

EAST AURORA PLANNING COMMISSION
REGULAR MEETING

December 3, 2008

7:00 PM

Present: Dan Castle, Chairman
Stacy Oar
Laura Mehl
Lowell Dewey
Donald Wynes
Randy West
Carol Smith

Also Present

Trustee, Allan Kasprzak, Robert Warhus, and 2 members of the public
Code Enforcement Officer, Bill Kramer
Deputy Clerk, Sue Wolff

Others Present:

Peter Sorgi, Atty. Hopkins Garas & Sorgi, 5500 Main Street, Suite 311, Williamsville, NY 14221
Bill Paladino, Senior Vice President for Ellicott Development

**Review of Development Plan for E.A. Goodyear
(Corner of Boies Alley & Grey Street)**

Chairman, Dan Castle called the meeting to order at 7:04 PM

Carol Smith moved the minutes of November 5, 2008 for the Preliminary Review of the EA Goodyear Development be approved, seconded by Randy West which was then followed by a unanimous vote to approve.

Lowell Dewey moved the minutes of November 5, 2008 on the Ice Rink be approved as written, seconded by Carol Smith.

At this time of the meeting Lowell Dewey stated that as far as voting on the Development Plan for EA Goodyear tonight, he would be excusing himself since he participated in the preparation of the site plan.

Chairman, Dan Castle asked Peter Sorgi to explain what had been changed, if anything, from the previous preliminary development plan that was reviewed by the Planning Commission. Peter Sorgi discussed the fact they had gone to the Zoning Board of Appeals for their three area variances, which were granted on November 20, 2008. Peter explained that since the Planning Commission last reviewed the site plan there had been several modifications made to the development plan. The changes were as follows: the curb cuts were downsized as suggested, additional landscaping & reduction of size of building and improved architecture/design of building. The building was originally proposed at 6,895 sq. ft. and was downsized to 6,262 sq. ft. with 6 bays instead of 7. The two curb cuts were also made smaller as previously suggested with more landscaping added. A new parapet roof was also added, making it more appealing. Peter also mentioned that at the ZBA hearing there was only one neighbor that appeared, the owner of Kone King on Hamburg St. who was curious how snow removal was going to be handled. Peter explained that by the end of the meeting with the ZBA he, (owner of Kone

King) was also in agreement with the development plan. Dan Castle asked how the issue of the snow removal was resolved. Peter explained that because the owner of 117 Hamburg St. had always pushed his snow along the side of building, towards the rear lot line, he was concerned where EA Goodyear was going to put their snow during cleanup. Peter explained that Bill Paladino said EA Goodyear would have their snow trucked away in the event of a significant snowfall.

Carol Smith asked if the retail had been reduced in size. Bill Paladino said yes it was smaller than the present stores retail.

Stacy Oar questioned if the decrease in building size was a condition of the ZBA. Peter said no, they had decided to downsize because they felt it would better accommodate the lot and they would be able to do more with landscaping.

Carol Smith questioned if the ZBA had questioned the noise issue so close to a residential area. Peter said that it was not discussed by the Zoning Board of Appeals.

Dan Castle asked about the lighting plan, and mentioned that he did not see a lighting plan in any of the documentation he had received. It was explained that there would be several mounted lights on the outside of the building and the rest of the lighting would be provided for by the street lights. EA Goodyear didn't feel any additional lights would be needed for the lot area.

Dan Castle then questioned if there would be a free standing sign on the corner. Bill Kramer spoke up and mentioned that at this time they have not applied for any sign permits, but once they do they will have to comply with Village sign ordinances.

Lowell Dewey spoke briefly on the oversized storm sewer that he was sure to add to the site plan for EA Goodyear. Lowell feels that all developments should have these noted on their development plans.

Robert Warhus mentioned that EA Goodyear has 6 wall packs for lighting pictured on the exterior of their building, but he was curious why they didn't submit a lighting plan. Dan Castle agreed that even though it looks like the exterior is very well lit, he would like to see more detail.

Since the Planning Commission members had no further questions to ask of the EA Goodyear developers, this portion of the meeting closed at 7:15 PM. Any conditions & recommendations would be made at the end of the evening tonight after reviewing all other developments.

The meeting resumed at 8:45 PM with the following recommendations and conditions made for the EA Goodyear:

1. A detailed lighting plan.
2. Conditions & sizes of signs along with sign placement on the site plan in compliance with the Village Sign Ordinance.

Don Wynes made a motion to accept the development plan for EA Goodyear as reviewed with the above mentioned conditions, seconded by Randy West.

