

Town of Aurora | Town Board Meeting | April 13, 2026

A meeting of the Town Board of the Town of Aurora took place on Monday, April 13, 2026, beginning at 6:30 PM. The Board met in-person at the Aurora Municipal Center, 575 Oakwood Avenue, East Aurora, New York. The meeting was streamed via YouTube.

Present:	Joseph McCann	Councilmember
	Raymond M. Wrazen	Councilmember
	Jessica Armbrust	Councilmember
	Charles D. Snyder	Supervisor
Others Present:	Elizabeth Cassidy	Code Enforcement Officer
	Paul Ernst	Zoning Board Chairman
	Douglas Crow	Planning Board Chairman
	Patrick Welch	Chief of Police
	Stephen Pigeon	Town Assessor

Supervisor Snyder opened the meeting at 6:32 PM with the recitation of the Pledge of Allegiance to the Flag.

The first item on the agenda was a public hearing that Supervisor Snyder opened at 6:33 PM about the Town of Aurora Stormwater Management Program Plan. After asking for questions or feedback and hearing no one, the hearing was closed at 6:34 PM.

Councilmember McCann moved to approve the Consent Agenda consisting of the March 17, 2026 Work Session, March 23, 2026 Town Board meeting minutes 9, 2026 and the April 13, 2026 Abstract of Claims, consisting of vouchers 320 through 401, to be paid from the following funds:

Action #116
3/17/26 Wk Sess,
3/23/26 TB min &
4/13/26 abstract
aprvd

General Fund	\$	75,097.23
Part Town Fund	\$	72,147.41
Highway Town Wide Fund	\$	39.08
Highway Part Town Fund	\$	37,932.08
Trust & Agency	\$	728.92
Water	\$	138,718.76
Grand Total Abstract		\$ 324,663.48

Councilmember Wrazen seconded the motion. Upon a vote being taken: ayes – four, noes – none. Motion carried.

AUDIENCE I:

Evan Roden, Town resident, commented on proposed Local Law 5-2026 regarding solar energy systems. He objected to restrictions on utility-scale solar, said the proposal would limit farmers' use of their land, and argued that overly restrictive local regulations could be overridden by the state for larger projects. Supervisor Snyder indicated that with the recent passing of the 2025 Comprehensive Plan, the board will be revisiting solar.

Jackie Hienrich, Town resident, spoke about the requested road study for Snyder Road and urged that Luther and Mitchell Roads also be included. She stated that traffic speeds remain a safety concern for residents, pedestrians, bicyclists, and animals, and argued that a 35 mph limit would be more appropriate than 40 mph.

UNFINISHED BUSINESS:

Councilmember Armbrust moved to adopt the following resolution, seconded by Councilmember Wrazen:

STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)
LEAD AGENCY DETERMINATION
LOCAL LAW NO. 1-2026
(CHAPTER 35, ALARM SYSTEMS)

Action #117
SEQR negative
declaration for LL1-
2026 Town Code:
Alarm Systems

WHEREAS, the Town Board of the Town of Aurora (the "Town Board") has proposed Local Law No. 1-2026 to repeal and replace Chapter 35 "Alarm Systems" of the Town Code; and

WHEREAS, the proposed Local Law regulates alarm systems to reduce false alarms and improve the utilization of police, fire, and emergency response resources; and

WHEREAS, the proposed Local Law is subject to the State Environmental Quality Review Act ("SEQRA"), 6 NYCRR Part 617, and does not appear on the Type I or Type II Action lists, making it an Unlisted Action; and

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WHEREAS, the Town Board is the only involved agency and has reviewed the Short Environmental Assessment Form ("EAF") and the criteria in 6 NYCRR § 617.7(c);

NOW, THEREFORE, BE IT RESOLVED, that the Town Board declares itself Lead Agency for SEQRA review of proposed Local Law No. 1-2026; and be it further

RESOLVED, that the proposed Local Law is classified as an Unlisted Action under SEQRA; and be it further

RESOLVED, that based on its review of the EAF and the criteria in 6 NYCRR § 617.7(c), the Town Board determines the proposed Local Law will not have a significant adverse environmental impact and issues a Negative Declaration under 6 NYCRR § 617.7; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Upon a vote being taken: ayes – four, noes – none. Motion carried.

Councilmember Wrazen moved to adopt the following law; seconded by Councilmember McCann:

Action #118
LL1-2026 Town
Code: Alarm
Systems adopted

ADOPTION OF LOCAL LAW NO. 1-2026
(CHAPTER 35, ALARM SYSTEMS)

WHEREAS, the Town Board of the Town of Aurora (the "Town Board") has proposed Local Law No. 1-2026 to repeal and replace Chapter 35 "Alarm Systems" of the Town Code, originally adopted February 14, 1994, and last amended May 27, 2003; and

WHEREAS, the proposed Local Law regulates alarm systems to reduce false alarms and improve the utilization of police, fire, and emergency response resources, including provisions for automatic cutoff requirements, false alarm fees, administrative review, and penalties; and

WHEREAS, the proposed Local Law includes a severability clause and takes effect upon filing with the New York State Secretary of State under Section 27 of the Municipal Home Rule Law; and

WHEREAS, a public hearing was duly held on March 23, 2026, and the Town Board, acting as SEQRA Lead Agency, issued a Negative Declaration finding no significant adverse environmental impact; and

WHEREAS, the Town Board has reviewed the proposed Local Law, public hearing comments, and all relevant materials;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board adopts Local Law No. 1-2026, the "Alarm Systems Code of the Town of Aurora, Erie County, and State of New York"; and be it further

RESOLVED, that the existing Chapter 35 "Alarm Systems" is repealed and replaced as set forth in the Local Law; and be it further

RESOLVED, that the Town Clerk is authorized to file the Local Law with the Secretary of State and take all actions necessary to effectuate this Resolution; and be it further

RESOLVED, that this Resolution shall take effect immediately.

TOWN OF AURORA
LOCAL LAW NO. 1-2026

A LOCAL LAW, TO AMEND LOCAL LAW 1-1990 "ADOPTION OF CODE" ADOPTED BY THE TOWN BOARD OF THE TOWN OF AURORA ON JANUARY 22, 1990, BY REPEALING AND RESCINDING CHAPTER 35 "ALARM SYSTEMS".

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF AURORA AS FOLLOWS:

SECTION 1. TITLE.

This Local Law shall be known as Local Law No. 1 of the year 2026 and titled the "Alarm Systems Code of the Town of Aurora, Erie County, and State of New York."

SECTION 2. PURPOSE AND INTENT.

The purpose of this local law is to repeal and rescind Chapter 35 "Alarm Systems" and replace and enact a new Chapter 35 "Alarm Systems".

SECTION 3. AMENDMENT.

Chapter 35 of the Code of the Town of Aurora originally adopted on February 14, 1994, amended in its entirety on May 27, 2003, is hereby repealed and rescinded. Chapter 35 of the Code of the Town of Aurora originally adopted on February 14, 1994 is hereby repealed and replaced as follows:

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SECTION 1. TITLE.

This chapter of the Aurora Town Code shall be known as the “Town of Aurora Alarm Code.”

SECTION 2. PURPOSE.

The purpose of this chapter is to protect and promote the health, safety and general welfare of the residents of the Town of Aurora by reducing the number of false alarms, via proprietary alarm systems of fire, intrusion, holdup, emergency medical systems or other emergencies which contribute to ineffective utilization of police and fire and emergency response agencies. Such emergency responses are susceptible to high accident rates, interfere with genuine emergencies (responses) and produce unnecessary alarm noise to the surrounding community.

SECTION 3. DEFINITIONS.

For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

ALARM SYSTEM

A device or an assembly of equipment which is designed to detect smoke, abnormal rise in temperature, fire, water flow, medical emergency or an entry into or exit from a building, structure or facility or a holdup alarm and, by reason thereof, emits an audible response intended to alert persons outside of the premises and/or transmit a signal or message to an emergency agency, either directly or through a private or commercial relay facility.

AUTOMATIC DIALER

A device that automatically dials and relays a prerecorded message to an emergency agency or to a commercial relay facility.

EMERGENCY AGENCY

The Police Department or Fire Department, Central Fire Alarm Office, Emergency Medical Services (EMS), or other emergency dispatch center.

FALSE ALARM

An activation of an alarm system where either an emergency situation does not exist or the activator does not have a reasonable basis to believe that an emergency situation does exist.

SECTION 4. EXISTING ALARM SYSTEMS.

The owners and lessees of premises having existing alarm system shall comply with §35-5 and §35-6 of this chapter within 90 days of the effective date described in §35-14.

SECTION 5. AUTOMATIC CUTOFF SYSTEM.

A. No person shall install or maintain an external alarm system which does not contain an operational automatic cutoff system which turns off the external audible alarm once activated after a period not to exceed 10 minutes.

B. An automatic dialer connected directly to an emergency agency shall automatically disconnect and/or terminate its message after the message has been transmitted a maximum of two times. Notwithstanding the foregoing, however, the total transmission time of all messages shall not exceed five minutes.

SECTION 6. DIRECT COMMUNICATION TO EMERGENCY AGENCY.

There shall be no automatic alarm system with direct communication to any type of an emergency agency without prior written authorization from the emergency agency where the alarm terminates.

SECTION 7. CHARGES FOR FALSE ALARMS.

An owner or lessee of real property to which an emergency agency responds as a result of a false alarm shall pay a fee for each such response in each calendar year as follows:

- D. Police Department response.
 - 4. First false alarm response: no charge.
 - 5. Second false alarm response: \$50.
 - 6. Third or more false alarm responses: \$100 each.
- E. Fire Department response.
 - 4. First false alarm response: no charge.
 - 5. Second false alarm response: \$50.
 - 6. Third or more false alarm responses: \$100 each.
- F. EMS response.
 - 4. First false alarm response: no charge.
 - 5. Second false alarm response: \$50.
 - 6. Third or more false alarm responses: \$100 each.

SECTION 8. NOTICE OF EXCESSIVE USE.

The owner or lessee of real property which received an emergency response by reason of a false alarm shall be notified, in writing, by means of first-class mail, of all false alarms, including police alarms, fire alarms, and/or EMS alarms, in a calendar year. The letter shall inform the owner or lessee of the times and types of emergency responses provided to the address location and, where applicable, contain a copy of the Alarm Code and notify the owner or lessee of any charges due pursuant to §35-7 of this chapter.

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SECTION 9. ADMINISTRATIVE REVIEW.

The Chief of Police whose jurisdiction is the Town of Aurora, or his designee, and/or the Code Enforcement Officer of the Town of Aurora, or his designee, shall establish a policy and procedure whereby an owner of real property or lessee thereof on which an alarm system has been installed and who has been notified of a false alarm may present evidence as to why any such alarm should not be classified as a false alarm. The Chief of Police, or his designee, and/or the Code Enforcement Officer, or his designee, shall designate one or more members of their departments, which may include themselves, not to exceed three in total, to receive such evidence and make recommendations and findings of fact concerning such classification. The Chief of Police, or his designee, and/or the Code Enforcement Officer, or his designee, shall make the final determination concerning a classification, which determination shall be reviewable only pursuant to procedures under Article 78 of the New York Civil Practice Law and Rules. To challenge the classification of an alarm as a false alarm, the real property owner or lessee thereof shall, in writing, notify the Chief of Police and/or the Code Enforcement Officer within 10 days after receipt of notice of the alarm, which will be presumed to have been received three days after mailing pursuant to §35-8 of this chapter. The failure to give such timely notice shall be deemed a waiver of the right to review any such determination.

