



# TOWN OF BOSTON

TO: Planning Board  
Town Clerk  
Code Enforcement Officers

Town Supervisor  
Highway Superintendent  
Town Assessor

Town Board Members  
Town Attorney  
Planning Consultant



MICHAEL J. NEVIN  
TOWN CLERK  
SANDRA L. QUINLAN  
TOWN CLERK - TAX COLLECTOR

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

ANNA KOBIALKA  
Prosecutor

SUE FITZNER  
Assessor

Thomas Murphy  
Code Enforcement Officer

## AGENDA

### SPECIAL PLANNING BOARD MEETING

March 28, 2023

Town Hall – Court Room

- 1) Call meeting to order
- 2) Approval of Minutes
- 3) Old Business
  - a. 7072 Boston State Rd LLC – Requesting Planning Board review of a proposal to construct a 5,183 sq.ft. building consisting of a convenient store with fuel and a Tim Horton’s with drive-thru, as well as a 6,000 sq.ft. office building at 7072 Boston State Rd.
  - b. Planning Board to provide input to the Zoning Board of Appeals regarding ZBA petition#606, Glenn and Susan Pratt
- 4) New Business
  - a. none
- 5) Reports
  - a. Planning Consultant
  - b. Town Attorney
  - c. Town Board Liaison
  - d. Board Clerk
- 6) Motion to adjourn.

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

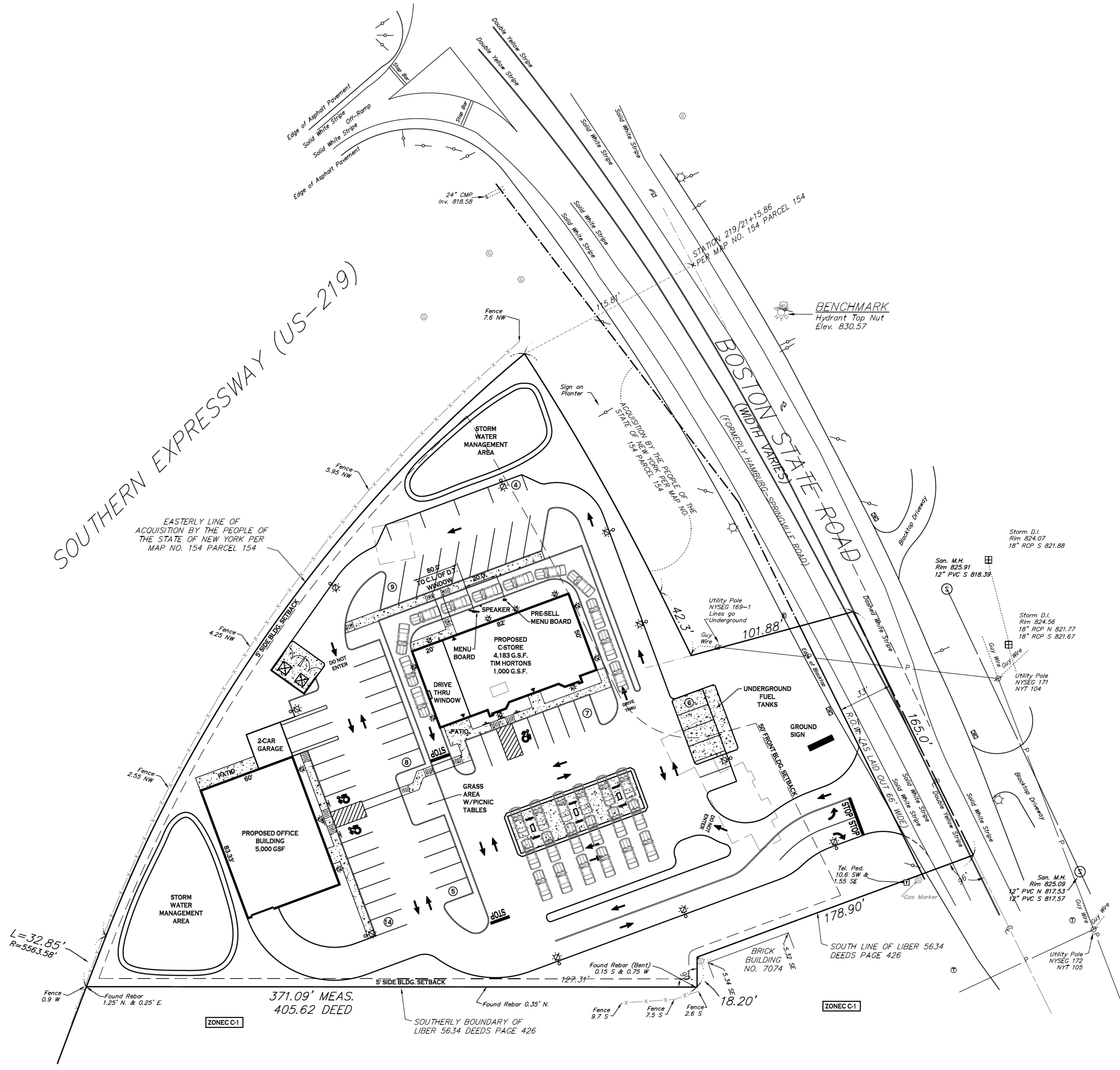
NUTRITION PROGRAM  
(716) 941-5773

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).

All Rights Reserved. Reuse of these documents without the expressed written permission of CARMINA WOOD DESIGN is prohibited. WARNING: It is a violation of article 145 sections 7209N and 7301 of the New York State Education Law for any person, unless acting under the direction of a registered architect, licensed engineer or land surveyor to alter this drawing. If altered such R.A., P.E. or L.L.S. shall affix his or her seal, signature, the date, the notation "Altered By" and a specific description of the alteration.

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| SITE DATA  |                        |                                    |
|--|------------------------|------------------------------------|
| SITE AREA = 2.5± AC  |                        |                                    |
| ZONED: C-1 - LOCAL RETAIL BUSINESS DISTRICT                                    |                        |                                    |
| DESCRIPTION: 5,000 SF OFFICE BLDG., 5,183 SF C-STORE & RESTAURANT W/FUEL PUMPS |                        |                                    |
| SETBACKS - BUILDING  | REQUIRED               | PROVIDED                           |
| FRONT:   | 50 FT                  | 50.0 FT MIN.                       |
| SIDE (ABUTTING COMM.):   | 0 FT OR 5 FT*          | > 5 FT                             |
| SIDE (ABUTTING RES.):  | 20 FT OR HGT. OF BLDG. | N/A                                |
| REAR:  | 30 FT OR HGT. OF BLDG. | > 30 FT                            |
| SETBACKS - PARKING   |                        |                                    |
| FRONT:   | 20 FT                  | 20 FT MIN.                         |
| SIDE/REAR (ABUTTING COMM.):  | NONE                   | 25 FT MIN.                         |
| SIDE/REAR (ABUTTING RES.):   | 10 FT                  | 45 FT MIN.                         |
| GREENSPACE   |                        |                                    |
| TOTAL SITE:  | NONE                   | X.X AC (XX%)                       |
| PARKING (10' x 20')  |                        |                                    |
| # OF SPACES - SEE CALCULATION BELOW  | 54                     | 53 SPACES<br>2 GARAGE<br>55 SPACES |
| MAX. BUILDING HEIGHT   | 35 FT                  | < 35 FT                            |
| LOT COVERAGE   | 40%<br>(43,560 SF)     | 10.3%<br>(11,183 SF)               |

\* 25 FT IS USED FOR VEHICULAR INGRESS OR EGRESS

**PARKING CALCULATION:**  
 "RETAIL"  
 REQ'D PARKING = 1 SPACE PER 200 GSF  
 = 4,183 GSF / 200 = 21 SPACES  
 "RESTAURANT"  
 REQ'D PARKING = 2 SPACES PER 5 SEATS  
 = (20 SEATS / 5) x 2 = 8 SPACES  
 "OFFICE"  
 REQ'D PARKING = 1 SPACE PER 200 GSF  
 = 5,000 GSF / 200 = 25 SPACES  
**TOTAL = 54 SPACES**

| SITE LEGEND                    |       |
|--------------------------------|-------|
| PROPERTY LINE                  | ---   |
| PROPOSED CONCRETE CURB         | ===== |
| PROPOSED CONCRETE SIDEWALK     | ===== |
| PROPOSED SIGN                  | ⊙     |
| PROPOSED PARKING NUMBER        | ⊙ 27  |
| PROPOSED LIGHT POLE FOUNDATION | ⊙     |
| PROPOSED WALL-MOUNTED LIGHT    | ⊙     |

NOTE: BOUNDARY AND TOPOGRAPHIC INFORMATION PROVIDED BY OTHERS, CARMINA WOOD DESIGN ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.



