



CASE NO. 1554
DATE OF HEARING 9/17/26

Town of Aurora Zoning Board of Appeals
300 Gleed Avenue, East Aurora, New York 14052

Zoning Board of Appeals Application Form

I. TYPE OF REQUEST

☒ AREA VARIANCE ☐ SPECIAL USE PERMIT ☐ USE VARIANCE ☐ INTERPRETATION

II. APPLICANT/PETITIONER

Applicant's Name Thomas Kosakowski
Address 4175 Martingale Ct
City East Aurora State NY ZIP 14052
Phone 716 462 9993 Fax _____ Email kosa4@icloud.com
Interest in the property (ex: owner/purchaser/developer) President, Polo Grounds Condominium

III. PROPERTY OWNER INFORMATION (If different from applicant information.)

Property Owner(s) Name(s) Legacy Polo Grounds
Address PO Box 3
City East Aurora State NY ZIP 14052
Phone _____ Fax _____ Email _____

III. PROPERTY INFORMATION

Property Address 350 Quaker Rd EastAurora NY 14052
SBL# 175.06-2-1
Property size in acres 16 Property Frontage in feet 283.33
Zoning District R2 Surrounding Zoning R-2/A/C3
Current Use of Property Residential

IV. REQUEST DETAIL

(check all that apply)

☒ Variance from Ordinance Section(s) # 116-98 B (1) ; 116-101B
☐ Special Use Permit for: _____
☐ Use Variance for: _____
☐ Interpretation of _____

V. SIGNATURES (This application must be signed by the applicant/petitioner. If the applicant is not the owner of the property, a separate owner authorization form must be submitted – see pg. 5)



Signature of Applicant/Petitioner

Thomas W Kosakowski

Print name of Applicant/Petitioner

State of New York; County of Erie

On the 20th day of July in the year 2020 before me, the above individual appeared, personally known to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.



Notary Public

(Notary stamp)

MARGARET C. CALLANAN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires April 3, 2027

Office Use Only: Date received: _____ Receipt #: _____

Application reviewed by: _____

ECDP ZR-1 form sent to EC: _____ Hearing publication date: _____

PREVIOUS APPEAL(S):

A previous appeal to the Zoning Board of Appeals () has () has not been made with respect to this property.

Previous appeals:

Date: _____ Type of Appeal: _____ Granted _____ Denied _____

Date: _____ Type of Appeal: _____ Granted _____ Denied _____

PETITIONER'S LETTER OF INTENT

Please describe in detail the proposed project, reason the variance and/or special use permit is being requested and any additional information that may be helpful to the Zoning Board of Appeals in deciding this appeal: (attach additional pages if needed)

The Polo Grounds Condominium Board of Managers is requesting a variance specifically from Sec 116-98B(1)

related to Residential Lighting. We would like an exemption from replacing our existing (49) outdoor lamppost heads to the fully shielded version as specified in Sec 116-101B, when a repair is required.

See attached for further request details.

TO BE COMPLETED ONLY WHEN A USE VARIANCE IS BEING REQUESTED:

A Use Variance is requested because the applicable regulations and restrictions in the Zoning Code of the Town of Aurora have caused unnecessary hardship as demonstrated by the following:

- 1) I cannot realize a reasonable return on my property for each and every permitted use allowed in the current zoning classification as demonstrated by the accompanying financial evidence (provide financial evidence to support your argument).

Financial Evidence Provided Yes ____ No ____ (financial evidence is required per NYS Town Law)

- 2) Describe why your alleged hardship relating to the subject property is unique and does not apply to other properties in the zoning district or neighborhood: _____

- 3) Describe why you believe that the essential character of the neighborhood/community will not change if the Zoning Board of Appeals grants you a use variance: _____

- 4) Is your need for a use variance a result of you own actions (is your difficulty self-created)? Please explain: _____

(Attach additional pages if needed)

SUPERVISOR
Charles D. Snyder
(716) 652-7590
csnyder@townofaurorany.gov



TOWN CLERK
Jeanne H. Viger
(716) 652-3280
townclerk@townofaurorany.gov

TOWN OF AURORA

Aurora Municipal Center
575 Oakwood Avenue, East Aurora, NY 14052
www.townofaurorany.gov

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TOWN ATTORNEY

Brigid M. Maloney

TOWN JUSTICE

Jeffrey P. Markello
James Granville

HISTORIAN

Robert L. Goller
(716) 652-7944
historian@townofaurorany.gov

FAX: (716) 652-3507

Polo Grounds Condominium
Attn: Thomas Kosakowski, President
4175 Martingale Ct
East Aurora, NY 14052

August 5, 2026

Tom,

The Building Department has reviewed request for exemption of replacing existing lighting fixtures (lamp posts) with fully shielded fixtures. The request has been denied because it fails to meet the code requirements for outdoor lighting fixtures in the Town.