SECTION 10. PAYMENT OF CHARGES.

Charges for false alarms shall be paid to the Town Clerk of the Town of Aurora at the Aurora Municipal Center, within 30 days of the mailing date of any notice provided pursuant to §35-8 of this chapter.

SECTION 11. FAILURE TO REMIT CHARGES.

Failure of a real property owner or lessee of property on which an alarm system is installed to pay any false alarm charges, as defined in §35-7 of this chapter, within 30 days of the mailing date of a notice of the amount due provided pursuant to §35-8 of this chapter shall be deemed a violation of this chapter and may result in said real property owner or lessee, as the case may be, being served with a summons.

SECTION 12. ENFORCEMENT.

The Chief of Police shall enforce this chapter for alarm systems which detect intrusions or holdup alarms at a building, structure or facility. The Code Enforcement Officer shall enforce this chapter for alarm systems which detect smoke, fire, water flow or abnormal rate of rise in temperature or emergency medical systems. If both Police Department and Fire Department alarms are activated, the Code Enforcement Officer will enforce this chapter.

SECTION 13. PENALTIES FOR OFFENSES.

Any person or persons, association or corporation committing an offense against this chapter or any section or provision thereof is guilty of a violation punishable by a fine not exceeding \$250 or imprisonment for a period not exceeding 15 days for each such offense, or by both such fine and imprisonment.

SECTION 14. EFFECTIVE DATE

This chapter shall become effective on the latter of the first day of March 1994 or its proper filing with the Secretary of State of New York in a manner consistent with §27 of the New York Municipal Home Rule Law.

SECTION 4. SEVERABILITY.

If any part or provision of this Local Law or the application thereof to any person or circumstances be adjusted invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances and the Town Board of the Town of Aurora hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 5. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

Upon roll call vote being taken: Councilmember Armbrust, aye; Councilmember McCann, aye; Councilmember Wrazen, aye; Supervisor Snyder, aye. Motion carried.

Councilmember McCann moved to adopt the following law; seconded by Councilmember Armbrust:

SEQRA LEAD AGENCY DETERMINATION
LOCAL LAW NO. 2-2026
(CHAPTER 87, PONDS)

WHEREAS, the Town Board of the Town of Aurora (the "Town Board") has proposed Local Law No. 2-2026 to repeal and replace Section 2 of Chapter 87 "Ponds" of the Town Code; and

WHEREAS, the proposed Local Law updates permit requirements, construction standards, setbacks, and inspection provisions for ponds in the Town of Aurora; and

Action #119
SEQR negative
declaration for LL2-
2026 Town Code:
Ponds

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WHEREAS, the proposed Local Law is subject to the State Environmental Quality Review Act ("SEQRA"), 6 NYCRR Part 617, and does not appear on the Type I or Type II Action lists, making it an Unlisted Action; and

WHEREAS, the Town Board is the only involved agency and has reviewed the Short Environmental Assessment Form ("EAF") and the criteria in 6 NYCRR § 617.7(c);

NOW, THEREFORE, BE IT RESOLVED, that the Town Board declares itself Lead Agency for SEQRA review of proposed Local Law No. 2-2026; and be it further RESOLVED, that the proposed Local Law is classified as an Unlisted Action under SEQRA; and be it further

RESOLVED, that based on its review of the EAF and the criteria in 6 NYCRR § 617.7(c), the Town Board determines the proposed Local Law will not have a significant adverse environmental impact and issues a Negative Declaration under 6 NYCRR § 617.7; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Upon a vote being taken: ayes – four, noes – none. Motion carried.

Councilmember Armbrust moved to adopt the following law; seconded by Councilmember Wrazen:

Action #120
LL2-2026 Town
Code: Ponds
adopted

ADOPTION OF LOCAL LAW NO. 2-2026
(CHAPTER 87, PONDS)

WHEREAS, the Town Board of the Town of Aurora (the "Town Board") has proposed Local Law No. 2-2026 to repeal and replace Section 2 of Chapter 87 "Ponds" of the Town Code, originally adopted January 13, 2003; and

WHEREAS, the proposed Local Law updates pond permit requirements, construction standards including NRCS/SWCD conformance or professional engineer approval, site plan requirements, setbacks, drainway standards, maintenance obligations, and inspection provisions; and

WHEREAS, the proposed Local Law includes a severability clause and takes effect upon filing with the New York State Secretary of State under Section 27 of the Municipal Home Rule Law; and

WHEREAS, a public hearing was duly held on March 23, 2026, and the Town Board, acting as SEQRA Lead Agency, issued a Negative Declaration finding no significant adverse environmental impact; and

WHEREAS, the Town Board has reviewed the proposed Local Law, public hearing comments, and all relevant materials;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board adopts Local Law No. 2-2026, the "Ponds Code of the Town of Aurora, Erie County, and State of New York"; and be it further

RESOLVED, that the existing Section 2 of Chapter 87 "Ponds" is repealed and replaced as set forth in the Local Law; and be it further

RESOLVED, that the Town Clerk is authorized to file the Local Law with the Secretary of State and take all actions necessary to effectuate this Resolution; and be it further

RESOLVED, that this Resolution shall take effect immediately.

TOWN OF AURORA
LOCAL LAW NO. 2-2026

A LOCAL LAW, TO AMEND LOCAL LAW 1-1990 "ADOPTION OF CODE" ADOPTED BY THE TOWN BOARD OF THE TOWN OF AURORA ON JANUARY 22, 1990, BY REPEALING AND RESCINDING CHAPTER 87 "PONDS" SECTION 2 "PERMIT REQUIRED; CONSTRUCTION REQUIREMENTS; MAINTENANCE; INSPECTION".

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF AURORA AS FOLLOWS:
SECTION 1. TITLE.

This Local Law shall be known as Local Law No. 2 of the year 2026 and titled the "Ponds Code of the Town of Aurora, Erie County, and State of New York."

SECTION 2. PURPOSE AND INTENT.

The purpose of this local law is to repeal and rescind Chapter 87 Section 2 "Permit required; construction requirements; maintenance; inspection" and replace as described herein.

SECTION 3. AMENDMENT.

Chapter 87, Section 2 of the Code of the Town of Aurora originally adopted on January 13, 2003 is hereby repealed and replaced as follows:

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SECTION 2. PERMIT REQUIRED; CONSTRUCTION REQUIREMENTS; MAINTENANCE; INSPECTION.

- A. A building permit pursuant to this chapter must be issued prior to construction, at a fee set by the Town Board by resolution.
 - 1. All new ponds shall either:
 - a) Conform to the requirements of and be approved by the U.S. Department of Agriculture, Natural Resource Conservation Service (NRCS), or the Erie County Soil and Water Conservation District (SWCD), or their successor agencies; or
 - b) Be designed and sealed by a licensed professional engineer or landscape architect.
 - 2. Site plan. All pond building permit applications shall be accompanied by a site plan, drawn to scale, showing the total acreage of the property, property lines, existing features and structures (i.e., dwellings, accessory structures, drives, septic fields, wells, floodplains, wetlands, streams and topographical features), and the proposed pond location.
 - 3. Pond site plan approval shall be by the Town Code Enforcement Officer.
 - 4. A pond shall not be constructed within 50 feet of any property lines nor within 100 feet of existing or proposed septic fields or sewage disposal systems. If a subdivision of the site occurs, the fifty-foot setback requirement remains.
 - 5. Pond drainways shall flow to a natural stream, creek or other suitable outlet. Man-made ditches may be utilized to effect this and avoid flowing onto neighboring property.
- B. New and preexisting ponds shall be maintained so as to assure that they do not become offensive to neighboring properties by reason of leaking.
- C. The Town of Aurora reserves the right to have a representative enter onto the property to review pond construction and investigate any complaints concerning pond construction or leakage onto neighboring property.

SECTION 4. SEVERABILITY.

If any part or provision of this Local Law or the application thereof to any person or circumstances be adjusted invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances and the Town Board of the Town of Aurora hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 5. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

Upon roll call vote being taken: Councilmember Armbrust, aye;
Councilmember McCann, aye; Councilmember Wrazen, aye; Supervisor Snyder, aye. Motion carried.

Councilmember Wrazen moved to adopt the following resolution;
seconded by Councilmember McCann:

SEQRA LEAD AGENCY DETERMINATION
LOCAL LAW NO. 3-2026
(CHAPTER 93, SEWERS)

Action #121
SEQR negative
declaration for LL3-
2026 Town Code:
Sewers

WHEREAS, the Town Board of the Town of Aurora (the "Town Board") has proposed Local Law No. 3-2026 to amend Article I of Chapter 93 "Sewers," Section 1 "Definitions" of the Town Code; and

WHEREAS, the proposed Local Law redefines "Superintendent" to mean the Superintendent of Highways of the Town of Aurora; and

WHEREAS, the proposed Local Law is subject to the State Environmental Quality Review Act ("SEQRA"), 6 NYCRR Part 617, and does not appear on the Type I or Type II Action lists, making it an Unlisted Action; and

WHEREAS, the Town Board is the only involved agency and has reviewed the Short Environmental Assessment Form ("EAF") and the criteria in 6 NYCRR § 617.7(c);

NOW, THEREFORE, BE IT RESOLVED, that the Town Board declares itself Lead Agency for SEQRA review of proposed Local Law No. 3-2026; and be it further

RESOLVED, that the proposed Local Law is classified as an Unlisted Action under SEQRA; and be it further

RESOLVED, that based on its review of the EAF and the criteria in 6 NYCRR § 617.7(c), the Town Board determines the proposed Local Law will not have a significant adverse environmental impact and issues a Negative Declaration under 6 NYCRR § 617.7; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Councilmember McCann moved to adopt the following law; seconded by Councilmember Armbrust:

Action #122
LL3-2026 Town
Code: Sewers
adopted

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ADOPTION OF LOCAL LAW NO. 3-2026
(CHAPTER 93, SEWERS)

WHEREAS, the Town Board of the Town of Aurora (the "Town Board") has proposed Local Law No. 3-2026 to amend Article I of Chapter 93 "Sewers," Section 1 "Definitions" of the Town Code, originally adopted March 13, 1989; and

WHEREAS, the proposed Local Law amends the definition of "Superintendent" to mean the Superintendent of Highways of the Town of Aurora; and

WHEREAS, the proposed Local Law includes a severability clause and takes effect upon filing with the New York State Secretary of State under Section 27 of the Municipal Home Rule Law; and

WHEREAS, a public hearing was duly held on March 23, 2026, and the Town Board, acting as SEQRA Lead Agency, issued a Negative Declaration finding no significant adverse environmental impact; and

WHEREAS, the Town Board has reviewed the proposed Local Law, public hearing comments, and all relevant materials;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board adopts Local Law No. 3-2026, the "Sewers Code of the Town of Aurora, Erie County, and State of New York"; and be it further

RESOLVED, that Article I of Chapter 93 "Sewers," Section 1 "Definitions" is amended as set forth in the Local Law; and be it further

RESOLVED, that the Town Clerk is authorized to file the Local Law with the Secretary of State and take all actions necessary to effectuate this Resolution; and be it further

RESOLVED, that this Resolution shall take effect immediately.

