

# Town of Boston

## Zoning Board of Appeals



Town Hall  
Phone: (716) 941-6113

8500 Boston State Road  
Boston, New York 14025

### **AGENDA**

#### **April 7, 2022**

#### **7:00 PM**

- 1) Call Meeting to order
- 2) Work Session
- 3) Public Hearing
- 4) New Business
- 5) Old Business
- 6) Motion to adjourn

The ZBA will meet at the Town of Boston Town Hall on **Thursday, April 7, 2022 at 7:00 PM** for the Work Session in the Planning Board Room followed by the Public Hearing in the Court Room to hear the following petition:

Petition #589 Brian Cruver, 8634 Zimmerman Rd, requests 988sqft area variance for a new additional 1728sqft detached accessory pole barn as per Town of Boston Code Section 123-136B(4).

Petition #590 – Raymond Hoelscher, 6874 Pin Oak Dr, requests 1214sqft area variance as per Town of Boston Code Section 123-136B(4) for a new additional 960sqft detached accessory pole barn.

Petition #591 – Michael Marshall, 7099 Ward Rd, requests 284sqft area variance as per Town of Boston Code Section 123.-136B(4) for a new 864sqft detached accessory pole barn.

Petition #592 – Peter J Szeider, 6185 Rice Rd, requests 20 ft side yard set-back area variance as per Town of Boston Code Section 123-51B(2) for a new detached accessory pole barn.

PUBLIC NOTICE  
TOWN OF BOSTON  
ZONING BOARD OF APPEALS

PLEASE TAKE NOTICE: the Zoning Board of Appeals of the Town of Boston, Erie County, New York will meet at Town of Boston Town Hall on Thursday, April 7, 2022 7:00 PM - 10:00 PM (EST) to hear the following petitions:

Petition #589 Brian Cruver, 8634 Zimmerman Rd, requests 988sqft area variance for a new additional 1728sqft detached accessory pole barn as per Town of Boston Code Section 123-136B(4).

Petition #590 – Raymond Hoelscher, 6874 Pin Oak Dr, requests 1214sqft area variance as per Town of Boston Code Section 123-136B(4) for a new additional 960sqft detached accessory pole barn.

Petition #591 – Michael Marshall, 7099 Ward Rd, requests 284sqft area variance as per Town of Boston Code Section 123.-136B(4) for a new 864sqft detached accessory pole barn.

Petition #592 – Peter J Szeider, 6185 Rice Rd, requests 20 ft side yard set-back area variance as per Town of Boston Code Section 123-51B(2) for a new detached accessory pole barn.

Jennifer Cavarello, Clerk  
Zoning Board of Appeals

Dated: March 21, 2022

Published:

An Equal Opportunity Provider & Employer

TO: ZBA Chairman and Board members  
FROM: Sarah desJardins, Planning Consultant  
RE: April 7, 2022 ZBA petitions

Chairman and Board members:

Regarding **Petition #589** Brian Cruver, 8634 Zimmerman Road, the applicant proposes to construct a new 1,728 sq.ft. detached structure that brings the total square footage of accessory structures on the property to 2,008, which is 988 sq.ft. larger than what is allowed (1,020 sq.ft.)

The proposed Action under SEQR is classified as a Type II Action and therefore is not subject to review under SEQR.

Regarding **Petition # 590** Raymond Hoelscher, 6874 Pin Oak Drive, the applicant proposes to construct a new 960 sq.ft. detached structure that would bring the total square footage of all accessory structures on the property to 1,942 sq.ft., which is 1,214 sq.ft. larger than what is allowed (728 sq.ft.).

The proposed Action under SEQR is classified as a Type II Action and therefore is not subject to review under SEQR.

Regarding **Petition # 591** Michael Marshall, 7099 Ward Road, the applicant proposes to construct a new 864 sq.ft. detached structure that would bring the total square footage of all accessory structures on the property to 2,784 sq.ft., which is 284 sq.ft. larger than what is allowed (2,500 sq.ft.).

The proposed Action under SEQR is classified as a Type II Action and therefore is not subject to review under SEQR.

Regarding **Petition # 592** Peter Szeider, 6185 Rice Road, the applicant proposes to construct a new detached structure that would be located 10 (ten) feet from the side property line, which is 20 feet closer than what is required by Town Code (30 feet).

The proposed Action under SEQR is classified as a Type II Action and therefore is not subject to review under SEQR.

Respectfully submitted,

Sarah desJardins, Planning Consultant

TOWN OF BOSTON ZONING BOARD OF APPEALS  
MEETING MINUTES – draft  
03.03.2022

Attendees: Lisa Rood, Mike Flattery, Dave May, Bethany Pryor, Robert Ballard  
Attorney: Kyle Calabrese. Building Inspector: Tom Murphy.  
Absentee: Councilwoman Kelly Martin

1. Ms. Rood called the meeting order at 724pm on March 3, 2022

ROLL CALL

Ms. Pryor  
Mr. Flattery  
Mr. May  
Mr. Ballard  
Ms. Rood

2. MINUTES

November minutes

Motion made by Ms. Pryor to approve the November 2021 minutes as written  
2<sup>nd</sup> by Mr. Flattery

ROLL CALL

Ms. Pryor  
Mr. Flattery  
Mr. May  
Mr. Ballard  
Ms. Rood  
All in favor? Yes  
APPROVED

3. PUBLIC HEARING

Legal notice read by Ms. Rood:

The ZBA will meet at the Town of Boston Town Hall on Thursday, March 3, 2022 at 7:00 PM for the Work Session in the Planning Board Room followed by the Public Hearing in the Court Room to hear the following petition:

Petition #587 – Cole Rd, LLC, 7736 Cole Rd, requests 3028sqft area variance as per Town of Boston Code Section 123-136(4) and 10 feet height area variance as per Town of Boston Code Section 123-136B(4) for a new garage to total 5000sqft, 35ft high.

Petition #588 – Charles Barrett, 6505 Ludon Dr, requests 1276sqft area variance as per Town of Boston Code Section 123-136B(4) for an additional new detached 2400 sqft building.

SEQR letter received from Sarah desJardins – Planning Consultant  
Letter read by Ms. Rood:

TO: ZBA Chairman and Board members  
FROM: Sarah desJardins, Planning Consultant  
RE: March 3, 2022 ZBA petitions

Chairman and Board members:

Regarding Petition #587 Cole Rd LLC, 7736 Cole Road, the applicant proposes to construct a new 5,528 sq.ft. detached structure that is 3,028 sq.ft.. larger than what is allowed (2,500 sq.ft.) and 10 feet higher than what is allowed (25').

The proposed Action under SEQR is classified as a Type II Action and therefore is not subject to review under SEQR.

Regarding Petition # 588 Charles Barrett, 6505 Ludon Drive, the applicant proposes to construct a new 2,400 sq.ft. detached structure that would bring the total square footage of all accessory structures on the property to 3,726 sq.ft., which is 1,226 sq.ft. larger than what is allowed (2,500 sq.ft.).

The proposed Action under SEQR is classified as a Type II Action and therefore is not subject to review under SEQR.

Respectfully submitted,  
Sarah desJardins, Planning Consultant  
read by ms rood

## PUBLIC HEARING

Cole Road #587 - Cole Rd LLC

This applicant was tabled at a previous meeting due to some questions.

Motion made by Ms. Pryor to open the Public Hearing for #587 petition

2<sup>nd</sup> by Mr. May

All in Favor? Yes

APPROVED

## ROLL CALL

Ms. Pryor

Mr. Flattery

Mr. May

Mr. Ballard

Ms. Rood

All in favor? Yes

APPROVED

Jim Bramel/Architect spoke on behalf of the applicant/Bob Greiner – Cole Rd LLC

Request is to build a 5000sqft garage. Relocated the suggested location from the original location to the North side of the property. Less visible and much deeper and was staked out. Feel this is a better location.

Diagrams can be provided to the board members

Height is now 32ft to the ridge - 3ft cupola. Clarification was given by Mr. Bramel

Questions?

Ms. Rood asked if there were more current drawing available? Yes – This was provided by the architect and visibly shown. No copy provided for the file. To be all wood.

Questions from the board?

Name - Kathy Bender - neighbor – Had a question of location: Is going to be to the right of the home? Yes.

Question from Mr. May – It was mentioned that there were going to be deliveries. What type?

RESPONSE: It will household items, UPS, amazon deliveries. The applicant wants them at the new building rather than at the home. There is no semi type of items being delivered.

No other questions/comments from the board.

Ms. Rood made a motion to close the Public Hearing

2<sup>nd</sup> by Mr. May

All in favor? Yes

APPROVED

ROLL CALL

Ms. Pryor

Mr. Flattery

Mr. May

Mr. Ballard

Ms. Rood

Ms. Pryor made a motion to approve Petition #587 for both the height variance and the square footage variance.

Approve   x   Deny        Reserve Decision       

Table        Time Frame       

Conditions to approval:

(1) Does it create an **undesirable change to the character of the neighborhood**?

Yes [ ] No [ x ]

(2) **Can the benefit** sought by the applicant **be achieved if the variance is not granted**?

Yes [ ] No [ x ]

(3) Is the requested variance **substantial**? Yes [ x ] No [ ]

(4) Will the variance have an **adverse effect on the physical impact or environmental conditions of the neighborhood**? Yes [ ] No [ x ]

(5) Is the alleged difficulty **self-created**? Yes [ x ] No [ ]

MOTION to approve #587 for both height and sqft variance

2<sup>nd</sup> by Mr. Flattery

ROLL CALL

Ms. Pryor

Mr. Flattery

Mr. May

Mr. Ballard

Ms. Rood

All in Favor? Yes

APPROVED

#588 - BARRETT

SEQR read at the beginning of the meeting (see above)

Type II action

Motion made by Ms. Rood to open the Public Hearing for Petition #588

2<sup>nd</sup> by Ms. Pryor

ROLL CALL

Ms. Pryor

Mr. Flattery

Mr. May

Mr. Ballard

Ms. Rood

All in Favor? Yes

APPROVED

Mr. Charles Barrett spoke at the public hearing. Adding a steel pole construction to keep equipment in like a motor home, tractor, etc. Being used for storage. Stated not near any neighbors or the road.

Ms. Rood asked if Mr. Barrett talked to any neighbors? RESPONSE: Yes, some neighbors - No issues noted.

Ms. Rood asked about adding on to an existing building? RESPONSE: Mr. Barrett explained that the construction would be challenging. Thought about it but the height was difficult for the motorhome.

Ms. Rood noticed that the application was not complete - height is not listed

Mr. Barrett responded that it is just under 25 ft. Ms. Rood confirmed 25 ft – RESPONSE: Yes.

Ms. Rood talked about the variance for height is not needed if 25ft at peak.

Ms. Rood asked the question regarding the Life Use. What does that mean. RESPONSE: Done as part of estate planning, protects the property.

Ms. Rood asked Mr. Barrett to explain survey situation. RESPONSE: Mr. Barrett's wife owned a land lock piece of property. Then they bought another 10 acres and it was tied in. Then had them merged together on tax maps. They never had a reason to re-do the survey. There are two separate surveys and they tried to get in touch with people that completed the previous surveys but was unsuccessful. Did we need a new one? Mr. Barrett went on to say it would be about \$2500 or \$3000 for a new survey. Ms. Rood asked: Do you have the survey for the other properties? RESPONSE: Yes.

Mr. Flattery asked if Mr. Barrett has the survey for property the building is being put on? RESPONSE: Yes

Mr. Flattery talked to Mr. Murphy/Code Enforcement Officer about the surveys.

Ms. Rood asked Mr. Barrett if this was shown to the Bill Ferguson/previous Code Enforcement officer.

RESPONSE: Ye. Then talked about the property line.

Mr. Barrett mentioned that he has the surveys – the two are merged into one.

Mr. Barrett commented that he has copies of the surveys to provide to the members.

Mr. Murphy reviewed the survey documents provided by the Mr. Barrett

Mr. Murphy asked if they were legal surveys? Mr. Barrett showed Mr. Murphy the documents.

Ms. Rood discussed about the 40x60 building and how it is a large building. RESPONSE: Once all the equipment is in there, the building won't seem so big. Mr. Barrett mentioned the equipment to go in the building and the motorhome.

Mr. Flattery asked if the building was being built by a professional builder? RESPONSE: Yes.

Ms. Rood asked some additional questions about the esthetics of the building - color, etc.

Mr. Flattery asked about water run-off. RESPONSE: All downhill. Ms. Rood asked if there was going to be any drainage put in. RESPONSE: Don't feel it is needed.

Ms. Rood asked if there would be any landscaping? Unknown response.

Mr. Barrett talked more about the doors, some windows. The doors will be facing the house. Mr. Flattery confirmed the location of the doors.

Ms. Rood confirmed there will be electric and no water? RESPONSE: Yes

Mr. Flattery asked the board if it is ok to give permission, what is the next step? Just needs the approval from the ZBA and does not need to go in front any other boards.

Mr. Calabrese commented that the applicant can have as many buildings he wants as long as they total 2500sqft or less.

Ms. Rood as Mr. Murphy if he had everything. RESPONSE: Yes.

Motion made by Ms. Pryor to close the Public Hearing.

2<sup>nd</sup> by Mr. Ballard

ROLL CALL

Ms. Pryor

Mr. Flattery

Mr. May

Mr. Ballard

Ms. Rood

All in Favor? Yes

APPROVED

Mr. May Request Motion to approve Petition #588

Approve  x  Deny \_\_\_\_\_ Reserve Decision \_\_\_\_\_  
Table \_\_\_\_\_ Time Frame \_\_\_\_\_

Conditions to approval:

- (1) Does it create an **undesirable change to the character of the neighborhood**?  
Yes [ ] No [ x ]
- (2) **Can the benefit** sought by the applicant **be achieved if the variance is not granted**?  
Yes [ ] No [ x ]
- (3) Is the requested variance **substantial**? Yes [ x ] No [ ]
- (4) Will the variance have an **adverse effect on the physical impact or environmental conditions of the neighborhood**?  
Yes [ ] No [ x ]
- (5) Is the alleged difficulty **self-created**? Yes [ x ] No [ ]

2<sup>nd</sup> by Ms. Pryor

ROLL CALL

Ms. Pryor

Mr. Flattery

Mr. May

Mr. Ballard

Ms. Rood

All in Favor? Yes

APPROVED

4. NEW BUSINESS

Ms. Pryor asked the Board Clerk if there are any applicants for April. RESPONSE: Yes but not finalized  
Ms. Rood talked about upcoming evening training being planned.

5. OLD BUSINESS

None



Motion made to adjourn the meeting by Ms. Rood.

2<sup>nd</sup> by Mr. Flattery

APPROVED

**APPLICATION FOR PERMIT**

Town of Boston; New York

Single Family Dwellings, Farm Buildings,  
Accessory Building, Additions**OFFICE USE ONLY**

Approved ( ) Disapproved ( )

Permit No. \_\_\_\_\_

Address \_\_\_\_\_

Date Issued \_\_\_\_\_

Permit Fee \_\_\_\_\_

Issued By \_\_\_\_\_

Owner Brian Cuervo  
Address 8634 Zimmerman RdContractor \_\_\_\_\_  
Address \_\_\_\_\_

Day Phone, \_\_\_\_\_ re. \_\_\_\_\_

Day Phone \_\_\_\_\_ Eve. \_\_\_\_\_

Application is hereby made for permission to: ☒ Erect ☐ Alter ☐ Repair ☐ Addition ☐ Move

CONSTRUCTED WITH: ☒ Frame ☐ Brick ☐ Brick Veneer ☐ Tile ☐ Stone ☐ Concrete Block ☐ Concrete Reinforced ☐ Steel ☐ Other

To be used as: ☐ Single Dwelling ☐ Farm Building ☐ Barn ☐ Solid-Fuel Burning ☐ Private Garage ☐ Swimming Pool ☒ Accessory Building

Address of Premises for Which Application is Made: 8634 Zimmerman Rd  
Section, Block, Lot \_\_\_\_\_ Current Zoning \_\_\_\_\_

Tax I.D. Number \_\_\_\_\_

☐ North ☐ South ☐ East ☒ West

Side of Zimmerman Street Name 435.60 Size of Lot 209.02 Frontage 112 Depth 77 Acreage

Distance of Building from lot lines. Front 100 Rt. Side 275 Lt. Side 112 Rear 77Size of completed ☒ Building, ☐ Addition, feet wide 36 feet long 48 feet high 14

Sq. Ft. of: Basement \_\_\_\_\_ First Floor \_\_\_\_\_ Second Floor \_\_\_\_\_ Garage \_\_\_\_\_ Other \_\_\_\_\_

The estimated value of Structure exclusive of land is \$ \_\_\_\_\_

Total Square Footage of Lot 91,049.12 Percentage of Lot Coverage (All Bldgs) \_\_\_\_\_ %

Deed Restrictions \_\_\_\_\_

Type of Sewage Disposal SepticType of Water Supply City

NOTE: Approval of proposed system by County Health Dept. must be presented with application.

NOTE: Permit for Driveway Culvert must be presented with this application before Driveway Culvert is installed. Permit must be obtained from the Highway Department having jurisdiction (Town)(County)(State)

Attach Survey bearing the stamp of a licensed survey or engineer showing the location of all buildings with references to said lot including both existing structures and proposed structures, giving dimensions in feet.

PLANS FOR THE BUILDING INSPECTOR MUST BE SUBMITTED WITH THIS APPLICATION.  
THEY MUST COMPLY WITH STATE UNIFORM BUILDING CONSTRUCTION CODE AND THE STATE ENERGY CONSERVATION CODE.

No person shall make any change in plans herewith submitted for specifications herein contained, or in the structural part of the building without written consent of the Building Inspector.

Sketch on reverse side of this application must be completed

The undersigned applicants do hereby affirm that the information herein supplied is true and correct.

Applicant/Owner

Applicant/Owner

Brian CuervoDate 3/3/22

Date

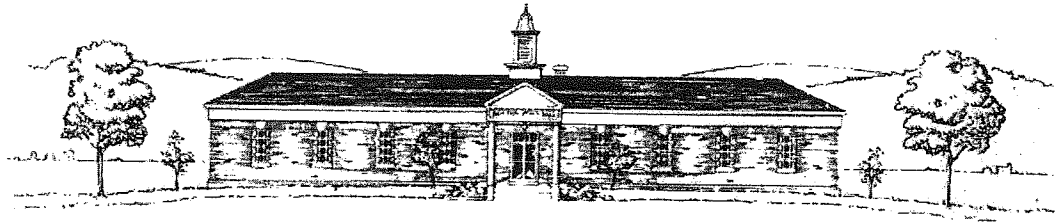
( ) Approved

( ) Disapproved

Date

Reason

Building Inspector  
Town of Boston



## TOWN OF BOSTON

JASON A. KEDING  
Supervisor

MICHAEL A. CARTECHINE  
JENNIFER L. LUCACHIK  
KELLY L. MARTIN  
KATHLEEN SELBY  
Town Board

SANDRA L. QUINLAN  
Town Clerk - Tax Collector

ROBERT J. TELAAK  
Highway Supt.

