, shall cause, suffer, allow or permit to be made unreasonable noise. For purposes of this chapter, unreasonable noise is any disturbing, excessive, or offensive sound that disturbs a reasonable person of normal sensitivities. The following acts are declared to be prima facie evidence of a violation of this chapter. The enumeration shall not be deemed exclusive.

**Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Effective date**

This local law shall take effect immediately upon filing with the Secretary of State.  
seconded by Trustee \_\_\_\_\_ and was and was put on a roll call:

Trustee Cameron  
Trustee Lazickas  
Trustee Porter  
Trustee Rosati  
Trustee Kimmel-Hurt  
Trustee Scheer  
Mayor Mercurio

**Resolution of the Village of East Aurora of a Determination of Non-Significance  
pursuant to the State Environmental Quality Review Act in the matter of a Local Law  
Amending Village Code Section 223-21 pertaining to the Sidewalks**

WHEREAS, Parts 1, 2 and 3 of the Short Environmental Assessment Form has been filed with this Board, a copy of which is included by reference and made a part hereof, relating to a Local Law Amending Village Code Section 223-21 pertaining to Sidewalks; and

WHEREAS, the Village SEQRA Intake Committee carefully and fully reviewed Parts 1, 2 and 3 of the Short Environmental Assessment form referenced above; and

WHEREAS, the Village SEQRA Intake Committee, after review of the above, recommends the Village Board issue a Negative Declaration of Environmental Significance; and

WHEREAS, the Village Board, upon carefully and fully reviewing all the information in regard to the proposed Local Law made a finding that there are no significant environmental impacts.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of East Aurora, as Lead Agency, has determined that the proposed action described in the Short Environmental Assessment Form filed with the Village, included and incorporated by reference herein, is classified as an Unlisted Action and therefore issues a Negative Declaration, that adoption of this Local Law will not have a significant environmental impact and a Draft Environmental Impact Statement will not be required nor prepared.

The foregoing resolution was duly made by Trustee \_\_\_\_\_ and seconded by Trustee

\_\_\_\_\_ and carried on February 7, 2022.

**Local Law No. \_\_\_\_\_ of 2022 of the Village of East Aurora  
Amending East Aurora Village Code Chapter 223 – Streets and Sidewalks**

A motion was made by Trustee \_\_\_\_\_ to adopt Local Law No. \_\_\_\_ of 2022, amending East Aurora Village Code, as follows (items stricken are deleted and items underlined are added):

**§ 223-21. Repair of unsafe, dangerous or obstructed sidewalks.**

- (1) Whenever the Village of East Aurora shall ~~receive written notice and~~ determine that an existing sidewalk (including driveway aprons) is unsafe, dangerous or obstructed, and by reason thereof is in need of repair, it shall notify in writing the adjoining owner of such unsafe, dangerous or obstructed sidewalk of such condition. If the owner shall not repair such sidewalk within ~~10~~ 30 days of such notice, the Village shall cause such repair to be made, and the cost thereof shall be paid by the owner.
- (2) If the cost thereof ~~amount so assessed~~ is not paid within 30 days after an invoice is sent to the property owner, ~~such assessment,~~ an action to recover the amount may be maintained by the Village against the owner, or the amount thereof may be included in the next annual tax levy.

**Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Effective date**

This local law shall take effect immediately upon filing with the Secretary of State.  
seconded by Trustee \_\_\_\_\_ and was and was put on a roll call:

Trustee Cameron  
Trustee Lazickas  
Trustee Porter  
Trustee Rosati  
Trustee Kimmel-Hurt  
Trustee Scheer  
Mayor Mercurio



**Resolution of the Village of East Aurora of a Determination of Non-Significance  
pursuant to the State Environmental Quality Review Act in the matter of a Local Law  
Amending Village Code Section 285.52-1 pertaining to Special Use Permits**

WHEREAS, Parts 1, 2 and 3 of the Short Environmental Assessment Form has been filed with this Board, a copy of which is included by reference and made a part hereof, relating to a Local Law Amending Village Code Section 285.52-1 pertaining to Special Use Permits; and

WHEREAS, the Village SEQRA Intake Committee carefully and fully reviewed Parts 1, 2 and 3 of the Short Environmental Assessment form referenced above; and

WHEREAS, the Village SEQRA Intake Committee, after review of the above, recommends the Village Board issue a Negative Declaration of Environmental Significance; and

WHEREAS, the Village Board, upon carefully and fully reviewing all the information in regard to the proposed Local Law made a finding that there are no significant environmental impacts.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of East Aurora, as Lead Agency, has determined that the proposed action described in the Short Environmental Assessment Form filed with the Village, included and incorporated by reference herein, is classified as an Unlisted Action and therefore issues a Negative Declaration, that adoption of this Local Law will not have a significant environmental impact and a Draft Environmental Impact Statement will not be required nor prepared.

The foregoing resolution was duly made by Trustee \_\_\_\_\_ and seconded by Trustee

\_\_\_\_\_ and carried on February 7, 2022.

**Local Law No. \_\_\_\_\_ of 2022 of the Village of East Aurora  
Amending East Aurora Village Code Chapter 285 - Zoning**

A motion was made by Trustee \_\_\_\_\_ to adopt Local Law No. \_\_\_\_ of 2022, amending East Aurora Village Code, as follows (items stricken are deleted and items underlined are added):

**§ 285. Zoning**

**§ 285.52 Special Use Permits**

§ 285-52.1 Applicability.

...

C. ~~Once granted, a special use permit is authorized with respect to the specified use and/or property rather than the applicant or property owner.~~ Once granted, a special use permitted shall remain in full force and effect for the specific use only. Any change of use which results in a departure from operations and conditions authorized under the existing special use permit shall require the review and issuance of a new permit. Any change in ownership of the property, the applicant, user, or person or entity originally granted such special use permit shall require the review and issuance of a new permit.

**Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Effective date**

This local law shall take effect immediately upon filing with the Secretary of State.  
seconded by Trustee \_\_\_\_\_ and was and was put on a roll call:

Trustee Cameron  
Trustee Lazickas  
Trustee Porter  
Trustee Rosati  
Trustee Kimmel-Hurt  
Trustee Scheer  
Mayor Mercurio

**Resolution of the Village of East Aurora of a Determination of Non-Significance  
pursuant to the State Environmental Quality Review Act in the matter of a Local Law  
Amending Village Code Section 220 pertaining to the Stormwater**

WHEREAS, Parts 1, 2 and 3 of the Short Environmental Assessment Form has been filed with this Board, a copy of which is included by reference and made a part hereof, relating to a Local Law Amending Village Code Section 220 pertaining to Stormwater; and

WHEREAS, the Village SEQRA Intake Committee carefully and fully reviewed Parts 1, 2 and 3 of the Short Environmental Assessment form referenced above; and

WHEREAS, the Village SEQRA Intake Committee, after review of the above, recommends the Village Board issue a Negative Declaration of Environmental Significance; and

WHEREAS, the Village Board, upon carefully and fully reviewing all the information in regard to the proposed Local Law made a finding that there are no significant environmental impacts.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of East Aurora, as Lead Agency, has determined that the proposed action described in the Short Environmental Assessment Form filed with the Village, included and incorporated by reference herein, is classified as an Unlisted Action and therefore issues a Negative Declaration, that adoption of this Local Law will not have a significant environmental impact and a Draft Environmental Impact Statement will not be required nor prepared.

The foregoing resolution was duly made by Trustee \_\_\_\_\_ and seconded by Trustee

\_\_\_\_\_ and carried on February 7, 2022.

**VILLAGE OF EAST AURORA**  
**APPLICATION FOR TEMPORARY USE PERMIT**  
*Not less than 60 days or more than 75 days before date of activity*

RECEIVED
JAN 31 2022
Pd 11/31/2022
ch #1396
By <u>Total \$75.00</u>

\$25.00 Application Fee \$25.00 \$50.00 Permit Fee \$50.00  
\$100.00 Mailer Fee (300 feet for road/public parking lot closure and/or outdoor music)                     

Date Application Filed: 1/28/2022  
Date of V.B. Action:                     

Approved:                      Disapproved:                       
Conditions of approval will be listed in permit

*Sect. 285-52 Participants of an area activity, such as, but not necessarily limited to, a sidewalk sale, art, antique, craft show and/or sales, farmers market, or community/civic promotion activities and similar*

Please type or print legibly

Name of Organization East Aurora Fm Inc.  
Is Organization a: not-for-profit ☒ Charitable/Service ☐ Business ☐ School ☐ Government ☐  
Name & Address of Individual Responsible Gail Fenton  
Phone Number 585-356-2357 E-mail FentonFarm@aol.com  
Event Name East Aurora Farmers Market  
Date(s) of Event 5/7 - 11/23/22 Time(s) of Event 7am - 1 pm Estimated # of People 50-1000  
Wed. / Sat. only  
Please describe activity/purpose of this event Farmers Market

Location (include all areas of the event) 123 Grey Street - Tops Plaza  
(attach map)

Will this event be held entirely in the Village of East Aurora? ☒ Yes ☐ No  
If no, specify:                     

Will the event include more than one vendor/organization? ☐ Yes ☒ No  
(if yes, attach list of vendors/participants)

Will the event involve a street or parking lot closure/usage? ☐ Yes ☒ No If yes, please note:  
Road/Lot Name(s)                       
Date(s) of Closure                      Time(s)                     

Will the event include:

Parade or motorcade ☐ Yes ☒ No (Attach Map of route)  
Walk or Run ☐ Yes ☒ No (Attach Map of route)

Will there be outdoor music? ☐ Yes ☒ No  
Time & Location                      Live ☐ DJ ☐ Multiple/Mixed ☐  
Amplification ☐ Yes ☐ No

Will you be providing or selling alcohol? ☐ Yes ☒ No  
Will people be allowed to bring alcohol? ☐ Yes ☒ No

Will there be Security Guards? ☒ Yes ☐ No Volunteers ☒ or Private Paid Entity ☐  
Please List Entity Name                     

Will there be temporary food stands? ☒ Yes ☐ No  
How many? 4-5  
Food Truck? If yes, name of vendor: NO  
(additional permit required)

Will **tent** or other structure be erected for event? ☐ Yes ☒ No Size \_\_\_\_\_  
Date & Time to be installed \_\_\_\_\_ Date & Time to be removed \_\_\_\_\_

Will any prep work be done on/or before the event? ☐ Yes ☒ No

Please describe \_\_\_\_\_

Set up Date: \_\_\_\_\_ Time: \_\_\_\_\_

Clean up Date: \_\_\_\_\_ Time: \_\_\_\_\_

Will additional **garbage cans** be needed? ☐ Yes ☒ No How many \_\_\_\_\_ Drop Off Location \_\_\_\_\_

Will each vendor/organization be responsible for their own garbage? ☒ Yes ☐ No

Will a **dumpster** be used? ☐ Yes ☒ No If yes, location \_\_\_\_\_

Will there be **portable lavatories**? ☒ Yes ☐ No How Many? 1

Location(s) Next to TJ Maxx

Will there Bell Jar or Games of Chance? ☐ Yes ☒ No (if yes, separate permit required)

What is the source of **electric**, if applicable? generators

Please list any extras eg. Light show, loud speakers, decorations, paints or dyes:

N/A

Police Services Requested: None

(Crossing Guards may be required dependent upon event and is a decision of the Police Department)

DPW Services Requested None

Fire/Other None

- Attach map or sketch showing the location of the event. Such map shall include:

Location of parking facilities, indicating number of parking spaces being provided; location of toilet facilities including the location of port-a-potties; location of public entrance(s) and exit(s) to the event site; location of vendor facilities (if applicable) including booths, tents and food service facilities; explanation of steps being taken to control traffic and provide security (if applicable) and the number of security personnel that will be present.