TOWN OF AURORA
LOCAL LAW NO. 3-2026

A LOCAL LAW, TO AMEND LOCAL LAW 1-1990 "ADOPTION OF CODE" ADOPTED BY THE TOWN BOARD OF THE TOWN OF AURORA ON JANUARY 22, 1990, BY AMENDING ARTICLE I CHAPTER 93 "SEWERS" SECTION 1 "DEFINITIONS".

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF AURORA AS FOLLOWS:

SECTION 1. TITLE.

This Local Law shall be known as Local Law No. 3 of the year 2026 and titled the "Sewers Code of the Town of Aurora, Erie County, and State of New York."

SECTION 2. PURPOSE AND INTENT.

The purpose of this local law is to amend Article 1 of Chapter 93, Section 1 "Definitions".

SECTION 3. AMENDMENT.

Article 1 of Chapter 93, Section 1 of the Code of the Town of Aurora originally adopted on March 13, 1989 is hereby amended as follows:

SECTION 1. DEFINITIONS.

A. The definition of 'Superintendent' in Section 1 of the Sewer Code is hereby amended to include the word 'Highways.' The revised definition shall read as follows:

SUPERINTENDENT
Superintendent: The Superintendent of Highways of the Town of Aurora.

SECTION 4. SEVERABILITY.

If any part or provision of this Local Law or the application thereof to any person or circumstances be adjusted invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances and the Town Board of the Town of Aurora hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 5. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

Upon roll call vote being taken: Councilmember Armbrust, aye;
Councilmember McCann, aye; Councilmember Wrazen, aye; Supervisor Snyder, aye. Motion carried.

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Councilmember Wrazen moved to adopt the following resolution;
seconded by Councilmember McCann:

Action #123
SEQR negative
declaration for LL4-
2026 Town Code:
Site Plan Review

SEQRA LEAD AGENCY DETERMINATION
LOCAL LAW NO. 4-2026
(CHAPTER 95, SITE PLAN REVIEW)

WHEREAS, the Town Board of the Town of Aurora (the "Town Board") has proposed Local Law No. 4-2026 to repeal and replace Chapter 95 "Site Plan Review" of the Town Code; and

WHEREAS, the proposed Local Law updates site plan review procedures, submission requirements, waiver provisions, and decision-making processes to ensure development aligns with community standards, environmental protection, and public welfare; and

WHEREAS, the proposed Local Law is subject to the State Environmental Quality Review Act ("SEQRA"), 6 NYCRR Part 617, and does not appear on the Type I or Type II Action lists, making it an Unlisted Action; and

WHEREAS, the Town Board is the only involved agency and has reviewed the Short Environmental Assessment Form ("EAF") and the criteria in 6 NYCRR § 617.7(c);

NOW, THEREFORE, BE IT RESOLVED, that the Town Board declares itself Lead Agency for SEQRA review of proposed Local Law No. 4-2026; and be it further

RESOLVED, that the proposed Local Law is classified as an Unlisted Action under SEQRA; and be it further

RESOLVED, that based on its review of the EAF and the criteria in 6 NYCRR § 617.7(c), the Town Board determines the proposed Local Law will not have a significant adverse environmental impact and issues a Negative Declaration under 6 NYCRR § 617.7; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Upon a vote being taken: ayes – four, noes – none. Motion carried.

Councilmember Armbrust moved to adopt the following law; seconded
by Councilmember Wrazen:

Action #124
LL4-2026 Town
Code: Site Plan
Review adopted

ADOPTION OF LOCAL LAW NO. 4-2026
(CHAPTER 95, SITE PLAN REVIEW)

WHEREAS, the Town Board of the Town of Aurora (the "Town Board") has proposed Local Law No. 4-2026 to repeal and replace Chapter 95 "Site Plan Review" of the Town Code, originally adopted January 11, 1999; and

WHEREAS, the proposed Local Law establishes updated site plan review regulations, including applicability and exceptions, review procedures, submission requirements, waiver provisions, and decision and filing procedures; and

WHEREAS, the proposed Local Law includes a severability clause and takes effect upon filing with the New York State Secretary of State under Section 27 of the Municipal Home Rule Law; and

WHEREAS, a public hearing was duly held on March 23, 2026, and the Town Board, acting as SEQRA Lead Agency, issued a Negative Declaration finding no significant adverse environmental impact; and

WHEREAS, the Town Board has reviewed the proposed Local Law, public hearing comments, and all relevant materials;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board adopts Local Law No. 4-2026, the "Site Plan Review Code of the Town of Aurora, Erie County, and State of New York"; and be it further

RESOLVED, that the existing Chapter 95 "Site Plan Review" is repealed and replaced as set forth in the Local Law; and be it further

RESOLVED, that the Town Clerk is authorized to file the Local Law with the Secretary of State and take all actions necessary to effectuate this Resolution; and be it further

RESOLVED, that this Resolution shall take effect immediately.

TOWN OF AURORA
LOCAL LAW NO. 4-2026

A LOCAL LAW, TO AMEND LOCAL LAW 1-1990 "ADOPTION OF CODE" ADOPTED BY THE TOWN BOARD OF THE TOWN OF AURORA ON JANUARY 22, 1990, BY REPEALING AND RESCINDING CHAPTER 95 "SITE PLAN REVIEW".

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF AURORA AS FOLLOWS:

SECTION 1. TITLE.

This Local Law shall be known as Local Law No. 4 of the year 2026 and

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titled the "Site Plan Review Code of the Town of Aurora, Erie County, and State of New York."

SECTION 2. PURPOSE AND INTENT.

The purpose of this local law is to repeal and rescind Chapter 95 "Site Plan Review" and replace and enact a new Chapter 95 Site Plan Review.

SECTION 3. AMENDMENT.

Chapter 95 of the Code of the Town of Aurora originally adopted on January 11, 1999, is hereby repealed and rescinded as follows:

SECTION 1. INTENT.

The intent of a site plan review is as follows:

- H. To evaluate the intended building design in its arrangement to and its suitability to natural site conditions and the compatibility with surrounding land uses.
- I. To permit the Town of Aurora to analyze development proposals in terms of their impacts on local growth and the need for facilities and services.
- J. To protect and provide for the public health, safety and general welfare of the Town.
- K. To conform with current zoning, the Official Map, and Comprehensive Plan, if any, now or in the future.
- L. To protect the value of land throughout the Municipality, to encourage orderly and beneficial development upon the land, and to minimize misunderstanding in the interpretation of intended land uses set forth in current zoning restrictions.
- M. To prevent the pollution of air and water, to assure the adequacy of proper drainage methods, and to safeguard the natural water table through responsible sewage removal/treatment.
- N. To provide for the preservation of open spaces through the most efficient design and layout of buildings, including but not limited to the use of cluster development of buildings on a parcel of land.

SECTION 2. APPLICABILITY; EXCEPTIONS.

- D. All applications for building permits shall be accompanied by a site plan as approved by the Town Board, based on the review and recommendations of the Town Planning Board and, if appropriate, the Town's Engineer, Highway Superintendent and/or Code Enforcement Officer and upon the opinions and concerns brought up at a required public hearing(s), if any.
- E. An approved site plan need not accompany an application for a building permit to construct any of the following:
 - 5. A one-family or two-family dwelling and its permitted accessory uses or structures.
 - 6. A commercial improvement, either in the form of an addition to an existing structure or the construction of a new structure, which upon completion, will be less than 2,500 square feet. Notwithstanding this exception, if an applicant, during any three-year period, has engaged in a series of small improvements on his, her, or its property which, in the opinion of the Code Enforcement Officer, are intended to circumvent the requirements for a site plan review, Code Enforcement Officer may, in his or her reasonable judgement view all of those improvements in the aggregate in determining whether or not any such improvement or improvements would be excluded from the requirement of a site plan because of the amount of improved square footage involved.
 - 7. Improvements on agricultural properties or farms within the Town of Aurora which would either not otherwise be subject to the issuance of a building permit or which are located in the rear of existing improvements, provided that such improvements are located on a parcel of land of 10 acres or more.
 - 8. Construction for the purposes of accessibility.
- F. Notwithstanding any other provision contained in this §95-2, a site plan review will be required for any commercial improvement constructed on a property which immediately adjoins or is directly across the street from or is within 500' of a property which is zoned residential by the Town

SECTION 3. REVIEW PROCEDURES.

- M. Upon applying for a building permit which requires a site plan review, the Code Enforcement Officer will advise the applicant of the specific materials which need to be submitted to the Planning Board and/or Town Board for review. This step is designed to save the applicant from possible future delays. The Code Enforcement Officer will review the basic site design concept and advise the applicant as to potential problems and concerns and will assist the applicant in determining the information needed to begin a preliminary site plan review. In order to accomplish these objectives, the applicant shall provide sketches of the proposed development, together with an area map showing the location of the site in relation to neighboring points of interest.
- N. At this time, the Town's designated state environmental quality review (SEQR) officer will decide if an environmental review is necessary.
- O. All materials needed for a site plan review will be filed with the Code Enforcement Officer, together with a completed site plan review application to be developed by and obtained from the Code Enforcement Officer. A nonrefundable fee, the exact amount of which will be established from time to time by resolution by the Town Board, shall be paid at that time to the Town Clerk. Thereafter, the Code Enforcement Officer will distribute the application to the Town Board for referral to the Planning Board, as well as to any other individuals, agencies or bodies that may be appropriate for their review, report and recommendation.

- P. Upon receiving the information required on the site plan submittal checklist (which is to be attached to the site plan review application) and a complete set of plans, drawings, maps, surveys and other materials deemed reasonably necessary and appropriate, the Planning Board will review and make an initial assessment of materials and notify the applicant of any additional materials needed to complete the site plan review. If variations from the submission requirements are to be granted, they will be mutually agreed upon by the applicant and the Planning Board at this initial consultation. This will be the preliminary stage of the site plan review.
- Q. To further aid in determining public opinion and concerns, an optional public hearing may, but need not be, scheduled by the Planning Board within 45 days of receipt of a completed application for site plan review.
- R. The Planning Board shall act on such an application and notify the Town Board an applicant, in writing, of its action, which shall be to recommend either the acceptance or rejection of an application or the conditional acceptance of any application or the acceptance of an application conditioned upon certain changes in the proposed project or development.
- S. Final site plan approval or disapproval will be given by the Town Board following its receipt of a written recommendation by the Planning Board to approve, disapprove, or approve with modification an applicant's site plan review application. Such a written recommendation shall be made by the Planning Board within 60 days of any public hearing held by the Planning Board or the submission of a completed site plan review application to the Planning Board.
- T. Any time limits set forth herein may be extended by mutual consent of the Planning Board and/or Town Board and the applicant to allow all interested parties to comment upon or modify any pending proposal. Notwithstanding the above, if the Town Board determines that it is in the best interest of the Town to expedite the review and approval or disapproval of a pending application, subject to the provisions of this chapter, the Town Board may notify the Planning Board of this determination, in which event the Planning Board will make a written recommendation to the Town Board to either accept a pending application without change, to accept a pending application subject to certain changes, conditions or modifications or to reject a pending application within 60 days of the date of the Town Board's written request.
- U. Within 45 days of receiving a recommendation from the Planning Board, and to further aid in determining public opinion and concerns, the Town Board shall schedule a public hearing.
- V. Within 45 days of, the public hearing, the Town Board shall approve, disapprove or approve with modifications an applicant's final site plan. In the event that the Town Board rules that the site plan does not comply with Town standards or regulations or is unacceptable to the Town Board for any other reason, then the record of such determination shall be delivered to the applicant, including a separate statement setting forth, in as much detail as needed for the applicant to understand the basis for such determination, the criteria used by the Town Board and others in the determination of disapproval.
- W. Upon approval by the Town Board, a complete final site plan review package will be sent to the Code Enforcement Officer after which a building permit will be issued to the applicant if he, she, or it complies with all other applicable rules and regulations.
- X. All costs incurred by the Planning Board and/or Town Board or other individuals involved in the site plan review for consultation fees or other expenses in connection with the review procedure shall be charged to and paid by the applicant, in the Town's discretion either before or after they are incurred.

