

EAST AURORA PLANNING COMMISSION
REGULAR MEETING

November 7, 2017 - 7:00 PM

PRESENT:

Allen Ott Jr.
Geoffrey Hintz
Randy West
Paul Porter

ABSENT:

Dan Castle, Chairman
Lowell Dewey, Vice Chairman
Angela Griffis
Bud Babcock, Alternate

Also Present:

Bill Kramer, Code Enforcement Officer
Raymond C. Byrnes, Trustee Liaison
Nancy Burkhardt, Deputy Clerk
Matt Oates, Benderson Development
Tony Rosati, 350 Oakwood Avenue
Two Members of the Public

Allen Ott Jr., Acting Chairman, requested for a motion to open the meeting at 6:59 PM, motioned by Member West, seconded by Member Hintz.

Allen Ott, Jr., Acting Chairman, stated there is not the necessary quorum of attendees present to approve the meeting minutes from the October 3rd meeting. Member Hintz submitted edits for the October 3rd minutes to be considered for the December 5th meeting.

Development Plan – Benderson Dev., Matt Oates – 123 Grey St. East Aurora, NY 14052

Matt Oates from Benderson Development reviewed the proposed plan for the Planning Commission:

Benderson Development is proposing to expand and improve upon the currently installed sidewalk at the Benderson plaza located at 123 Grey Street. The installation will be building upon the newly installed sidewalk for the TJ Maxx Development, and will include new pavers, landscaping beds, and an extension of the sidewalk out and into the parking lot by 9 ft.

Member West inquired further to a comment made by Mr. Oates to the current lighting at the plaza not meeting the Village Code. Mr. Oates replied the lumens levels exceed the current code, but as it is an older site, it is allowed. With the planned install of additional light poles with decorative light fixtures, Benderson Development is planning on approaching the Village's Zoning Board of Appeals for a lumens variance.

Member West brought forth a comment letter received from a citizen requesting for Benderson Development to consider using this sidewalk rehabilitation as an opportunity to install bike racks at the plaza. Mr. Oates replied that will be taken under consideration, and suggested installing a rack at each end of the plaza.

Member Porter posed a question as to if Benderson Development could use this as a chance to improve the traffic flow at the plaza, especially with the newly installed Bank of America kiosk. Mr. Oates verified that Benderson Development has spoken at length with their attorney to what changes can be made – however with the current lease restrictions it is difficult to make any further changes to what has already been put into place. However, Mr. Oates stated that Benderson is hoping to work directly with several tenants to lift some of the restrictions in place.

Bill Kramer, Code Enforcement Officer, inquired as to what is the timeframe for the sidewalk installation. Mr. Oates stated these sidewalk changes would not occur until the spring – with work ending no later than October of 2018, which gives Benderson some time to address questions brought forth by Member Porter on the traffic flow surrounding the ATM.

Mr. Oates offered that Benderson Development would be amenable to tabling the hearing until a later date. By tabling the hearing, this will provide the company enough time to identify area in their back parking lots to accommodate striping-in of six spaces to compensate for the removed parking spots during this renovation work and keep them code-compliant. It will also allow for them to work with their tenants on modifying the commitment map with their current tenants to introduce traffic calming measures near the B.O.A. kiosk, main entrance and other areas within the plaza.

Member West motioned to table this hearing for resubmission for a response to concerns on the traffic calming measures, along with the inclusion of the two requested bike racks. The applicant will review options for removing of the spaces for the extension of the median, and where the additional spaces will be added. Seconded by Member Porter, unanimous approval from the Commission.

Other Business:

Member Hintz provided an update on his inquiry for Federal Assistance for the Tannery Brook Culvert. The answer he received was “no” with a variety of factors for this answer, though the succinct and harsh answer is the Federal Government is not in the business of bailing out communities for not maintaining their infrastructure. Even when approached from the view of there being a deficiency in the design work which caused premature failure, it still returns back to the thought of ‘you have the infrastructure, and you need to maintain it’.

Trustee Byrnes stated the storm that preceded the failure of the culvert exceeded the 50 year design – with our without proper maintenance.

Member West had emailed the Mayor and Village Administrator recommending for the Village to begin addressing Tannery Brook as an asset for the community – to create a ‘Drainage District’ without a tax to the immediate owners, but handled out of the General Fund. This change would allow for easements in various chokepoints along the creek bed for the Village to gain access for cleaning and maintenance of the creek before it reaches a precipitous point or the infrastructure degrades to an unsalvageable state. CEO Bill Kramer responded that the property

owners abutting the creek have been approached in the past for creating these easements, and the proposals have not been embraced.

At 7:52 PM Member West motioned to adjourn the meeting. Member Hintz seconded the motion and all were in favor. Meeting closed.

Respectfully submitted,

Nancy Burkhardt
Deputy Clerk