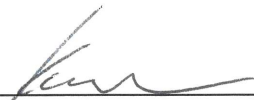


CASE NO. 1534DATE OF HEARING 3/19/26Town of Aurora Zoning Board of Appeals
575 Oakwood Avenue, East Aurora, New York 14052**Zoning Board of Appeals Application Form****I. TYPE OF REQUEST**☒ AREA VARIANCE ☐ SPECIAL USE PERMIT ☐ USE VARIANCE ☐ INTERPRETATION**II. APPLICANT/PETITIONER**Applicant's Name K2 DEV. LLC (TREVOR KONOPA)
(KRISTOPHER KONOPA)
Address 1380 EMERY ROAD
City EAST AURORA State NY ZIP 14052
Phone 716-697-8370 Fax _____ Email K2.DEVELOPMENT@mail.com
Interest in the property (ex: owner/purchaser/developer) PURCHASER**III. PROPERTY OWNER INFORMATION** (If different from applicant information.)Property Owner(s) Name(s) PATRICIA CONNOR c/o CHRISTOPHER CONNOR (POWER OF ATTORNEY)
Address 5749 DUNNIGAN ROAD
City LOCKPORT State NY ZIP 14094
Phone 716-803-3013 Fax _____ Email CHRISTOPHERSCONNOR@gmail.com**III. PROPERTY INFORMATION**Property Address 217 BOWEN ROAD
SBL# 164.00-1-39
Property size in acres 0.719 Property Frontage in feet 130.5'
Zoning District R1 Surrounding Zoning R1
Current Use of Property VACANT LOT**IV. REQUEST DETAIL**

(check all that apply)

☒ Variance from Ordinance Section(s) # 116-8.1D(2)
☐ Special Use Permit for: _____
☐ Use Variance for: _____
☐ Interpretation of _____

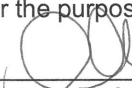
V. SIGNATURES (This application must be signed by the applicant/petitioner. If the applicant is not the owner of the property, a separate owner authorization form must be submitted – see pg. 5)


Signature of Applicant/Petitioner

KRISTOPHER KOVACS
Print name of Applicant/Petitioner

State of New York; County of Erie

On the 4th day of February in the year 2026 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 exp 8/12/29

(Notary stamp)



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)

* PLEASE SEE ATTACHED LETTER OF INTENT *

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)

Letter of Intent

Petitioner's Statement Regarding 217 Bowen Road

To Whom It May Concern,

I am writing to formally express my intent regarding the vacant lot located at 217 Bowen Road. It has come to my attention that this parcel, after subtracting the 33-foot right of way, measures approximately 0.70 acres, which is just under the minimum lot size requirement of 0.75 acres.

Despite the lot being 0.05 acres less than the stated minimum, our intention is to construct a single-family residence on this property. All municipal setback requirements and offsets can be comfortably met, as demonstrated by the attached surveys.

To ensure compliance with public health standards, we proactively contacted the Erie County Department of Health. We have received confirmation that a septic system can be permitted and installed on this 0.70-acre lot without any issues. Please refer to the attached email correspondence from the Erie County Department of Health, which affirms that 217 Bowen Road is considered a "buildable lot."

In light of the above, we respectfully request an exception to the minimum lot size requirement and ask that this property be recognized as a buildable lot. We appreciate your consideration and look forward to a favorable response.

Sincerely,

Kristopher Konopa

Petitioner

SUPERVISOR
Charles D. Snyder
(716) 652-7590
csnyder@townofaurora.com



TOWN CLERK
Martha L. Librock
(716) 652-3280
townclerk@townofaurora.com

TOWN OF AURORA

Aurora Municipal Center

575 Oakwood Avenue, East Aurora, NY 14052

www.townofaurora.gov

February 5, 2026

TOWN COUNCIL MEMBERS

Luke Wochensky
lwochensky@townofaurora.com

Joseph M. McCann
jmccann@townofaurora.com

Raymond M. Wrazen
rwrazen@townofaurora.com

SUPT. OF HIGHWAYS
David M. Gunner
(716) 652-4050
highway@townofaurora.com

CODE ENFORCEMENT
OFFICER
Elizabeth Cassidy
(716) 652-7591
building@townofaurora.com

ASSESSOR
Stephen R. Pigeon
assessor@townofaurora.com
(716) 652-0011

DIR. OF RECREATION
Christopher Musshafen
(716) 652-8866
chris@townofaurora.com

TOWN ATTORNEY
Brigid M. Maloney

TOWN JUSTICE
Jeffrey P. Markello
James Granville

HISTORIAN
Robert L. Goller
(716) 652-7944
historian@townofaurora.com

FAX: (716) 652-3507

Kristopher Konopa
Trevor Konopa
K2 Dev. LLC.
1380 Emery Road
East Aurora, NY 14052

Kristopher and Trevor,

The Building Department has reviewed your request for the proposed construct a single-family dwelling on a vacant at 217 Bowen Road (SBL: 164.00-1-39) The request has been denied because the vacant lot fails to meet the requirement for minimum lot size in the R1 – Single-Family Residential zoning district in which the vacant lot is located.

Sections 116-8.1D(2) - Minimum lot size.

Required: Area of 32,670 square feet (3/4 of an acre, not including the right-of-way).

Requested: 31,320 square feet (0.71 sq. ft.)

Variance: 1,350 square feet (0.04 sq. ft.)

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,

Richard Miga
Assistant Code Enforcement Officer

Town of Aurora
575 Oakwood Avenue
East Aurora, NY 14052
www.townofaurora.com

**Zoning Board of Appeals
Application
Owner Authorization**

The undersigned, who is the owner of the premises know as:
217 Bowen Road East Aurora, NY 14052

..... identified as Tax Map (SBL)#.....
(address)

hereby authorizes Kristopher Konopa to bring an application for ☒ area variance

☐ special use permit ☐ use variance ☐ interpretation before the Town of Aurora Zoning Board of Appeals for review and potential approval. The undersigned further permits the Town or its authorized representative(s) access to the property to review existing site conditions during the review process.