**SITE PLAN**  
 SCALE: 1"=30'

**CARMINA WOOD DESIGN**  
 111 Bain Street, Suite 300  
 Greenboro, North Carolina 27406  
 Phone: (336) 937-9009

**Mixed-use Development**  
 7072 Boston State Road  
 Boston, New York

| REVISIONS: | No. | Description | Date |
|------------|-----|-------------|------|
|            |     |             |      |

PRELIMINARY  
 NOT FOR CONSTRUCTION

**DRAWING NAME:**  
 Concept Site Plan

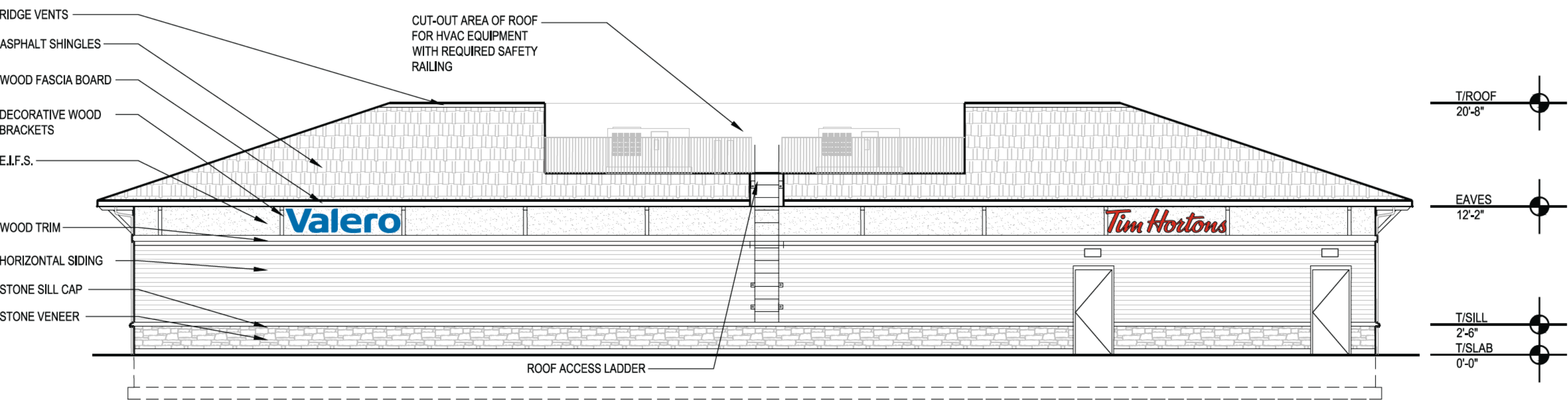
Date: 2/15/  
 Drawn By: C. Wc  
 Scale: As Noted

**DRAWING NO.:**  
**C-100**  
 Project No: 22.305



### SOUTH EXTERIOR ELEVATION

1/8" = 1'-0"



### NORTH EXTERIOR ELEVATION

1/8" = 1'-0"

**PRELIMINARY  
NOT FOR  
CONSTRUCTION**

SEAL



PROJECT:

**NEW BUILDING:  
MIRANDA C STORE**  
7072 BOSTON STATE RD.  
NORTH BOSTON, NY 14025

MARK: ISSUE: DATE:

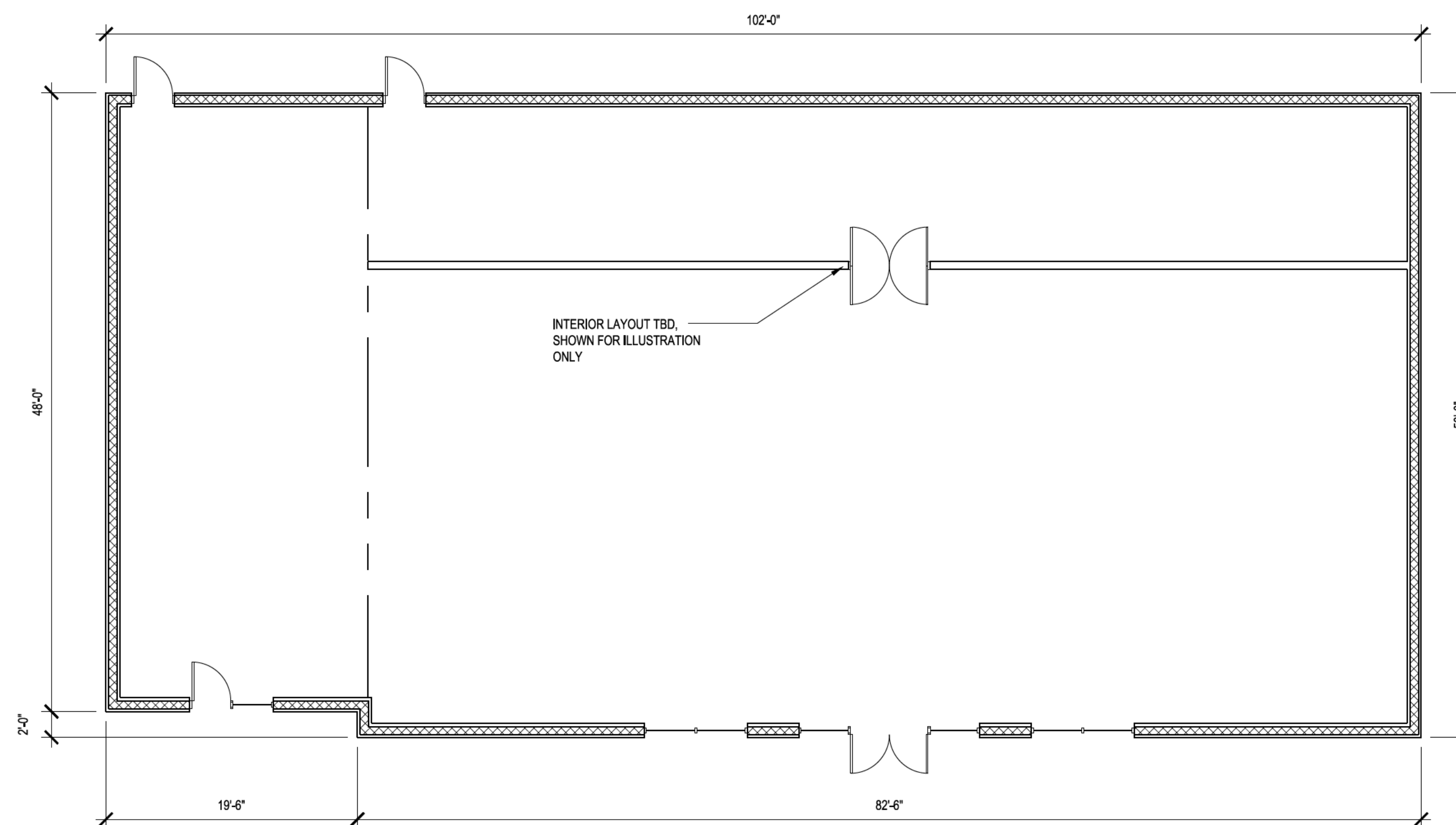
PROJECT #: 23019.01  
DRAWN BY: BP CHECKED BY: CI

Arkinetics, Inc. and their Consultants shall be deemed the authors and owners of their respective Instruments of Service and shall retain all common law, statutory and other reserved rights, including copyrights. The Instruments of Service shall not be used for future additions or alterations to this Project or for other projects, without the prior written agreement of Arkinetics, Inc. Any unauthorized use of the Instruments of Service shall be at the Owner's sole risk and without liability to Arkinetics, Inc. and their Consultants.

