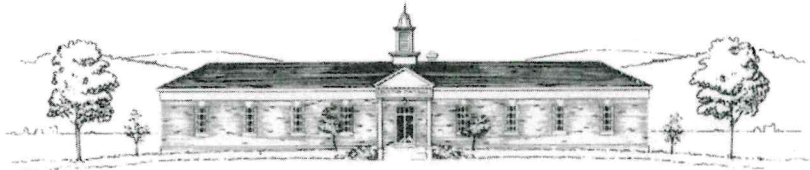


Town of Boston

Zoning Board of Appeals



Town Hall
Phone: (716) 941-6113

8500 Boston State Road
Boston, New York 14025

Zoning Board of Appeals AGENDA Thursday, October 5, 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, October 5, 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 petition:

Petition #617 – Bryan Papaj, 0 Crestwood (sbl 212.03-2-16.1), seeking an **AREA** variance for 75ft. on a lot with no frontage on a street. This violates Town of Boston Code 123.122.

PUBLIC NOTICE
TOWN OF BOSTON
ZONING BOARD OF APPEALS

The ZBA will meet at the Town of Boston Town Hall on **Thursday, October 5, 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 petition:

Petition #617 – Bryan Papaj, 0 Crestwood (sbl 212.03-2-16.1), seeking an **AREA** variance for 75ft. on a lot with no frontage on a street. This violates Town of Boston Code: 123.122.

Jennifer Cavarello, Clerk
Zoning Board of Appeals

Dated: September 17, 2023

Published:

An Equal Opportunity Provider & Employer

TO: ZBA Chairman and Board members
FROM: Sarah desJardins, Planning Consultant
RE: October 2023 ZBA petition

Chairman and Board members:

Regarding Petition #617 – Bryan Papaj, 0 Crestwood (SBL# 212.03-2-16.1), the applicant is seeking an area variance for 75ft. on a lot with no frontage on a street.

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

Respectfully submitted,
Sarah desJardins, Planning Consultant

Petition #617

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 Bryan Papej
Address O. Cranford Circle

Contractor N/A
Address

Day Phone, Eve.

Day Phone Eve.

CONSTRUCTED WITH:

- 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 determined (TBD) Solid-Fuel Burning

To be used as: Single Dwelling Farm Building Barn
Private Garage Swimming Pool Accessory Building
REQUESTING BUREAUBLE LOT

Address of Premises for Which Application is Made:

Section, Block, Lot 212.03-2-16.1 Current Zoning R-2 Single Family Residence
Tax I.D. Number

North Side of Lower Cranford Circle, Size of Lot 267' 250' 1.94
Street Name Frontage Dept Acreage
East
West

Distance of Building from lot lines. Front All to be determined by future builder, 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 94506 Percentage of Lot Coverage (All Bldgs) %
Deed Restrictions none
Type of Sewage Disposal Sewer or septic TBD by future builder
Type 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 Location TBD by future builder

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

Bryan Papej
Applicant/Owner
8/30/2023
Date

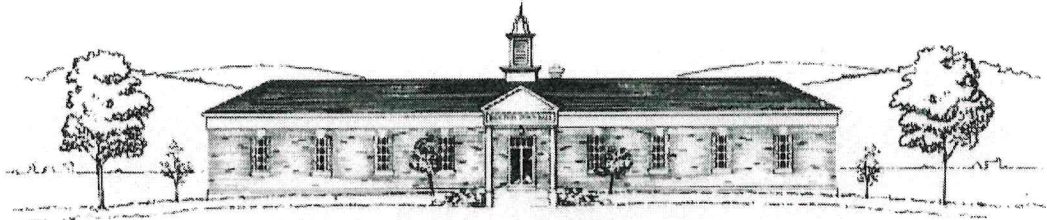
Michèle E. Papej (michèle Papej)
Applicant/Owner
8/30/2023
Date

() Approved (X) Disapproved

Date SEPTEMBER 01, 2023

Reason 123-122 LOT FRONTAGE ON STREETS
REQUESTED FOR DISCRETIONS

Building Inspector
Town of Boston



TOWN OF BOSTON

September 11, 2023

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

PETITION #617

Honorable Chairwoman Rood & Distinguished Zoning Board Members,

Mr. Bryan Papaj of 0 Crestwood (sbl 212.03-2-16.1) requests an area variance for permission to build a residence on a lot with no frontage on a street. This violates Town of Boston code 123-122. It may be of note that there exist two homes in the vicinity of Mr. Papaj's parcel. One exists through a variance granted in 2001. The other is pre-existing legal, built in the 1940s as a seasonal home and later converted into a twelve-month residence. This parcel lies in an R2 zoning district which is accessible by using a town driveway to an Erie County Water Authority water tank. There have been multiple requests in the Town's history regarding this situation. Some have been successful while others have failed.