Section 116-98B(1)

Requirement: Any outdoor lighting fixture that is replaced, changed, repaired, or relocated, in whole or in part, after the effective date of this article shall comply with its provisions.

Requested: Continued use of existing post light fixtures

Variance: Continued use of existing post light fixtures

Section 116-101B

Requirement: All outdoor lighting fixtures shall be fully shielded and aimed straight downward.

Requested: Continued use of existing post light fixtures which are unshielded

Variance: Continued use of existing post light fixtures which are unshielded

This letter serves as notice that we have received the application and fee for the Zoning Board of Appeals. You will receive notification from the Town Clerk with the date and time of the next available hearing. If you have any questions, please contact our office at 652-7591.

Sincerely,

A handwritten signature in black ink, appearing to read "Elizabeth Cassidy".

Elizabeth Cassidy
Code Enforcement Officer

Zoning Variance Request

1. Lampposts and associated lighting have existed for approximately 17 years without incident or complaints from PGC residents. We had our first complaint this year, from a resident that recently moved to our community. We are a “self-contained” condo community, isolated from other Town of Aurora residents; avoiding the potential of “light trespass” to them.
2. New code compliant lampposts would decrease the overall illumination “footprint”, to the areas they were originally designed for. This is the only PGC provided means of outdoor lighting. We have streets at least 4’ narrower than other Town private roads, no sidewalks, and no streetlights. There are currently (10) resident households that have dogs and walk them on our roads regularly, both day and night. Additionally, the average resident age is closely estimated to be between 73-76 years. We feel as a board complying with this new requirement reduces pedestrian safety, and increases our community’s liability exposure. (see addendum for additional reference)
3. Since we are bound by Sec 8.03 of our By-Laws to “maintain conformance to materials, color and style of common elements, as originally provided by the Sponsor,” our adherence to the new code will place an unreasonable \$60K+ financial burden upon our community.

SEE ATTACH #1

SEE ATTACH #6 & #7

4. We have received an overwhelming positive confidential vote response from PGC residents, in support of our petition for a variance. Per the attached, we had only (1) household that was in opposition to our variance request. It should be noted that when the residents in dispute purchased their unit last October, it was supplied with custom installed drapes and blinds. See the attached information from the previous owner. They have stated in writing “we should not have to deploy drapes and blinds to block intense blue-light bulbs”. However, their lamppost fixture never had a 5000K 75w bulb installed in the lamppost that serves their unit. Their correspondence suggests they were speaking on behalf of other PGC residents. The recent community vote does not align with their thinking.

SEE ATTACH
#2

SEE ATTACH
#3

5. However, we will agree to revise our Condo “rules & regs” and maintenance practices, to prohibit 5000K or “daylight” light bulbs in these lampposts. We were slowly installing the “daylight” or 5000K bulbs over the other “soft” or 2700K bulbs due to the ability of the 5000K to offer better color contrast (encouraged by insurance and law enforcement for security). Since illumination levels between daylight and soft is insignificant, we feel the change will not be a detriment to our community.

6. Our variance request is not “substantial”, just allowing us to maintain past practice, with the revision cited above in #5.

7. In our view the human safety/property security factor heavily outweighs the intent of the code revision. Additionally, recent

light readings, conducted by the Town of Aurora Code Enforcement department, in the most “worse case” scenario, did not exceed Town standards for “light nuisance”. Therefore, it is our position that “blocking” the back side of our four-sided light fixture is not necessary. It deprives residents of the aesthetic effect of illuminating the front of their unit, while creating shadows impacting property security.

SEE ATTACH #4

8. This situation was not self-created, but rather a new code revision which collides with our existing system of community provided lighting.

Liability & Safety Analysis vs Fully Shielded Lighting

Summary— As a Board of Managers for the Polo Grounds Condominium, our primary fiduciary and legal responsibility is to protect the residents and insulate our community from liability. Our neighborhood consists of 49 established, 7-7.5-foot-tall lampposts illuminating the common areas, including 20-foot-wide roads with **no sidewalks or streetlighting**. Our residents- with an average age ranging from 73 to 76- must walk directly on the asphalt at dusk and night to walk dogs or go to a nearby neighbor's home.

While “fully shielded” lighting is highly effective on tall commercial highway poles (25+ feet), enforcing it on low-height residential posts creates an immediate safety hazard by blinding drivers to the presence of pedestrians.

1. Physics of Distance: Why full Shielding Creates Blind Spots

By international lighting and dark-sky standards, a fixture is only “fully shielded” if it mechanically blocks light from traveling at flat, horizontal angles (80-90 degrees relative to the post).