Patricia Connor c/o Christopher Connor (Power of Attorney)

2/2/2026

Owner (print)

Date

Christopher Konopa
Owner (signature)

STATE OF NEW YORK)

SS

COUNTY OF ERIE)

On this 2nd day of February, 2026, before me, the undersigned, a notary public in and for said state, personally appeared Christopher Connor, personally known to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Molly B. Pancurak
Notary Public

MOLLY B PANCURAK
Notary Public, State of New York
No. 01PA4813452
Qualified in Erie County
Commission Expires July 31, 2026



POWER OF ATTORNEY NEW YORK STATUTORY SHORT FORM

(a) CAUTION TO THE PRINCIPAL: Your Power of Attorney is an important document. As the “principal,” you give the person whom you choose (your “agent”) authority to spend your money and sell or dispose of your property during your lifetime without telling you. You do not lose your authority to act even though you have given your agent similar authority.

When your agent exercises this authority, he or she must act according to any instructions you have provided or, where there are no specific instructions, in your best interest. “Important Information for the Agent” at the end of this document describes your agent’s responsibilities.

Your agent can act on your behalf only after signing the Power of Attorney before a notary public.

You can request information from your agent at any time. If you are revoking a prior Power of Attorney, you should provide written notice of the revocation to your prior agent(s) and to any third parties who may have acted upon it, including the financial institutions where your accounts are located.

You can revoke or terminate your Power of Attorney at any time for any reason as long as you are of sound mind. If you are no longer of sound mind, a court can remove an agent for acting improperly.

Your agent cannot make health care decisions for you. You may execute a “Health Care Proxy” to do this.

The law governing Powers of Attorney is contained in the New York General Obligations Law, Article 5, Title 15. This law is available at a law library, or online through the New York State Senate or Assembly websites, www.nysenate.gov or www.nyassembly.gov.

If there is anything about this document that you do not understand, you should ask a lawyer of your own choosing to explain it to you.

(b) DESIGNATION OF AGENT(S):

I, PATRICIA A. CONNOR

(name of principal)

34 Alexander Parkway, N. Tonawanda, NY 14120

(address of principal)

hereby appoint:

CHRISTOPHER S. CONNOR

(name of agent)

5749 Dunnigan Rd., Lockport, NY 14094

(address of agent)

(name of second agent)

(address of second agent)

as my agent(s).



If you designate more than one agent above and you do not initial the statement below, they must act together.

☐ My agents may act SEPARATELY.

(c) DESIGNATION OF SUCCESSOR AGENT(S): (OPTIONAL)

If any agent designated above is unable or unwilling to serve, I appoint as my successor agent(s):

ANGELA R. CONNOR
(name of successor agent)

5749 Dunnigan Rd., Lockport, NY 14094
(address of successor agent)

(name of second successor agent),

(address of second successor agent)

If you do not initial the statement below, successor agents designated above must act together.

☐ My successor agents may act SEPARATELY.

You may provide for specific succession rules in this section. Insert specific succession provisions here:

(d) This POWER OF ATTORNEY shall not be affected by my subsequent incapacity unless I have stated otherwise below, under "Modifications".

(e) This POWER OF ATTORNEY DOES NOT REVOKE any Powers of Attorney previously executed by me unless I have stated otherwise below, under "Modifications."

(f) GRANT OF AUTHORITY:

To grant your agent some or all of the authority below, either

- (1) Initial the bracket at each authority you grant, or
- (2) Write or type the letters for each authority you grant on the blank line at (P), and initial the bracket at (P). If you initial (P), you do not need to initial the other lines.

I grant authority to my agent(s) with respect to the following subjects as defined in sections 5-1502A through 5-1502N of the New York General Obligations Law:

- ☐ (A) real estate transactions;
- ☐ (B) chattel and goods transactions;
- ☐ (C) bond, share, and commodity transactions;
- ☐ (D) banking transactions;
- ☐ (E) business operating transactions;
- ☐ (F) insurance transactions;
- ☐ (G) estate transactions;



- ☐ (H) claims and litigation;
- ☐ (I) personal and family maintenance: If you grant your agent this authority, it will allow the agent to make gifts that you customarily have made to individuals, including the agent, and charitable organizations. The total amount of all such gifts in any one calendar year cannot exceed five thousand dollars;
- ☐ (J) benefits from governmental programs or civil or military service;
- ☐ (K) financial matters related to health care; records, reports, and statements;
- ☐ (L) retirement benefit transactions;
- ☐ (M) tax matters;
- ☐ (N) all other matters;
- ☐ (O) full and unqualified authority to my agent(s) to delegate any or all of the foregoing powers to any person or persons whom my agent(s) select;
-  (P) EACH of the matters identified by the following letters A,B,C,D,E,F,G,H,I,J,K,L,M,N,O.

You need not initial the other lines if you initial line (P).

(g) MODIFICATIONS: (OPTIONAL)

In this section, you may make additional provisions, including, but not limited to, language to limit or supplement authority granted to your agent, language to grant your agent the specific authority to make gifts to himself or herself, and /or language to grant your agent the specific authority to make other gift transactions and/or changes to interests in your property. Your agent is entitled to be reimbursed from your assets for reasonable expenses incurred on your behalf. In this section, you may make additional provisions if you ALSO wish your agent(s) to be compensated from your assets for services rendered on your behalf, and you may define "reasonable compensation."



Modification: In addition to the powers granted above, I authorize my agent to act for me in any lawful way with respect to the following additional subjects numbered 1 through 12 by initialing this line.

1. Reimbursement of Health Care Agent

My Agent may reimburse my Healthcare Agent under any health care directive, including but not limited to a Health Care Proxy, even if such Healthcare Agent is my Agent, for any costs (including legal fees) reasonably incurred in or as a result of acting pursuant to such health care directive.

2. Employment of Professionals

My agent may retain, discharge, and pay, in the sole discretion of my Agent, for the services of attorneys, accountants, financial planners, geriatric care managers, social workers, and any other health care professionals. My Agent is not obligated to retain or pay for any health care professional on my behalf.