Code: 75 feet
Actual: 0 feet
Variance: 75 feet

Respectfully,

Thomas C. Murphy
Town of Boston
Code Enforcement Department
Zoning Officer
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, 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 202-690-7442 or e-mail at program.intake@usda.gov.

*Town of Boston, NY
Thursday, July 6, 2023*

Chapter 123. ZONING

Article XXIII. Supplemental Use Regulations

§ 123-122. Lot frontage on street required for dwellings.

No dwelling shall be erected on any lot which does not have immediate frontage on a street held by the owner thereof in fee simple, subject to easements of record, as defined in this chapter.

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: VARIANCE REQUEST RE: 123-122				
Project Location (describe, and attach a location map): IN BUILDING DEPT.				
Brief Description of Proposed Action: Variance to make lot buildable for single family residence. Applicant is not going to be building themselves but needs the lot to be buildable in order to sell.				
Name of Applicant or Sponsor: Bryan Papa;		Telephone:		
		E-Mail:		
Address: 551 Almond Or Newport News, VA 23601				
City/PO: Newport News		State: VA	Zip Code: 23601	
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 government Agency? If Yes, list agency(s) name and permit or approval: TOWN OF BOSTON ZONING BOARD OF APPEALS			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		<u>1.94</u> acres		
b. Total acreage to be physically disturbed?		<u>TBD</u> acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>TBD</u> acres		
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 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				

		NO	YES	N/A
5. Is the proposed action,	a. A permitted use under the zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?		<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? If the proposed action will exceed requirements, describe design features and technologies: _____ _____		<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: _____		<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____		<input type="checkbox"/>	<input checked="" 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? 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?		<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? 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 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 type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input checked="" 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	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? 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)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Bryan Papaj / Michele E. Papaj</u> Date: <u>9/5/2023</u>		
Signature: <u>Bryan Papaj / Michele E. Papaj</u> Title: _____		

Bryan Papaj
551 Almond Drive
Newport News, VA 23601

August 1, 2023

Town Of Boston
8500 Boston State Road
Boston, NY 14025

Dear Members of the Zoning Board of Appeals,

I am writing to seek a variance to allow for building a single-family residence on 0 Crestwood Circle SBL: 212.03-2-16-1. The town code §123-122 creates a hardship for me as I am unable to either build a residence or sell the property as a buildable lot. Precedence has been set by allowing the other two residents on this road, (7519 and 7526 Crestwood Circle) to build single-family residences.

My property is currently zoned R-2 Single-Family Residence and has electric/natural gas on site to a seasonal cabin. Water is available at the street. I have stamped approval drawings from Erie County Sewer, so the property could use sewer or septic. This property has the potential to easily be a new home for a new resident.

My intent was originally to build a home for my family, but I ended up moving out of state. Now, I have a need to sell the property and have lost multiple buyers due to the Town disallowing a building permit application. It would be advantageous to the Town to grant this variance as it will increase tax revenue by going from a vacant lot, to a single-family home. I am not including any potential building plans with this request, as my request is to make the lot buildable. Once the lot is buildable, I would be able to sell to a buyer, who would then submit their building permit application.

The Town has expressed concerns with the maintenance of the road, however, the other residents on the road have agreed to maintain it in their previous agreements. The maintenance of the road does not change if my property is granted a buildable status.

In summary, I respectfully ask that you review and grant this variance, to provide a solution to this hardship.