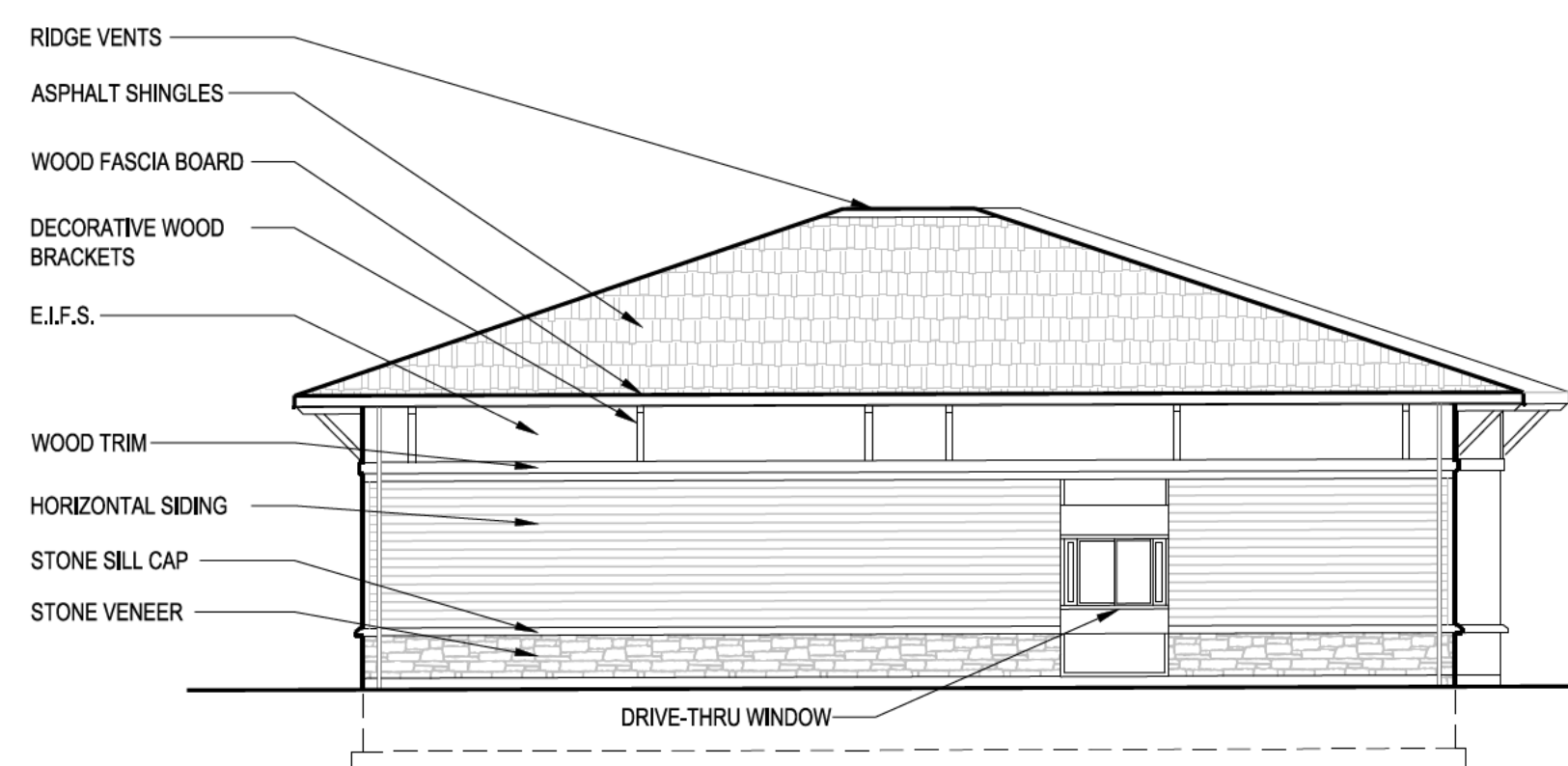
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**EXTERIOR ELEVATIONS**

SHEET #:

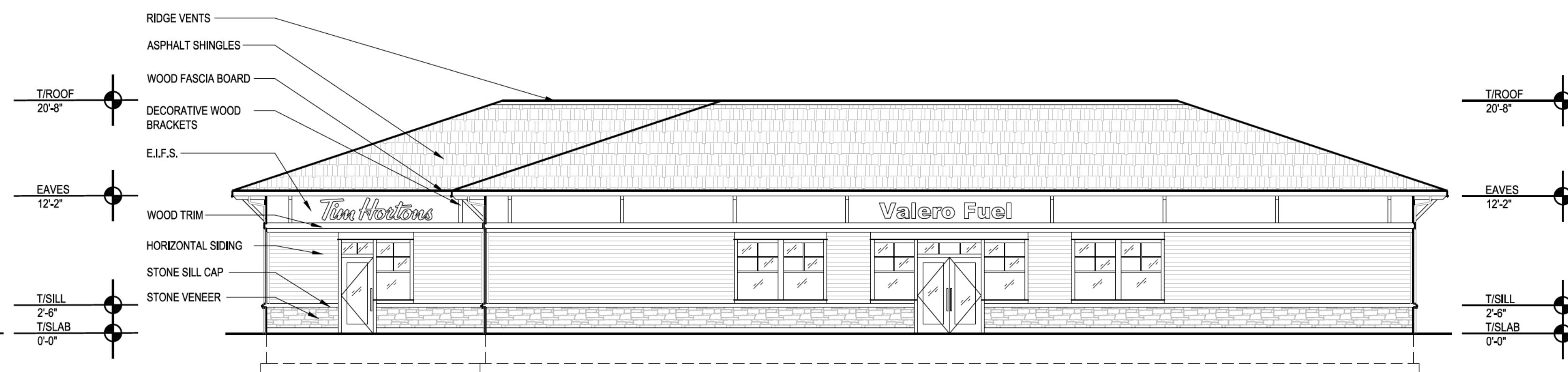
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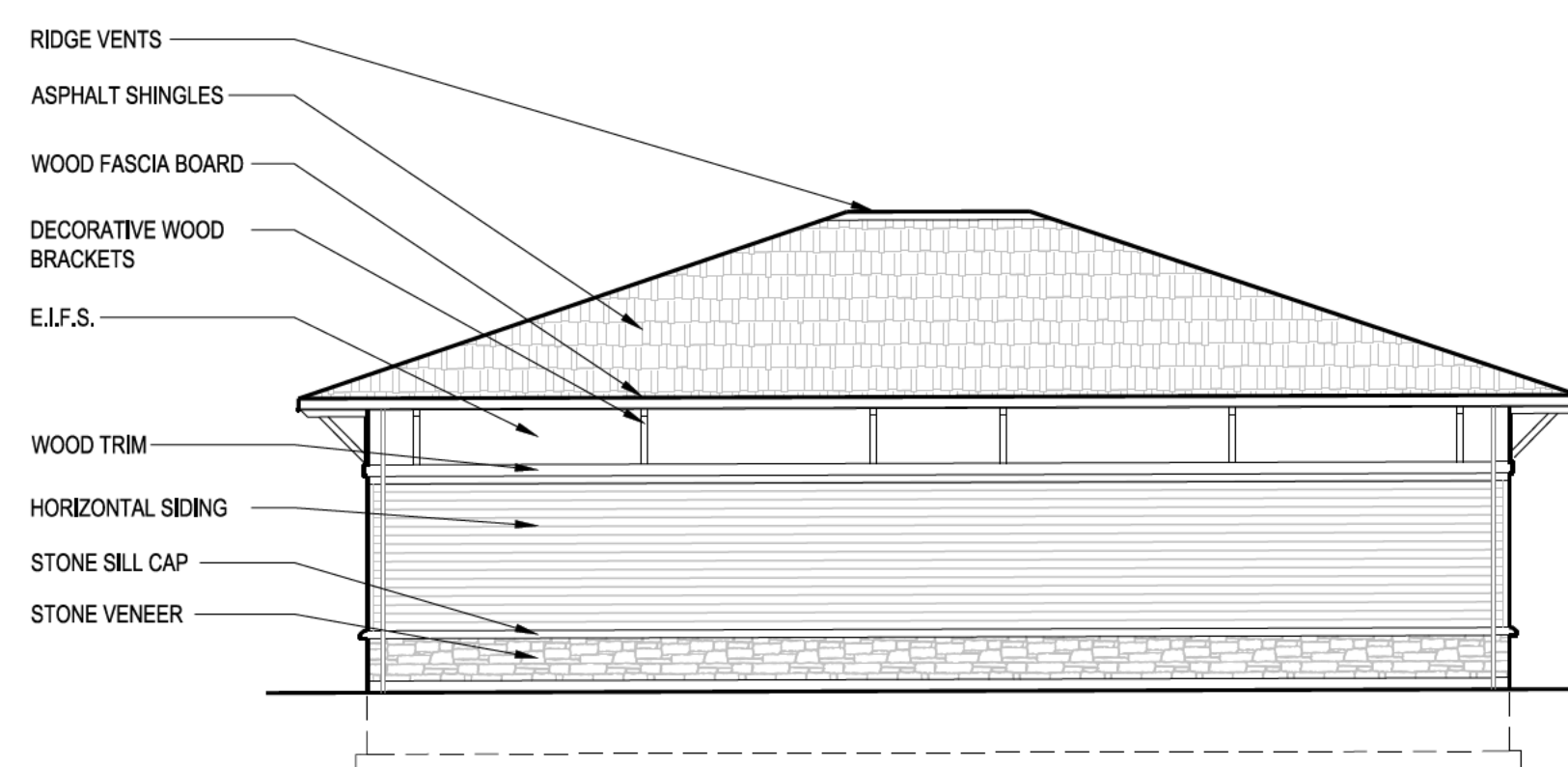
**FLOOR PLAN**  
1/8" = 1'-0"  
NORTH



