

EAST AURORA PLANNING COMMISSION
REGULAR MEETING
March 2, 2021 - 7:00 PM

PRESENT:

Karen Lee-Chair
Randy West
Allen Ott Jr.
Geoffrey Hintz-late @715
Dan Castle
Dale Morris
Arron Fisher
Bud Babcock, Alternate

Also Present:

Chris Trapp, Deputy Village Attorney
Elizabeth Cassidy, Code Enforcement Officer, Village of East Aurora
Jessica Taneff, Planning Commission Secretary
Todd Stine-owner of 649 Main St- The Bank

Karen Lee, Chair, noting that a quorum was present, called the meeting to order for the March 2nd meeting of the Planning Commission at 7:00 PM.

Member West motioned to approve the January 5th meeting minutes, seconded by Member Ott with unanimous approval.

**649 Main St.
Todd Stine-The Bank**

Chair, Karen Lee opened the discussion for the Site Plan for 649 Main St., The Bank. Mr. Stine told the Commission that his letter thoroughly explained his intentions. Mr. Stine said their plan is to have wood fencing along the east side of the property, but he may also custom build a metal fence or find salvage metal fencing, the final decision has not been made. The Commission discussed Mr. Stine's plan to remove the blacktop and add grass to the area and enlarge the flower beds on the front of the building. The Commission was concerned about drainage flow and discussed whether there was a topographical map submitted with the previous site plan. CEO Cassidy was asked if there were any known drainage issues in the area. CEO Cassidy stated that there are no issues to her knowledge at this time. Mr. Stine plans to use the lighting that is already on the back of the building and possibly include some landscape lighting which will be code compliant. Member West motioned to recommend the Site Plan for 649 Main St. be approved by the Village Board with the following findings and conditions:

Findings:

1. There are no known drainage problems on the premises at present. The revised submission shows additional green space, which provides additional drainage and storm water attenuation. The present site plan as submitted will not adversely affect the drainage.
2. This is an adaptive reuse of an historic style structure, allowing it to become more viable.
3. There will be additional lighting added to the previous plan, however, it will be placed at eye level or lower and therefore should not be a nuisance to the surrounding properties.
4. The driveway that comes off of Main Street does not connect to applicant's property so there will be no drive through capacity.

Conditions:

1. Gates must facilitate emergency egress.
 2. State ADA parking requirements must be upheld.
 3. Confirmation should be obtained that a topographical map was submitted with previous application.
- The motion was seconded by Member Ott with unanimous approval.

Chair, Karen Lee opened the discussion for the Special use Permit for 649 Main St., The Bank. CEO Cassidy explained to the Commission what Mr. Stine is looking for pertaining to hours of operation. CEO Cassidy told the board that surrounding bars around The Bank can be open until 4am (during pre and post covid times) along with having outside bands when a temporary use permit is obtained, so this is not an uncommon request for this area. Chair Lee said she had a concern with outdoor music and noise outside in the courtyard. Mr. Stine confirmed that it is his expectation that as his business prospers, the outdoor use will become a very regular and frequent occurrence. Chair Lee noted that that is not the case with surrounding bars and restaurants regarding frequency and regularity of outdoor amplified music. The Commission spoke about the noise ordinance and noise inside versus outside.

Member West motioned to recommend the Special Use Permit for 649 Main St, be approved by the Village Board with the following findings and conditions:

Findings:

1. Our intent is to be consistent with the way in which we regulate similar activities within the village.
2. The outdoor facility proposed is a new use within Village Center with potential noise concerns.
3. The outdoor space is surrounded on 4 sides.

Conditions:

1. Amplified outdoor music must end by 9 pm, other outdoor activities may continue until 11 pm.
2. Any request for outdoor music to continue past 9 pm will require a temporary use permit, with the exception of July 3&4th and December 31st of each year, when outdoor music shall end at 11 pm, with other outdoor activities being allowed to continue until the time requested by the applicant for those dates (1 am).

The motion was seconded by Member Morris with 6 ayes and 1 nay from Member Hintz.

The Planning Commission refers this application to the Village Board with a timestamp. This approval will expire one year from the date of Village Board approval pursuant to Section 285-50.5A of Village Zoning Code.

A motion was made by Member West to adjourn the meeting at 9:00 PM. seconded by Member Fisher and unanimously carried.

Respectfully submitted,

Jessica Taneff