On a tall 25-foot municipal streetlight, blocking these flat angles is safe because the light is meant to project straight down. However, given the height of our lampposts, the math changes completely:

- **The Current Setup:** Our lampposts have a solid top that blocks 100% of skyward light pollution. However, the translucent side panels allow light to travel horizontally. When a resident walks 20 feet +/- away from a lamppost, these horizontal rays strike their body, illuminating their chest, face, clothing, and pets as appropriate. They are highly visible to oncoming vehicles.
- **The fully Shielded Alternative:** if we force these lamppost heads to be fully shielded, the internal barriers will completely chop off those horizontal light paths. At 20 feet +/-, **the light will pass entirely beneath a pedestrian's waist**. A driver looking down the road will see the illuminated asphalt, but the actual torso and face of the resident will be cast into deep shadow.

2. The Aging Eye and the Danger of Facial Recognition Failure

The average age in our community ranges from 73 to 76. Physiological studies show that older adults require significantly higher vertical contrast to distinguish moving objects and recognize faces at night.

If we transition to fully shielded fixtures, at our current lamppost heights, we are drastically dropping the vertical foot-candles (the light that hits a standing body). This creates a dangerous optical environment for seniors:

- **Inter-visibility Failure:** a driver turning a tight corner will not be able to see the upper body of a resident in time to brake.
- **Security & Anxiety:** Residents walking at dusk will no longer be able to recognize the faces of oncoming people, significantly decreasing the actual and perceived security of our private roads.

Our current system strikes the perfect balance: our solid top prevents light pollution into the night sky, while our translucent light fixture panels provide the vital horizontal throw needed to keep human bodies illuminated and visible.

3. The Legal Liability of Changing a Proven System

From a legal and liability exposure perspective, changing our infrastructure poses a major risk to the Condominium for three reasons:

- **No History of Negligence:** Our current lighting system works well within our local laws (producing no more than 1.23 foot-candles at 10 feet, safely below the municipal 2.0 foot-candle nuisance threshold). In the history of our Condominium, **we have had zero lighting-related accidents.**
- **Creating a Known Hazard:** If the Condominium modifies these lights to a fully shielded design, and a resident is subsequently struck by a vehicle because their upper body was hidden in a shielding shadow, the Board/Condominium can be sued for creating a known visual hazard.

SEE ATTACH #5

- **Deviation from Standard Care:** Modifying lighting in a community with no sidewalks, where seniors must share the narrow road with vehicles, requires prioritizing pedestrian safety over skyward shielding.

Conclusion and Requested Action

While we respect the intent of this new lighting code, the fully shielded standard is an engineering mismatch that strips away light from the human body. Our solid top lamppost head design already solves the problem of upward light pollution.

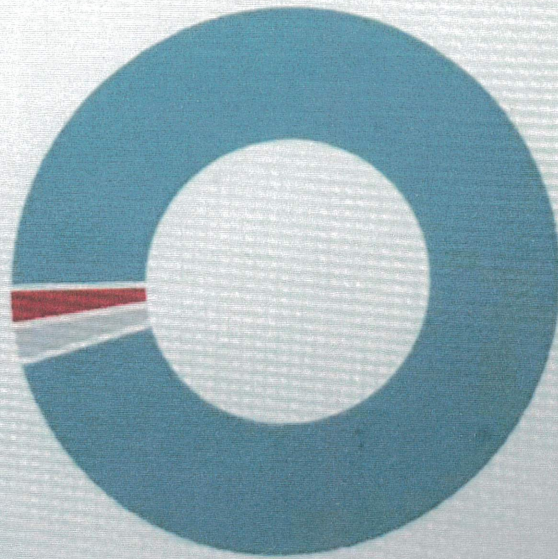
To protect our residents from physical harm and to protect the Condominium from catastrophic personal injury liability, we respectfully request we must maintain our current solid-top, translucent sided lamppost system. It is the only configuration that ensures a senior resident on a sidewalk-free road can be seen by their neighbors and oncoming traffic.

interest on all sums due.

Section 8.03 Quality of Maintenance and Repairs. All repairs, painting and maintenance, whether made by the Unit Owner or by the Board of Managers, shall be carried out in such a manner so as to conform to the materials, style and color initially provided by the Sponsor, unless the Board of Managers determines otherwise.

Section 8.04 Restrictions on Use of Units and Common Elements. In order to provide

Results for: Do you support PGC submitting a variance request to the Town of Aurora ?



Your unit voted: **Yes**

- Yes: **44**
- No: **1**
- No Response: **1**

This was an anonymous poll so individual responses cannot be viewed.