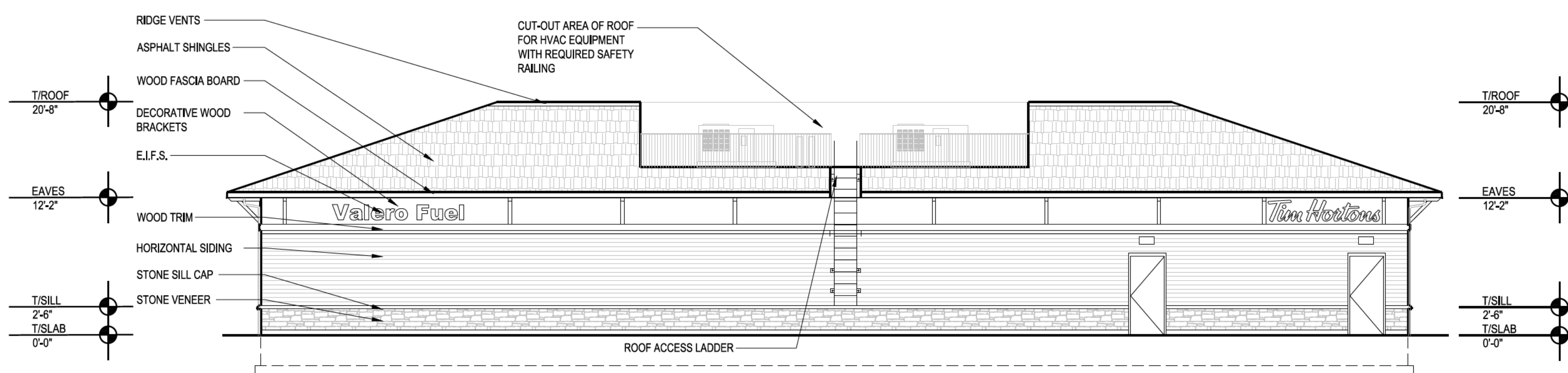
**WEST EXTERIOR ELEVATION**  
1/8" = 1'-0"



**SOUTH EXTERIOR ELEVATION**  
1/8" = 1'-0"



**EAST EXTERIOR ELEVATION**  
1/8" = 1'-0"



**NORTH EXTERIOR ELEVATION**  
1/8" = 1'-0"

**PRELIMINARY**  
NOT FOR  
CONSTRUCTION

SEAL

**Arkinetics**  
www.arkinetics.com  
3723 Pearl Road  
Cleveland, OH 44109  
216.749.7800

PROJECT:

**NEW BUILDING:**  
**MIRANDA C STORE**  
7072 BOSTON STATE RD.  
NORTH BOSTON, NY 14025

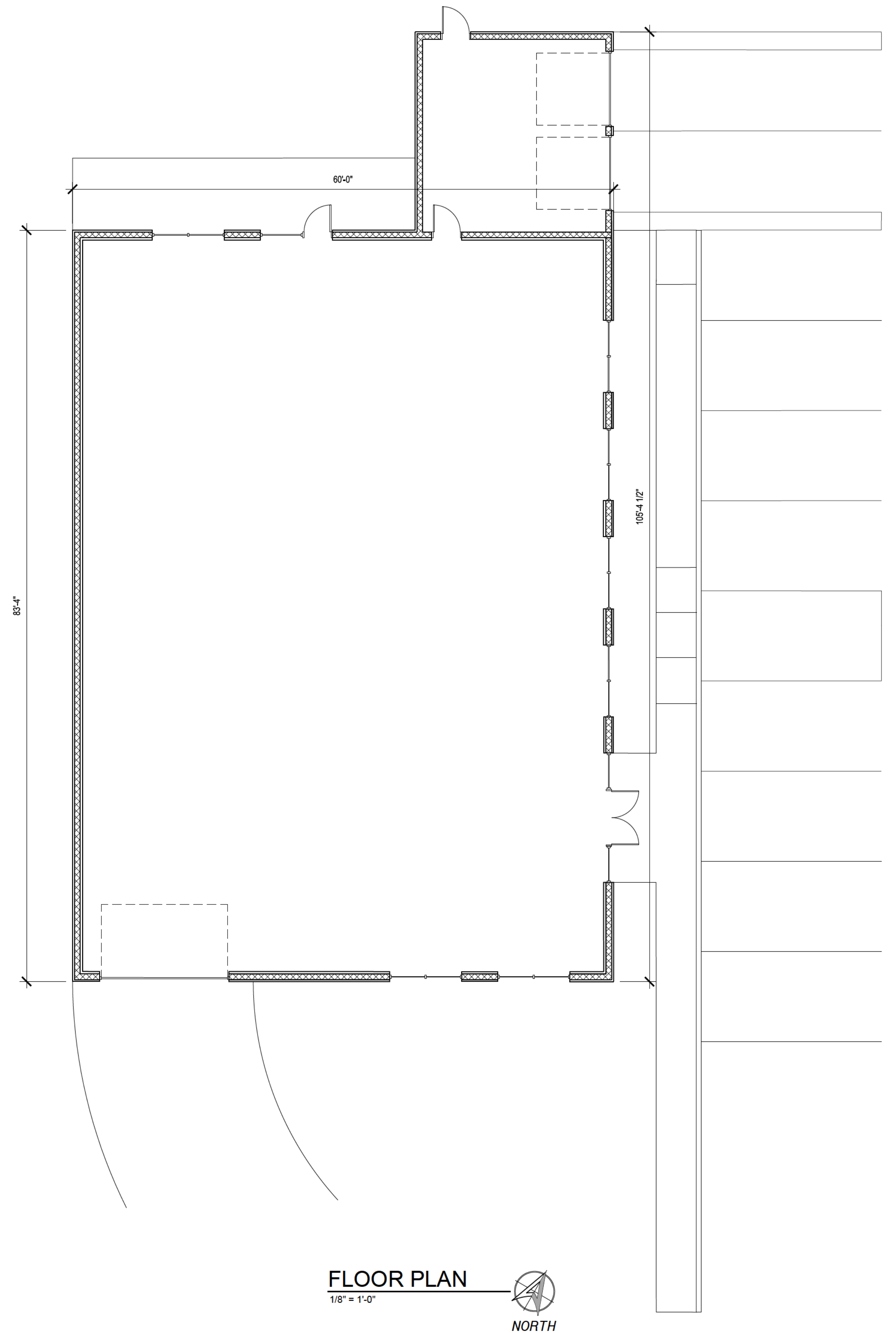
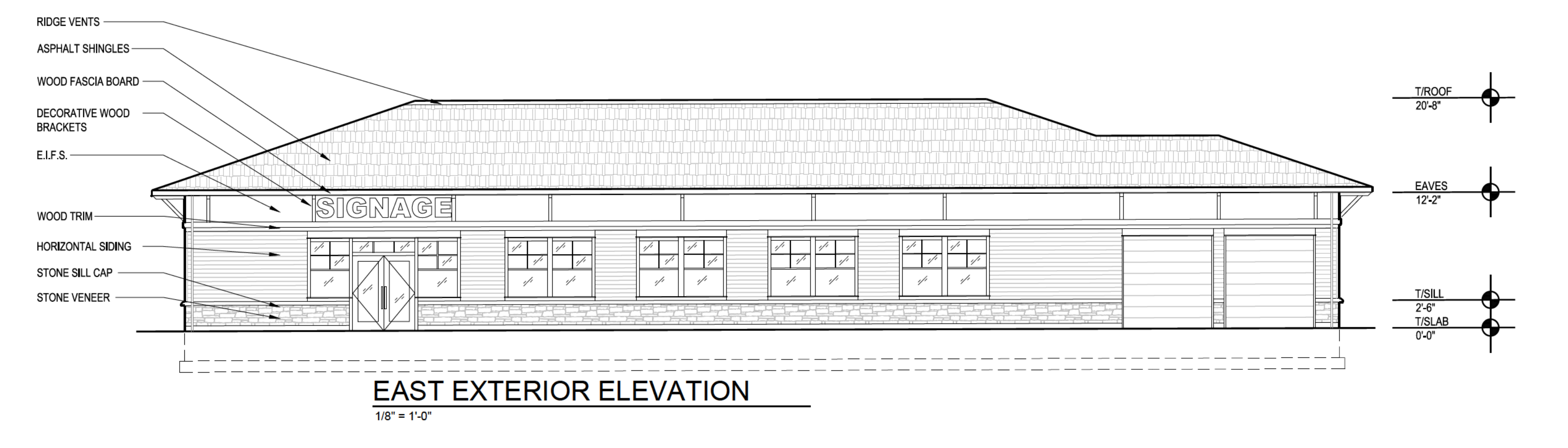
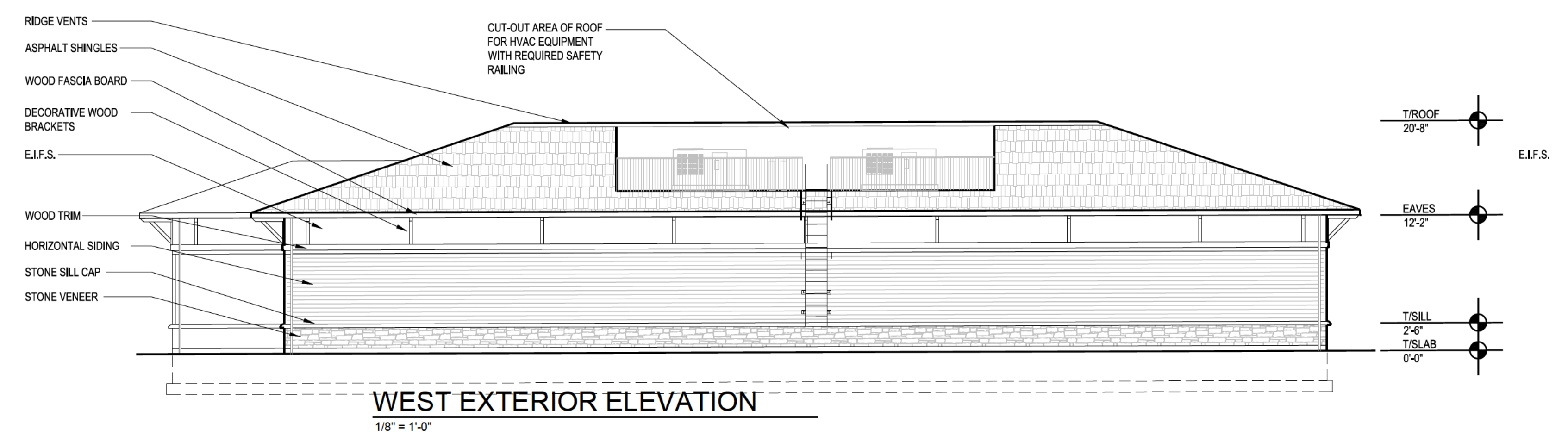
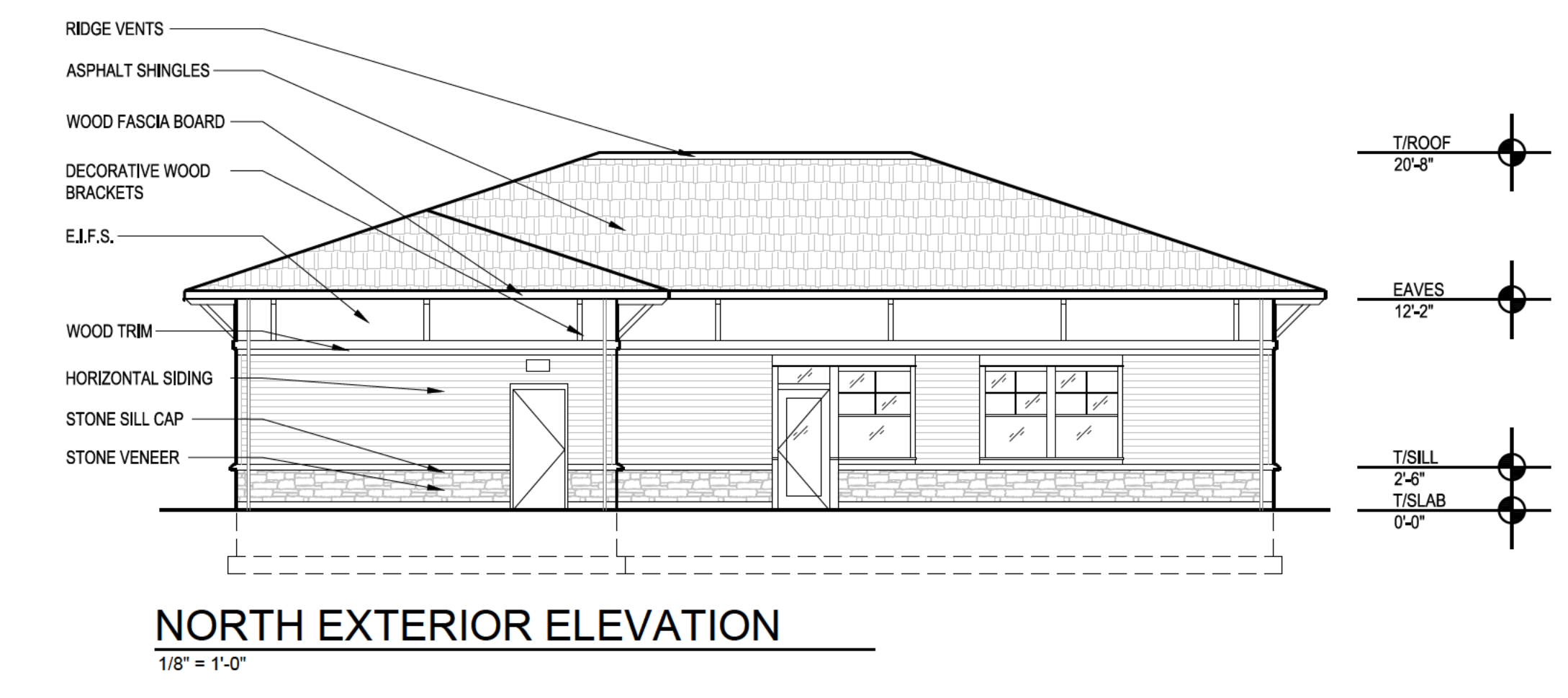
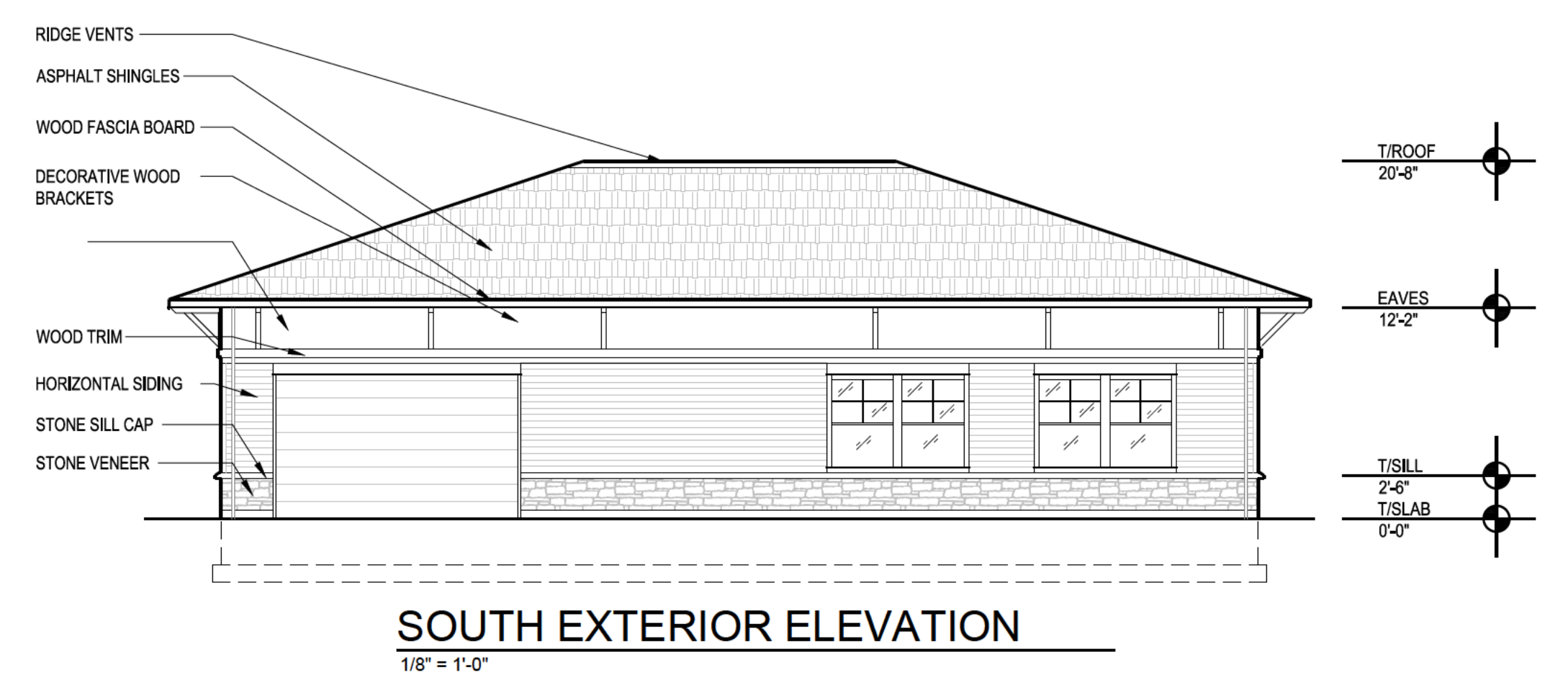
MARK: ISSUE: DATE:

PROJECT #: 23019.01  
DRAWN BY: BP CHECKED BY: CI

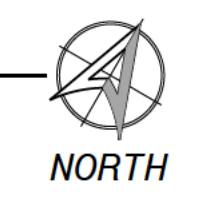
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DRAWING TITLE:  
**EXTERIOR ELEVATIONS  
OFFICE BUILDING**

SHEET #:  
**A2.01**



**FLOOR PLAN**  
1/8" = 1'-0"





# TOWN OF BOSTON

February 10, 2023

## PETITION # 606

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  
KYLE CALABRESE  
Town Justice

SEAN W. COSTELLO  
Town Attorney

LAURIE BAKER  
Prosecutor

SUE FITZNER  
Assessor

THOMAS C. MURPHY  
Code Enforcement Officer

Chairwoman Rood and Distinguished Board Members,

Mr. & Mrs. Glenn & Susan Pratt would like to sell their property on Brown Hill Road. It is a 51.19 acre parcel identified by tax number sbl. 258.00-1-51. It is the last property on the north side of Brown Hill Road in the Town of Boston.

In the process of having the property surveyed prior to the transfer it was discovered that the domestic water well for the Zwack residence at 6718 Brown Hill Road Concord, a well that was hand-dug circa 1947, lies 9.6" over the property line and on the Pratt's property.

The purchaser is unwilling to accept this detail. In order to placate their purchaser, the Pratt's are proposing a two-lot subdivision. They propose to remove a 25' x 50' rectangle containing the well and transfer it to Mrs. Pat Zwack. This 1250 square foot lot is a non-conforming lot in the Town of Boston. They require two area variances for this lot in a residential agricultural district.

- 1) 123-49A.Lot Area (1) 3 acres Code: 3 acres (130,680 sq. ft.)  
Actual: 0.028 acres (1250 sq. ft.)  
Variance:2.97 acres (129,460 sq. ft.)
- 2) 123-49C. Lot width at the front-line Code: 75 feet  
Actual: 0 feet  
Variance: 75 feet

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

Sincerely,

Thomas C. Murphy  
Town of Boston, New York  
Code Enforcement Officer

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 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

**Town of Boston**  
**Zoning Board of**  
**Appeals**



Town Hall  
Phone: (716) 941-6113

8500 Boston State Road  
Boston, New York 14025

**Zoning Board of Appeals**  
**AGENDA**  
**Thursday, March 2, 2023**  
**7:00 PM**

1. Work Session – Planning Board Room
2. Call Meeting to Order – Town Court Room
3. Pledge of Allegiance
4. ZBA Responsibility Reading
5. Minutes
6. Public Hearing
7. New Business
8. Old Business
9. Motion to adjourn

The ZBA will meet at the Town of Boston Town Hall on **Thursday, March 2, 2023, 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 petitions:

Petition #606 – Glenn & Susan Pratt – Brown Hill Road, request a 2 lot sub-division creating a non-confirming lot less than 3 acres and zero frontage per Town of Boston Code Section 123-49(A & C).

Petition #608 – Anthony Staub, 5938 Old Orchard Dr, requesting 1090 sqft area variance and 3' height variance per Town of Boston Code section 123-136B(4) for a two-story accessory building.

Petition #609 – Nicholas Powers, 4604 Eckhardt Rd, requesting 40 sqft area variance per Town of Boston Code section 123-136B(4) for a detached garage.

