

EAST AURORA PLANNING COMMISSION
REGULAR MEETING – RESCHEDULED TO MARCH 20TH

March 20, 2018 - 7:00 PM

PRESENT:

Dan Castle, Chairman
Lowell Dewey, Vice Chairman
Randy West
Paul Porter
Karen Lee

Absent:

Allen Ott Jr.
Geoffrey Hintz

Also Present:

Bill Kramer, Code Enforcement Officer
Nancy Burkhardt, Deputy Clerk
James Gannon, Scheid Architectural; representing 42 North Brewery
John & Cathy Cimperman, 42 North Brewery
Chris Wood, representing RAS Development
Mike Farrell, 45 Church Street
5 Members of the public

Dan Castle, Chairman, opened the meeting at 7:03 PM noting that a quorum was present.

The Chairman proceeded to welcome the Planning Commission's newest member, Karen Lee, who will be taking the place of former village resident, Angela Griffis.

As the members did not receive a hard copy of the February minutes, the Commission will table the review and approval of the minutes for April's meeting.

**Development Plan for Exterior/Interior Renovations
42 North
23 Pine Street**

John and Cathy Cimperman introduced themselves as the owners of 42 North, along with James Gannon the representative from the firm Scheid Architectural, hired by 42 North to undertake the construction efforts. 42 North is hoping to accomplish the following in the development plan presented:

- The beer garden has a planned reduction in floor size, the reduced sized will contribute floor space to the proposed meeting room.
- A second floor which will house 4 AirBnB type lodging spaces. The 4 units will have French doors overlooking the beer garden.
- The rear portion of the building will have one new overhead door leading into the manufacturing space.

- The existing apartment building at 708 Persons Alley will be demolished, allowing for the creation of three additional parking spots to be constructed from a pervious material to allow for the advantage of the parking spaces, while not completely removing the advantage of the green spaces and minimizing storm water runoff.
- GPI provided the utility plans and storm water analysis.
- An application has been submitted to the Zoning Board of Appeals for a parking variance.

Member Dewey followed up to Mr. Gannon's presentation with suggestions for modifying the EAS form to include corrected answer of 'yes' on the storm water discharge and conveyance. Additional suggestions were provided for the plans to include the slope, along with the type of material the piping will be constructed of. Member Dewey inquired as to if a site survey was utilized to produce the renderings. Mr. Gannon replied that a source was used to produce the surveys, and they are in the process of finalizing an updated topographic map with Nussbaumer & Clarke Inc. Member Dewey followed up to the question of parking with the suggestion of having it be a requirement to have all employees park off site. Mr. Gannon answered that all employees of 42 North already park offsite at the lot behind Badger & Gunner Insurance Agency. He continued stating from day one, John & Cathy wanted to alleviate as many parking demands as possible by working this parking arrangement out for their employees. Member Dewey stated the owners should investigate as many parking options as possible as he sees there will be problems from the demands on the limited amount of parking, and this issue is under the Planning Commission's purview.

Mr. Gannon described the plans for the meeting room to not include the hosting of banquets. He went on to further state the unique character of the building, and that it is an infill development, which prevents the applicants from having the ability to provide additional parking. Additionally, it is the only property that must abide by the parking requirements in that area, which differs from the parcels along Main Street which are exempt. Mr. Gannon continued further pointing to the recent parking study conducted by Greater Buffalo Niagara Regional Transportation Council which identified there being adequate parking in the east end of the Village. Chairman Castle ventured a suggestion to move the dumpster to a different location to acquire additional spaces. The applicants agreed to investigate relocating the trash receptacle to allow for more spaces.