Sincerely,



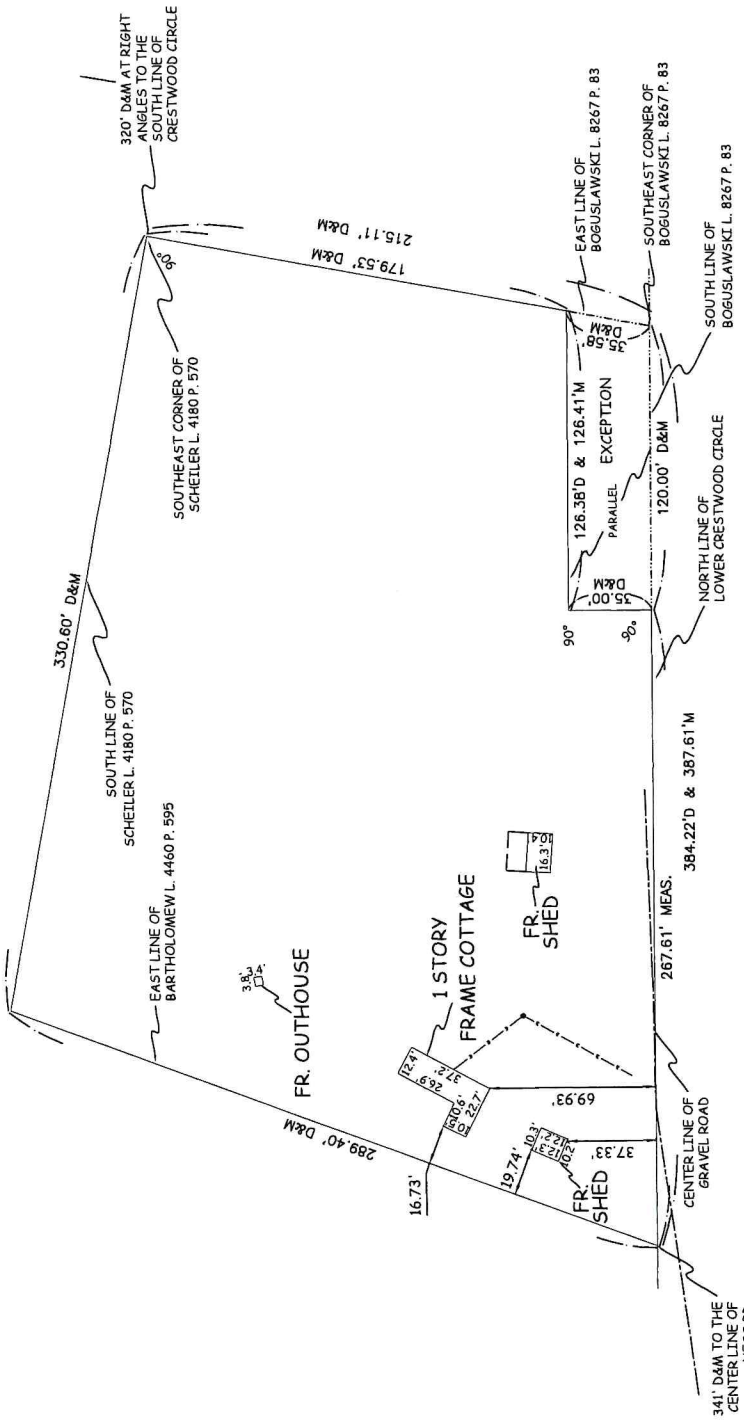
Bryan Papaj



LEGEND

These standard symbols will be found in the drawing.

- EXISTING IRON PIPE
- SET IRON PIPE
- UTILITY POLE
- BOUNDARY
- CENTERLINE OF ROAD
- X-X- FENCE
- DRIVE
- OVERHEAD UTILITY LINE



SURVEY NOTES

1. UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 709, SUBDIVISION 2, OF THE NEW YORK STATE REAL PROPERTY LAW.
2. REPRODUCTION OF THIS SURVEY MAP WITHOUT THE WRITTEN PERMISSION OF THE SURVEYOR OR HIS SUCCESSOR OR WITHOUT THE WRITTEN PERMISSION OF THE COPYRIGHT HOLDER IS PROHIBITED.
3. ONLY BOUNDARY SURVEY MAPS WITH THE SURVEYOR'S EMBOSSED SEAL ARE GENUINE TRUE AND CORRECT COPIES OF THIS DOCUMENT WITHOUT A PROPER APPLICATION OF THE SURVEYOR'S EMBOSSED SEAL SHOULD BE ASSUMED TO BE AN UNAUTHORIZED COPY.
4. A COPY OF THIS DOCUMENT WITHOUT A PROPER APPLICATION OF THE SURVEYOR'S EMBOSSED SEAL SHOULD BE ASSUMED TO BE AN UNAUTHORIZED COPY.
5. ONLY TITLE SURVEYS BEARING THE MAKERS EMBOSSED SEAL SHOULD BE RELIED UPON SINCE OTHER THAN EMBOSSED SEALS MAY CONTAIN UNAUTHORIZED AND UNDETECTABLE MODIFICATIONS, DELETIONS, ALTERATIONS AND CHANGES.
6. THE LOCATION OF UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS ARE NOT ALWAYS KNOWN AND OFTEN MUST BE ESTIMATED. IF ANY UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS EXIST OR ARE SHOWN, THE IMPROVEMENTS OR ENCROACHMENTS ARE NOT COVERED BY THIS CERTIFICATE.
7. SURVEY PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY FACTS THAT MAY ARISE THEREFROM.
8. NO STAKES SET OR PER CONTRACT.
9. THIS SURVEY NOT VALID WITH ABEYANT OF NO CHANGE.
10. THIS SURVEY NOT VALID FOR SUCCESSOR OWNERS, MORTGAGEES OR TITLE INSURERS UNLESS THIS SURVEY HAS BEEN RESURVEYED BY THIS SURVEYOR.

