

EAST AURORA PLANNING COMMISSION
REGULAR MEETING

October 1, 2008

7:00 PM

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

Absent:
Carol Smith

Also Present

Code Enforcement Officer, Bill Kramer
Deputy Clerk, Sue Wolff

Others Present:

Sean E. McDermott, P.E. with the Zaremba Group, 14600 Detroit Avenue, Cleveland, Ohio
Frank Villanti, P.E from Ohio and Rob Pidanick
Attorney, Peter J. Sorgi with Hopkins, Garas & Sorgi, PLLC, 5500 Main St., Williamsville, NY

Mayor Clark Crook, Trustee Kasprzak, and 17 members of the public.

Review of Development Plan for the Corner of Olean/Main Streets (CVS)

With the late arrival of the Chairman, Vice Chairman Lowell Dewey called the meeting to order at 6:40 PM

Laura Mehl moved the minutes of August 6, 2008 meeting be approved. Stacy Oar seconded the motion, which was then followed by a unanimous vote to approve.

Sean McDermott explained that the site plan was much the same as the preliminary site plan that was reviewed by the Planning Commission on August 6, 2008.

The necessary properties are now under contract to be purchased soon. Upon completion of purchase the properties will be cleared and made ready to construct a 13,225 sq. ft. building, which will accommodate a new CVS on the corner of Olean/Main Sts. The building will be modeled after the building across the street with a block & brick construction. There will be windows on the top portion of the building along with light boxes placed in the windows to give a residential appearance to the building. Decorative lighting will be placed on the exterior, along with lights in the parking lot. There will be two elevated tree lots (pits) and benches. Sean went on to explain that they have spoke with the tree commission and have completed a tree list for planting in the pit areas.

Questions asked of Developer:

- Lowell:

How many parking spaces were being allotted for? Sean said 62 spaces. Lowell wondered if all 62 would be used at one time or are there more spaces than really necessary. Sean mentioned that village code requires 60 but CVS would like the extra, just in case. Lowell felt that maybe rear parking on the south side of lot could be lessened and made into more green space to help shield the homes on Ellis Place.

- Don Wynes:

Are all parking spaces to accommodate patrons of CVS only or will public parking be allowed? Sean answered by saying that the parking would be a privately owned lot.

- Lowell:

Wishes building could be elongated on Main with parking lot behind building. Also, no apartments upstairs, wishes that would change.

- Lowell:

Commented how building looks great and everything is well planned out. Asked what the acreage was on proposed site. Sean said about 1.2 acres.

- Bill Kramer:

Questioned on the screening of building towards the East, which will be the most visible spot. How high will the hedgerow be? Sean, The hedgerow that would be planted would be 3' high.

- Dan Castle:

Are you aware that you are in between 2 historic districts? Sean, yes we are.

- Stacy:

Would like to see a higher hedgerow on the East side of parking lot.

- Dan:

Asked if anyone in attendance of meeting was from the East end of the Village and what their opinion of the project was. No one commented.

- Randy:

According to the site plan it looks like there will be a sign on the East side of the trees. Sean, Yes

- Dan:

Questioned since there are already two Rite Aid Pharmacies in East Aurora already, could one of those be purchased or leased to accommodate the new CVS. After all he went on to explain, there are vacant drug store sites that possibly could be utilized for that purpose without demolishing and rebuilding.

Peter Sorgi explained that both are currently being leased and they (Rite Aid) have no intention of moving out of either location

- Dan:

Once they do become available could one be used instead of rebuilding?

- Bill Kramer:

How long do leases usually last? 20 to 25 years? Peter Sorgi: Yes

- Dan:

Could the existing building be reused since the existing building is very similar to what is being proposed Sean: To renovate the existing building would be too costly. Sean went on to explain that the style/design of this building was created specifically for East Aurora and not the normal box style.

- Randy:

Where will the deliveries be made? Sean, there would be double doors on rear of building on the South side to accommodate deliveries.

- Randy

The property to the East of the parking lot will it still be owned by West Herr? Do you know what their intentions are? Peter Sorgi explained that it is zoned CM and will probably be used for extra parking of vehicles from the dealership, but the vacant property would be large enough for another business and will be a valuable site for the future.

- Bill Kramer:

What would be the location for the dumpster and will it create traffic or parking problems. Sean & Peter both said that pickup would only be once a week and dumpster would be located to rear of parking lot on Olean Street.