Petition #610 – Burdette Latimore, 6667 Holiday Dr, requesting 384 sqft area variance per Town of Boston Code section 123-136B(4) for a detached garage.

PUBLIC NOTICE  
TOWN OF BOSTON  
ZONING BOARD OF APPEALS

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Jennifer Cavarello, Clerk  
Zoning Board of Appeals

Dated: February 12, 2023

Published:

An Equal Opportunity Provider & Employer



TO: ZBA Chairman and Board members  
FROM: Sarah desJardins, Planning Consultant  
RE: October 6, 2022 ZBA petitions

Chairman and Board members:

Regarding **Petition #606**, Glenn & Susan Pratt are requesting two (2) area variances in order to create a non-confirming lot that would not be the required three (3) acres in area and would have no frontage on a public road.

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

**\*\*\* Please advise the applicant, if the variances are approved, that minor subdivision approval will be required by the Planning Board before the new lot is created \*\*\***

Regarding **Petition #608**, Anthony Staub is requesting two (2) area variances in order to construct an accessory building that would be larger and higher than what is allowed per Code.

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

Regarding **Petition #609**, Nicholas Powers is requesting an area variance in order to construct a detached garage that would be 40 sq.ft. larger than what is allowed per Code.

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

Regarding **Petition #610**, Burdette Latimore is requesting an area variance in order to construct a detached garage that would be 384 sq.ft. larger than what is allowed per Code.

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

## Chapter 123. ZONING

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

#### § 123-49. Minimum lot size.

Unless otherwise provided, the minimum lot size in the R-A District shall be as specified in this section.

- A. Lot area:
  - (1) Minimum; three acres.
  - (2) Two-family dwellings: five acres.
- B. Lot width at the building line:
  - (1) Seventy-five feet for a single-family dwelling.
  - (2) One hundred feet for a two-family dwelling or any other building.
- C. Lot width at the front lot line shall be equal to the minimum required lot width at the building line.

APPLICATION FOR PERMIT

Town of Boston; New York

Petition # 606

OFFICE USE ONLY

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

Single Family Dwellings, Farm Buildings,
Accessory Building, Additions

Owner Glenn + Susan Pratt
Address 3299 Wepax Rd., Eden, NY 14057

Contractor
Address
Day Phone
Eve.

Application ( ) Erect ( ) Frame ( ) Concrete Block
is hereby ( ) Alter ( ) Brick ( ) Concrete Reinforced
made for ( ) Repair ( ) Brick Veneer ( ) Steel
permission ( ) Addition ( ) Tile ( ) Other
to: ( ) 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 258.00-1-54 Current Zoning RA
Tax I.D. Number

(X) North
( ) South Side of Brown Hill Rd, Size of Lot 295.50, 1977.15, 51.53
( ) East Street Name Frontage Dept Acreage
( ) West

Distance of Building from lot lines. Front, Rt. Side, Lt. Side, Rear
Size of completed ( ) Building, ( ) Addition, feet wide, feet long, feet high
Sq. Ft. of: Basement, First Floor, Second Floor, Garage, Other
The estimated value of Structure exclusive of land is \$
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.

Applicant/Owner
Date 1/30/23

Susan Pratt
Applicant/Owner
Date 1/30/23

( ) Approved (X) Disapproved

Date FEBRUARY 1, 2023

Reason 123-49 Minimum Lot Size in an R-A District

Building Inspector
Town of Boston

VARIANCE REQUEST

February 15, 2023

Glenn and Susan Pratt  
3299 Wepax Rd.  
Eden, NY 14057

Dear Planning Board Members,

We are writing this letter to request a variance to clear up the issue of the neighbors water well being on the property line.

The two properties are:


SBL 258.00-1-54 owned by Glenn and Susan Pratt, 3299 Wepax Rd., Eden, NY 14057 (ph: 716-575-4019) and,

SBL 273.00-1-36.2 owned by Paulette Zwack, 6718 Brown Hill Rd., Concord, NY 14141 (ph: 716-341-0213)

Glenn J. and Susan D. Pratt, would like to gift a 25ft. x 50ft. parcel to Paulette Zwack, in order to secure the future of Mrs. Zwack's well and only water source. (See details on included Survey)

Thank you for your time and consideration.

Sincerely,

 2/15/23  
Glenn J. Pratt

 2-15-23  
Susan D. Pratt

Returns to Glenn + Susan Pratt  
3299 Wepax Rd  
Eden NY 14057

**This Indenture**, Made the 21<sup>ST</sup> day of December, 2015.

**Between** QUAKER ESTATES II, LP, P.O. Box 204, Boston, New York 14025, party of the first part, and

GLENN J. PRATT and SUSAN D. PRATT, husband and wife, 3299 Wepax Road, Eden, New York 14057, parties of the second part,

**Witnesseth** that the party of the first part, in consideration of One and more Dollars (\$1.00 & more) lawful money of the United States, paid by the parties of the second part, does hereby grant and release unto the parties of the second part, their heirs and assigns forever:

ALL THAT TRACT OR PARCEL OF LAND

ATTACHED HERETO AS SCHEDULE "A"

The described parcel contains 51.76 acres more or less and is subject to all easements, right of ways and restrictions of legal record.

**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 premises herein granted unto the parties of the second part, their heirs and assigns forever.

And said party of the first part covenants as follows:

19560  
# Need - 3  
BOS

**First**, that the parties 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, in Compliance with Sec. 13 of the Lien Law, the grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

**In Witness Whereof**, the party of the first part have hereunto set his hand and seal the day and year first above written.

IN PRESENCE OF

  
\_\_\_\_\_  
(L.S.)  
**ROY L. EMERLING, Limited Partner**

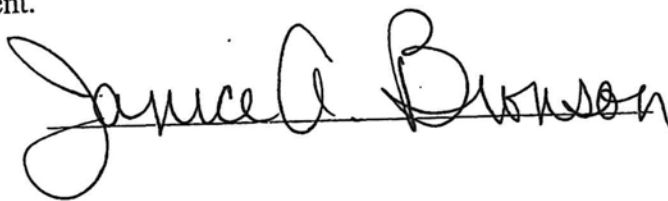
**State of New York** )

**SS:**

**County of Cattaraugus** )

On this 21<sup>st</sup> day of December, 2015, before me, the undersigned, a notary public in and for said state, personally appeared **ROY L. EMERLING**, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, and that by their signatures on the instrument, the individuals executed the instrument.

JANICE A. BRONSON  
Notary Public, State of New York  
No. 01BR6215908  
Qualified in Cattaraugus County  
Commission Expires 1/04/20 18



**Short Environmental Assessment Form**  
**Part 1 - Project Information**

**Instructions for Completing**

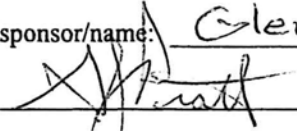
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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:<br><p align="center">Brown Hill Rd. variance</p>   |   |  |
| Project Location (describe, and attach a location map):<br><p align="center">Brown Hill Rd near Concord Town line</p>   |   |  |
| Brief Description of Proposed Action:<br><p align="center">gift a 25ft. x 50ft. parcel from SBL 258.00-1-54 to SBL 273.00-1-36.2 to secure access to water well</p>   |   |  |
| Name of Applicant or Sponsor:<br><p align="center">Glenn J. Pratt</p>   |   |  |
| Address:<br><p align="center">3299 Wepax Rd.</p>  |   |  |
| City/PO:<br><p align="center">Eden</p>  | State:<br><p align="center">NY</p>                      | Zip Code:<br><p align="center">14057</p> |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?<br>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<br><input checked="" type="checkbox"/>               | YES<br><input type="checkbox"/>          |
| 2. Does the proposed action require a permit, approval or funding from any other government Agency?<br>If Yes, list agency(s) name and permit or approval:  | NO<br><input checked="" type="checkbox"/>               | YES<br><input type="checkbox"/>          |
| 3. a. Total acreage of the site of the proposed action?<br>b. Total acreage to be physically disturbed?<br>c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?   | <p>51.53 acres</p> <p>.029 acres</p> <p>51.53 acres</p> |  |
| 4. Check all land uses that occur on, are adjoining or near the proposed action:  |   |  |
| 5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)<br><input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):<br><input type="checkbox"/> Parkland |   |  |

