

EAST AURORA PLANNING COMMISSION  
REGULAR MEETING

July 1, 2014

7:00 PM

PRESENT:

Dan Castle, Chairman  
Lowell Dewey, Vice Chairman  
Kristin Cameron  
Allen Ott Jr.  
Frank Mesi  
Stacy Oar  
Geoffrey Hintz  
Alternate Bud Babcock

ABSENT:

Also Present:

Bill Kramer, Code Enforcement Officer  
Wendy Potter-Behling, Deputy Village Clerk & Secretary for the Planning Commission  
Wendy Salvati, WWS Planning

Dan Castle, Chairman opened the meeting at 7:00PM and noted that a quorum was present and Bud Babcock will NOT be a voting member tonight.

Kristin Cameron made a motion to approve the minutes from May 6, 2014 as written, seconded by Frank Mesi with the vote as follows: Aye – all

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**Request to Rezone/Reclassify -  
566 & 570 Fillmore Ave and 34 & 54 Whaley Ave, East Aurora, NY 14052**

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The current owner has apparently cleared some trees and has used the end of Fillmore Ave as a parking area for a local car dealership.

This area is mixed uses from RC-residential commercial, C-commercial and MI – Manufacturing Industrial. It is a hog pogh of districts and old uses. Dan Castle noted the Village Board has hired a consultant to revisit the zoning and review the village as a whole regarding the zoning ordinance and districts. The Planning Board will play an active role in this endeavor and work with the consultant. This will require a RFP (request for proposal) to be sent out soon. Other towns/villages have done this same thing recently with support from EC Environmental and Planning Dept which Dan will contact for further help. The Regional Comprehensive Plan was done around 15 years ago along with Wales, Elma, Holland, Town of Aurora, etc and this corridor was known then as transitional. It is time to re-visit this area. Lowell Dewey asked if the neighbors in this area are aware of the value may or may not be affected if it were re-zoned. Bud Babcock asked why these four properties were not all seeking the same zoning. They feel they have a better chance to sell as R-C than R because of railroad and old Agway in their back yard. Bill Kramer noted that David Kern owns some of the surrounding properties and the Railroad owns the rail line. Kern extended the park area by using a bulldozer to level the ground where some 6'-9' tress were taken down to level it to its natural base. The Town of Aurora Building Dept notified the owner that a development plan would be needed to continue having cars brought in. West-Herr stopped shipping the cars there. He also noted that Kern and West-Herr are not one and the same. Setbacks are stiffer, more restrictive by going from RC to R

district. MI would be further restrictive. Dan Castle stated that spot zoning is difficult to which the courts disapprove and acknowledges the zoning is outdated and needs to be revisited. This corridor will specifically be looked at when the reassessment/rezoning moves forward to what makes sense. To re-zone, the whole area is reviewed, not just one/two lots. He would like someone from this neighborhood to be involved. The Village Board will still review their application at their meeting. Karen Lee asked if they could still go forward with their application if when the review/re-zoning process takes place, they still do not like the designated zoning. The answer is yes. Stacy asked who owns 28 Whaley, it is owned by David Kern to which she added that he will probably not want his property to change zone. Dan Castle stated that he could still get a development plan to park cars even if these properties are rezoned.

**A motion was made by Lowell Dewey, seconded by Stacy Oar that these reclassifications are a logical transition but that the implementation of zoning changes should be part of the overall Master Plan/rezoning that the Village of East Aurora will be undertaking.**

**Aye – all**

**Motion approved**

**Informal meeting regarding 253 & 259 Main St:**

Dan Castle – these properties have been recently designated with a local historic designation.