LOWER CRESTWOOD CIRCLE			
DRAWN	DATE	PART OF LOT 15, T-8, R-7	
BAB	09/12/19	TOWN OF BOSTON	
APPROVED	DATE	COUNTY OF ERIE	
FMM	09/12/19	STATE OF NEW YORK	
SCALE	SHEET	PROJECT NO.	
1" = 50'		20190973	

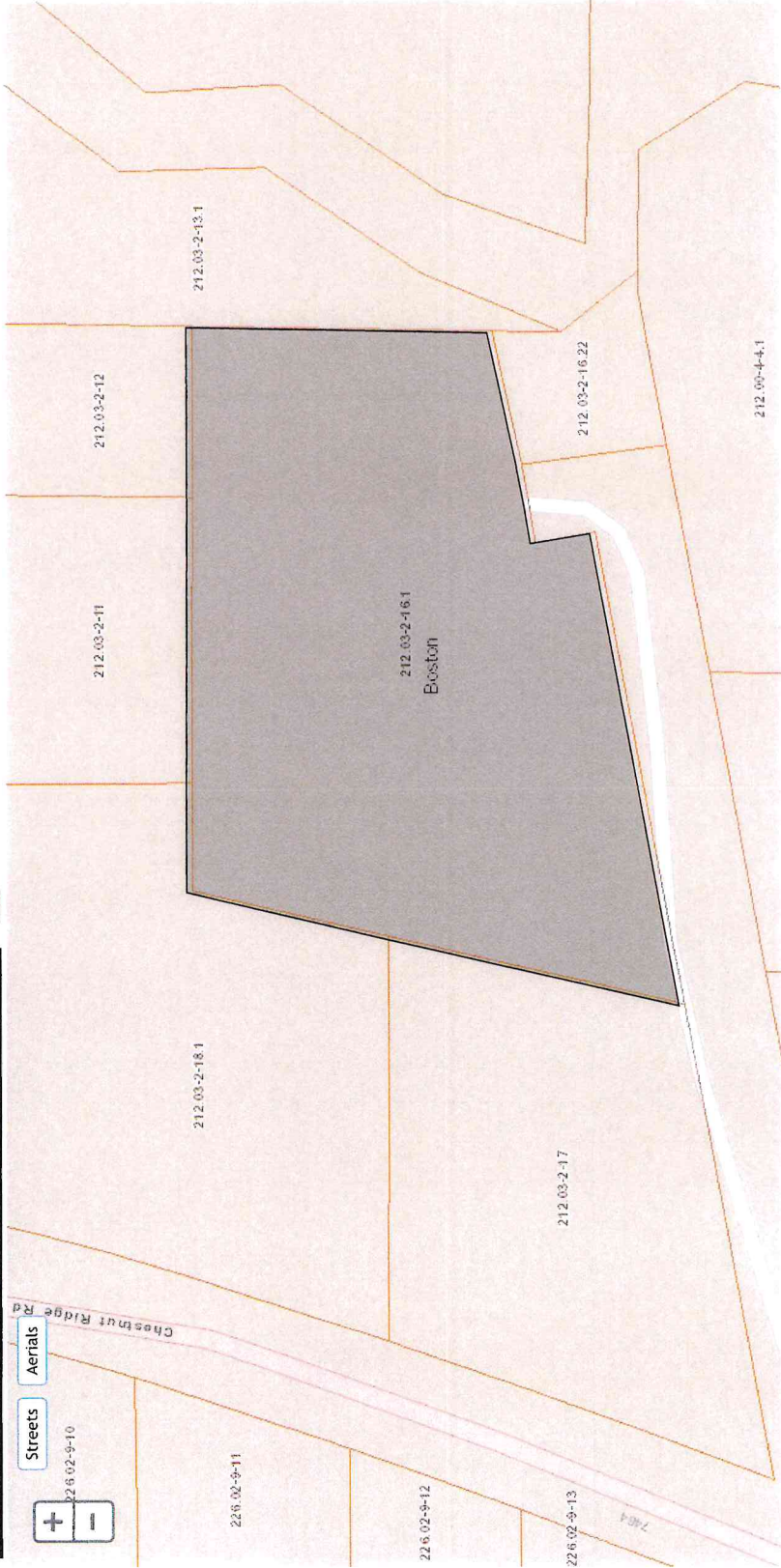
MANGUSO LAND SURVEYING, P.C.
FREDERICK M. MANGUSO 049775-1
TRACY A. SPADA, 050806
 572 TUSCARORA RD.
 ANGOLA, NY 14006
 PHONE & FAX 716 549 4717
 EMAIL OFFICE@MangusoLandSurveying.com
 SUCCESSOR TO THE RECORDS OF
 WILLIAM C. HICKLAND L.S.
 NORMAN B. BIRSON L.S.
 WILSON N. HORTON L.S.