       **Requesting organization shall attach a completed Certificate of Insurance with minimum limits include public liability coverage of limits of \$1,000,000 each occurrence; property damage insurance with limits of \$1,000,000 each occurrence. Policy shall be endorsed to include Village of East Aurora as an additional named insured.**

☒ **Requesting organization shall attach Indemnification Agreement on organization letterhead, signed by authorized applicant or officer of company and duly notarized (sample included)**

**"Applicant named herein is fully responsible for obtaining any & all licensing with regard to the presentation or playing of music, pursuant to music copyright laws. The Village of East Aurora assumes no liability in this regard".**

☐ Police Department: Conditions/Comments \_\_\_\_\_

☐ Dept of Public Works: Conditions/Comments \_\_\_\_\_

☐ Fire Dept/Disaster Coordinator: Conditions/Comments \_\_\_\_\_

**Sign Permits are to be obtained from the Town of Aurora Building Department 575 Oakwood Ave, 716.652.7591**

**Indemnification Agreement**

To the fullest extent permitted by law, I/We shall indemnify and hold harmless the Village of East Aurora and its employees from and against claims, damages, losses and expenses, including but not limited to attorney's fees, arising out of or resulting from performance of our work under this contract, provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property, including loss of use resulting there from but only to the extent caused in whole or in part by negligent acts or omissions of our organization, anyone directly or indirectly employed by us or anyone for whose acts they may be liable, regardless of whether or not such claim, damage, loss or expense is caused in part by a party indemnified hereunder. Such obligation shall not be construed to otherwise exist as to a party or person described in this paragraph.

Gail Fentim  
Authorized Applicant or Officer

Subscribed and sworn to before me this 28 day of January, 2022

Milinda S. Kilby  
Notary Public

MILENDA S. KILBY  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01KI6260376  
Qualified in Genesee County  
My Commission Expires 04-30-~~2020~~  
2024



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

01/28/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER GEORGE HAFENDEN PO BOX 300 STRYKERSVILLE, NY 14145	CONTACT NAME: JENNIFER MCCUTCHEON PHONE (A/C No. Ext): 716 386-5393 FAX (A/C No): 716 386-6237 E-MAIL: Jennifer.Mccutcheon@American-National.com ADDRESS: Jennifer.Mccutcheon@American-National.com
INSURED EAST AURORA FM, INC. PO BOX 953 EAST AURORA, NY 14052	INSURER(S) AFFORDING COVERAGE INSURER A: FARM FAMILY CASUALTY INSURANCE CO. NAIC # 13803 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:

## COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL(SUBR) INSD / WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	N N	3101X9544	02/01/2022	02/01/2023	EACH OCCURRENCE \$ 1,000,000. DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000. MED EXP (Any one person) \$ 25,000. PERSONAL & ADV INJURY \$ 1,000,000. GENERAL AGGREGATE \$ 3,000,000. PRODUCTS - COMP/OP AGG \$ 3,000,000. \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

## CERTIFICATE HOLDER

## CANCELLATION

Village of East Aurora  
571 main street  
East Aurora, NY 14052

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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## **EXTENSION AGREEMENT**

This Extension Agreement is made on December 6, 2021, and effective June 1, 2022, by and between the Village of East Aurora (the "Village"), a New York municipal corporation, having an office at 585 Oakwood Ave. East Aurora, New York 14052 and Modern Disposal Services, Inc., ("Modern") a New York corporation with an office at 4746 Model City Road, Model City, New York 14107.

Whereas the Village and Modern entered into an Agreement ("Agreement") dated June 1, 2019, whereby Modern agreed to provide collection disposal and processing of refuse, waste material, bulk items, and recycling material.

Whereas that Agreement provides both parties the mutual option to extend the agreement for two (2) three (3) year periods; and

Whereas the Village and Modern now wish to exercise One (1) three (3) option and extend the term of the Agreement.

Now, therefore, the Village and Modern stipulate and agree to the following extension of the Agreement:

1. The Village and Modern hereby exercises the first of two (2) three (3) year options for the term June 1, 2022, until May 31, 2025.
2. The unit cost charged for service will be adjusted annually each June 1<sup>st</sup> of the extension as provided for in the Agreement. The adjustment will reflect the net change in the Consumer Price Index, all Urban Consumers (all items) for the Buffalo Metropolitan area. The net change will be calculate using the most recently 12-month period, May through April.
  - a. The current rate of \$174.72 per unit per year will be adjusted for June 1, 2022, using the formula stipulated in item #2 above.

This Extension Agreement is intended to modify the original Agreement executed on May 31, 2019, only to the extent that the Agreement is consistent with the terms stated herein. All the other terms and conditions of the original Agreement including annual price adjustments, shall remain in full force and effect.

**Modern Disposal Services, Inc.**

By: \_\_\_\_\_  
Michael P. McInerney  
Chief Executive Officer

Date: \_\_\_\_\_

**Village of East Aurora**

By: \_\_\_\_\_  
Peter M. Mercurio  
Mayor, Village of East Aurora

Date: \_\_\_\_\_



Original

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

**MEMO**

TO: Mayor Mercurio, and Village Trustees  
FROM: Elizabeth Cassidy, Code Enforcement Officer  
DATE: February 2, 2022

The Building Department has accepted a Special Use Permit (SUP) application for a restaurant (currently take out only) at 695 Main St. dopest dough is operating out of the former Blessings Bakers and Main Street Bakery location. They are not making any substantial changes to the interior of the building, just rearranging the public facing side of the business.

Village Code section 285-52.3B states that the Village Board may refer the Special Use Permit application to the Planning Commission for their review and recommendations. The Village Board shall then schedule a public hearing for the applications.

Village Code section 285-50.4C requires the Village to submit the application to Erie County Department of Environment and Planning for their review and comment due to proximity to a State highway.

This is an Unlisted action under SEQRA.

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

Liz Cassidy

**VILLAGE OF EAST AURORA**  
 571 Main Street, East Aurora, New York 14052  
 716-652-6000  
 In conjunction with  
**Town of Aurora Building Department**  
 300 Gleed Ave, East Aurora, NY 14052  
 716-652-7591

Building Dept:	
Date Received	_____
Complete App	_____
Village Clerk:	
Date Filed	_____
Amount \$	_____
Receipt #	_____

**SPECIAL USE PERMIT APPLICATION**

PROPOSED PROJECT dopest dough SBL# \_\_\_\_\_  
 LOCATION 695 Main St. East Aurora 14052 ZONING DISTRICT \_\_\_\_\_

The applicant agrees to reimburse the Village for any additional fees required for consultant's review.

APPLICANT NAME Joseph White  
 ADDRESS 761 Lawrence Ave East Aurora, 14052  
 TELEPHONE (716) 903-6049 FAX \_\_\_\_\_ E-MAIL dopestdough.baker@gmail.com  
 SIGNATURE \_\_\_\_\_

OWNER NAME Robert Miller construction INC.  
 ADDRESS P.O. Box 1480 Lockport NY 14095  
 TELEPHONE (716) 434-8800 FAX (716) 434-7004 E-MAIL gmiller@millercommercialgroup.com  
 SIGNATURE \_\_\_\_\_  
GLEN MILLER PRES.

DEVELOPER NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 TELEPHONE \_\_\_\_\_ FAX \_\_\_\_\_ E-MAIL \_\_\_\_\_  
 SIGNATURE \_\_\_\_\_

**THIS APPLICATION MUST INCLUDE THE FOLLOWING:**

- One (1) – Cover letter to Village Board, Supporting Documents, and SEQR as required in §285-52.2
- One (1) complete file of submittal package in PDF format via email (under 10MB) to maureen.jerackas@east-aurora.ny.us. Larger files may be submitted on a USB drive or CD or by Dropbox.
- Application fee \$25.00, Permit fee \$25.00, and Public Hearing fee \$100.00 – Total \$150 at time of application

**OFFICE USE ONLY:** Sketch Plan Meeting Date \_\_\_\_\_

**REQUIRED MEETINGS/REFERRALS:**

	Mtg/Mail Date	Conditions/Comments, if applicable:
Planning Commission	_____	_____
Safety Committee	_____	_____
VEA DPW	_____	_____
OTHER (specify)	_____	_____

**SEQR ACTION:**

\_\_\_ Type 1 \_\_\_ Type 2 \_\_\_ Unlisted

**VILLAGE BOARD ACTION:**

	Mtg/Mail Date	
Public Hearing	_____	
Notices Mailed	_____	
Posted Notice-VEA Hall	_____	
Posted Notice-Prop	_____	
Approval/Denial Date	_____	Attach Village Board resolution with noted conditions.

Restaurant/Bar/Tavern Special Use Permit checklist for Village Board

Applicant Name: Joseph White

Business Name: dopest dough

Business Address: 695 Main St. East Aurora 14052

Amended Permit request? Yes or ☒ No If yes, attach original permit.

Attach restaurant diagram showing all seating (indoor and outdoor), restrooms, kitchen areas, exits/entrance, storage

Hours of Operation S, M, T, W, T, F, S 5AM - 9PM.

Indoor Dining: 2 tables, 4 seats Outdoor Dining? Yes 2 tables, 4 seats or No

Alcoholic beverages served? Yes or ☒ No

Outdoor Music? Yes or ☒ No If yes: days, times, type (speaker/live) \_\_\_\_\_

Onsite parking? ☒ Yes 12 spots or No Code requirements? \_\_\_\_\_ spots

Premises Handicap Accessible? ☒ Yes or No

Sign or construction permits through Town of Aurora Building Department.



Joseph White

dopest dough llc

695 Main Street

East Aurora, NY 14052

1/25/2022

The Village Board

Village of East Aurora

585 Oakwood Avenue

East Aurora, NY 14052

Dear Village Board:

My name is Joseph White and I am pleased to introduce myself to you all as the owner and head baker of dopest dough. I am proud to have resided in East Aurora, on and off, for the last 16 years. I can attest that there is no greater place... Life as a touring musician and as a signed artist in my years, not one day out of high school, and up until 3 years ago, brought me to a lot of vibrant places across the United States and across the pond. I had the opportunity to try a lot of great foods and see things that quite frankly don't exist in our region, but as the saying goes, "there's no place like home" However, there is another saying... "Once you've have the good stuff, it's never gonna fill you up"...

There is nothing more ingrained into our collective than our connection to bread. It is quite literally, "Biblical". I've always said, "Nostalgia drives The Baker." We're always chasing to replicate that one moment or experience. A vacation somewhere with a prized crusty loaf of sourdough; you're afraid to touch it too much because every last crumb is most definitely worth its own weight in Gold. The bodega guy in Greenpoint, Brooklyn, handing you the best bagel you've most certainly "*ever had*", after you've just peeled yourself off of your buddy's floor, saving you from a night full of debauchery with the band, giving your last two dollars and fifty cents it's TRUE value. Yes. Saving grace in the form of a crusty, salty, NYC bagel. Saving grace- chased with death by cream cheese. He knows just how you like it...

Perhaps it's recreating a moment as simple as sitting down with your Dad before school for some rye toast and jam. The good stuff. While a subconscious motive for most, I choose to embrace it.

What started as self prescribed physical therapy after two carpal tunnel surgeries, working with dough bloomed into a wonderful opportunity to embrace this odd level of creativity; Recreating a moment with flour, water, and salt... and a whole lot of soul and self-discipline. Knowing when to let go and ease off. Knowing when you're doing too much or too little... Balance and rhythm. If you're baking with this level of mindfulness, a great product is a given. A great product that this community - much to my bewilderment - has gone crazy for...

The opportunity to take over the existing space at 695 Main could not have come at a better time. For the last two years, I have been operating with the bare minimum, offering our community the quality artisanal sourdough products they most definitely deserve. I am proud to love what I do. I am blessed to be able to offer my hard work to our community, especially one that is dedicated and rooted to it's past modus operandi of preserving and praising the hand crafted. It is a critical pillar of success for a village where there is a well grounded connection between the hands of its workers and its residents. There is no better way to do so than with locally sourced grains, that

are fermented properly so the nutrients and benefits are easily accessible by the body. It is a great science that I pride in delving into, showing trust and knowledge of my offerings and business to my patrons.

I love the support that the community gives back and while we look forward to opening our doors and offering in store walk up ordering, take away, limited counter service and minimal seating in the near future, for the moment we are looking to only offer temporary pick ups placed online pre-order through our website, via the aforementioned Special Use Permit.