DEBRA K. BENDER  
KELLY A. VACCO  
Town Justice

SEAN W. COSTELLO  
Town Attorney

KYLE W. CALABRESE  
Prosecutor

SUE FITZNER  
Assessor

THOMAS C. MURPHY  
Code Enforcement Officer

March 18, 2022

ZBA Chairman and Board Members.

Petition #589, Brian Cruver of 8634 Zimmerman Road would like to erect a new detached accessory (pole barn) of 1728 square feet. This violates town code 123-136B.(4) for his 2.1 acre lot when his first detached accessory is included in the aggregate sum.

Code: 1020 square feet  
Actual: 2008 square feet  
Variance: 988 square feet

Respectfully,

Thomas C. Murphy  
Town of Boston  
Code Enforcement  
NYS0360547

TOWN HALL  
(716) 941-6113  
Fax (716) 941-6116

TOWN SUPERVISOR  
(716) 941-6518  
Fax (716) 941-9264

TOWN COURT  
(716) 941-6115  
Fax (716) 941-5169

HIGHWAY GARAGE  
(716) 941-5869  
Fax (716) 941-3677

NUTRITION PROGRAM  
(716) 941-5773

8500 Boston State Road Boston, New York 14025-9848

The Town of Boston is an equal opportunity provider and employer.

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call 1-866-632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or fax 202-690-7442 or e-mail at [program.intake@usda.gov](mailto:program.intake@usda.gov).

## Chapter 123. ZONING

### Article XXV. Supplemental Lot Size and Open Space Requirements

#### § 123-136. Limitations on obstructions in required open space.

- A. In C or M Districts: No storage, truck parking, loading or unloading or processing of any kind shall be permitted in any required yard in any C or M District. This provision shall not apply to uses accessory to a permitted dwelling, but such accessory uses shall be subject to the following limitations on obstructions in required open spaces in R Districts.
- B. In R Districts:
- (1) Accessory buildings and roofed projections shall not occupy more than 25% of the actual rear yard.  
[Amended 7-16-1997 by L.L. No. 5-1997; 2-4-2004 by L.L. No. 3-2004]
  - (2) No part of an accessory building shall be nearer than three feet to a rear lot line or 10 feet to a side lot line.
  - (3) Detached accessory buildings shall be at least 10 feet from any dwelling and five feet from any other building.
  - (4) Maximum allowable height and square footage of lot coverage, for one-and-one-half-story accessory buildings is as follows:  
[Added 2-4-2004 by L.L. No. 3-2004]

Lot Area (acres)	Accessory Use Square Footage Not to Exceed (square feet)	Height for One-and-One-Half-Story Accessory Building (top of floor to top or ridge) (feet)
Less than 1	728	18
1 plus to 2	840	21
2 plus to 3	1,020	21
3 plus to 5	2,000	23
5 plus	2,500	25

# Short Environmental Assessment Form

## Part I - Project Information

### Instructions for Completing

**Part I - Project Information.** The applicant or project sponsor is responsible for the completion of Part I. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part I 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 I. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part I - Project and Sponsor Information							
Name of Action or Project: <div style="font-size: 1.2em; font-family: cursive;">Pole Barn</div>							
Project Location (describe, and attach a location map): <div style="font-size: 1.2em; font-family: cursive;">South end of Property</div>							
Brief Description of Proposed Action: <div style="font-size: 1.2em; font-family: cursive;">Pole Barn For Storage</div>							
Name of Applicant or Sponsor: <div style="font-size: 1.2em; font-family: cursive;">Brian Craven</div>		Telephone:  E-Mail:					
Address: <div style="font-size: 1.2em; font-family: cursive;">8634 Zimmerman Rd</div>							
City/PO: <div style="font-size: 1.2em; font-family: cursive;">Hamburg</div>		State: <div style="font-size: 1.2em; font-family: cursive;">N.Y.</div>	Zip Code: <div style="font-size: 1.2em; font-family: cursive;">14075</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> <th style="padding: 2px;">NO</th> <th style="padding: 2px;">YES</th> </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> <th style="padding: 2px;">NO</th> <th style="padding: 2px;">YES</th> </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?							
b. Total acreage to be physically disturbed? <div style="float: right; text-align: right;">2.1 acres</div>							
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <div style="float: right; text-align: right;">2.4 acres</div>							
3. Total acreage of the site of the proposed action? <div style="float: right; text-align: right;">2.1 acres</div>							
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 checked="" type="checkbox"/> Rural (non-agriculture)</div> <div style="width: 50%;"><input type="checkbox"/> Industrial</div> <div style="width: 50%;"><input 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 checked="" 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?	<input type="checkbox"/>	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: _____	<input checked="" type="checkbox"/>	NO <input 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 checked="" 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: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input checked="" 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 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 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	NO <input checked="" type="checkbox"/>	YES <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="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="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="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>Brian Cramer</u>		Date: <u>3-21-2022</u>
Signature: <u>Brian Cramer</u>		

Town of Boston


9410 Boston State Road  
Boston, NY 14025

3/21/2022

Subject: Pole Barn

I am writting this letter to let you know that I wish to construct a pole barn. The structure will be 36 feet wide by 48 feet long with 14 foot sidewall and 21 feet tall at the peak. This will make the building 1728 square feet. The building will be used to store my camper and other items. The building will be located 100 feet from the southern end of my property and 100 feet from the road. The building will have a steel roof and walls with 2 overhead garage doors.

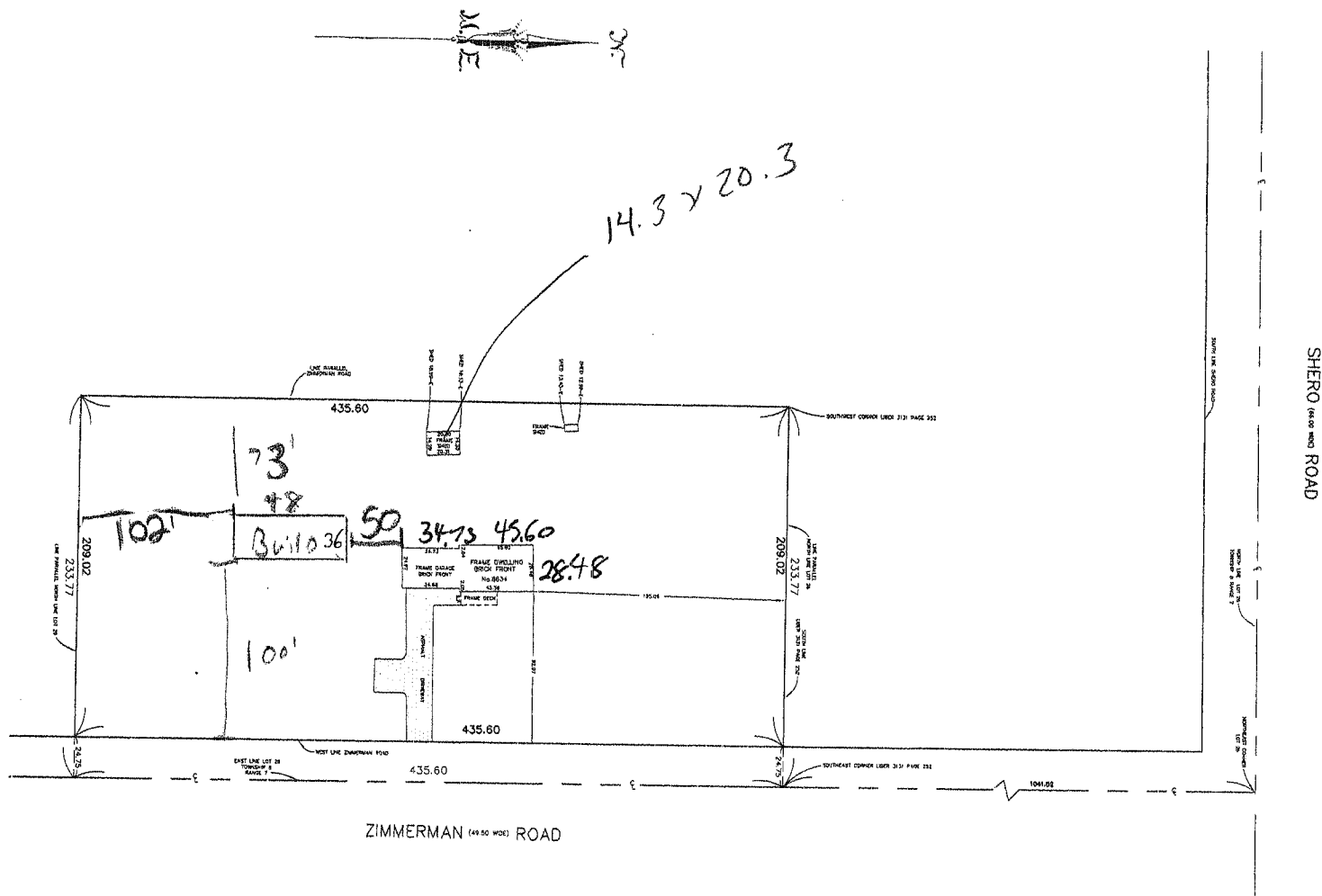
Yours sincerely,



Brian Cruver

8634 Zimmerman Road  
Hamburg, NY 14075





Part of Lot (Lands) 28, Section 8, Range 1, of the HOLLAND LAND COMPANY'S SURVEY  
 City (or Village) of BOSTON, County of ESSEX, State of New York  
 Name  
 1) This Survey is VOID unless accompanied with New York State Licensed Land Surveyors Seal 4050183.  
 2) Showing any part of this Survey is in addition to the recording as provided in Section 7209 Part 2 of the New York State Education Law.  
 3) This Survey VOID if used with a different lot or change.  
 4) This Survey was prepared solely at the request of the owner of the land and is subject to any title of facts that may be revealed by an examination of the same.

Date of Survey, MAY 21, 2021  
 Signature, Marshall L. Mills  
 Marshall L. Mills PLS  
 Krueger & Gontzler  
 Land Surveyors  
 13 Ocean Street  
 East Aurora, New York 14052



DATE	REVISION	DATE	REVISION
05/21/2021	1st	05/21/2021	1st
05/21/2021	2nd	05/21/2021	2nd
05/21/2021	3rd	05/21/2021	3rd
05/21/2021	4th	05/21/2021	4th
05/21/2021	5th	05/21/2021	5th
05/21/2021	6th	05/21/2021	6th
05/21/2021	7th	05/21/2021	7th
05/21/2021	8th	05/21/2021	8th
05/21/2021	9th	05/21/2021	9th
05/21/2021	10th	05/21/2021	10th

Job No. 171,802 LL 7923

# Napoli Custom Truss

4480 Allegany road  
Little Valley, NY

Truss: T02SB

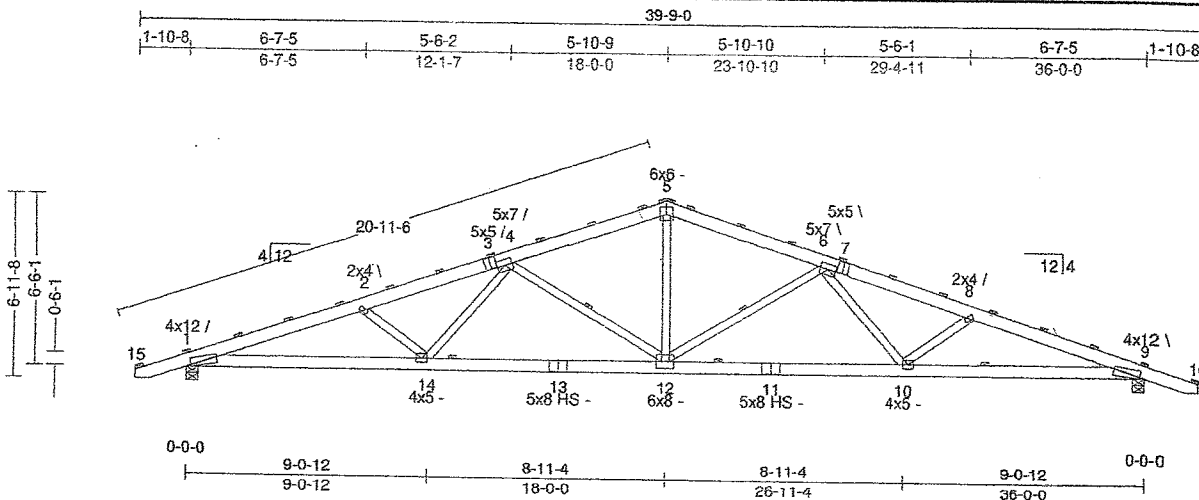
Job: NAP0817K-17

Design: Shane Allen

Date: 08/26/21 15:17:54

Page: 1 of 1

SPAN	PITCH	QTY	OHL	OHR	CANT L	CANT R	PLYS	SPACING	WG1/PLY
36-0-0	4/12	1	1-10-8	1-10-8	0-0-0	0-0-0	1	48 in	214 lbs



All plates shown to be Eagle 20 unless otherwise noted.

Loading (psf)	General	CSI	Deflection	L/	(loc)	Allowed
TCLL: 31.8	Bldg Code: IBC 2015/	TC: 0.46 (1-2)	Vert TL: 0.65 in	L/ 648	11	L/ 120
TCDL: 5(nake)	TH 1-2014	BC: 0.59 (9-10)	Vert LL: 0.45 in	L/ 939	(11-12)	L/ 180
BCLL: 0	Rep Mbr: No	Web: 0.42 (6-12)	Horz TL: 0.2 in		9	
BCDL: 7	Lumber D.O.L.: 125 %					

## Reaction

JT	Brg Combo	Brg Width	Rqd Brg Width	Max React	Max Grav Uplift	Max MWFRS Uplift	Max C&C Uplift	Max Uplift	Max Horiz
1	1	5.5 in	2.92 in	3,527 lbs		-202 lbs	-219 lbs	-219 lbs	-15 lbs
9	1	5.5 in	2.92 in	3,527 lbs		-202 lbs	-219 lbs	-219 lbs	

## Material

TC: SP2400/1.8 2x 6  
BC: SP2400/1.8 2x 6  
Web: SPF1650/1.5 2x 4

## Bracing

TC: Purlins at 24" OC, Purlin design by Others.  
BC: Sheathed or Purlins at 10'-0-0, Purlin design by Others.  
Web: One Midpoint Row: 4-12, 6-12

## Loads

- 1) This truss has been designed for the effects of balanced (31.8 psf) and unbalanced sloped roof snow loads in accordance with ASCE7 - 10 with the following user defined input: 60 psf GSI, Terrain C, Exposure (Ce = 1.0), Risk Category I (I = 0.80), Thermal (Ct = 1.10), DOL = 1.15, Ventilated, Unobstructed slippery surface. If the roof configuration differs from hip/gable, Building Designer shall verify snow loads.
- 2) This truss has been designed for the effects of wind loads in accordance with ASCE7 - 10 with the following user defined input: 115 mph (Factored), Exposure C, Enclosed, Gable/Hip, Risk Category I, h = 15 ft, Not End Zone Truss, Both end webs considered, DOL = 1.60
- 3) This truss has been designed for the effects of TC LL = 20 psf.
- 4) Minimum storage attic loading has not been applied in accordance with IBC 1607.1
- 5) In accordance with IBC 1607.1, minimum BCLL's do not apply.
- 6) This truss is designed as an agricultural truss which for the purposes of this program is defined as a structure that represents a low hazard to people and property. See BCSL-10 for installation and temporary bracing.

## Member Forces

Table indicates: Member ID, max CSI, max axial force, (max comp; force if different from max axial force). Only forces greater than 300 lbs are shown in this table.

TC	1-2	0.461	-3,340 lbs	4-5	0.362	-5,209 lbs	6-8	0.419	-7,648 lbs
BC	2-4	0.419	-7,648 lbs	5-6	0.362	-5,209 lbs	8-9	0.461	-8,339 lbs
Web	9-10	0.588	7,795 lbs	10-12	0.487	6,543 lbs	12-14	0.487	6,543 lbs
	2-14	0.128	-880 lbs	4-12	0.421	-2,415 lbs	6-12	0.421	-2,415 lbs
	4-14	0.166	1,020 lbs	5-12	0.361	2,220 lbs	6-10	0.166	1,020 lbs
							8-10	0.128	-880 lbs

## Notes

- 1) Unless noted otherwise, do not cut or alter any truss member or plate without prior approval from a Professional Engineer.
- 2) Building Designer shall verify self weight of the truss and other dead load materials do not exceed TC DL 5 psf.
- 3) Design assumes 2x (vertical orientation) purlins are adequately attached to the side of TC & BC therefore sheathing is attached to the TC & BC resulting in a sheathed condition.
- 4) Brace bottom chord with approved sheathing or purlins per Bracing Summary.
- 5) Lateral bracing shown is for illustration purposes only and may be placed on either edge of truss member.
- 6) [Symbol] Indicates lateral bracing required perpendicular to the plane of the truss at either the midpoint (one shown) or third points (two shown), bracing by others. See BCSL-B3 for additional information.
- 7) Listed wind uplift reactions based on MWFRS & C&C loading.

ALL PERSONS FABRICATING, HANDLING, ERECTING OR INSTALLING ANY TRUSS BASED UPON THIS TRUSS DESIGN DRAWING ARE INSTRUCTED TO REFER TO ALL OF THE INSTRUCTIONS, LIMITATIONS AND QUALIFICATIONS SET FORTH IN THE EAGLE METAL PRODUCTS DESIGN NOTES ISSUED WITH THIS DESIGN AND AVAILABLE FROM EAGLE UPON REQUEST. DESIGN VALID ONLY WHEN EAGLE METAL CONNECTORS ARE USED.

