

April 4, 2017

EAST AURORA PLANNING COMMISSION
REGULAR MEETING
April 4, 2017 – 7:00 PM

PRESENT:

Dan Castle, Chairman
Lowell Dewey, Vice Chairman
Geoffrey Hintz
Allen Ott Jr.
Angela Griffis
Randy West
Bud Babcock, Alternate

ABSENT:

Lowell Dewey, Vice Chairman

ALSO PRESENT:

Allan Kasprzak, Mayor, Acting as Trustee Liaison
Bill Kramer, Building Code Enforcement Officer
Nancy Burkhardt, Deputy Village Clerk
Peter Sorgi and Chris Wood, Representatives of RAS Development
Paul Mutch, Stonefield Engineering & Design, Bank of America
Christopher Frank, C.B.R.E., Bank of America
James Boglioli, Benderson Development, Bank of America

Dan Castle, Chairman, called the meeting to order at 7:00 PM. Geoffrey Hintz made a motion to open the meeting, Allen Ott seconded the motion.

First Order of Business: Development Plan, Proposed Rezoning of 41 Hamlin Ave

Peter Sorgi and Chris Wood, representing RAS Development, LLC to provide an overview of the development plan for the proposed apartments being placed on the site of the old bus depot. The current plan would require for a rezoning from R to an RGN zone. Follow-ups from the prior informal meeting were as follow:

- Chris W. had contacted the DPW to check on the sewer for any potential sewer issues. As these were turned over to the county 5-6 years ago, Chris followed up with the county. The county advised there are no known issues with this area. When the official site plan is entered to the Village Board, this email from Erie Co. Sewer will be submitted as part of the official record.
- Randy West inquired about whether a traffic study or traffic analysis has been conducted for this area. Peter Sorgi and Chris Wood indicated traffic estimates had been generated through the ITE tool, but no official traffic study. Again, the developer has agreed to officially submit a letter containing traffic counts; this will accompany the site plan to be submitted to the Village Board.

- Dan Castle inquired about the phase I and phase II testing with the DEC. Peter clarified RAS has begun the process, but as of this moment, furthering the costly process has been halted until rezoning approval for the lot has occurred.
 - Even without contamination on this site; this lot will still not allow for the building of only two – three residences. The purchase price and demolition cost would not produce and economically feasible 50-60 square foot frontage subdivision lot.
- Randy West requested for RAS to provide a letter showing the expected traffic impacts.
- As no other Commission members have further questions, the Chairman opened the forum to Q&A. The following citizens spoke:
 - Greg Callahan, 206 West Fillmore: Clarification on the capacity of the sewer lines being just an implication from Erie County, and whether the water required for this complex would be sufficiently met by the current infrastructure.
 - Lou Dugano 37 North Willow: There are eight main points of concern. *See final page of minutes to view the submitted document for public review. An additional document shall be received on April 18th containing signatures for this petition.*
 - David Roach 5 Hamlin Ave: It is not this specific project which is generating the concerns captured in the submitted document, but rather the multi-family housing concept.
 - Paige Potter 115 Hamlin: Requested special attention is given to Hamlin & Parkdale, and Hamlin & West Fillmore, specifically during the opening and closing of the middle school hours.
 - Sarah Cole 158 West Fillmore: Restated similar concerns about the traffic situation.
 - Mark Findig 53 North Willow: Why was there not an environmental clean-up completed before by the prior owner? Dan Castle: The Village does not have the authority to complete this type of review, only completed by the DEC when an ‘imminent health threat has been identified’.
 - Sarah Cole 158 West Fillmore: Concerns over noise emanating from each individual apartment. Dan Castle: They will be subject to the same ordinances other individuals in the Village will be held too. Peter S.: possibly even more stringent than the other Villages are held to, as the property managers would want to maintain the happiness of their residents to provide other tenants from moving out.
 - Gary Hasley 25 Hamlin: Inquired as to how ‘substantial’ is determined for the traffic study.
 - Greg Callahan, 206 West Fillmore: The Village is showing up as they are concerned with plans for the multi-family development on Hamlin.
 - Myla LaBlank 159 Parkdale: The size of the project is not sized proportionally appropriate to the housing structures that would be surrounding the proposed development.
 - Jim Suttle 69 Hamlin Ave: Would suggest tweaking some of the plans in accordance with suggestions from the residents.
 - Celene Rinkman 159 West Fillmore: Expressed concerns about the length of time RAS Development would be holding on to this project before selling it off to recoup the costs sank in to this complex.
 - Rosemarie Tuscanrae 219 Hamlin: Expressed positive feelings for the proposed development, and that it would be beneficial to the Village.