SECTION 4. SUBMISSION REQUIREMENTS.

- C. The site plan submittal checklist will assist in providing the Town's Planning Board with a basis for reaching a final decision regarding the recommendation of a final site plan to the Town Board for approval, disapproval or approval with modifications. An applicant's proposed site plan and all supporting data will be submitted by and bear the official and signature of a licensed architect, landscape architect, professional engineer or land surveyor.
- D. Site plan components, as allowed or required by state law, which will, to the extent deemed appropriate, be considered by the Town Board, Planning Board and others as part of an analysis of an applicant's site plan will include the following: legal data, impact on the environs, natural features, existing man-made features, proposed development, impact on stormwater pollution and other information or materials. If a stormwater pollution prevention plan (SWPPP) is submitted pursuant to §95-4B(6) of this chapter, such SWPPP shall be considered by the Town Board, Planning Board and others as part of an analysis of an applicant's site plan, and the site plan and SWPPP shall not be approved unless they comply with the performance and design criteria and standards in Chapter 96, Stormwater Management, of the Code.
 - 8. Legal data
 - a. The name, address, email and phone number of the applicant and authorization of the owner if different from the applicant; the name and address of the owner(s) of record, if different from the applicant; and the name, address, email and phone number of the person or firm preparing the site plan and any related maps or sketches.
 - b. Ownership intentions of the applicant others, such as future options, rights-of-way etc.
 - c. Current zoning classification of the property, including exact zoning boundary if in more than one district.
 - d. Property boundary lines plotted to scale by a licensed surveyor, including distances, angles, North arrow, scale and date.
 - e. The locations, widths, elevations, and names of existing and proposed

- adjacent streets.
- f. A description of all existing deed restrictions or covenants applying to the property.
- g. The identification and record of the application and approval status of all necessary state and county permits as part of the final stage of any applicant's site plan review.
- 9. Impact of proposal on environs:
 - a. Relationship to:
 - i. Adjacent and nearby land uses, both public and private.
 - ii. Existing and proposed traffic patterns.
 - iii. Existing and projected water supply, sewage disposal and similar service capabilities
 - iv. The community's ability to provide adequate recreation, education and fire protection.
 - b. Visual compatibility with surroundings.
 - c. Effect on air and water quality standards applicable to commercial site plans.
 - d. Effect on energy consumption and conservation.
 - e. Whether the designated lead agency deems the proposal to be significant pursuant to the State Environmental Quality Review Act, in which event a draft environmental impact statement, followed by an environmental impact statement, will be required and reviewed.
- 10. Natural features:
 - a. Geological features, such as depth to bedrock and the locations of rock outcrops.
 - b. Topographical features, including a map showing existing contour intervals of no more than five feet. Two-foot contour intervals will be required if the topography is relatively flat. Areas of steep slopes should be delineated as necessary.
 - c. Soil characteristics, such as load-bearing capacity and drainage capacity.
 - d. Hydrologic features, which should include drainage and natural runoff patterns, flood zones, noted wetlands, vegetative cover and average depth to groundwater.
- 11. Existing development and infrastructure:
 - a. The location and dimensions of major buildings and structures.
 - b. The location and width of roads, private drive and paths, including site access.
 - c. The location, size and flow direction of sewers, water supply lines, and culverts; all utilities to be identified.
 - d. Other existing developments adjacent to the site, including setback and lot line dimensions.
- 12. Proposed development:
 - a. The intended use of the completed project.
 - b. A grading and drainage plan.
 - c. Site placement of buildings, accessory structures, fences, parking lots, sidewalks, storage tanks, waste-disposal units, etc.
 - d. The location and size of water and sewer lines and appurtenances.
 - e. The location, size and design of all outdoor lighting facilities, public-address systems and outdoor signs, including those posted on buildings.
 - f. A general landscaping plan and planting schedule, including buffer zones and green space.
 - g. An estimated project schedule and phasing plan (final site plan).
 - h. A performance bond, if determined to be appropriate, with the amount, completion schedule, public improvements covered and inspection and bond approval.
- 13. Impact on stormwater pollution:
 - a. A stormwater pollution prevention plan (SWPPP), if required for the proposed development under Chapter 96, Stormwater Management, of the Code.
 - b. The recommendation of the Stormwater Management Officer to approve, approve with modifications, or disapprove the SWPPP pursuant to Chapter 96 of the Code.
- 14. Other: any other information or materials with the Town Board, Planning Board, Town's Engineer, Highway Superintendent and/or Code Enforcement Officer deems reasonably necessary and/or appropriate to complete a meaningful site plan review in connection with the applicant's proposed improvements or development project.

SECTION 5. WAIVER OF REVIEW PROCESS.

The Town Board may waive the applicability of all or any portion of the site plan review process to a particular applicant or project if it determines that such review is not in the interest of public health, safety or general welfare or is inappropriate to a particular site plan or project, except that the requirements of §95-4B(6) of this chapter shall not be waived.

SECTION 6. DECISION; NOTICE AND FILING.

- C. Prior to reaching a final decision on a site plan review application, the Code Enforcement Officer shall, if required, mail notice of such proposed action to the Erie County Department of Environment and Planning.
- D. The decision of the Town Board on any site plan application shall be filed in the office of the Town Clerk within five business days after such decision is rendered and a copy mailed to the applicant.

SECTION 4. SEVERABILITY.

If any part or provision of this Local Law or the application thereof to any person or circumstances be adjusted invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances and the Town Board of the Town of Aurora hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 5. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

Upon roll call vote being taken: Councilmember Armbrust, aye;
Councilmember McCann, aye; Councilmember Wrazen, aye; Supervisor Snyder, aye. Motion carried.

Councilmember McCann moved to adopt the following resolution;
seconded by Councilmember Armbrust:

SEQRA LEAD AGENCY DETERMINATION
LOCAL LAW NO. 5-2026
(CHAPTER 95A, SOLAR ENERGY SYSTEMS)

Action #125
SEQR negative
declaration for LL5-
2026 Town Code:
Solar Energy
Systems

WHEREAS, the Town Board of the Town of Aurora (the "Town Board") has proposed Local Law No. 5-2026 to repeal and amend Article I of Chapter 95A "Solar Energy Systems" and Article II of Chapter 95A, Section 8 "Special Use Permit Requirements" of the Town Code; and

WHEREAS, the proposed Local Law updates regulations for solar energy systems, including use districts, permitting requirements, general criteria, setbacks, and special use permit conditions for utility-scale solar energy systems; and

WHEREAS, the proposed Local Law is subject to the State Environmental Quality Review Act ("SEQRA"), 6 NYCRR Part 617, and does not appear on the Type I or Type II Action lists, making it an Unlisted Action; and

WHEREAS, the Town Board is the only involved agency and has reviewed the Short Environmental Assessment Form ("EAF") and the criteria in 6 NYCRR § 617.7(c);

NOW, THEREFORE, BE IT RESOLVED, that the Town Board declares itself Lead Agency for SEQRA review of proposed Local Law No. 5-2026; and be it further

RESOLVED, that the proposed Local Law is classified as an Unlisted Action under SEQRA; and be it further

RESOLVED, that based on its review of the EAF and the criteria in 6 NYCRR § 617.7(c), the Town Board determines the proposed Local Law will not have a significant adverse environmental impact and issues a Negative Declaration under 6 NYCRR § 617.7; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Upon a vote being taken: ayes – four, noes – none. Motion carried.

Councilmember Armbrust moved to adopt the following law; seconded
by Councilmember Wrazen:

ADOPTION OF LOCAL LAW NO. 5-2026
(CHAPTER 95A, SOLAR ENERGY SYSTEMS)

Action #126
LL5-2026 Town
Code: Solar Energy
Systems adopted

WHEREAS, the Town Board of the Town of Aurora (the "Town Board") has proposed Local Law No. 5-2026 to repeal and amend Article I of Chapter 95A "Solar Energy Systems" and Article II of Chapter 95A, Section 8 "Special Use Permit Requirements" of the Town Code, originally adopted March 13, 2017; and

WHEREAS, the proposed Local Law updates solar energy system regulations, including use districts, permitting for rooftop-mounted, building-mounted, ground-mounted, and utility-scale systems, general criteria, site plan requirements, and special use permit conditions including setbacks, height limitations, screening, and decommissioning requirements; and

WHEREAS, the proposed Local Law includes a severability clause and takes effect upon filing with the New York State Secretary of State under Section 27 of the Municipal Home Rule Law; and

WHEREAS, a public hearing was duly held on March 23, 2026, and the Town Board, acting as SEQRA Lead Agency, issued a Negative Declaration finding no significant adverse environmental impact; and

WHEREAS, the Town Board has reviewed the proposed Local Law, public hearing comments, and all relevant materials;

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NOW, THEREFORE, BE IT RESOLVED, that the Town Board adopts Local Law No. 5-2026, the “Solar Energy Systems Code of the Town of Aurora, Erie County, and State of New York”; and be it further

RESOLVED, that the existing Article I of Chapter 95A “Solar Energy Systems” and Article II of Chapter 95A, Section 8 “Special Use Permit Requirements” are repealed and replaced as set forth in the Local Law; and be it further

RESOLVED, that the Town Clerk is authorized to file the Local Law with the Secretary of State and take all actions necessary to effectuate this Resolution; and be it further

RESOLVED, that this Resolution shall take effect immediately.

TOWN OF AURORA
LOCAL LAW NO. 5-2026

A LOCAL LAW, TO AMEND LOCAL LAW 1-1990 “ADOPTION OF CODE” ADOPTED BY THE TOWN BOARD OF THE TOWN OF AURORA ON JANUARY 22, 1990, BY REPEALING AND AMENDING ARTICLE I OF CHAPTER 95A “SOLAR ENERGY SYSTEMS”; AND ARTICLE II OF CHAPTER 95A, SECTION 8 “SPECIAL USE PERMIT REQUIREMENTS”.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF AURORA AS FOLLOWS:

SECTION 1. TITLE.

This Local Law shall be known as Local Law No. 5 of the year 2026 and titled the “Solar Energy Systems Code of the Town of Aurora, Erie County, and State of New York.”

SECTION 2. PURPOSE AND INTENT.

The purpose of this local law is to repeal and amend Article I of Chapter 95A “Solar Energy Systems” and replace and enact a new Article I of Chapter 95A “Solar Energy Systems”; and repeal and amend Article II of Chapter 95A, Section 8 “Special Use Permit Requirements” and replace and enact a new Article II of Chapter 95A, Section 8 “Special Use Permit Requirements”.