COPYRIGHT © 2019, MANGUSO LAND SURVEYING, PC

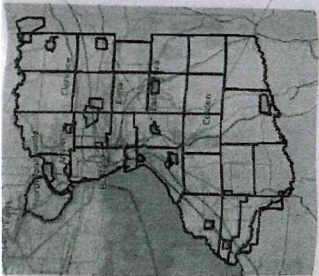
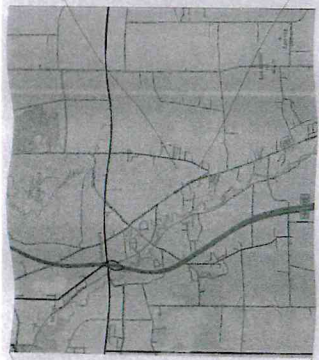
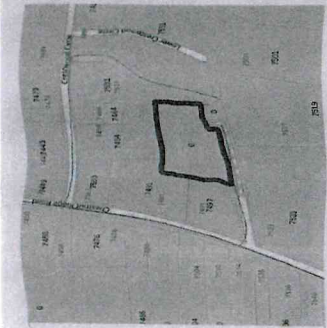


Streets
Aerials

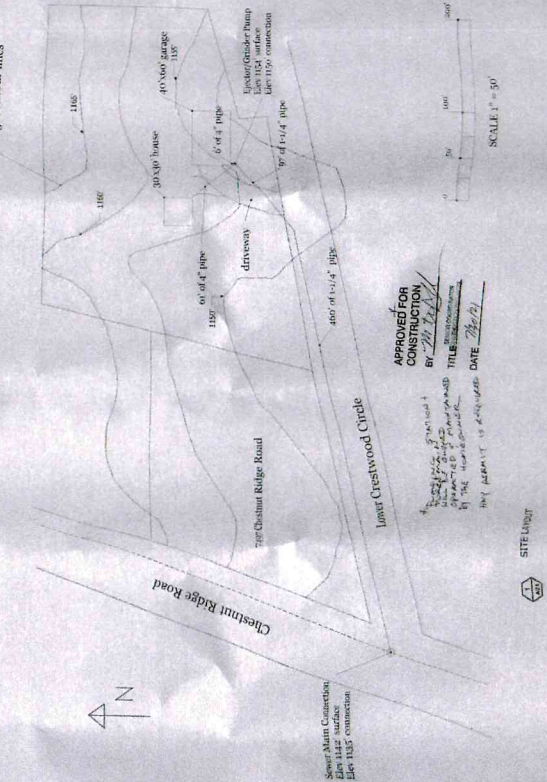
Chestnut Ridge Rd



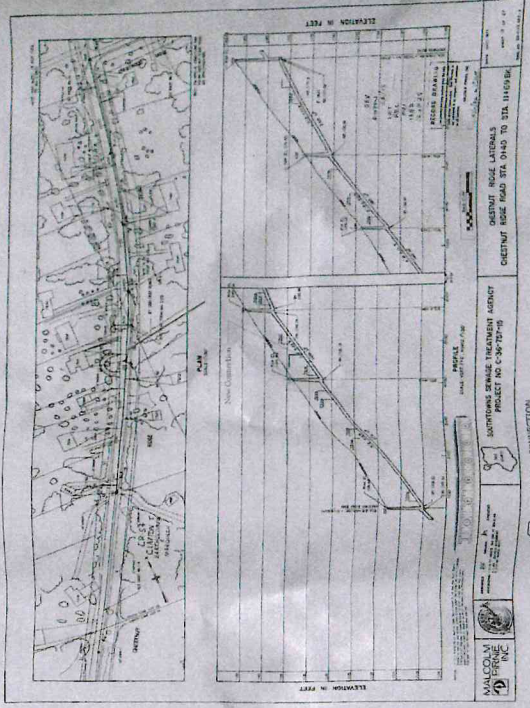
16-422



5' contour lines



APPROVED FOR CONSTRUCTION
 BY: [Signature]
 TITLE: [Title]
 DATE: 2/2/23



MALCOLM ENGINEERS INC.
 10000 W. 10th Ave., Suite 100, Denver, CO 80202
 (303) 751-1000
 www.malcolme.com

SURVEYING ENGINEER TRANSACTIONS LICENSE
 PROJECT NO. S-36727-19

DISTRICT SOLE LATERALS
 CREATING THESE LATERALS PER 1145 TO 114.11109(B)(1)

LATERAL CONNECTION

Address: 10000 W. 10th Ave., Suite 100, Denver, CO 80202
 Project: 16-422
 Date: 2/2/23



SITE LAYOUT AND LATERAL CONNECTION

FOR COUNTY USE ONLY

C1. SWIS Code 142600
C2. Date Deed Recorded 10/3/19
C3. Book 11350 C4. Page 7483



New York State Department of Taxation and Finance
Office of Real Property Tax Services
RP- 5217-PDF
Real Property Transfer Report (8/10)