3. Intent to Return Home

It is my intention to return home if I should be in a hospital, rehabilitation center, or nursing home, and my Agent shall take all steps, including, but not limited to, executing any document, affidavit



or Declaration of Intent to Return Home on my behalf, to effectuate the same.

4. Domicile

My Agent may change or maintain my domicile and/or residency for any and all purposes and take any and all actions to effectuate the foregoing.

5. Nomination of Guardian

I intend hereby to render unnecessary any future proceeding for a court-appointed Guardian in the event I become temporarily or permanently incapacitated or incompetent. Accordingly, I request, in the strongest possible terms, that any court that may receive or act upon a petition for the appointment of a Guardian should deny such petition so long as my agent is properly acting under this power of attorney.

6. Enforcement Proceedings

My Agent may commence enforcement proceedings, at my expense, against any bank, savings and loan association, credit union, financial institution, brokerage, firm, stock transfer agent, insurance company, title insurance company, or other person or entity that fails or refuses to honor this durable power of attorney.

7. Domestic Pets

My Agent may make reasonable expenditures for the care, maintenance, support and general welfare of any domestic pet I may own, if any. I authorize any and all payments from my funds for pet care provided by any person or entity, including my Agent.

8. Duty to Account

My Agent shall render statements of account of receipts, disbursements, principal on hand, and transactions conducted on my behalf pursuant to New York law.

9. Spiritual and Religious Needs

My Agent may arrange for the involvement of religious clergy or spiritual leaders in my care, provide said persons access to me at all times, arrange or maintain my membership in religious or spiritual organizations, and create opportunities for me to derive comfort and spiritual satisfaction from such activities, including the purchase of religious books, tapes and other materials.

10. U.S. Mail

My Agent may open, read, respond to, and redirect my mail, and represent me before the U.S. Postal Service in all matters relating to mail service.

11. Digital Assets:

The agent shall have (a) the power to access, use, and control my digital devices including but not



limited to, desktops, laptops, tablets, storage devices mobile telephones, smartphones, and any similar digital device that currently exists or may exist as technology develops for the purpose of accessing, modifying, deleting, controlling, or transferring my digital assets, including any content contained in an electronic communication therein, (b) the power to access, modify, delete, control, and transfer my digital assets, including the content contained in any electronic communication therein, wherever located and including but not limited to, my emails received, email accounts, digital music, digital photographs, digital videos, software licenses, social network accounts, file sharing accounts, financial accounts, banking accounts, domain registrations, web hosting accounts, tax preparation service accounts, online stores, affiliate programs, other online accounts, and similar digital items which currently exist or may exist as technology develops, and (c) the power to obtain, access, modify, delete, and control my passwords and other electronic credentials associated with my digital devices and digital assets described above. This authority is intended to constitute "lawful consent" to a service provider to divulge the contents of any communication under The Stored Communications Act (currently codified as 18 U.S.C. §§ 2701 et seq.), to the extent such lawful consent is required, and as agent acting hereunder shall be an authorized user for purposes of applicable computer-fraud and unauthorized-computer-access laws.

12. Revocation of Previous Powers of Attorney

I hereby revoke any and all other previous Powers of Attorney that I executed prior to this Power of Attorney.

(g) CERTAIN GIFT TRANSACTIONS: (OPTIONAL)

In order to authorize your agent to make gifts in excess of an annual total of \$5,000 for all gifts described in (I) of the grant of authority section of this document (under personal and family maintenance), and/or to make changes to interest in your property, you must expressly grant that authorization in the Modifications section below. If you wish to authorize your agent to make gifts to himself or herself, you must expressly grant such authorization in the Modifications section below. Granting such authority to your agent gives your agent the authority to take actions which could significantly reduce your property and/or change how your property is distributed at your death. Your choice to grant such authority should be discussed with a lawyer.



I grant my agent authority to make gifts in accordance with the terms and conditions of the Certain Gift Transactions set forth above.

(h) GIFTING MODIFICATIONS: (OPTIONAL)



In addition to the powers granted above, I authorize my agent to act for me in any lawful way with respect to the following additional subjects numbered 1 through 3 by initialing this line.

In this section, you may make additional provisions, including, but not limited to, language to limit or supplement authority granted to your agent, language to grant your agent the specific authority to make gifts to himself or herself, and/or language to grant your agent the specific authority to make other gift transactions and/or changes to interests in your property. Your agent is entitled to be reimbursed from your assets for reasonable expenses incurred on your behalf. In this section, you may make additional provisions if you ALSO wish your agent(s) to be compensated from your assets for services rendered on your behalf, and you may define "reasonable compensation."



1. Gifting Provisions:

I grant the following authority to my agent to make gifts pursuant to my instructions, or otherwise for purposes which the agent reasonably deems to be in my best interest:

- (a) Make gifts unlimited in amount;
- (b) Make gifts to any person or persons; except _____.

2. Make gifts in any of the following ways:

(a) Opening, modifying or terminating a deposit account in the name of the principal and other joint tenants; opening, modifying or terminating any other joint account in the name of the principal and other joint tenants; with respect to joint accounts existing at the creation of the agency, the authority granted hereby shall not include the power to change the title of the account by the addition of a new joint tenant or the deletion of an existing joint tenant; opening, modifying or terminating a bank account in trust form as described in §7-5.1 of the estates, powers and trusts law, and designate or change the beneficiary or beneficiaries of such account; with respect to totten trust accounts existing at the creation of the agency, the authority granted hereby shall not include the power to add, delete or otherwise change the designation of beneficiaries in effect for any such accounts; opening, modifying or terminating a transfer on death account as described in part four of article thirteen of the estates, power and trusts law, and designate or change the beneficiary or beneficiaries of such account;