SECTION 3. AMENDMENT NO. 1.

Article I of Chapter 95A of the Code of the Town of Aurora originally adopted on March 13, 2017, is hereby repealed and amend as follows:

SECTION 1. PURPOSE.

The Town finds that restrictions of regulations in regard to the use of land within the Town for solar power projects or private solar projects are appropriate to properly address community impact, concerns or issues in a manner in which is meaningful and consistent with the Comprehensive Plan of the Town.

SECTION 2. FINDINGS.

The Town Board of the Town of Aurora makes the following findings:

- A. The Town Board of the Town of Aurora recognizes that solar energy is a clean, readily available and renewable energy source, and the Town of Aurora intends to accommodate the use of solar energy systems.
- B. However, the Town Board finds a growing need to properly site solar energy systems within the boundaries of the Town of Aurora to protect residential, business areas and other land uses, to preserve the overall beauty, nature and character of the Town of Aurora, to promote the effective and efficient use of solar energy resources, and to protect the health, safety and general welfare of the citizens of the Town of Aurora.
- C. Prior to the adoption of this chapter, no specific procedures existed to address the siting of solar energy systems. Accordingly, the Town Board finds that the promulgation of this chapter is necessary to direct the location and construction of these systems.
- D. Solar energy systems need to be regulated for removal when no longer utilized.

SECTION 3. DEFINITIONS.

The following definitions shall apply to this chapter:

APPLICANT

The person or entity filing an application and seeking an approval under this chapter; the owner of a solar energy system or a proposed solar energy system project; the operator of a solar energy system or a proposed solar energy system project; any person acting on behalf of an applicant, solar energy system or proposed solar energy system. Whenever the term "applicant," "owner," or "operator" is used in this chapter, said term shall include any person acting as an applicant, owner or operator.

BUILDING-MOUNTED SOLAR ENERGY SYSTEMS

A solar energy system that is affixed to the side(s) of a building or other structure either directly or by means of support structures or other mounting devices, but not including those mounted to the roof or top surface of a building. Said system is designed and intended to generate energy primarily for on-site consumption.

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GROUND-MOUNTED SOLAR ENERGY SYSTEM

A solar energy system that is affixed to the ground either directly or by support structures or other mounting devices. Said system is an accessory structure, designed and intended to generate electricity primarily for on-site consumption.

ROOFTOP-MOUNTED SOLAR ENERGY SYSTEM

Any solar energy system that is affixed to the roof of a building and wholly contained within the limits of the roof surface. Said system is designed and intended to generate energy primarily for on-site consumption.

UTILITY-SCALE SOLAR ENERGY SYSTEM

Any solar energy system that cumulatively on a lot is designed and intended to supply energy primarily into a utility grid for offsite sale or consumption.

SECTION 4. USE DISTRICTS.

Use districts where allowed. Subject to the provisions of this chapter, solar energy systems shall be allowed as follows:

- A. Rooftop-mounted and building-mounted solar energy systems are permitted in all zoning districts in the Town.
- B. Ground-mounted solar energy systems are permitted as accessory structures in all zoning districts of the Town subject to the restrictions in § 95A-7.
- C. Utility-scale solar energy systems are only permitted in C-1, C-2, and C-3 zoning districts.
- D. Any inconsistent provisions of the Zoning Law which purport to or may be interpreted to allow solar energy systems in other districts are hereby superseded.
- E. The provisions of this chapter apply to solar electricity generation and solar water heating systems.

SECTION 5. GENERAL REGULATIONS.

General regulations. The placement, construction, and major modification of all solar energy systems within the boundaries of the Town of Aurora shall be permitted only as follows:

- A. All proposed solar energy systems are required to follow at least the minimum standards set forth by the New York State Building Codes, and all specifications for such systems must be accompanied by a set of drawings stamped by a New York State-certified engineer or registered architect and code review checklist.
- B. All solar energy systems are required to obtain a permit from the Town of Aurora Building Department.
- C. Building-mounted, ground-mounted and roof-mounted solar energy systems capable of producing 25 kw of energy or less require a permit from the Town of Aurora Building Department.
- D. Building-mounted, ground-mounted and roof-mounted solar energy systems capable of producing more than 25 kw of energy require site plan approval from the Town Board and a building permit from the Town of Aurora Building Department.
- E. Utility-scale solar energy systems and all solar energy systems over 25 kw shall be subject to all provisions of this chapter and permitted only in the approved districts (C-1, C-2, and C-3) zoning districts. These systems shall require a special use permit , site plan approval from the Town Board and a building permit from the Town of Aurora Building Department.
- F. All solar energy systems existing on the effective date of this chapter shall be allowed to continue usage as they presently exist. Routine maintenance (including replacement with a new system of like construction and size) shall be permitted on such existing systems. New construction other than routine maintenance shall comply with the requirements of this chapter.
- G. No solar energy system shall hereafter be used, erected, moved, reconstructed, changed or altered except in conformity with these regulations.
- H. Any applications (including variance applications) pending for solar energy systems on the effective date of this chapter shall be subject to the provisions of this chapter.
- I. This chapter shall take precedence over any inconsistent provisions of the Zoning Law of the Town of Aurora.
- J. This chapter shall not apply to any lot owned by a municipality.

SECTION 6. GENERAL CRITERIA.

- A. Rooftop-mounted solar energy systems shall meet the height requirements of the underlying zoning district. All proposed installations must be accompanied with a set of drawings stamped by a New York State-licensed engineer or registered architect verifying the structural integrity of the building and a New York State code compliance checklist.
 - (1) Pitched roof: Solar energy panels shall not be more than three feet higher than the finished roof to which they are mounted.
 - (2) Flat roof: The maximum height of a solar energy panel at its highest pitch shall be no more than eight feet above the parapet wall.
- B. Building-mounted solar energy systems shall not be more than 18 inches from the building wall, and in no instance shall any part of the system extend beyond the eaveline or top of a parapet wall. All proposed installations must be accompanied by a set of drawings stamped by a New York State-licensed engineer verifying the structural integrity of the building and a New York State code compliance checklist.
- C. Ground-mounted solar energy systems shall be subject to the following requirements:
 - (1) The location of said solar energy system shall be placed no closer than two times the standard setback requirements for an accessory

- building/structure of the zoning district in which it is located.
- (2) The location of said solar energy system shall only be located in the side or rear yard.
- (3) The height of said solar energy system shall not exceed 15 feet when oriented at maximum tilt.
- (4) The total surface area of said solar energy system on a lot shall not exceed 800 square feet per acre in an R-1, R-2, R-3 or RR.
- (5) The total surface area of a non-utility-scale said solar energy system on a lot situated in an Agriculture (A) and Commercial (C1, C2, and C3) District shall not exceed 5% of the total square footage of the entire lot.
- (6) The total surface area of a utility-scale solar energy system on a lot which is greater than two acres situated in Commercial (C1, C2, and C3) District shall not exceed 10% of the total square footage of the entire lot.
- D. Site plan requirements for ground-mounted solar energy systems. If site plan approval is required by this chapter for a ground-mounted solar energy system or a site plan is requested by the Building Inspector for any ground-mounted solar energy system, the applicant shall be required to submit a site plan in accordance with the Town of Aurora's site plan requirements and also drawn in sufficient detail as set forth below:
 - (1) Plans and drawings of the solar energy system installation signed by a New York State-certified engineer or registered architect showing the proposal layout of the solar energy system along with a description of all components, existing vegetation, any proposed clearing and grading of the lot involved, any stormwater or erosion disturbances, and utility lines, both above and below the ground, on the site and adjacent to the site;
 - (2) Property lot lines and the location and dimensions of all existing structures and uses within 500 feet of the solar panels.
 - (3) Any proposed fencing and/or screening for said project.
 - (4) Any such additional information as may be required by the Town's professional engineer or consultant, Town Board, Town Attorney, Building Inspector or other Town entity; and
 - (5) A public hearing on said site plan may be waived by the Town Board.
- E. Solar storage batteries. When solar storage batteries are included as part of any solar energy system, they shall be placed in secure container or enclosure meeting the requirements of the New York State Building Code.
- F. All solar energy systems shall adhere to all applicable federal, state, county and Town of Aurora laws, regulations and building, plumbing, electrical, and fire codes.
- G. Any solar energy system shall be accessible for all emergency service vehicles and personnel complying with the requirements of the New York State Building Code.
- H. All structures and devices used to support solar collectors shall be nonreflective and/or painted a subtle or earth-tone color.
- I. The design, construction, operation, and maintenance of any solar energy system shall prevent the misdirection and/or reflection of solar rays onto neighboring properties, public roads, and public parks in excess of that which already exists.
- J. The development and operation of a solar energy system shall not have a significant adverse impact on fish, wildlife, or plant species or their critical habitats, or other significant habitats identified by the Town of Aurora or other federal or state regulatory agencies.
- K. Artificial lighting of any solar energy system shall be limited to lighting required for safety and operational purposes and shall be shielded from all neighboring properties and public roads.
- L. If the use of an approved solar energy system which required a special use permit is discontinued, the owner or operator shall notify the Building Inspector within 30 days of such discontinuance. If a solar energy system is to be retained and reused, the owner or operator shall further inform the Building Inspector of this in writing at such time and obtain any necessary approvals within one year, otherwise it shall be automatically deemed abandoned.
- M. Any solar energy system to be used strictly for agricultural use purposes in accordance with New York State Agriculture and Markets Law may have some of the requirements of this chapter waived by the Building Inspector or Town Board.

SECTION 4. AMENDMENT NO. 2.

Article II of Chapter 95A, Section 8 of the Code of the Town of Aurora originally adopted on March 13, 2017, is hereby repealed and amended as follows:

SECTION 8. SPECIAL USE PERMIT CRITERIA.

Special use permits issued for utility-scale solar energy systems shall meet the following conditions:

- A. Maximum lot area: The maximum lot area shall be 15 acres.
- B. Setbacks. In addition to the setback requirements of the underlying district, any utility-scale solar energy system shall adhere to the following setbacks:
 - (1) A minimum 100 feet from all property lot lines bordering a residential (R) use district.
 - (2) As regulated for accessory structures in the Commercial (C1, C2, and C3) uses in Chapter 116 of the Town Code.
 - (3) From public roads and railroads: a minimum of 75 feet from any public road or railroad (measured from the road right-of-way or property line).
 - (4) From schools, public parks: a minimum of 750 feet from all property lot lines bordering a school or public park.
- C. Maximum overall height. The height of a utility-scale solar energy system shall not exceed 15 feet when oriented at maximum tilt.
- D. There shall only be allowed one utility-scale solar energy systems per lot.
- E. A utility-scale solar energy system shall adhere to all applicable federal, state, county and Town of Aurora laws, regulations, building, plumbing, electrical, and fire codes.