Jeff Palumbo, atty, noted that Pasquale's owner took over the property when it was in a state of disrepair and they are here for a resolution and want to protect and preserve the properties. It is an expense to fix. The Price house (259) is the main focus and they would like to rehab that house with a parking package using 253 as parking. They originally wanted to knock down both and rebuild with a mix use with retail on the bottom and apartments on top. They have moved away from that. They reached out to Mayor, Al Kasprzak and Dan, Chairman to see about a compromise. Frank asked if, when they thought about adding to 242 Main, had they thought about parking? Jeff said they didn't lose any parking spots when they expanded and it's not so easy to just move your operations. He notes the Bar Bill has a huge parking lot in the back that is owned by the Village of East Aurora. He believes it's a win-win to get cars off the street. Lowell Dewey asked why the non-Price house was designated and Dan Castle believes it was owned by an Adams who was 1<sup>st</sup> settler of the village. Dan used the word restore rather than rehab of the structure. Stacy Oar asked how many spaces they are looking for and Gene noted he has 40 employees and parking behind the structures was preferred. They would have to merge the properties because stand alone parking was not allowed. Geoff asked if they are insurance and if the insurance paid for the damages. Pasquale's did not collect on the insurance when there was water damage because they shut the heat/gas off and they were advised they will not win the challenge. Lowell Dewey noted he has not had any problems with parking and that it is dear to the Village to keep houses in Mid-Main. It is very difficult to approve a demolition of a house for parking. Main St has no requirements for parking. Jeff Palumbo hinted that they may challenge the Village Board decision but ultimately they want parking. They are willing to repair the Price house but want to demolish the other one because they don't think it's historic. Bud Babcock suggested they use as a revenue producer such as a museum e.g. Pasta museum or Fisher Price museum. Dan Castle noted that the Mayor offered to speak with Aurora Park for use of their parking lots because it is not used after 4PM and start some productive discussion. Pasquales' want to prosper and do well in East Aurora but they want parking and it wouldn't be a burden. The parking would be used for employees as well as customers. They believe they are offering a compromise and it doesn't have to be an eyesore with trees, buffers and berms to shield from the street. Dan Castle noted Mid Main is about keeping the residential character, not just the actual residences. Kristin Cameron asked what is a reasonable distance for the customers to walk and is there a difference between coming from across the street or from Aurora Park

nursing home. Gene said that's hard to answer because everyone is different. Wendy Salvati suggested that it be used as a pocket park for the public. Dan castle asks that people give more hard thought to this project but will not get any further in tonight's discussion.

**Informal discussion with Wendy Salvati, WWS Planning:**

Wendy is a long time planner here in WNY. She was involved with Regional Comprehensive Plan done many years ago. She has reviewed the Design Guidelines that were created by Anne Redmond, former PC member. She thinks this is more architectural oriented and focus should be more of the elements of the public realm beyond architecture. These design guidelines are really heavy per Wendy. She is teaming with Charlie Gordon and toured VEA for 3 hrs for site investigation. Guidelines are not adopted standards but can use them to guide applicants to be proactive in the project discussions. Parking, lighting, landscaping, roof line, signage and pedestrian environment, etc could be included. Guidelines are not to change but for preserving. Wendy did a 'Dollars & Sense' video about preserving community character. Good design is good for business. Design guidelines should be a part of revisiting rezoning. Wendy complimented the PC about the condos and their look at 277 Main St. Design is very subjective. Mobile gas station is not historic but materials and elements that were used made it look nice with blending of the stone, designing the canopy and landscaping up front. Grey St and the shopping center are a concern. A West end group that was formed with business owners never took off. Concept sketches could be done including reports and guidelines from Wendy. An example would be a separation of front of building and cars/parking. A public meeting should be scheduled and invite HPC and ZBA members, list the meeting in the EA Advertiser, invite Chamber of Commerce and Alix Martin, who has been involved in the beautification of VEA. She will provide a document that is very visual pictures and illustrations - both good and bad, roofline info & facade, site lighting, landscaping, site access and architect designs. Dan clarified that this is not to regulate what people do on their houses. Dan says primary focus is commercial and plaza area because there are very few places for residential.

Wendy's e-mail is [wsalvati@wwsplanning.com](mailto:wsalvati@wwsplanning.com)

Lowell Dewey made a motion to adjourn the meeting at 9:02 PM, seconded by Frank Mesi Jr. and approved unanimously.

Respectfully submitted,

Wendy Potter-Behling  
Deputy Village Clerk  
Secretary, Planning Commission