While we wait for minimal retrofitting of the existing space (bread and bagel shelving to be completed, so we can properly offer our product in true bakery format!) we are busy executing our Wholesale Bakes for various Local Businesses throughout WNY such as Community Beer Works, Tipico Coffee, Barrel & Brine, and Cafe Godot in Downtown Buffalo, Dina's Restaurant and Holimont Ski Club in Ellicottville, Scripts Cafe and Juice Bar in Lockport, and 189 Burger here in town. Moving into this new space and kitchen will give us the opportunity to finally expand our products to businesses here in town that have requested, such as the East Aurora Co.Op Market, Mambrino King, and The Deli-

Beyond regular take away hours in the future, we look forward to offering breakfast in the morning hours and in the evening, the offering of small plates, in addition to monthly guest-chef dinners and pop-ups, utilizing the relationships and friendships we have made with local farms and farmers, such as Always Something Farm of Corfu, NY, Butter Meat Co of Perry, NY, Oles Thorpes Organic Farm just outside of town here, West Side Tilth Farm, flat12 Mushrooms, and many more.

While we strive to be a staple in the Village of East Aurora and in the Western New York

Region, dopest dough has dreams of national expansion, finding homes in cities and regions with rich grain history and sourcing opportunities, offering the standard dopest dough products, but giving each independent operator their own ability to make breads and dishes that utilize their own history and hyperlocal resources, all the while supplying the area's local cafes, markets, and restaurants and keeping it grass roots-

In addition to this letter, we have attached all necessary forms, applications, and diagrams-

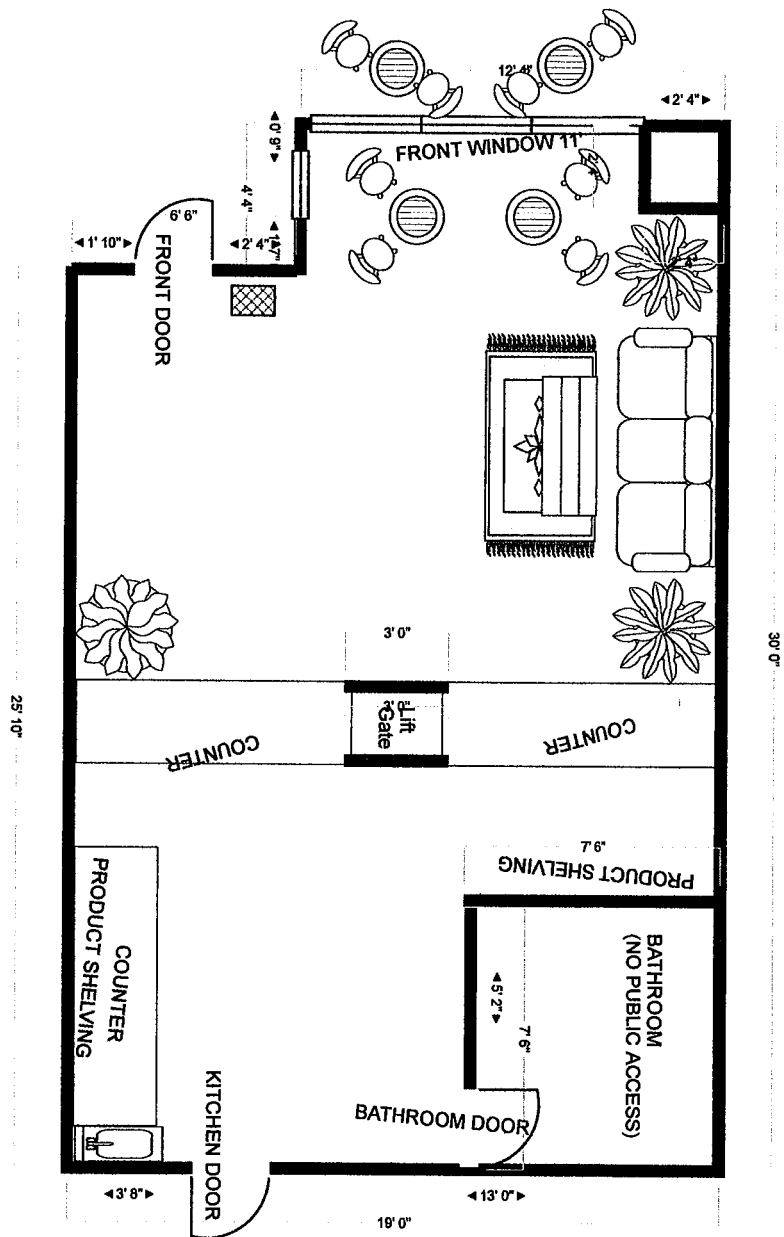
We look forward to working with you and utilizing your great services to grow and to become a pillar for our local community,

Respectfully yours,

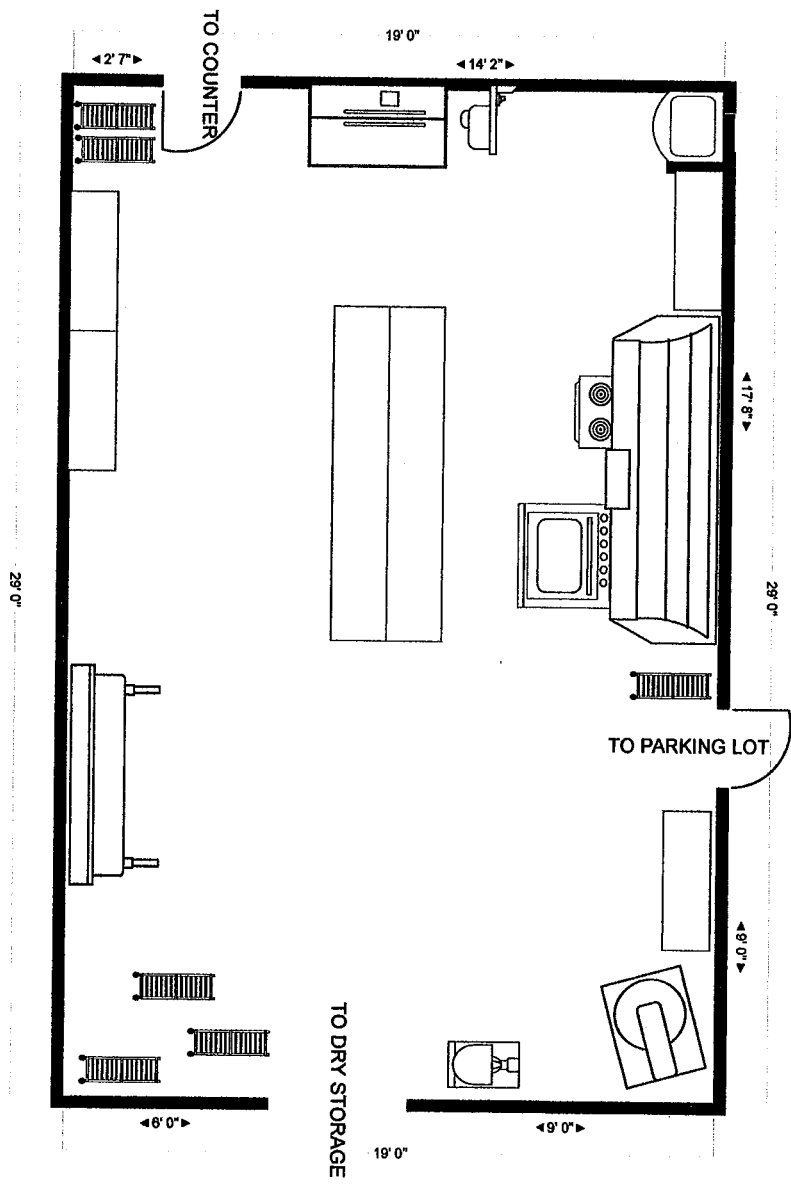
Joseph White

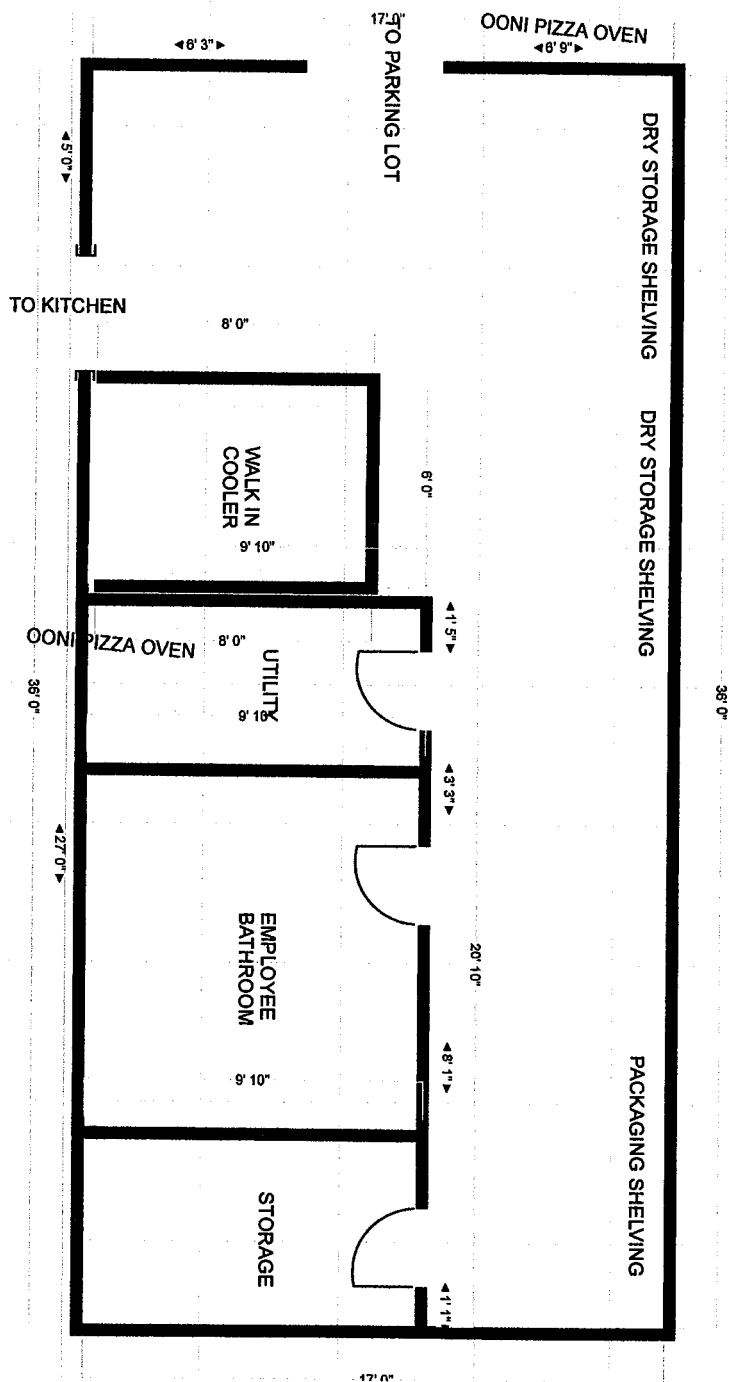
Owner/Head Baker

dopest dough









# 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.

<b>Part 1 - Project and Sponsor Information</b>							
Name of Action or Project: <div style="font-size: 1.2em; font-family: cursive;">dopest clough (bakery)</div>							
Project Location (describe, and attach a location map): <div style="font-size: 1.2em; font-family: cursive;">695 Main Street. East Aurora 14052</div>							
Brief Description of Proposed Action: <div style="font-size: 1.2em; font-family: cursive;">Retail Bakery supplying sourdough baked goods. With additional cafe plans.</div>							
Name of Applicant or Sponsor: <div style="font-size: 1.2em; font-family: cursive;">Joseph White</div>		Telephone: (716) 903-6049 E-Mail: <div style="font-size: 1.2em; font-family: cursive;">dopestclough.baker@gmail.com</div>					
Address: <div style="font-size: 1.2em; font-family: cursive;">761 Lawrence Ave</div>							
City/PO: <div style="font-size: 1.2em; font-family: cursive;">East Aurora</div>		State: <div style="font-size: 1.2em; font-family: cursive;">NY</div>	Zip Code: <div style="font-size: 1.2em; font-family: cursive;">14052</div>				
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> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
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: <div style="font-size: 1.2em; font-family: cursive;">Sign permit, Board of Health</div>			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? <div style="font-size: 1.2em; font-family: cursive;">.5</div> acres b. Total acreage to be physically disturbed? <div style="font-size: 1.2em; font-family: cursive;">0</div> acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <div style="font-size: 1.2em; font-family: cursive;">.5</div> acres							
4. Check all land uses that occur on, adjoining and near the proposed action. <div style="display: flex; flex-wrap: wrap; padding: 5px;"> <div style="width: 50%;"><input type="checkbox"/> Urban</div> <div style="width: 50%;"><input type="checkbox"/> Rural (non-agriculture)</div> <div style="width: 50%;"><input type="checkbox"/> Industrial</div> <div style="width: 50%;"><input checked="" type="checkbox"/> Commercial</div> <div style="width: 50%;"><input checked="" type="checkbox"/> Residential (suburban)</div> <div style="width: 50%;"><input type="checkbox"/> Forest</div> <div style="width: 50%;"><input type="checkbox"/> Agriculture</div> <div style="width: 50%;"><input type="checkbox"/> Aquatic</div> <div style="width: 50%;"><input type="checkbox"/> Other (specify): _____</div> <div style="width: 50%;"><input type="checkbox"/> Parkland</div> </div>							

		NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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: _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?		<input type="checkbox"/>	<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 type="checkbox"/>	<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: _____		<input type="checkbox"/>	<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: <u>Already connected</u>		<input type="checkbox"/>	<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: <u>Already connected</u>		<input type="checkbox"/>	<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?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?		<input checked="" 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?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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: _____		<input checked="" type="checkbox"/>	<input 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 type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" 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?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?		<input checked="" type="checkbox"/>	<input 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 checked="" 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: _____ <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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)? If Yes, explain purpose and size: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor name: <u>Joseph White</u> Date: <u>1/25/22</u> Signature: <u>[Signature]</u>		

**PRINT FORM**

[illegible]

RESOLUTION TO AUTHORIZE TRANSFER FROM THE RESERVE FOR BUILDING IMPROVEMENT

Trustee \_\_\_\_\_ offered the following resolution and moved for its adoption:

WHEREAS, the Village of East Aurora wishes to appropriate \$101,760.30 from the Reserve for Building Improvements fund

WHEREAS, these improvements are for the juvenile facility requirements at the police station as well as the security requirements for the department.

BE IT RESOLVED, the Clerk-Treasurer is hereby authorized to transfer said reserves to the general fund.

BE IT FURTHER RESOLVED that this resolution is subject to permissive referendum.

The foregoing resolution was duly seconded by Trustee \_\_\_\_\_ and adopted with all Trustees voting XXXXX

original  
01/12

# TOWN OF AURORA

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

## MEMO

TO: Mayor Mercurio and Village Trustees  
FROM: Elizabeth Cassidy, Code Enforcement Officer  
DATE: January 12, 2022

The Building Department has accepted a Site Plan application for the installation of a covered entrance at 42 Riley St as submitted by Jim Bammel as agent for SNAP Fitness. The site plan is required due to the structure requiring a building permit.

Village Code section 285-51.5 requires the Village Board to refer the Site Plan application to the Planning Commission for their review and recommendation. The Village Board shall then schedule a public hearing prior to the SEQR determination and decision.

A County Planning referral is not required for this site plan.

This is a Type II action for purposes of SEQR.

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



**VILLAGE OF EAST AURORA**  
 571 Main Street, East Aurora, New York 14052  
 716-652-6000  
 In conjunction with  
**Town of Aurora Building Department**  
 300 Glead Ave, East Aurora, NY 14052  
 716-652-7591

Building Dept:	
Date Received	11/10/22
Complete App	11/11/22
Village Clerk:	
Date Received	11/12/22
Amount \$	125
Receipt #	CHN 3397

**SITE PLAN APPLICATION**

PROPOSED PROJECT PERMANENT LUNNERY SBL#: 165.17-6-1.1  
 LOCATION 42 RILEY COVERED ENTRY ZONING DISTRICT VC

The applicant agrees to reimburse the Village for any additional fees required for consultant's review of submitted technical data, including but not limited to, traffic studies, drainage, lighting, water and sewer plans.

APPLICANT NAME Jim Bammel  
 ADDRESS 624 W. QUAKER ST. P. 14127  
 TELEPHONE 472-9245 FAX \_\_\_\_\_ E-MAIL jbbammel@bbammelarchitects.com  
 SIGNATURE [Signature]

OWNER NAME SNAP FITNESS KELI ARLEY  
 ADDRESS \_\_\_\_\_  
 TELEPHONE 515-5995 FAX \_\_\_\_\_ E-MAIL \_\_\_\_\_  
 SIGNATURE [Signature]

ENGINEER/ARCHITECT/LANDSCAPE ARCHITECT  
 NAME GAME FIRM \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 TELEPHONE \_\_\_\_\_ FAX \_\_\_\_\_ E-MAIL \_\_\_\_\_  
 SIGNATURE \_\_\_\_\_

AFFIX STAMP

**THIS APPLICATION MUST INCLUDE THE FOLLOWING:**

- Twenty (20) Sets – Cover letter to Village Board, Supporting Documents, and SEQR as required in §285-51.3
- One (1) complete file of submittal package in PDF format via email (under 10MB) to [maureen.jerackas@east-aurora.ny.us](mailto:maureen.jerackas@east-aurora.ny.us). Larger files may be submitted on a USB drive or CD Rom.
- Application fee \$25.00 and Public Hearing fee \$100.00 – Total \$125 at time of application

**OFFICE USE ONLY:** Sketch Plan Meeting Date \_\_\_\_\_ Minor Project written request to waive PC mtg Y/N/NA: VB Decision Y/N

**REQUIRED MEETINGS/REFERRALS:**

	Mtg/Mail Date	Conditions/Comments, if applicable:
Planning Commission	_____	_____
Historic Preservation	_____	_____
ZBA	_____	_____
EC Div of Planning	_____	_____
NYS DOT	_____	_____
Town Notification	_____	_____
Safety Committee	_____	_____
VEA DPW	_____	_____
OTHER (specify)	_____	_____

**SEQR ACTION:**

\_\_\_ Type 1 \_\_\_ Type 2 \_\_\_ Unlisted

**VILLAGE BOARD ACTION:**

	Mtg/Mail Date
Public Hearing	_____
Notices Mailed	_____
Posted Notice-VEA Hall	_____
Posted Notice-Prop	_____
Approval/Denial Date	_____

Attach Village Board resolution with noted conditions.



Bammel Architects, PC

6264 West Quaker St., Orchard Park, NY 14127  
phone (716) 662-2482 fax (716) 662-2487

January 10, 2022

Village of East Aurora

**Letter of Intent**

We are seeking approval to install a **permanent covered entry awning** over the existing concrete ramp at the eastern exit door for the location at 42 Riley Street.

This will be a private entrance for a wellness portion of the SNAP fitness center, as well as remain a required exit.

Sincerely

James Bammel

C: Keliann Argy

# 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.

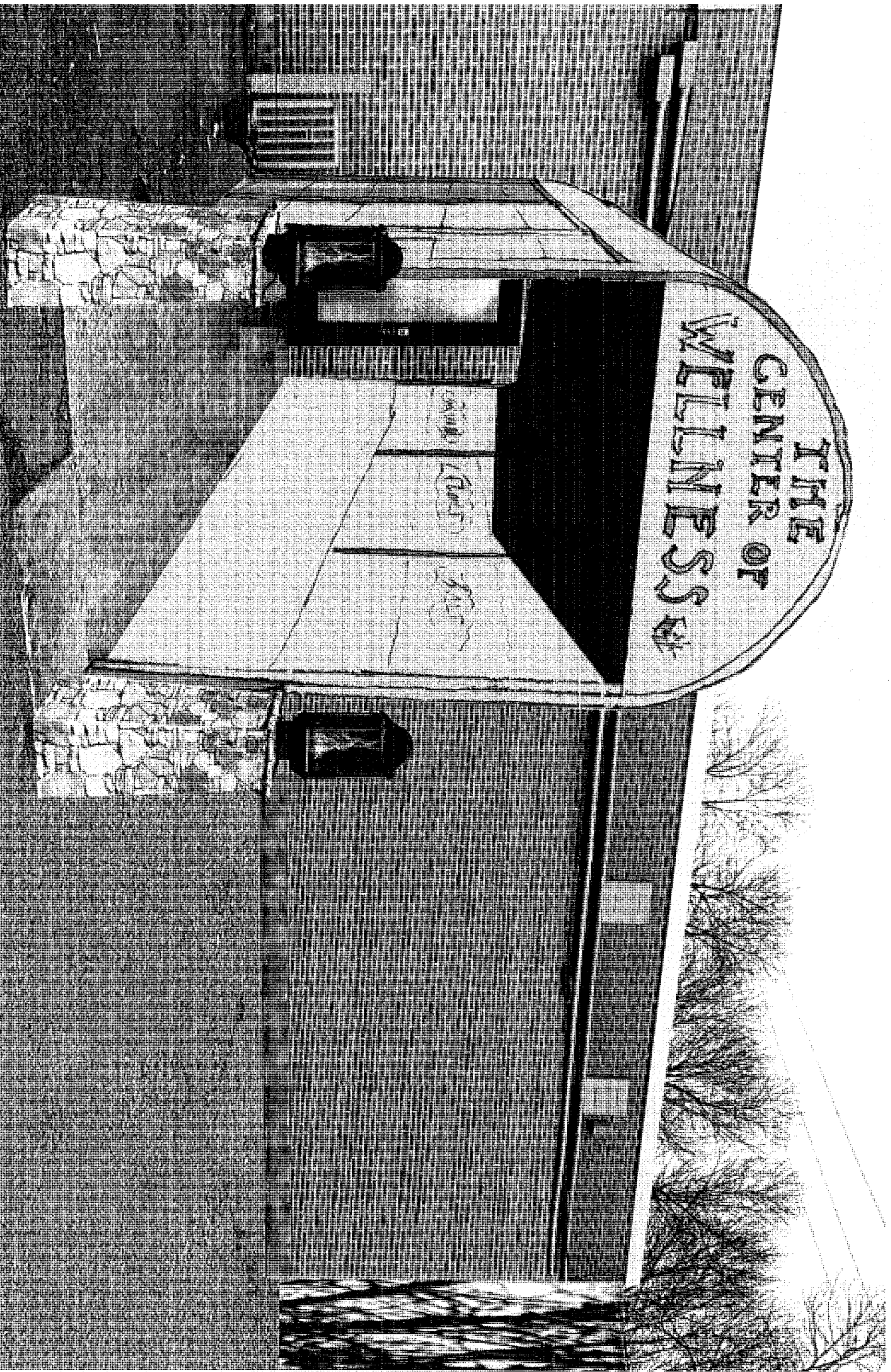
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