Click anywhere to close



From: Consuelo Neff consueloneff@gmail.com
Subject: Custom draperies and Hunter Douglas Blinds
Date: Jul 22, 2026 at 8:07:46 PM
To: Kosakowski Thomas kosa4@icloud.com

Consuelo R Neff sold :

4050 Martingale Court East Aurora NY 14052 to Robert and Mary Ann King

October 27, 2025.

This sale included custom draperies and Hunter Douglas Blinds ..cost \$39,000.
The draperies and blinds provided full coverage from the front of the house and street.

Consuelo R Neff

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(716) 652-7590
csnyder@townofaurorany.gov



TOWN CLERK
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TOWN OF AURORA

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July 7, 2026

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*This institution is an equal
opportunity provider and employer.*

Tom Kosakowski
4175 Martingale Ct
East Aurora, NY 14052

Re: Light readings

Tom and Board members,

At your request I completed a light reading at the Polo Grounds for the existing post fixture and differing bulbs. Attached are the readings. None of the light bulbs tested rose to the level of a violation as stated in Town Code. The new section of Town Code for outdoor lighting considers light trespass a nuisance when "1-illuminance at or beyond a property line abutting a residential parcel exceeds 2 footcandles as measurable from any orientation of the measuring device." The Town Code is silent on the temperature (Kelvin scale) of bulbs and so it is up to the property owner to determine what setting is preferred. As you can see from the readings, the difference between the daylight version and the soft version are minimal. The difference is how the light is perceived.

The post light fixtures are non-compliant with the new lighting code, which requires all new and repaired fixtures to be fully shielded, meaning no light spills up or horizontally from the fixture. Any work on the fixture, other than replacing a bulb, requires the entire fixture to be replaced with a compliant fixture. For example, replacing a post, or rewiring the light sensor would trigger the new code and require an entirely new post light fixture. There is no grandfathering for these fixtures. However, the Association could, recommended with a majority vote of the owners, submit a variance request to keep these fixtures when they are repaired. We discussed both the safety aspects of the fixtures and the potential replacement cost for the owners and this information could support the request for the variance. There is no guarantee that a variance will be approved.

My recommendation would be to block the back panel of each fixture to prevent spill back on the houses and install any of the bulbs tested. This would show a willingness to work toward meeting the intent of the code while not meeting the letter of it. Additionally, I would also recommend discussing the issue with the owners to determine if a variance request is preferred over replacing all the fixtures. I can provide guidance to the application submission if necessary.

Please contact me with any questions.

Sincerely,

Elizabeth Cassidy
Town of Aurora/Village of East Aurora
Code Enforcement Officer
Cell 716.695.5194
Office 716.652.7591
Email ecassidy@townofaurorany.gov

Light Readings 7/6/2026

Initial
9pm ambient
1.83 Fc

Existing resident installed light

1.16^{FC} @ house wall

75 W 5000K LED

1.23 Fc ↓

75W 2700K LED

1.13 Fc ↓

75 W 5000K blocked

0.46 Fc ↓

60 W 2700K

— ↓

40 W 2700K

0.56 Fc ↓

40 W 5000K

0.61 Fc ↓

Other Measure Options if Needed

9:33
pm

75 W 2700K blocked

60 W 2700K blocked

60 W 5000K blocked

40 W 2700K blocked

40 W 5000K blocked

From: William Kolkmann WKolkmann@lawleyinsurance.com

Subject: PGC - Lighting Code / Zoning Board of Appeals

Date: July 17, 2026 at 12:39 PM

To: Tom Kosakowski kosa4@icloud.com

Cc: Stephen Powell SPowell@lawleyinsurance.com, Deanna Sornberger DSornberger@lawleyinsurance.com



Tom:

As discussed, should any regulatory action result in a mandate that essentially reduces the lighting available throughout Polo Grounds, an increased liability hazard will be created.

This new and changed reality and consequent increased hazard may, and theoretically should, be reason for an increase in your liability insurance premiums.

BK

William E. Kolkmann

Lawley | INSURANCE | EMPLOYEE BENEFITS

p 716.849.8652 | m 716.432.2992

wkolkmann@lawleyinsurance.com

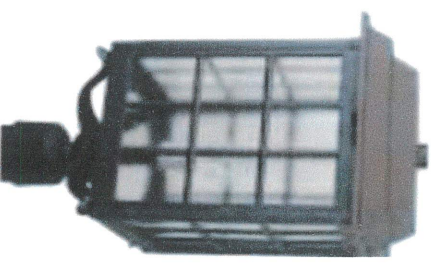
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361 Delaware Ave, Buffalo, New York 14202

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Melissa 2390 2300 Series Traditional Large Outdoor Post Lighting Fixture

Now: \$867.24. Available in Old Iron, Black,
Old Copper, Old English, Old Bronze
Measures 10.25 inches wide, 21 inches tall
Wet rated Uses 1 150w Edison bulb(s)

