

EAST AURORA PLANNING COMMISSION  
REGULAR MEETING

March 11, 2014

7:00 PM

PRESENT:

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

ABSENT:

Dan Castle, Chairman  
Frank Mesi

Also Present:

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

Terry Arndt, 31 Knox  
Joseph Bantelman, 31 Knox  
Thomas Stynes, agent for 667 Oakwood Ave  
Kelly Jones, 40 Riley St  
Ken Jones, 40 Riley St

Lowell Dewey, Vice Chairman opened the meeting at 7:00PM and noted that a quorum was present and Bud Babcock will be a voting member tonight.

Allen Ott, Jr made a motion to approve the minutes from December 3, 2013 as written, seconded by Bud Babcock with a unanimous vote to follow.

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**Review of Development Plan for  
31 Knox Road East Aurora, NY 14052**

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Terry Arndt noted the following information to the Planning Commission regarding the development plan for 31 Knox Road:

- The property has a 2 story-house erected on it in 2005
- The property is zoned R-C (residential-commercial)
- There will be no changes to the house
- He wants to allow Joseph Bantelman, Affordable Insurance, to run his insurance company on first floor of the house and residence above
- The insurance company will have one additional employee
- They spoke with the neighbors with no objections
- Two rooms will be utilized
- A sign (non-illuminated) will identify business
- Signage hasn't been finalized, may have lights shining on building
- Office hours are 9-5 M-F Saturday & Sunday by appointment
- Property, casualty and life insurance
- Driveway is 570 SF so two adjacent cars and behind each other

- Not a lot of walk in traffic
- Currently at Rite-Aid plaza (178 Main)
- Mostly one client at a time
- A lot of paperwork gets dropped off, more commercial oriented
- Bill Kramer noted zoning compliance and change in use of any part of building to non-residential requires development plan approval

**A motion was made by Allen Ott, seconded by Kristin Cameron to recommend the approval of the development plan for change in use for partial non-residential use at 31 Knox Rd**

**Aye- all**

**Motion carried**

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**Review of Development Plan for  
667 Oakwood Avenue East Aurora, NY 14052**

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Thomas Stynes, 811 Girdle Rd East Aurora NY, agent for Timothy Francis, 667 Oakwood Avenue noted the following information to the Planning Commission regarding the development plan for 667 Oakwood Avenue:

- This property was before the Planning Commission 7-8 years ago for demolition and a rebuild
- Property is zoned R-C
- The front tenant wants more room
- Owner, Timothy Francis, would use the new building as well as Mr. Stynes- They use the back of current building
- The front tenant is internet sales for go karts and its parts with minimum foot traffic
- There will be no changes to the current building
- They want to build a 3,300 SF detached storage building

Lowell Dewey commented that this property will be filled with new building and there is not much more space. He questioned the storm water runoff to which Mr. Stynes stated it would go thru the gutters and conducted which are noted on the plans. Timothy has spoke with DPW about tapping into sewer and doing a road cut. He is aware drainage history and is looking to cure drainage problems. Driveway is stone. Utilities located on west side of current building. Therefore, they would be tapped in off of current building including water. There are no plans to subdivide property. 6' fence is on eastern property that Tim Francis erected in conjunction with eastern property owner. Lowell is looking for more of a buffer on the east side and perhaps to shrink building size slightly. Lowell inquired about sound, lighting and hours of operation. Mr. Stynes stated lighting would be over the man door per code and nothing on a pole. The hours of operation would be during the day. Mr. Stynes runs his construction business out of rear space. Finances would limit paving the driveway. Lowell commented that a 6" pipe may be too small for roof and surface runoff and that the pitches to street and catch basins need to be adequate. Pitch is 1% per Mr. Stynes and slope is standard. Lowell mentioned the use of an 8" pipe. Kristin agreed that a buffer would break up commercial look to property. Timothy Francis would be open for buffer/screening. Burning bushes were planted but when fence was erected, some bushes have been removed because of overcrowding. Evergreens may overcome the fence. Plan shows the required 10' side yard setback but Lowell asks for 5' building reduction for planting row. Circular saws and table saws are used but it is not a woodworking shop. No other use of heavy equipment. Trucks are no longer being stored because of the mess with wood chips, trucks, etc. Bud Babcock noted that the proposed building looks very industrial and suggests

some roof line enhancements to change tone of structure and the cost is not a whole lot more with enhancements.