|   |                                     |                                     |                          |
|---|-------------------------------------|-------------------------------------|--------------------------|
| 5. Is the proposed action,<br>a. A permitted use under the zoning regulations?<br>b. Consistent with the adopted comprehensive plan?  | NO                                  | YES                                 | N/A                      |
|   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
|   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?   | NO                                  | 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?<br>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?<br>b. Are public transportation services available at or near the site of the proposed action?<br>c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?   | NO                                  | YES                                 |                          |
|   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
|   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
|   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 9. Does the proposed action meet or exceed the state energy code requirements?<br>If the proposed action will exceed requirements, describe design features and technologies:<br>_____<br>_____   | NO                                  | YES                                 |                          |
|   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 10. Will the proposed action connect to an existing public/private water supply?<br>If No, describe method for providing potable water: _____<br>_____  | NO                                  | YES                                 |                          |
|   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
| 11. Will the proposed action connect to existing wastewater utilities?<br>If No, describe method for providing wastewater treatment: _____<br>_____   | NO                                  | YES                                 |                          |
|   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?<br><br>b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? | NO                                  | YES                                 |                          |
|   | <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?<br>b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?<br>If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____<br>_____<br>_____   | NO                                  | YES                                 |                          |
|   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
|   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |



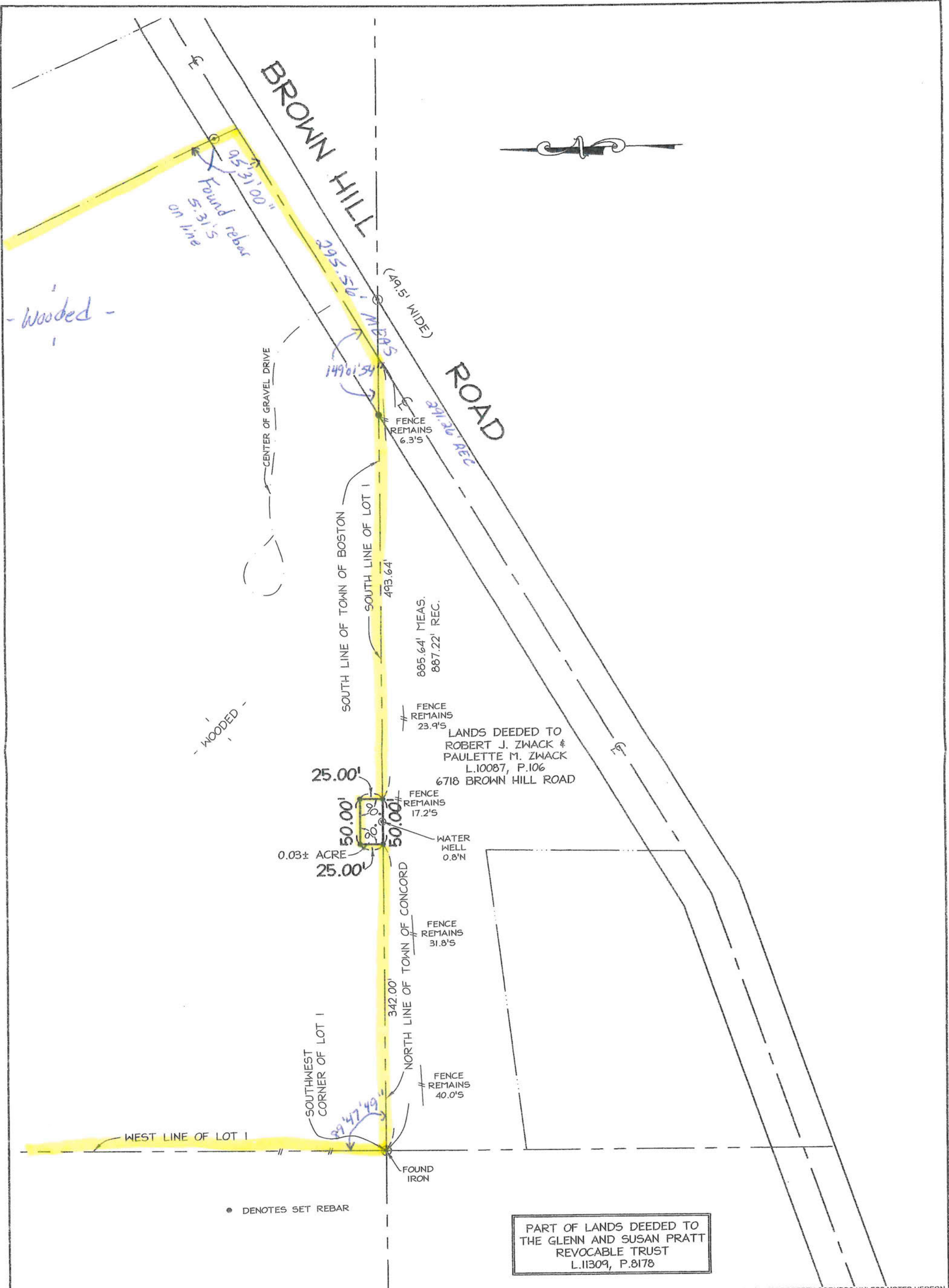
|  |                                     |                          |
|--|-------------------------------------|--------------------------|
| 14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:   |                                     |                          |
| <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional<br><input type="checkbox"/> Wetland <input checked="" 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 plan?  | 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?<br>If Yes,  | NO                                  | YES                      |
|  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a. Will storm water discharges flow to adjacent properties?  | <input type="checkbox"/>            | <input type="checkbox"/> |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?  | <input type="checkbox"/>            | <input type="checkbox"/> |
| If Yes, briefly describe:<br>_____<br>_____  |                                     |                          |
| 18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?<br>If Yes, explain the purpose and size of the impoundment: _____  | NO                                  | YES                      |
|  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?<br>If Yes, describe: _____  | NO                                  | YES                      |
|  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?<br>If Yes, describe: _____  | NO                                  | YES                      |
|  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  |                                     |                          |
| Applicant/sponsor/name: <u>Glenn J. Pratt</u> Date: <u>2/15/23</u>   |                                     |                          |
| Signature: <u></u> Title: <u>owner</u>  |                                     |                          |

**PRINT FORM**

**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Garmin, USGS, Intermap, INCREMENTP, HRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

- Part 1 / Question 7 [Critical Environmental Area] No
- Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites] No
- Part 1 / Question 12b [Archeological Sites] No
- Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies] Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
- Part 1 / Question 15 [Threatened or Endangered Animal] No
- Part 1 / Question 16 [100 Year Flood Plain] No
- Part 1 / Question 20 [Remediation Site] No



-Wooded-

WOODED

PART OF LANDS DEEDED TO THE GLENN AND SUSAN PRATT REVOCABLE TRUST L.11309, P.8178

NO IRONS SET OR FOUND AT PROPERTY CORNERS UNLESS NOTED HEREON.

• DENOTES SET REBAR

509 Main Street, P.O. Box 516, East Aurora, NY 14052  
 p (716) 655-1058 f (716) 655-1964 www.nussclarke.com

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 alterations or additions to any survey, drawing, design, specification, plan or report is a violation of section 7209, provision 2 of the New York State Education Law.



**BOUNDARY SURVEY**  
 VACANT LAND TO BE ANNEXED WITH  
 6718 BROWN HILL ROAD  
 Part of Lot 1, Township 8, Range 7  
 Holland Land Company's Survey  
 Town of Boston, County of Erie, State of New York  
 Date of Survey: 10/14/2022  
 Scale: 1" = 100' Project No.: 22J3-0648A

*Thornton A. Kenyon*

885 ± = 147.6 130 680  
 1742 x 75 = 3 acres