TrueBuild® Truss Software V5.6.37  
Eagle Metal Products

1151251 0003/0003

# House of Steel - Package Quotation

Name: **BRIAN CRUVER**

Phone: \_\_\_\_\_

Job Type: \_\_\_\_\_ Pole Barn

Size: **36 X 48 X 14**

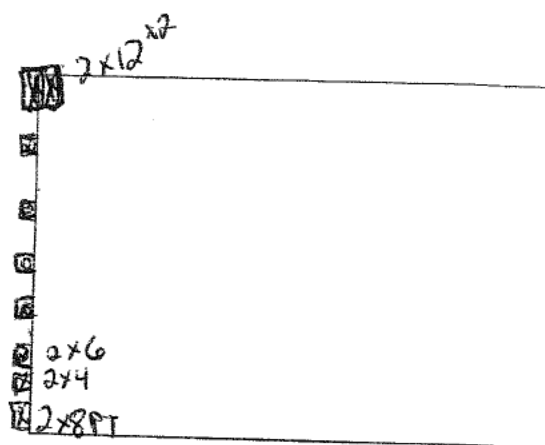
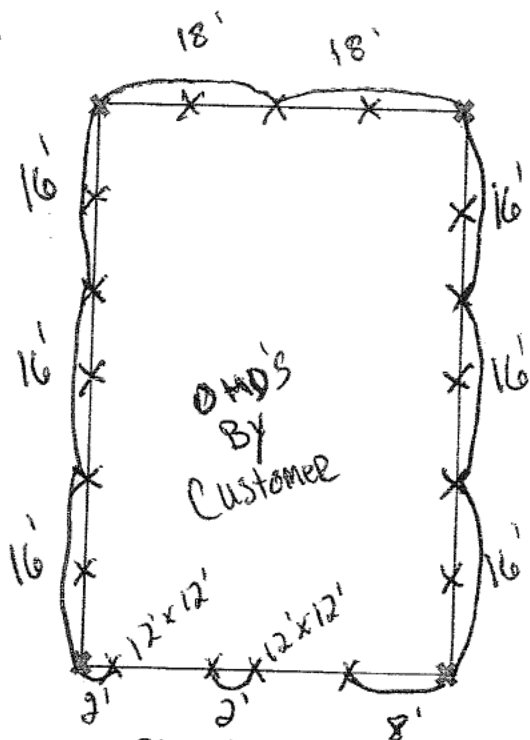
Other \_\_\_\_\_

Tax Exempt? type y if exempt

Prepared by:

Steel = 20'6"

Per Lin's = 11



Qty Item Size, color

2 @ 12'x12' - By Customer3ply 2x6 Glam Post1 9-lite main Door-wh.NO WINDOWSWainscot? YesCentral St. Lifetime / 40YR

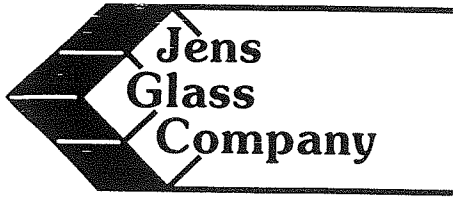
The Part #'s on the next page indicate lumber placement.

DIM = dimensional lumber

PT = pressure treated lumber

The bold numbers (3, 9, 15, etc.) to the left of the Items correspond to the numbers on the BUILDING LUMBER PLACEMENT diagram.

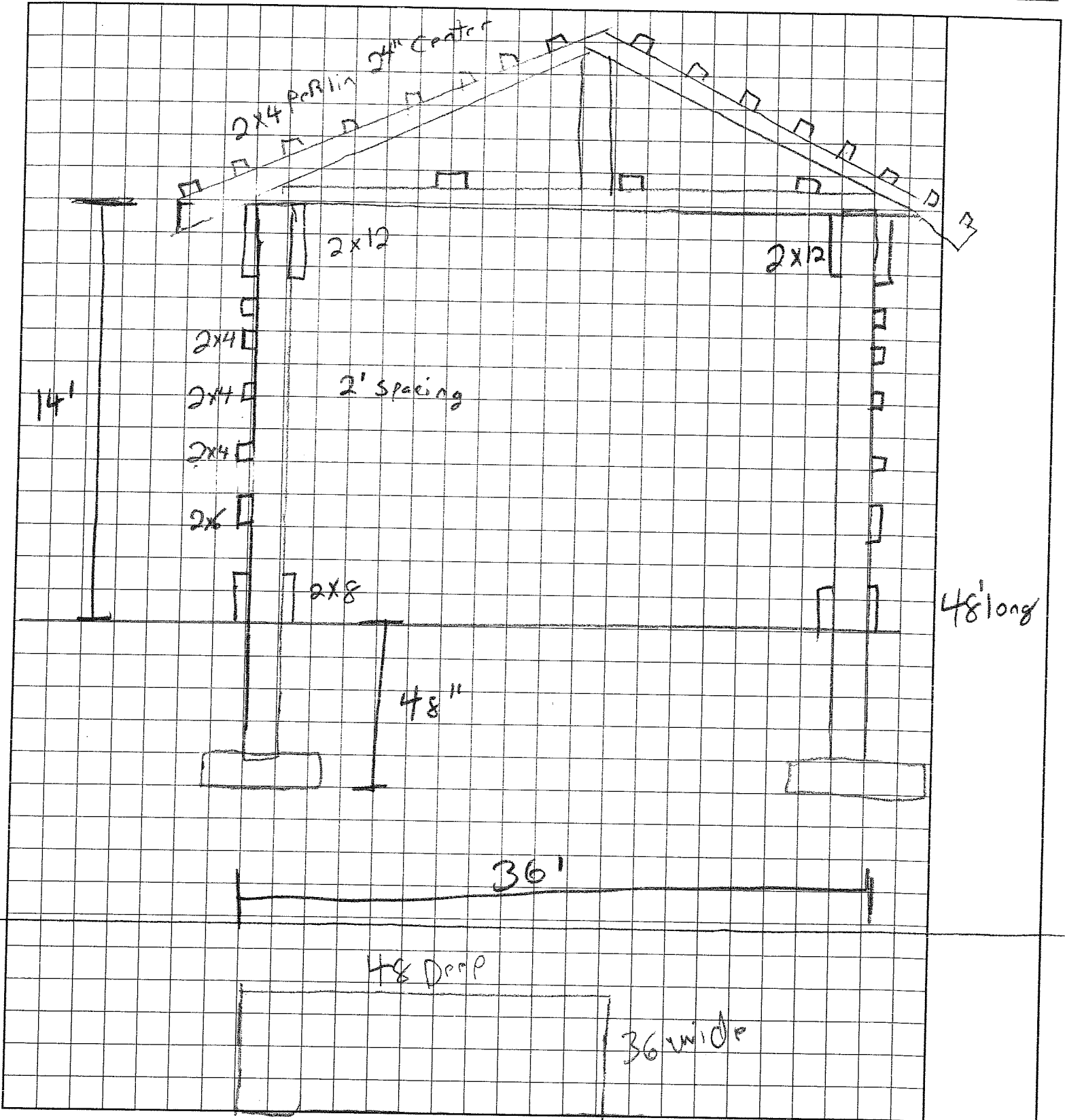
CUSTOMER



Customer Brian COLUM

Date \_\_\_\_\_

Project \_\_\_\_\_



Between

DEBRA K. BENDER,

as Executor of the Last Will and Testament of MARION H. IGEL,

residing at 8634 Zimmerman Rd., Hamburg, New York 14075,

and BRIAN A. CRUVER & JESSICA L. CRUVER

residing at 691 Ransom Rd., Lancaster, New York 14086

GRANTOR,

GRANTEE,

Witnesseth, that the GRANTOR(S), by virtue of the power and authority given in and by the said last Will and Testament and in consideration of Two Hundred Fifty Thousand and No More Dollars (\$ 250,000.00), received by the GRANTOR, the GRANTOR hereby grants and releases unto the GRANTEE their heirs and assigns forever,

SEE ATTACHED SCHEDULE A

Together with the appurtenances to and all the estate and rights which said TESTATOR had at the time of decease, in said premises,

And also, the estate therein which the GRANTOR has the power to convey or dispose of by virtue of said Will, whether individually, or otherwise.

To have and to hold the premises herein granted unto the GRANTEE their heirs and assigns forever.

And the GRANTOR has not done or suffered anything whereby the said premises have been encumbered in any way whatever.

And also, that this conveyance is subject to the trust fund provisions of section thirteen of the Lien Law

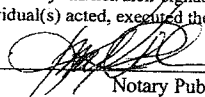
In Witness Whereof, the GRANTOR hereunto set her hand and seal the 15<sup>th</sup> day of July, 2021.

Estate of Marion H. Igel by  
Debra K. Bender, Executor

ESTATE OF MARION H. IGEL,  
BY DEBRA K. BENDER, EXECUTOR

State of New York )  
                                  ) ss.:  
County of ERIE )

On the 15<sup>th</sup> day of July, 2021 before me, the undersigned, a Notary Public in and for said State, personally appeared DEBRA K. BENDER, the Executor, of the last Will and Testament of MARION H. IGEL, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

  
Notary Public

KIM K. PAUL  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires 2/14/24

305 41094  
2020-2

**Title Resources Guaranty Company****SCHEDULE A**

File Number: 123656-96-CA-29

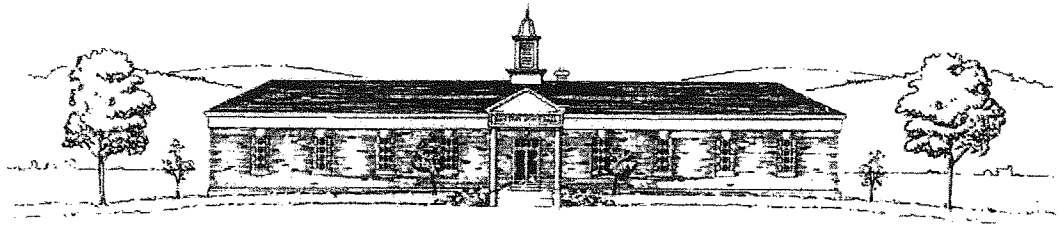
Search Number: Chicago Title No. 20113-3640SCH

**Description**

**ALL THAT TRACT OR PARCEL OF LAND**, situate in the Town of Boston, County of Erie, and State of New York, being part of Lot No. 26, Township 8, Range 7 of the Holland Land Company's Survey bounded and described as follows:

**BEGINNING** at a point in the center line of Zimmerman Road at the southeast corner of lands conveyed to John May and Catherine May, his wife, by deed recorded in Erie County Clerk's Office in Liber 3131 of Deeds at page 252 which point of beginning is also 1,041.05 feet south of the northeast corner of said Lot No. 26; running thence southerly along the center line of Zimmerman Road 435.6 feet to a point; running thence westerly parallel with the north line of Lot No. 26, 233.77 feet; running thence northerly parallel with Zimmerman Road 435.6 feet to the southwest corner of John May and wife, as aforementioned; running thence easterly along the south line of said May lands 233.77 feet.

Schedule A consists of 2 page(s)



## TOWN OF BOSTON

JASON A. KEDING  
Supervisor

MICHAEL A. CARTECHINE  
JENNIFER L. LUCACHIK  
KELLY L. MARTIN  
KATHLEEN SELBY  
Town Board

SANDRA L. QUINLAN  
Town Clerk - Tax Collector

ROBERT J. TELAAK  
Highway Supt.

DEBRA K. BENDER  
KELLY A. VACCO  
Town Justice

SEAN W. COSTELLO  
Town Attorney

KYLE W. CALABRESE  
Prosecutor

SUE FITZNER  
Assessor

THOMAS C. MURPHY  
Code Enforcement Officer

March 18, 2022

ZBA Chairman and Board Members,

Petition #590, Ray Hoelscher of 6874 Pin Oak Drive would like to erect a new detached accessory (pole barn) of 960 square feet. This violates town code 123-136B.(4) for his .85 acre lot when his existing detached accessory structures (2) are included in the aggregate sum.

Code: 728 square feet  
Actual: 1942 square feet  
Variance: 1214 square feet

It may be of note that he has provided signed letters from his existing neighbors voicing no objections to this project

Respectfully,

Thomas C. Murphy  
Town of Boston  
Code Enforcement  
NYS0360547

TOWN HALL  
(716) 941-6113  
Fax (716) 941-6116

TOWN SUPERVISOR  
(716) 941-6518  
Fax (716) 941-9264

TOWN COURT  
(716) 941-6115  
Fax (716) 941-5169

HIGHWAY GARAGE  
(716) 941-5869  
Fax (716) 941-3677

NUTRITION PROGRAM  
(716) 941-5773

8500 Boston State Road Boston, New York 14025-9848

The Town of Boston is an equal opportunity provider and employer.

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call 1-866-632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or fax 202-690-7442 or e-mail at [program.intake@usda.gov](mailto:program.intake@usda.gov).

## Chapter 123. ZONING

### Article XXV. Supplemental Lot Size and Open Space Requirements

#### § 123-136. Limitations on obstructions in required open space.

- A. In C or M Districts: No storage, truck parking, loading or unloading or processing of any kind shall be permitted in any required yard in any C or M District. This provision shall not apply to uses accessory to a permitted dwelling, but such accessory uses shall be subject to the following limitations on obstructions in required open spaces in R Districts.
- B. In R Districts:
- (1) Accessory buildings and roofed projections shall not occupy more than 25% of the actual rear yard.  
[Amended 7-16-1997 by L.L. No. 5-1997; 2-4-2004 by L.L. No. 3-2004]
  - (2) No part of an accessory building shall be nearer than three feet to a rear lot line or 10 feet to a side lot line.
  - (3) Detached accessory buildings shall be at least 10 feet from any dwelling and five feet from any other building.
  - (4) Maximum allowable height and square footage of lot coverage, for one-and-one-half-story accessory buildings is as follows:  
[Added 2-4-2004 by L.L. No. 3-2004]

Lot Area (acres)	Accessory Use Square Footage Not to Exceed (square feet)	Height for One-and-One-Half-Story Accessory Building (top of floor to top or ridge) (feet)
Less than 1	728	18
1 plus to 2	840	21
2 plus to 3	1,020	21
3 plus to 5	2,000	23
5 plus	2,500	25



Town of Boston, New York

Single Family Dwellings, Farm Buildings,  
Accessory Building, Additions

Owner Raymond J. Hoelscher

Address 6874 PIN OAK DR  
BOSTON NY 14225

Day Phone \_\_\_\_\_

Contractor House of Steel

Address 14268 EDGEMOND RD  
STONICKVILLE NY 14141

Day Phone 716 592 6117 Eve.

OFFICE USE ONLY

Approved ( ) Disapproved ( )

Permit No. B-22-06

Address 6874 PIN OAK DR

Date Issued 3/17/2021

Permit Fee \$150

Issued By TCM

Application is hereby made for permission to: ( ) Erect ( ) Alter ( ) Repair ( ) Addition ( ) Move ( ) Frame ( ) Brick ( ) Brick Veneer ( ) Tile ( ) Stone ( ) Concrete Block ( ) Concrete Reinforced ( ) Steel ( ) Other \_\_\_\_\_

To be used as: ( ) Single Dwelling ( ) Farm Building ( ) Barn ( ) Solid-Fuel Burning ( ) Private Garage ( ) Swimming Pool ( ) Accessory Building

Address of Premises for Which Application is Made:

Section, Block, Lot \_\_\_\_\_ Current Zoning \_\_\_\_\_ Tax I.D. Number \_\_\_\_\_

( ) North ( ) South ( ) East ( ) West Side of RIGHT Street Name \_\_\_\_\_, Size of Lot 200 Frontage 200 Depth 1 Acreage \_\_\_\_\_

Distance of Building from lot lines. Front 150 Rt. side 88 Lt. side 88 Rear 10

Size of completed ( ) Building, ( ) Addition, feet wide 24 feet long 40 feet high 12

Sq. Ft. of: Basement \_\_\_\_\_ First Floor \_\_\_\_\_ Second Floor \_\_\_\_\_ Garage \_\_\_\_\_ Other \_\_\_\_\_

The estimated value of Structure exclusive of land is \$ \_\_\_\_\_

Total Square Footage of Lot 400.000 Percentage of Lot Coverage (All Bldgs) 5 %

Deed Restrictions \_\_\_\_\_

Type of Sewage Disposal PUBLIC

Type of Water Supply PUBLIC

NOTE: Approval of proposed system by County Health Dept. must be presented with application.

NOTE: Permit for Driveway Culvert must be presented with this application before Driveway Culvert is installed. Permit must be obtained from the Highway Department having jurisdiction (Town)(County)(State)

Attach Survey bearing the stamp of a licensed survey or engineer showing the location of all buildings with references to said lot including both existing structures and proposed structures, giving dimensions in feet.

PLANS FOR THE BUILDING INSPECTOR MUST BE SUBMITTED WITH THIS APPLICATION. THEY MUST COMPLY WITH STATE UNIFORM BUILDING CONSTRUCTION CODE AND THE STATE ENERGY CONSERVATION CODE.

No person shall make any change in plans herewith submitted for specifications herein contained, or in the structural part of the building without written consent of the Building Inspector.

Sketch on reverse side of this application must be completed

The undersigned applicants do hereby affirm that the information herein supplied is true and correct.

Raymond J. Hoelscher  
Applicant/Owner

3-2-22  
Date

Applicant/Owner

Date

( ) Approved ( ) Disapproved

Date \_\_\_\_\_

Reason \_\_\_\_\_

Building Inspector \_\_\_\_\_

IN ORDER TO OBTAIN HOUSE NUMBER, THE FOLLOWING SKETCH MUST BE COMPLETED.

1. ENTER YOUR STREET NAME
2. MEASURE AND ENTER TO THE NEAREST FOOT ( IN INCREMENTS OF 10' ), THE DISTANCE TO THE NEAREST NEIGHBORING DRIVEWAYS
3. IF THE NEAREST DISTANCE IS A NEIGHBORING DRIVEWAY, ENTER THE HOUSE NUMBER, AND/OR THE NAME OF THE HOME OWNER.

3. NEAREST NEIGHBORING DRIVEWAY:  
HOUSE NUMBER \_\_\_\_\_  
NAME \_\_\_\_\_

NEIGHBORING DRIVEWAY

1) 12 x 16 x 14 ' BARN'  
2) 32 x 24 x 12 ' GARAGE  
NEW 24 x 40 x 14 ' POOL BARN

FT.

3. NEAREST NEIGHBORING DRIVEWAY:  
HOUSE NUMBER \_\_\_\_\_  
NAME \_\_\_\_\_

NEIGHBORING DRIVEWAY

FT.

2nd START POINT

NEIGHBORING DRIVEWAY

FT.

NEIGHBORING DRIVEWAY

FT.