The voting was as follows:

Dan Castle	yea	Laura Mehl	yea
Carol Smith	yea	Stacy Oar	yea
Donald Wynes	yea	Randy West	yea
Lowell Dewey		Excused, since he prepared the site plan	

Respectfully submitted,

Susanne M. Wolff
Planning Commission Secretary

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Others Present:

Christine Peters, Executive Director – 31 South Grove St.
Michael Lennon, Archt. with Flynn Battaglia Architects, PC

**Development Plan Review for Power House
39 South Grove St.**

This portion of the meeting started at 7:15 PM.

Dan Castle discussed with the other members that the Village Board on November 17, 2008 declared a Negative Declaration with regards to SEQRA review.

Christine Peters explained that the proposed Power House was the same size footprint as the original. Dan Castle questioned if the previous issues with the HVAC have been addressed and the appropriate variances have been granted. Christine noted that they had met with the Zoning Board of Appeals on December 1, 2008 and had been granted the rear & side yard variances as requested. The only difference to the original site plan was the fact that the HVAC unit had been relocated from the Northwest corner of the rear of building to the Southwest corner.

Dan Castle questioned if the drainage problem had been answered. Michael Lennon, Archt. for the development mentioned a master plan for the whole campus involving a storm sewer was in the future, hopefully within the next 5 years, but for the time being, any excess water would drain into the soil, into drain tiles and out to South Grove, resembling a French drain.

Carol Smith asked about the building being moved a foot or two away from the property lines, to which Michael Lennon replied that SHPO had said the building should stay as closely as possible to its original footprint.

Dan Castle questioned the height of the chimney, if it would be mechanical and what the original height was. Michael Lennon said that the original chimney and the new proposed chimney is 83' in height, and it would serve as a duct for intake & exhaust of gases. Michael went on to explain the construction of the chimney. Blocks would be put on a steel frame that would also incorporate a series of hangers or clips that the blocks would literally hang on with gasket units in between them to help with air circulation. Enough blocks were salvaged to reconstruct the chimney to about 32' then the new brick would start and continue on. Christine showed the Planning Commission one of the salvaged blocks as well as one of the new replicated terra cotta blocks.

Carol Smith asked if the proposed building would be approximately the same in height, to which Michael replied the building would be slightly higher due to the fact the roof detail is going to be altered to accommodate insulation.

Lowell Dewey questioned the parking. Michael Lennon said there are 25 parking spaces which are within the code requirements. The proposed building will have a legal occupancy of 100 people. There isn't any changes being proposed to either of the parking lots at this time, those changes will come once the master plan for the campus is discussed. Lowell wondered if there was a plan showing the striping. Michael replied that because nothing is changing in the present parking lots no striping is detailed on the proposed plans.

Lowell also asked about site lighting. Michael said the only site lighting would be recessed light fixtures on the porch to the east side of the building. No lights for the parking lot? asked Lowell. No replied Michael, street lights that are presently there will light parking lot area.

Lowell mentioned that according to the check list of items necessary for a site plan review, some additional information was necessary. Lowell suggested the following:

1. Site plan showing elevations
2. Show grading as well as drainage of storm water, making sure water will not be drained onto neighboring properties. Also, show if possible the development plan or Master Plan for the entire campus on storm water drainage.
3. Show parking lots, driving lanes and striping.
4. Roof drainage, showing gutters, eaves & downspouts.

Lowell asked when construction would begin. Christine replied next spring with drainage hopefully the following summer of 2010.

Lowell also asked if any landscaping was going to take place. Christine replied the only thing that was being added was a fence on the south east corner of the building that is closest to the neighbor, to help shield the lights from the parking lot.

This portion of the meeting was closed at 7:40 PM with recommendations and conditions to be discussed after all other development plans for the evening were reviewed.

The meeting resumed at 8:50 PM.

Carol Smith made a motion to accept the Power House development with the following conditions, seconded by Stacy Oar and passed unanimous.

1. Site plan showing elevations.
2. Show grading as well as drainage of storm water, making sure water will not be drained onto neighboring properties. Also, show if possible the development plan or Master Plan for the entire campus on storm water drainage.
3. Show parking lots, driving lanes and striping.
4. Roof drainage, showing gutters, eaves & downspouts.

Respectfully submitted,

Susanne M. Wolff
Planning Commission Secretary

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Code Enforcement Officer, Bill Kramer
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Others Present:

Ralph Lorigo, Atty.
Wendy J. Ferrie, Archt. Carmina & Wood, P.C.