(b) Changing the beneficiary or beneficiaries of any contract of insurance on the life of the principal or annuity contract for the benefit of the principal; with respect to life insurance contracts existing at the creation of the agency, the authority granted hereby shall not include the power to add, delete or otherwise change the designation of beneficiaries in effect for any such contract; procuring new, different or additional contracts of insurance on the life of the principal or annuity contracts for the benefit of the principal and designate the beneficiary or beneficiaries of any such contract; to apply for and to receive any available loan on the security of the contract of insurance, whether for the payment of a premium or for the procuring of cash, to surrender and thereupon to receive the cash surrender value, to exercise an election as to beneficiary or mode of payment, to change the manner of paying premiums, and to change or to convert the type of insurance contract, with respect to any contract of life, accident, health, disability or liability insurance as to which the principal has, or claims to have, any one or more of the powers described in this section; the authority granted hereby with respect to the contract of insurance shall not include the power to add, delete or otherwise change the designation of beneficiaries in effect for any such contract;

(c) Designate or change the beneficiary or beneficiaries of any type of retirement benefit or plan; the authority granted hereby with respect to retirement benefits or plans shall not include the authority to add, delete, or otherwise change the designation of beneficiaries in effect for any such retirement benefit or plan;

(d) Create trusts, whether revocable or irrevocable, on my behalf; fund such trusts on my behalf or make transfers and additions to any trusts already in existence; withdraw income or principal on my behalf from any trust; exercise whatever trust powers or elections which I may exercise; This grant of authority shall include the ability of my agent(s) to create trusts or accounts naming himself, herself, or themselves, as the case may be, as the beneficiary(ies) of such trusts;

(e) Open modify or terminate other property interests or rights of survivorship, and designate or change the beneficiary or beneficiaries therein;

(f) Convey all of my right, title and interest in any real property I have an interest in, paying off any liens of the said premises, paying all expenses related to the sale of the said premises, including but not limited to filing fees, maintenance adjustments and legal fees, receiving all moneys resulting from the sale of the premises executing all documents necessary to accomplish the foregoing and doing all things



necessary to effect the conveyance; and

(g) Make loans and executing promissory notes.

3. A gift to an individual authorized by this subdivision may be made:

Outright, by exercise or release of a presently exercisable general or special power of appointment held by the principal; to a trust established or created for such individual; to a Uniform Transfers to Minors Act account for such individual (regardless of who is the custodian); or to a tuition savings account or prepaid tuition plan as defined under section 529 of the Internal Revenue Code for the benefit of such individual (without regard to who is the account owner or responsible individual for such account).

(i) DESIGNATION OF MONITOR(S): (OPTIONAL)

If you wish to appoint monitor(s), initial and fill in the section below:

(☐) I wish to designate _____, whose address(es) is (are) _____, as monitor(s). Upon the request of the monitor(s), my agent(s) must provide the monitor(s) with a copy of the power of attorney and a record of all transactions done or made on my behalf. Third parties holding records of such transactions shall provide the records to the monitor(s) upon request.

(j) COMPENSATION OF AGENT(S):

Your agent is entitled to be reimbursed from your assets for reasonable expenses incurred on your behalf. If you ALSO wish your agent(s) to be compensated from your assets for services rendered on your behalf, and/or you wish to define "reasonable compensation", you may do so above, under "Modifications".

(☐) My agent shall be entitled to reasonable compensation for services rendered. I deem that reasonable compensation for services rendered is the standard hourly rate of \$350 per hour.

(k) ACCEPTANCE BY THIRD PARTIES:

I agree to indemnify the third party for any claims that may arise against the third party because of reliance on this Power of Attorney. I understand that any termination of this Power of Attorney, whether the result of my revocation of the Power of Attorney or otherwise, is not effective as to a third party until the third party has actual notice or knowledge of the termination.

(l) TERMINATION:

This Power of Attorney continues until I revoke it or it is terminated by my death or other event described in section 5-1511 of the General Obligations Law.

Section 5-1511 of the General Obligations Law describes the manner in which you may revoke your Power of Attorney, and the events which terminate the Power of Attorney.



(m) **SIGNATURE AND ACKNOWLEDGMENT:**

In Witness Whereof I have hereunto signed my name on September 29, 2025.

PRINCIPAL signs here: ==>

Patricia A. Connor
PATRICIA A. CONNOR

STATE OF NEW YORK)

) SS:

COUNTY OF ERIE)

On the 29 day of September, 2025, before me, the undersigned, personally appeared PATRICIA A. CONNOR, 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/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

JANINE M. WITTLIEF
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 04/12/2026

Janine M. Wittlief
Notary Public

(n) **SIGNATURE OF WITNESSES:**

By signing as a witness, I acknowledge that the principal signed the Power of Attorney in my presence and in the presence of the other witness, or that the principal acknowledged to me that the principal's signature was affixed by him or her or at his or her direction. I also acknowledge that the principal has stated that this Power of Attorney reflects his or her wishes and that he or she has signed it voluntarily. I am not named herein as an agent or as a permissible recipient of gifts.

[Signature]
Signature of Witness 1

September 29, 2025
Date

Jeffrey F. Voelkl, Esq. LL.M.

Print name

19 S. Long Street

Address

Williamsville, NY 14221

City, State, Zip Code

[Signature]
Signature of Witness 2

September 29, 2025
Date

Janine M. Wittlief

Print name

34 Summerfield Dr.

Address

Lancaster NY 14086

City, State, Zip Code



(e) IMPORTANT INFORMATION FOR THE AGENT:

When you accept the authority granted under this Power of Attorney, a special legal relationship is created between you and the principal. This relationship imposes on you legal responsibilities that continue until you resign or the Power of Attorney is terminated or revoked. You must:

- (1) act according to any instructions from the principal, or, where there are no instructions, in the principal's best interest;
- (2) avoid conflicts that would impair your ability to act in the principal's best interest;
- (3) keep the principal's property separate and distinct from any assets you own or control, unless otherwise permitted by law;
- (4) keep a record of all transactions conducted for the principal or keep all receipts of payments and transactions conducted for the principal; and
- (5) disclose your identity as an agent whenever you act for the principal by writing or printing the principal's name and signing your own name as "agent" in either of the following manners: (Principal's Name) by (Your Signature) as Agent, or (your signature) as Agent for (Principal's Name).

You may not use the principal's assets to benefit yourself or anyone else or make gifts to yourself or anyone else unless the principal has specifically granted you that authority in the modifications section of this document or a Non-Statutory Power of Attorney. If you have that authority, you must act according to any instructions of the principal or, where there are no such instructions, in the principal's best interest.