3. NEAREST NEIGHBORING DRIVEWAY:  
HOUSE NUMBER \_\_\_\_\_  
NAME \_\_\_\_\_

3. NEAREST NEIGHBORING DRIVEWAY:  
HOUSE NUMBER \_\_\_\_\_  
NAME \_\_\_\_\_

1. STREET NAME

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

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

Part 1 - Project and Sponsor Information							
Name of Action or Project: <b>Pole Barn</b>							
Project Location (describe, and attach a location map): <b>where in Ground Pool was</b>							
Brief Description of Proposed Action: <b>24x40 Pole Barn For Storage</b>							
Name of Applicant or Sponsor: <b>Raymond J Hoelscher</b>		Telephone:  E-Mail: 					
Address: <b>6874 Pin Oak</b>							
City/PO: <b>Boston N.Y.</b>		State: <b>N.Y.</b>	Zip Code: <b>14025</b>				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="padding: 2px;">NO</th> <th style="padding: 2px;">YES</th> </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"/>						
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> <th style="padding: 2px;">NO</th> <th style="padding: 2px;">YES</th> </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?		<u>1</u> acres					
b. Total acreage to be physically disturbed?		<u>.02</u> acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>1</u> 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             <input type="checkbox"/> Forest             <input type="checkbox"/> Parkland           </div> <div style="width: 50%;"> <input type="checkbox"/> Rural (non-agriculture)             <input type="checkbox"/> Agriculture           </div> <div style="width: 50%;"> <input type="checkbox"/> Industrial             <input type="checkbox"/> Aquatic           </div> <div style="width: 50%;"> <input type="checkbox"/> Commercial             <input type="checkbox"/> Other (specify): _____           </div> <div style="width: 50%;"> <input checked="" type="checkbox"/> Residential (suburban) <b>R1</b> </div> </div>							

5. Is the proposed action,	NO	YES	N/A
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?	NO	YES	
	<input type="checkbox"/>	<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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<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	YES	
	<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: _____	NO	YES	
	<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: _____	NO	YES	
	<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?	NO	YES	
	<input checked="" type="checkbox"/>	<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	YES	
	<input checked="" 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"/>	
*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 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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES	
a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<input checked="" type="checkbox"/>	<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: _____ _____ _____	NO  <input checked="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="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="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>Raymond J Hoelscher</u> Date: <u>3-21-22</u> Signature: <u>Raymond J Hoelscher</u>		

I Raymond Hoelscher

would like To Put up A 24x40  
Pole Barn where The inground Pool  
will Be Filled in and will  
Be Taking Down The 12x8 Block shed  
and The 12x7 Framed shed  
The 24x40 Pole Barn will Take  
up The EXACT Space The Pool  
and The CONCRET around it does.

Raymond Hoelscher

• 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.

- 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.

185.00'

200.00'

50' EASEMENT TO  
BUCKY'S OIL COMPANY  
RELEASED IN L. 9506, P. 270

FND. REBAR  
0.62' E.  
ON LINE

90°

65.00'

20.00'

100.00'

80.47'

80.55'

81.09'

81.02'

90°

FND. REBAR  
0.49' W.  
ON LINE

51.00'

24.25'

24.25'

43.48'

7.0'

7.0'

CONC. STOOP

2 STORY  
FRAME  
HOUSE  
No. 6874

43.48'

11.85'

1.25'

1.70'

24.14'

50.86'

32.10'

24.25'

FRAME GARAGE

WOOD DECK

25.64'

10.0'

12.0'

WOOD DECK  
OVER  
FRAME  
SHED

WOOD STEPS

SUB LOT 21  
MAP COVER 2283

SUB LOT 20  
MAP COVER 2283

SUB LOT 20  
MAP COVER 2461

CONC.  
BLOCK  
SHED

FRAME SHED

12.3'

7.7'

12.2'

8.2'

CONC.

INGROUND POOL

EAST 1/2 OF  
SUB LOT 21  
MAP COVER 2461

EAST 20' OF SUB LOT 21  
MAP COVER 2283

FRAME BARN

11.26'

11.27'

12.2'

16.1'

15.87'

TELE. BOX  
7.4' W.  
9.9' N.

FND. REBAR  
0.53' W.  
ON LINE

185.00'

PART OF L 3 T 8 R 7, TOWN OF BOSTON, COUNTY OF ERIE, STATE OF NEW YORK

[illegible]

**JAMES L. SHISLER, L.S., P.C.**  
PROFESSIONAL LAND SURVEYORS

P.O. BOX 516  
EAST AURORA, NEW YORK 14052-0516 (716) 655-1058

DRAWN BY : \_\_\_\_\_ DMS \_\_\_\_\_ SCALE : \_\_\_\_\_ 1" = 30'  
CHECKED BY: \_\_\_\_\_ JLS \_\_\_\_\_ DATE : \_\_\_\_\_ 6/10/05

JOB NO. : 05319 SHEET NO. : C-3587

James Shisler

March 7, 2022

I Domingo P Baco don't have a problem with Ray Hoelscher building a pole barn at 6874 Pin Oak Dr.

Name Domingo P Baco

Date 3/16/2022

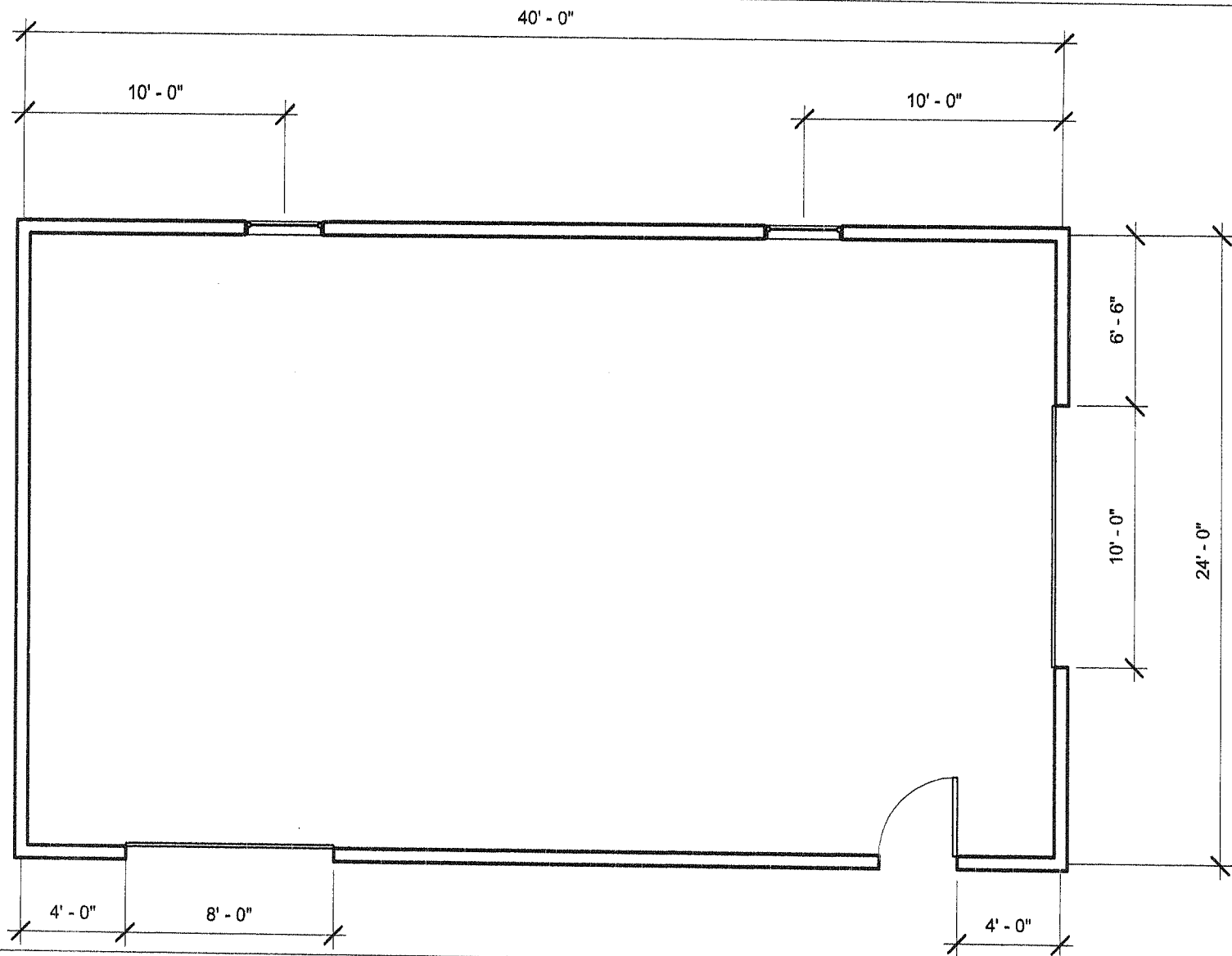


March 7, 2022

I Richard Hawkins don't have a problem with Ray  
Hoeischer building a pole barn at 6874 Pin Oak Dr.

Name Richard Hawkins

Date 3-16-2022

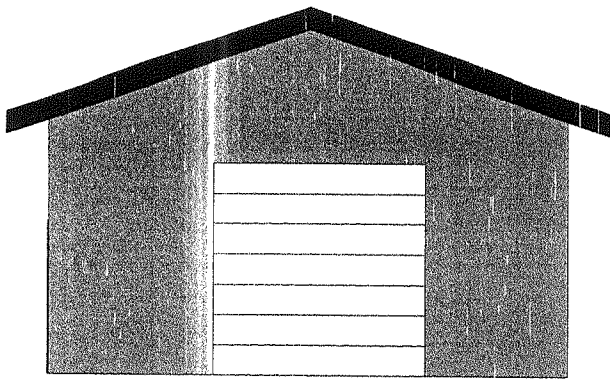


Project: Ray Hoelscher

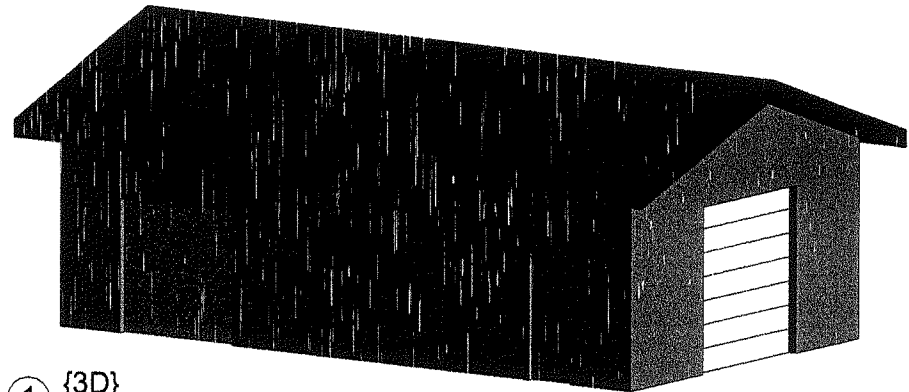
Date: 03/01/22

A103

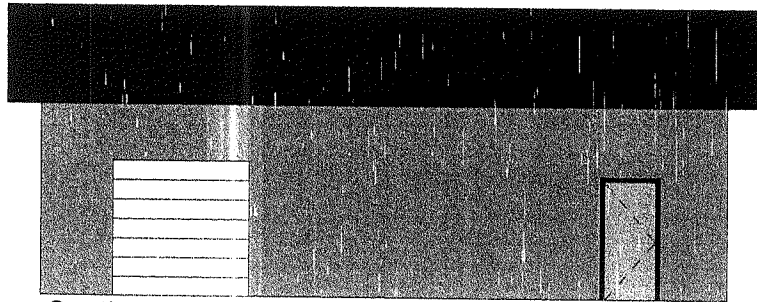
Scale: 3/16"=1'0"



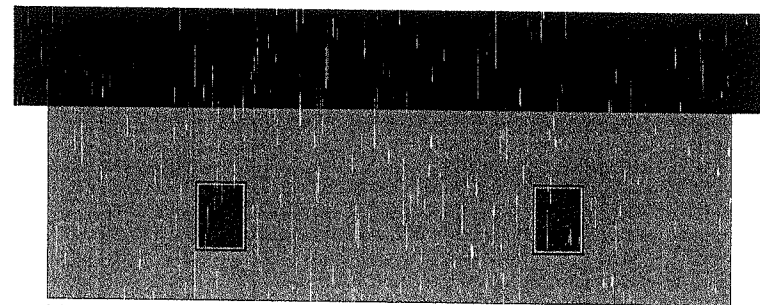
② East  
1/8" = 1'-0"



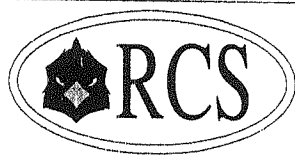
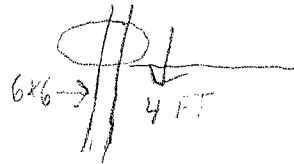
① {3D}



④ South  
1" = 10'-0"



③ North  
1" = 10'-0"



Project: Ray Hoelscher

Date: 03/01/22

A103

Scale: 3/16"=1'0"

# Napoli Custom Truss

4480 Allegany road  
Little Valley, NY

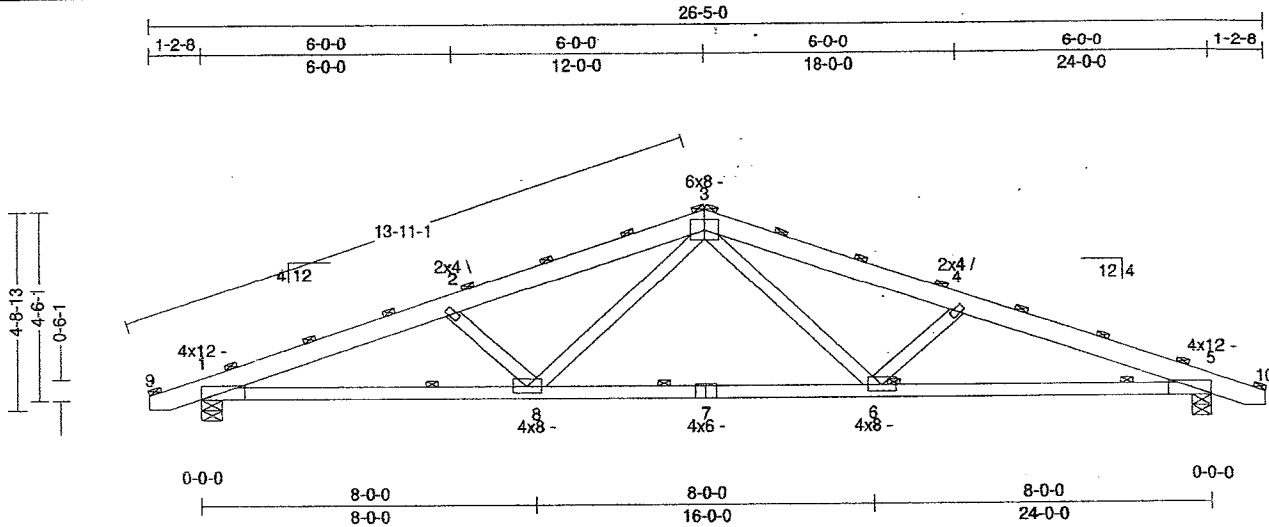
Truss: T01SBR

Job: NAP0401K-16

Date: 05/28/21 15:10:18

Page: 1 of 1

SPAN	PITCH	QTY	OHL	OHR	CANT L	CANT R	PLYS	SPACING	WGT/PLY
24-0-0	4/12	1	1-2-8	1-2-8	0-0-0	0-0-0	1	48 in	95 lbs



All plates shown to be Eagle 20 unless otherwise noted.

Loading (psf)	General	CSI	Deflection	L/	(loc)	Allowed
TCLL: 29.1	Bldg Code: IBC 2009/	TC: 0.94 (3-4)	Vert TL: 0.55 in	L/506	(6-7)	L/120
TCDL: 5 (rake)	TPH 1-2007	BC: 0.99 (8-1)	Vert LL: 0.3 in	L/913	(6-7)	L/180
BCLL: 0	Rep Mbr: No	Web: 0.41 (3-8)	Horz TL: 0.15 in		5	
BCDL: 5	Lumber D.O.L.: 125 %					

## Reaction

JT	Brg Combo	Brg Width	Rqd Brg Width	Max React	Max Grav Uplift	Max MWFRS Uplift	Max C&C Uplift	Max Uplift	Max Horiz
1	1	5.5 in	3.91 in	2,492 lbs		-880 lbs	-789 lbs	-880 lbs	22 lbs
5	1	5.5 in	3.91 in	2,492 lbs		-880 lbs	-789 lbs	-880 lbs	

## Material

TC: SPF #2 2 x 6  
BC: SPF 1650/1.5 2 x 4  
Web: SPF #2 2 x 4

## Bracing

TC: Purlins at 24" OC, Purlin design by Others.  
BC: Sheathed or Purlins at 5'-6" OC, Purlin design by Others.

## Loads

- This truss has been designed for the effects of balanced (29.1 psf) and unbalanced sloped roof snow loads in accordance with ASCE 7-05 with the following user defined input: 55 psf GSL, Terrain C, Exposure (C<sub>e</sub> = 1.0), Building Category 1 (I = 0.80), Thermal (C<sub>t</sub> = 1.10), DOL = 1.15. Ventilated. Unobstructed slippery surface. If the roof configuration differs from hip/gable, Building Designer shall verify snow loads.
- This truss has been designed for the effects of wind loads in accordance with ASCE 7-05 with the following user defined input: 115 mph, Exposure C, Enclosed, Gable/Hip, Building Category 1 (I = 0.87), h = 15 ft, Not End Zone Truss, Both end webs considered. DOL = 1.60
- This truss has been designed for the effects of TC LL = 20 psf.
- Minimum storage attic loading has not been applied in accordance with IBC 1607.1
- In accordance with IBC 1607.1, minimum BCLL's do not apply.
- This truss is designed as an agricultural truss which for the purposes of this program is defined as a structure that represents a low hazard to people and property. See BCSI-10 for installation and temporary bracing.

## Member Forces

Table indicates: Member ID, max CSI, max axial force, (max compr. force if different from max axial force). Only forces greater than 300 lbs are shown in this table.