- F. Development and operation of a utility-scale solar energy system shall not have a significant adverse impact on fish, wildlife, or plant species or their critical habitats, or other significant habitats identified by the Town of Aurora or other federal or state regulatory agencies.
- G. The design, construction, operation, and maintenance of a utility-scale solar energy system shall prevent the misdirection and/or reflection of solar rays onto neighboring properties, public roads, and public parks in excess of that which already exists.
- H. All structures and devices used to support solar collectors shall be nonreflective and/or painted a subtle or earth-tone color.
- I. All transmission lines and wiring associated with a utility-scale solar energy system shall be buried or utilize existing overhead transmission line structures and include necessary encasements in accordance with the National Electric Code and Town requirements. The applicant is required to show the locations of all proposed overhead and underground electric utility lines, including substations and junction boxes and other electrical components for the project on the site plan.
- J. All transmission lines and electrical wiring shall be in compliance with the utility company's requirements for interconnection.
- K. Artificial lighting of utility-scale solar energy systems shall be limited to lighting required for safety and operational purposes and shall be shielded from all neighboring properties and public roads.
- L. All utility-scale solar energy systems shall be enclosed by fencing to prevent unauthorized access. Warning signs with the owner's contact information shall be placed on the entrance and perimeter of the fencing.
- M. Any signage used to advertise the solar energy facility shall be in accordance with the Town's signage regulations.
- N. A berm, landscape screen, or other opaque enclosure, or any combination thereof acceptable to the Town capable of screening the site, may be required along any property line that abuts an existing residence.
- O. After completion of a utility-scale solar energy system, the applicant shall provide a post-construction certification from a professional engineer registered in New York State that the project complies with applicable codes and industry practices and has been constructed and is operating according to the design plans.
- P. Compliance with regulatory agencies. The applicant is required to obtain all necessary regulatory approvals and permits from all federal, state, county, and local agencies having jurisdiction and approval related to the completion of a utility-scale solar energy system.
- Q. Clearing, grading, stormwater and erosion control:
 - (1) Before the Town of Aurora shall issue a clearing, grading, stormwater or building permit for a utility-scale solar energy system, the applicant shall submit a SWPPP to the Town engineering consulting firm for its review and approval; and
 - (2) The SWPPP shall minimize the potential adverse impacts on wetlands and Class I and II streams and the banks and vegetation along those streams and wetlands and minimize erosion or sedimentation.

SECTION 5. SEVERABILITY.

If any part or provision of this Local Law or the application thereof to any person or circumstances be adjusted invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances and the Town Board of the Town of Aurora hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 6. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

Upon roll call vote being taken: Councilmember Armbrust, aye;
Councilmember McCann, aye; Councilmember Wrazen, aye; Supervisor Snyder, aye. Motion carried.

Councilmember Wrazen moved to adopt the following resolution;
seconded by Councilmember McCann:

SEQRA LEAD AGENCY DETERMINATION
LOCAL LAW NO. 6-2026
(CHAPTER 99, SUBDIVISION OF LAND AND ODA)

Action #127
SEQR negative
declaration for LL6-
2026 Town Code:
Subdivision of Land
& Open
Development Area

WHEREAS, the Town Board of the Town of Aurora (the "Town Board") has proposed Local Law No. 6-2026 to repeal and replace Article II, Section 6 "Approval Procedures" and Article VI, Section 31 "Supplementary Regulations/Minimum Standards" of Chapter 99 "Subdivision of Land and Open Development Area" of the Town Code; and

WHEREAS, the proposed Local Law updates subdivision review procedures, open development area standards, setback requirements, and access roadway specifications; and

WHEREAS, the proposed Local Law is subject to the State Environmental Quality Review Act ("SEQRA"), 6 NYCRR Part 617, and does not appear on the Type I or Type II Action lists, making it an Unlisted Action; and

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WHEREAS, the Town Board is the only involved agency and has reviewed the Short Environmental Assessment Form ("EAF") and the criteria in 6 NYCRR § 617.7(c);

NOW, THEREFORE, BE IT RESOLVED, that the Town Board declares itself Lead Agency for SEQRA review of proposed Local Law No. 6-2026; and be it further

RESOLVED, that the proposed Local Law is classified as an Unlisted Action under SEQRA; and be it further

RESOLVED, that based on its review of the EAF and the criteria in 6 NYCRR § 617.7(c), the Town Board determines the proposed Local Law will not have a significant adverse environmental impact and issues a Negative Declaration under 6 NYCRR § 617.7; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Upon a vote being taken: ayes – four, noes – none. Motion carried.

Councilmember McCann moved to adopt the following law; seconded by Councilmember Armbrust:

ADOPTION OF LOCAL LAW NO. 6-2026
(CHAPTER 99, SUBDIVISION OF LAND AND ODA)

Action #128
LL6-2026 Town
Code: Subdivision
of Land & Open
Development Area
adopted

WHEREAS, the Town Board of the Town of Aurora (the "Town Board") has proposed Local Law No. 6-2026 to repeal and replace Article II, Section 6 "Approval Procedures" and Article VI, Section 31 "Supplementary Regulations/Minimum Standards" of Chapter 99 "Subdivision of Land and Open Development Area" of the Town Code, originally adopted December 27, 2021; and

WHEREAS, the proposed Local Law updates subdivision review phases, including preliminary meeting requirements, sketch plan approval, preliminary and final plat approval procedures, and open development area standards including lot size, setback, access roadway, and minimum habitable floor area requirements; and

WHEREAS, the proposed Local Law includes a severability clause and takes effect upon filing with the New York State Secretary of State under Section 27 of the Municipal Home Rule Law; and

WHEREAS, a public hearing was duly held on March 23, 2026, and the Town Board, acting as SEQRA Lead Agency, issued a Negative Declaration finding no significant adverse environmental impact; and

WHEREAS, the Town Board has reviewed the proposed Local Law, public hearing comments, and all relevant materials;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board adopts Local Law No. 6-2026, the "Subdivision of Land and Open Development Area Code of the Town of Aurora, Erie County, and State of New York"; and be it further

RESOLVED, that Article II, Section 6 and Article VI, Section 31 of Chapter 99 are repealed and replaced as set forth in the Local Law; and be it further

RESOLVED, that the Town Clerk is authorized to file the Local Law with the Secretary of State and take all actions necessary to effectuate this Resolution; and be it further

RESOLVED, that this Resolution shall take effect immediately.

TOWN OF AURORA
LOCAL LAW NO. 6-2026

A LOCAL LAW, TO AMEND LOCAL LAW 1-1990 "ADOPTION OF CODE" ADOPTED BY THE TOWN BOARD OF THE TOWN OF AURORA ON JANUARY 22, 1990, BY REPEALING AND RESCINDING ARTICLE II OF CHAPTER 99, SECTION 6 "APPROVAL PROCEDURES"; AND REPEALING AND RESCINDING ARTICLE VI OF CHAPTER 99, SECTION 31 "SUPPLEMENTARY REGULATIONS/MINIMUM STANDARDS".

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF AURORA AS FOLLOWS:

SECTION 1. TITLE.

This Local Law shall be known as Local Law No. 6 of the year 2026 and titled the "Subdivision of Land and Open Development Area Code of the Town of Aurora, Erie County, and State of New York."

SECTION 2. PURPOSE AND INTENT.

The purpose of this local law is to repeal and rescind Article II of Chapter 99, Section 6 "Approval Procedures" and replace and enact a new Article II of Chapter 95 "Approval Procedures"; and repeal and rescind Article VI of Chapter 99 Section 31 "Supplementary Regulations/Minimum Standards" and replace and enact a new Article VI of Chapter 99 Section 31 "Supplementary Regulations/Minimum Standards".

SECTION 3. AMENDMENT NO. 1.

Article II of Chapter 99, Section 6 of the Code of the Town of Aurora originally adopted on

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December 27, 2021 is hereby repealed and rescinded as follows:

SECTION 6. SUBDIVISION REVIEW PHASES.

- A. Whenever any subdivision of land is proposed, and before any contract for the sale of or any offer to sell any lots in such subdivision or any part thereof is made, and before any permit for the erection of any structure in such proposed subdivision shall be granted, the subdivider or his duly authorized agent shall apply, in writing, for approval of such proposed subdivision in accordance with the following procedures.
- B. Prior to submittal of an application, a preliminary meeting with the developer, property owner, Town Supervisor, Superintendent of Highways, and Code Enforcement Officer is required to discuss the proposed subdivision. This meeting will review the basic site design concept and advise the developer as to potential problems or concerns and will assist the developer in determining the information required to begin the process.
- C. The sequence of procedures for development within the Town of Aurora is fundamentally a three-phase procedure. The three phases are referred to as follows:
 - (1) Sketch plan (concept) approval.
 - (2) Preliminary plat approval.
 - (3) Final plat approval.
- D. Phases of approval.
 - (1) Sketch plan (concept) approval is the initial presentation by the developer of the general overall information and data showing how he intends to develop the property and the effect such development may have upon the adjoining property. The availability of utilities, the effect on natural watercourses and other environmental concerns, as well as drainage problems shall be answered at this time.
 - (2) At preliminary plat approval, a formal public hearing will be held, at which time the developer will make a public presentation of his intentions and plans regarding the property.
 - (3) At final plat approval, the developer submits all the remaining specific data and information as required by the Planning Board, the Town Board and the local laws and regulations. Upon completion of this last phase, the developer shall submit his final plat map for execution by the Town Board prior to recording the map in the Erie County Clerk's office.

SECTION 4. AMENDMENT NO. 2.

Article VI of Chapter 99, Section 31 of the Code of the Town of Aurora originally adopted on December 27, 2021, is hereby repealed and rescinded as follows:

SECTION 31. SUPPLEMENTARY REGULATIONS/MINIMUM STANDARDS.

- A. The creation of an open development area will not create a nonconforming lot. The following requirements will be a minimum:
 - (1) Minimum lot size will be three acres exclusive of the "flagpole" portion of the property.
 - (2) The flagpole portion of the lot must have a minimum of 75 feet of frontage on an existing state, county, or Town road and maintain a minimum 75 feet wide right of way retained by the property owner.
 - (3) All access roadways will be located on a private right-of-way at least 75 feet wide.
 - (4) All access roadways will be a minimum of 20 feet wide from the street right-of-way to the residence, with required apron at the street, and constructed of gravel, asphalt or other hard surface. In all cases, access roadways will be sufficient to support the weight of fire apparatus and safety vehicles. Such design will be approved and inspected by the Town Engineer.
 - (a) At every increment of 150 feet of access roadway length, there will be an additional vehicle pass-by bump-out measuring a minimum six feet wide and 25 feet long.
 - (b) At a point between the interior termination of the 75 feet wide private right-of-way and the residence, a fire apparatus hammerhead, "Y," or cul-de-sac turnaround must be created as approved by the Building Inspector.
 - (c) Access roadways will not exceed 10% in grade.
 - (d) The minimum turning radius in an access roadway will be 28 feet.
 - (5) Front yard setback:
 - (a) 200 feet from the boundary line parallel to the street right-of-way.
 - (b) No accessory building/structure shall be erected in the front yard.
 - (6) Side yard setback: 50 feet.
 - (7) Rear yard setback: 50 feet.
 - (8) Minimum lot width: 200 feet for boundary line parallel to the street right-of-way.
 - (9) Minimum distance between ingress/egress right of ways: 100 feet.
 - (10) The flagpole portion of the open development area shall not be an easement, but shall be owned in fee title by the owner of the open development area.
 - (a) The flagpole portion of ODA lots in existence as of the date of adoption of this amended code must have benefit of an existing easement on an existing road if not owned in fee.
 - (11) Other conditions that the Town Board in its sole discretion determines to be

- appropriate for the specific development.
- B. Minimum habitable floor area. The required minimum habitable floor area shall be the minimum floor area of dwellings determined by Chapter 116, Zoning. The maximum mean height for a principal building shall not exceed 2 1/2 stories or 35 feet.