You may resign by giving written notice to the principal and to any co-agent, successor agent, monitor if one has been named in this document, or the principal's guardian if one has been appointed. If there is anything about this document or your responsibilities that you do not understand, you should seek legal advice.

Liability of agent: The meaning of the authority given to you is defined in New York's General Obligations Law, Article 5, Title 15. If it is found that you have violated the law or acted outside the authority granted to you in the Power of Attorney, you may be liable under the law for your violation.

(p) AGENT'S SIGNATURE AND ACKNOWLEDGMENT OF APPOINTMENT:

It is not required that the principal and the agent(s) sign at the same time, nor that multiple agents sign at the same time.

I/we, CHRISTOPHER S. CONNOR, have read the foregoing Power of Attorney. I am/we are the person(s) identified therein as agent(s) for the principal named therein.

I/we acknowledge my/our legal responsibilities.

In Witness Whereof I have hereunto signed my name on Sept 29 2025.

Agent(s) sign(s) here:

==>

==>

Christopher S. Connor
CHRISTOPHER S. CONNOR



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

On the 2nd day of Sept-, 2025, before me, the undersigned, personally appeared CHRISTOPHER S. CONNOR, 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/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

JANNE M. WITTLIEF
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 04/12/2026

James M. Welling
Notary Public

(g) SUCCESSOR AGENT'S SIGNATURE AND ACKNOWLEDGMENT OF APPOINTMENT:

It is not required that the principal and the SUCCESSOR agent(s), if any, sign at the same time, nor that multiple SUCCESSOR agents sign at the same time. Furthermore, successor agents can not use this power of attorney unless the agent(s) designated above is/are unable or unwilling to serve.

I/we, ANGELA R. CONNOR have read the foregoing Power of Attorney. I am/we are the person(s) identified therein as SUCCESSOR agent(s) for the principal named therein.

In Witness Whereof I have hereunto signed my name on _____ 20

Successor Agent(s) sign(s) here:

ANGELA R. CONNOR

→

STATE OF NEW YORK)
)
) SS:
COUNTY OF)

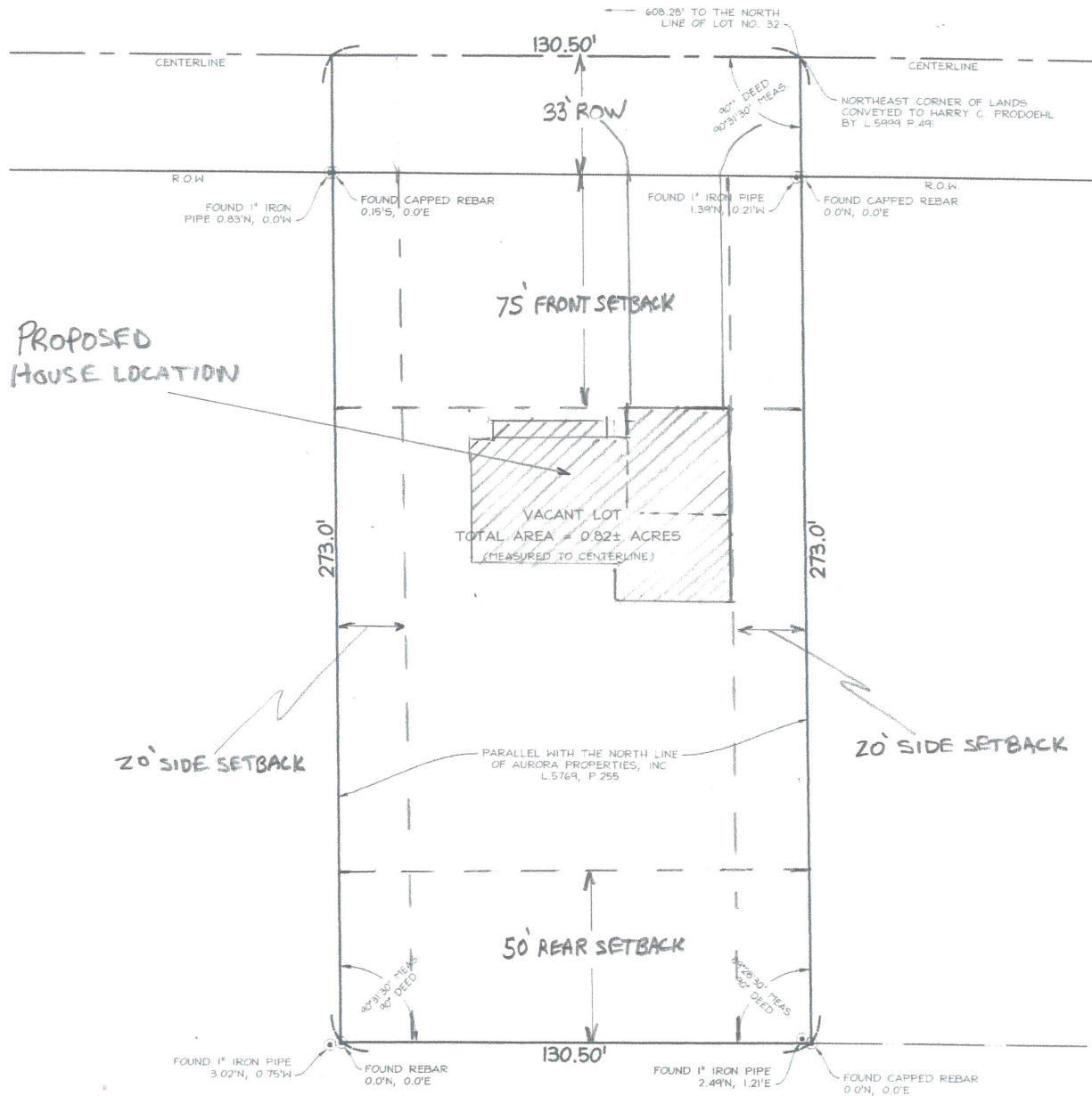
On the ____ day of _____, 20____, before me, the undersigned, personally appeared ANGELA R. CONNOR, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public



BOWEN ROAD

(66' WIDE)



THIS SURVEY IS NOT VALID WITH AN AFFIDAVIT OF NO CHANGE

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

3556 Lake Shore Road, Suite 500, Buffalo, NY 14219
p (716) 827-8000 f (716) 270-6091 www.nussclarke.com

This survey was prepared without the benefit of an abstract of title and is subject to any state of facts that may be revealed by an examination of such.