Member West asked if it was allowed in the Village's code to open what are essentially hotel rooms? Code Enforcement Officer (CEO), Bill Kramer, responded the zoning for where this establishment is located, CM District, does not require for registration of a new Air BnB. Member West further inquired about the choice to utilize garage doors along the wall of the meeting room – will this room be used as more of an expansion to the beer garden – should there be concerns for this occurring in the future? Mr. Gannon replied: "No.. the use of this room will be very limited. It will be available through reservation only, and the occupancy will be limited. The reason for the use of garage doors was because they take up the least amount of room.. allows for the most natural light.. and during an event, they can be opened to allow for a lot of fresh air to come through. An additional thought is if this room does not work out, the owners then have the opportunity to convert this in to manufacturing space."

Chairman Castle inquired if there is a bar in the meeting room, to which Mr. Gannon replied "no". Cathy Cimperman further explained the licensed bar outside in the beer garden would most likely service the meeting room. Mr. Gannon went further to explain that there will be no permanent bar in this meeting room, and it will not be an extension to the taproom.

Member West asked if the number spots requested in the parking variance is based upon square footage or the number of tables and seats. The CEO replied the basis of the variance is based upon the number of tables and chairs – as the applicants have committed to the submitted drawings, they are only in need of a variance of eight spaces.

Discussion ensued regarding the parking study completed in the East end of the Village and the subsequent report generated by GBNRTC.

Member Dewey moved to recommend that the Village Board consider approval of the site plan as presented with the following conditions:

- 1.) Update the survey and the topographic survey and add greater detail to the grading and utility plan, including the pipe type, the slope and the finished grades to make sure the site drains properly.
- 2.) Minor corrections to the E.A.F. as noted previously in the meeting.
- 3.) A strong suggestion by the Commission to the applicants to have them do everything in their power to direct their employees to park “way off-site”, so that it frees up as many local parking spaces as possible.
- 4.) Consider having the chiller installed on the roof.
- 5.) Approval is subject to area variances obtained by the ZBA.
- 6.) Suggest that the interior use as indicated on the plans be part of the Village Board’s approval.
- 7.) Consider the movement of the dumpster in order to gain one or two more parking spaces.

Member West seconded Member Dewey’s motion with unanimous approval by the Commission of the motion with the included conditions.

Member West put forth the following findings:

- The use of the property is consistent with the Village Code.
- There will be no additional permanent bar space established.
- These changes will make an existing business more viable by expansion.
- The aesthetics of the development are appealing.
- The lighting and noise are not expected to be an issue
- The only possible negative externality is parking, which is being addressed by the ZBA.

Informal Review – 45 Church Street
Mike Farrell

Michael Farrell introduced himself as the owner and the developer for 45 Church Street. His intentions for the parcel are for the following:

- The lot is 90 feet x 140 feet, with corner lot access.
- The previously existing building had a smaller footprint than what is intended for the proposed development.
- The proposed building will be twin ranch units with an eight inch concrete block separating the two units – the tax records have this lot classified as a ‘row house’
- The prior building and foundation was razed and recycled and placed in the ground.
- There is currently a ‘pending’ flood plain map that was depicted in 2009, and somewhere down the line, this property may be reclassified to be in a flood plain. As this change may come through, Mr. Farrell is planning on eliminating a basement for these units, include only a crawl space, and elevate the building. Mr. Farrell also plans to acquire an

elevation certificate from the engineer to certify the buyers will never have to purchase flood insurance for this property.

- All utilities will be installed on the first floor, and the HVAC system will be ran out of the attic to be located above each unit's garage.

Member Dewey suggested Mr. Farrell to elevate the entire site by utilizing the extra dirt created from excavation, to which he agreed. Chairman Castle suggested the applicant review the landscape requirements before submitting the plans for formal review. The Planning Commission thanked the applicant for coming before the Commission.

Update on the Rezoning Study:

Chairman Castle informed the group that April will include a couple of public meetings and a finalized draft after which, the process should be completed.

Motion by Member West to adjourn the meeting at 8:26 pm. Seconded by Member Dewey and unanimously carried.

Respectfully submitted,

Nancy A. Burkhardt
Deputy Clerk