

ESTABLISHED IN 1875

THE SUN

And the Erie County Independent

FRIDAY, MAY 17, 2019

Boston residents object to Dollar General

Plan would bring store to South Boston at former Wurtz Funeral Home

By Christopher Gordon

SUN CORRESPONDENT

A packed Boston Town Hall on Tuesday was filled with residents voicing their opposition to the possibility of a Dollar General moving into the site of the former funeral home located in a residential area on Boston State Road.

Broadway Group, LLC, is proposing building the general store, which offers everyday items at low prices, in the location of the former Wurtz Funeral Home,

9287 Boston State Road, which closed in 2016 amid allegations of ripping off clients who pre-paid for funerals.

Planning Board Chairman Paul Ziarnowski explained the scale of the project to the nearly 70 people who attended the planning board meeting. Although it is in the early stages, Ziarnowski said Dollar General is considering purchasing 2.33 acres of land to build the 9,100 square-foot store.

Rebecca Hill, who serves as in-house counsel for Broadway, LLC, told audience members she did not know why Dollar General chose to consider this location, especially with one about four

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Michael Petro / Hamburg Sun

A Dollar General is being proposed for the former Wurtz Funeral Home, which has become unkempt since closing in 2016.

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miles away on Boston State Road in the business district of the town.

"We build for Dollar General," Hill said. "They provide us with the area they would like to be."

Resident Richard Hawkins, one of many people who spoke against the project, said he believes the development does not fit with the residential neighborhood that surrounds the property.

"That is a residential community down there," Hawkins said.

He said before the funeral home closed a couple years ago, members of the Wurtz family lived on the property. Hawkins questioned whether the property was zoned commercial or residential.

Sarah DesJardins, the town's planning consultant, said while a portion of the property is residential, the family was able to have part of the property rezoned as commercial in order to be able to operate the funeral business.

Town Attorney Sean Costello indicated that the town can't simply rezone a property to keep a business out.

Hill added that a contingent deal is in hand, but that it will not be finalized unless the agreed upon parameters are in place that will lead to building the store. She said that process could take more than a year.

"We have a sell contract in place," Hill said. "We will close on that when it is fully permitted."

Boston Cross Road resident Tara Lowry said she is opposed to the idea of a "big box" store coming to south end of Boston.

"It is a historic neighborhood. It is a residential



Michael Petro / Hamburg Sun

Wurtz Funeral Home closed in 2016 and its owner moved. It sits in a residential neighborhood on Boston State Road.

neighborhood," Lowry said. "I'm concerned about the amount of traffic coming in."

Other concerned residents said they did not believe there would enough parking spots. Hill said they are seeking a variance that would reduce the amount of parking spots from 45 to 30.

Resident Leslie Quinn questioned why Dollar General would want a second store in the town.

"At most, you might see seven or eight cars [at the current location]," Quinn said. "If you have one that's not doing a ton of business, why would you want to build another one?"

Zianowski reminded residents it is still early in the process, adding Planning Board members are obligated to move forward with an unbiased view and make decisions based on the laws instead of emotions.

Additionally, he added to this point Dollar General has only offered conceptual designs.

The Planning Board will make a recommendation on the project but ultimately the town board will have the final say, he said.

Hill said if the plan comes to fruition, she does not believe it will negatively impact other businesses in the town, adding while most

residents will still frequent the places they have gone to for years, Dollar General can offer items some of those businesses do not have.

According to The Buffalo News, the state Attorney General's Office is suing the Wurtz Funeral Home and former funeral director Elizabeth Wurtz for allegedly accepting advance payments and then closing and leaving town without returning the money they collected from prepaid funerals.

The office estimates eight people prepaid for funeral expenses with Wurtz and are each out thousands of dollars. According to the office, Wurtz took more than \$49,000 in advance payments that has not been not returned.

The Attorney General is also accusing Wurtz of operating the business without a license since 2011, alleging she was ordered by the state to shut down after failing to register her business. Wurtz stopped running the funeral home in June 2016 and apparently moved to Central New York.

Wurtz would not cooperate with the Bureau, resulting in the Attorney General launching an investigation. The lawsuit seeks full restitution for those affected along with additional monetary penalties.