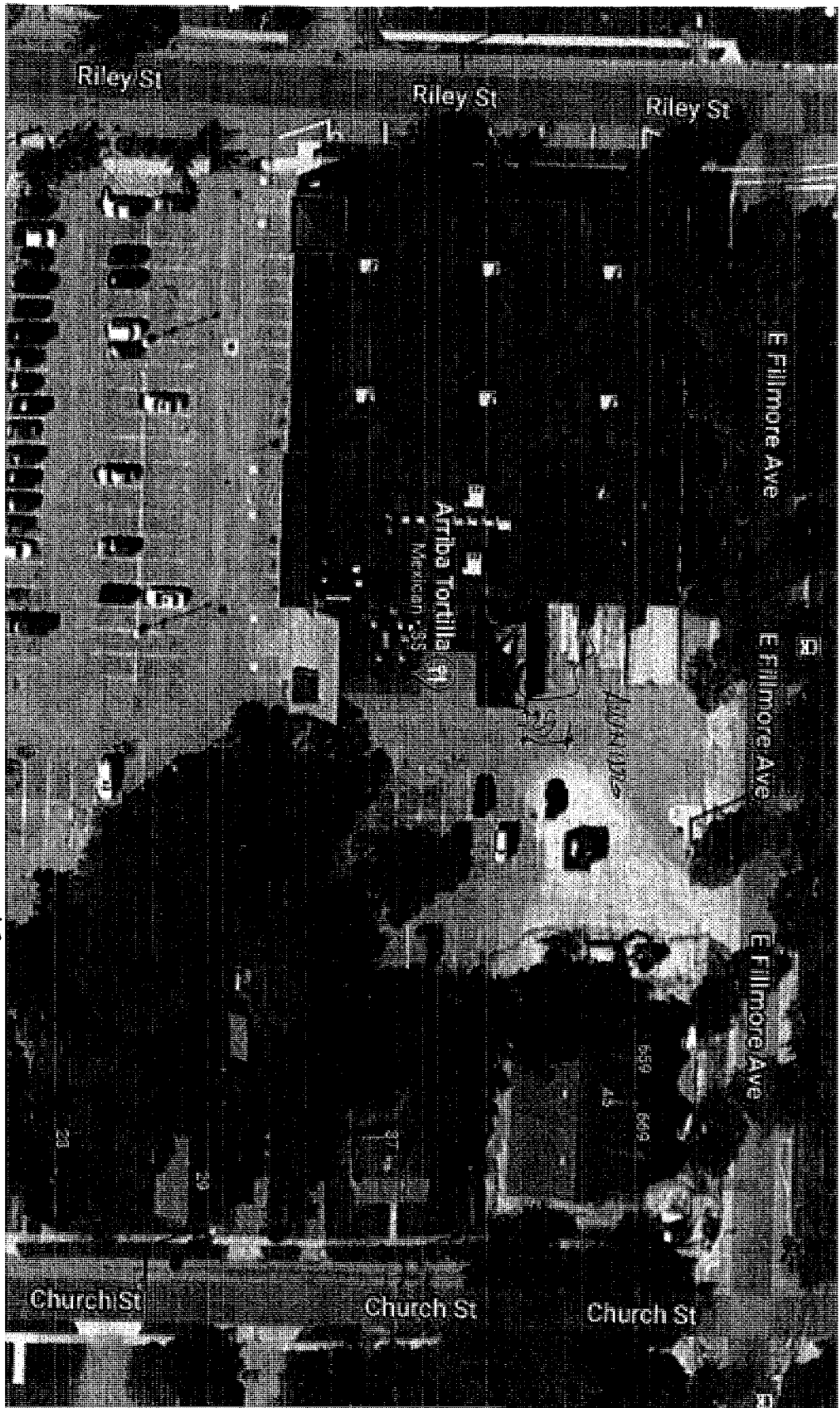
<b>Part 1 - Project and Sponsor Information</b>							
Name of Action or Project: <div style="font-family: cursive; font-size: 1.2em;">SNAP AWWING ENTRY</div>							
Project Location (describe, and attach a location map): <div style="font-family: cursive; font-size: 1.2em;">42 RILEY - SIDE DOOR OFF OF E. FILLMORE</div>							
Brief Description of Proposed Action: <div style="font-family: cursive; font-size: 1.2em;">PERMANENT COVERED ENTRY AWWING - OVER EXISTING CONCRETE RAMP.</div>							
Name of Applicant or Sponsor: <div style="font-family: cursive; font-size: 1.2em;">JIM BAMMEL</div>		Telephone: <div style="font-family: cursive; font-size: 1.2em;">472-9245</div> E-Mail: <div style="font-family: cursive; font-size: 1.2em;">jbammelbammelarchitects.com</div>					
Address: <div style="font-family: cursive; font-size: 1.2em;">6264 W QUAKER</div>							
City/PO: <div style="font-family: cursive; font-size: 1.2em;">ORCHARD PARK</div>		State: <div style="font-family: cursive; font-size: 1.2em;">NY</div>	Zip Code: <div style="font-family: cursive; font-size: 1.2em;">14127</div>				
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> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
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:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? <div style="font-family: cursive; font-size: 1.2em;">± .01</div> acres b. Total acreage to be physically disturbed? <div style="font-family: cursive; font-size: 1.2em;">.11</div> 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, adjoining and near the proposed action. <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> Urban</div> <div style="width: 50%;"><input type="checkbox"/> Rural (non-agriculture)</div> <div style="width: 50%;"><input type="checkbox"/> Industrial</div> <div style="width: 50%;"><input checked="" type="checkbox"/> Commercial</div> <div style="width: 50%;"><input type="checkbox"/> Residential (suburban)</div> <div style="width: 50%;"><input type="checkbox"/> Forest</div> <div style="width: 50%;"><input type="checkbox"/> Agriculture</div> <div style="width: 50%;"><input type="checkbox"/> Aquatic</div> <div style="width: 50%;"><input type="checkbox"/> Other (specify): _____</div> <div style="width: 50%;"><input type="checkbox"/> Parkland</div> </div>							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input checked="" type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" 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: <u>NA</u>	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>NA</u>	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>NA</u>	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" 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?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
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: _____	<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 type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input checked="" 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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <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 checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES			

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)? If Yes, explain purpose and size: _____ _____ _____	<b>NO</b> <input checked="" type="checkbox"/>	<b>YES</b> <input type="checkbox"/>
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: _____ _____ _____	<b>NO</b> <input checked="" type="checkbox"/>	<b>YES</b> <input type="checkbox"/>
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: _____ _____ _____	<b>NO</b> <input checked="" type="checkbox"/>	<b>YES</b> <input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor name: <u>Jim Bammel</u> Date: <u>1/10/22</u> Signature: <u>[Signature]</u>		

THE  
CENTER OF  
WELLNESSE





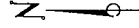
42 RILEY  
NEW PERMANENT ADDRESS  
OVER EXISTING CAMP.



FILLMORE AVENUE

RILEY STREET

CHURCH STREET



SCALE IN FEET 1"=50'

COMMON DOCK  
273 S.F.

DOCK  
AREA

ACE HARDWARE  
19,443 S.F. (S)

AVAILABLE  
6,528 S.F.

RECEIVING

141

225

225

EAST AURORA COMMONS

42 RILEY STREET  
EAST AURORA, NEW YORK 14052

PROPERTY ID# 2550

07-21-21



LEASING PLAN

CHANGED BY: CJA LCK/CAJ/STP JEN LSCAL 11/20

THE SOLE PURPOSE OF THIS DRAWING IS TO ILLUSTRATE THE PROPOSED LEASING OF THE BUILDING AND LAND OF THE PROPERTY. IT IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE DRAWING IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE DRAWING IS NOT TO BE USED FOR ANY OTHER PURPOSE.



NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH.

FILLMORE (66' WIDE) AVENUE

PARCEL "A"

All that tract or parcel of land situate in the Village of East Aurora, Town of Aurora, County of Erie and State of New York, being part of Lot No. 24, Township 9, Range 6 of the Holland Land Company's Survey, bounded and described as follows:

Beginning at a point in the easterly line of Riley Street, forty-nine and five tenths feet (49.5') wide at the northwest corner of lands conveyed to Abbott S. Griggs and Fay H. Ball by deed recorded in the Erie County Clerk's Office in Liber 1024 of Deeds at page 480, said point of beginning being two hundred ten and no hundredths feet (210.00') north of the north line of Main Street;

thence northerly along the easterly line of Riley Street two hundred eighty-two and fifty-two hundredths feet (282.52') to the southerly line of Fillmore Avenue, sixty-six foot wide;

thence easterly along the southerly line of Fillmore Avenue two hundred sixty-two and sixty hundredths feet (262.60') to the easterly line of lands conveyed by Stephen Champlin to Aaron R. Merritt by deed recorded in the Erie County Clerk's Office in Liber 2701 of Deeds at page 479;

thence southerly at an interior angle of 91°03' and along the easterly line of land conveyed to Aaron R. Merritt and Haines R. Merritt as aforesaid two hundred eighty-two and forty-two hundredths feet (282.42') to a point two hundred ten and no hundredths feet (210.00') north of the north line of Main Street;

thence westerly parallel with the north line of Main Street two hundred sixty-seven and forty-five hundredths feet (267.45') to the point or place of beginning.

EXCEPTING:

All that tract or parcel of land situate in the Village of East Aurora, Town of Aurora, County of Erie and State of New York, being part of Lot Number 24, Township 9, Range 6 of the Holland Land Company's Survey, bounded and described as follows:

Beginning at a point in the southerly line of Fillmore Avenue, distant two hundred twenty-four and sixty hundredths feet (224.60') east from the west line of Riley Street;

thence southerly at an interior angle of 91°03' a distance of sixty-eight and no hundredths feet (68.00') to the principal point of beginning;

thence westerly at an interior angle of 91°03' a distance of forty-nine and forty-two hundredths feet (49.42');

thence southerly at right angles a distance of one hundred five and twenty-three hundredths feet (105.23');

thence easterly at right angles and parallel to Fillmore Avenue a distance of fifty-one and thirty-five hundredths feet (51.35');

thence northerly at an interior angle of 88°57' a distance of one hundred five and twenty-five hundredths feet (105.25') to the point of beginning.

RILEY STREET (49.5' WIDE)

CHURCH STREET (49.5' WIDE)

NORTHWEST CORNER OF LANDS  
CONVEYED TO ABBOTT S. GRIGGS &  
FAY H. BALL, LIBER 1024, PAGE 480

POINT OF  
BEGINNING  
PARCEL "A"

TOTAL PARCEL AREA = 1.718± ACRES (74,852± S.F.)  
EXCEPTION = 0.121± ACRES (5,301± S.F.)  
NET PARCEL AREA = 1.597± ACRES (69,550± S.F.)

DEEDS OF RECORD AFFECTING PARCEL:

- 1) EASEMENT TO NEW YORK STATE ELECTRIC AND GAS CORPORATION, LIBER 3211, PAGE 440.
- 2) EASEMENT TO NEW YORK STATE ELECTRIC AND GAS CORPORATION, LIBER 3895, PAGE 458.
- 3) EASEMENT TO NEW YORK STATE ELECTRIC AND GAS CORPORATION, LIBER 5156, PAGE 585.
- 4) LEASE AGREEMENT TO THE VILLAGE OF EAST AURORA, LIBER 7334, PAGE 101.

PART OF LOT NO. 24, TOWNSHIP 9, RANGE 6 OF THE HOLLAND LAND COMPANY'S SURVEY

BOUNDARY SURVEY  
42 RILEY STREET  
VILLAGE OF EAST AURORA  
TOWN OF AURORA  
ERIE COUNTY, NEW YORK

NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO ANY SURVEY DRAWING, DESIGN, SPECIFICATION, PLAN OR REPORT IS A VIOLATION OF SECTION 7209, PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

DATE JOB DESCRIPTION

TVA

TVGA ENGINEERING, SURVEYING, P.C.  
ENGINEERS & SURVEYORS • PHOTOGRAMMETRISTS  
1000 MAPLE ROAD, P.O. BOX 11  
ELMA, NY 14059-0264

TEL (716) 655-8842  
FAX (716) 655-0937

DRAWN BY P.F.L. SCALE 1"=20'

CHECKED BY T.J.C. DATE 09/18/00

ACAD FILE 503915.DWG JOB 503915

BOOK 377 PAGE 106 MAP 57706

DATE

ROMAN H. FIGLER III L.S.

© COPYRIGHT 2000  
TVGA ENGINEERING, SURVEYING P.C. ALL RIGHTS  
RESERVED. UNAUTHORIZED DUPLICATION IS A  
VIOLATION OF APPLICABLE LAWS.



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

**MEMO**

TO: Mayor Mercurio, and Village Trustees  
FROM: Elizabeth Cassidy, Code Enforcement Officer  
DATE: December 28, 2021

The Building Department has accepted a Special Use Permit (SUP) application for outdoor sales ancillary to permitted use for a propane tank exchange at Manny's Ace Hardware, 42 Riley St. Manny's Ace Hardware proposes two cages placed in front of their building along with required impact protection.

Village Code section 285-52.3B states that the Village Board may refer the Special Use Permit application to the Planning Commission for their review and recommendations. The Village Board shall then schedule a public hearing for the applications.

A county referral is not required for this application.

This is an Unlisted action under SEQRA.

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

Liz Cassidy



**VILLAGE OF EAST AURORA**  
 571 Main Street, East Aurora, New York 14052  
 716-652-6000  
 In conjunction with  
**Town of Aurora Building Department**  
 300 Gleed Ave, East Aurora, NY 14052  
 716-652-7591

Building Dept:	
Date Received	12/17/21
Complete App	12/18/21
Village Clerk:	
Date Filed	12/28/21
Amount \$	150.00
Receipt #	01689-0110

**SECIAL USE PERMIT APPLICATION**

PROPOSED PROJECT Installation of two (2) locked, vented, impact protected cages for storage of (36) 20lb propane cylinders. SBL#: \_\_\_\_\_  
 LOCATION 42 Riley St, East Aurora NY 14052 ZONING DISTRICT \_\_\_\_\_

The applicant agrees to reimburse the Village for any additional fees required for consultant's review.