**Preliminary Review of Development Plan for
Mobil Station/Mini Mart at 56 Hamburg St.
And
Zoning Reclassification for 155 Oakwood Ave.**

Chairman, Dan Castle called the meeting to order at 7:45 PM

Randy West said that the issue was first to discuss the rezoning of the property at 155 Oakwood Ave. and then review the preliminary development plan for the mini mart at 56 Hamburg Street.

Dan Castle mentioned that this was still a preliminary review for the development plan at 56 Hamburg Street, so it will still need to come back to the Planning Commission again.

Ralph Lorigo explained the new development plan for the gas station/mini mart had a more residential look or flare. The new station would be 4,148 sq. ft. in size with one canopy & 4 pumps, replacing an 888 sq. ft. bldg. with two canopies & 4 pumps. The reason for decreasing one canopy and eliminating two existing curb cuts Ralph explained would help to improve traffic flow. Ralph Lorigo went on to explain that at the last Planning Commission meeting the members were not in favor of the house demolition at 155 Oakwood Ave., therefore the house will now be offered through the Village to the public free for the taking, the only charges incurred would be for the moving of power lines during relocation to a new site. Ralph & Wendy showed the PC members, samples for the bricks, siding and roofing that would be used.

Carol Smith questioned if the windows that were pictured were actually going to be used, noting the individual grid work and small panes. Wendy Ferrie said yes they would be used, to give it a more residential flare.

Dan Castle agreed that the newest development plan is more residential looking and is an improvement.

Carol Smith asked which curb cuts had been eliminated. Ralph pointed out the two curb cuts on the corner of Hamburg St & Oakwood Ave. had been eliminated. There would be a total of three curb cuts one existing presently on Hamburg St. the second on Oakwood Ave. and the third would be moved further down Oakwood Avenue, staggering it slightly beyond the entrance, across the street, which leads to the parking lot behind Tim Hortons.

Dan Castle pointed out that there were several trees and shrubs added to the side of the proposed mini-mart on Hamburg Street. Ralph Lorigo noted that these were added to create a buffer for the area.

Don Wynes noted that there needed to be a site plan showing the elevation of the canopy area from Hamburg Street. Wendy replied that it was not shown but would be for the next review. Dan Castle suggested that lighting should be shown for the canopy area. Wendy mentioned that there was a lighting plan submitted with the last submission of plans.

Don Wynes mentioned that at the last development plan review for the Mini/Mart the elevation of land on the Oakwood Ave. side was discussed and the PC members wanted to see the grading on that area for review.

Lowell Dewey requested the existing and proposed curb cuts be shown on the site plan, in relationship to the existing curb cuts across the street on Oakwood Ave. by Tim Horton's.

Lowell Dewey also questioned if the canopy over the pumps would have the same details & brackets as shown on the building. Wendy Ferrie said yes they would be very similar.

Randy asked a question about the rezoning of the site. He questioned if anything would fit this property without going into the back section that is being requested to rezone. Ralph Lorigo said they have looked at moving the building differently on the site, but haven't come up with any other thoughts on how that could be possible. They don't feel they need to utilize all of the property once rezoned but a good portion would be developed.

Dan Castle along with the other members discussed other possibilities of relocating or moving the building on the property to avoid demolition of a usable residential structure. Ralph Lorigo said they had looked at other options and no other options would work.

Dan Castle asked if there would be lighting on the back of the building. Wendy said there would be LED wall mount lights & light poles.

Carol Smith wondered how advertising for the house would be handled. Ralph Lorigo mentioned that the house could be advertised as well as a notice posted in the Village Hall.

Dan Castle asked trustee Allan Kasprzak, who was attending the meeting that night, if he could mention it at the next Village Board meeting. Allan replied that he would contact the Village Administrator to discuss how this could be handled.

Bob Warhus who was also in attendance of the meeting, asked what if no one is interested in the house. Then what? Ralph Lorigo feels almost certain that someone will want it, especially since it is free.

There being no further questions from the PC members this portion of the meeting closed at 8:15 PM.

After the meeting had closed and the Planning Commission members reviewed the development plan further, it was noted that during the last preliminary review on this site a traffic study was requested which hadn't been discussed or viewed tonight. There also was some concern expressed regarding the impact of traffic from the proposed development in combination with an already congested intersection, and whether this is the best location for an expanded mini-mart use.

The following is a list of the recommendations made tonight for further review:

1. Show all vegetation on site plan.
2. Show curb cuts in relationship to Tim Horton's curb cuts on Oakwood Ave.
3. More detail on site plan of elevation, drainage and grading
4. More detail on lighting.
5. Traffic Study.

Carol Smith made a motion to close the meeting at 9:00 PM, seconded by Laura Mehl and passed unanimously.

Respectfully submitted

Susanne M. Wolff
Deputy Clerk