Neighbor at 677 Oakwood is concerned about flooding and maintaining the residential quality. Water in her yard would contain 'shrapnel' and coffee cups from employees of NYS DOT who used to rent from Mr. Francis. The yard will flood so bad that kids cannot use swing set. Lowell noted three catch basins near edge of her property line in back and suggests making one of them an 8" pipe and gave her a stud pipe maybe that could help drain her yard. The yard has a dip with no drain. Bill Kramer stated that Mr. Francis is already thinking about this and the need for a drain. Neighbor stated that the bushes installed were too short. Then a fence that was higher was installed by them all. Allen Ott questioned whether garage overhead doors are needed because large trucks could be stored there. Mr. Stynes replied that it allows for good access to the space. Mr. Stynes owns a truck with ladder rack with the height of 8'. Other PC members feel that it could be used for winter storage and that the applicant did not indicate that large trucks would be at this property.

**A motion was made by Allen Ott, seconded by Stacy Oar to recommend the approval of the development plan for new construction of a detached building at 667 Oakwood Ave with the following concerns/resolutions/conditions:**

- storm sewer drainage is large enough to handle all the flow from the land, the roof runoff as well as considering the neighbor's drainage**
- no noise generating occupations**
- lighting will be at entrance of building only, not on a pole**
- building size narrowed by 5' on east side to increased setback by 5' to allow for a buffer**
- plant evergreens as buffer in that 15' area from lot line in conjunction with existing fence**
- utility connections to new building from existing building are to meet code**
- parking should not be allowed for vehicles such as 10 ton dump trucks or diesel fueled/fumed generating equipment**

**Aye – all**

**Motion approved**

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### **Review of Development Plan for 40 Riley Street East Aurora, NY 14052**

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Ken & Kelly Jones, 286 Sycamore Ave East Aurora NY, and Dan Buchanan, Bammel Architects noted the following information to the Planning Commission regarding the development plan for 40 Riley Street:

- The plans submitted were an early rendition but back addition will not take place at this time
- Occupancy was 120, now it will be 124 so parking is will stay the same at 22 spaces which is adequate
- Roof projects 5' off front which they intend to enclose
- Use of existing bump out on west side of property for storage and walk in coolers and to make kitchen more usable
- Sitting will stay relatively the same as current layout
- Proposed option for 2<sup>nd</sup> floor for office space to this business
- The back addition is phase 2 which is not in the current scope of work
- 2<sup>nd</sup> story addition will be a shed dormer as not go any higher than current roof line which is feasible because there is plenty of space

- Same roof line, drainage, parking, handicap
- They are applying for the entire plan but will only be working on phase 1 first for timing issues to move and open business
- Phase 2 will start shortly after phase 1 but not sure of timing
- Time frame is immediate because their current lease at a different location is up at end of May 2014.
- The finishes of the building are hopeful and an improvement to current conditions
- Landscaping of planters will be tight to building and they can be moved in the winter plowing season
- Two parcels were purchased in this transaction
- Parking lot (SBL#165-17-6.2) has a lease agreement with the Village of East Aurora
- Proposed dumpster enclosure to be located in parking area of lot #2 and is well out of line of sight for exiting and traffic right of way

Setbacks, even with addition, are conforming. Lowell made a comment about possible problems with parking and the ice rink locale. Al Kasprzak noted hours of operation listed on application reflect ½ hour time frame. Linda Zaff, HPC member asked the age of the building. Dan Buchanan responded that there have been several additions to this building. The building was moved from the current TNT store location (635 Main) and was a diner at that location. Original structure dates back to 1920's or 1930's and was moved in late 1950's per Bud Babcock.

**A motion was made by Kristin Cameron, seconded by Allen Ott Jr to recommend the approval of the development plan for changes to existing building/restaurant and addition to the same at 40 Riley Street.**

**Aye – all                      Motion approved**

Randy West, Village Trustee, asked for a PC member to be part of the capital project planning committee. There will be monthly meetings. The Village Organizational meeting at will take place on April 7, 2014.

Stacy Oar made a motion to adjourn the meeting at 7:56 PM, seconded by Allen Ott Jr and approved unanimously.

Respectfully submitted,

Wendy Potter-Behling  
Deputy Village Clerk  
Secretary, Planning Commission