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



BOUNDARY SURVEY

217 Bowen Road

Part of Lot 32, Township 9, Range 6

Holland Land Company's Survey

Town of Aurora

County of Erie, State of New York

Date of Survey: 12/19/2025 Rev: 01/15/2026 Scale: 1" = 30'

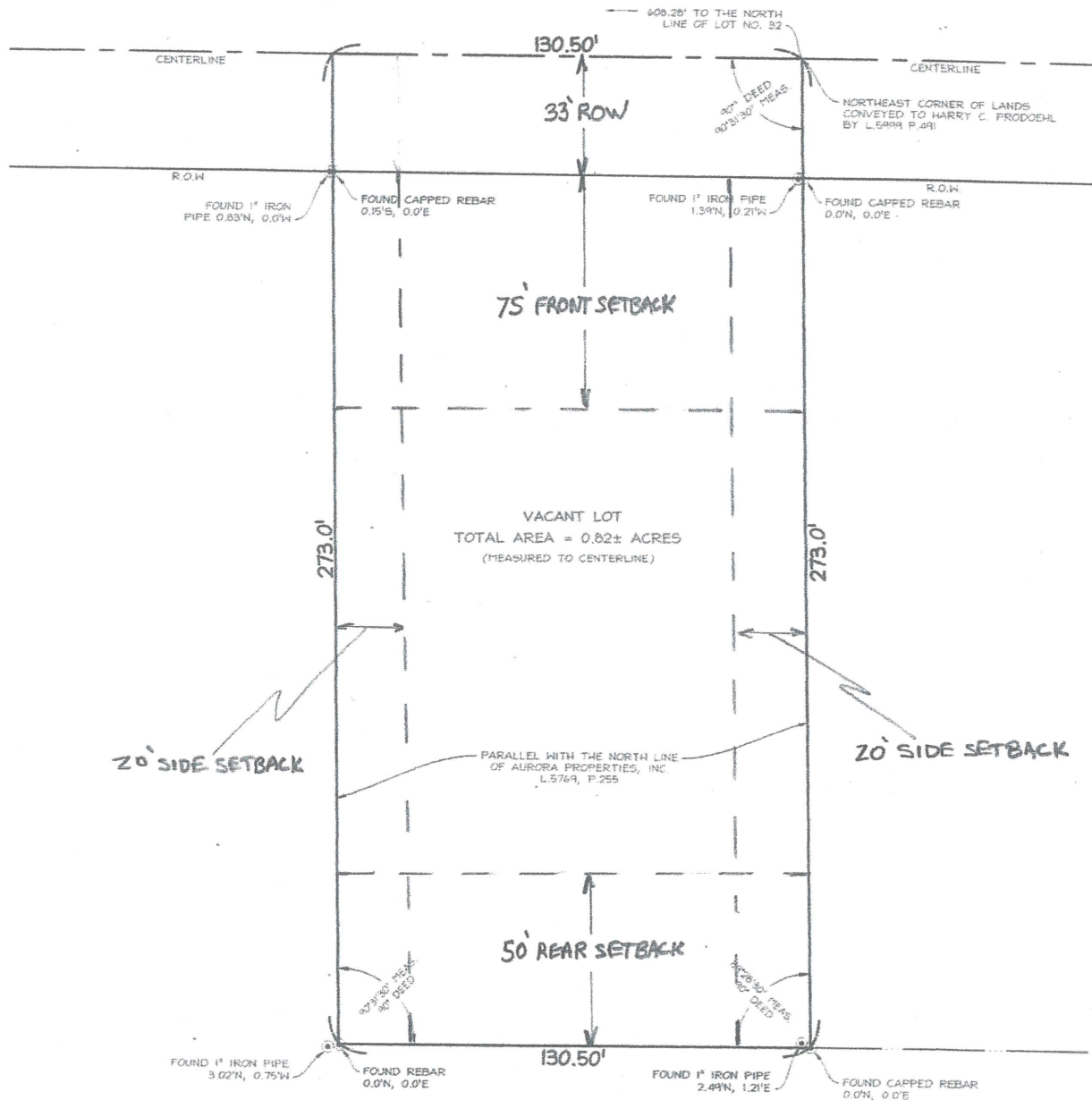
Project No.: 2532-1907





BOWEN ROAD

(66' WIDE)



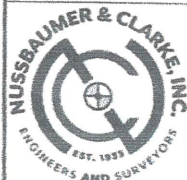
THIS SURVEY IS NOT VALID WITH AN AFFIDAVIT OF NO CHANGE

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

3556 Lake Shore Road, Suite 500, Buffalo, NY 14219
p (716) 827-8000 f (716) 270-6091 www.nussclarke.com

This survey was prepared without the benefit of an abstract of title and is subject to any state of facts that may be revealed by an examination of such.

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



BOUNDARY SURVEY

217 Bowen Road
Part of Lot 32, Township 9, Range 6
Holland Land Company's Survey
Town of Aurora
County of Erie, State of New York

Date of Survey: 12/19/2025 Rev: 01/15/2026 Scale: 1" = 30'

Project No.: 25J2-1907

From: Delaney, PE, Jennifer Jennifer.Delaney@erie.gov
Subject: RE: 217 Bowen Road Vacant Lot East Aurora Kris Konopa
Date: January 22, 2026 at 11:37 AM
To: Kristopher Konopa kris327@icloud.com

Kris,

Per the Erie County Sanitary Code:

In cases where a conventional septic tank system can not be installed and requires the installation of an alternative system or a system that does not use in-situ soils, the site provides a minimum of $\frac{1}{4}$ acre (32, 670 square feet) for each building or dwelling unit. The $\frac{1}{4}$ acre must be buildable land and can not include such areas as road ways, right of ways, easements, wetlands, water bodies or other non-buildable areas as determined by the Commissioner.