- Randy:

Has the developer spoken with any of the neighbors, and have neighbors had any comments or concerns?

Sean: No

Peter said that the residents will be notified with mailers prior to the variance hearing.

- Lowell:

Will there be sidewalk replacement along Main & Olean Streets? Sean: probably

- Randy:

Will the neighbors have any reason to scream about mosquito breeding grounds in your bio retention facility? Sean: Exact details haven't been completely worked out yet, we're thinking bio retention but if that's a problem we have a couple different options. We have ample space. Randy went on to explain that when neighbors see standing water they think, mosquito's and tend to get upset. Sean explained that it is not going to be a wet pond, when it rains it might fill up to a foot in depth and then drains down slowly. Randy explained that other options could be used if necessary such as a storm water sceptor or something like that and use the pond area itself for detention only, to which the developer replied absolutely.

- Lowell:

Feels that the project has been reviewed twice, and wondered if the rest of the members were comfortable in giving it a go ahead, of if the members needed to see it again? Dan replied that he would feel more comfortable in waiting until the Zoning Board of Appeals listens to request for variance on 10/30/08 before giving approval. General consensus of members felt it could go forward without.

Randy West made a motion to approve the Development Plan with condition that the ZBA approve area variance on 10/30/08 and made the following recommendations to the Village Board.

1. Storm water requirements. Show alternate storm water treatment if necessary.
2. Height of the vegetation on the East side of parking lot to be increased an additional foot with an earthen berm, (total 4 foot in height).
3. Recommend that the Village Board consider banking 5 parking spaces to be used at a later time if needed and increase the green space along the south portion of parking lot.

Motion seconded by Stacy Oar.

Voting was as follows:

Nays 1

Yeas 5

Motion Passed

Dan Castle explained his reason for voting against was only on grounds that he would have preferred to see what the Zoning Board of Appeals said after hearing on 10/30/08.

This portion of the meeting closed at 7:35 PM.

EAST AURORA PLANNING COMMISSION
REGULAR MEETING

October 1, 2008

7:00 PM

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

Absent:
Carol Smith

Also Present

Code Enforcement Officer, Bill Kramer
Deputy Clerk, Sue Wolff

Others Present:

Ralph Lorigo, Atty.

Wendy J. Ferrie, Archt.

Mayor Clark Crook, Trustee Alan Kasprzak and 17 members of the public

**Zoning Reclassification for 155 Oakwood Ave.
And
Development Plan Review for 56 Hamburg St.**

This portion of the meeting opened at 7:38 PM.

Attorney, Ralph Lorigo and Archt. Wendy Ferrie explained to the Planning Commission the proposed gas station/mini mart, a 4,128 sq. ft. building which would be located at 56 Hamburg Street. The new gas station will still have 4 pumps. Ralph went on to explain that the last development plan included a car wash but that has since been eliminated. They will still need to have a zoning change for 155 Oakwood Ave. and that existing house will also need to be demolished. The gas station/mini mart will be set back further off the street on Hamburg St. so developer feels it will cause less congestion for vehicles exiting and entering onto Hamburg St. or Oakwood Avenue. There will be two curb cuts on Oakwood Ave., one almost in line with the current Tim Horton's entrance the other will be located further to the East on Oakwood Ave., and will be primarily used by employees for entering and exiting behind the proposed mini mart and also for dumpster pickup.

The following were questions asked by the Planning Commission members of developer:

- Lowell

Is the 4,128 sq. ft. building a standard size for most express marts? Ralph-Yes

- Bill Kramer

Bill thought the PC should be looking at the rezoning of the property at 155 Oakwood Ave. first and then the development plan.

The Planning Commission members were in agreement.

- Randy

Went on to explain that this proposed rezoning was looked at last year in June of 2007 to be exact and at that time the planning commission recommended it not be rezoned. Randy asked why the PC should now reconsider the rezoning request. After all, the only change is that you have eliminated the idea for a car wash and are proposing a mini mart. Ralph answered the question by explaining that the new development will have more of a residential character as a mini mart, much better access to the pumps with a safer design for ingress and egress. Hopefully you will see it will be a much better attraction to the community then before and you will reconsider the request for rezoning.