APPLICANT NAME Manny's Ace Hardware  
 ADDRESS 42 Riley St, East Aurora NY 14052  
 TELEPHONE 716-572-2952 FAX \_\_\_\_\_ E-MAIL manny@mannysace.com  
 SIGNATURE [Signature]

OWNER NAME Manan Varma  
 ADDRESS 42 Riley St, East Aurora NY 14052  
 TELEPHONE 716-572-2952 FAX \_\_\_\_\_ E-MAIL manny@mannysace.com  
 SIGNATURE \_\_\_\_\_

DEVELOPER NAME Kristina Reale, Blue Rhino  
 ADDRESS 1709 Page Blvd Springfield MA 01104  
 TELEPHONE 413-781-3694 ex 3 FAX 413-363-2003 E-MAIL krsitinareale@ferrellgas.com  
 SIGNATURE \_\_\_\_\_

**THIS APPLICATION MUST INCLUDE THE FOLLOWING:**

- One (1) – Cover letter to Village Board, Supporting Documents, and SEQR as required in §285-52.2
- One (1) complete file of submittal package in PDF format via email (under 10MB) to [maureen.jerackas@east-aurora.ny.us](mailto:maureen.jerackas@east-aurora.ny.us). Larger files may be submitted on a USB drive or CD or by Dropbox.
- Application fee \$25.00, Permit fee \$25.00, and Public Hearing fee \$100.00 – Total \$150 at time of application

**OFFICE USE ONLY:** Sketch Plan Meeting Date \_\_\_\_\_

**REQUIRED MEETINGS/REFERRALS:**

	Mtg/Mail Date	Conditions/Comments, if applicable:
Planning Commission	_____	_____
Safety Committee	_____	_____
VEA DPW	_____	_____
OTHER (specify)	_____	_____

SEQR ACTION:  
 \_\_\_ Type 1 \_\_\_ Type 2 ☒ Unlisted

**VILLAGE BOARD ACTION:**

	Mtg/Mail Date	
Public Hearing	_____	
Notices Mailed	_____	
Posted Notice-VEA Hall	_____	
Posted Notice-Prop	_____	
Approval/Denial Date	_____	Attach Village Board resolution with noted conditions.

# BENDERSON DEVELOPMENT

570 DELAWARE AVENUE  
BUFFALO, NY 14202  
716.886.0211.P 716.886.2269.F

November 23, 2021

Manny Varma  
Ace Hardware  
42 Riley Street Suite 200  
East Aurora, NY 14052

RE: Permission for Propane Exchange Cages

Dear Manny,

On behalf of 95 NYRPT, LLC (Benderson Development, LLC), I hereby authorize two (2) propane exchange cages to be placed in front of the building your business operates out of located at 42 Riley Street in East Aurora, NY for the purpose of the sale of propane.

If there are any questions or concerns, please don't hesitate to contact me. I can be reached at 716-878-9459 or [ericrecoon@benderson.com](mailto:ericrecoon@benderson.com).

Sincerely,



Eric L. Recoon  
Vice President, Development and Leasing



1709 Page Boulevard  
Springfield, Massachusetts 01104

Tel 413-781-3694  
Fax 413-363-2003

November 3, 2021

To: Village of East Aurora  
Attn: Building Department

Re: 42 Riley St, East Aurora, NY

To Whom It May Concern,

Manny's Ace Hardware, 42 Riley St, East Aurora NY has requested to install two (2) Blue Rhino propane cages, containing 36 20lb propane cylinders for the purpose of resale and exchange.

The cages are vented and will be locked, and impact protection will be provided in the way of two concrete jersey-style barriers. Photos of cage and barrier styles with measurements are enclosed. These cages and jersey-style barriers are not permanently affixed to the location and will not impede on foot traffic along the sidewalk.

Following code requirements, the cages will be placed twelve (12) feet from the main entrance to the Hardware store and maintain a minimum distance of ten (10) feet from the business to the right of the store. Access to the sidewalk following ADA requirements will also be maintained with the placement of cages and barriers.

Thank you for your time and consideration.

Sincerely,

Kristina L. Reale  
Compliance Specialist I  
Blue Rhino Northeast  
1709 Page Blvd.  
Springfield, MA 01104  
Office: 413.781.3694 Ex 3  
Fax : 413.363.2003  
E-mail : kristinareale@ferrellgas.com

# BLUE RHINO TANK EXCHANGE SITE PLAN

Date of Plan: 10/25/21

Plan Prepared by: R. Christy

Blue Rhino Northeast  
1709 Page Blvd  
Springfield MA 01104  
Tel: 413-781-3694 ex 3  
Fax: 413-781-2003

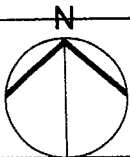
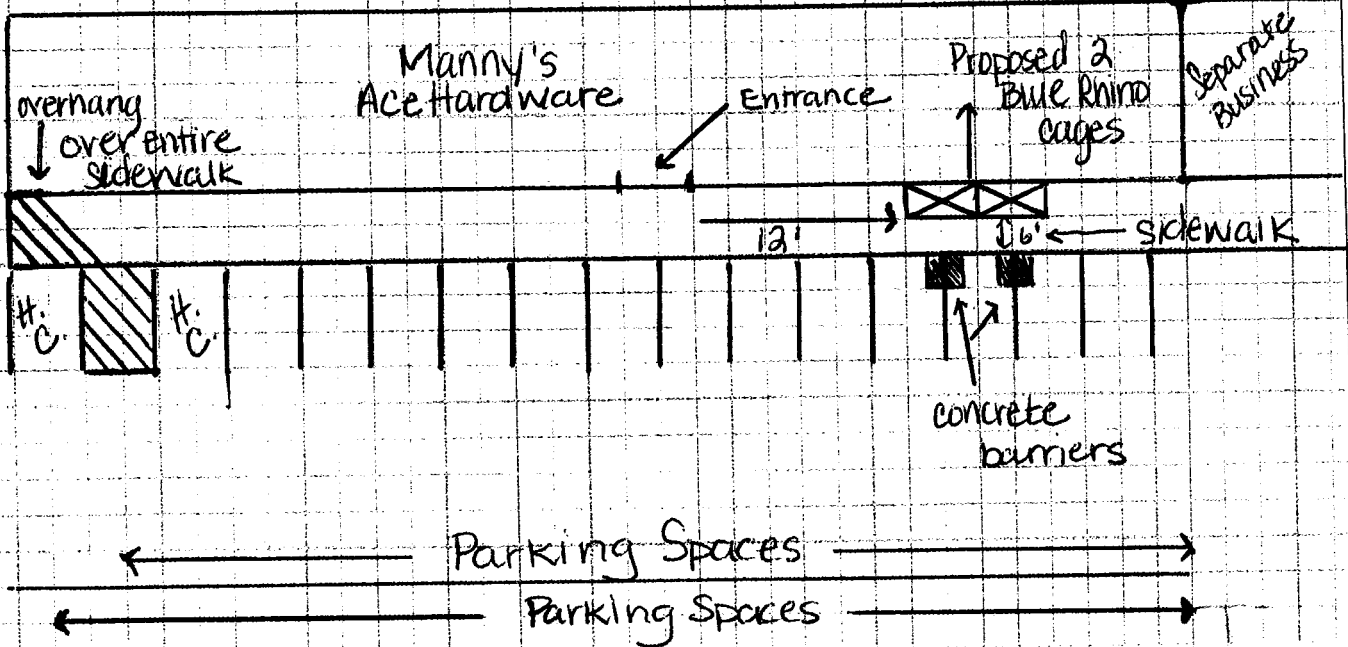
Retail Name: Manny's Ace Hardware  
Address: 48 Riley St  
City, Street & Zip: E. Aurora NY 14052  
Tel: 716/572-2952

ACCT#: 210389

If there is no answer please leave a message and we will return your call A.S.A.P

DISPLAYS BOLTED DOWN ☐ YES ☒ NO  
Vehicle Protection ☒ YES ☐ NO

EMERGENCY PHONE NUMBERS (24/7/365): BLUE RHINO 1-800-258-7466 OPTION 5




SCALE: 1/8" = 1'  
INDICATE NORTH ON THE COMPASS AT LEFT  
DEPICT AREA AT LEAST 50 FEET IN EACH DIRECTION  
SHOW DISTANCES FROM DISPLAY TO DOORS, OUTLETS & EXTINGUISHERS LABEL ALL ITEMS ON DRAWINGS.  
INCLUDE EXTINGUISHER LOCATIONS. INDICATE EACH DISPLAY UNIT OF 18 THIS WAY

SITE PLAN APPROVED BY MANAGER (BLUE RHINO)

COMPLETED SITE PLAN APPROVED BY:

X \_\_\_\_\_

X \_\_\_\_\_



Cage Dimensions  
71" x 44" x 29"









Workers'  
Compensation  
Board

CERTIFICATE OF  
NYS WORKERS' COMPENSATION INSURANCE COVERAGE

<b>1a. Legal Name &amp; Address of Insured (use street address only)</b> Ferrellgas L.P. One Liberty Plaza Liberty MO 64068  <i>Work Location of Insured (Only required if coverage is specifically limited to certain locations in New York State, i.e., a Wrap-Up Policy)</i>	<b>1b. Business Telephone Number of Insured</b> 585-356-0513  <b>1c. NYS Unemployment Insurance Employer Registration Number of Insured</b> 84-10860-04  <b>1d. Federal Employer Identification Number of Insured or Social Security Number</b> 43-1698481
<b>2. Name and Address of Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder)</b>  Village of East Aurora 571 Main St East Aurora, NY 14052	<b>3a. Name of Insurance Carrier</b> Old Republic Insurance Company  <b>3b. Policy Number of Entity Listed in Box "1a"</b> MWC302657 21  <b>3c. Policy effective period</b> 08/01/21 to 08/01/22  <b>3d. The Proprietor, Partners or Executive Officers are</b> <input checked="" type="checkbox"/> included. (Only check box if all partners/officers included) <input type="checkbox"/> all excluded or certain partners/officers excluded.

This certifies that the insurance carrier indicated above in box "3" insures the business referenced above in box "1a" for workers' compensation under the New York State Workers' Compensation Law. **(To use this form, New York (NY) must be listed under Item 3A on the INFORMATION PAGE of the workers' compensation insurance policy).** The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed above as the certificate holder in box "2".

The insurance carrier must notify the above certificate holder and the Workers' Compensation Board within 10 days IF a policy is canceled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from the coverage indicated on this Certificate. (These notices may be sent by regular mail.) **Otherwise, this Certificate is valid for one year after this form is approved by the insurance carrier or its licensed agent, or until the policy expiration date listed in box "3c", whichever is earlier.**

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy.

This certificate may be used as evidence of a Workers' Compensation contract of insurance only while the underlying policy is in effect.

**Please Note: Upon cancellation of the workers' compensation policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of Workers' Compensation Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Workers' Compensation Law.**

**Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has the coverage as depicted on this form.**

Approved by: Liza Bashaw  
(Print name of authorized representative or licensed agent of insurance carrier)  
  
Approved by: Liza Bashaw 11/08/21  
(Signature) (Date)  
  
Title: Policy Production Associate

Telephone Number of authorized representative or licensed agent of insurance carrier: 262-797-3400

**Please Note: Only insurance carriers and their licensed agents are authorized to issue Form C-105.2. Insurance brokers are NOT authorized to issue it.**

**C-105.2 (9-17)**

www.wcb.ny.gov

## **Workers' Compensation Law**

### **Section 57. Restriction on issue of permits and the entering into contracts unless compensation is secured.**

1. The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in a hazardous employment defined by this chapter, and notwithstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that compensation for all employees has been secured as provided by this chapter. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any compensation to any such employee if so employed.
2. The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in a hazardous employment defined by this chapter, notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that compensation for all employees has been secured as provided by this chapter.