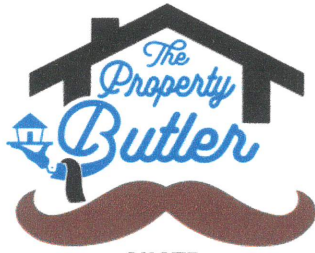


\$867.24 • In stock • Free delivery • Free 30-day return

Missing: ~~BK~~ | Show results with: **BK**

+ UPGRADE FEE = \$1,087.50 (includes tax)

ATTACH #7

**QUOTE****(716) 207-8425**

www.thepropertybutler.net

Thebuttermaintenance@gmail.com

2861 Southwestern Blvd #2,
Orchard Park, NY 14127

Customer	Service Location
Thomas Kosakowski (716) 462-9993 kosa4@icloud.com	The Polo Grounds 4175 Martingale Ct East Aurora, New York 14052-2178

Quote No.	4175 Martingale Ct_1616
Quote Date	07/14/2026
Service Butler	

Project Summary:

Estimate			
Description	Qty	Rate	Total
LANTERN REPLACEMENT PROJECT (ALL HOA) - Assess front yard lanterns throughout HOA to determine best removal and install process needed. - Disassemble lanterns from existing post by removing all set screws and hardware that secure each in place. - Disconnect existing electrical line, cap it off until new top is ready or install. - Unbox and assemble new lantern tops as needed. - Hook up existing electrical lines and tie lines together using wire nuts and electrical tape. - Mount new lantern top to existing lamp post and secure using all included set screws and hardware. - Adjust lantern top as needed and install bulbs. - Test lantern is in good working order. - Cleanup any leftover materials, tools, and debris. - Ensure customer is fully satisfied. - Note: This estimate does not include any materials, just labor. - Note: This estimate does not include any repair of faulty electrical issues or issues on lamp post or base. - Note: This estimate is subject to change after assessment of 1st lamp post. - Note: This estimate does not include any building or zoning permits needed.	49.00	\$200.00	\$9,800.00
Sales Tax		8.75%	\$857.50

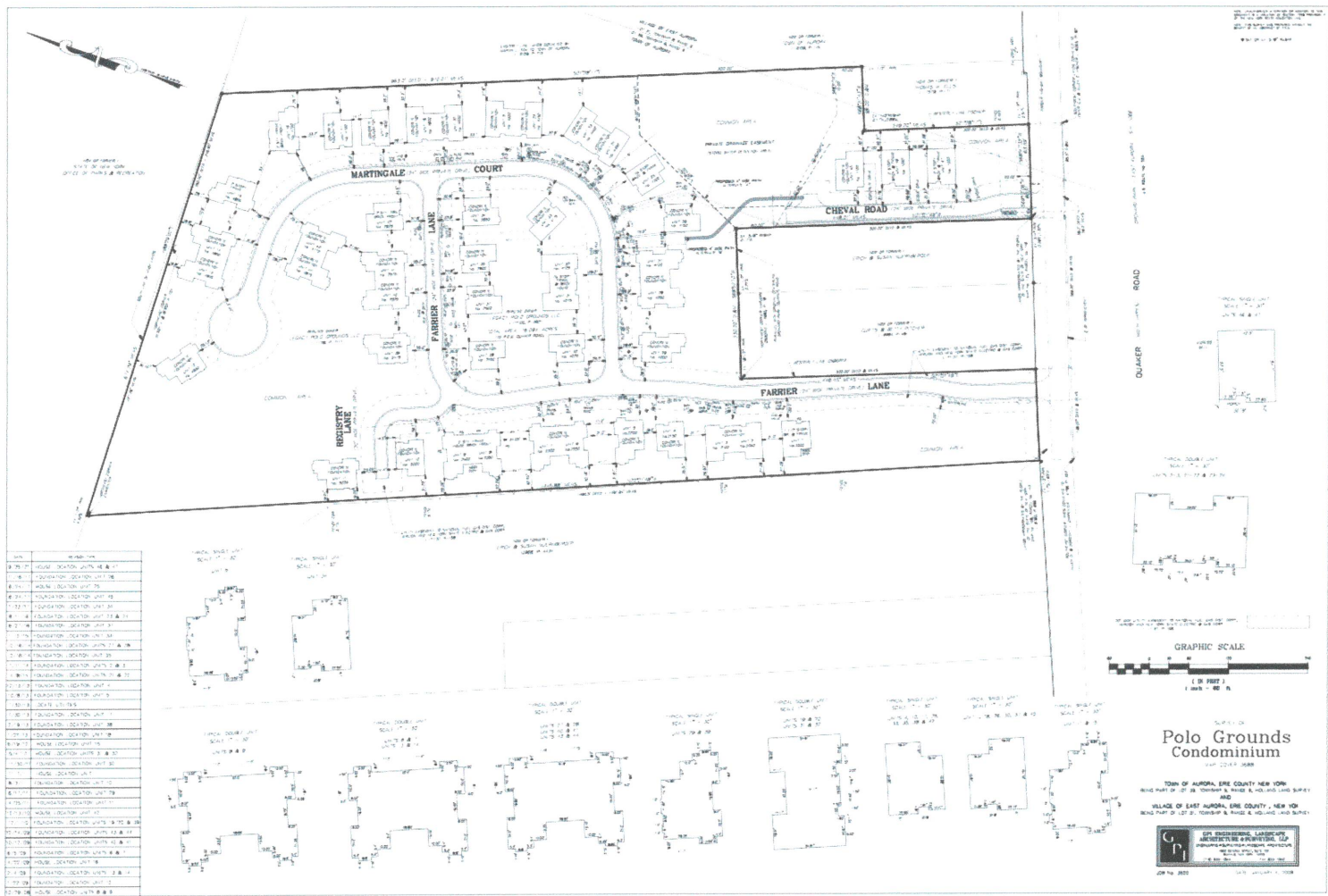
Payments & Deposits	Subtotal	Estimate Tax (8.75%)	Estimate Total
50% Deposit REQUIRED over \$1,000.00	\$9,800.00	\$857.50	\$10,657.50
Estimate Approval Signature	_____ - 07/14/2026 Signed By: Thomas Kosakowski		