SECTION 5. SEVERABILITY.

If any part or provision of this Local Law or the application thereof to any person or circumstances be adjusted invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances and the Town Board of the Town of Aurora hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 6. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

Upon roll call vote being taken: Councilmember Armbrust, aye;
Councilmember McCann, aye; Councilmember Wrazen, aye; Supervisor Snyder, aye. Motion carried.

Councilmember Armbrust moved to adopt the following resolution;
seconded by Councilmember Wrazen:

SEQRA LEAD AGENCY DETERMINATION
LOCAL LAW NO. 7-2026
(CHAPTER 116, ZONING)

WHEREAS, the Town Board of the Town of Aurora (the "Town Board") has proposed Local Law No. 7-2026 to amend Article I of Chapter 116 "Zoning," Section 4 "Definitions," Section 8.5 "District Regulations," and Section 8.6 "Commercial Districts Generally" of the Town Code; and

WHEREAS, the proposed Local Law amends the definition of "Building, Height of" and permanently rescinds Sections 8.5D(3), 8.5E(3), and 8.6E(3); and

WHEREAS, the proposed Local Law is subject to the State Environmental Quality Review Act ("SEQRA"), 6 NYCRR Part 617, and does not appear on the Type I or Type II Action lists, making it an Unlisted Action; and

WHEREAS, the Town Board is the only involved agency and has reviewed the Short Environmental Assessment Form ("EAF") and the criteria in 6 NYCRR § 617.7(c);

NOW, THEREFORE, BE IT RESOLVED, that the Town Board declares itself Lead Agency for SEQRA review of proposed Local Law No. 7-2026; and be it further

RESOLVED, that the proposed Local Law is classified as an Unlisted Action under SEQRA; and be it further

RESOLVED, that based on its review of the EAF and the criteria in 6 NYCRR § 617.7(c), the Town Board determines the proposed Local Law will not have a significant adverse environmental impact and issues a Negative Declaration under 6 NYCRR § 617.7; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Upon a vote being taken: ayes – four, noes – none. Motion carried.

Councilmember Wrazen moved to adopt the following law; seconded by Councilmember McCann:

ADOPTION OF LOCAL LAW NO. 7-2026
(CHAPTER 116, ZONING)

WHEREAS, the Town Board of the Town of Aurora (the "Town Board") has proposed Local Law No. 7-2026 to amend Article I of Chapter 116 "Zoning," Section 4 "Definitions," Section 8.5 "District Regulations," and Section 8.6 "Commercial Districts Generally" of the Town Code, originally adopted June 20, 2022; and

WHEREAS, the proposed Local Law amends the definition of "Building, Height of" to include "shed" with respect to roof types, and permanently rescinds Sections 8.5D(3), 8.5E(3), and 8.6E(3) of the Town Zoning Code; and

WHEREAS, the proposed Local Law includes a severability clause and takes effect upon filing with the New York State Secretary of State under Section 27 of the Municipal Home Rule Law; and

WHEREAS, a public hearing was duly held on March 23, 2026, and the Town Board, acting as SEQRA Lead Agency, issued a Negative Declaration finding no significant adverse environmental impact; and

Action #129
SEQR negative
declaration for LL7-
2026 Town Code:
Zoning

Action #130
LL7-2026 Town
Code: Zoning
adopted

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WHEREAS, the Town Board has reviewed the proposed Local Law, public hearing comments, and all relevant materials;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board adopts Local Law No. 7-2026, the "Zoning Code of the Town of Aurora, Erie County, and State of New York"; and be it further

RESOLVED, that Article I of Chapter 116, Section 4 "Definitions" is amended, and Sections 8.5D(3), 8.5E(3), and 8.6E(3) are permanently rescinded, as set forth in the Local Law; and be it further

RESOLVED, that the Town Clerk is authorized to file the Local Law with the Secretary of State and take all actions necessary to effectuate this Resolution; and be it further

RESOLVED, that this Resolution shall take effect immediately.

TOWN OF AURORA
LOCAL LAW NO. 7-2026

A LOCAL LAW, TO AMEND LOCAL LAW 1-1990 "ADOPTION OF CODE" ADOPTED BY THE TOWN BOARD OF THE TOWN OF AURORA ON JANUARY 22, 1990, BY AMENDING ARTICLE I OF CHAPTER 116 "ZONING": SECTION 4 "DEFINITIONS"; SECTION 8.5 "DISTRICT REGULATIONS"; AND SECTION 8.6 "COMMERCIAL DISTRICTS GENERALLY".

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF AURORA AS FOLLOWS:

SECTION 1. TITLE.

This Local Law shall be known as Local Law No. 7 of the year 2026 and titled the "Zoning Code of the Town of Aurora, Erie County, and State of New York."

SECTION 2. PURPOSE AND INTENT.

The purpose of this local law is to amend Article I of Chapter 116, Section 4 "Definitions"; and repeal and rescind parts of Article I of Chapter 116 Section 8.5 "A Agriculture" and Section 8.6 "Commercial Districts Generally".

SECTION 3. AMENDMENT NO. 1.

Article I of Chapter 116, Section 4 of the Code of the Town of Aurora originally adopted on June 20, 2022 is hereby amended as follows:

SECTION 4. DEFINITIONS.

- A. The definition of 'Building, Height of' in Section 4 of the Town Zoning Code is hereby amended to include the word 'shed' with respect to site lines. The revised definition shall read as follows:

BUILDING, HEIGHT OF

The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs and to the mean height between eaves and ridge for gable, shed, hip, and gambrel roofs.

SECTION 4. AMENDMENT NO. 2.

Article I of Chapter 116, Section 8.5 and 8.6 of the Code of the Town of Aurora originally adopted on June 20, 2022 is hereby permanently rescinded as follows:

SECTION 8.5. DISTRICT REGULATIONS.

- A. Article I of Chapter 116, Section 8.5D(3) is permanently rescinded.
- B. Article I of Chapter 116, Section 8.5E(3) is permanently rescinded.

SECTION 8.6. COMMERCIAL DISTRICTS GENERALLY.

Article I of Chapter 116, Section 8.6E(3) is permanently rescinded.

SECTION 5. SEVERABILITY.

If any part or provision of this Local Law or the application thereof to any person or circumstances be adjusted invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances and the Town Board of the Town of Aurora hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 6. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

Upon roll call vote being taken: Councilmember Armbrust, aye;
Councilmember McCann, aye; Councilmember Wrazen, aye; Supervisor Snyder, aye. Motion carried.

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Councilmember McCann moved to adopt the following resolution; seconded by Councilmember Armbrust:

Action #131
690 South St/EA
Baseball site plan
approved

RESOLUTION APPROVING SITE PLAN
690 South Street
SBL#176.09-1-13

Whereas, Dan Mirsky/EA Baseball and Softball has submitted a Site Plan Review Application to place a prebuilt shed on the Community Pool Park property adjacent to the snack shack and utilize it for storage of equipment and field maintenance supplies SBL#176.09-1-13 at 690 South Street, East Aurora NY; and

Whereas, at their April 1, 2026 meeting the Aurora Town Planning Board recommended approval of the site plan; and

Whereas, the Site Plan application and documents were sent to Erie County Department of Environment and Planning for review who cascaded it to Erie County Department of Public Works and stated no concerns; and

Whereas, the Code Enforcement Officer determined this to be a Type II Action under SEQR and does not require a determination by the Town Board.

Now, therefore, be it

RESOLVED that the Site Plan for SBL#176.09-1-13 690 South Street, East Aurora, NY, to place a prebuilt shed on the Community Pool Park property is approved by the Town Board.

Upon a vote being taken: ayes – four, noes – none. Motion carried.

Councilmember McCann added that EA Baseball purchased the shed and donated it to the town. He expressed appreciation for the organization's part in our community.

Councilmember Armbrust moved to set 6:30 PM on Monday, April 27, 2026 at the Aurora Municipal Center, 575 Oakwood Avenue, East Aurora, as the time, date and place for a public hearing at which hearing parties and interested citizens shall have an opportunity to be heard on Local Law Intro 8-2026 pertaining to an increase to the salary of the Highway Superintendent. Councilmember Wrazen seconded the motion. Upon a vote being taken: ayes – four, noes – none. Motion carried.

Action #132 Public
hrg set for LL Intro
8-2026 Dog Control

Councilmember Wrazen moved to set 6:30 PM on Monday, April 27, 2026 at the Aurora Municipal Center, 575 Oakwood Avenue, East Aurora, as the time, date and place for a public hearing on Special Use Permit (SUP) and Site Plan Review (SPR) applications for a former restaurant and bar to be converted into indoor play and separate part areas, and the outdoor areas to be used seasonally at 612 Buffalo Road, East Aurora, NY. Councilmember McCann seconded the motion. Upon a vote being taken: ayes – four, noes – none. Motion carried.

Action #133 Public
hrg set for 612
Buffalo Rd SUP &
SPR

Supervisor Snyder and Councilmember Wrazen expressed their interest and support for this re-use of the property that it is a good fit for the intended business model.

NEW BUSINESS:

Councilmember McCann moved to approve adding an agenda item relating to hosting an intern in the Building Department; seconded by Councilmember Armbrust. Upon a vote being taken: ayes – four, noes – none. Motion carried.

Action #134
Addition of Building
Department Intern
agenda item
apvrd

Roycroft Assessment Informational Session

Supervisor Snyder stated that there had been considerable confusion and misinformation surrounding the Roycroft assessment settlement. Supervisor Snyder invited Town Assessor Stephen Pigeon and legal counsel Joel Kurtzhaltz to provide more insight about the Roycroft case. The Board was informed that the Roycroft property had been sold by the Wendt Foundation to Douglas Development in what was presented as an arm's-length transaction. This was supported by RP 5217 the legal transfer paperwork filed at the county clerk's office. The commercial appraisal done at the time of sale also reflects the purchase price. Based on that information, the Town was advised that it had two options: settle the case or proceed with litigation. Litigation would have required additional appraisal and legal costs which would have taken years to resolve. Mr. Kurtzhaltz explained that, in real property tax litigation, a recent arm's-length sale is generally considered the best evidence of value, and for that reason settlement was recommended as the more prudent course. The Wendt Foundation also had a fiduciary obligation to the nonprofit board. The district attorney had signed off on the sale making the sale valid.

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The discussion also addressed the difference between assessed value and market value. It was explained that assessed value is the figure used for taxation and does not necessarily equal full market value, particularly in a municipality such as Aurora where the equalization rate is below 100 percent. Mr. Kurtzhaltz noted that rising residential property values have lowered the Town's equalization rate over time, which can make assessed values appear out of step with perceived market value. Using the Roycroft property as an example, they said the previously cited assessment figures should not be treated as the same thing as market value, and that the sale price and appraisal indicated the prior perceived value was not accurate.

Mr. Kurtzhaltz further clarified that only one of the former Roycroft properties, the chapel, had been tax-exempt under the Wendt Foundation because of its nonprofit use, while the other properties remained taxable because they were used for commercial purposes. They also explained that if the Town had chosen to litigate rather than settle and the court later reduced the assessment substantially, the Town could have faced not only refunds but also interest and additional litigation-related costs. The matter was described as an unpleasant but ordinary cost of doing business, and officials said the final settlement reflected the indicated market value rather than favoring either the Town or the property owner.