C/W
ENTERED
10/3/19
Invalid
W

PROPERTY INFORMATION

1. Property Location: Crestwood Circle, Boston, 14025
2. Buyer Name: Papa J, Bryan
3. Tax Billing Address
4. Indicate the number of Assessment Roll parcels transferred on the deed 1 # of Parcels OR Part of a Parcel
5. Deed Property Size: Boguslawski, James M.
7. Select the description which most accurately describes the use of the property at the time of sale: Seasonal
Check the boxes below as they apply:
8. Ownership Type is Condominium
9. New Construction on a Vacant Land
10A. Property Located within an Agricultural District
10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District

SALE INFORMATION

11. Sale Contract Date 08/14/2019
12. Date of Sale/Transfer 10-3-19
13. Full Sale Price 40,000.00
14. Indicate the value of personal property included in the sale 0.00

15. Check one or more of these conditions as applicable to transfer:
A. Sale Between Relatives or Former Relatives
B. Sale between Related Companies or Partners in Business.
C. One of the Buyers is also a Seller
D. Buyer or Seller is Government Agency or Lending Institution
E. Deed Type not Warranty or Bargain and Sale (Specify Below)
F. Sale of Fractional or Less than Fee Interest (Specify Below)
G. Significant Change in Property Between Taxable Status and Sale Date
H. Sale of Business is Included In Sale Price
I. Other Unusual Factors Affecting Sale Price (Specify Below)
J. None
Comment(s) on Condition:

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

16. Year of Assessment Roll from which information taken (YY) 19
17. Total Assessed Value 33,700
18. Property Class 260
19. School District Name Orchard Park
20. Tax Map Identifier(s)/Roll Identifier(s) (If more than four, attach sheet with additional identifier(s))
212.03-2-16.1

CERTIFICATION

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

SELLER SIGNATURE

James M. Boguslawski 9/26/19
SELLER SIGNATURE DATE

BUYER SIGNATURE

BUYER SIGNATURE 10/3/19
BUYER SIGNATURE DATE

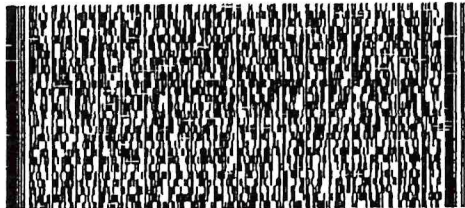
BUYER CONTACT INFORMATION

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

Papa J Bryan
LAST NAME FIRST NAME
347 Oakvale Blvd.
STREET NUMBER STREET NAME
Buffalo NY 14223
CITY OR TOWN STATE ZIP CODE

BUYER'S ATTORNEY

Steinman, Egg. Mally
LAST NAME FIRST NAME
716 855-3761
AREA CODE TELEPHONE NUMBER (EX. 9999999)



ERIE COUNTY CLERK'S OFFICE



County Clerk's Recording Page

Return to:

BRYAN PAPAJ
347 OAKVALE BLVD
BUFFALO, NY 14223

Book Type: D Book: 11350 Page: 7483

Page Count: 3
Doc Type: DEED
Rec Date: 10/03/2019
Rec Time: 02:47:08 PM
Control #: 2019216536
UserID: Mary Grace
Trans #: 19165721
Document Sequence Number
TT2019004918

Party 1:
BOGUSLAWSKI JAMES M

Party 2:
PAPAJ BRYAN

Consideration Amount: 40000.00

Recording Fees:

RECORDING	\$35.00
COE CO \$1 RET	\$1.00
COE STATE \$14.25 GEN	\$14.25
COE STATE \$4.75 RM	\$4.75
RP5217 CNTY \$9	\$9.00
RP5217 ST-RES \$116	\$116.00
TP584	\$10.00

BASIC MT	\$0.00
SONYMA MT	\$0.00
ADDL MT/NFTA	\$0.00
SP MT/M-RAIL	\$0.00
NY STATE TT	\$160.00
ROAD FUND TT	\$200.00

Total: \$550.00

STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE

WARNING - THIS SHEET CONSTITUTES THE CLERK'S ENDORSEMENT REQUIRED BY SECTION 319&316-a (5) OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK. DO NOT DETACH. THIS IS NOT A BILL.

Michael P. Kearns
Erie County Clerk

R & R to Purchaser
at purchaser's order
Buffalo, New York

THIS INDENTURE, Made the 26th day of September in the year Two-Thousand Nineteen

BETWEEN JAMES M. BOGUSLAWSKI
4905 Winterway Lane, Hamburg, New York 14075

Grantor

R & R **BRYAN PAPAJ**
347 Oakvale Blvd., Buffalo, New York 14223

Grantee

WITNESSETH, that the said Grantors, in consideration of **ONE AND MORE 00/100 DOLLARS (\$1.00 and more)** lawful money of the United States, paid by the Grantee, does hereby grant and release unto the Grantee their 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. 15, Township 8, Range 7 of the Holland Land Company's Survey and bounded as follows:

BEGINNING at the southeast corner of premises conveyed to Scheiler by Deed recorded in Erie County Clerk's Office in Liber 4180 of Deeds at Page 570 which point is 320 feet southerly at right angles from the southerly line of Crestwood Circle, which southerly line of said road is 225 feet southerly at right angles from the north line of Farm conveyed to John F. Ulinger by Deed recorded in Erie County Clerk's Office in Liber 4139 of Deeds at Page 235; running thence westerly along Scheiler's south line and parallel with; and 545 feet south of north line of Farm a distance of 330.6 feet to the east line of Bartholomew's land; thence running southwesterly along the easterly line of land conveyed to Bartholomew by Deed recorded in Erie County Clerk's Office in Liber 4460 of Deeds at Page 595, a distance of 289.4 feet to the northerly line of Crestwood Circle, a road 50 feet in width, which latter point is 341 feet easterly from the so called Hess Road, measured along the northerly line of Crestwood Circle; thence northeasterly along the northerly line of Crestwood Circle a distance of 384.22 feet; thence running northerly a distance of 215.11 feet to the point or place of beginning.

EXCEPTING AND RESERVING therefrom that part conveyed to the Town of Boston by Deed recorded in the Erie County Clerk's Office in Liber 10886 of Deeds at Page 5939.

TOGETHER with the appurtenances and all the estate and rights of the Grantors in and to the said premises.

TO HAVE AND TO HOLD, the above granted premises unto the said Grantee.

AND, the said Grantor does covenant with said Grantee as follows:

FIRST. -- That the Grantee shall quietly enjoy the said premises.

SECOND. -- That the Grantor will forever WARRANT the title to said premises.

THIRD. -- Subject to the trust fund provisions of Section Thirteen of the Lien Law.

Deed-2 BOS.
40, on 216536

This Conveyance is made for a full and adequate consideration to a bona fide purchaser for value and for fair consideration as set forth in Section 6324 of the Internal Revenue Code and Section 975 (e) of the New York Tax Law.

IN WITNESS WHEREOF, the said Grantor has hereunto set his/her/their hand and seal the day and year first above written.

IN PRESENCE OF,

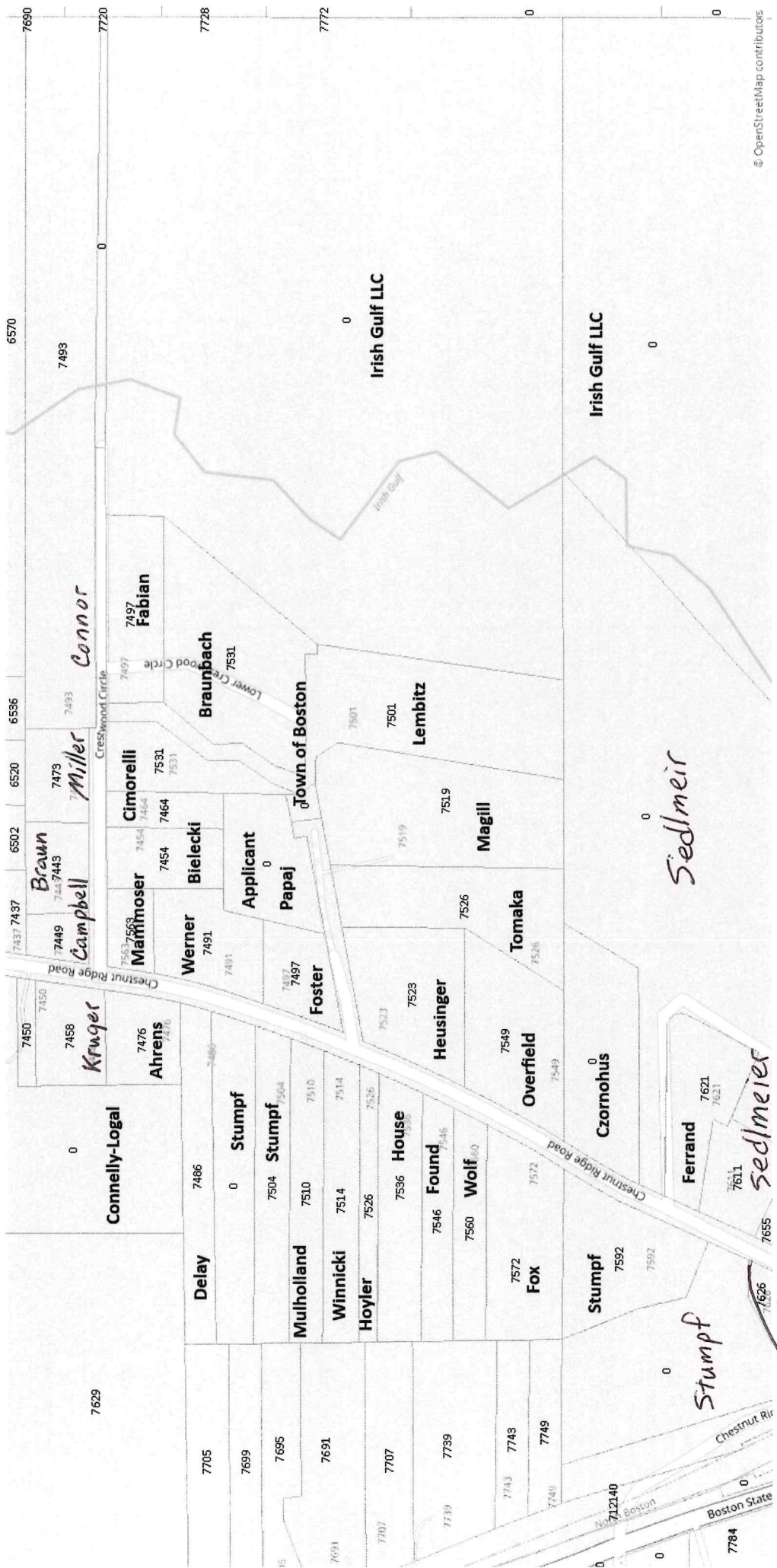
James M. Boguslawski
JAMES M. BOGUSLAWSKI