Thank you for the opportunity to serve you. At The Property Butler, we take pride in delivering tailored solutions for your home. Please note, this quote is subject to change if substantial adjustments become necessary.

WE MOVED! NEW ADDRESS: 2861 Southwestern Blvd #2, Orchard Park, NY 14127



Foundation Locate Survey.pdf



Short Environmental Assessment Form

Part 1 - Project Information

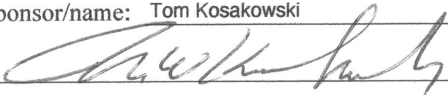
Instructions for Completing

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

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

Part 1 – Project and Sponsor Information			
Name of Action or Project: Lamppost Variance Request			
Project Location (describe, and attach a location map): 350 Quaker Rd, East Aurora, NY 14052			
Brief Description of Proposed Action: The Polo Grounds Board of Managers is requesting a variance from Sec 98 B(1) related to updating our (49) outdoor lamppost heads to fully shielded code compliant versions, as specified in Sec 116-101B.			
Name of Applicant or Sponsor: Tom Kosakowski		Telephone: 716 462-9993 E-Mail: kosa4@icloud.com	
Address: 4175 Martingale Ct			
City/PO: East Aurora		State: NY	Zip Code: 14052
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO ☒	YES ☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO ☒	YES ☐
3. a. Total acreage of the site of the proposed action? _____ 16 acres b. Total acreage to be physically disturbed? _____ 0 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 16 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action: ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☒	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☒
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
b. Are public transportation services available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☒	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☒	☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☒ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	☒	☐
a. Will storm water discharges flow to adjacent properties?	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☐	☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Tom Kosakowski</u> Date: <u>July 15, 2026</u>		
Signature: <u></u> Title: <u>President Poloo Grounds Condominium</u>		

FOR COUNTY USE ONLY

C1. SWIS Code

C2. Date Deed Recorded

C3. Book

C4. Page

REAL PROPERTY TRANSFER REPORT



AURORA ASSESSOR'S OFFICE STATE OF NEW YORK

STATE BOARD OF REAL PROPERTY SERVICES

11/11/2005

RP - 5217

RP-5217 Rev 3/97

PROPERTY INFORMATION

1. Property Location 350 Quaker Road and 2 parcels of V/L on Quaker Road

STREET NUMBER

STREET NAME

Aurora

CITY OR TOWN

East Aurora

VILLAGE

14052

ZIP CODE

2. Buyer Name LEGACY POLO GROUNDS, LLC

LAST NAME / COMPANY

FIRST NAME

LAST NAME / COMPANY

FIRST NAME

3. Tax Billing Address Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form)

LAST NAME / COMPANY

FIRST NAME

STREET NUMBER AND STREET NAME

CITY OR TOWN

STATE

ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed 3 # of Parcels OR Part of a Parcel

(Only if Part of a Parcel) Check as they apply:

4A. Planning Board with Subdivision Authority Exists

4B. Subdivision Approval was Required for Transfer

4C. Parcel Approved for Subdivision with Map Provided

5. Deed Property Size FRONT FEET X DEPTH OR ACRES

6. Seller Name 350 QUAKER ROAD ASSOCIATES

LAST NAME / COMPANY

FIRST NAME

LAST NAME / COMPANY

FIRST NAME

7. Check the box below which most accurately describes the use of the property at the time of sale:

A One Family Residential

B 2 or 3 Family Residential

C Residential Vacant Land

D Non-Residential Vacant Land

E Agricultural

F Commercial

G Apartment

H Entertainment / Amusement

I Community Service

J Industrial

K Public Service

L Forest

Check the boxes below as they apply:

8. Ownership Type is Condominium

9. New Construction on Vacant Land

10A. Property Located within an Agricultural District

10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District

SALE INFORMATION

11. Sale Contract Date

01 / 02 / 04

Month Day Year

12. Date of Sale / Transfer

08 / 30 / 05

Month Day Year

13. Full Sale Price

2,500,000.00

(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

14. Indicate the value of personal property included in the sale

0.00

15. Check one or more of these conditions as applicable to transfer:

A Sale Between Relatives or Former Relatives

B Sale Between Related Companies or Partners in Business

C One of the Buyers is also a Seller

D Buyer or Seller is Government Agency or Lending Institution

E Deed Type not Warranty or Bargain and Sale (Specify Below)

F Sale of Fractional or Less than Fee Interest (Specify Below)

G Significant Change in Property Between Taxable Status and Sale Dates

H Sale of Business is Included in Sale Price

I Other Unusual Factors Affecting Sale Price (Specify Below)

J None

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

16. Year of Assessment Roll from which information taken

0.5

17. Total Assessed Value (of all parcels in transfer)

1,042,000

18. Property Class

4,1,6-

19. School District Name

East Aurora Union Free School District

and 330

20. Tax Map Identifier(s) / Roll Identifier(s) (If more than four, attach sheet with additional identifier(s))

164.00-2-34 and (H16) Town

175.06-1-3 (330) Village

175.06-1-1 and (330) Village

CERTIFICATION

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

BUYER

BUYER'S ATTORNEY

BUYER SIGNATURE

DATE

LEWANDOWSKI

LAST NAME

BRIAN N.

FIRST NAME

5

STREET NUMBER

Autumn Creek Lane

STREET NAME (AFTER SALE)

(716)

AREA CODE

674-4710

TELEPHONE NUMBER

East Amherst

CITY OR TOWN

NY

STATE

14051

ZIP CODE

SELLER

SELLER SIGNATURE

DATE

CITY/TOWN ASSESSOR

COPY

BOX 41

THIS INDENTURE, made the 10th day of August, 2005

BETWEEN

350 QUAKER ROAD ASSOCIATES, a Partnership
3976 Seneca Street, West Seneca, New York

party of the first part, and

LEGACY POLO GROUNDS, LLC,
a New York limited liability company
5 Autumn Creek Lane, East Amherst, New York 14051

party of the second part,

WITNESSETH, that the party of the first part, in consideration of \$1.00 and More Dollars (\$1.00 & More) lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, its heirs and assigns forever,

SEE ATTACHED SCHEDULE A

Together with all right, title and interest of, in and to any streets and roads abutting the above described premises.

Together with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

To have and to hold, the above granted premises unto the said party of the second part, its heirs and assigns forever.

And said party of the first part covenants as follows:

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

P18282

AMR - 250,000.⁰⁰
DBO - 4

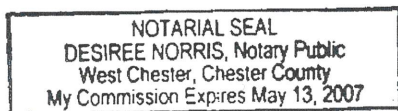
SCHEDULE A
Description

ALL THAT TRACT OR PARCEL OF LAND, situate in the Village of East Aurora, Town of Aurora, County of Erie and State of New York, being part of Lots Nos. 39 and 31, Township 9, Range 6 of the Holland Land Company's Survey, described as follows:

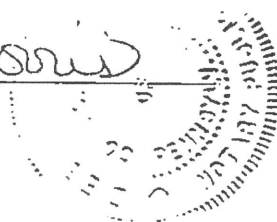
COMMENCING at a point in the center line of the highway known as Orchard Park Road, also Quaker Road and Big Tree Road, as now laid out fifty-eight (58) feet westerly from the west corporation line of the Village of East Aurora, being indicated by a stone monument thirty-three (33) feet south of the center of said road and at right angles thereto; thence easterly along the center of said highway fifty-eight (58) feet to the west corporation line of the Village of East Aurora; thence continuing easterly along the center line of the paved portion of said highway, eighty-five and five tenths (85.5) feet to the southwest corner of premises conveyed to Lester C. J. Fischer and Ellen C. his wife by deed recorded in Erie County Clerk's Office in Liber 6063 of Deeds at Page 82; running thence northerly at right angles and along the west line of premises conveyed to said Fischer a distance of three hundred (300) feet; running thence easterly at right angles and along the north line of premises conveyed to said Fischer a distance of ninety-eight (98) feet to the west line of premises conveyed by Marvin L. Fox to the Town of Aurora by deed recorded in said Clerk's Office in Liber 5159 of Deeds at Page 115; running thence northerly at right angles and along the west line of premises conveyed to said Town of Aurora a distance of nine hundred sixty-three (963) feet to premises owned by Knox; thence deflecting to the left in a straight line to a point two hundred sixty (260) feet at the north end of a line extending north from the place of beginning and at right angles to the center line of said Orchard Park Road one thousand three hundred forty-seven (1,347) feet northerly therefrom; thence southerly one thousand three hundred forty-seven (1,347) feet to the place of beginning.