Dan Castle asked the Commission their thoughts on making a recommendation to the Village Board. The Commission’s discussion resulted in the conclusion that more time was needed to review documentation and feedback before voting. In order to meet the timing requirements of the Village

Board to request a public hearing, the Planning Commission agreed to institute a special hearing on Tuesday, April 18th at 7pm. Allen Ott made a motion to hold a special hearing on April 18th, Geoffrey Hintz seconded the motion. Aye – with a majority, the vote passed. Bud Babcock, Alternate, voted to oppose the project; Randy West voted to oppose the tabling of the hearing to a later date.

Second Order of Business: Bank of America Drive-Through Kiosk, 123 Grey Street

Bank of America (herein referred to as BOA), would like to close their retail operation which includes a teller and a drive-through ATM on Grey Street, construct this ATM in the plaza on Grey Street, and maintain the location on Main Street.

- Paul M.: This will be a drive-through ATM kiosk. The property will be located in a C Commercial District, and will consist of a kiosk, 20' x 30' of green space, and eight reservoir spaces. The project will require for at least two variances from the ZBA: a variance to allow for eight spots instead of the required ten, and a signage variance to accommodate for the proposed internally lit signs.
 - The traffic around the kiosk will operate in a counterclockwise movement. A concrete island will be constructed around the kiosk to provide delineation from the surrounding plaza. Renderings of the proposed kiosk were presented.
 - There will be no interference with the Farmer's Market.
 - There are six area lights, banked to be surrounding the kiosk; these will be meeting the state requirements for safety.
- Dan Castle: It seems there is a lot of turning movements and traffic activity, why was consideration not given to having this built closer to the entrance by Mighty Taco? There is less traffic, and would be in a less congested spot.
- Allen Ott: Why can't the current location on Grey Street be repurposed to this ATM kiosk?
- Angela Griffis: By following Dan's suggestion of moving the kiosk to the western edge of the plaza, it would alleviate the potential of adding to the traffic confusion.
- Randy West: Would not approve this development proposal for several reasons; traffic and pedestrian safety, the commercial look of the kiosk, and consideration for the Farmer's Market.
 - Peter Sorgi: The chosen spot provides the greatest visibility for BOA, while also allowing for his client to sell their current parcel which is unnecessarily large for a kiosk.
 - James Boglioli: Benderson Dev. has met with the Farmer's Market, and their board, they have agreed with this plan. Benderson has allowed for the Market to operate in the plaza, free of charge, and they are amenable to this addition. Additionally, James stated that he does not believe the anticipated traffic impacts will not occur.
 - Peter Sorgi & James Boglioli & Paul Mutch: There can be documentation submitted for the next meeting if the Planning Commission would be willing to add this BOA plan to the agenda for the April 18th meeting. Additional information can be added to the renderings to visually depict the traffic flow. Two letters will be provided at this next meeting: 1) Showing the quantifiable impact of the traffic that will result, and the impacts it will have on the surrounding traffic flow of the plaza. 2) A letter from the Farmer's Market indicating they have agreed to shift the location of their activities to a different area in the parking lot.
- Comment from Joe Spahn 58 Buffalo Rd: Lighting and landscaping concerns.
- Dan Castle: BOA will be going in front of the ZBA in May. For the Planning Commission meeting on April 18th, a traffic letter, landscaping details and turning radius information, will be presented to the Commission. Dan Castle confirmed no motion is needed to table this hearing to be heard on April 18th.

Review of Old Business

- Dan C. reminded the Commission of the Zoning Study meeting to be held the following night on Wednesday, April 3rd, at the Senior Center.
- Dan Castle asked the Commission for a new Planning member liaison to the Capital Committee. Randy West volunteered to step in to this role. Dan Castle made the motion, and seconded it to have Randy West as the new representative.

Motion to adjourn at 9:45 pm made by Angela Griffis, seconded by Allen Ott, and unanimously carried.

Respectfully submitted,

Nancy Burkhardt
Deputy Village Clerk

Daniel I. Sheff
30 Hamlin Avenue

The Village of East Aurora officials has reported that RAS Development I, LLC ("RAS"), which is in the business of constructing apartment buildings, has applied to rezone 0 Hamlin Avenue and 41 Hamlin (the "Property") from a "Residential" district to "Group/New Townhouse Residential" district, so that RAS can construct an apartment complex on the Property.

1. Group housing fails to promote the unique identity of the area surrounding the Property;
2. Group housing is not in harmony with the architecture and style of the single family residences and landscape features surrounding the Property;
3. Group housing does not preserve the historical character of the area surrounding the Property;
4. Group housing will increase visual clutter in the area surrounding the Property;
5. Group housing amplifies rather than screens the effects of commercial development on the residential area surrounding the Property;
6. Group housing will be detrimental to the maintenance of efficient traffic flow;
7. Group housing will be detrimental to the property values in the area surrounding the Property;
8. Group housing will be detrimental to the aesthetics in the area surrounding the Property.

[illegible]