TC	1-2	0.644	-5,591 lbs	3-4	0.940	-4,622 lbs			
	2-3	0.940	-4,622 lbs	4-5	0.644	-5,591 lbs			
BC	5-6	0.991	5,173 lbs	6-8	0.674	2,991 lbs	(997 lbs)	8-1	0.991 5,173 lbs (-1,603 lbs)
	Web	2-8	0.249	-1,424 lbs	3-8	0.406	1,655 lbs	(-361 lbs)	3-6 0.406 1,655 lbs (-361 lbs) 4-6 0.249 -1,424 lbs

## Notes

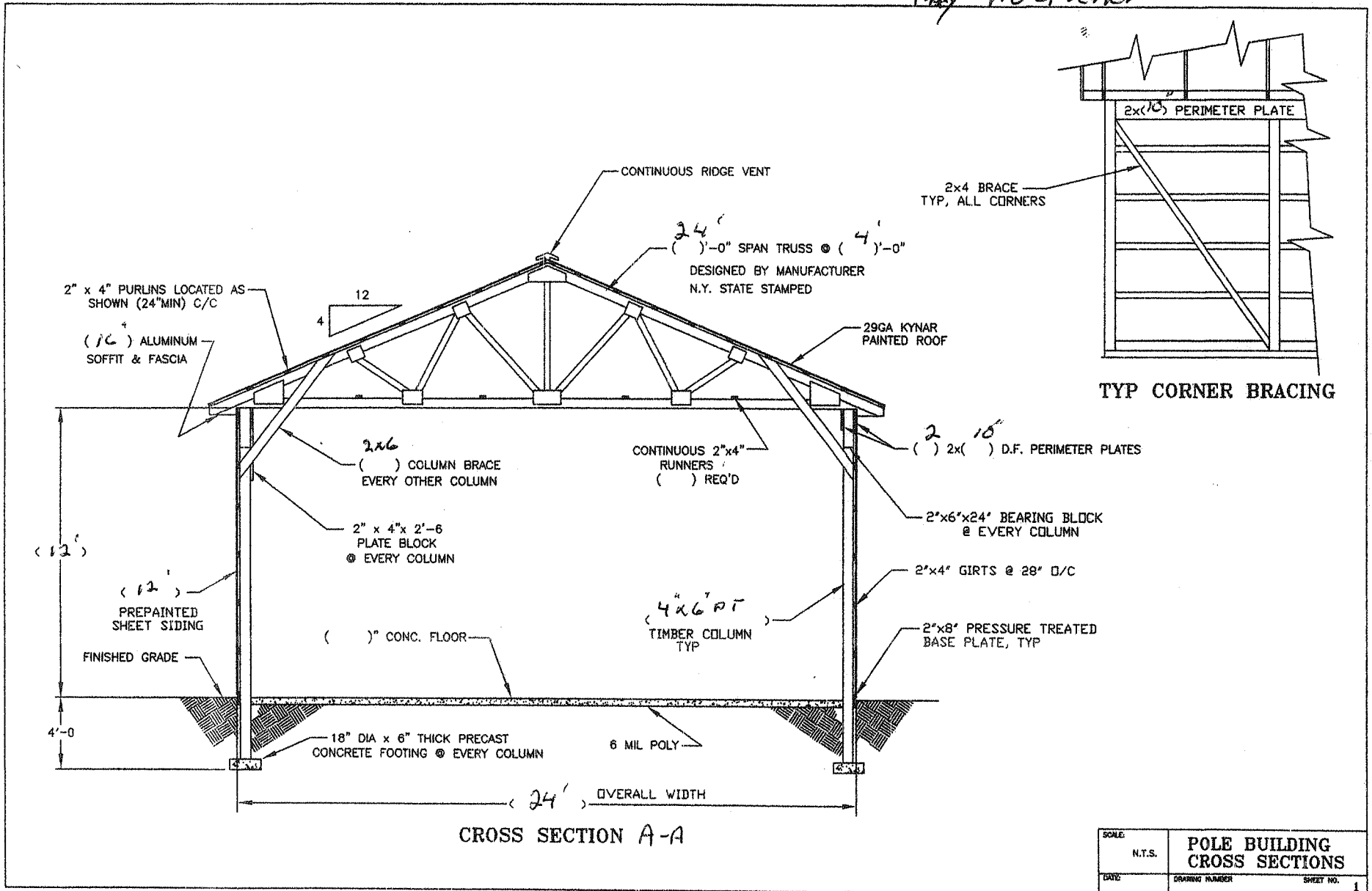
- Unless noted otherwise, do not cut or alter any truss member or plate without prior approval from a Professional Engineer.
- Building Designer shall verify self weight of the truss and other dead load materials do not exceed TC DL 5 psf.
- Building Designer shall verify self weight of the truss and other dead load materials do not exceed BCDL 5 psf.
- Design assumes 2x (vertical orientation) purlins are adequately attached to the side of TC & BC therefore sheathing is attached to the TC & BC resulting in a sheathed condition.
- Brace bottom chord with approved sheathing or purlins per Bracing Summary.
- Lateral bracing shown is for illustration purposes only and may be placed on either side of truss member.
- A creep factor of 1.50 has been applied for this truss analysis.
- Listed wind uplift reactions based on MWFRS & C&C loading.

ALL PERSONS FABRICATING, HANDLING, ERECTING OR INSTALLING ANY TRUSS BASED UPON THIS TRUSS DESIGN DRAWING ARE INSTRUCTED TO REFER TO ALL OF THE INSTRUCTIONS, LIMITATIONS AND QUALIFICATIONS SET FORTH IN THE EAGLE METAL PRODUCTS DESIGN NOTES ISSUED WITH THIS DESIGN AND AVAILABLE FROM EAGLE UPON REQUEST. DESIGN VALID ONLY WHEN EAGLE METAL CONNECTORS ARE USED.

TrueBuild® Truss Software V5.6.375  
Eagle Metal Products

1146391 0003/0003

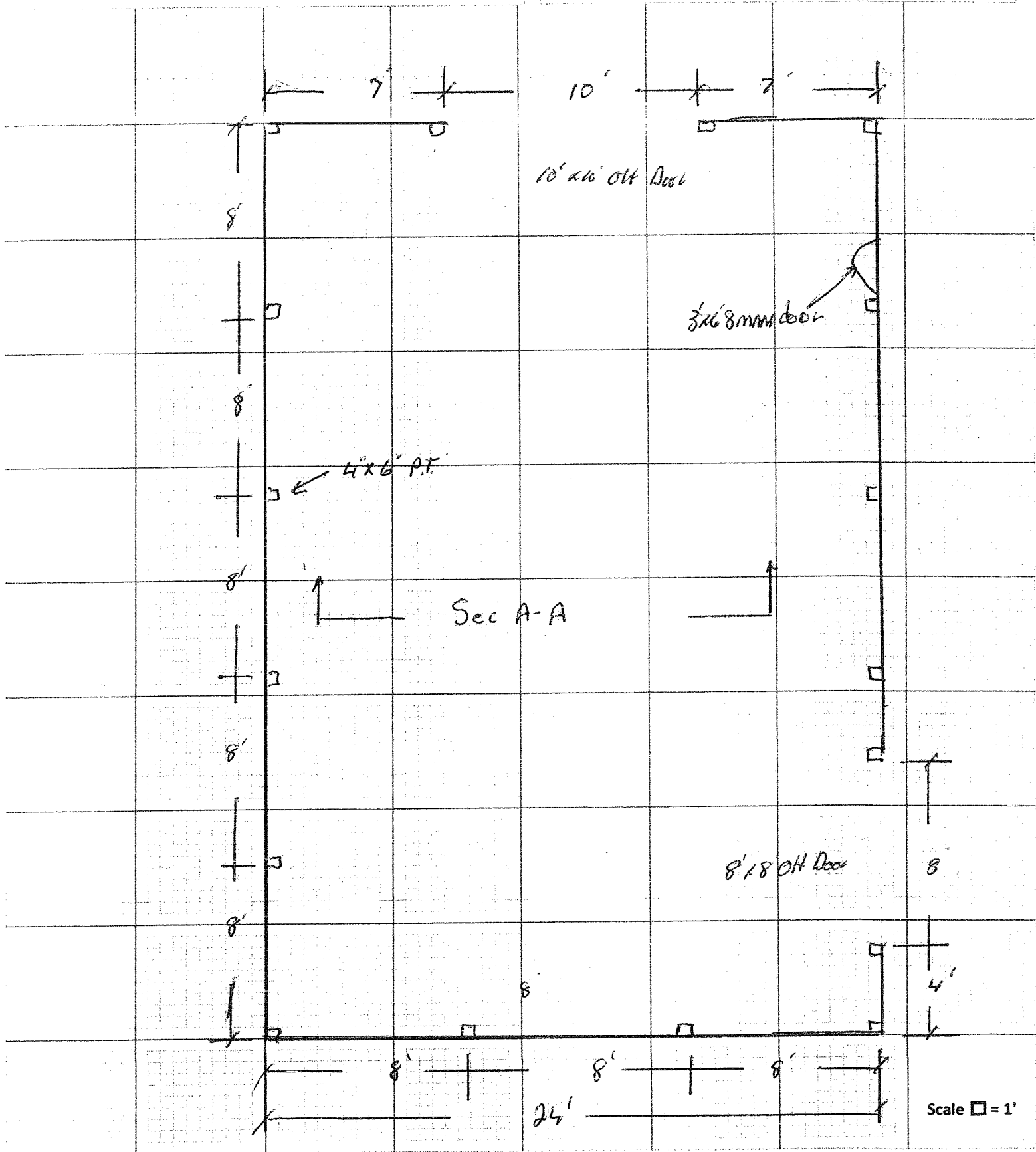
Ray Hoelscher

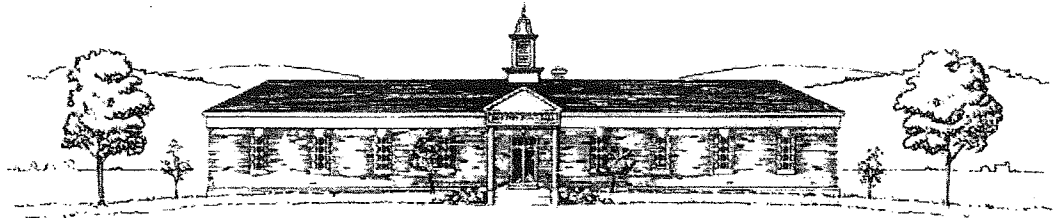


SCALE:  N.T.S.	<b>POLE BUILDING CROSS SECTIONS</b>	
DATE:	DRAWING NUMBER	SHEET NO. 1

Floor Plan: 24' x 40' x 12'

For: Ray Hoelscher  
6874 P.M. Oak Dr.  
Boston, N.Y. 14025





## TOWN OF BOSTON

JASON A. KEDING  
Supervisor

MICHAEL A. CARTECHINE  
JENNIFER L. LUCACHIK  
KELLY L. MARTIN  
KATHLEEN SELBY  
Town Board

SANDRA L. QUINLAN  
Town Clerk -Tax Collector

ROBERT J. TELAAK  
Highway Supt.

DEBRA K. BENDER  
KELLY A. VACCO  
Town Justice

SEAN W. COSTELLO  
Town Attorney

KYLE W. CALABRESE  
Prosecutor

SUE FITZNER  
Assessor

THOMAS C. MURPHY  
Code Enforcement Officer

March 18, 2022

ZBA Chairman and Board Members,

Petition #591, Michael Marshall of 7099 Ward Road would like to erect a new detached accessory (pole barn) of 864 square feet. This violates town code 123-136B.(4) for his 6.3 acre lot when his first detached accessory is included in the aggregate sum.

Code: 2500 square feet  
Actual: 2784 square feet  
Variance: 284 square feet

Respectfully,

Thomas C. Murphy  
Town of Boston  
Code Enforcement  
NYS0360547

TOWN HALL  
(716) 941-6113  
Fax (716) 941-6116

TOWN SUPERVISOR  
(716) 941-6518  
Fax (716) 941-9264

TOWN COURT  
(716) 941-6115  
Fax (716) 941-5169

HIGHWAY GARAGE  
(716) 941-5869  
Fax (716) 941-3677

NUTRITION PROGRAM  
(716) 941-5773

8500 Boston State Road Boston, New York 14025-9848

The Town of Boston is an equal opportunity provider and employer.

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call 1-866-632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or fax 202-690-7442 or e-mail at [program.intake@usda.gov](mailto:program.intake@usda.gov).

## Chapter 123. ZONING

### Article XXV. Supplemental Lot Size and Open Space Requirements

#### § 123-136. Limitations on obstructions in required open space.

- A. In C or M Districts: No storage, truck parking, loading or unloading or processing of any kind shall be permitted in any required yard in any C or M District. This provision shall not apply to uses accessory to a permitted dwelling, but such accessory uses shall be subject to the following limitations on obstructions in required open spaces in R Districts.
- B. In R Districts:
- (1) Accessory buildings and roofed projections shall not occupy more than 25% of the actual rear yard.  
[Amended 7-16-1997 by L.L. No. 5-1997; 2-4-2004 by L.L. No. 3-2004]
  - (2) No part of an accessory building shall be nearer than three feet to a rear lot line or 10 feet to a side lot line.
  - (3) Detached accessory buildings shall be at least 10 feet from any dwelling and five feet from any other building.
  - (4) Maximum allowable height and square footage of lot coverage, for one-and-one-half-story accessory buildings is as follows:  
[Added 2-4-2004 by L.L. No. 3-2004]

Lot Area (acres)	Accessory Use Square Footage Not to Exceed (square feet)	Height for One-and-One-Half-Story Accessory Building (top of floor to top or ridge) (feet)
Less than 1	728	18
1 plus to 2	840	21
2 plus to 3	1,020	21
3 plus to 5	2,000	23
5 plus	2,500	25



**APPLICATION FOR PERMIT**

Town of Boston; New York

**OFFICE USE ONLY**

Approved ( ) Disapproved ( )

Permit No. \_\_\_\_\_

Address \_\_\_\_\_

Date issued \_\_\_\_\_

Permit Fee \_\_\_\_\_

Issued By \_\_\_\_\_

Single Family Dwellings, Farm Buildings,  
Accessory Building, AdditionsOwner Michael MarshallAddress 7099 Ward Rd

Day Phone \_\_\_\_\_ Eve. \_\_\_\_\_

Contractor ParcoAddress 6190 First St New Fane NYDay Phone 716 778 8552 Eve. \_\_\_\_\_

Day Phone \_\_\_\_\_ Eve. \_\_\_\_\_

**CONSTRUCTED WITH:**

Application is hereby made for permission to: ☒ Erect ☐ Alter ☐ Repair ☐ Addition ☐ Move

To be used as: ☐ Single Dwelling ☐ Farm Building ☐ Barn ☐ Solid-Fuel Burning ☒ Private Garage ☐ Swimming Pool ☐ Accessory Building

☒ Frame ☐ Brick ☐ Brick Veneer ☐ Tile ☐ Stone ☐ Concrete Block ☐ Concrete Reinforced ☐ Steel ☐ Other

Address of Premises for Which Application is Made:

Section, Block, Lot \_\_\_\_\_ Current Zoning \_\_\_\_\_

Tax I.D. Number \_\_\_\_\_

☐ North☒ South☐ East☐ WestSide of Ward Rd, Size of Lot \_\_\_\_\_, 6.2

Street Name

Frontage

Depth

Acreage

Distance of Building from lot lines. Front \_\_\_\_\_, Rt. Side \_\_\_\_\_, Lt. Side \_\_\_\_\_, Rear \_\_\_\_\_

Size of completed ☒ Building, ☐ Addition, feet wide 36, feet long 24, feet high 10

Sq. Ft. of: Basement \_\_\_\_\_, First Floor \_\_\_\_\_, Second Floor \_\_\_\_\_, Garage \_\_\_\_\_, Other \_\_\_\_\_

The estimated value of Structure exclusive of land is \$ 31,000

Total Square Footage of Lot \_\_\_\_\_ Percentage of Lot Coverage (All Bldgs) \_\_\_\_\_ %

Deed Restrictions \_\_\_\_\_

Type of Sewage Disposal \_\_\_\_\_

Type of Water Supply \_\_\_\_\_

NOTE: Approval of proposed system by County Health Dept. must be presented with application.

NOTE: Permit for Driveway Culvert must be presented with this application before Driveway Culvert is installed. Permit must be obtained from the Highway Department having jurisdiction (Town)(County)(State)

Attach Survey bearing the stamp of a licensed survey or engineer showing the location of all buildings with references to said lot including both existing structures and proposed structures, giving dimensions in feet.

PLANS FOR THE BUILDING INSPECTOR MUST BE SUBMITTED WITH THIS APPLICATION.  
THEY MUST COMPLY WITH STATE UNIFORM BUILDING CONSTRUCTION CODE AND THE STATE ENERGY CONSERVATION CODE.

No person shall make any change in plans herewith submitted for specifications herein contained, or in the structural part of the building without written consent of the Building Inspector.

Sketch on reverse side of this application must be completed

The undersigned applicants do hereby affirm that the information herein supplied is true and correct.

Michael Marshall  
Applicant/Owner

Applicant/Owner

2-28-2022

Date

Date

( ) Approved

( ) Disapproved

Date \_\_\_\_\_

Reason \_\_\_\_\_

Building Inspector  
Town of Boston

# 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>			
MR. MICHAEL MARSHALL			
Name of Action or Project: <b>ACCESSORY STRUCTURE 7099 WARD ROAD DETACHED</b>			
Project Location (describe, and attach a location map): <b>7099 Ward Rd Orchard Park NY 14127</b>			
Brief Description of Proposed Action:  <b>Build a 36 X 24 X 10 Garage</b>			
Name of Applicant or Sponsor: <b>Michael Marshall</b>		Telephone:  E-Mail:	
Address: <b>7099 Ward Rd</b>			
City/PO: <b>Orchard Park</b>		State: <b>NY</b>	Zip Code: <b>14127</b>
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:			NO <input checked="" type="checkbox"/> YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<b>6.3</b> acres	
b. Total acreage to be physically disturbed?		<b>.02</b> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<b>6.3</b> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input checked="" 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 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 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 checked="" 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: _____	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 checked="" 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 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 b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ <input type="checkbox"/> NO <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>	YES <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="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="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="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>Michael J. Marshall</u>		Date: <u>3-21-2022</u>
Signature: <u>Michael J. Marshall</u>		

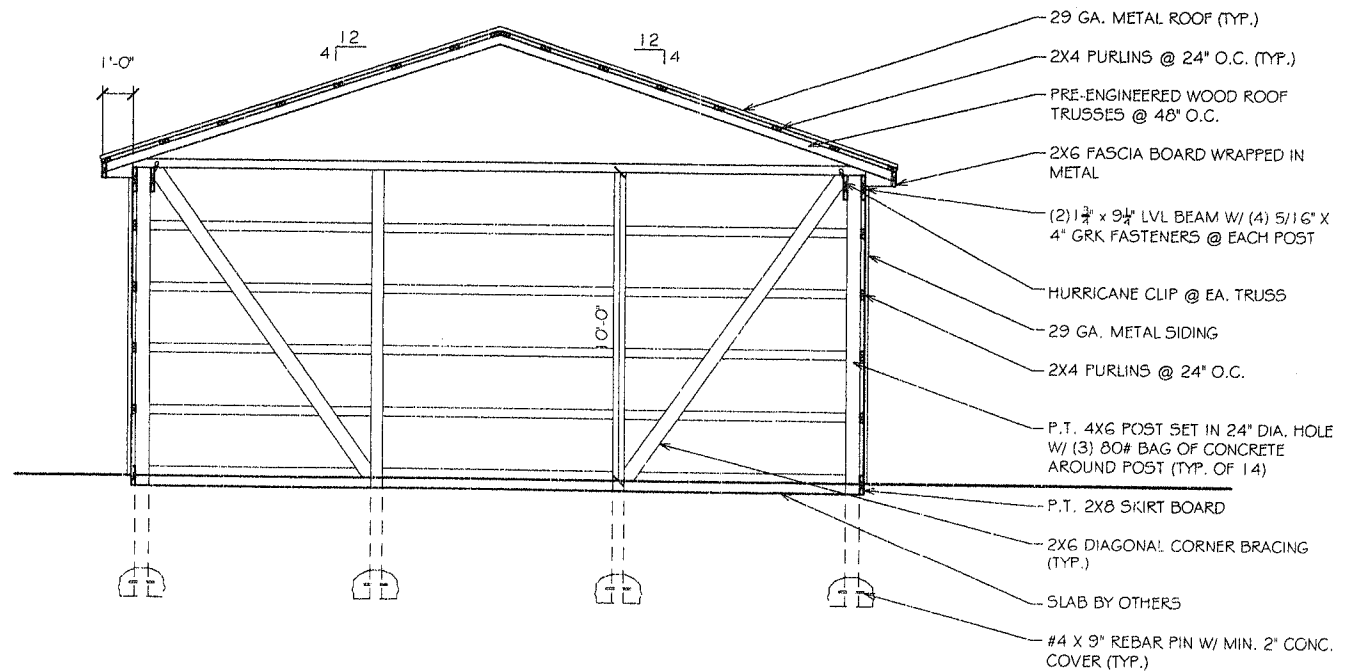
3/21/2022

To Whom It May Concern,

I, Michael J. Marshall would like to erect a garage/barn (SIZE 36 x 24 x 10) on my 6.3 acre property. I am 284 square feet over, so I am applying for a variance to allow me to construct this garage/barn.