EXCEPTING that portion lying within the bounds of Orchard Park Road as now existing.

signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.



Desiree Norris
NOTARY PUBLIC



STATE OF NEW YORK)
COUNTY OF ERIE) SS:

On the 10th day of August in the year 2005, before me, the undersigned, a notary public in and for said state, personally appeared GEORGE FLETCHER, JOHN GLENN, RICHARD GLOVER, ROBERT GRAY, KENNETH HOLMES, GERALD PATTERSON, EDWARD SNYDER, CLARK THRASHER, WALLACE WEIGEL and JAY ZULINKE, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacity, and that by their signatures on the instrument, the individuals or the persons upon behalf of which the individuals acted, executed the instrument.

Debra A. Ritz
NOTARY PUBLIC

DEBRA A. RITZ
NOTARY PUBLIC, STATE OF NEW YORK
Qualified in Erie County
My Commission Expires 12/31/20 Dec

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

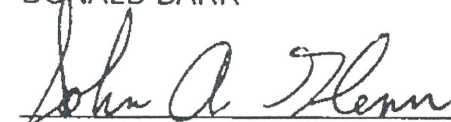
THIRD, that this conveyance is subject to the trust fund provisions of Section Thirteen of the Lien Law.

In Witness Whereof, the parties of the first part have hereunto set their hands and seals the day and year first above written.

IN PRESENCE OF

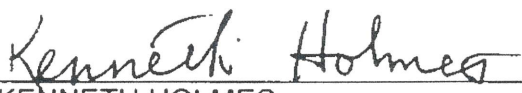

DONALD BARR


GEORGE FLETCHER

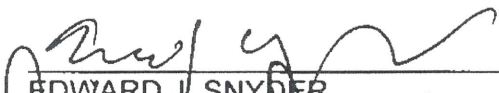

JOHN GLENN

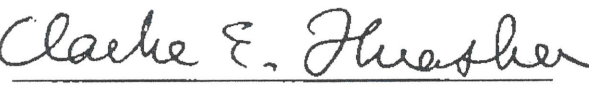

RICHARD GLOVER

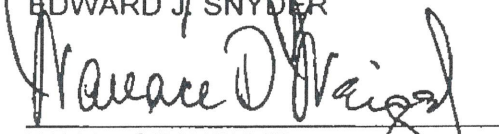

ROBERT GRAY

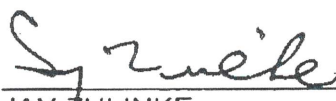

KENNETH HOLMES


GERALD PATTERSON


EDWARD J. SNYDER


CLARK THRASHER


WALLACE WEIGEL


JAY ZULINKE

STATE OF Pennsylvania
COUNTY OF Chester) SS:

On the 2 day of August 2005 in the year 2005, before me, the undersigned, a notary public in and for said state, personally appeared DONALD BARR, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his

**ERIE COUNTY CLERKS OFFICE**

County Clerk's Recording Page

Return To:

BOX 41

Party 1:

350 QUAKER ROAD ASSOCIATES

Party 2:

LEGACY POLO GROUNDS LLC

Book: 11100 Page: 3927

Page Count: 5

Doc Type: DEED-\$165 EQUIL

Rec Date: 08/30/2005

Rec Time: 12:55:00 PM

Control #: 2005018282

User ID: patti

Trans Num: 7209

DEED SEQ: TT200502512

MTG SEQ:

UCC:

SCAR:

INDEX:

Recording Fees:

RECORDING	\$32.00
COE COUNTY	1.00
TRANSFER	\$1,000.00
NFTA TT	\$1,250.00
COE STATE GENERAL	\$14.25
COE STATE RM	\$4.75
RP5217 NON RES	\$156.00
RP5217 COUNTY FEE	\$9.00
	\$10.00
TP584	10.00

Consideration Amount: \$250,000.00

BASIC	\$0.00
SONYMA	\$0.00
ADDL	\$0.00
NFTA MT	\$0.00
TRANSFER	\$1,000.00
NFTA TT	\$1,250.00

Total: \$2,477.00
STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE

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

David J. Swarts
County Clerk