State of New York)
County of Erie)ss

On the 26 day of September in the year 2019 before me, the undersigned, a Notary Public in and for the State personally appeared James M. Boguslawski, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose names are subscribed to the within/attached instrument and acknowledged to me that he/she/they executed the same in his/her/their capacities, and that by his/her/their signature on the instrument, the individuals, or the person on behalf of which the individuals acted, executed the instrument.

Karen G. Scott
Notary Public





Zoning Board of Appeals
Meeting minutes – 08.03.2023_draft

Attendees: Lisa Rood, Beth Pryor, Mike Flattery, Dave May, Robert Ballard, Tony Rosati,
COE/Tom Murphy

Absent: Kelly Martin/Town Liaison, Attorney Laurie Baker

1. Work Session – Planning Board – 7pm

2. Call Meeting to Order

Meeting called to order by Ms. Rood at 715PM

ROLL CALL

Ms. Pryor

Mr. Flattery

Mr. May

Mr. Ballard

Ms. Rood

ALL PRESENT

3. Pledge of Allegiance – Lead by Ms. Pryor

4. ZBA Responsibility Reading – Not read

5. Minutes

Motion to accept July 2023 minutes made by Ms. Rood with corrections.

2nd by Ms. Pryor

ROLL CALL

Ms. Pryor

Mr. Flattery

Mr. May

Mr. Ballard

Ms. Rood

APPROVED

6. Public hearings

Ms. Rood read public hearing notice.

Petition #616 – Joseph Russo, 7516 Cole Rd, seeking an **AREA** variance for 2560sqft. addition to an existing detached structure, Town of Boston Code 123-136B(4).

Letter from Code Enforcement Officer read by Ms. Rood into the minutes. (letter in packet)

SEQR letter read by Ms. Rood

TO: ZBA Chairman and Board members

FROM: Sarah desJardins, Planning Consultant

RE: August 2023 ZBA petition

Chairman and Board members:

Regarding Petition # 616 Joseph Russo, 7516 Cole Road, the applicant is seeking an

area variance for an addition to an existing detached structure.

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

Respectfully submitted,
Sarah desJardins, Planning Consultant

Petition #616

Motion to open public hearing made by Ms. Rood

2nd by Mr. Flattery

ROLL CALL

Ms. Pryor

Mr. Flattery

Mr. May

Mr. Ballard

Ms. Rood

APPROVED

Applicant: Joseph Russo spoke to the board. Addition to existing barn to put equipment in for the yard. questions?

Mr. Flattery had no questions. Comment: tucked back, no one is going to see it. Nice spot.

Mr. May asked if there will be any power? RESPONSE: Yes, small power for lights.

Ms. Rood talked about drainage; drain tile on site.

No further questions.

Motion made to approve #616 made by Mr. May

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 [] No [X]

(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 []

2nd by Ms. Pryor

ROLL CALL

Ms. Pryor

Mr. Flattery

Mr. May

Mr. Ballard

Ms. Rood

APPROVED

Ms. Rood mentioned that the applicant needs to get with the code enforcement officer.

Mr. Ballard mentioned about the building permit and that it must be obtained within 6months.

Motion made to close the public hearing by Ms. Rood
2nd by Mr. Flattery

ROLL CALL

Ms. Pryor

Mr. Flattery

Mr. May

Mr. Ballard

Ms. Rood

APPROVED

7. New business

none

8. Old business

none

9. Motion to Adjourn

Motion to adjourn made by Ms. Rood at 723p

ROLL CALL

Ms. Pryor

Mr. Flattery

Mr. May

Mr. Ballard

Ms. Rood

CLOSED