A handwritten signature in cursive script, reading "Michael J. Marshall", is written over a solid horizontal line.

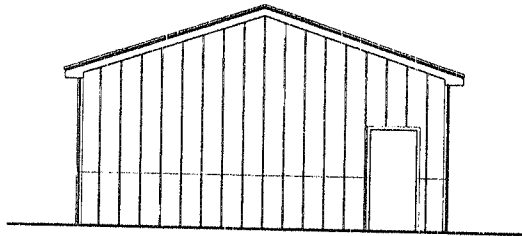
Michael J. Marshall



## BUILDING SECTION

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

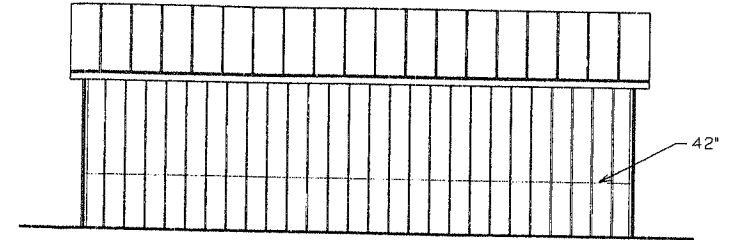
6



SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

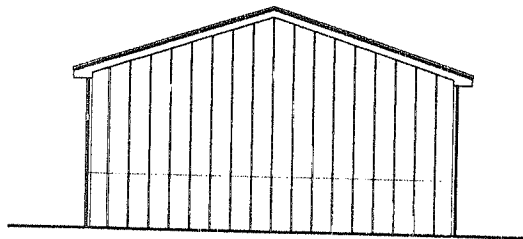
2



WEST ELEVATION

SCALE: 1/8" = 1'-0"

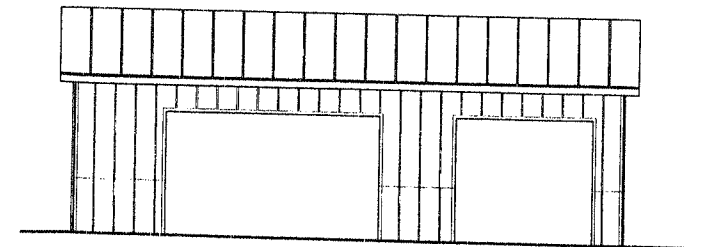
3



NORTH ELEVATION

SCALE: 1/8" = 1'-0"

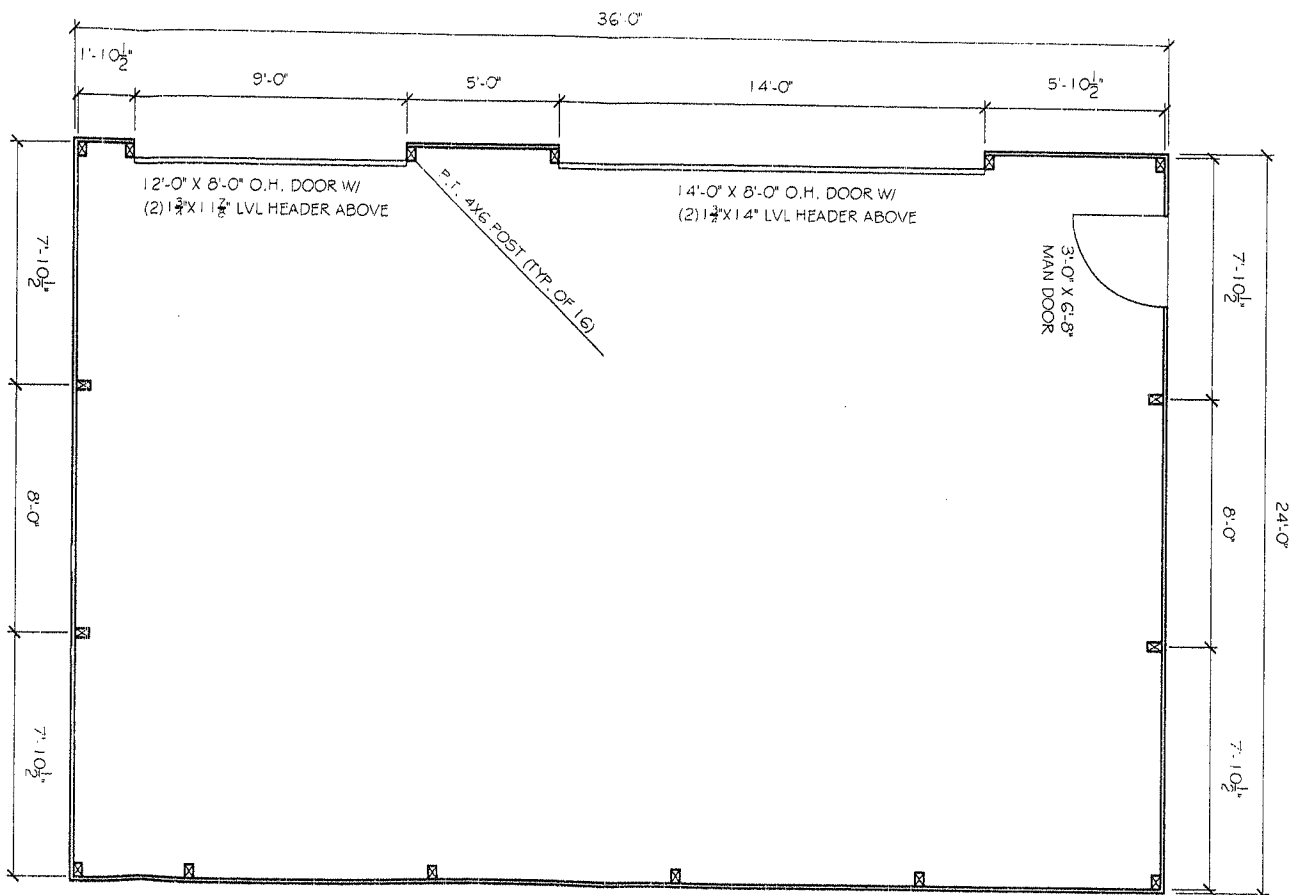
4



EAST ELEVATION

SCALE: 1/8" = 1'-0"

5

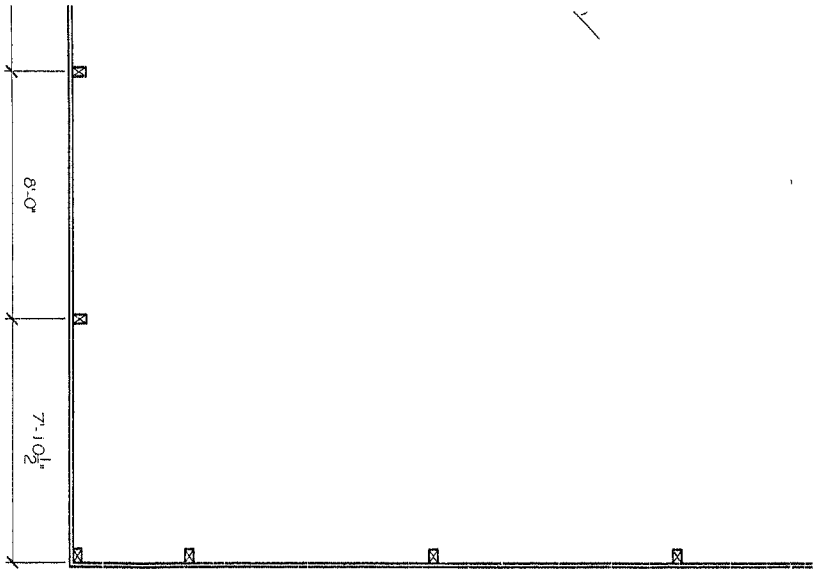


# FLOOR PLAN

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







DR PLAN  
1/4" = 1'-0"

1

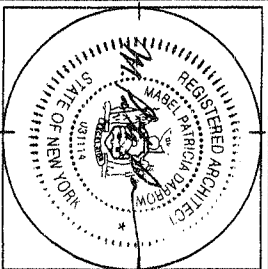
N

**NEW POLE BARN**  
7099 WARD RD.  
ORCHARD PARK, NEW YORK 14127

**FLOOR PLAN, ELEVATIONS & SECTION**

**PARCO**  
BUILDING SYSTEMS

Job No.  
**220014**



Date: **02-17-2022**  
Designed by: **DPU**  
Drawn by: **DPU**  
Checked by: **MPD**  
Approved by: **MPD**  
Revised:

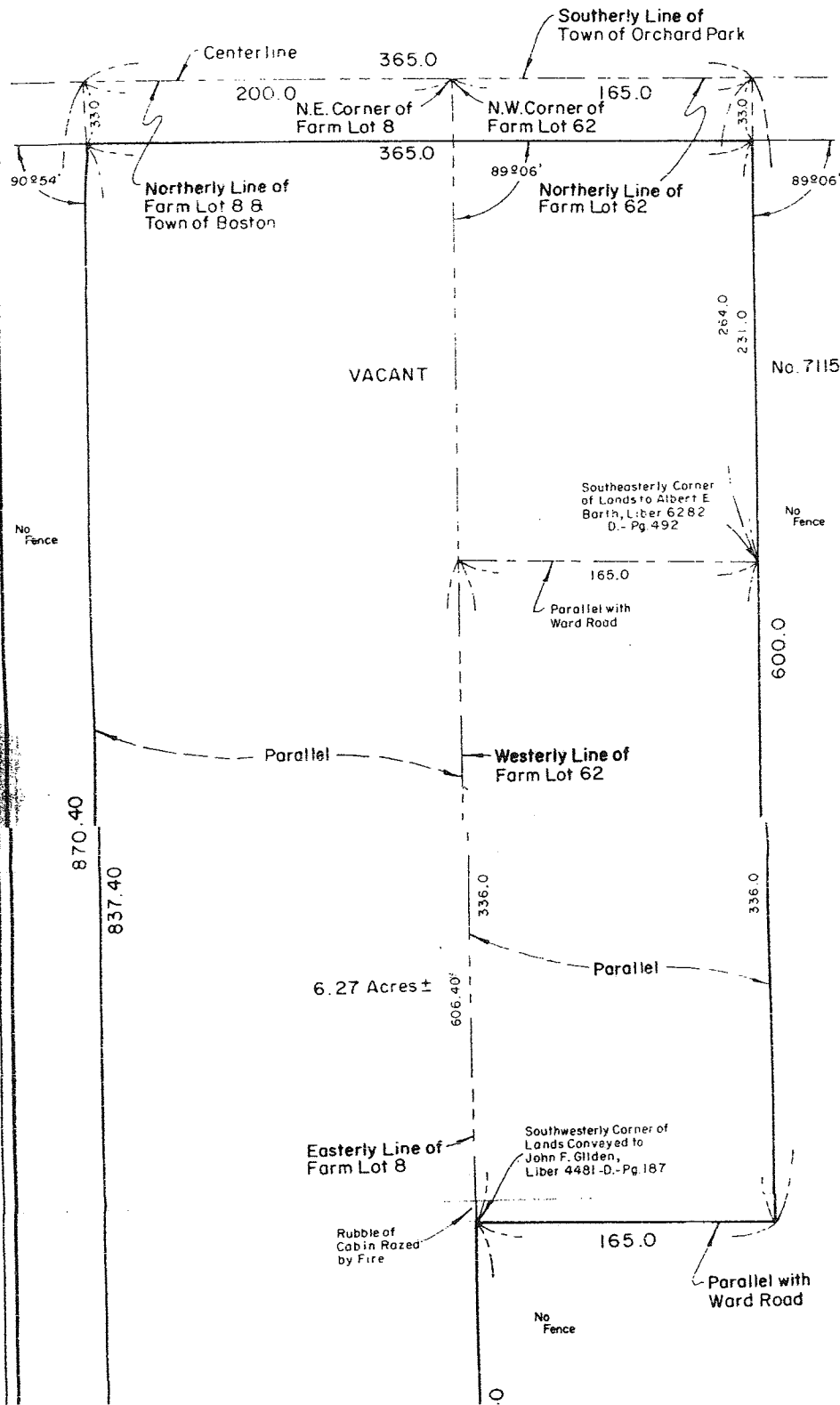
Sheet No.

**A-1**

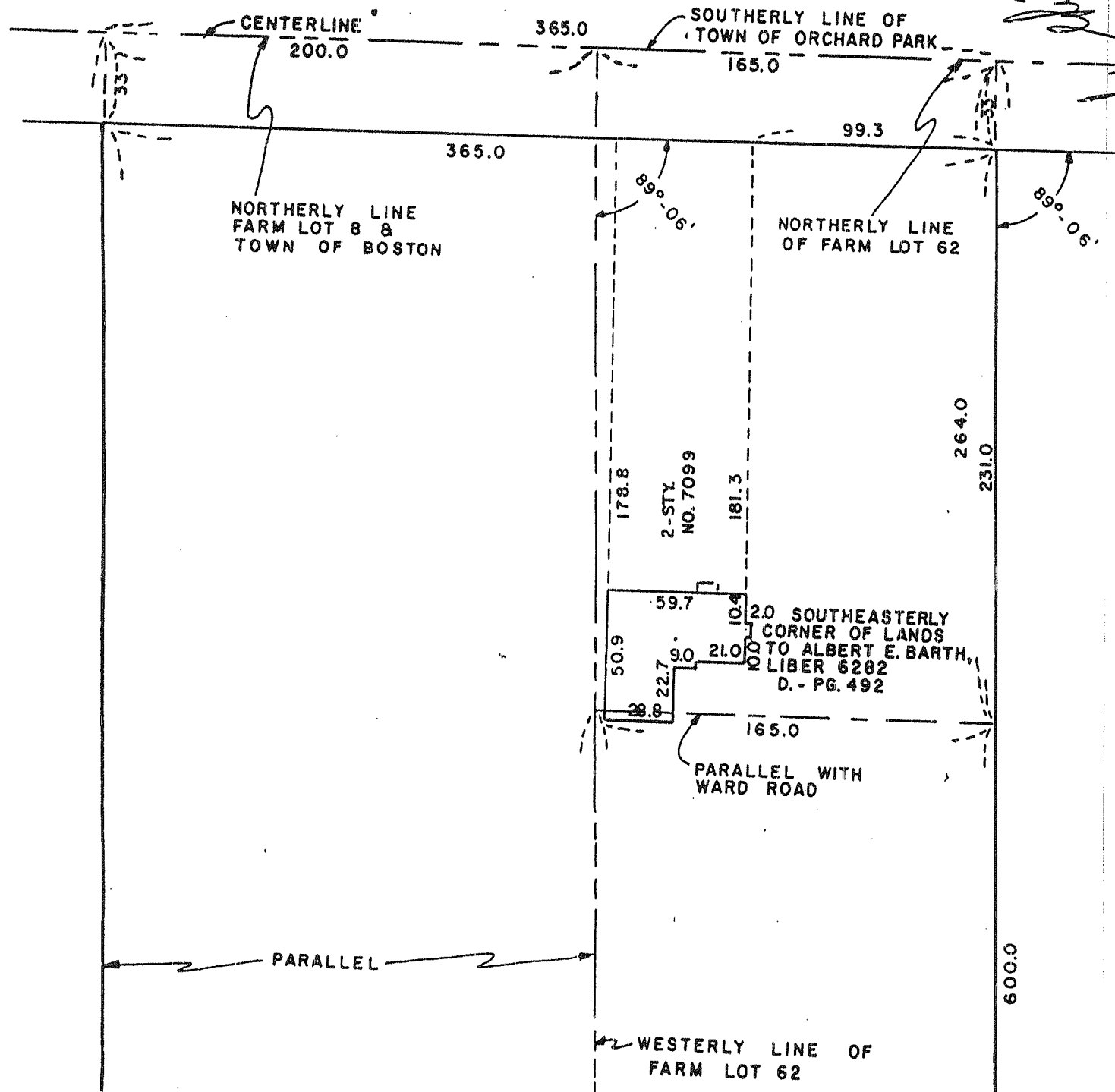
WARD

(Also Known as Townline Road)  
(66' Wide)

ROAD



WARD ROAD (66')  
(ALSO KNOWN AS TOWNLINE ROAD)



**C.E. HARTKE and ASSOCIATES**

**Developers • Surveyors • Planners**  
P.O. Box 235, Cheektowaga, N.Y. 14225-3005 Phone (716) 896-1662  
**STEPHEN S. SIUTA, PLS 44233**  
SUCCESSOR & INTEREST TO

Survey	Survey of part Lot	M.C. Range 7	Date 7-1-94
	Town of BOSTON	Township 8	Scale 1" = 60'
	County of ERIE	City of	Job No. 94043
212.00-1-21		New York	



**MiTek USA, Inc.**

16023 Swingley Ridge Rd  
Chesterfield, MO 63017  
314-434-1200

Re: 71083  
[REDACTED]

The truss drawing(s) referenced below have been prepared by MiTek USA, Inc. under my direct supervision based on the parameters provided by Barden Homes Middleport NY.