With that said, I looked at this lot specifically which appears to have come into existence in 1971ish. The standard practice is if the lot was created prior to 1988 it does not have to meet the .75 acre requirement. (The sanitary code was changed in 1988 adding the .75 acres.)

I also checked the DEC Wetland mapper and they are not showing any wetlands on this parcel.

The short answer: Yes this would be considered a buildable lot.

Thank you

—
Jennifer Delaney, PE | Director of Environmental Health
Erie County | Health
503 Kensington Ave., | Buffalo, NY 14214
P:+1(716)858-6864 | F:+1(716)961-6880
Jennifer.Delaney@erie.gov | <http://www.erie.gov>

Website: <http://www2.erie.gov/health/>

Website: <https://www.facebook.com/ecdoeh>

Website: <https://twitter.com/ECDOH>

Website: <http://www.youtube.com/playlist?list=PL0DE7E0A3F76269B7>

Website: http://www.linkedin.com/company/erie-county-department-of-health?trk=top_nav_home

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

From: Kristopher Konopa <kris327@icloud.com>

Sent: Wednesday, January 21, 2026 8:26 PM

To: Delaney, PE, Jennifer <Jennifer.Delaney@erie.gov>

Subject: 217 Bowen Road Vacant Lot East Aurora Kris Konopa

[Caution: this email is not from an Erie County employee: attachments or links may not be safe.]

Hello Jennifer,

This is Kris Konopa reaching out for some questions/clarifications, since you have been helpful for me in the past. I am in the process of purchasing this potential building lot, pending the ability to build a single family home with a septic system. I have been back and forth with the selling agent who has been doing some research and leg work to figure this out. I thought I would get involved and ask if you can help. Based on the attached survey of this lot, does it meet the size requirements for a septic to be installed? Dimensions shown are being pulled from the centerline of Bowen Road. When I calculate the lot size with the 33' right of way subtracted, it appears to be close but just under $\frac{3}{4}$ acre. Is $\frac{3}{4}$ the minimum lot size, would you include the right of way? Any help with these questions would be appreciated. I'm not sure what the selling agent was told when they inquired to the Health Department, but he seems to think the lot is undersized. If it is slightly undersized, does that eliminate any chance of building and installing a new septic system? Please let me know your thoughts?

Kris Konopa
716-697-8370

This Indenture,

Made the 6 day of JUNE Nineteen Hundred and fifty-five.

Between E. MARGUERITE MARQUART, residing on Bowen Road, post-office address East Aurora, Erie County, New York,

part y of the first part, and

AURORA PROPERTIES, INC., a New York corporation having its principal office at 1700 Rand Building, Buffalo, Erie County, New York,

party of the second part.

Witnesseth, that the said part y of the first part, in consideration of

----- One and More ----- Dollars,

(\$ 1.00) lawful money of the United States,

paid by the part y of the second part, do es hereby grant

and release unto the part y of the second part, its successors and assigns forever,

All that Tract or Parcel of Land, situate in the Town of Aurora, County of Erie and State of New York, being part of Lot No. 32, Township 9, Range 6 of the Holland Land Company's survey, bounded and described as follows:

BEGINNING at a point in the center line of the Bowen Road seven (7) feet east of the center line of the present pavement and 872.28 feet south of the north line of said Lot 32, being also the boundary line between the Towns of Elma and Aurora, and which point is further identified as being 128 1/2 feet north from a stone monument on the south line of the Bowen Road at an angle in said Bowen Road, and also further identified as being the northeast corner of lands as heretofore conveyed to one Mang by deed recorded in Erie County Clerk's Office in Liber 5088 of Deeds at page 393; thence westerly upon an exterior and southwest angle of ninety (90) degrees with the said center line of said Bowen Road 232 feet to a point indicated by an iron pipe; thence southerly at right angles with said last mentioned line 120 feet to a point indicated by an iron pipe, and which point is further identified as being 232 feet west of the said center line of said Bowen Road; thence westerly at right angles with said last mentioned line a measured distance of 622 feet to a point indicated by an iron pipe; thence southerly making an exterior angle with said last mentioned line of 89° 37' a measured distance of 320.7 feet to an existing iron pipe, which marks the intersection between the southerly course just described and a line drawn parallel to said town line and westerly from a point in the record center line of Bowen Road 848.7 feet north of said stone monument at the angle of said Bowen Road, and which existing iron pipe also marks the corner of lands now or formerly owned by one Paige; thence northwest along the lands of said Paige making an included angle of 43° 09' a measured distance of 346.6 feet to an existing iron pipe; thence further along the lands of said Paige deflecting to the west 46° 41' a measured distance of 226.5 feet to an iron pipe in the west line of said Lot 32; thence northerly along the westerly line of said Lot 32 making an included angle with said last mentioned line of 89° 18' a measured distance of 228 feet to an existing iron pipe; thence continuing northerly along the said westerly boundary line of said Lot 32 a measured distance of 405 feet to the

southwest corner of lands formerly owned by one Paul Kingston, which point is marked by an old existing iron pipe; thence easterly making an included angle with said last mentioned line of 91° 06' and along the south line of lands as formerly owned by said Kingston by deed recorded in Erie County Clerk's Office in Liber 1322 of Deeds at page 165 a measured distance of 1313 feet to the said record center line of the said Bowen Road passing over an iron pipe, which pipe is located west of the center line of the said Bowen Road, and which pipe is further identified as being 417.78 feet south of the division line between the Towns of Aurora and Elma; thence southerly 454.5 feet along the center line of said Bowen Road to the point or place of beginning, containing eighteen (18) acres of land, be the same more or less.

PREMISES AS SET FORTH shall be subject to the following restrictions which shall run with the land, remaining in effect until 1975:

1. Premises shall be used exclusively as private residential dwellings, except that a physician, dentist, lawyer, osteopath, chiropractor, musician, architect, public accountant, sculptor, painter or other professional person may practice his profession thereon.