February 2, 2022

Village of East Aurora Board of Trustees  
585 Oakwood Avenue  
East Aurora, New York 14052

**Re: Walnut/Prospect Single-Family Residential Subdivision (9 Lots)  
Preliminary Plat Application  
Applicant: ARR Holdings LLC / Alliance Homes  
Owner: Terrence A. Kopp  
Properties:  
363 Prospect Avenue, Village of East Aurora (SBL No. 175.08-8-7); and  
0 Walnut Street, Village of East Aurora (SBL No. 175.08-8-11)  
Approximate Acreage: 4.85  
Zoning Classification: Single-Family Residential (SFR)**

Dear Mayor Mercurio and Village of East Aurora Board of Trustees:

Our firm represents ARR Holdings LLC which is a related to entity to Alliance Homes (collectively, "Alliance") and is the Applicant / Project Sponsor regarding the above referenced Preliminary Plat Application.

At the February 1, 2022 Village Planning Commission Meeting, the Planning Commission unanimously voted to recommend approval of the Preliminary Plat Application. Accordingly, pursuant to the Village Subdivision of Land Code, we request that this matter be placed upon the Village Board's Agenda for February 7, 2022 where we ask that the Village Board schedule the required Public Hearing for February 22, 2022 (due to President's Day, the Village Board Meeting is scheduled for Tuesday, February 22, 2022).

Thank you for your consideration of this request. Please contact me with any questions of if further information is required.

Sincerely,

HOPKINS SORGI & MCCARTHY PLLC

A handwritten signature in blue ink, appearing to read "P. Sorgi".

Peter J. Sorgi, Esq.

**HOPKINS SORGI & MCCARTHY PLLC**

Attorneys at Law  
726 Main Street, Suite B • East Aurora, New York 14052  
Office: 716-908-3289 • Fax: 716-427-6501  
psorgi@hsmlegal.com  
hsmlegal.com

***Letter to Village of East Aurora Board of Trustees***

***Walnut/Prospect Single-Family Residential Subdivision (9 Lots)***

***Preliminary Plat Application***

***Applicant: ARR Holdings LLC / Alliance Homes***

***Owner: Terrence A. Kopp***

***Properties:***

***363 Prospect Avenue, Village of East Aurora (SBL No. 175.08-8-7); and***

***0 Walnut Street, Village of East Aurora (SBL No. 175.08-8-11)***

***Approximate Acreage: 4.85***

***Zoning Classification: Single-Family Residential (SFR)***

***February 2, 2022***

cc: Village of East Aurora Planning Commission  
Cathie Thomas, Village Administrator  
Maureen Jerackas, Village Clerk  
Elizabeth Cassidy, Village Code Enforcement Officer  
Matthew Hoeh, Superintendent of Village Department of Public Works  
Robert J. Pierce, Esq., Village Attorney  
Chris Trapp, Esq., Village Attorney  
David Britton, P.E., GHD, Engineer for Village  
Camie Jarrell, P.E., GHD, Engineer for Village  
Andrew Romanowski, ARR Holdings LLC / Alliance Homes  
Bill Burke, ARR Holdings LLC / Alliance Homes  
Christopher Wood, P.E., Project Engineer

# VILLAGE OF EAST AURORA

VILLAGE HALL • 585 OAKWOOD AVE.  
EAST AURORA, NEW YORK 14052  
(716) 652-6000 FAX (716) 652-1290  
www.east-aurora.ny.us



1.31.2022

Town of Aurora  
Supervisor James Bach  
575 Oakwood Ave.  
East Aurora, NY 14052

Supervisor Bach,

The Village has negotiated a contract with the East Aurora School Board to add a Full Time School Resource Officer (SRO) at the East Aurora Schools. We would like to amend the Exhibit A in the police agreement between the Town and Village to include:

School Resource Officer Full -Time        1  
(FT Officer less reimbursements by EA School District as defined in the SRO contract between the EA School District and the Village of East Aurora Signed in 2022)

In the current agreement with the School, the School will pay the Village 65% of twice the base salary of the SRO selected for the position. The parties' commitment to share the remaining cost of the SRO in accordance with the Agreement for Police Services Agreement between the Town and the Village shall be contingent upon the School continuing to support the position at 65% of twice the base salary of the SRO. In the event the SRO position is eliminated, or School funding for the position is decreased or eliminated, then the parties' obligation to fund the SRO shall automatically terminate."

This letter shall serve as an amendment to our current agreement as detailed above. Your signatures below executes said amendment.

Please feel free to contact me with any questions.

Sincerely,

Maureen Jerackas  
Clerk – Treasurer

\_\_\_\_\_  
Peter Mercurio  
Mayor – Village of East Aurora

James Bach  
Supervisor – Town of Aurora

Date 1-31-2022

## **AGREEMENT**

This Agreement is made on the \_\_\_\_ day of January , 2021, by and between the VILLAGE OF EAST AURORA, a municipal corporation organized and existing under the laws of the State of New York, with its principal office at 585 Oakwood Avenue, East Aurora NY 14052, ("the Village"), and the EAST AURORA UNION FREE SCHOOL DISTRICT, 430 Main Street, East Aurora NY 14052, a municipal corporation organized and existing under the laws of the State of New York, ("the District") (collectively referred to as "the Parties", and individually referred to as "Party").

**WHEREAS**, the Village and the District wish to enter into an agreement for the purpose of providing and carrying out School Resource Officer ("SRO") services; and

**WHEREAS**, Education Law § 2701-a requires that the District define the roles and responsibilities of school personnel, security personnel, and law enforcement who are deployed in schools; and

**WHEREAS**, the Parties are committed to a collaborative effort in order to promote a safe school community and to preserve a safe learning environment for students, teachers, and staff; and

**WHEREAS**, in view of the foregoing, the Parties find it in the best interest of the District, the Village, and the citizens of the District to enter into this Agreement pursuant to Article 5-G of the General Municipal Law for provision of SRO services in the District.

**NOW THEREFORE**, in consideration of the mutual promises and covenants herein contained, the District and the Village hereby agree:

1. **TERM AND TERMINATION**: The term of the Agreement shall commence on February 1, 2022(the "Effective Date") and end on June 30, 2022. This Agreement shall automatically extend for another school year (e.g., September 1 to June 30) unless one Party provides written notice to the other Party of its intent to cancel the Agreement by no later than April 30<sup>th</sup> prior to the end date of the term. In the event of such automatic extension, all terms and conditions contained in the Agreement shall remain unchanged and in full force and effect. Nothing herein shall prevent either Party from seeking to negotiate a modification in this Agreement by providing written notice of such intent to the other Party at least ninety (90) calendar days prior to the expiration of the then term. The Agreement may otherwise be terminated, with or without cause at any time, by either Party, in its sole discretion, upon a sixty (60) day written notice to the other Party. It is recognized by the Parties that the need for additional services for any summer school programs may be necessary and the Parties agree to add an addendum onto the Agreement to cover such period of time.

2. **COMPENSATION AND COSTS**: The Village, as more fully set forth below, shall provide at least one (1) police officer under this Agreement to act as an SRO as set forth below. The Village shall be solely responsible for paying the SRO's wages and providing the SRO with any other compensation and employment benefits, as well as paying required payroll taxes and other payments on behalf of the SRO (including FICA and required contributions to any State retirement system). For the 2021-2022 school year, the reimbursement rate for the police officer assigned to the District will be sixty-five percent (65%) of twice the annual base salary of such officer prorated to the Term set forth in Paragraph 1. For succeeding school years, the reimbursement rate for the police officer assigned to the District will be sixty-five percent (65%) of twice the annual base salary. See appendix A for calculation. The Village

acknowledges and agrees that the SRO is not eligible to participate in any District pension or fringe benefit program, including but not limited to, vacation pay, sick pay, bereavement leave, personal leave, or health insurance that is provided to District employees. The Village shall, on a quarterly basis, submit an invoice to the District for the total accrued amount of all such payments made to, and on behalf of, the Officer during that quarter. The District's payment shall be made to the Village within 45 days following receipt of the Village's invoice.

3. **WORK SCHEDULE:** The SRO assigned to the District shall be expected to work a regular schedule for 8 hours, Monday through Friday, on student attendance days. The SRO shall work on a full-time basis, and the SRO shall be scheduled by the Village Chief of Police for each of the student attendance days in the District school year. However, the SRO's working days and hours may be adjusted by mutual agreement between the SRO, Village Chief of Police and the District's Superintendent of Schools. During all other non-school days, the SRO shall be assigned to the Village. The Village agrees that the SRO shall take all Vacation days on days that school is not in session. If the SRO is absent on a school day, the Village shall provide a replacement officer, to the extent possible. The Parties recognize that in the event that the SRO is absent, sick and personal days may not be covered. In the event that school is closed for any reason, no SRO services for such days shall be provided unless expressly requested by the District.

The SRO may leave school grounds during scheduled working hours to handle law enforcement emergencies, attend required training, or to perform duties that arise in the course of the SRO's services under this Agreement. The SRO shall provide notice to the Superintendent of Schools as soon as practicable, and in advance if possible, of any such obligations.

The SRO, if required to work beyond the standard 8-hour day, including for security, sporting events and other special projects, shall then be permitted to flex his time to account for such additional hours, upon notice to, and approval of, the Chief of Police and the Superintendent. In the event that the Superintendent does not approve the flexing of the time and the presence of the SRO is still required, then the Village shall submit an invoice to the School for such additional coverage.

4. **EMPLOYMENT STATUS OF SCHOOL RESOURCE OFFICER:** The SRO shall remain an employee of the Village Police Department and shall not be an employee of the District. The District and the Village acknowledge that the SRO shall be subject to the administration, supervision, and control of the Village Police Department. The SRO shall abide by the District's policies, regulations, and procedures when performing functions as an SRO unless said policies, regulations, and procedures contradict the policies and procedures of the Village Police Department. In such circumstances, the policies of the Village Police Department shall prevail.

The relationship between the District, SRO and the Village is that of an independent contractor. Consistent with his/her status as an independent contractor, the Village agrees that it, and not the District, shall be responsible, where appropriate for: (1) withholding FICA (Social Security and Medicare) taxes from the SRO's compensation or making FICA payments on the Officer's behalf; (2) making federal or state unemployment insurance contributions on the SRO's behalf; (3) withholding federal, state, or local income tax from the SRO's compensation or paying such taxes on the Officer's behalf. The Village represents, warrants, and agrees that it will timely pay all federal, state, and local income taxes, FICA taxes; federal and state unemployment insurance contributions which arise in connection with the



Officer's provision of services under this Agreement. The Village acknowledges that the SRO will be not entitled to worker's compensation or disability insurance coverage under the District's policies. The Village will, at its own expense, cover the SRO with worker's compensation and any other similar insurance required by the law. The Village will provide the District with proof of such coverage upon request before the SRO begins performing services under this Agreement. To the extent a worker compensation claim is asserted against the District by an SRO, the Village shall defend and indemnify the District for any judgments or claims entered against the District under the Worker's Compensation Law. The Village acknowledges that the SRO will not be entitled to unemployment insurance benefits from the District. The Village agrees that it will make any federal or state unemployment insurance contributions on behalf of the SRO. To the extent the Officer asserts an unemployment insurance claim against the District, the Village shall defend the District and shall indemnify the District for any resulting judgment or liability under the Unemployment Insurance Law.

5. **MISSION AND GOALS OF SRO SERVICES:** The mission and goals of SRO services are:

- a. To maintain a safe campus environment that will be conducive to learning;
- b. To create a relationship based upon cooperation and mutual support between law enforcement and school officials;
- c. To build relationships by being a liaison between the Village Police Department and the District;
- d. To serve as consultants to school staff, parents, and youth on safety matters and any other matters that will provide a better environment for the students and the teachers in which to pursue their respective tasks;
- e. To serve as positive role models to students; and
- f. To provide a continuum of youth services between the school and the community with the support of the Village Police Department and other Village staff and agencies.

6. **THE DUTIES OF THE OFFICER:** The SRO shall perform the following duties under this Agreement, as directed by the Village Chief of Police in consultation with the District:

- a. The SRO shall act as an educator and police officer.
- b. The SRO shall act as an instructor for specialized, short-term programs at the District, when invited to do so by the principal member of the faculty.
- c. The SRO shall make presentations to the District faculty and students on law-related topics. Such subjects shall include, but not be limited to, a basic presentation on laws, the role of police officers and the police mission.
- d. The SRO shall coordinate his or her activities with the Superintendent, or his/her designee, and relevant staff members and will seek permission, advice and guidance prior to undertaking any program in the District.