Pages or sheets covered by this seal: I43827751 thru I43827752

My license renewal date for the state of New York is May 31, 2021.



December 2, 2020

Johnson, Andrew

**IMPORTANT NOTE:** The seal on these truss component designs is a certification that the engineer named is licensed in the jurisdiction(s) identified and that the designs comply with ANSI/TPI 1. These designs are based upon parameters shown (e.g., loads, supports, dimensions, shapes and design codes), which were given to MiTek or TRENCO. Any project specific information included is for MiTek's or TRENCO's customers file reference purpose only, and was not taken into account in the preparation of these designs. MiTek or TRENCO has not independently verified the applicability of the design parameters or the designs for any particular building. Before use, the building designer should verify applicability of design parameters and properly incorporate these designs into the overall building design per ANSI/TPI 1, Chapter 2.

Job 71083	Truss GE1	Truss Type GABLE	Qty 1	Ply 1	#71083 DL CONSTRUCTION-6330 HERR RD. 143827751
Barden and Robeson Corp, Middleport, NY - 14105,					8.430 s Nov 30 2020 MITek Industries, Inc. Wed Dec 2 09:11:05 2020 Page 1
Job Reference (optional)					ID:IZhE0wL_4b2sNaXK5mCQ_yPlw_-4pZnBRczz?Rh0eTvtPvKgkltiD7Vwe0fDLZCyD2Zq

0-10-8 6-4-14 12-0-0 17-7-2 24-0-0 24-10-8  
6-10-8 8-4-14 6-7-2 6-7-2 6-4-14 6-10-8

Scale = 1:41.3

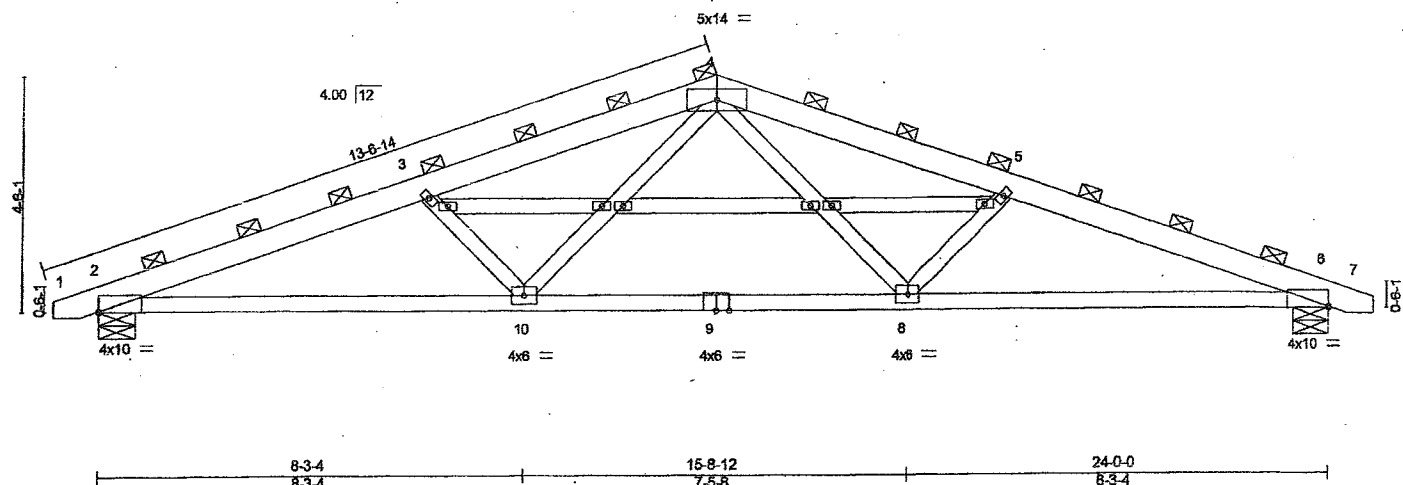


Plate Offsets (X,Y) - [2-0-0-0,0-0-4], [8-0-0-0,0-0-4]		LOADING (psf)		SPACING-		CSI.		DEFL.		PLATES		GRIP	
TCLL		39.4		4-0-0		TC 0.97		in (loc)		MT20		197/144	
(Ground Snow=50.0)		TCDL		Plate Grip DOL 1.15		BC 0.71		Vert(LL) -0.30 8-10 >931		Weight: 107 lb		FT = 0%	
TCDL		5.0		Lumber DOL 1.15		WB 0.35		Vert(CT) -0.39 8-10 >722					
BCLL		0.0		Rep Stress Incr NO		Matrix-S		Horz(CT) 0.13 6 n/a n/a					
BCDL		5.0		Code IBC2015/TPI2014									

#### LUMBER-

TOP CHORD 2x6 SPF No.2  
BOT CHORD 2x4 SPF 2100F 1.8E  
WEBS 2x4 SPF No.2  
OTHERS 2x4 SPF No.2

#### BRACING-

TOP CHORD 2-0-0 oc purlins (2-0-11 max.).  
BOT CHORD Rigid ceiling directly applied or 6-10-11 oc bracing.

#### REACTIONS.

(size) 2=0-8-8, 6=0-8-8  
Max Horz 2=154(LC 11)  
Max Uplift 2=719(LC 6), 6=719(LC 7)  
Max Grav 2=2474(LC 1), 6=2474(LC 1)

#### FORCES. (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.

TOP CHORD 2-3=5221/1375, 3-4=4498/1196, 4-5=4498/1197, 5-6=5221/1375  
BOT CHORD 2-10=1299/4777, 8-10=708/3300, 6-8=1183/4777  
WEBS 3-10=1234/514, 4-10=380/1437, 4-8=381/1437, 5-8=1234/515

#### NOTES-

- 1) Wind: ASCE 7-10; Vult=115mph Vasd=91mph; TCDL=3.0psf; BCDL=3.0psf; h=30ft; Cat. II; Exp C; Enclosed; MWFRS (envelope) gable end zone; cantilever left and right exposed; end vertical left and right exposed; Lumber DOL=1.33 plate grip DOL=1.33
- 2) Truss designed for wind loads in the plane of the truss only. For studs exposed to wind (normal to the face), see Standard Industry Gable End Details as applicable, or consult qualified building designer as per ANSI/TPI 1.
- 3) TCLL: ASCE 7-10; Pg=50.0 psf (ground snow); Ps=39.4 psf (roof snow); Category II; Exp C; Partially Exp.; Ct=1.20; Unobstructed slippery surface
- 4) Roof design snow load has been reduced to account for slope.
- 5) Unbalanced snow loads have been considered for this design.
- 6) This truss has been designed for greater of min roof live load of 20.0 psf or 2.00 times flat roof load of 42.0 psf on overhangs non-concurrent with other live loads.
- 7) Dead loads shown include weight of truss. Top chord dead load of 5.0 psf (or less) is not adequate for a shingle roof. Architect to verify adequacy of top chord dead load.
- 8) All plates are 2x4 MT20 unless otherwise indicated.
- 9) Horizontal gable studs spaced at 2-0-0 oc.
- 10) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
- 11) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 719 lb uplift at joint 2 and 719 lb uplift at joint 6.
- 12) See Standard Industry Piggyback Truss Connection Detail for Connection to base truss as applicable, or consult qualified building designer.
- 13) Graphical purlin representation does not depict the size or the orientation of the purlin along the top and/or bottom chord.



December 2, 2020

**WARNING -** Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 5/19/2020 BEFORE USE.  
Design valid for use only with MITek connectors. This design is based only upon parameters shown, and is for an individual building component, not a truss system. Before use, the building designer must verify the applicability of design parameters and properly incorporate this design into the overall building design. Bracing indicated is to prevent buckling of individual truss web and/or chord members only. Additional temporary and permanent bracing is always required for stability and to prevent collapse with possible personal injury and property damage. For general guidance regarding the fabrication, storage, delivery, erection and bracing of trusses and truss systems, see ANSI/TPI1 Quality Criteria, DSB-98 and ECSI Building Component Safety Information available from Truss Plate Institute, 2670 Crain Highway, Suite 203 Waldorf, MD 20686

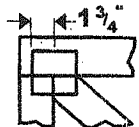
**MITek**  
16023 Swingley Ridge Rd  
Chesterfield, MO 63017

Scale = 1:41.3

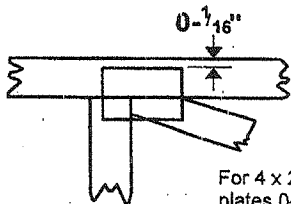
16023 Swingley Ridge Rd  
Chesterfield, MO 63017

## Symbols

### PLATE LOCATION AND ORIENTATION



Center plate on joint unless x, y offsets are indicated. Dimensions are in ft-in-sixteenths. Apply plates to both sides of truss and fully embed teeth.



For 4 x 2 orientation, locate plates 0- 1/16" from outside edge of truss.



This symbol indicates the required direction of slots in connector plates.

\* Plate location details available in MiTek 20/20 software or upon request.

### PLATE SIZE

4 x 4

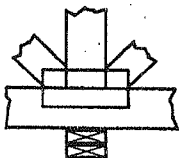
The first dimension is the plate width measured perpendicular to slots. Second dimension is the length parallel to slots.

### LATERAL BRACING LOCATION



Indicated by symbol shown and/or by text in the bracing section of the output. Use T or I bracing if indicated.

### BEARING

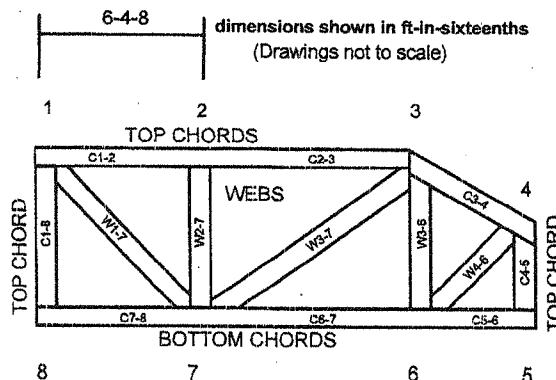


Indicates location where bearings (supports) occur. Icons vary but reaction section indicates joint number where bearings occur. Min size shown is for crushing only.

### Industry Standards:

ANSI/TPI1: National Design Specification for Metal Plate Connected Wood Truss Construction.  
DSB-89: Design Standard for Bracing.  
BCSI: Building Component Safety Information, Guide to Good Practice for Handling, Installing & Bracing of Metal Plate Connected Wood Trusses.

## Numbering System



JOINTS ARE GENERALLY NUMBERED/LETTERED CLOCKWISE AROUND THE TRUSS STARTING AT THE JOINT FARTHEST TO THE LEFT.

CHORDS AND WEBS ARE IDENTIFIED BY END JOINT NUMBERS/LETTERS.

### PRODUCT CODE APPROVALS

ICC-ES Reports:

ESR-1311, ESR-1352, ESR-1988  
ER-3907, ESR-2362, ESR-1397, ESR-3282

Trusses are designed for wind loads in the plane of the truss unless otherwise shown.

Lumber design values are in accordance with ANSI/TPI 1 section 6.3 These truss designs rely on lumber values established by others.

© 2012 MiTek® All Rights Reserved



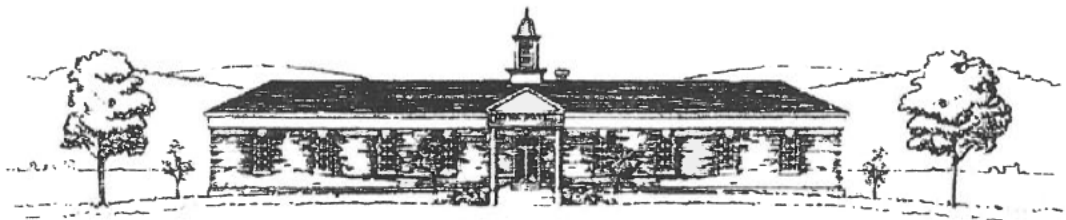
MiTek Engineering Reference Sheet: MII-7473 rev. 5/19/2020



## General Safety Notes

### Failure to Follow Could Cause Property Damage or Personal Injury

1. Additional stability bracing for truss system, e.g. diagonal or X-bracing, is always required. See BCSI.
2. Truss bracing must be designed by an engineer. For wide truss spacing, individual lateral braces themselves may require bracing, or alternative Tor I bracing should be considered.
3. Never exceed the design loading shown and never stack materials on inadequately braced trusses.
4. Provide copies of this truss design to the building designer, erection supervisor, property owner and all other interested parties.
5. Cut members to bear tightly against each other.
6. Place plates on each face of truss at each joint and embed fully. Knots and wane at joint locations are regulated by ANSI/TPI 1.
7. Design assumes trusses will be suitably protected from the environment in accord with ANSI/TPI 1.
8. Unless otherwise noted, moisture content of lumber shall not exceed 19% at time of fabrication.
9. Unless expressly noted, this design is not applicable for use with fire retardant, preservative treated, or green lumber.
10. Camber is a non-structural consideration and is the responsibility of truss fabricator. General practice is to camber for dead load deflection.
11. Plate type, size, orientation and location dimensions indicated are minimum plating requirements.
12. Lumber used shall be of the species and size, and in all respects, equal to or better than that specified.
13. Top chords must be sheathed or purlins provided at spacing indicated on design.
14. Bottom chords require lateral bracing at 10 ft. spacing, or less, if no ceiling is installed, unless otherwise noted.
15. Connections not shown are the responsibility of others.
16. Do not cut or alter truss member or plate without prior approval of an engineer.
17. Install and load vertically unless indicated otherwise.
18. Use of green or treated lumber may pose unacceptable environmental, health or performance risks. Consult with project engineer before use.
19. Review all portions of this design (front, back, words and pictures) before use. Reviewing pictures alone is not sufficient.
20. Design assumes manufacture in accordance with ANSI/TPI 1 Quality Criteria.
21. The design does not take into account any dynamic or other loads other than those expressly stated.



## TOWN OF BOSTON

JASON A. KEDING  
Supervisor

MICHAEL A. CARTECHINE  
JENNIFER L. LUCACHIK  
KELLY L. MARTIN  
KATHLEEN SELBY  
Town Board

SANDRA L. QUINLAN  
Town Clerk - Tax Collector

ROBERT J. TELAAK  
Highway Supt.

DEBRA K. BENDER  
KELLY A. VACCO  
Town Justice

SEAN W. COSTELLO  
Town Attorney

KYLE W. CALABRESE  
Prosecutor

SUE FITZNER  
Assessor

THOMAS C. MURPHY  
Code Enforcement Officer

March 18, 2022

ZBA Chairman and Board Members,

Petition #592, Peter J. Szeider would like to erect a new detached accessory (pole barn) of 864 square feet on his property at 6185 Rice Road. This project would result in a side yard of 10', made necessary by the layout of his driveway and his existing single-family residence.

This side yard violates town code 123-51B.(2) in his residential agricultural zoning district.

Code: 30 feet

Actual: 10 feet

Variance: 20 feet

It may be of note that Mr. Szeider was instructed that the side yard for this project would be 10' at the time of the construction of his home and he had planned accordingly.

Respectfully,

Thomas C. Murphy  
Town of Boston  
Code Enforcement  
NYS0360547

TOWN HALL  
(716) 941-6113  
Fax (716) 941-6116

TOWN SUPERVISOR  
(716) 941-6518  
Fax (716) 941-9264

TOWN COURT  
(716) 941-6115  
Fax (716) 941-5169

HIGHWAY GARAGE  
(716) 941-5869  
Fax (716) 941-3677

NUTRITION PROGRAM  
(716) 941-5773

8500 Boston State Road Boston, New York 14025-9848

The Town of Boston is an equal opportunity provider and employer.

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call 1-866-632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or fax 202-690-7442 or e-mail at [program.intake@usda.gov](mailto:program.intake@usda.gov).



## Chapter 123. ZONING

### Article XI. R-A Residential-Agricultural District

#### § 123-51. Required yards.

Unless otherwise provided, the minimum required yards and other open spaces in the R-A District shall be as specified in this section.

A. Front yard: 50 feet.

B. Side yards: two required.

(1) The minimum width of any side yard shall be 10 feet.

(2) Other principal buildings, accessory buildings and farm buildings: Except as otherwise provided, each side yard shall equal 30 feet or a distance equal to the height of the principal building, whichever is greater; provided, however, that when a side yard adjoins a lot in any district other than an R District, such side yard shall equal 15 feet or a distance equal to 1/2 the height of the principal building, whichever is greater.

C. Rear yard. No rear yard shall have a depth of less than 30 feet or a distance equal to the height of the principal building, whichever is greater.

D. Maximum lot coverage: 7%.

# APPLICATION FOR PERMIT

Town of Boston, New York

## OFFICE USE ONLY

Approved ( ) Disapproved ( )  
Permit No. \_\_\_\_\_  
Address \_\_\_\_\_  
Date Issued \_\_\_\_\_  
Permit Fee \_\_\_\_\_  
Issued By \_\_\_\_\_

Single Family Dwellings, Farm Buildings,  
Accessory Building, Additions

Owner Peter J. Szeider  
Address 6185 Rice Road  
Boston, NY 14025  
Day Phone \_\_\_\_\_ Eve. \_\_\_\_\_

Contractor Peter J. Szeider  
SELF  
Address 6185 Rice Road  
Boston, NY 14025  
Day Phone \_\_\_\_\_ Eve. \_\_\_\_\_

Application is hereby made for permission to: ☒ Erect ☒ Frame ☐ Concrete Block ☐ Alter ☐ Brick ☐ Concrete Reinforced ☐ Repair ☐ Brick Veneer ☒ Steel ☐ Addition ☐ Tile ☐ Other \_\_\_\_\_ ☐ Move ☐ Stone

To be used as: ( ) Single Dwelling ( ) Farm Building ( ) Barn ( ) Solid-Fuel Burning  
( ) Private Garage ( ) Swimming Pool ☒ Accessory Building

Address of Premises for Which Application is Made:

Section, Block, Lot 241.00 - 3 - 63.112 Current Zoning Residential / Agricultural  
Tax I.D. Number \_\_\_\_\_

☒ North ☐ South ☐ East ☐ West  
Side of Rice Road, Size of Lot 185.66, 1012.02, 4.31  
Street Name Frontage Depth Acreage

Distance of Building from lot lines. Front 200, Rt. side 10, Lt. side 151.66, Rear 772

Size of completed ☒ Building, ( ) Addition, feet wide 24, feet long 40, feet high 18

Sq. Ft. of: Basement \_\_\_\_\_, First Floor \_\_\_\_\_, Second Floor \_\_\_\_\_, Garage 960, Other \_\_\_\_\_

The estimated value of Structure exclusive of land is \$ 13,000

Total Square Footage of Lot 187,743.6 Percentage of Lot Coverage (All Bldgs) 1.3 %

Deed Restrictions \_\_\_\_\_

Type of Sewage Disposal N/A

Type of Water Supply N/A

NOTE: Approval of proposed system by County Health Dept. must be presented with application.