2. All dwellings constructed upon said premises shall conform to the following:

(a) No dwelling more than one and one-half (1½) stories high shall be erected on any one lot, and such dwelling shall contain at least twenty-three thousand five hundred (23,500) cubic feet, inclusive of cellar and any attached garage.

(b) All dwellings shall have full cellars.

(c) No building shall be located less than eighty-six (86) feet from the center line of the present paved portion of Bowen Road or less than six (6) feet from any lot line.

(d) No building, other than a private dwelling or garage, shall be located less than one hundred fifty (150) feet from the center line of the present paved portion of Bowen Road.

(e) No building of cement block or stucco construction shall be erected on the premises.

Together with the appurtenances and all the estate and rights of the part y of the first part in and to the said premises.

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

And the said E. Marguerite Marquart

covenant s as follows:

First.— That the part y of the second part shall quietly enjoy the said premises.

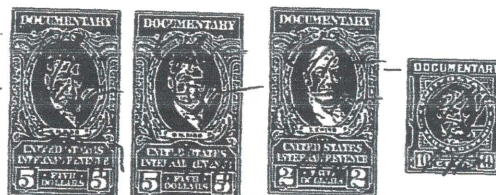
Second.— That the said E. Marguerite Marquart

will forever warrant the title to said premises.

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

In Witness Whereof, the said part y of the first part has hereunto set her hand and seal the day and year first above written.
In Presence of

(Mrs) E. Marguerite Marquart



State of New York,
County of ERIE
VILLAGE of EAST AURORA

ss.

On the 6 day of JUNE in the year One thousand nine hundred and fifty-five before me, the subscriber, personally appeared

E. MARGUERITE MARQUART

to me personally known and known to me to be the same person described in and who executed the foregoing instrument, and she duly acknowledged to me that she executed the same.

Marie Coleman

Notary Public

MARIE COLEMAN
Notary Public to the State of New York
My Commission expires Mar. 30, 1956

13.1601



Warranty with Lien Covenant

E. MARGUERITE MARQUART

301

To

AURORA PROPERTIES INC.

FILED

1955 JUN 15 PM 3 48

ERIE COUNTY
CLERKS OFFICE

Dated JUNE 6 1955

State of New York,

County of Erie ss.

Recorded on the 15

day of June A. D. 19 55, at

3:48 o'clock P. M., in Liber

5769 of Deeds, at page 255
and examined.

Edward A. Roach

Clerk.

1-240-4

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			
~~Z17 BOWEN ROAD~~ K2 DEV. LLC (KRISTOPHER + TREVOR KONOPA)			
Name of Action or Project:			
Z17 BOWEN ROAD - PROPOSED CONSTRUCTION OF SINGLE FAMILY RESIDENCE			
Project Location (describe, and attach a location map):			
VACANT LOT Z17 BOWEN ROAD			
Brief Description of Proposed Action:			
REQUESTING A MINIMUM AREA VARIANCE TO BUILD A SINGLE FAMILY HOME ON THIS VACANT LOT. SEE LETTER OF INTENT AND ATTACHMENTS FOR DETAILS.			
Name of Applicant or Sponsor:		Telephone: 716-697-8370	
K2 DEV. LLC KRISTOPHER + TREVOR KONOPA		E-Mail: K2.development@mail.com	
Address:			
1380 EMERY ROAD			
City/PO:		State:	Zip Code:
EAST AURORA		NY	14052
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO YES
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.			☒ ☐
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO YES
If Yes, list agency(s) name and permit or approval:			☒ ☐
3. a. Total acreage of the site of the proposed action? .70 acres			
b. Total acreage to be physically disturbed? .50 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0 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: <u>SEPTIC SYSTEM</u> _____	☒	☐	
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:	☐	☒
<u>CUTTERS AND SUMP PUMP DIRECTED TO</u> <u>DITCH ALONG BOWEN ROAD.</u>		
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>K2 DEV. LLC</u> <u>KRISTOPHER KOWCOA</u> Date: <u>1/29/26</u> Signature: <u></u> Title: _____		

SUPERVISOR
Charles D. Snyder
(716) 652-7590
csnyder@townofaurora.com



TOWN CLERK
Martha L. Libroek
(716) 652-3280
townclerk@townofaurora.com

TOWN OF AURORA

Aurora Municipal Center

575 Oakwood Avenue, East Aurora, NY 14052

www.townofaurora.gov

February 5, 2026

TOWN COUNCIL MEMBERS

Luke Wochensky
lwochensky@townofaurora.com

Joseph M. McCann
jmccann@townofaurora.com

Raymond M. Wrazen
rwrazen@townofaurora.com

SUPT. OF HIGHWAYS
David M. Gunner
(716) 652-4050
highway@townofaurora.com

CODE ENFORCEMENT
OFFICER
Elizabeth Cassidy
(716) 652-7591
building@townofaurora.com

ASSESSOR
Stephen R. Pigeon
assessor@townofaurora.com
(716) 652-0011

DIR. OF RECREATION
Christopher Musshafen
(716) 652-8866
chris@townofaurora.com

TOWN ATTORNEY
Brigid M. Maloney

TOWN JUSTICE
Jeffrey P. Markello
James Granville

HISTORIAN
Robert L. Goller
(716) 652-7944
historian@townofaurora.com

FAX: (716) 652-3507

Kristopher Konopa
Trevor Konopa
K2 Dev. LLC.
1380 Emery Road
East Aurora, NY 14052

Kristopher and Trevor,

The Building Department has reviewed your request for the proposed construct a single-family dwelling on a vacant at 217 Bowen Road (SBL: 164.00-1-39) The request has been denied because the vacant lot fails to meet the requirement for minimum lot size in the R1 – Single-Family Residential zoning district in which the vacant lot is located.

Sections 116-8.1D(2) - Minimum lot size.

Required: Area of 32,670 square feet (3/4 of an acre, not including the right-of-way).

Requested: 31,320 square feet (0.71 sq. ft.)

Variance: 1,350 square feet (0.04 sq. ft.)

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,

Richard Miga
Assistant Code Enforcement Officer