- e. The SRO is expected to be a positive role model for District students. The SRO shall work to establish a rapport and communications with the students, their families, District employees, and law enforcement.
- f. The SRO shall make himself or herself available for conferences with students, parents and faculty members in order to assist them with law enforcement or crime prevention matters.
- g. The SRO shall become familiar with all community agencies that offer assistance to youths and their families, such as mental health clinics, drug treatment centers, etc.
- h. The SRO shall assist the Building Principals in developing plans and strategies to prevent and/or minimize dangerous situations which may occur in school or during school sponsored events.
- i. The SRO shall take law enforcement action as required to the extent that an Officer may do so under the authority of the law. As soon as practicable, the SRO shall make the Superintendent aware of such action. At the Superintendent's or his/her designee's request, the Officer shall take the appropriate law enforcement action against intruders and unwanted guests who may appear at the school and related school functions, to the extent that the SRO may do so under the authority of the law. Whenever practicable, the SRO shall advise the Superintendent, or his/her designee, before requesting additional police assistance on school property or at school sponsored events.
- j. The SRO will assist other police officers and law enforcement representatives in matters regarding this Agreement, whenever necessary.
- k. The SRO shall maintain detailed and accurate records of the operation of the SRO program, and shall make them available to the Superintendent as required by law, or upon request.
- l. The SRO shall not act as a school disciplinarian. However, if the Superintendent or his/her designee believes an incident involves a violation of the law, then the Superintendent or his/her designee may contact the SRO and SRO shall then determine whether law enforcement action is appropriate and consistent with the SRO's law enforcement duties. If the SRO becomes aware of criminal activity, the SRO shall be free to act in accordance with the police officer's duties as a member of the Village Police Department. The SRO shall not be involved with the enforcement of school rules or disciplinary infractions that are not violations of the law. The SRO is expected to refer violation of District policy or the Code of Conduct to District administration.
- m. The SRO shall only detain, question, interrogate, or search a student when authorized under the law. The SRO, when acting as a school official, shall comply with the District Code of Conduct when engaging in searches or questioning of students. In such circumstances, the SRO must have reasonable suspicion that a student has violated a District policy or committed an illegal act that threatens the special needs of school safety to warrant detaining, searching, and/or questioning the student. The District will attempt to contact the student's parents prior to the SRO's questioning and the student shall have the same

rights he/she has with respect to such questioning outside of school (i.e. Miranda rights). The SRO may not detain, remove, or question students for any reason(s) that is irrelevant to District safety objectives.

n. The SRO shall not arrest a student at school, except (i) where the student poses a real and immediate threat to themselves, other student(s), District employee(s), or public safety; or (ii) a judicial warrant specifically directs the arrest of the student in a school. Building Principals shall be consulted prior to an arrest of a student where practicable. The student's parent or guardian shall be notified of a child's arrest as soon as practicable.

o. The SRO is not to be used for regularly assigned lunchroom duties, hall monitoring, bus duties or other monitoring duties. If there is a problem in one of these areas, then the SRO may assist the school until the problem is solved.

p. The SRO shall participate in District- and building-level safety team meetings and shall assist the District personnel in developing plans and strategies for purposes of enhancing the security and safety of the District, its personnel and the students.

q. The SRO shall assist in providing security at certain evening or weekend school functions such as athletic events, dances, field trips, and/or special events when requested by the District.

7. **ROLES AND RESPONSIBILITIES OF THE SCHOOL DISTRICT:** The District will be responsible for:

a. The Superintendent or his/her designee will consult with the Village Chief of Police in order for the Chief of Police to direct the duties of the SRO.

b. The District, its administration, and personnel are solely responsible for student misconduct and discipline, unless such misconduct violates the law, and the enforcement of the District Code of Conduct and other relevant policies. As such, only District administration and appropriate staff shall be involved with the enforcement of District rules, including the Code of Conduct, or disciplinary infractions that are not violations of the law.

c. The District, its administration, and personnel may request SRO intervention when weapons, drugs, alcohol, or other illegal contraband is discovered on school property or at a school-sponsored function. In addition, the District may request SRO intervention when the District administration or personnel reasonably believes that there has been or is an occurrence that constitutes criminal activity or an immediate threat of harm.

d. The District shall work to integrate the SRO into the school community by providing opportunities for the SRO to interact with students, classes, and District personnel throughout the year. Such efforts may be included but are not limited to presentations or trainings by the SRO to District personnel, the Board of Education, District community members, or students.

8. **PRIVACY PROTECTION AND INFORMATION SHARING:** The SRO may be considered a school official who is permitted access to student educational records and personally identifiable

information (PII), without student or parental consent pursuant to the Family Educational Rights and Privacy Act ("FERPA") if the SRO:

- a. Performs an institutional service for which the District would otherwise use employees (e.g., ensuring school safety);
- b. Is under the direct control of the District regarding the use and maintenance of education records;
- c. Is subject to FERPA's use and re-disclosure requirements limiting the use of student PII to the purpose for which disclosure was made and prohibiting re-disclosure of such PII to others; and
- d. Meet the criteria specified in the District's annual notification of FERPA rights to be considered a school official.

The SRO shall comply with FERPA, New York State law, and any District policies regarding the disclosure of student PII and may only utilize student PII for the legitimate educational purpose for which the information was sought.

9. **EQUIPMENT:** The Parties agree and acknowledge that the SRO is authorized to carry a service weapon and any equipment authorized by the Village Police department on school grounds.

The District shall provide the following materials and facilities, which are deemed necessary for the performance of the SRO's duties: Access to a properly lighted office, which shall contain a telephone and which may be used for general business purposes; a location for official files and records which can be locked and secured; a desk with drawers, a chair, work table, filing cabinet and office supplies; and a computer with full access to student records and general school information which would be available to any faculty member. The Officer shall utilize records and information solely for the purpose of carrying out the functions set forth in this Agreement and shall maintain the confidentiality of such records and information as set forth in Paragraph 8 and as required by law.

10. **TRAINING:** The Village will be responsible to schedule the SRO for appropriate training to carry out his/her duties under this Agreement. The Village will be responsible for any other costs associated with training. Such training shall include, but not be limited to, public safety, drug and alcohol use and abuse, emergency services, bullying, harassment, searches and seizures, use of firearms, driving, apprehension, law, ethics, civil rights, procedures and protocols, arrest, and field training related to school operations.

11. **SELECTION OF THE SRO:** The SRO must possess relevant job knowledge, experience, education, and have the appropriate attitude and communications skills. The SRO must be legally eligible to be appointed and to serve as an SRO. The Village shall solicit candidates for appointment to the SRO position and shall conduct the process of interviewing and screening candidates. District representatives may be permitted to participate in the interview process and the District shall have the right to reject any candidate. The Village agrees to provide to the District police officers that are legally appointed to their positions under Village Law and have Erie County Civil Service approved positions.

12. **TERMINATION AND REPLACEMENT OF THE SRO:** In the event that either the Village or the District believes that the SRO is not effectively performing his/her duties and responsibilities, it shall promptly notify the other Party. The Parties shall then confer to determine whether to: (a) terminate the appointment of the SRO and appoint another individual to serve as SRO; or (b) terminate this Agreement. If the Parties are unable to reach agreement under this section, then this Agreement shall terminate sixty (60) days after provision of the notice referred to herein. It is the expectation of the Parties that there shall first be an attempt to discuss and remedy any concerns or issues that might arise prior to any personnel changes or termination of the Agreement.

In the event of a resignation or reassignment of the SRO, or in the case of the SRO's planned or unplanned long-term absences of more than fifteen (15) days, the Chief of Police will assign another officer, as soon as practical. The Chief will follow the same process as done with hiring to include the Superintendent or respective designee. Notwithstanding the replacement requirement, if the District does not have an, assigned SRO to its buildings for more than five (5) consecutive days, the District's payment to the Village for the SRO shall be prorated at the rate of 1/188<sup>th</sup> carries out to 4 decimal places of the officers base salary for each day beyond five (5) days when the District does not have an assigned SRO to the District's buildings. See appendix A for calculation

13. **EVALUATION OF AGREEMENT:** Upon request of either Party, the other Party agrees to meet for the purpose of reviewing this Agreement to exchange statistics, financial information and review the quality of SRO services.

14. **NOTICES AND COMMUNICATION:** Any and all notices or any other communication herein required or permitted shall be deemed to have been given when sent electronically.

15. **COOPERATION IN GOOD FAITH:** The District, the Village, their agents and employees, agree to cooperate in good faith in fulfilling the terms of this Agreement. Unforeseen difficulties or questions will be resolved by negotiation between the Parties.

16. **ENTIRE AGREEMENT:** This document constitutes the full understanding of the Parties and no terms, conditions, understandings or agreement purporting to modify or vary the terms of this document shall be binding unless upon mutual written agreement by the Parties.

17. **ASSIGNMENT:** The Parties shall not assign, transfer or otherwise dispose of this Agreement, of its right, title or interest in this Agreement, or its power to execute the same, to any other person or corporation without the previous consent, in writing, of the other Party. An assignment of this Agreement shall not relieve the assignor of its obligations hereunder. In the event of the of assignment, all the provisions herein shall be binding upon and inure to the benefit of the respective successors and assignees to the same extent as if each successor or assignee were named as a party to the Agreement.

18. **SEVERABILITY:** In the event any provision of the Agreement shall be or become invalid under any provision of federal, state, or local law, such invalidity shall not affect the validity or enforceability of any other provision hereof.

19. **INDEMNIFICATION:** The Village agrees to indemnify and hold harmless the District, its administrators, Board of Education members, employees, agents, contractors and representatives, from

any and all liability, damages, fines, or judgments, (including those based on negligence) which may arise as a result of the Village's acts and omissions in the performance of this Agreement or violation or breach of any promise, representation, or the law. The District agrees indemnify and hold harmless the Village, Village Board members, employees, agents, contractors and representatives, from any and all liability, damages, fines or judgments, (including those based on negligence) which may arise as a result of the District's acts and omissions in the performance of this Agreement or violation or breach of any promise, representation, or the law.

20. **INSURANCE:** The Village is to provide the District with a certificate of insurance prior to the commencement of work or use of the District's facilities.

21. **GOVERNING LAW:** The services to be provided by the SRO pursuant to this Agreement shall be in all respects consistent with applicable law, and the terms of this Agreement shall be interpreted and applied consistent with the laws of the State of New York with venue in the County of Erie. By their signatures below, the Mayor and Superintendent represent and certify that this Agreement has been approved by the resolution of the Board of Trustees and the Board of Education, respectively.

**IN WITNESS WHEREOF,** the Parties have executed this Agreement as of the date below the Parties' signatures.

Village of East Aurora:

East Aurora Union Free School District:

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Hon. Peter Mercurio, Mayor

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Brian D. Russ, Superintendent

January\_\_\_\_, 2021

January \_\_\_\_, 2021

**STATE COUNTY OF NEW YORK)**

**COUNTY OF ERIE) SS:**

On the \_\_\_\_ day of December before me, the undersigned, a notary public in and for said state, personally appeared, PETER M. MERCURIO, personally known to be or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledge to me 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 this instrument.

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**STATE COUNTY OF NEW YORK)**

**COUNTY OF ERIE) SS:**

On the \_\_\_\_ day of December before me, the undersigned, a notary public in and for said state, personally appeared BRIAN D. RUSS, personally known to be or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledge to me 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 this instrument.

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## Appendix A

### Calculation for a school year fee

If the officers base salary is \$90,000 (as determined by the Village)

Twice the Base Salary is  $2 * \$90,000 = \$180,000$

65 % of the base salary is  $180,000 * .65 = \$117,000$

The Village would bill the school \$117,000 per year

### First year of the contract

If the SRO starts February 1<sup>st</sup> the Village would prorate to 5/10 (five months left of ten months covered)

$5/10 = .5$

$117,000 * .5$

The school would be billed 58,500 for the first year

If the normal SRO is off for more than 15 consecutive days without a replacement the bill will be reduced as below:

Example: The SRO in the example above was out 30 school days without coverage

for each day beyond five (5) days is  $30 - 5 \text{ days} = 25 \text{ days}$

$1/188^{\text{th}}$  to 4 decimal places is .0053

$1/188^{\text{th}}$  of the officer's base salary is  $.0053 * 90,000 = \$477.00$  per day

25 days at the daily rate is  $25 * 477 = \$11,925$