NOTE: Permit for Driveway Culvert must be presented with this application before Driveway Culvert is installed. Permit must be obtained from the Highway Department having jurisdiction (Town)(County)(State)

Attach Survey bearing the stamp of a licensed survey or engineer showing the location of all buildings with references to said lot including both existing structures and proposed structures, giving dimensions in feet.

PLANS FOR THE BUILDING INSPECTOR MUST BE SUBMITTED WITH THIS APPLICATION.  
THEY MUST COMPLY WITH STATE UNIFORM BUILDING CONSTRUCTION CODE AND THE STATE ENERGY CONSERVATION CODE.

No person shall make any change in plans herewith submitted for specifications herein contained, or in the structural part of the building without written consent of the Building Inspector.

Sketch on reverse side of this application must be completed

The undersigned applicants do hereby affirm that the information herein supplied is true and correct.

Peter J. Szeider  
Applicant/Owner  
3/2/22  
Date

\_\_\_\_\_  
Applicant/Owner  
\_\_\_\_\_  
Date

( ) Approved ( ) Disapproved

Date \_\_\_\_\_

Reason \_\_\_\_\_

\_\_\_\_\_  
Building Inspector

IN ORDER TO OBTAIN A HOUSE NUMBER, THE FOLLOWING SKETCH MUST BE COMPLETED.

1. ENTER YOUR STREET NAME
2. MEASURE AND ENTER TO THE NEAREST FOOT ( IN INCREMENTS OF 10' ), THE DISTANCE TO THE NEAREST NEIGHBORING DRIVEWAYS
3. IF THE NEAREST DISTANCE IS A NEIGHBORING DRIVEWAY, ENTER THE HOUSE NUMBER, AND/OR THE NAME OF THE HOME OWNER.

<p>3. NEAREST NEIGHBORING DRIVEWAY: HOUSE NUMBER _____ NAME _____</p>		
<p>NEIGHBORING DRIVEWAY</p>		
	<p>FT</p>	<p>3. NEAREST NEIGHBORING DRIVEWAY: HOUSE NUMBER _____ NAME _____</p>
<p>* YOUR DRIVEWAY *</p>		<p>NEIGHBORING DRIVEWAY</p>
	<p>FT</p>	<p>2nd START POINT -----</p>
<p>NEIGHBORING DRIVEWAY</p>		<p>NEIGHBORING DRIVEWAY</p>
<p>3. NEAREST NEIGHBORING DRIVEWAY: HOUSE NUMBER _____ NAME _____</p>	<p>FT</p>	<p>3. NEAREST NEIGHBORING DRIVEWAY: HOUSE NUMBER _____ NAME _____</p>
<p>1</p>	<p>STREET NAME</p>	

**Letter of Intent for zoning variance for:**

Peter J. Szeider

6185 Rice Road

Boston, NY 14025

Dear Planning & Zoning Members,

I am requesting a variance for the above address to seek relief of the required side yard of 30 feet, for the reasons detailed below. The proposed reduction of the side yard would allow for a 24x40 pole barn to be constructed off the curve of my driveway.

1. Due to narrowness of this lot combined with the required side yard setback of 30 feet. I am requesting a reduction in the required side yard to 10 feet.
2. In conversations with the previous Town of Boston Code Enforcer (Bill Ferguson), he consistently enforced the code for any building 100 sq ft or more require a permit and that it needs to be at least 10 feet from the property line. Because of this, I designed my house and driveway layout to accommodate a pole barn in this specific spot off my driveway. Without this reduction, the barn will not be possible as it could interfere with the location of the septic system etc. *(see attached example of an email exchange with Bill Ferguson)*
3. The purpose of the pole barn is for dry storage to shelter tractors and other equipment. This barn will be pleasing to the eye and will have no effect on any adjoining properties.

Thank you for your consideration.

Sincerely,

Property Owner

Fwd: Building a shed

From: P.J. Szeider

To:

Date: Monday, March 21, 2022, 11:41 AM EDT

Sent from my iPhone

Begin forwarded message:

**From:** "P.J. Szeider"  
**Date:** January 3, 2019 at 4:03:39 PM EST  
**To:** William Ferguson <codeenforcement@townofboston.com>  
**Subject:** Re: Building a shed

Great. Thank you.

P.J.

Sent from my iPhone

On Jan 3, 2019, at 12:23 PM, William Ferguson <codeenforcement@townofboston.com> wrote:

Ten feet from property lines if over 100 square feet in area requires a building permit. Bill

-----Original Message-----

From: P.J. Szeider [mailto:

Sent: Friday, December 28, 2018 12:51 PM

To: William Ferguson

Subject: Building a shed

Hi Bill,

I plan on putting up a small shed on my land. Was wondering how far I have to be from the property line?

P.J.

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

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

Part 1 - Project and Sponsor Information																		
Name of Action or Project: <div style="text-align: center; font-size: 1.2em;">Erect a pole barn</div>																		
Project Location (describe, and attach a location map): <div style="text-align: center; font-size: 1.2em;">6185 Rice Road, Boston NY 14025</div>																		
Brief Description of Proposed Action: <div style="text-align: center; font-size: 1.2em;">Erect a 24 x 40 pole barn for dry storage</div>																		
Name of Applicant or Sponsor: <div style="text-align: center; font-size: 1.2em;">Peter J. Szeider</div>		Telephone: _____ E-Mail: _____																
Address: <div style="text-align: center; font-size: 1.2em;">6185 Rice Road</div>																		
City/PO: <div style="text-align: center; font-size: 1.2em;">Boston</div>		State: <div style="text-align: center; font-size: 1.2em;">NY</div>	Zip Code: <div style="text-align: center; font-size: 1.2em;">14025</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> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><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="text-align: center; font-size: 1.2em;">Town of Boston</div>			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>											
NO	YES																	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>																	
3.a. Total acreage of the site of the proposed action?		4.31 acres																
b. Total acreage to be physically disturbed?		.02 acres																
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		4.31 acres																
4. Check all land uses that occur on, adjoining and near the proposed action.																		
<table style="width: 100%;"> <tr> <td><input type="checkbox"/> Urban</td> <td><input checked="" type="checkbox"/> Rural (non-agriculture)</td> <td><input type="checkbox"/> Industrial</td> <td><input type="checkbox"/> Commercial</td> <td><input checked="" type="checkbox"/> Residential (suburban)</td> </tr> <tr> <td><input type="checkbox"/> Forest</td> <td><input checked="" type="checkbox"/> Agriculture</td> <td><input type="checkbox"/> Aquatic</td> <td colspan="2"><input type="checkbox"/> Other (specify): _____</td> </tr> <tr> <td><input type="checkbox"/> Parkland</td> <td colspan="4"></td> </tr> </table>				<input type="checkbox"/> Urban	<input checked="" type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Residential (suburban)	<input type="checkbox"/> Forest	<input checked="" type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other (specify): _____		<input type="checkbox"/> Parkland				
<input type="checkbox"/> Urban	<input checked="" type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Residential (suburban)														
<input type="checkbox"/> Forest	<input checked="" 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 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 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 checked="" 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>No need for running water</u>	NO <input checked="" 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>No need for wastewater treatment</u>	NO <input checked="" 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 checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input 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 b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ <input type="checkbox"/> NO <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>	YES <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>Peter J. Szader</u> Date: <u>3/21/22</u> Signature: <u>Peter J. Szader</u>		



NORTHWEST CORNER OF  
LIBER 10984 DEEDS P.2694

Found Pipe 0.25' S. & 0.4' W

Found Capped Rebar 13.0' S. & 12.1' W

S 89°15'17" E  
185.64'

NORTH LINE  
DEED

Found



LOT AREA=  
4.31 ACRES  
(INCLUDING HIGHWAY)

N 01°15'14" E  
1012.02'

1010.60'  
S 01°15'14" W

PARALLEL

VEGET (typical)

Covered Area

Frame Bay

24" Septic Cover

24" Septic Cover

Drain Out

2 STORY  
FRAME HOUSE  
NO. 6185

10 ft

16 ft

31.26'

32.52'

2.01'

22.24'

33.29'

19.38'

11.04'

46.31'

32.06'

13.25'

7.08'

10.53'

11.78'

98.71'

11.78'

168.6'

12" Dia.  
Well Cover

12" Dia.  
Well Cover

Overhead  
Utility Lines

Found Rebar

Found Rebar

Found Rebar

Found Rebar

Found Rebar

Found Rebar

Found Rebar

Found Rebar

Found Rebar

Found Rebar

Found Rebar

Found Rebar

Found Rebar

Found Rebar

Found Rebar

Found Rebar

Found Rebar

Found Rebar

Found Rebar

Found Rebar

Found Rebar

Found Rebar (Bent) 3.6' N. & 4.1' E

Found Concrete Monument

Elec. Meter

Power Pole

Stone 14.8 W

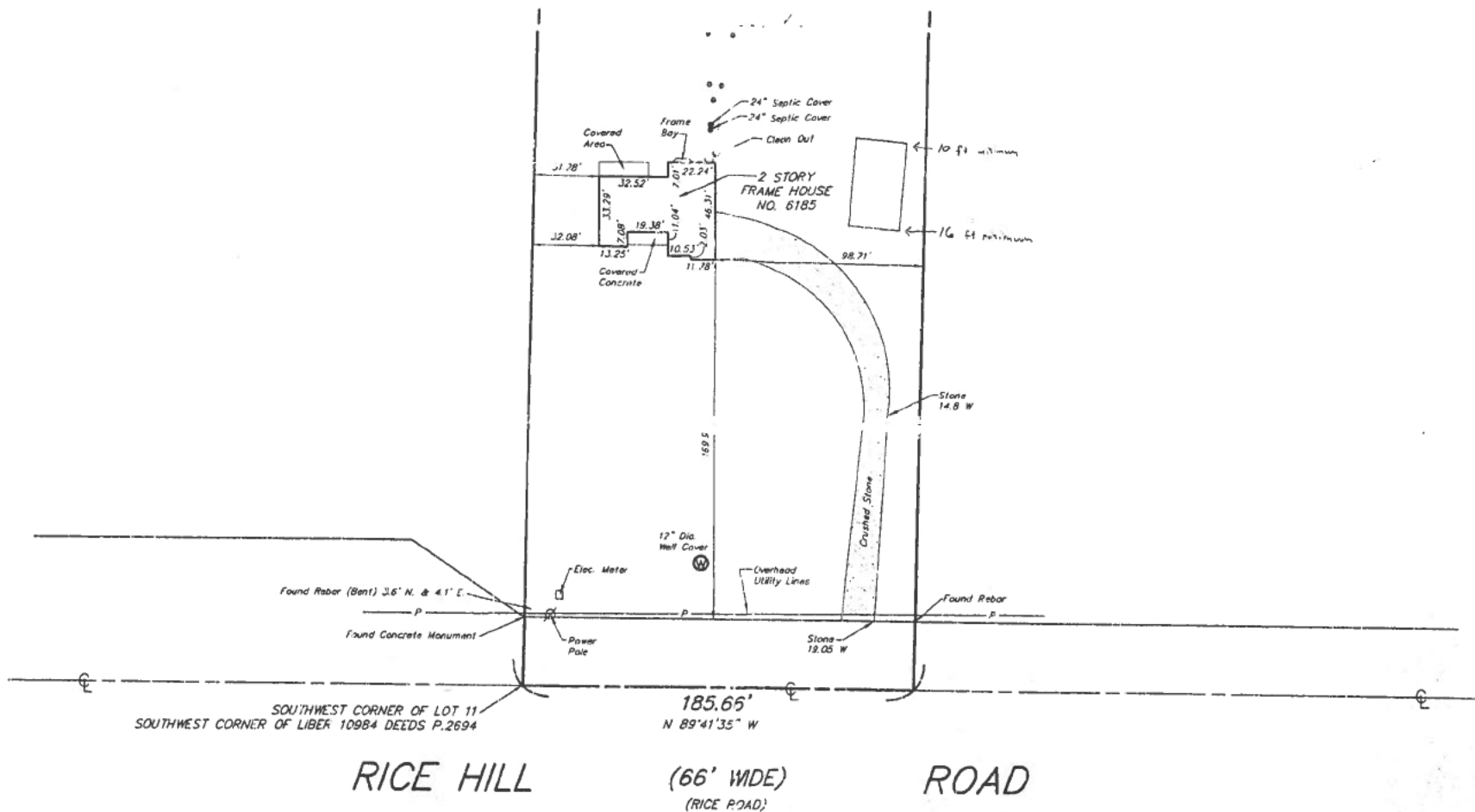
Stone 19.05 W

Stone 19.05 W

Stone 19.05 W

Stone 19.05 W

Stone 19.05 W



### LEGEND

NOTE: EASEMENT TO NEW YORK STATE ELECTRIC & GAS CORPORATION PER LIBER 8700 PAGE 349 DOES NOT AFFECT THE PREMISES.

- Ø UTILITY / SERVICE POLE
- WATER LINE VALVE
- ⚡ FIRE HYDRANT
- ⊞ D.I. (DROP INLET - STORM)
- ⊙ MANHOLE (STORM)
- ⊙ MANHOLE (ELECTRIC)
- ⊙ MANHOLE (TRAFFIC)
- ⊙ MANHOLE (SANITARY)
- ⊙ MANHOLE (TELEPHONE)
- ⊙ GASLINE MARKER
- ⊙ GAS LINE VALVE
- ⊙ LIGHT STANDARD
- SIGN
- H.C. HANDICAP

- R.O.W. RIGHT OF WAY
- CONC. CONCRETE
- INV. INVERT
- M.H. MANHOLE
- GAS LINE
- WATER LINE
- TELEPHONE LINE
- ELECTRIC LINE
- UTILITY LINES
- CABLE LINES
- D. DEED
- M. MEASURED
- L. LIBER
- P. PAGE

INSTRUMENT(S) UTILIZED IN DETERMINING LOCATION OF BOUNDARY LINES: Liber 11334 Deeds Page 6502

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED IN SAID ABSTRACT. NOTE: PROPERTY CORNER MONUMENTS WERE NOT PLACED AS PART OF THIS SURVEY.

THIS SURVEY MAP WAS PREPARED IN ACCORDANCE WITH THE CURRENT STANDARDS FOR LAND SURVEYS ADOPTED BY THE BAR ASSOCIATION OF ERIE COUNTY AT THE REQUEST OF Peter Szepiet

FRANCIS C. DELLES NYSLS No. 050477

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**Millard, MacKay & Delles**  
LAND SURVEYORS, LLP  
150 AERO DRIVE  
BUFFALO, NEW YORK 14225  
PHONE (716) 631-5140 ~ FAX 631-3811

AMEND:  
SURVEY DATE: 3-18-20  
DRAWING DATE: 3-25-20  
SCALE: 1" = 50'  
"ALL RIGHTS RESERVED"

### AS-BUILT SURVEY

PART OF LOT 11 SECTION 8 TOWNSHIP 8 RANGE 7 OF THE:  
Holland Land Company's SURVEY - Erie COUNTY, N.Y.  
SURVEY OF: 6185 Rice Hill Road, Town of Boston

THIS MAP VOID UNLESS EMBOSSED WITH NEW YORK STATE LICENSED LAND SURVEYOR'S SEAL. ALTERING ANY ITEM ON THIS MAP IS A VIOLATION OF THE LAW EXCEPT AS PROVIDED IN SECTION 7206, PART 2, OF THE NEW YORK STATE EDUCATION LAW.  
SBL No. 241.00-3-63.112

THIS INDENTURE,  
Made the 12<sup>th</sup> day of SEPTEMBER, Two Thousand-Eighteen  
BETWEEN

NORMAN F. NAWROCKI, residing at 6419 Rice Road, Boston, New York 14025

GRANTOR/PARTY  
OF THE FIRST PART

and

PETER JAMES SZEIDER, residing at 216 Summer Street, # 6, Buffalo, New York 14222

GRANTEE/PARTY OF THE SECOND PART

WITNESSETH, that the said Grantor in consideration of ONE AND MORE dollars (\$1.00 and More) lawful money of the United States, paid by the Grantee does hereby grant and release unto the Grantee, her heirs and assigns forever,

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Boston, County of Erie and State of New York, being part of Lot No. 11, Township 8 and Range 9 of the Holland Land Company's survey, bounded and described as follows:

Beginning at the southwest corner of Lot 11 in the center line of Rice Hill Road, said southwest corner being the southwest corner of lands conveyed to Norman F. Nawrocki by deed recorded in the Erie County Clerk's Office in Liber 10984 of Deeds at Page 2694; running thence northerly along the westerly line of Lot 11 and the westerly line of said lands conveyed to Nawrocki, a distance of 1012.02 feet to the northwest corner of said lands conveyed to Nawrocki; thence easterly along the northerly line of said lands conveyed to Nawrocki, a distance of 185.64 feet to a point; thence southerly along a line drawn parallel with said westerly line of lands conveyed to Nawrocki, a distance of 1010.60 feet to a point in the center line of Rice Hill Road; thence westerly along the center line of Rice Hill Road, a distance of 185.66 feet to the point of beginning.

SUBJECT TO easements, restrictions and rights-of-way of record in the Erie County Clerk's Office, if any.

PREMISES: Vacant Land, Rice Road, Town of Boston, County of Erie  
SBL NO.: Part of: 241.00-3-63.11

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

TO HAVE AND TO HOLD, the above granted premises unto the said party of the second part, his heirs and assigns forever.

AND said party of the first part covenants as follows:

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

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

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

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

IN PRESENCE OF:

*Norman F. Nawrocki*  
NORMAN F. NAWROCKI

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

On the 12<sup>th</sup> day of SEPTEMBER, in the year 2018, before me, the undersigned, a notary public in and for said state, personally appeared NORMAN F. NAWROCKI, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged 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 the instrument.

*Margaret G. Jaworski*  
NOTARY PUBLIC

FILED

SEP 19 2018

ERIE COUNTY  
CLERK'S OFFICE