- Randy

Questioned if the request was to rezone the property at 155 Oakwood Ave. from RC to CM?

Ralph – Yes, that is correct.

- Dan

Felt he was still not happy with the proposed demolition of a perfectly good residential structure that has been left to stand vacant and not even tried to rent out. It is also the most congested intersection in our community, and with what you are proposing will only add more traffic flow to the area.

- Dan

Would like to have development plan referred to the safety committee for review.

- Randy

Questioned if developer had to go to Dept. of Transportation for the new proposed curb cuts. Ralph said yes and that they have not spoke to NYS DOT yet.

- Laura

Questioned how many trees if any would be removed. Wendy - three would be removed but they would be replacing six total trees after construction was completed.

- Lowell

Made the following suggestions to the developer:

1. Show the location of the power poles.
2. Sidewalk should be extended all along Oakwood Ave. to end of lot line.
3. Replace concrete wall behind bldg. with landscaping.
4. Show curb cuts better on Oakwood Ave. in relationship to curb cuts at Tim Horton's & the parking lot behind Tim Horton's.
5. See if house could be relocated to another site.
6. Put grade elevations in site plan.

- Dan

Also felt house was too nice to be demolished, hoped it could possibly be relocated, questioned if developer would check on that option.

Ralph replied that possibly house could be given away to someone at individuals expense of removal.

- Randy

First we should address the rezoning and then address the site plan. All the PC members were also in agreement. However, Dan thought the suggestions that Lowell made also needed to be addressed on a new site plan before returning to the Planning Commission for review.

The following was a list of items that the Planning Commission members felt they would like to see addressed on a new site plan.

1. Color scheme, building & signage.
2. What are plans for house? Reuse? Move?
3. Show elevations better.
4. Plantings
5. Give it a more residential feel. (Brick, Canopies, Shutters even Planter Boxes)
6. Get a traffic count for an average mini mart site. Dan suggested that GBNRTC could assist with this count.
7. Landscaping detail - if house is to be removed and also existing tree line, suddenly the lot becomes very deep with no landscaping from Hamburg St. all the way to the other side of the ravine.

- Randy

Feels that he doesn't see the need to rezone the property. In his mind there is no need to increase the CM land in the Village and the findings from last June still apply to the present proposed site plan and rezoning request.

Ralph Lorigo requested that he be allowed to represent at a later date with the additional information requested by the Planning Commission.

Laura made a motion to table until 11/5/08, seconded by Dan Castle with all voting in favor.

This portion of the meeting closed at 8:15 PM.

EAST AURORA PLANNING COMMISSION
REGULAR MEETING

October 1, 2008

7:00 PM

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

Absent:
Carol Smith

Also Present
Code Enforcement Officer, Bill Kramer
Deputy Clerk, Sue Wolff

Others Present:
Representative for the Ice Rink Sam Miller

Mayor Clark Crook, Trustee Alan Kasprzak and 17 members of the public

Development Plan for Ice Rink (41 Riley St.)

This portion of the meeting opened at 8:30 PM

The members of the Planning Commission discussed the fact that the Village Board had given a negative declaration on the recent SEQRA review and that it was referred back to the Planning Commission for further review of the development plan along with recommendations. The members felt that after the length of time that had passed since last reviewing the Ice Rink development plan (site plan) they needed to make sure that all documentation was current. The members of the Planning Commission suggested that Sam Miller meet with Code Enforcement Officer, Bill Kramer and review all documents that had previously been filed with the Village and get together one complete set for the Planning Commissions review.

The following is a list of items the Planning Commission wants the developer to provide them with.

1. A current set of plans to be reviewed.
2. Details of retaining wall.
3. Letter from Fire Dept. on feasibility of site.
4. Show sewer line relocation.
5. Drainage Calculations
6. Elevations that exist for the temporary rink have been raised. Make sure changes are noted with new elevations on site plan, from site to road and finish grade.
7. Check out mechanical specs for noise ordinances. List of equipment. Detailed shop drawing to check for excessive noise.

Randy West made a motion to adjourn the meeting until 11/5/08 until necessary documentation could be obtained, Seconded by Laura Mehl with all voting in favor.

Stacy Oar made a motion to close the meeting at 9:10 PM, seconded by Dan Castle and passed unanimously.

Respectfully submitted

Susanne M. Wolff
Deputy Clerk