Councilmember McCann moved to approve the following budget amendment to rectify a purchase made and received in 2025 but recorded in 2026:

- Decrease DB 599 Fund Balance by \$338,278.54
- Increase appropriation line DB 5130.217 by \$338,278.54

Councilmember Armbrust seconded the motion. Upon a vote being taken: ayes - four, noes - none. Motion carried.

Action #135
Budget Amend for
2026 Highway
purchase aprvd

Councilmember Wrazen moved to approve training and travel expenses for Councilmember Armbrust to attend New York Association of Towns Lobbying Day and Finance & Personnel School from May 5-May 7, 2026 in Albany, NY. Expenses will be disbursed from budget line A1010.404 Legislative Board Travel & Expense:

- Hotel: (three nights) - \$400
- Lobbying Day - \$0 (no cost)
- Finance & Personnel School Registration - \$250
- Mileage - \$414.70

Councilmember McCann seconded the motion. Upon a vote being taken: ayes - three, noes – none, abstention* – one. Motion carried.

Action #136 J.
Armbrust
travel/training
expense aprvd

*Councilmember Armbrust abstained

Supervisor Snyder moved to approve sending a TE-9 traffic safety study request to Erie County Department of Transportation based on a resident petition for Snyder, Luther and Mitchell Roads. Councilmember Armbrust seconded the motion. Upon a vote being taken: ayes - four, noes - none. Motion carried.

Action #137 TE-9
Luther, Snyder &
Mitchell speed
study request
aprvd

Councilmember McCann moved to approve an hourly wage increase for grant writer Robbyn Drake from \$70/hour to \$73.50/hour. This increase will pull from the existing allocation for grant writing services. Councilmember Armbrust seconded the motion. Upon a vote being taken: ayes - four, noes - none. Motion carried.

Action #138 Hourly
wage increase for
grant writer aprvd

Supervisor Snyder moved to appoint Councilmember McCann to the vacant Deputy Supervisor seat for the term April 13, 2026 through December 31, 2026. Councilmember Wrazen seconded the motion. Upon a vote being taken: ayes - three, noes – none, abstention – one*. Motion carried.

*Councilmember McCann abstained

Action #139 J.
McCann apptd
Deputy Supervisor
4/13-12/31/26

Councilmember Wrazen moved to appoint Michael Raleigh to the vacant Open Space Committee seat for the term April 13, 2026 through December 31, 2028. Councilmember Armbrust seconded the motion. Upon a vote being taken: ayes - four, noes – none. Motion carried.

Action #140 M.
Raleigh apptd
Open Space Cmte
4/13-12/31/28

Councilmember Armbrust moved to authorize Supervisor Snyder to sign the New York State Environmental Facilities 2026 Refunding Bonding Agreement. Councilmember Wrazen seconded the motion. Upon a vote being taken: ayes - four, noes - none. Motion carried.

Action #141 Sup
auth'd to sign 2026
Refunding Bonding
Agrmt

Councilmember Wrazen moved to authorize Supervisor Snyder and Town Clerk Viger to sign Bank of Holland Corporate Signer Resolution. Councilmember McCann seconded the motion. Upon a vote being taken: ayes - four, noes - none. Motion carried.

Action #142 Sup &
TC auth'd to sign
Bank of Holland
Corp Signer Agrmt

Councilmember McCann moved to adopt the following resolution; seconded by Councilmember Armbrust:

Action #143
2026 Open Space
Plan adopted

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Resolution to Adopt the Town of Aurora 2026 Open Space Plan

WHEREAS, the Town of Aurora is blessed with a rich and diverse natural landscape, including woodlands, stream corridors, wetlands, farmlands, and public parks, which serve vital environmental, recreational, and aesthetic functions; and

WHEREAS, the Town of Aurora Open Space Committee, established in 2007, has worked diligently alongside the Town Board, Planning Board, and local residents to inventory, evaluate, and protect valued open spaces from overdevelopment; and

WHEREAS, the 2026 Open Space Plan builds upon the foundation of the 2010 Open Space Plan and outlines a comprehensive strategy to preserve Aurora's natural heritage, enhance community access to nature, and promote connectivity between parks, preserves, and open spaces; and

WHEREAS, the Open Space Plan defines open space as any part of Aurora's landscape that is essentially underdeveloped, including areas serving environmental functions or used for forestry, agriculture, or low-impact recreation; and

WHEREAS, the Town of Aurora has successfully secured and protected key open space areas, including Owens Falls Nature Preserve, Mill Road Scenic Overlook, Cazenovia Creek Nature Sanctuary, and Sinking Ponds Nature Sanctuary, through partnerships with organizations such as the WNY Land Conservancy; and

WHEREAS, the Open Space Plan emphasizes the importance of creating an integrated green network through the Wildway Initiative, which aims to establish wildlife corridors and connect existing parks, preserves, and open spaces for the benefit of both residents and local ecosystems; and

WHEREAS, the Town of Aurora recognizes that preserving open spaces strengthens property values, enhances tourism, provides wildlife habitat, improves water and air quality, and provides scenic views that contribute to the character and beauty of the community; and

WHEREAS, the Town of Aurora is committed to active stewardship, exceptional access to nature, and maintaining the rural character and high quality of life for its 13,800 residents;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Aurora formally adopts the 2026 Open Space Plan as a guiding document to preserve, protect, and enhance the town's open spaces, ensuring their environmental, recreational, and cultural value for current and future generations; and

BE IT FURTHER RESOLVED, that the Town of Aurora will continue to prioritize the acquisition, protection, and connectivity of open spaces, actively seek partnerships with conservation organizations, and encourage community involvement in the stewardship of the town's natural heritage; and

BE IT FINALLY RESOLVED, that the Town of Aurora reaffirms its commitment to maintaining the high quality of life for its residents by investing in park maintenance, improving accessibility, and fostering a sustainable and connected open space network.

Councilmember Armbrust seconded the motion. Upon a vote being taken: ayes - four, noes - none. Motion carried.

Councilmember Armbrust moved to authorize Supervisor Snyder to sign the 2026 Pyrotechnics Agreement. Councilmember Wrazen seconded the motion. Upon a vote being taken: ayes - four, noes - none. Motion carried.

Action #144 Sup
auth'd to sign 2026
Pyrotechnics Agrmt

Councilmember McCann moved to approve the Rural Outreach Center to use the community pool weekly during open hours for \$50 a day from July 9 through August 13, 2026. Approximate attendance is 48 people. Councilmember Armbrust seconded the motion. Upon a vote being taken: ayes - four, noes - none. Motion carried.

Action #145 Rural
Outreach Cntr
comm pool use
aprvd

Councilmember Wrazen moved to appoint Town Clerk Viger as a Marriage Officiant for the term April 13, 2026 through December 31, 2026. Councilmember McCann seconded the motion. Upon a vote being taken: ayes -four , noes – none. Motion carried.

Action #146 J.
Viger apptd
Marriage Officiant
4/13-12/31/26

Councilmember McCann moved to approve hosting intern Anton Slobodian, an Ormsby Educational Facility student, in the Building Department for three weeks beginning April 30. Insurance certificates will be provided by Ormsby. Councilmember Armbrust seconded the motion. Upon a vote being taken: ayes - four, noes - none. Motion carried.

Action #147 Bldg
Dept hosting intern
A. Slobodian aprvd

COMMUNICATIONS & REPORTS:

- A. Town Clerk – Mar '26 Report

B. Town Clerk – Mar '26 Tax Report

C. Town Clerk – Feb '26 Tax Report (updated)

D. Town Clerk – Mar '26 Water Report

E. Sr. Center – Mar '26 Report

F. Highway – Mar '26 Report Calls & Complaints

G. Highway – Mar '26 Report Dog Control

H. Supervisor – Mar '26 Report

Town of Aurora | Town Board Meeting | April 13, 2026

BUSINESS FROM BOARD MEMBERS/LIAISONS:

Deputy Supervisor McCann reported on the recent Elma water main break, which affected some Town of Aurora residents near the border. He stated that the Town's alert provider, CodeRed had been compromised, that notifications did not reach all intended recipients after a service switch, and that the Town is actively pursuing a better resident alert system.

Councilmembers Wrazen and Armbrust reported on recent emergency preparedness trainings, including a senior center community session and DLAN training attended by board members, the Town Clerk, and the Code Enforcement Officer. Discussion emphasized the importance of emergency readiness, communication tools, and follow-up evaluation after the water event.

Councilmember Wrazen shared that Open Space Committee work on the Natural Resource Inventory was also discussed as part of Climate Smart Communities efforts.

Supervisor Snyder noted upcoming ADA compliance requirements for the Town website and meeting communications, including reducing unexplained acronyms and more clearly identifying speakers and department heads during meetings.

AUDIENCE II:

Jackie Hienrich, Town resident, submitted a petition opposing a proposed Snyder Road subdivision application filed in June 2025 and while there have been no new applications submitted, Mrs. Jackie Hienrich asked that the petition be considered if the matter moves forward.

Joe Quinn, Town resident, addressed the Board regarding the pending development proposal near his property. He said the revised application appeared to him to be substantially the same as an earlier proposal, only renamed from a hotel and wedding complex to a campground lodge. He described the project as a form of spot zoning that, in his view, would benefit the developer rather than the surrounding neighborhood. He also raised concerns about the existing operation on the property, stating that a medical business had expanded from the residence into the barn, with a large parking area added, and questioned whether multiple commercial uses should be allowed on a property in an agricultural area. Quinn said many neighbors remain opposed, noting that about 70 people signed a petition, and expressed frustration that important details such as parking, the lodge use, and other site specifics had not been clearly defined. He urged the Board to be aware that residents continue to have concerns about compliance, process, and the overall impact of the project on nearby properties. The Board responded that there is a formal review process in Town Code, that the matter will return to the Planning Board, and that the Planning Board serves in an advisory role.

Susan Resetarits, Town resident stepped up to support the petition for Snyder Road shared by Mrs. Hienrich stating she has not encountered anyone who is a proponent of the potential subdivision and that it would impact her directly as it would border two of her property lines.

STAFF REPORTS:

Police Chief Welch:

- Announced a Coffee with a Cop event at McDonald's on May 2 from 9-11 AM and invited board members and residents to attend
- Said the recent water shortage highlighted gaps in emergency communication and the need for a better way to reach residents
- Suggested exploring broader contact collection methods, possibly through tax bills or another Town process
- Supported a traffic and speed study for Snyder Road and that it is largely a speed limit issue, and that lowering the limit would improve enforcement

Code Enforcement Officer Cassidy:

- Reported that, following adoption of the Comprehensive Plan, work has begun on reviewing and updating Town Code to better align with it; process is still in its early stages
- Shared that after the March 31 flood and rain event, no major flooding was reported in the Town, though one home in the Village was flooded and required a post-flood damage evaluation
- Noted that, under updated flood maps, properties in the 500-year floodplain must now be built to current flood standards
- Added that this was the first major rain event not tied to snowmelt or ice damming on Tannery Brook, and said similar heavy rain events may become more common

Councilmember McCann moved to adjourn at 7:38 PM and it was seconded by Councilmember Armbrust. Upon a vote being taken: ayes – four, noes – none. Motion carried.

Action #148
Meeting
adjourned

Jeanne H. Viger
Town Clerk